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Dispute Manual

Decision

Supreme Commission for Elections and Referendum (SCER) Chairman's Decree No. (31) for the year 2002 to issue The Electoral Dispute resolutions

The Chairman of the Supreme Commission for Elections and Referendum:

After having perused law No. (13) for the year 2001 pertaining General Elections and Referendum; and presidential decree No. (11) for the year 2002 issuing the by-law for law No. (13) for the year 2001 pertaining General Elections and Referendum, the presidential decree No. (25) for the year 2001 on the formation of the Supreme Commission for Elections and Referendum and the presentation of the Chairman of the Legal Affairs Sector and having been approved in the Supreme Commission for Elections and Referendum meeting minutes No. (22) Dated March, 25th, 2002.

We Hereby Issue the Following Manual

Chapter One

Section One

Name, Definitions and Challenges of the Voters Registration Process

Article (1): This manual shall be called the "Electoral Dispute Resolution Manual"

Article (2): For the purposes of this manual, the following terms and words shall have the following meanings, unless the context dictates another meaning:

The Republic: The Republic of Yemen.

The Law: The General Elections and Referendum Law No. (13) for the year 2001.

The By-Law: The By-law for the General Elections and Referendum Law

The SCER: The Supreme Commission for Elections and Referendum (SCER)

The Electoral : Petitions raised by any person with legal standing before the specialized legal bodies to require the inserting or deleting of voters from the Voters List in accordance with the Law, or to contest the Main Committees' decisions on inserting or deleting application before the Court of First Instance, or to contest the verdicts of the Court of First Instance before the Court of Appeals, or to contest the Voting and Counting procedures and results of the Parliamentary Elections before the Supreme Court. Or to contest the Validity of Membership in

the House of Representatives, or to present the complaints and protests before the Presidium of the house of representatives and before the Consultative Council (Alshowra Council) against the nomination for Presidential Elections and contest its decisions before the Constitutional Division of the Supreme Court, or to contest the voting and counting procedures of Presidential Elections or to contest the procedures and results of a public referendum in the constituencies before the Court of First Instance and the Court of Appeals, or to contest the general result of the referendum before the Supreme Court or to contest about violation the constitution and law by the SCER before all the judiciary institutions.

Committees for preparation of Voters Lists: The Main Committees and Sub-Committees formed to prepare the lists of voters' names and particulars, or to review and make copies of these, and to perform all other necessary tasks in accordance with the provisions of this law.

Supervisory Committees: the Committees formed by the Supreme Commission at the governorate level in order to supervise the work of other Election Committees.

The Decisions of the Main Committees: The decisions issued by the Main Committee pertaining the applications of inserting in and deleting from the Voters Lists.

The Court of First Instance: It is the court that includes in its jurisdiction the electoral constituencies and looks into the contests against the Main Committees, decisions on the applications of inserting in or deleting from the Voters Lists. It is also the Court that the procedures and results of the referendum in the constituencies are being contested before.

Courts of Appeal: Governorates Courts that look into the contests against the Court of First Instance verdicts on the applications of inserting in or deleting from the Voters Lists and its verdicts on the procedures and the results of the referendum in the constituencies.

The Final Decisions of the Main Committees: They are decisions issued by the Main Committees in inserting and deleting applications in the Voters Lists if no body contests before the Court of First Instance

The Final Verdicts of the Courts of First Instance: The verdicts issued by the Court of First Instance on the inserting and deleting of the Voters Lists applications, if no body with legal standing appealed before the Courts of Appeals.

The Final Verdicts of the Courts of Appeal: All the verdicts issued by the Courts of Appeals on the electoral contest pertaining the verdicts issued by the Court of First Instance on the Main Committees decisions on the inserting and deleting of the Voters Lists applications and the verdicts issued on the procedures and the results in the constituencies and the verdicts issued by the Courts of Appeals on the voting and procedures and counting results of the local councils elections.

The Executive Minutes: Minutes that include what has been inserted and deleted according to decrees and final decrees.

