# APRIJIX

Legal Provisions for Elections and Monitoring

#### LEGAL PROVISIONS FOR ELECTIONS AND MONITORING

#### EXCERPTS OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

During this century intergovernmental organizations such as the United Nations, the Organization of American States, the Organization of African Unity and the Organization (formerly the Conference) on Security and Cooperation in Europe have memorialized in writing the principles of their member states with regard to fundamental human rights. The resulting declarations, charters, conventions and covenants are referred to as *instruments*.

Member states that have chosen to sign these instruments undertake to respect and support the minimum standards enumerated therein. The excerpts in this appendix focus on provisions that are relevant to conducting, participating in and monitoring elections. For example, basic principles of equal treatment (nondiscrimination), freedom of speech and freedom of association appear throughout. Similarly, most of the instruments expressly recognize the universal right of people to participate in their government by casting a secret vote. Some instruments, acknowledging the trend of recent years, extend this right of participation to those who would monitor the electoral process. (See especially, Article 8, *Document of the 1990 Copenhagen Meeting of the Conference on the Human Dimension*, Conference on Security and Cooperation in Europe.) As an observer, you should determine which of these instruments your government has agreed to uphold.

Familiarity with the provisions in these instruments is often helpful when advocating reforms, defending observers' rights, or evaluating the election process. Obviously, if your government has signed a particular instrument you may rely on the provisions of the instrument as legal authority. However, you may find the provisions useful even if your government is not a signatory to a specific instrument. The fact that these instruments claim multinational origins supports the position that the principles they contain are, to some degree, universal and therefore may be applicable in your country.

#### SAMPLE PROVISIONS FOR DOMESTIC MONITORS

This part of the appendix presents two samples of laws relevant to domestic election observers. The first, an unofficial translation of *Article 51 of the 1992 Law on Local Elections* in Romania, provides a good example of a legal provision that expressly conveys to nonpartisan, nongovernment domestic organizations the right to monitor the electoral process. Does the election law in your country contain such a provision?

The second, a *Code of Conduct for Observers*, is a regulatory provision designed and approved by the election commission in South Africa pursuant to the 1993 Independent Electoral Commission Act. During South Africa's 1994 elections, the election law strongly upheld the rights of nonpartisan domestic groups (as well as political party pollwatchers). This regulation illustrates how observers, in return, were expected to conduct themselves in a manner that would ensure the integrity of their activities and, more broadly, of the overall electoral process. This regulation is exemplary in that the specific prescriptions of the regulation (*e.g.*, to maintain impartiality, to display identification, to conform with the laws, etc.) in no way attempt to inhibit observers' access to the electoral process or the ability of observers to conduct and publicize a thorough assessment.

page 1 of 6

#### Universal Declaration of Human Rights

#### Article 2

Everyone is entitled to all the rights and freedom set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-selfgoverning or under any other limitation of sovereignty.

#### Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

#### Article 21

- (1) Everyone has the right to take part in the government of his country, directly or through freely chose representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

#### Article 2

- (1) Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to this jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- (2) Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.
- (3) Each State Party to the present Covenant undertakes:
  - (a) To ensure that any person whose rights or freedom as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
  - (b) To ensure that any person claiming such a remedy shall have his right thereto determined to competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
  - (c) To ensure that the competent authorities shall enforce such remedies when granted.

page 2 of 6

#### Article 25

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.

#### INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

#### Article 5

In compliance with the fundamental obligations laid down in Article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(c) Political rights, in particular the rights to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service . . . .

#### CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

#### Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

#### CONVENTION OF THE POLITICAL RIGHTS OF WOMEN

#### Article I

Women shall be entitled to vote in all elections on equal terms with men, without any discrimination.

#### Article II

Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.

#### Article III

Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.

page 3 of 6

# AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

#### Article 13

Every citizen shall have the right to freely participate in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.

# AFRICAN CHARTER FOR POPULAR PARTICIPATION IN DEVELOPMENT AND TRANSFORMATION (ARUSHA 1990)

- We affirm that nations cannot be built without the popular support and full participation of the people. 7.
- We, therefore, have no doubt that at the heart of Africa's development objectives must lie the ultimate and overriding 8. goal of human-centered development that ensures the overall well-being of the people through sustained improvement in their living standards and the full and effective participation of the people in charting their development policies, programmes and processes and contributing to their realization.
- We are convinced that to achieve the above object will require a re-direction of resources to emphasize self-reliance 9 on the one hand, and, on the other hand, to empower the people to determine the direction and content of development.
- In our sincere view, popular participation is both a means and an end. As an instrument of development, popular participation provides the driving force for collective commitment for the determination of people-based development processes and willingness by the people to undertake sacrifices and expend their social energies for its execution. As an end in itself, popular participation is the fundamental right of the people to fully and effectively participate in the determination of the decisions which affect their lives at all levels and at all times.
- We believe strongly that popular participation is, in essence, the empowerment of the people to effectively involve 11. themselves in creating the structures and in designing policies and programmes that serve the interests of all as well as to effectively contribute to the development process and share equitably in its benefits. Therefore, there must be an opening up of the political process to accommodate freedom of opinions, tolerate differences, accept consensus on issues as well as ensure the effective participation of the people and their organizations and associations. This requires the State and the international community, to create the necessary conditions for such an empowerment and facilitate effective popular participation in societal and economic life. This requires that the political system evolve to allow for democracy and full participation by all sections of our societies.
- It is the consensus of this conference that the attainment of women's full participation must be given highest priority 12. by society as a whole and African Governments in particular. . . .
- We believe that for people to participate meaningfully in their self-development, their freedom to express themselves 17. and their freedom from fear must be guaranteed. This can only be assured through the extension and protection of people's basic human rights.
- We proclaim the urgent necessity to involve the people in monitoring popular participation in Africa. 24.

page 4 of 6

# American Declaration of the Rights and Duties of Man

*Article XX*. Every person having legal capacity is entitled to participate in the government of his country, directly or through his representatives, and to take part in popular elections, which shall be by secret ballot, and shall be honest, periodic and free.

