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Bylaw No. (        ) for

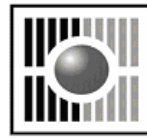
## **The Accreditation of International Observers**

Issued in accordance with the Central Elections Commission's Procedures

Unofficial English Translation

**Draft**

**June 2006**



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CHAPTER ONE

Definitions

Article 1

The following terms and expressions, mentioned in this Bylaw, shall have the definitions specified herein, unless the context determines otherwise:

- **The Law:** The Palestinian of related Laws.
- **The Bylaw:** The *Bylaw of the Accreditation of International Observers*.
- **The Central Commission:** The Central Election Commission (CEC) established as an independent electoral authority to administer and supervise Palestinian national and legislative elections.
- **Observation:** The gathering of information regarding the electoral process, without intervening in the process itself and, issuing comments and reports on the conduct of the process on the basis of the information collected by persons accredited by the CEC for such a mission.
- **Headquarters:** CEC Headquarters (HQ) in Ramallah.
- **The Authorized Committee:** The committee established pursuant to the Provisions of this Bylaw to adjudicate on the accreditation applications of observers.
- **Chief Electoral Officer:** CEC Chief Electoral Officer (CEO).
- **The Department:** CEC HQ Electoral Affairs Department (EAD).
- **Accreditation Card:** A card issued by the CEC that qualifies the person to whom it is issued to participate in the electoral process as an accredited observer.
- **The Electoral Process:** The procedures related to the phases of the electoral process, such as voter registration, candidature, registration of political parties, polling and counting of votes.
- **The Eligible Bodies:** The bodies that are eligible to apply to the CEC to participate in the observation of the electoral process pursuant to Article 5 of this Bylaw.
- **The Contact Person:** The person delegated by the eligible body to receive and submit all documents and correspondence from, or to, the CEC or the Department and sign all documents and pledges needed for the accreditation process. The contact person shall also have the responsibility of receiving all correspondence directed to, and duly submit it to, the international observers during and after the accreditation process.
- **Code of Conduct:** The *Code of Conduct for Local and International Observers* is issued by the CEC, forms an integral part of this Bylaw, and will serve as an annex.



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**CHAPTER TWO**  
**The Right to Observe the Electoral Process**  
**Article 2**

The right to observe the electoral process is safe guarded by the Law. It shall be exercised through the accreditation granted by the authorized committee.

**Article 3**

Accredited international observers shall adhere to the Code of Conduct for Observers annexed to this Bylaw (Annex A) and, shall enjoy the rights provided therein.

**Article 4**

The following bodies shall have the right to apply to observe the electoral process:

- A. International and regional organizations.
- B. Representatives of states and foreign missions.
- C. International NGOs permitted to exercise their activities in accordance with the laws effective in their home countries.
- D. Any other bodies deemed to be qualified by the authorized committee.

**CHAPTER THREE**  
**Procedural Rules**  
**Article 5**

- A. The CEC shall announce the dates observation applications are allowed to be submitted, submission deadlines and the deadlines for submitting lists of observers by the bodies which have been accredited.
- B. In all circumstances, the deadline for receiving the applications shall terminate 12 days prior to the commencement of the electoral process.
- C. The announcement shall be made in local newspapers, on the CEC website and through any other means the CEC deems appropriate.
- D. The authorized committee shall adjudicate on the accreditation applications as soon as possible, within a period of seven days, starting from the date the accreditation applications along with all relevant documents are received.

**Article 6**

- A. Application forms are available at the CEC HQ or on the CEC website.
- B. Electoral observation accreditation application forms shall be submitted, using the relevant forms, to the CEC HQ.
- C. Application forms are to be submitted to the CEC HQ in person, by electronic mail or through registered [fast] mail.
- D. Eligible bodies applying for observation shall be responsible for making sure



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that the application forms and relevant attachments are received by the CEC.

E. The eligible bodies shall be given a dated notification stating that the respective application has been received.

#### **Article 7**

The application form shall contain the following information:

1. Name, address and contact details of the eligible body.
2. Name of the Head of the eligible body.
3. The type of activities covered by the body.
4. Name and contact details of the contact person delegated by the body.
5. Anticipated date for the arrival of the members of the observation group delegated by the body and the number of the respective members.

#### **Article 8**

The following documents shall be annexed to the application form:

- A. A proxy from the eligible body authorizing the contact person to perform his/her specified tasks related to receiving and submitting all documents and applications required and signing all the necessary pledges.
- B. A list of the proposed observers' names, nationalities and dates of birth. This list may also be submitted immediately after the eligible body's application has been approved by the authorized committee and prior to expiry of the deadline for submitting the lists of observers as determined by the CEC.
- C. Two recent photos. The back of each photo should contain the observer's name and the name of the eligible body to which he/she belongs. This will be attached to the list mentioned above.