Section Two

Applications of Insertion and Deletion

Article (3)

An official copy of the Voters Lists for each electoral constituency, endorsed by the Main Committee, shall be posted in squares and public areas within the boundaries of the electoral constituency, in the centers of Administrative Districts and other public areas designated by the Supreme Commission for (5) days starting from the (6th) day following the end of reviewing, up-dating and preparation of the Voters Lists. The publishing date of the official copy shall be mentioned on the copy.

Article (4)

Any citizen residing in the electoral constituency is entitled to present a request to the Main Committee to insert his/her name in the Voters List of the electoral constituency if the citizen residing name has been wrongfully omitted or to delete any name that may have been wrongfully listed therein. Any registered voter shall have the right to demand the insertion of any name that may have been wrongfully omitted or the deletion of any name that may have been wrongfully listed therein.

Article (5)

Applications of insertion and deletion mentioned above shall be presented to the location of the Main Committee within (15) days from the day following the posting of the Voters Lists.

Article (6)

The applicant shall meet the criteria and conditions detailed below:

1. Submit the application within the period provided for in the law, and to mention the names of the people wanted to be inserted or deleted along with their particulars, and the reasons behind the application in accordance with the form prepared for that purpose. The application for inserting or deleting must not include more than 10 names.
2. Present the relevant documents along with the application.
3. Present death certificate or an official paper states his/her death event.
4. A copy of the applicant's Identification Card or Electoral Card.
5. The applicant signature on the application form along with his finger prints.

Article (7)

The Main Committee shall ensure that the applications of insertion and deletion fulfill the condition required in the previous article. Each application shall be recorded in a special ledger marking the file date for each application and each voter shall be entitled to examine this ledger.

Article (8)

The Main Committee shall issue a receipt to the applicant to prove the receiving of the application according to the form prepared for that purpose.

Article (9)

The Main Committee shall give the applicant a notice to notify the respondent to be present at the Main Committee location to be confronted by the application presented against him. The notice shall designate a meeting date and the name of the applicant and the name of respondent. The notice shall also be recorded in a list that shows the applicant name and information.

Article (10)

The applicant shall notify the respondent of the application in accordance with the form prepared for that purpose, and the applicant shall prove that the respondent has received the notification thereof.

Article (11)

The Main Committee shall clarify that the period of receiving the inserting and deleting applications has ended on the portfolio of the application record. The Main Committee shall after that, write the decisions and verdicts issued on this regard in the portfolio of the application record at the end of each phase.

Article (12)

The Main Committee shall forward the Supreme Council for Elections and Referendum of statistics on the presented applications of insertion and deletion one at a time.

Article (13)

The Main Committee shall, at the end of each phase of the electoral challenges phases concerning the preparation of the Voters Lists, shall submit total statistics on applications of insertion and deletion and the decisions and verdicts issued on this regard by the Main Committees and Courts

Section Three

The Determination of the Insertion and Deletion Applications

Article (14)

The Main Committee shall start determining the applications of insertion and deletion on the day following the submission of the applications. The determination period shall not exceed (5) days following the submission deadline.

Article (15)

If the applicant and respondent are present, the Main Committee shall hear the statements of the applicant and the respondent and shall undertake all investigations and enquiries that are deemed appropriate.

Article (16)

If the applicant was not present at the meeting by the end of the day that was designated to examine the applications, the Main Committee shall omit the application, and if the applicant was present, the Committee shall hear his/her statements and shall request evidence to prove the statement.

Article (17)

If the respondent was present, and the applicant was not present, the Main Committee shall present the application to the respondent and hear his/her statements and write the minutes.

Article (18)

The Main committee shall investigate and advice on the validity of the submitted applications and shall prove what has been reached by writing minutes on the back of the application.

Article (19)

The Main Committee shall issue its decisions after the completion of all the legal procedures, and the Main Committee shall explain the basis on which it relied to issue its decision. The Committee shall also write the names of the people that were included in the verdict in accordance with the form prepared for that purpose.

Article (20)

The Main Committee shall not issue its decisions except by the decision of at least two of the committee members.

Article (21)

The Main Committee shall post a copy of its decisions in the locations mentioned in Article (3) of this Manual for a durations of (5) days starting after the last day of the applications determination period.