Article XXXII. It is the duty of every person to vote in the popular elections of the country of which he is a national, when he is legally capable of doing so.

*Article XXXIV...* It is likewise his duty to hold any public office to which he may be elected by popular vote in the state of which he is a national.

Article XXXVIII. It is the duty of every person to refrain from taking part in political activities that, according to law, are reserved exclusively to the citizens of the state in which he is an alien.

#### AMERICAN CONVENTION ON HUMAN RIGHTS

#### Article 23

- (1) Every citizen shall enjoy the following rights and opportunities:
  - (a) to take part in the conduct of public affairs, directly or through freely chosen representatives;
  - (b) to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and
  - (c) to have access, under general conditions of equality, to the public service of his country.
- (2) The law may regulate the exercise of the rights and opportunities referred to in the preceding paragraph only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings.

# DOCUMENT OF THE 1990 COPENHAGEN MEETING OF THE CONFERENCE ON THE HUMAN DIMENSION

The (participating States) recognize that pluralistic democracy and the rule of law are essential for ensuring respect for all human rights and fundamental freedoms, the development of human contacts and the resolution of other issues of a related humanitarian character. They therefore welcome the commitment expressed by all participating States to the ideals of democracy and political pluralism as well as their common determination to build democratic societies based on free elections and the rule of law.

In order to strengthen respect for, and enjoyment of human rights and fundamental freedoms, to develop human contacts and to resolve issues of related humanitarian character, the participating States agree on the following:

(3) They reaffirm that democracy is an inherent element of the rule of law. They recognize the importance of pluralism with regard to political organizations.

page 5 of 6

- (5) They solemnly declare that among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings are the following:
- (5.1) free elections that will be held at reasonable intervals by secret ballot or by equivalent free voting procedure, under conditions which ensure in practice the free expression of the opinion of the electors in the choice of their representatives;
- (5.3) the duty of the government and public authorities to comply with the constitution and to act in a manner consistent with law;
- (54) a clear separation between the States and political parties; in particular, political parties will not be merged with the State;
- (59) all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination of any grounds;
- (5.10) everyone will have an effective means of redress against administrative decisions, so as to guarantee respect of fundamental rights and ensure legal integrity;
- (511) administrative decisions against a person must be fully justifiable and must as a rule indicate the usual remedies available . . . .
- (6) The participating States declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government. The participating States will accordingly respect the right of their citizens to take part in the governing of their country, either directly or through representatives freely chosen by them through fair electoral processes.
- (7) To ensure that the will of the people serves as the basis of the authority of government, the participating States will:
- (7.1) hold free elections at reasonable intervals, as established by law;
- (7.2) permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote;
- (7.3) guarantee universal and equal suffrage to adult citizens;
- (7.4) ensure that votes are cast by secret ballot or by equivalent free voting procedure, and that they are counted and reported honestly with the official results made public;
- (7.5) respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination;
- (76) respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities;
- (7.7) ensure that laws and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications or prevents the voters from learning and discussing them or from casting their vote free of fear or retribution;
- (7.8) provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process;
- (79) ensure that candidates who obtain the necessary number of votes required by law are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures.

page 6 of 6

- (8) The participating States, consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavor to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings.
- (10) In reaffirming their commitment to ensure effectively the rights of the individual to know and act upon human rights and fundamental freedoms, and to contribute actively individually or in association with others, to their promotion and protection, the participating States express their commitment to:
- (10.1) respect the right of everyone, individually or in association with others, to seek, receive and impart freely views and information on human rights and fundamental freedoms, including the rights to disseminate and publish such views and information;
- (103) ensure that individuals are permitted to exercise the right to association, including the right to form, join and participate effectively in non-governmental organizations which seek the promotion and protection of human rights and fundamental freedoms, including trade unions and human rights monitoring groups;
- allow members of such groups and organizations to have unhindered access to and communication with similar bodies within and outside their countries and with international organizations, to engage in exchanges, contacts and co-operation with such groups and organizations and to solicit, receive and utilize for the purpose of promoting and protecting human rights and fundamental freedoms voluntary financial contributions from national and international sources as provided for by law.
- (24) The participating States will ensure that the exercise of all the human rights and fundamental freedoms set out above will not be subject to any restrictions except those which are provided by law and are consistent with their obligations under international law, in particular the International Covenant on Civil and Political Rights, and with their international commitments, in particular the Universal Declaration of Human Rights. These restrictions have the character of exceptions. The participating States will ensure that these restrictions are not abused and are not applied in an arbitrary manner, but in such a way that the effective exercise of these rights is ensured.

  Any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law.

# PROTOCOL (No. 1) TO THE EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

#### Article 3

The High Contracting Parties undertake to hold free and fair elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

# SAMPLE PROVISIONS FOR DOMESTIC MONITORS

page 1 of 1

LAW ON LOCAL ELECTIONS **PARLIAMENT** Romania, 1992

#### Article 51

.... The polling operations may be attended by foreign observers and Romanian (i.e., domestic) observers, accredited for this purpose.

Accreditation as Romanian observers can be given to representatives of legally created non-governmental organizations whose only goal is to protect human rights.

Such organizations may nominate only persons who are not members of a party or political organization.

The accreditation of a Romanian observer can be questioned at the Central Electoral Commission.

Besides the members of the electoral bureau of the polling station, the persons accredited in keeping with (this) law and Romanian and foreign journalists, no other person shall be allowed to remain in the public places in the polling area or in the polling station longer than the time needed for the polling operations.

CODE OF CONDUCT FOR OBSERVERS REGULATION OF THE INDEPENDENT ELECTORAL COMMISSION SOUTH AFRICA, 1994

#### **PRELIMINARY**

This Code shall be binding upon all Observers registered with the Commission.

The object of this Code shall be to ensure that the activities of Observers are facilitated by the Commission, conducted with integrity, and contribute to public confidence in the electoral process.

