



OBSERVER'S CHECKLIST

**For the elections of deputies to the Majlisi Namoyandagon
of the Majlisi Oli of the Republic of Tajikistan and to local Majlises**



**Republic of Tajikistan
Dushanbe, 2005**

The main task for the representatives of political parties and candidates on Election Day is to observe the voting process and the vote counting procedure. Election observation requires discretion, common sense, foresight, and good judgment. Only those who possess such qualities can be appointed to the post of election observer.

Observers at the polling stations are representatives of their political parties or candidates. Their actions, positive or negative, directly reflect on the party or candidate.

Congratulations! You have been appointed representative of your political party or candidate. You will act as an election observer on Election Day at your assigned polling stations on **February __, 2005**. You will play an extremely important role in ensuring that the elections are **truly free and fair and express the will of the people of Tajikistan**.

In this booklet, there are no detailed explanations of the Constitutional Law of the Republic of Tajikistan “On the Elections of the Majlisi Oli of the Republic of Tajikistan”, which concerns the electoral process. However, each representative must know and be able to apply the articles and regulations of this law.

In this booklet, there are excerpts from the laws on elections and from the regulations on the participation of political parties in elections in the Republic of Tajikistan. This booklet is to be used as a workbook for election observers.

Who are these representatives of political parties and candidates who act as election observers?

These people are citizens who give their time and effort to the party or candidate on whose behalf they are working. They may be a member of the party or a supporter of the party or candidate. Their task is to be present at the polling station on Election Day from the beginning of the voting until the official document on the voting results is written and a copy of protocol on voting results posted in the polling premises.

The representative of the political party or candidate acts as both a witness and a monitor. He or she is a witness of the events that occur on Election Day at the polling station to which he/she is assigned. He or she is also a monitor of the elections to ensure that the citizens of the Republic of Tajikistan, the members of Precinct Election Commission, the political parties, and candidates can enjoy the rights granted to them and the responsibilities prescribed to them by the Constitution of the Republic of Tajikistan and the constitutional laws of the Republic of Tajikistan entitled “On the Elections of the Majlisi Oli of the Republic of Tajikistan” and “On the Elections of the Deputies of Local Majlises”.

As a witness, the observer will register the happenings of the Election Day by taking notes and filling in the checklist. As a monitor, the observer will ask, with the permission of the Commission Chairman the necessary questions and express concerns that may lead to correct possible or potential violations without interfering in the process.

Why is election observation required?

The participation of representatives of political parties and candidates and international observers in the elections is very important for the entire voting process. Their presence at the polling stations on Election Day, in all regions of Tajikistan, serves several purposes:

- *To strengthen the public trust in elections, which simultaneously increases citizens’ political participation in the election process;*
- *To create a free and open atmosphere during the elections;*
- *To discourage forgery or fraud during the voting and the vote counting processes;*

- *To expose any fraudulent activities and willful violations and to take measures for their prevention;*
- *To reduce opportunities for frivolous or unfounded allegations of impropriety;*
- *To provide information which lawmakers and election commissions can use to assess the election process and to make any necessary improvements.*

The Rights and Responsibilities of Observers

1. Rights

Your right to participate in the voting process as a representative of a party or candidate is guaranteed by Article 8 of the Constitutional Law of the Republic of Tajikistan “On the Elections of the Majlisi Oli of the Republic of Tajikistan”. It states: **“Political parties that have nominated candidates and independent candidates have the right to appoint national observers who will observe the election at the polling station on Election Day.”**

National observers enjoy the right:

- To be familiarized with the voter lists;
- To be present at the meetings of the election commissions;
- To be present in the voting premises from the moment the district election commission starts its work until the moment it finishes;
- To observe the distribution of ballots to voters;
- To observe the process of canceling unused and invalid ballots, and to observe the vote counting process;
- To familiarize with the protocols of the Precinct Election Commission on the voting results.
- To ask questions, with the permission of the chairman of the corresponding election commission, receive answers and draw attention of the commission members and those present to any cases of violations of the law;
- To appeal the decision and actions (or inactions) of the election commission to a higher-level election commission or to the courts;
- To be present at the re-counting of the votes at the corresponding election commission, if this occurs.