Article (22)

The Main Committee shall indicate in the application record the stated decisions of the insertion and deletion, whether sustained or rejected.

Article (23)

The Main Committee shall keep the application record and shall classify the original copies of the insertion and deletion applications along with the relevant documents and the decisions made in a folder according to the filing date and reference number.

Article (24)

The Committee shall indicate in the back of its decisions to the effect whether the decisions have been contested before the Court of First Instance or not.

Section Four**Contesting the Decisions of Insertion and Deletion before the Court of First Instance****Article (25)**

Every voter may contest the Main Committee's decisions on the application of insertion and deletion before the Court of First Instance which the electoral constituency is part of its local jurisdiction.

Article (26)

The contests against the Main Committee's decisions may be submitted before the Court of First Instance starting from the day the decisions are published and for (5) days.

Article (27)

The petitioner shall present the contest by filing an appeal before the Court of First instance and the appeal shall contain the name of the petitioner, an original copy of the decision of the Main Committee which the contest is presented against, and the date of the decisions. The petitioner shall also mention the reasons on which he relies to present his petition along with only the petitioner signature and the relevant documents.

Article (28)

The contest shall be limited to the cases included in the application submitted to the Main Committee and the petitioner shall not be permitted to mention in his contest cases that were not included in his/her application to the Main Committee.

Article (29)

The Court of First Instance shall keep the Main Committee up-dated with all the contests and a final statistic of the number of the contests shall be forward to the Main Committee at the end of the contest submission period to the Court.

Section Five

The Determination of the Contests by the Court of First instance

Article (30)

The Court shall undertake all investigations and enquiries that are deemed appropriate to decide whether to uphold or dismiss the contest, deciding on a case-by-case basis, and may order inserting, deleting or no change to the situation.

Article (31)

The Court shall determine the challenges from the day following the beginning of the challenges submission period. The challenges determination period shall not exceed (15) days following the end of the contest submission period to the Court.

Article (32)

The Court shall, when issuing the verdicts, clarify the decisions being contested and the names of

people whom against the contests were filed, along with their particulars.

Article (33)

A copy of the Court's verdict shall be forwarded to the Main Committee and to the concerned petitioner as soon as the verdicts are announced. The Main Committee shall also post the verdicts in the designated areas specified in Article (13) of this Law for (5) consecutive days following the end of the challenges determination period designated by the Court of First Instance.

Section Six

Contesting the Court First Instance Verdicts before the Courts of Appeal

Article (34)

Any voter in the constituency shall be entitled to contest the verdicts of the Court of First Instance and the Main Committee's decisions pertaining the insertion and deletion applications before a Court of Appeal within (10) days following the end of the challenges determination period.

Article (35)

The petitioner shall present the contest by filing an appeal before a judge assigned by the Chairman of the Court of Appeal in any Governorate. If the need arises in any electoral constituency, several judges may be assigned and the work shall be distributed among them.

Article (36)

The petition shall contain the name of the petitioner, the details of the contested verdict and the reasons on which the contesting party relies to present the petition. The petition shall also contain the contestant's signature along with the relevant documents.

Article (37)

The contest shall be limited to the cases mentioned in the petition before the Court of First Instance, and the petitioner shall not include any other situations.

Article (38)

The Court of Appeal shall start the determination of the petitions from the day following the beginning of the period for filing appeals and shall not exceed (20) days from the end of the filing period.

Article (39)

The appellant verdict shall include along with the reasons of the verdict, the petitioner's name, the Court of First Instance verdict details, the respondents' names and their complete particulars.

Article (40)

The verdicts of the Courts of Appeal shall be final and the Court shall attach the executive formula

to the verdict.

Article (41)

The Court of Appeal shall forward a copy of the Court's verdict to the petitioner(s) concerned and to the Supervisory Committee in the Governorate concerned as soon as the verdict is announced. The Supervisory Committee shall furnish the Main Committee in the constituency concerned with these verdicts no later than (24) hours following their receipt of the Court's verdict.