#### THE CODE

All registered Observers undertake that their observer activities throughout the election period shall be conducted in accordance with the following principles, viz:

(a) Observers shall maintain strict impartiality in the conduct of their duties, and shall at no time indicate or express any bias, or preference with reference to any registered party or nominated candidate.

(b) Observers shall when so requested immediately identify themselves to any interested person, and shall during the conduct of their activities at all times carry, wear or otherwise prominently display the prescribed identification badges or cards issues by the Commission to registered Observers and their vehicles.

(c) Observers shall refrain from carrying, wearing and displaying any electoral material or any article of clothing, emblem, colours, badges or other item denoting support for or opposition to any party or candidate, or with reference to any of the issues in contention in the elections.

(d) Observers shall refrain from the carrying or displaying of arms during the conduct of their observer duties or while wearing the insignia issued by the Chief Director (of) Monitoring.

(e) Observers shall ensure that their conduct strictly conforms to the laws and regulations . . . and they shall both acknowledge the overall authority, and abide by the decisions of the Commission, and its sub-structures, in relation to their conduct as Observers.

#### SAMPLE MONITORING FORMS

very monitoring operation should develop and distribute forms on which personnel can record their observations. Forms enhance the uniformity of the information you collect and, in some cases, facilitate the effort to quantify findings. Note that by including simple instructions and using multiple choice questions (i.e., those that prompt observers to indicate "Yes" or "No," or to select answers "a," "b," or "c") you can help ensure that the observers can record their findings quickly and accurately.

The selections that are reproduced in this appendix were designed and used by domestic groups when monitoring different phases of the electoral process—from the campaign rallies of the pre-election period through the voting on election day to the post-election lodging of formal complaints.

#### CAMPAIGN ACTIVITIES REPORT FORM

The Campaign Activities Form was used to monitor campaign activities in the pre-election period by members of the coalition of civic organizations called the National Electoral Observer Network (NEON) and by international observers during South Africa's 1994 national elections. The form was produced by the U.S.-based Lawyers Committee for Civil Rights Under Law. Note the placement of simple instructions at the top of the page.

#### MEDIA OBSERVATION REPORT FORM

The Formular Pentru Urmarirea Stirilor Televizate was produced by the Pro Democracy Association (PDA) to monitor the amount and quality of campaign coverage by television stations during Romania's 1992 local elections. Questions 2-5, respectively, ask the observer to record: the length of a television news story (from 15 seconds to more than three minutes); any political party named in the story; and whether the story was favorable or unfavorable for either the government, the parliament or a particular political party.

#### VOTING PROCESS REPORT FORM

The Summary Report, Checklist for Election Day was used by members of the Study and Research Group on Democracy and Economic and Social Development in Africa (GERDDES-Afrique) for the 1993 national elections in Niger. This form was designed to enable observers to record summary information about the voting process (but not the counting process or the election results) on a single page that could be faxed to a central collection point. Notice the use of numbers (1-9) to codify the type of irregularities observed and the use of letters (A-D) to characterize the overall quality of the process. This form was distributed with another form for observing the counting process and a training manual that explained proper voting procedures and described various problems that might arise.

#### COUNTING PROCESS REPORT FORM

The *Polling Place Report: The Count* was produced by the Electoral Assistance Bureau in Guyana. The top part of the form provides boxes in which observers are asked to circle "Y" or "N" (Yes or No) to answer certain questions about the counting process. The bottom of the form provides space for the observer to record the results of the count. Notice the small numbers (50-72) that guide computer processors in aggregating the information.

# APPINIX

Sample Brochure for a Domestic Monitoring Organization

# Sample Brochure for a Domestic Monitoring Organization

he text of a brochure (also called a leaflet, flyer, pamphlet or handbill) prepared by the Filipino National Citizens Movement for Free Elections (NAMFREL) is reprinted here. In its original form, the brochure was folded three times so that it could easily be distributed at meetings or placed into an envelope for mailing.

This brochure provides an excellent model that your public information operation may wish to replicate. The brochure can achieve several objectives. It can establish the credibility of your organization by publicizing your objectives, recounting your past achievements, describing your operating principles (e.g., nonpartisan, transparent, etc.) and disclosing the names of your leaders and the sources of your funds. It can also be used for volunteer recruitment and for obtaining operating funds.

page 1 of 4

#### THE ORGANIZATION

NAMFREL stands for the National Citizens Movement for Free Elections. It is a Filipino citizens group that has won national and international acclaim for its commitment to the restoration and strengthening of democratic institutions and processes, particularly the electoral process. It is voluntary, non-partisan and community-based.

NAMFREL .... derives its strength and continuity from the people—their willingness for self-sacrifice and their dedication to the task of nation-building. It has demonstrated what can be achieved through what has now been called "people power," NAMFREL's slogan in the 1984 and 1986 elections.

#### **OBJECTIVES**

NAMFREL seeks to help achieve free, orderly and meaningful elections and honesty in government by harnessing the power of an informed and concerned citizenry.

In pursuing these objectives, NAMFREL engages in affirmative action activities and encourages men and women of competence and integrity to render public service.

In past elections, NAMFREL has fielded more than 500,000 trained volunteers to watch the polls all over the country and conduct an Operation Quick Count.

NAMFREL also carries out special projects which aim to make the electoral process and public service more meaningful such as:

- voter education and assistance programs
- · candidates forums
- workshops on election laws and pollwatching for representatives of all political parties
- passage of electoral laws that promote adequate safeguards and the principle of fair play
- · campaigns for citizens vigilance through the full cycle of the electoral process
- citizen monitoring of government performances . . . .
- · youth-involvement in national affairs and civic action

#### **BACKGROUND**

NAMFREL was organized in October 1983 by a group of concerned civic, professional, religious and community leaders. NAMFREL continues a tradition of citizens groups that have been working for political reforms for the past 18 years. In fact, NAMFREL's organizers and participating organizations are mostly the same ones who campaigned for noteworthy reforms during the past years.

