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Observation Manual for Political Parties and Local and International NGOs

Foreword

Since the Supreme Commission for Elections and Referenda was established by Presidential Decree No. 52/2001, it continued to exert its efforts to complete its legislative structure. The issuance of this Electoral Observation Manual for Political Parties and Local and International NGOs is a result of those efforts and constitutes a further step towards completing the SCER legislative framework, as well as an additional pillar of the democratic process adopted by the Yemeni leadership, headed by H.E. President Ali Abdullah Saleh.

This manual contains the provisions and conditions that regulate the participation of representatives of political parties and local and International NGOs in the observation of electoral operations in their various phases, for all elections and referenda that are conducted in Yemen. These regulations are meant to ensure that the SCER undertakes its duties and responsibilities in a completely transparent and democratic manner.

By issuing this manual, the SCER reaffirms to all electoral committees and interested parties the need to observe its provisions and comply with its regulations, aiming at achieving the highest levels of fairness in the elections.

May God guide us all to build a promising future for our beloved Yemen

Khalid A.Al-Shareef

**Chairman of the Supreme Commission
for Elections & Referenda**

Decree of the SCER Chairman No. (30/2001) to issue the Electoral Observation Manual for Political Parties and Local and International NGOs

The Chairman of the Supreme Commission for Elections and Referenda:

Pursuant to the general Elections and Referenda Law No. 13/2001; The presidential Decree No.11/2002, on publishing the executive bylaw; for the General Elections and Referenda law No. 13/2001.

The Presidential Decree No. 52/2001, on the formation of the SCER;

And based on the proposal made by the Head of the Legal Sector, jointly with the Head of the External Relations and NGOs Sector, and following the approval by the SCER in its meeting No. (27) on 15/4/2002.

Decides

Chapter One

Nomenclatures and Definitions

Art.(1)

This manual shall be officially known as the “ Electoral Observation Manual for Political Parties and Local International NGOs”.

Art.(2)

For the purpose of this manual, the following terms and words shall have the meaning established herewith, unless otherwise implied by the context:

- a. **The Republic:** The republic of Yemen.
- b. **The SCER:** The Supreme Commission for Elections& Referenda
- c. **The Law:** The General Elections and Referenda Law No. 13/2001.
- d. **The Sector:** External Relations and NGOs Sector.
- e. **Head of Sector:** The Head of the External Relations and NGOs Sector.
- f. **The Accreditation:** The official accreditation issued by the SCER to entitle its holder, whether representing a political party or a local or international NGO, to observe any of the electoral operations, in accordance with this manual.
- g. **Local NGOs:** The civil society organizations specialized in the democratic process and elections, that are authorized to act in accordance with the enforced laws in Yemen.
- h. **International NGOs:** International non-governmental organizations specialized in the democratic process and elections that are authorized to act in accordance with the law enforced in their respective countries of origin.
- i. **The Media:** Representatives or envoys of all media organizations, including news agencies, newspapers, radios and TV channels, whether local or international, that are tasked with or willing to observe the electoral operations and report on them.

Chapter Two

The right to observe the electoral operations in Yemen is granted by the law, and shall be exercised with an accreditation issued by the Supreme Commission for NGOs as the following:

- A. Civil Society organizations specialized in the democratic process and elections, that are authorized to act in accordance with the enforced laws in Yemen.
- B. International non-governmental organizations specialized in the democratic process and elections, that are authorized to act in accordance with the law enforced in their respective countries of origin.
- C. All those from foreign countries invited by the SCER to observe the electoral

process.

D. Representatives of the local and international media.

Art(3)

The issuance of observation accreditations for the elections and referenda process is to submit an application form to the External Relations and NGOs Sector, and editing the arranged sample for this purpose before the election and referenda process that will be implemented in less than 20 days from its specific starting date. The following documents has to be attached with the application:

- 1- A certified copy of the relevant license to act as a political party or organization in Yemen.
- 2- A formal memo from the NGO that wants to observe the electoral operations with the names of its representatives.
- 3- Four photos of each proposed observer.

Art(4):

A. A committee shall be formed to study and decide upon the applications submitted by the parties and organizations, as follows:

1. **Chairman:** The Head of the External Relations and NGOs Sector.
2. **Secretary:** Director General of Relations.
3. **Member:** Director General of Media and Voter Education.
4. **Member:** Director General of Legal Affairs.

B. The aforementioned committee shall study all applications and attached documents, and verify that they are accurate and in accordance with the established criteria and conditions, and determined before the starting of the process with in at least ten days and shall issue the relevant accreditations not later than 48 hours prior to the commencement of the electoral operations to be observed.