Section Seven

Amending and Changing the Voters List in Accordance with the Final Verdicts and Decrees

Article (42)

- a) The Main Committee shall on a one by one basis amend and change the Voters Lists in accordance with the final verdicts and decrees as announced and it is not permissible to change the Voters Lists after the call for elections. In such instances, the Lists shall be deemed final.
- b) Final Voters Lists are indisputable at the time of voting and no person shall be allowed to participate in any election or referendum unless that person's name is listed therein.
- c) In cases of early elections or referenda, the final Voters Lists used in the most recent elections with the addition to those who are registered prior to the call for elections, shall be used for conducting the elections or referendums.

Article (43)

The Main Committee shall prepare the final minutes of the final decrees issued by the Committee, the final verdicts issued by the Court of First Instance that were not contested and the final verdicts of the Court of Appeal. The Committee must clarify in the final minutes the names of the inserted or deleted voters along with their complete particulars in accordance with the form prepared for that purpose.

Article (44)

The Main Committee shall keep and organize the decrees issued by the Committee, the verdicts issued by the Court of First Instance and the Court of Appeal in the file of the insertion and deletion applications along with the final minutes to be submitted to the Supreme Commission of Elections and Referendum.

Article (45)

The Main Committee shall comply with the mentioned above procedures and shall be held accountable for any neglect (misconduct).

Chapter Two

Contesting the Counting and Voting Results

Section One

Contesting the Counting and Voting Results of the Parliamentary Elections

Article (46)

Any person with legal standing has the rights to contest voting and counting results of the Parliamentary Elections by filing a petition before the Supreme Court in accordance with the following conditions:

- a) The contest shall be submitted within (72) hours following the announcement of the final results of the counting in the consistency.
- b) Each contest shall be for a cause and limited to the voting and counting procedures.
- c) Each contest shall be accompanied by the total sum of (YR50, 000) to be deposited with the Court's Treasury, and shall be credited to the State Treasury if the contest is overturned or to be refunded if the contest is sustained.

Article (47)

The Supreme Court Shall form an Assisting Body that consists of Chairmen of Courts of Appeal or their representatives to investigate and advice on the validity of the contests filed regarding the final results of the presidential elections.

Article (48)

The Supreme Court shall issue a summons with a copy of the petition to winning candidate against whom the contest regarding the voting and counting procedures was filed, and the candidate shall submit his defense within (4) days following the date of a valid summons concerning the contest.

Article (49)

The Supreme Court shall issue its verdict according to the Assisting Body advice within the maximum of (10) days from the date the Assisting Body presented its advice, under the condition that issuing a verdict on the contests must not exceed the period precedes the elected council session. The Supreme Court's verdicts in this regard are final, and the Supreme Court should inform the Supreme Commission of its final verdicts.

Article (50)

The submission of the contests shall not prevent the Supreme Commission announcement of the names of winning candidates in the Parliamentary Elections whom against contests have been filed regarding voting and counting procedures in their constituencies, and shall not prevent awarding them with a certificate of the Parliament membership and attending the Council's sessions.

Article (51)

After the submission period is over, the Courts of Appeal shall provide the Supreme Commission with complete statistics of the filed contests and the procedures that have been made

Article (52)

The Supreme Court has the right to create records for the submitted contests regarding the Parliamentary Elections to be easier to refer back to.

Section Two**Contesting the Validity of the Parliament Membership****Article (53)**

Each voter or candidate may submit to the House of Representatives a challenge stating the legal causes for the invalidity of the winning candidate's membership. Each challenge shall be accompanied by the total sum of (YR50, 000), which shall be credited to the State Treasury if the contest is overturned or refunded if the contest is sustained.

Article (54)

a) The Presidium of the House of Representatives is responsible for forwarding to the Supreme Court the challenges along with the relevant documents within (15) days from the date such challenges were submitted to the House of Representatives. The Supreme Court shall investigate and advice on the validity of the challenges and shall submit to the House of Representatives the results of the investigation within (90) days from the date such contests were submitted to it.

b) The results of the investigation shall be presented to the House of Representatives within (60) days from the date of receiving them from the Court. Membership of the House of Representatives shall not be nullified except by the decision of a two-thirds majority of the members of the House of Representatives.