#### NAMFREL'S ACHIEVEMENTS

NAMFREL's activities in the 1984 and 1986 elections and the 1987 plebiscite have brought back the people's faith in the electoral process as a basic instrument for change and progress. Despite the massive and systematic fraud that marked the 1984 and 1986 elections, NAMFREL was able to swiftly communicate accurate results of the elections to the public as well as prevent anomalies or record them for appropriate action by authorities.

page 2 of 4

NAMFREL's efforts have earned the gratitude of the Filipino people, and this has been expressed in various awards presented to the organization.

By proving that citizen action can make a difference, NAMFREL helped inspire millions of Filipinos to achieve the peaceful February 1986 revolution.

During the 1987 plebiscite on the new Constitution, NAMFREL did its own canvassing of votes in support of (the central election commission) COMELEC. NAMFREL's Operation Quick Count (a parallel vote tabulation) presented more than 75% of total votes cast within 48 hours and served to establish an accurate trend of the final count.

Through the sacrifices of its volunteers, (six gave up their lives and countless others have been injured since 1984) NAMFREL has given concrete expression to its slogan: "It is better to light a candle than to curse the darkness."

#### THE NEED

The continuing task of strengthening the electoral process is enormous. The COMELEC, for instance, has no more than 5,500 employees all over the country to serve about 26 million voters. Clearly, COMELEC needs the assistance of a citizens arm capable of monitoring about 100,000 precincts nationwide. These are also other ways by which citizen groups can ensure public accountability of government officials.

You can help in the following ways:

- by volunteering as NAMFREL poll-watchers or non-electoral "Bantay ng Bayan" citizen monitors
- · by acting as convenor or organizer in the formation of local (NAMFREL) chapters
- by helping organize candidates forums where issues and platforms can be debated in a neutral setting
- by volunteering legal, accounting, computer and other services during elections or in support of activities which promote an honest government
- by donating money, use of equipment, vehicle and food or assisting the local chapter in resource-generating activities
- · by volunteering for the national or local (NAMFREL) chapter secretariat on a part-time basis
- · by providing or generating media support for local (NAMFREL) chapter activities
- by participating in Operation Quick Count
- · by taking photographs of election proceedings and anomalies

The Choice for a better future is ours. Let us work for honesty in elections and honesty in Government. Join NAMFREL.

#### JOINING NAMFREL

Any Filipino, whether in the private sector or government service, who adheres to the beliefs and objectives of NAMFREL can volunteer through the local chapter. If there are none in the locality or if you do not know the officers, please clip this portion and send to or contact:

NAMFREL National Office 8th Floor, RFM Building Pioneer Street Mandaluyong, Metro Manila Tel. Nos.: 77-24-72 • 77-24-74 • 77-24-81 or NAMFREL local chapter

page 3 of 4

page 3 of 4
Cout along this line     I believe in the principles of NAMFREL and I want to assist through:   Poll Watching     Cash donation:   I will give through our parish priest     I will give to the NAMFREL local chapter     Enclosed (amount)     Serving in:   Local secretariat of NAMFREL     Lending of equipment like (vehicle, computer, calculator, flashlights, CB radio, etc.)     And other services (legal, accounting, computer operations, photography, etc.)     Assistance in the Special Projects     Operation Quick Count     Candidates Forum     Citizens monitoring government performance     Workshops for all political parties
Name:
Address:
Tel No.:
(Cut along this line)
THE NON-PARTISANSHIP PRINCIPLE
NAMFREL is non-partisan although it engages in political activities. It keeps a non-partisan stance because it is concerned with the protection of the electoral process and not the advancement of a particular party or candidate.  NAMFREL believes that a good and responsive government can only be achieved if the integrity of the electoral process is observed.  NAMFREL is non-partisan because it is concerned with the meaningful expression of the will of the people regardless of who wins.  NAMFREL is non-partisan because its citizen monitoring activities exercise vigilance over government performance regardless of who is in power. In short, NAMFREL, by acting as citizen watchdog and by insuring a fair play for those in opposition to government, helps strengthen the system of checks and balances vital to a true democracy.
How does NAMFREL finance its operations?
<ul> <li>NAMFREL raises its financial support from two sources:</li> <li>From donations, both in cash and in kind, from concerned Filipinos, participating organizations, and local business enterprises;</li> <li>Volunteer services, some even on a full-time basis, in both national and local levels.  Of the above, volunteer services provide the primary logistical support to NAMFREL operations with local chapters exercising self-reliance in their activities.</li> </ul>

page 4 of 4

#### NAMFREL MANAGEMENT

NAMFREL is governed by the principle of participative decision-making, instituted through two constituent bodies—the National Council and the Regional Councils.

The National Council consists of the executive officers, national and sectoral leaders, regional chairmen, and key operating directors.

The Regional Councils are selected by municipal, provincial and city chairmen who are in turn chosen by consensus of the volunteers

An Executive Committee of the National Council is responsible for coordinating and supervising NAMFREL's policies and activities. It is headed by the National Chairman.

Each local chapter at the provincial, city and municipal levels duplicates this pattern of organization.



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The Summary Report, Checklist for Election Day was used by members of the Study and Research Group on Democracy and Economic and Social Development in Africa (GERDDES-Afrique) for the 1993 national elections in Niger. This form was designed to enable observers to record summary information about the voting process (but not the counting process or the election results) on a single page that could be faxed to a central collection point. Notice the use of numbers (1-9) to codify the type of irregularities observed and the use of letters (A-D) to characterize the overall quality of the process. This form was distributed with another form for observing the counting process and a training manual that explained proper voting procedures and described various problems that might arise.

#### COUNTING PROCESS REPORT FORM

The *Polling Place Report: The Count* was produced by the Electoral Assistance Bureau in Guyana. The top part of the form provides boxes in which observers are asked to circle "Y" or "N" (Yes or No) to answer certain questions about the counting process. The bottom of the form provides space for the observer to record the results of the count. Notice the small numbers (50-72) that guide computer processors in aggregating the information.