#### **Article 9**

- A. The Authorized Committee shall be established to make recommendations regarding the accreditation applications for the electoral observation following the decision issued by the CEO.
- B. The Committee is to convene with the majority of its members and hold majority voting towards adopting any of its recommendations.

#### **Article 10**

- A. The Authorized Committee shall examine the submitted accreditation applications.
- B. The Committee may request the completion of any data or attachments it deems necessary within the period of time it assigns.
- C. The authorized committee shall submit its recommendations regarding the approval of the accreditation applications and the issuing of necessary accreditation cards, or rejection of the applications based upon the reasons



stated under Article 11 of this Bylaw.

D. The authorized committee may recommend the rejection of any of the observers proposed by the accredited body based upon the reasons stated under Article 11 of this Bylaw.

E. The CEC shall approve or reject the recommendations submitted by the Authorized Committee, stating the reasons for the rejection.

F. Accreditation applications shall be adjudicated on as soon as possible within a period that is not to exceed seven days starting from the date the accreditation applications along with all relevant documents are received.

G. The Department shall notify the general representative or independent candidate of the CEC decision by fax and registered [fast] mail.

H. The authorized committee shall submit its recommendations to the CEC for approval.

### **Article 11**

A. Accreditation applications shall be rejected when the period of time assigned for the submission of application forms has elapsed and, the applications submitted are incomplete, inaccurate or submitted by an ineligible body. The applications shall also be rejected when the eligible body does not meet the conditions provided for in this Bylaw or in the Code of Conduct.

B. The accreditation of an observer shall be revoked in the event that his/her name is repeated in any of the accreditation lists of agents or observers of any international or local observation body, partisan entity or independent candidate. Also, an observer shall not be accredited in the event he/she does not fulfill the conditions provided for in this Bylaw or in the Code of Conduct or if he/she is less than 18 years old.

### **Article 12**

A. Each eligible body is entitled to receive a copy of the Code of Conduct and a package of basic information issued by the Department. The contact person shall receive both the information package and the Code of Conduct and shall pledge to submit them to the eligible body which he/she represents.

B. Each observer shall declare that he/she is familiar with the basic contents of the information package and that he/she has received sufficient training from the electoral observation eligible body. The observers shall, then, pledge to abide by the Code of Conduct. The pledge statement shall be made using the relevant CEC form.

C. The pledge mentioned above shall include the observer's name, nationality and date of birth. A copy of the observers' official and formal ID or passport shall be attached to the pledge.

D. The contact person shall collect all observers' pledge statements and relevant attachments, ensure they are complete and submit them to the CEC HQ.

E. Pursuant to Paragraph D above, the Department shall deliver the observers'



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accreditation cards to the contact person, or to the person delegated by the accredited body. An observer's accreditation card shall not be delivered in the event the Department does not receive the concerned observer's statement.  
F. The person receiving the accreditation cards shall sign a pledge to deliver the cards to the observers accredited.

**Article 13**

- A. Pursuant to the authorized committee's decision, the Department shall issue the necessary accreditation cards.
- B. The Department shall maintain a database that shall include the accredited observers' names, accreditation serial card numbers, nationalities and the bodies they represent.

**Article 14**

Accreditation Cards shall include the following details:

- A. CEC logo.
- B. The name of the observer.
- C. The name of the body he/she represents.
- D. A recent photo of the observer.
- E. CEC official stamp.
- F. The validity date of the card.
- G. Serial number of the card.

**Article 15**

- A. The eligible body shall organize sufficient training on electoral observation for its observers. The body shall also send at least one delegate to attend the meetings on the briefing of observation bodies about the progress of the electoral process which the Department will facilitate.
- B. The Department shall notify the contact persons of the dates of such meetings in advance.

**Article 16**

- A. The authorized committee may revoke the accreditation of any observer in the event he/she violates the provisions of the effective Laws, this Bylaw or the Code of Conduct for Observers.
- B. Based on the recommendation of the authorized committee, the CEC may revoke the accreditation of any eligible body and respective observers in the event the body or its respective observers violate the effective Laws, this Bylaw or the Code of Conduct for Observers.
- C. Such a decision shall state the reason/s that lead to its issuance.



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**Article 17**

- A. The Department shall notify the relevant contact person of the decision to revoke the accreditation of any of the observers or observation bodies.
- B. The observation body shall immediately turn over the accreditation cards of the observer/s whose accreditation has been revoked.
- C. The observation body shall submit the aforementioned card/s to the CEC HQ.

**CHAPTER FOUR**  
**Conclusive Provisions**  
**Article 18**

The CEC shall develop the application forms necessary for the implementation of the provisions of this Bylaw.

**Article 19**

All CEC staff members, each one within his/her respective limits of responsibilities, shall facilitate the mission of the international observers and enable them to exercise their powers as provided for in the effective Laws and Bylaw.

**Issued in the City of Ramallah on // AD. Corresponding to // AH.**