Section Three

Contesting the Presidential Elections

First Part

Objections and Complaints before Presidium of the House of Representatives and before the Consultative Council

Article (55)

Every voter shall have the right to contest before the Presidium of the House Representatives and before the Consultative Council any candidate who nominated himself in violation of the conditions stipulated in Article (107) of the constitution which are:

1. Not to be less than (40) years old.
2. Must be from Yemeni parents.
3. Must be able to practice his political and civic rights.
4. Must be of good character and conduct, observant of religious duties and responsibilities, and must not have been finally convicted by a court of any crime of honor or good conduct unless pardoned or exonerated.
5. Must not be married to a non-Yemeni lady or marry one during his appointment.

Article (56)

Any petitioner before the House Representatives and before the Consultative Council must fulfill the following requirements:

The petitioner must submit the contest within the (3) days following the announcement of the candidates names.

The petition must be for a cause and limited to the violations of the conditions listed above.

Present the relevant documents.

A copy of his Identification and electoral Card.

The petitioner signature on the petition paper along with his finger prints.

Article (57)

Each rejected (dismissed) electoral applicant shall comply before the House Representatives and before the Consultative Council within the (3) days that follow the announcement of the candidates names and he shall present the legal reasons of his complaints.

Article (58)

The Presidium of the House of Representatives and the Consultative Council shall determine the submitted contests and complaints and announce its decisions thereof (1) day following the complaints submission deadline.

Article (59)

Every applicant shall have the right to contest before the Supreme Court Divisions for Constitutional Affairs the decisions of Presidium of the House Representatives and the Consultative Council regarding the contests and complaints according to the following conditions:

1. To submit the petition within (24) hours after the decision announcement of the Presidium of the House Representatives and the Consultative Council on the complaints on the complaints.
2. The contest shall be for a cause and limited to the decisions on the complaints.

Article (60)

The Supreme Court Divisions for Constitutional Affairs shall investigate and advise on the validity of the contests regarding the decisions on the contests and complaints. The Supreme Court Division for Constitutional Affairs shall come to a decision within (5) days following the announcement of the Presidium's decisions and shall inform the Presidium about its decisions immediately as issued.

Second Part

Contesting the Voting and Counting Procedures in the Presidential Election

Article (61)

Any person with legal standing has the right to contest voting and counting results by filing a petition before the Supreme in accordance with the following conditions:

The contest shall be submitted within (72) hours following the announcement of the final results of the Presidential Elections by the Supreme Commission.

Each contest shall be for a cause and limited to voting and counting procedures.

Each contest shall be accompanied by the total sum of (YR100, 000) to be deposited with the Court's Treasury, and shall be credited to the State Treasury if the contest is overturned or to be refunded if the contest is sustained.

Article (62)

The Supreme Court shall form an Assisting Body consists of Chairmen of Courts of Appeal or their representatives to investigate and advice on the validity of the submitted contests regarding the final results of the Presidential Elections.

Article (63)

The Court of Appeal shall issue a summons with a copy of the petition to the wining candidate again whom the contest was filed regarding voting and counting procedures in his constituency. The candidate shall submit his defense within (4) days following the date of a valid summons concerning the contest. The Court of Appeal's verdict(s) shall be deemed final.

Article (64)

The Supreme Court shall issue its verdict according to the Assisting Body advice within maximum of (10) days from the date the Assisting Body presented its advice, under the condition that issuing a verdict on the contests must not exceeds the period precedes taking the winner his constitutional Oath before the House of Representatives and assuming his duties. The Supreme Court's verdicts in this regard are final, and the Supreme Court should inform the Supreme Commission of its verdicts.

Article (65)

The submission of contests shall not prevent the Supreme Commission awarding the wining presidential candidate with a certificate thereof, or prevent the President-elect from taking the constitutional Oath before the House of Representatives and assuming his duties.