#### SAMPLE MONITORING FORMS

#### SET OF ELECTION-DAY REPORT FORMS

For the 1993 elections in Pakistan, the Human Rights Commission of Pakistan distributed a package of materials called the Log book for poll-watchers that included: (1) "Points for group leaders/pollwatchers;" (2) a set of five "poll day checklists;" (3) an "observer's interim report form;" and (4) a list of the telephone numbers (not included here) of the organization's regional offices and the members of the election commission. The entire package was stapled at the top, below which a perforated line allowed observers to tear off individual forms to be completed or delivered, as needed. Compared to the relatively limited, summary information requested in the preceding forms, the "poll day check-lists" prompt the observer to consider and answer a series of detailed questions about the voting process. The interim report requests summary information on any observed irregularities and the results of the counting process.

#### PARALLEL VOTE TABULATION FORM 1

The SAKA I.T.E. Electiones 1993 form was prepared and used by the coalition SAKA I.T.E. (Initiative for Electoral Transparency) to collect results during the 1993 elections in Paraguay. The abbreviations for each competing party (plus the number of blank votes, null votes, and total votes) are listed down the left margin and the names of the contested offices are listed in columns across the top. Volunteers record the number of votes received by each party for each office. This form provides no space in which to record qualitative observations. Also, notice at the bottom of the form that signatures are required from the observer at the counting site, the messenger who delivered the form to headquarters, and/or the name of the operator who collected the data and entered it into the computer. The signatures verify that only authorized individuals have handled the document which in turn safeguards the integrity of the PVT's data and its projected results.

#### PARALLEL VOTE TABULATION FORM 2

The Formulario de Conteo Rapido was prepared and used by the nonpartisan group Transparencia for Peru's 1995 presidential elections. Although very similar to the SAKA I.T.E. form, this form provides a small space at the bottom in which observers can record brief information about the quality of the voting process that preceded the counting. Thus, if drastic problems were reported in this space (e.g., only men were allowed to vote) then the directors of the parallel vote tabulation would know to discount the results of the count from that location.

#### COMPLAINT REPORT FORM

As with the Campaign Activities Form, the *Complaint Form* was used during the 1994 elections in South Africa by the National Electoral Observer Network (NEON) and produced by the U.S.-based Lawyers Committee for Civil Rights Under Law. This form was used during all phases of the election process and focused on incidents of violence or intimidation. Other types of complaint forms commonly emphasize administrative irregularities (as opposed to intimidation problems) that are experienced during the voting or counting process. As this sample demonstrates, it is important to record the names of the individuals and institutions involved in a reported incident as well as information about any witnesses.

# CAMPAIGN ACTIVITIES REPORT FORM

page 1 of 3

#### **CAMPAIGN ACTIVITIES FORM**

Instructions for completing this form:

ID#/Name

- Please be sure to fill in your ID# or name, the region and city, and date
- Indicate your route: all the places you actually stopped to observe
- Complete one form for each campaign day
- For additional forms get the original from your Group Leader and make photocopies at the hotel

Date

Region/City

ute:	
A.	POLITICAL CAMPAIGN ACTIVITIES:
1. WI	hich event did you attend: rallies or political gatherings?
2. Wi	no was the sponsor/organizer?
3. Ho	w many attended the event?
4. We	ere any women present?
5. Ge	neral atmosphere?
6. Co	mment on the presence or absence of campaign literature. Have you seen people by distributing election information? Which parties were represented?
7. Ca	n you assess how people generally feel about the election to date?
B. IN	FIMIDATION, HARASSMENT
1. Hav	we you been informed of or witnessed any intimidation related to any of the above aign activities? If so, provide details and complete Complaint Form.
2. Wa party?	s there any intimidation or harassment during political events by advocates of ar

#### CAMPAIGN ACTIVITIES REPORT FORM

page 2 of 3

- 3. How were any such incidents resolved? Were such incidents dealt with fairly?
- 4. If permits for public meetings were denied or cancelled, what were the reasons given?
- 6. Which security forces were present (SADF, NPKF, SAP, KZP, etc.) and what did they do?

#### C. VOTER EDUCATION:

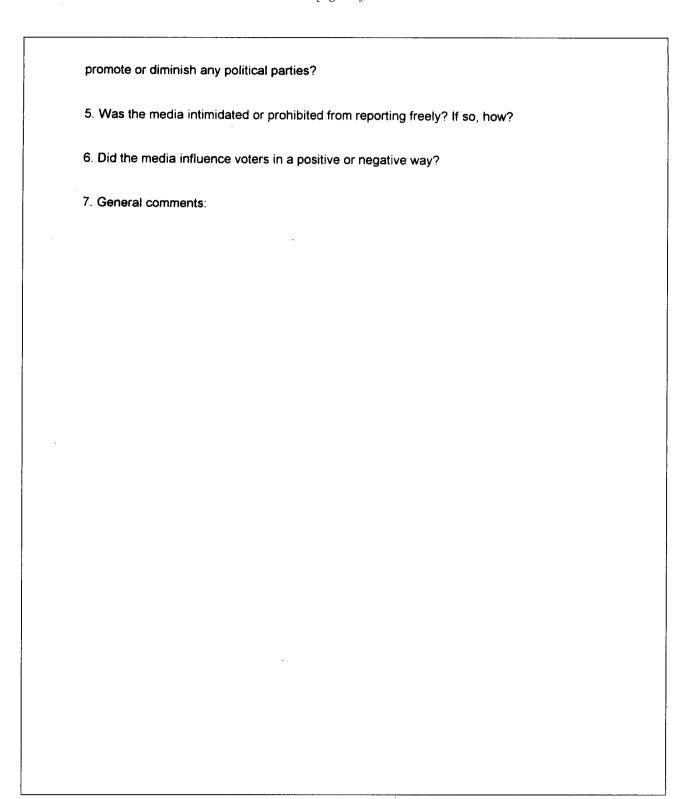
- 1. What evidence do you see of voter education? Is there publicly accessible information about where, when and how to vote?
- 2. Who is the target audience and where are they located?
- 3. Who is conducting the voter education program?
- 4. Was information accurate?
- 5. If advertised as non-partisan, was program non-partisan?