The national observers do not have the right:

- To distribute ballots to voters;
- To sign the list, at the request of voters, stating that the voter received a ballot;
- To mark a ballot at the request of a voter;
- To do any action that compromises the confidentiality of the votes;
- To be present in the voting booth during the voting process;
- To participate in the vote counting that is conducted by the election commission;
- To do any action that impedes the work of the election commission or to participate in the decision-making processes of the corresponding election commission.

You also may:

- Attach to your report your evaluation, impressions, and any other documents you deem necessary.
- Meet with other representatives and observers if necessary.

- Temporarily leave the voting premises when necessary.

2. Responsibilities

- Study the laws on elections and the regulations of the Central Commission on Elections and Referenda.
- Familiarize yourself with the polling station where you will carry out your observations.
- Familiarize yourself with the list of parties and candidates.
- Introduce yourself to all members of the election commission.
- During the voting and vote counting processes, conduct yourself professionally. Avoid any actions interfering with the required processes for voting and conducting the vote count. Note the approximate time and location of any violations and provide as much evidence as possible.
- Ask questions, write notes, express your concerns do not give instructions, and do not show your favoritism with any decision made by the election commission.

The intervention of party representatives and observers in the voting process and in the activity of the election commissions is prohibited. Observers have right to ask questions and request answers only with the permission of the chairman of the precinct election commission. They may also draw the attention of polling station workers and others present to the cases in which the law is being violated.

- You should represent your party or candidate.
- You must arrive 30 minutes prior to the opening of the polling station and not leave until all ballots are counted and all protocols are issued.
- You must send your observation report (see attachment) to your party or candidate.

Instructions and Reporting Forms

To function effectively as an election observer, follow the instructions below and fill in the attached forms.

I. Before Election Day

- Learn the election laws thoroughly.
- Make sure that the voter list at the polling station is publicly displayed 15 days prior to the elections so that voters can see it.
- **OBTAIN THE NECESSARY DOCUMENTS TO BE ACREDITED AS AN OBSERVER FROM YOUR PARTY OR CANDIDATE.**
- Introduce yourself to the members of precinct election commission.

The republican or local bodies of political parties shall present their applications with the enclosed lists of their representatives to the district electoral commissions not later than 10 days prior to the day of the elections. The district electoral commissions will then inform the precinct electoral commissions no later than 5 days prior to the election day. The surname, name, and patronymic of the representative (observer) and the location of his or her residence should be indicated in the lists as well as the exact polling stations in which he or she intends to exercise his representation. The political party and candidates to deputies must give its representative (observer) a document identifying his or her authority.

II. Preparations for Election Day

To be an effective observer at the polling station, you will need to prepare and bring the following materials with you:

1. A certificate issued by your political party or candidate containing your full name, residence, the number and name of the assigned polling station, where you will conduct your observations.
2. A passport, identification card, or other identification document.
3. Observer's Manual and Observer's Checklist.
4. Paper and pencil
5. If possible, you may want to take with you the following:
 - A watch.
 - A camera.
 - A flashlight.
 - Food and water.
 - A calculator.

You must arrive at **5:30 a.m.**, 30 minutes before the opening of the polling station, in order to observe the preparations for opening the station. Be sure you have organized your transportation before the Election Day.

After you arrive, fill in the forms below and begin answering the questions in the checklists.

Observer's name _____

№ of the electoral district

№ of the polling station

Name of the polling station _____

Telephone number of the polling station

Address of the polling station _____

Time at the polling station opened :

Time which the polling station closed :

Time of your arrival :

Time of your departure from the polling station :

Name of the chairman of the polling station commission _____

Name of the deputy chairman of the polling station commission _____

Number of members of the polling station commission present _____

Number of voters on the list

Final number of voters

Names of observers representing other parties or candidates:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Signature of the observer _____

Please check the following before the beginning of the voting process:

		Yes	No
1	Is the polling station correctly identified with its number?.....	<input type="checkbox"/>	<input type="checkbox"/>
2	Are the necessary materials, ballots, paper and pens available to the members of the commission?.....	<input type="checkbox"/>	<input type="checkbox"/>
3	Is there an adequate number of ballots?.....	<input type="checkbox"/>	<input type="checkbox"/>
4	Were the ballot boxes empty before they were sealed?.....	<input type="checkbox"/>	<input type="checkbox"/>
5	Were the ballots boxes stamped in the presence of poll workers and observers?.....	<input type="checkbox"/>	<input type="checkbox"/>
6	Do the voting booths ensure the secrecy of the ballots?.....	<input type="checkbox"/>	<input type="checkbox"/>
7	Were marks put next to the names of early voters on the voter list?.....	<input type="checkbox"/>	<input type="checkbox"/>
8	Were the ballots from early voting taken out of their envelopes and placed in the ballot boxes in front of poll workers?.....	<input type="checkbox"/>	<input type="checkbox"/>
9	Is the chairman or deputy chairman of the polling station election commission present?.....	<input type="checkbox"/>	<input type="checkbox"/>

Please check the following during opening and the voting process:

		Yes	No
1	Was the polling station opened on time?.....	<input type="checkbox"/>	<input type="checkbox"/>
2	Is there a special place reserved for observers to observe the voting process?.....	<input type="checkbox"/>	<input type="checkbox"/>
3	Is there any other propaganda materials in the polling station?.....	<input type="checkbox"/>	<input type="checkbox"/>
4	Is there an orderly queue in front of polling station premises?.....	<input type="checkbox"/>	<input type="checkbox"/>
5	Is the voting procedure well organized by commission?.....	<input type="checkbox"/>	<input type="checkbox"/>
6	Are voters signing the voter list before ballots are issued to them?.....	<input type="checkbox"/>	<input type="checkbox"/>
7	Are voters receiving the correct number of ballots?.....	<input type="checkbox"/>	<input type="checkbox"/>
8	Are voters being registered <i>only</i> by members of the election commission?.....	<input type="checkbox"/>	<input type="checkbox"/>
9	Are voters voting only for themselves?.....	<input type="checkbox"/>	<input type="checkbox"/>
10	Is the secrecy of voting maintained throughout the day?.....	<input type="checkbox"/>	<input type="checkbox"/>
11	Can the ballot boxes be seen by members of election commission and observers?.....	<input type="checkbox"/>	<input type="checkbox"/>
12	Is there adequate lighting and space in the voting booths?.....	<input type="checkbox"/>	<input type="checkbox"/>
13	Do the chairman and secretary of election commission respond to questions, concerns and complaints?.....	<input type="checkbox"/>	<input type="checkbox"/>
14	Do the actions of the members of the election commission appear impartial?.....	<input type="checkbox"/>	<input type="checkbox"/>
15	Do all observers followe observer's code of conduct?.....	<input type="checkbox"/>	<input type="checkbox"/>
18	Do observers accompany the mobile ballot boxes.....	<input type="checkbox"/>	<input type="checkbox"/>
19	Is the voting process running without incident?.....	<input type="checkbox"/>	<input type="checkbox"/>
20	Are representatives of the mass media present?.....	<input type="checkbox"/>	<input type="checkbox"/>
21	Are other national and international observers present?.....	<input type="checkbox"/>	<input type="checkbox"/>
22	Do you see evidence of any illegal tampering with the ballot boxes?	<input type="checkbox"/>	<input type="checkbox"/>
23	Do you see any evidence of intimidation, bribery or interference in the voting process?.....	<input type="checkbox"/>	<input type="checkbox"/>
24	Is there any intimidation or pressure on observers or proxies?.....	<input type="checkbox"/>	<input type="checkbox"/>

Observer's name _____

No of polling station

No of electoral district

Please check the following during the closing of the voting process:

		Yes	No
1	Was anyone permitted to vote during the closing of the voting process?	<input type="checkbox"/>	<input type="checkbox"/>
2	Did the polling station close on time?	<input type="checkbox"/>	<input type="checkbox"/>
3	Were the ballot boxes kept still sealed before the vote count?	<input type="checkbox"/>	<input type="checkbox"/>
4	Were unused ballots counted and canceled before the opening of the ballot boxes?	<input type="checkbox"/>	<input type="checkbox"/>
5	Was the vote counting process done only by poll workers?	<input type="checkbox"/>	<input type="checkbox"/>
6	Were the ballot boxes unsealed in the presence of poll workers and observers?	<input type="checkbox"/>	<input type="checkbox"/>
7	Was the vote counting process done in the presence of observers?	<input type="checkbox"/>	<input type="checkbox"/>
8	Was the vote counting process orderly?	<input type="checkbox"/>	<input type="checkbox"/>
9	Did the precinct election commission make a decision on invalid ballots?	<input type="checkbox"/>	<input type="checkbox"/>
10	Were two original copies of the protocols made?	<input type="checkbox"/>	<input type="checkbox"/>
11	Were the protocols filled out in ink?	<input type="checkbox"/>	<input type="checkbox"/>
12	Were the complaints and decisions of the election commission attached to the first copy of protocol?	<input type="checkbox"/>	<input type="checkbox"/>
13	Were both copies of the protocol signed by a majority of poll workers?	<input type="checkbox"/>	<input type="checkbox"/>
14	Was the first copy of the protocol sent to the district election commission?	<input type="checkbox"/>	<input type="checkbox"/>
15	Was the second copy of the protocol immediately displayed for public?	<input type="checkbox"/>	<input type="checkbox"/>
16	Did the sending of protocols, ballot boxes, and election materials to the higher election commission take place after the compiling voting results?	<input type="checkbox"/>	<input type="checkbox"/>

Observer's name _____

№ of precinct election commission ☐☐☐☐ № of electoral district ☐☐☐☐

Please explain the reasons for any unanswered questions above. Also, write any complaints and suggestions.

Please fill in the Observer's Protocol on the next page.

Observer's Protocol

1. The Voting Results

- | | |
|--|---|
| 1. Number of voters on the voter list | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 2. Number of ballots received by the election commission | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 3. Number of ballots issued at the polling station on Election Day | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 4. Number of ballots issued to early voters | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 5. Number of canceled ballots | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 6. Number of ballots in the stationary ballot boxes | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 7. Number of ballots in the mobile ballot boxes | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 8. Number of valid ballots | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |
| 9. Number of invalid ballots | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> |

Observer's name _____

Nº of polling station Nº of electoral district

The results of voting on single mandate electoral precinct

Name of candidate	The number of votes received
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	

Observer's name _____

No of polling station

No of electoral district

The results of voting according to the party list

Party	Number of votes received
1.	
2.	
3.	
4.	
5.	
6.	

Name and signature of the observer _____ Date

After you complete your report, deliver it immediately to the agreed upon place. Remember, your work as an election observer will have no effect if the party or candidate you are representing has no written report on the results of your observations.

SAMPLE ACTS ON VIOLATIONS OF THE ELECTION LAW:

Observer must write a statement on each election law violation he or she witnessed and obtain the signatures of other observers and proxies who were also witnesses. The statements are sent to the district election commission. One copy is given to the observer's political party headquarters or to the candidate. If necessary, the complaint can be sent to the court. The chairman of election commission must be informed of each statement you write and be given a copy.

(Examples of violations)

1. The chairman of the election commission refused our request to view the list of voters who voted by mobile ballot box.
2. The poll workers, _____ (write names), repeatedly told voters to vote for the _____ party.
3. Many voters voted with 2-5 extra ballots. Members of the precinct election commission issued them extra ballots, despite our repeated cautions.
4. The observers were placed 8-10 meters from the polling station workers where observation was impossible. When we informed the chairman of this, he just said that he "was ordered to do so."
5. The chairman of the polling station didn't announce the votes each candidate received.

A sample of an individual statement on cases of election law violations:

STATEMENT

Place _____

№ of precinct election commission

Date

I, _____, the representative of the _____ party or _____ candidate, hereby inform you of the following violations that took place during the elections of the Majlisi Namoyandagon and the local Majlises of People's Deputies on February , 2005 at : (insert time) local time at Polling Station № .

Signature _____

Number

Chairman of the polling station _____

A sample of collective on statement violations that took place on Election Day is below. Ideally, the final act will be prepared and signed by all observers who are at the polling station.)

ACT

Place

No of precinct election commission

Date

We, _____, representatives of political parties, and ,
representatives of candidates, witnessed the following violations which took place during the elections of the Majlisi
Namoyandagon and the local Majlises of People's Deputies on February 27, 2005 at Polling Station № .