Section Four

Contesting the Voting and Counting Results of Local Council Elections

Article (66)

Any person with legal standing within the Local Electoral Constituency has the rights to contest voting and counting results by filing a petition before the Court of Appeals in the governorate in accordance with the following conditions:

The contest shall be submitted within (48) hours following the announcement of election results in the constituency.

Each contest shall be for a cause and limited to voting and counting procedures.

Each contest shall be accompanied by the total sum of (YR 10,000) to be deposited with the Court's Treasury, and shall be credited to the Local Council in the administrative district if the contest is overturned or to be refunded if the contest is sustained.

Article (67)

The Court of Appeal in the governorate shall form an assisting body from chairmen of Courts of First Instance in the capital City of the governorate and the administrative districts, from which the contests were received, or their representatives, to investigate and advice on the validity of the contest filed regarding voting and counting procedures.

Article (68)

The Court of Appeal shall issue a summons with a copy of the petition to the winning candidate against whom the contest was filed. The candidate shall submit his defense within (4) days following the date of a valid summons concerning the contest. The Court of Appeal's verdict(s) shall be deemed final.

Article (69)

The Assisting Body shall investigate and advice on the validity of the submitted contests regarding voting and counting procedures and shall undertake all the procedures that deemed appropriate.

Article (70)

The Assisting Body shall present its advice on the validity of the contests filed regarding voting and counting procedures to the Court of Appeal within maximum of (5) days following the end of the submitting date. The Court of Appeal shall issue its verdict according to the Assisting Body advice within maximum of (10) days from the date the Assisting Body presented its advice. The Court of Appeal verdicts in this regard are final.

Article (71)

The Court of Appeal shall provide the concerned respondent and the Chairman of the Supreme Council for Elections and Referendum with an original copy of the Court's verdicts as of the time of issuance.

Article (72)

The submission of the contests shall not prevent the announcement of the names of winning candidates in the Local Council Elections whom contests have been filed against regarding voting and counting procedures in their constituencies.

Article (73)

If the Court of Appeal upholds a contest which leads to the voting and counting processes being deemed invalid, the Supreme Commission shall be responsible for undertaking the necessary procedures to repeat the elections within a maximum of (60) days following the announcement of the Court's verdict(s).

Article (74)

The Courts of Appeal must provide the Supreme Commission with complete statistic of the submitted contests at the end of the contest deadline and the statistic shall be accompanied by the verdicts issued on this regard along with the executive procedure??? so SCER could act accordingly.

Section Five**Contesting the Procedures and Results of the Referendum in the Electoral Constituencies****Part One****Contesting before the Courts of First Instance**

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Article (75)

Any person with legal standing has the rights to contest the procedures and results of the Referendum by filing a petition before the Court of First Instance which the electoral constituency is part of its local jurisdiction in accordance with the following conditions:

- 1- The contest shall be submitted within (48) hours following the Main Committee announcement of the final results of the referendum.
- 2- The contest shall be for good causes and limited to the referendum results.
- 3- The contest shall be accompanied with the relevant documents that indicate the validity of the

contest.

Article (76)

The Court of First Instance shall investigate the validity of the contests and shall undertake all investigations and enquiries that are deemed appropriate to come to a decision on the contest. The Court shall issue its verdict (s) starting from the day following the beginning of the contest submission. The contest determination period shall not exceed (5) days following the end of the contest submission period.

Article (77)

The Court of First instance shall forward an original copy of the Court's verdict to the petitioner and to the Main Committee in the Constituency as announced. The Court of First Instance verdicts may be contested before the Courts of Appeal and the Court of appeal verdicts shall be deemed final.

Part Two

Contesting before the Courts of Appeals

Article (78)

Any person with legal standing has the rights to contest the Court of First Instance verdicts on the procedures and results of the Referendum in the constituency by filing a petition before the Court of Appeals in accordance with the following conditions:

The contest shall be submitted within (72) hours following the issuance of the Court of First instance verdict on the procedures and results of the Referendum in the constituency.

The contest shall be for a cause and limited to the Court of First Instance verdicts on the referendum results in the constituency.

The contest shall be accompanied with the relevant documents that indicate the validity of the contest.