#### D. MEDIA:

- 1. How do South Africans receive information on the election? Who seems to be best informed?
- 2. To what extent is equal access given to all the political parties, in the press and radio?
- 3. Which newspapers cover election issues on a regular basis, and who are they published by?
- 4. Please monitor South African Broadcasting Corporation (SABC) and Bophuthatswana Broadcasting Corporation coverage of the elections. Does the media appear to unfairly

#### CAMPAIGN ACTIVITIES REPORT FORM

page 3 of 3



# MEDIA REPORT FORM

page 1 of 2

•	M	EV	•	4
_	u v	EA.	А	•

DATA .		
DATA:		
NUMELE ȘI PRENUMELE	OBSERVATORULUI:	
TELEFON :		·
INSTRUCȚIUNI :	<del>n Andrian ann All An Stainte an a</del> nn ann an am benn an am an agus agus deistiúirí an bliathaire bliathair	10 yr. 19 yr. 14 (19 14) i ddirennin 18 (19 14) felliw frysjellin yr. yr. yr. end i'r lleben i end felliw der d
Indicați numărul de știri	, pe subiecte, prezentate la ad in subiectele următoare) :	ctualitățile de seară (indicați
Sport	Parlament	Economie/Industrie
Divertisment	Alegeri locale	Internaționale
Guvern	Calamități naturale	Altele.
Completați urmi	ătoarele informații <i>numai</i> pent	tru știrile legate de :
	PARLAMENT ALI	EGERI LOCALE
GUVERN I		

Vå multumim!

# MEDIA REPORT FORM

page 2 of 2

<ol> <li>Despre ce era știrea : :</li> </ol>	Subiect:	
(scurtă descriere)		
2. Cît de lungă a fost șt	irea (vá rugám sá	bifati una din optiuni):
– mai mult de 3 minute	_	5 de secunde
- 2-3 minute		0 de secunde
– 60 de secunde	<b>– 1</b>	5 secunde, sau mai puțin
3. Ce partide politice era	u menționate în știre	?
- FSN	- PAC	PNL-AT
- PNL	- PUNR	- PSD
- PNTcd - UDMR	PER MER	PDAR Altele
4. In opinia dvs., povesti Guvern — Po	rea a fost favorabil orlament –	lă unuia din următorii : - Partide politice (nume)
— un anumit(i) lider(i) (	nume)	
	irea a fost <i>netavor</i> - Parlament	abilă unuia din următorii : - Partide politice (nume)
	•	
- un anumit(i) lide(i) (r	ume)	
– un anumit(i) lide(i) (r	iume)	

# VOTING PROCESS REPORT FORM

page 1 of 1

Date of election  Jonate of Ection  Jonate of Characterize the Comments (seriousness of problems, arrival/ registered long did voters wait problems quantity of voters effocted, names of in line/ take to check observed (index officials responsible, action taken, in and vote in and v				CH	CHECKLIST FOR ELECTION DAY	CTION DAY		
lling site: Constituency: Time of Total On average, how characterize the Comments (seriousness of problems, arrival/ registered long did voters wait problems quantity of voters effected, names of number region departure voters in line/ take to check than of the comment of the	Name of observer	er		Date of ele	ction	Type of election		
No.	Polling site: identification (by number and name)	Constituency: village/ region	Time of arrival/ departure	Total registered voters	On average, how long did voters wait in line/ take to check in and vote	Characterize the problems observed (Index I, #1-9, below)	Comments (seriousness of problems, quantity of voters effected, names of officials responsible, action taken, etc.)	Validity of poll, Index II below
3. 4. 4. 5. 6. 6. 6. 7. 7. 7. 7. 8. 8. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6.	Column A	2	ر ر	a	<b>a</b>	<b>S</b>	Ð	Ħ
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8.	9		_		/			
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	voters, applying ink, etc.)  4 - improper permission to vote or manner of voting  5 - improper rejection of qualified voters  6 - improper refusal to admit accredited observers or nollwarchers	voters, applying ink, etc.) roper permission to vote or mi roper rejection of qualified voi	anner of voting			Index of validity of acterize the overall Good, little or no pr	II. Index of validity of the poll (See, Column H, above) Characterize the overall quality of the process at each polling station: A - Good, little or no problems; B - Acceptable, with minor irregularities; Consider problems problems and consider the problems.	tion: egularitie

# COUNTING PROCESS REPORT FORM

page 1 of 1

POLLING PLACE	REPORT
THE COUNT	T
1 Observer/s: 2 Building: 3 Division #:	4 Alpha Group:
Ballot Box number:	50
Time ballot box opened:	51
Lock/seals checked before opening box?	52 Y N
Ballots reconciled?	53 Y N
Agents at count: 1 2 3 4 5 54 55 56 57 58	<b>6</b> 59
Unauthorised persons present?	60 Y N
Agents had proper view of proceedings?	61 Y N
Adequate lighting facilities?	62 Y N
Decision on ballots acceptable to all?	63 Y N
Time counting ended:	64
Agents agreed with statement of poll?	65 Y N
Results Names of Contesting Groups	Votes
1	66
2	67
3	68
4	69
5	70
6	71
Total:	