Art(5):

A. The accreditation shall be issued on officially established colored cards, in accordance with article(6).

B. Accreditations shall include the following details:

1. The SCER official logo .
2. The name of the accreditation “Accreditation for the Observation of Elections”
3. Full name of the observer and her/his citizenship.

4. Full name of the entity represented by the observer and its country of origin.
5. Type of elections to be observed .
6. A personal photo, stamped with the official seal of the SCER.
7. Date of Expiry of the accreditation.

C. Accreditations will be signed by the Chairman of the SCER, following the proposal submitted by the Head of the Sector.

Art(6):

Observer's accreditations may be of the following colors and categories:

Color	Category
White	Local NGO Observers
Green	Local Media
Blue	International NGOs and from the SCER to participate in the observation for the election process
Red	International Media

Upon the submission of a proposal by the Head of the Sector, the SCER may terminate the validity of an accreditation, if it is satisfied that the accredited observer is in breach of the enforced laws and these regulations. Such a decision shall be communicated to all concerned committees and offices, as well as to the concerned observer(s) and their entity and/or diplomatic representation in Yemen.

Art(7):

Parties can form commissions for the Electoral Observation and they don't have the right to interfere in the Electoral commissions' work and they have to follow the regulations mentioned in this manual.

Chapter Three

Competences of the Sector with respect to the Implementation of the Provisions of this Manual

Art(9):

The Sector shall be responsible for the implementation of this manual, in accordance with the law, as well as to supervise the organizations authorized to observe the elections. For these purposes, the Sector may exercise the following competences:

- 1- To receive the applications for observation submitted by the political parties and local and international organizations, and submit them to the relevant committee to resolve, in accordance with the regulations contained in this manual.
- 2- To prepare all relevant forms and necessary documents for the implementation of this manual.
- 3- To inform all concerned local and international non-governmental organizations about the date of the election to be observed, and to invite them to participate in its observation.
- 4- To prepare the observers accreditations, and submit them to the SCER Chairman for signature.
- 5- To coordinate with all concerned ministries and authorities in the country for the organization of observation missions, provision of relevant information and issuance of invitations.
- 6- To ensure that all necessary measures are properly taken to facilitate the observation by accredited observers on behalf of local and international organizations.
- 7- To meet with representatives of organizations observing the elections, and explain the contents of this manual and the need to comply with its regulations.
- 8- To follow-up on the reports issued by organizations observing the elections related to their observations of any elections in the country.
- 9- To prepare evaluation reports on the organizations observing the elections, and their compliance with the regulations established on this manual, and submit such reports to the SCER Chairman.

Chapter Four

Rights and duties of Observers Representing Local and International NGOs

Art(10)

Observers representing local and international NGOs have the right to observe the conduct of electoral operations . For these purposes they may:

- a- Meet with voters to know their views concerning the conduct of the electoral operations.
- b- To submit their queries to the field electoral committees that are supervising and implementing the electoral operations, as well as to the candidates and their representatives, concerning the conduct of the electoral process.
- c- To obtain information about the statistics and data related to the electoral operations which are being implemented especially relating to the following:
 1. Total number of male and female candidates, and who are the winning candidates.
 2. Total number of registered voters.
 3. Total number of male and female who participated in the elections, thus establishing the percentage of turnout on polling day.
 4. Total number of supervisory , original and branch committee to participate in the implement the electoral operation.

- d- The representatives of local and international organizations have the rights to attend the press conferences organized by the SCER throughout throughout the electoral process, and to benefit from the data and information provided by the Press Center on the relevant election.

Art(11)

Accredited observers can enter to the electoral residencies and the polling and sorting halls and have to follow the following regulations:

The representatives of NGOs during the observation process must comply the regulations in this manual and not to go against the Republic Laws or interfering with the work of such committees and to refrain from obstructing their work.

Art(12)

Observer representing political parties, organizations and the media shall perform their duties with the neutrality. They shall ensure that their reports, including their findings on the conduct of the observed operations, are made with objectiveness and credibility. A copy of all reports shall be submitted to the SCER, with the aim of benefiting from the relevant comments and opinions contained therein.

Art(13)

All electoral committees must facilitate the implementation of the missions of accredited observers on behalf of political parties and local and international NGOs in accordance with the Law, the by-law and this manual. They must also answer observer's quires in a neutral and objective manner, and inform the SCER of any infraction committed by observers.

Art(14)

This decision shall enter into force from the data it is officially issued, and all concerned parties are to implement it accordingly.

Issued at the SCER Headquarters in Sana'a

20/5/2002

Khaled A. AlShareef

Chairman of the

Supreme Commission for Elections & Referendum

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