Article (79)

The Court of Appeal shall investigate the validity of the contests against the procedures and results of the Referendum in the constituency and shall undertake all investigations and enquiries that are deemed appropriate to issue a verdict on the contests starting from the day following the beginning of the contest submission period. The contest determination period shall not exceed (10) days following the end of the contest submission period.

rticle (80)

The Court of Appeal shall forward an original copy of the Court's verdicts on the contests to the Supervisory Committee in the Governorate concerned as announced. The Court's verdicts shall be deemed final and the submission of the contests against the procedures and results of the Referendum in the constituency shall not prevent the announcement of the general result.

Article (81)

Any person with legal standing has the rights to contest general result of the Referendum by filing a petition before the Supreme Court in accordance with the following conditions:

The contest shall be submitted within **(72)** hours following the announcement of the general result of the Referendum by the Supreme Court.

The contest shall be for a cause and limited to the general referendum result.

The contest shall be accompanied with the relevant documents that indicate the validity of the contest.

Article (82)

The Supreme Court shall investigate the validity of the contests against the referendum general result and shall undertake all investigations and enquiries that are deemed appropriate to come to a decision on the contest. The Court shall issue its verdict starting from the day following the beginning of the contest submission. The challenges determination period shall not exceed **(10)** days following the end of the challenges submission period.

Article (83)

The Supreme Court shall inform the Chairman of the Supreme Commission of the Court's verdicts on the contests. The Court verdicts shall be deemed final.

rticle (84)

Contesting the general result of the referendum shall not prevent the announcement of the referendum result.

Article (85)

Each voter may file a contest petition before the Judiciary against the Supreme Commission for Elections and Referendum for any procedures undertaken by it in violation of the Constitution and the law. Various levels of courts shall decide upon such contests within (30) days. Deliberations on

in cases at each court level may not exceed (10) days.

The petitioner shall clarify in the petition the aspects of violation the constitution or the law and the contest shall be accompanied with the relevant documents that indicate the validity of the contest.

Chapter Three

Penalties

Article (86)

Subject to stricter penalties provided for in other laws, the following offences committed by Chairmen and members of committees formed by the Supreme Commission at any stage of the electoral process shall be punishable by a maximum term of (1) year imprisonment or by a minimum fine of (YR 150,000):

First: Tampering with the Voters Lists or voters' information, or wrongfully entering or deleting a person's name, or omitting a voter's name during voting;

Second: Tampering with election results or delaying their announcement, or refusing to sign such results;

Third: Concealing ballot papers, or omitting them during counting of votes;

Fourth: Carrying out any instructions contradicting with this Law, its by-laws or the decisions of the Supreme Commission;

Fifth: Refusing to consider a legal application for a candidate or any person with legal standing in violation of the provisions of this law and the decisions of the Supreme Commission;

Sixth: Failing to comply with the timeframe for the electoral phases or violating it at any times;

Seventh: Deliberately failing to deliver on schedule election results, documentation and supplies to the General Secretariat or any of its branches;

Eighth: Opening ballot paper envelopes before the scheduled time or disclosing information about ballot papers to any political party, organization, body or candidate;

Ninth: Disclosing any confidential information or data or any document that may adversely affect others.

Article (87)

Subject to stricter penalties provided for in other laws, any election offences or crimes committed by employees of executive authorities or security committees shall be punishable by a maximum term of (1) year imprisonment and removal from office.

Article (88)

Subject to stricter penalties provided for in other laws, any political party or organization whose members cause a disruption to the electoral process resulting in the postponement or cancellation of elections shall be subject to punishment as follows:

First: Bear the cost of a supplementary election to be held at the electoral center or constituency where the general election was either postponed or cancelled;

Second: Be barred from participation in the supplementary election;

Thirdly: Public announcement of the verdict against the offending party through official audio, visual and printed media sources and through the official newspaper of the party concerned.

Article (89)

Execution of any penalties shall not deter the aggrieved from resorting to the Court to claim compensation for damages.