#### SET OF ELECTION-DAY REPORT FORMS

page 1 of 5

#### Points for group leaders/poll-watchers

- 1. For purposes of your special attention divide the polling stations in your constituency according to whether they are (a) sensitive, (b) partially sensitive, (c) normal.
- 2. Assign the members of your group so that each has three to four specified stations to watch.
- 3. Keep yourself and three or four other members free to move around so as to act as a coordinator between all the stations and also to keep an eye on the stations that have not been assigned to anyone.
- 4. Assign responsibility to some members of the group for the filling of form numbers 2-A and 2-B. Have them completed if possible before polling day. Please give source for every information you record (whether from personal inquiries, published material, candidate's claim, some citizen's report, etc).
- 5. Please have watchers familiarise themselves before hand with the log-book they will be required to fill on polling day.
- 6. Remember, the watcher's job is not to supervise or monitor election but to watch it closely so that in the light of his observations, conclusions and recommendations can afterwards be compiled.
- 7. The watchers should be courteous and cooperative with the election staff. They should feel assured that the watcher's purpose is not to interfere with their work but to attest to their performance later on.
- 8. The candidates and their supporters should also feel assured that the watcher is strictly non-partisan, that his only concern is the safeguarding of human rights and the democratic process, and that his involvement is only to the benefit of all the parties.
- 9. All the members of your group should strictly refrain from giving any public statement to the press or any other person. Such statement if necessary will only be issued by the HRCP central office.
- 10. Assign at least one person to the office of the returning officer after the polling ends for all information from that end.

#### Communication

- 1. Identify all points in your area (PCO, friend's home etc) from where contacts can be made. All group members should know of these points and their numbers.
- 2. Make sure that every watcher has all the other necessary contact numbers in his log book.
- 3. It is not necessary for poll-watchers to interrupt their watch for minor reports. Only serious incidents should be conveyed.
- 4. After the end of the polling the group leader should give an interim report (specimen in log-book) to the provincial or Lahore office of HRCP either by phone or fax.
- 5. Both the provincial and head office of HRCP will remain open for your communications from October 6 evening to October 7 evening and October 9 to Oct. 10 evening.

page 2 of 5

# Poll day check-list

	Basic details			
	Observer's name	Constituency No		
	Polling station No	Polling booth No		
	Observer's arrival time	Observer's departur	e time	
	Polling officer's name	Military officer's nan	ne	
	Polling agents' name and party			
	Time the polling started	_ Tritle the pointing end		_
	No. of ballot boxes used			
		Muslim	Non-Muslim	
-	No. of ballot books			
	Their serial Nos.		<del></del>	
-	No. of ballots cast No. of ballots destroyed			
_	No. of challenge votes			
_	No. of tender votes			
-	No. of unused ballots			
Che	eck list			
. E	Before polling		Yes	No
_	Does the presiding officer have all the mater	ial?		
_	is the polling staff exactly the same as previous	ously notified?	,	
-	Is the polling station within 3 km of all voters	of the station?	· . — · · · · · · · · · · · · · · · · ·	
-	Are polling agents of all the candidates pres	ent?		
-	Was the ballot box shown to be empty befor	e start of polling?		
-	Was the ballot box sealed after it was shown	i to be empty:		

page 3 of 5

	2. During polling	Yes	No
-	Did the polling start at appointed time?		
-	Does the place for ballot marking fulfil secrecy requirement?		
-	Is the voters' list exactly the same as earlier notified?		
-	Is the voters' queue orderly?		-
-	Are the voters' identity cards being appropriaetely checked?		
-	Is every identity card being punched?		
-	Is the voter's name scored off after his identity has been checked?		
-	Is every voter's thumb marked with indelible ink?		
-	Is the ink indelible enough?		
-	Does the presiding officer stamp and sign the back of the ballot paper before giving it to the voter?		
-	Does he make the necessary entry on the counterfoil of the ballot paper?		
-	Does every voter put the ballot paper in the ballot box after marking?		
-	Is the presiding officer's stamp and initials on the back of the ballot paper visible as it is dropped in the box?		
-	Is the ballot box within everyone's sight all the time?		
-	Is the voter allowed to cast tender or challenge vote when necessary?		
-	Is the polling staff fair in responding to complaints?		
_	Is the polling staff impartial?		
-	Is the military official on duty impartial?		
-	Are the party camps at proper distance from the station?		
-	Is the prohibition on campaigning within polling premises being observed?		
_	Is the whole process being carried out in an orderly and peaceful atmosphere?		

page 4 of 5

	3. After the polling	Yes	No
_	Did the polling end at appointed time?		
_	Is the seal on the ballot boxes intact?		
_	Is the ballot box within everyone's sight?		
-	Are only the authorised people present at the counting?		
-	Is the counting of both Muslim and non-Muslim votes being done in the prescribed way?		
-	Is the counting being done in the presence of the polling agents and poll-watchers?		
-	Is the decision on doubtful ballots fair in all cases?		
-	Are the destroyed, tender and challenge ballots sealed separately?		
_	Do all polling agents attest the statement of the count?		
-	Does the presiding officer publicly paste up the statement of the count?		· · · · · · · · · · · · · · · · · · ·
-	Does the presiding officer take the result directly to the returning officer?		
-	Is the returning officer's announcement in conformity with presiding officer's count?		

#### Explanation

 If your answers to any of the questions above is 'no' please give details here.

page 5 of 5

	Observer's interim report	constituency-wise
1.	Constituency no.	
2.	Total votes cast	<u> </u>
3.	No. of polling stations visited by the observers	
4.	Candidate elected  His party  His no. of votes	
5.	Next losing candidate  His party  His no. of votes	
6.	Time of completion of result	
7.	If delayed, why?	
8.	No. of polling stations where voting suspended?  for how long?	
	wby?	
9.	Were polling agents of all candidates present?  If not wby?	
10.	Was polling generally peaceful?	
11.	Was the process impartial and transparent?	<del></del>
12.	Any objection raised by the losing candidate?	
13.	How many persons were penalised?  for bogus voting?  for causing disturbance?	
14.	Any impediments raised in your work?	