(Examples of violations)

1. The chairman of the election commission refused our request to view the list of voters who voted by mobile ballot box.
2. The poll workers, _____ (write names), repeatedly told voters to vote for the _____ party.
3. Many voters voted with 2-5 extra ballots. Members of the precinct election commission issued them extra ballots, despite our repeated cautions.
4. The observers were placed 8-10 meters from the polling station workers where observation was impossible. When we informed the chairman of this, he just said that he "was ordered to do so."
5. The chairman of the polling station didn't announce the votes each candidate received

Chairman of the polling station _____

Candidate's proxy _____

Candidate's proxy _____

Candidate's representative _____

Party representative _____

Party representative _____

Date

**THE ELECTION OF DEPUTIES TO MAJLISI NAMOYANDAGON
OF MAJLISI OLI OF THE REPUBLIC OF TAJIKISTAN**

“ _____ ” _____ year 200____
(date of election)

PROTOCOL N° _____

of the precinct election commission about the results of voting in election of deputies of Majlisi Namoyandagon in
the all-republican election district from the political parties
district _____
name of district _____

N° _____

The polling station N° _____
(village, town, district, city, province)

The precinct election commission determined the following in the result of vote accounting:

1. The number of voters, who were included _____
to the list and also who were added _____
2. The number of ballots received by election commission _____
3. The number of ballots given to early voters _____
4. The number of invalid ballots _____
5. The number of ballots given to voters in the _____
Polling station in Election Day
6. The number of ballots in the ballot boxes _____
7. The number of valid ballots _____
8. The number of ballots considered invalid _____

The name of Political parties (in the alphabetic order)	9. The number of votes given to the support of political party
_____	_____
_____	_____
_____	_____
_____	_____

10. The number of votes given against all political parties _____

Chairman of the commission _____	_____
Deputy Chairman of the commission _____	_____
Secretary of the commission _____	_____
Members of the commission _____	_____
_____	_____
_____	_____

The protocol was compiled “ _____ ” _____ year 200____ o'clock

Note: 1. The first copy of protocol together with special comments of commission members (if they are existed), complains and made decisions on them and also conclusions compiled by the commission will be post immediately to the relevant district commission.

The second copy of protocol together with the list of representatives of political parties and candidates to deputies, proxies, observers, representatives of press, TV, radio will be kept by the secretary of commission up till the finishing of work of commission.

2. The numbers given in the items 1-10 of this protocol will be written with figures and letters

3. The protocol will be compiled only by hand.

**THE ELECTION OF DEPUTIES TO MAJLISI NAMOYANDAGON
OF MAJLISI OLI OF THE REPUBLIC OF TAJIKISTAN**

“ _____ ” _____ year 200____
(date of election)

PROTOCOL N° _____

of the precinct election commission about the results of voting in election of deputies of Majlisi Namoyandagon in
the single mandat election district _____
name of district _____

The polling station N° _____
(village, town, district, city, province)

The precinct election commission determined the following in the result of vote accounting:

9. The number of voters, who were included
to the list and also who were added _____
10. The number of ballots received by election commission _____
11. The number of ballots given to early voters _____
12. The number of invalid ballots _____
13. The number of ballots given to voters in the
Polling station in Election Day _____
14. The number of ballots in the ballot boxes _____
15. The number of valid ballots _____
16. The number of ballots considered invalid _____

The name of candidate to deputy (in the alphabetic order)	9. The number of votes given to the support of candidate to deputy

11. The number of votes given against all candidates to deputy _____

Chairman of the commission _____	_____	_____
Deputy Chairman of the commission _____	Name/Surname	Signature
Secretary of the commission _____	_____	_____
Members of the commission _____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The protocol was compiled “ _____ ” _____ year 200____ o'clock

Note: 1. The first copy of protocol together with special comments of commission members (if they are existed), complains and made decisions on them and also conclusions compiled by the commission will be post immediately to the relevant district commission. The second copy of protocol together with the list of representatives of political parties and candidates to deputies, proxies, observers, representatives of press, TV, radio will be kept by the secretary of commission up till the finishing of work of commission.

2. The numbers given in the items 1-10 of this protocol will be written with figures and letters.

3. The protocol will be compiled only by hand.

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