Article (90)

Subject to stricter penalties provided for in the Penal Code, a maximum term of (6) months' imprisonment shall apply to anyone who:

First: Has violated the provisions of Part Four of this Law;

Second: Has voted with full knowledge that his name had been wrongfully registered in the voters list or has impersonated another during voting;

Third: Has disclosed the opinion of another voter against his wish;

Fourth: Has voted more than once in any single election;

Fifth: Has made an unauthorized entry into premises designated for voting and refused to leave when ordered by the Committee;

Sixth: Has taken part in demonstrations on Election Day;

Seventh: Has taken part in a rally with the intent of causing chaos and rioting on Election Day;

Eighth: Has stolen, concealed, destroyed or tampered with any document pertaining to the election;

Ninth: Has changed the choices of an illiterate voter or alike by writing in a name or marking a symbol not intended by the voter, or obstructed a voter from exercising his voting rights;

Tenth: As a Chairman or Committee member, has deliberately neglected or failed to perform his duties as stipulated by this Law after being reprimanded in writing by his supervisor or by a voter.

Article (91)

Subject to stricter penalties, any of the following shall be punishable by a maximum (1) year imprisonment:

First: Any person who uses force or threatens to use force to prevent a voter from exercising his voting rights or forcing him to vote in a certain way or to abstain from voting;

Second: Any person who grants, offers or pledges to grant a voter or others certain benefits to force him to vote in a certain way or to abstain from voting;

Third: Any person who distributes or spreads inaccurate information about the conduct or character of a candidate among voters with the intention of influencing the opinions of voters and the election results;

Fourth: Any person who enters electoral premises carrying a firearm in violation of the provisions of Article (97) of this Law;

Fifth: Any person who defames, slanders, or threatens any election committee or any of its members while on duty or because of such duties;

Sixth: Any person who uses aggravated force against committee members or the ballot boxes with the intention of taking possession of the ballot boxes, or of tampering with them, or of obstructing election results;

Seventh: Any person who abuses his power and authority to alter the opinion of any voter. Such a person shall also be removed from office;

Eighth: Any person who violates the general provisions of Article (143) of this Law.

Article (92)

Subject to stricter penalties, a minimum term of (18) months' imprisonment or a minimum fine of (200,000) shall apply to any person who:

concealed, destroyed or tampered with the Voters List or changed it in any manner.

Used force or threats to disrupt the freedom of voting or its order.

Article (93)

Any person who registered his name in the Voters List in more than one voting domicile in clear violation of the provisions of Article (4)(b) of this Law shall be punishable by (3) months imprisonment, have his name removed from all Lists, and be barred from registration and nomination for a parliamentary or local electoral cycle.

Article (94)

Attempting election crimes mentioned above shall be punishable by a maximum of half of the penalty stipulated for a committed crime.

Article (95)

If a crime is committed or attempted in electoral premises, the Chairman of the Election Committee shall immediately prepare minutes documenting the event and shall order the arrest of the suspect and hand him over to the police and then to the Office of the Public Prosecutor to undertake legal procedures.

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Chapter Four

General Provisions

Article (96)

The Legal Affairs Sector shall undertake the representation of the Supreme Commission of Elections and Referendum before the various levels of Courts.

Article (97)

All applications, petitions, and contests filed in accordance with this Law shall be exempt from all State and judicial taxes and fees.

Article (98)

Only the Judiciary has the jurisdiction to issue the penalty verdicts on the violations of the elections law, its executive by-laws, this Manual, and the Supreme Commission for Elections and referendum decisions.

Article (99)

Except as provided for in this Law, the general provisions stipulated in Procedural Law, Civil Law and Evidence Law shall apply.

Article (100)

The Supreme Commission of Elections and Referendum shall undertake the procedures and the enquiries that are deemed to amend this Manual in accordance with the elections nature.

Article (101)

Any provisions in this Manual shall be deemed null and void if they contradict provisions of General Elections and Referendum Law No. (13) 2001.

Article (102)

This Law shall come into effect as of the date of its publication and shall be executed by the .

**Signed at the Supreme Commission for Elections and Referendum
May, 20, 2002 AD**

Khaled .A. Al-Shareef

Chairman of the Supreme Commission for Elections and Referendum

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