# PARALLEL VOTE TABULATION FORM 1

page 1 of 1

	S 1993						022-
TIPO DE BOLE DEPARTAMEN LOCAL			N. de Mesa		DISTRITO CANT MESA	<b>№</b> 0	<b>257</b> 5
				<del></del>	JUNTA	Cod	
LISTA	PRESIDENTE	SENADORES	DIPUTADOS	GOBERNADOR	DEPARTAMENTAL	30	Asun
ANR 1						V / 101	Conce
PLRA 2						02	San P
cos 4						03	Cordi
PL 5					N	04	Gua
РВ 6						05	Caagu
рт 7						O <del>c</del>	i Caaz
PNS 8			177			07	' Ilap
EN 9						08	8 Misio
MAPN 10			425.11	1		09	Parag
		i'					
MID 26 11			$M_{\ell}$			10	) Alto Pa
MSP 12			Y-SE			1.	l Cen
MUN 13						1:	2 Ňeem
				<u> </u>		'	. 1456[[[
мст 14	d d					1:	3 Amar
MPP 15						1.	4 Canin
BLANCOS B						1'	5 Ple. H
NULOS N						10	6 A. Par
TOTAL T						1!	9 Boqu

# PARALLEL VOTE TABULATION FORM 2

page 1 of 1

TOTAL DE ELECTORES (Según padrón)  VOTOS EMITIDOS (Total de Votos emitidos)  NO VOTARON (Total de electores que no votaron)  IMPUGNADOS (Total de Electores Impugnados)  A Alternativa Perú PUMA  B Partido Frente Popular Agrícola del Perú  C Frente Independiente de Reconciliación Nacional  F Cambio 90 - Nueva Mayoría  H Movimiento Perú al 2000 - FRENATRACA  I Izquierda Unida  K Partido Aprista Peruano  L Partido Reformista del Perú  Dice letra de agrupación y resultado.	JURADO PROVINCIAL PROVINCIA DISTRITO	NUMEROS TELEFONICOS Su Comité
NO VOTARON (Total de electoras que no votaron)  IMPUGNADOS (Total de Electoras Impugnados)  A Alternativa Perú PUMA  B Partido Frente Popular Agrícola del Perú  C Frente Independiente de Reconciliación Nacional  F Cambio 90 - Nueva Mayoría  I Izquierda Unida  K Partido Aprista Peruano  L Partido Reformista del Perú  O Movimiento Independiente Nuevo Perú  P CODE - País Posible  Q Unión por el Perú  S Partido Acción Popular  T Movimiento Obras  U Paz y Desarrollo  VALIDOS (Total de Votos válidos para Presidente)  VALIDOS (Total de Votos válidos o nutos para Presidente)  SLANCOS (Total de Votos lotanos para Presidente)  O MOVIDA (Total de Votos lotanos para Presidente)	NUMERO DE MESA CODIGO DEL VEEDOR	Lime
NO VOTARON (Total de electores que no votaron) IMPUGNADOS (Total de Electoris Impugnados)  A Alternativa Perú PUMA B Partido Frente Popular Agrícola del Perú C Frente Independiente de Reconciliación Nacional F Cambio 90 - Nueva Mayoría H Movimiento Perú al 2000 - FRENATRACA I Izquierda Unida K Partido Aprista Peruano L Partido Reformista del Perú O Movimiento Independiente Nuevo Perú P CODE - País Posible Q Unión por el Perú S Partido Acción Popular T Movimiento Obras U Paz y Desarrollo  ALIDOS (Total de Votos vididos para Presidente)  MALIDOS (Total de Votos vididos para Presidente)  BLANCOS (Total de Votos vididos para Presidente)  O PERADOR pide Jurado, Provincia, Distrito, Número de Mesa y Código.  VEEDOR de asos datos  OPERADOR pide Jurado, Provincia, Distrito, Número de Mesa y Código  Veedor i ansumo socialização valoro en nos Dice TOTAL DE ELECTORES y cifra.  Dice NO VOTARON y cifra.  Dice MPUGNADOS y cifra.  Dice INTRADADOS y cifra.  Dice INTRADADOS y cifra.  Dice VICIADOS y cifra.  Dice VICIADOS y cifra.  Dice VICIADOS y cifra.  Dice REGULARIDADES y opcidon.  Vendor espera a onformutad de Operador  OPERADOR Datos conformes, Gracias!  VEEDOR cierra Transmisión.		Metodo
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	PELADOS (Total de Votos apelados para Presidente	
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IRREGULARIDADES (¿Hubo irregularidades serias durante el Acto de Votación?) Ver tipología al reverso y anotar aquí la opción.

#### COMPLAINT REPORT FORM

page 1 of 2

#### **COMPLAINT FORM**

- Please be sure to fill in your ID# or name, the region, city, street location and date
   Each team must complete at least one complaint form daily, indicating whether and
- to what extent violence, intimidation or harrassment was observed.
- Please use a separate form for each incident observed
- You may select more than one choice for questions 10-16.

ID#/Name:	Region/City:
Site:	Date
1. Did you witness	the incident first hand, if not list name and address of witness?
2. Did the incident	involve violence (physical attack or destruction of property)?
3. If yes, was it: a. Severe b. Lin	nited c. Minor
4. Did the incident pressure) a. Yes b. I	involve intimidation (threat of violence or other kinds of
5. If yes, was it: a. Severe b. Lin	mited c. Minor
6. Did the incident a. Yes b. I	involve harrassment (e.g. chanting speakers down) No
7. If yes, was it a. Severe b. Lin	mited c. Minor
8. Was it at a: a. Rally b. M	arch c. Voting/Counting Station d.Other
<ul><li>a. Political Party (s</li><li>b. Security Force (s</li><li>c. Unaffiliated Indiv</li></ul>	d the incident: Members of a  pecify) specify) vidual
10. Who was/were a. Political Party (s b. Security Force (s	

# COMPLAINT REPORT FORM

page 2 of 2

e. IEC Official	
f. Local residents	/refugees
11. Were security a. Maintaining Or	y forces: der b. Contributing to instability c. Absent
12. If present, spe a. SAP b. NPI	ecify KF c. SADF d. KZP e. APLA f. MK g. Other
13. Describe the a	actual incident/event.
•	
-	
	•
	<u></u>
14. Was an IEC of take to notify her/h	fficial informed or aware of the incident? Wno? How long did it nim?
15. If applicable, to	o which Act/ Code and section does the above complaint relate: