

**Guddiga KMG ah ee
Doorashooyinka Puntland**



**Transitional Puntland
Electoral Commission**

Guideline for local and International Observers Puntland local Government Election

SEPTEMBER, 2021



1.0 PREAMBLE

The Transitional Puntland Electoral Commission (TPEC) was established with a mandate to oversee the following processes: • Management and conduct of local government election (LGE) • Registration of political associations • Registration of citizens eligible to vote • Registration of the first three political parties following the LGE After all these processes are concluded, TPEC will pave way for a permanent Puntland Electoral Commission (PEC).

Puntland Electoral Commission Law, Article 2 (1) states the commission as an independent entity, which is empowered to decide on matters relating to its mandate. And article 3 (2) gives the Transitional Electoral Commission of Puntland a mandate to conduct local council elections of Puntland and the voter registration law, article 12 empowers the commission to make guideline for election observers.

There are universal principles, human rights instruments, international election observation instruments on elections aimed to realize genuine democratic elections. TPEC develops this guideline to ensure election observation as a tool to assess the adherence to all of these principles, instruments and declarations during the electoral cycle in Puntland. And they are; The Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, The Universal Declaration of Human Rights, The International Covenant on Civil and Political Rights (ICCPR), The Convention on the Elimination of All Forms of Racial Discrimination (CERD), The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), The United Nations Guiding Principles on Internal Displacement.

Therefore, election observation guideline is issued by Transitional Puntland Electoral Commission (TPEC), and the guideline covers observation activities during the electoral cycle.



The election observer guide covers the observation activities during the election cycle including the following activities;

- Voter registration
- Local council election day operations
- Ballot processing,
- Tabulation

Election Observation is a valuable exercise for improving the quality of elections. It ensures transparency, integrity and accountability of the electoral process, hence this guideline is aimed to guide the observers.

1.1 Definitions

In these guidelines unless the context otherwise requires:

- a. "Election Observer" means an International or local Observer accredited by the Electoral Commission for an election.
- b. "Applicant" means Observer group, Observer organization, Civil Society Organization
- c. "Local Observation" means the observation of the various stages of the electoral process by local organizations duly recognized for that purpose. Local observers may fall into four categories;
 - a. Civil Society Organizations in Puntland
 - b. Civil Society Organization from federal member states
 - c. Representatives from federal level government institutions
 - d. Diaspora Organizations
- d. "International Observation" means the observation of the various stages of the electoral process by International Organizations and donor Governments.



1.2 Objectives of the Guideline

The objective of these Guidelines is to provide for;

- (a) A framework for application and accreditation of observers;
- (b) Requirements of observation applicants
- (c) Guidance on the implementation of code of conduct

2.0 Accreditation Mandate

Accreditation is the process by which TPEC verifies and formally authorises the deployment of an Observer. It is a necessary condition before any organisation or individual can observe elections in Puntland. TPEC is the only body that can accredit election Observers. Accreditation confers official recognition and gives the observers access to the locations where voting or balloting, counting, collation and announcement of results take place.

3. Invitation

3.1 At the start of election process the TPEC will give an opportunity to observers to present their application for accreditation to the commission. The commission publishes a call for observers and makes formal invitations to local and international observers.

3.2 The sponsoring organizations and donor governments shall notify the State Electoral Commission of their plans and details to send local and international observer team.

3.3 The applicant should submit their applications in the contact details published by the commission in the publication of call for observers.

3.4 Minimum Requirements; All applicants interested in participating electoral observation activities should have the following minimum requirements;

- Knowledge and understanding of the Puntland context and Somalia at large



- Previous experience of election observation and/or other relevant experience or know-how and specific training, national and/or international
- Interpersonal skills (e.g. capacity of balanced judgement, ability to work in teams, ability to cope with difficult situations, respect for local attitudes, good communication skills, readiness to work in a cultural sensitive environment).
- Ability to maintain professional independence and strict impartiality in the conduct of duties in the host state government.
- Demonstrated commitment to democracy and human rights.
- Commitment to one's duties, the observer Codes of Conduct, and the integrity of the observation missions.

3.5 Documents to be submitted. Applicants are required to;

1. Fill the application form for accreditation
2. Submit the filled form application form together with copy of the passport, passport size photo, declaration letter of abiding the code of conduct, prove of the organization you are representing.

3.6 For a person to be recognized as a local or an international observer, that person must have been designated by the relevant organization or donor government in writing, addressed to the State Electoral Commission, disclosing his/her particulars and credentials.

3.6 The Electoral Commission of Puntland will assess the applications received, and check if the applicants meet the requirements. Applicants will be notified in writing of the commission's decision to accept or reject their application.

4.0 Accreditation

4.1 Where the commission accepts on the application for accreditation, it shall notify and issue an accreditation identity card to the observers for whom an application relates.



4.2 The observer organization or institutions accredited to observe electoral processes shall be issued with a letter of accreditation by the Commission.

4.3 Each Local or International Observer will be required to present his/her official credentials to the State Electoral Commission before commencing his/her assignment.

5. Rights of Observers

- Each observation group is entitled to get a copy of the code of conduct and a package of basic information issued by TPEC.
- Accredited observers have the right to observe all phases of the electoral process with access to all registration/polling and collation centres.
- Accredited observers have the right to obtain information from electoral authorities at all levels.
- Accredited observers have the right to issue public observation reports and statements concerning the progress of the electoral process.
- Accredited observers enjoy freedom of movement throughout Puntland.

6. Duties of Observers

- Wear the accreditation ID Card in a visible manner.
- Behave neutrally at all times and refrain from engaging in partisan activities or activities beneficial to any of the political parties or candidates.
- Do not display, wear, or carry any logos, colours, symbols identical or similar to those of any political party or candidate.
- Refrain from exerting influence on voters.
- Undertake duties without interfering in or disrupting the election process.
- Refrain from making personal or premature comments about electoral observation to the media or other interested bodies.
- Abide by the instructions of TPEC officials at the registration/polling and collation centres.



- Do not infringe on the privacy of registrants and voters, (do not observe any voter marking the ballot, and do not record any personal details relating to registrants or voters, such as their names or the names of the candidates or associations/parties they voted for).

7.0 Scope of Observation

Local and international election observers may assess and evaluate the following-

- (a) Professionalism & Impartiality of elections officials
- (b) Impartiality of the commission
- (c) Consistency in Application of Election Procedures and laws
- (d) Inclusiveness of the electoral process
- (e) The use of media
- (f) The professionalism of security agencies
- (g) Conduciveness of the Electoral Environment
- (h) Compliance with International Election Standards
- (i) Transparency and Accessibility of the Process
- (j) Secrecy of the Ballot
- (k) Accuracy of Vote Counting
- (l) The extent of human right violations and election-related violence

8. Duration of Observation

The duration of observation shall be as follows;

- (a) The election observation shall commence from the date of accreditation and end on the date indicated on the observer's accreditation identity card.
- (b) These guidelines shall apply to Local and International Observers who have been accredited by the State Electoral Commission only.



9. Reporting

An observer organization or institution shall provide the Commission with copies of its observation report not later than 60 days from the date of declaration of the election results.

10. Revocation of Accreditation

TPEC may revoke the accreditation of any observer in the event he/she:

1. Violates the provisions of the regulations, procedures or code of conduct for observers
2. Obstructs the electoral process
3. Asks voters about their voting preferences while observing at polling stations
4. Campaigns or displays favouritism for a candidate/party/association.



**Electoral Commission
Application for Accreditation as Observer**

1. Name of the Applicant:

2. Address of the Applicant:

3. Contact Details of the Applicant:

Telephone: _____

Email: _____

4. Number of persons to be appointed as Observers:

5. Person in charge of co-ordinating the applicant's observers:

6. Brief Profile Information of the Applicant:

7. Summary of the mission statement of the observer applicant, including the election activity (ies) it intends to observe (Attach if required):



8. Particulars of persons appointed by applicant;

Name	Capacity	Identity/Passport Number	Nationality	Date of Arrival in and Departure

Supporting documents:

The application must be accompanied by the following:

- a. Documents on the applicant
- b. Statement of the reasons why the applicant is suitable for accreditation to observe the electoral activities.
- c. Affirmation that the applicant commits itself to cooperate with the commission in matters related to the observers.

We hereby apply for accreditation as observer and certify that the particulars furnished in this form and the supporting documents are true and correct, and certify that all persons appointed by us understand and will subscribe the Code of Conduct for observers.

Name

Date

Capacity



Statement of Commitment to the Code of Conduct for Election Observer Applicant by the Chairperson/Secretary General/Head

I _____ (name of election observer applicant) hereby affirm that the nominated observers listed in Appendix 1 – Application for Accreditation submitted to TPEC are the sole individuals that will receive the Identification Cards or badges issued by the TPEC to the above mentioned observer applicant. The identification cards or badges will be used only for the purpose of observing the electoral process.

I also affirm that the nominated observers shall adhere to the laws of Puntland, the Code of Conduct for Election Observers, and such other instructions issued by the Electoral Commission of Puntland.

Signature of Chairperson/Secretary General:

Date



Election Observers Code of Conduct

An accredited observer is expected to adhere to the following code of conduct-

1. Observers must respect and comply all the laws, regulations and procedures of the state and the election commission in charge with administering the electoral process.
2. Observers must not obstruct, interrupt or wilfully create disorder in any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day.
3. Observers must carry and display their Identification Card (ID) issued by TPEC in a visible place while attending observation activities in the electoral process and carry together with a letter of authorization issued by TPEC. And shall identify themselves to any interested authority upon request.
4. Observers must follow any lawful instruction from the state's governmental, security and electoral authorities. Observers also must maintain a respectful attitude toward electoral officials and other state authorities.
5. Observers must not conduct any activity that could be reasonably perceived as favoring or providing partisan gain for any political competitor in the state, such as wearing or displaying any partisan symbols, colours, banners or accepting anything of value from political competitors.
6. Observers must abstain from the use of language phrases that can cause hatred, or discrimination on the basis of clan, region, class, disability or can create religious tension during the Election Process.
7. Observers must maintain a close liaison with the office of the Electoral Commission, and cooperate with the electoral officers, supervisors or any other authorized persons.
8. Observers shall be competent, exercise diligence, maintain high level of discretion and professional behaviour in observing electoral activities.
9. Observers must be aware of other election observation missions, both international and domestic, and cooperate with them as instructed by the leadership of the election observation mission.
10. Observers must maintain strict political impartiality at all times. They must not express or exhibit any bias or preference in relation to state authorities, political parties, candidates, or in relation to any contentious issues in the election process.
11. Observers may wish to bring irregularities to the attention of the local election officials, but they must never give instructions or countermand decision of the elections officials.
12. Any information or complaints about intimidation or violation of the law can be reported by observers to the organizations by which these observers represent.
13. Observers shall disclose to the Electoral Commission any interest or relationship, direct or indirect with any candidate or registered political party/Association.
14. Observers must base all conclusions on well documented, factual, and verifiable evidence, and will keep a record of the observation activities.



15. Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership.
16. Observers must not take any unnecessary or undue risks. Each observer's personal safety overrides all other considerations.
17. At all times during the mission, including during private time away from work, each election observer should behave blamelessly, exercise sound judgement, and observe the highest level of personal discretion.
18. Observers will attend all required mission briefings and debriefings and adhere to the deployment plan and all other instructions provided by the State Electoral Commission.
19. Observers must respect the official and valid results released by the State Electoral Commission.

I have read and understand the above Code of Conduct. I hereby confirm that I will follow the Code of Conduct and that all of my activities as an election observer will be conducted completely in accordance with it.

I understand that serious violations of this Code of Conduct may result in the withdrawal of my accreditation or my dismissal from the election observation mission.

Signature: _____

Name: _____

Date: _____



Declaration of Election Observer

I, _____ (name) here by confirm
my commitment to serve as an observer of
_____ (name of the applicant) to observe
the electoral process.

I shall adhere to the laws of Puntland, the Code of Conduct for Election Observers, and such other instructions issued by the Electoral Commission.

I understand that my accreditation may be revoked by the Electoral Commission if, among other reasons, it determines that I have infringed the Code of Conduct for Electoral Observers.

Signature of the Observer: _____

Date : _____