

PALESTINIAN ELECTIONS

A PRE-ELECTION ASSESSMENT
MISSION REPORT

PREPARED JOINTLY
BY IFES, IRI AND NDI

August 2002





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LIST OF ACRONYMS

| | |
|----------------------------------|--------|
| Central Election Commission | CEC |
| Chief Electoral Officer | CEO |
| District Election Commission | DEC |
| Election Appeals Court | EAC |
| Freedom of Association | FOA |
| Freedom of Movement | FOM |
| Israeli Defense Forces | IDF |
| Memorandum of Understanding | MOU |
| Non-Governmental Organization | NGO |
| Civil Society Organizations | CSOs |
| Palestinian Legislative Council | PLC |
| Palestinian (National) Authority | PA/PNA |
| Polling Station Committee | PSC |
| Proportional Representation | PR |
| Single Transferable Vote | STV |

ACKNOWLEDGEMENTS

The International Foundation for Election Systems, the International Republican Institute, and the National Democratic Institute for International Affairs joint pre-election assessment delegation would like to thank our Palestinian interlocutors, who were willing to meet with the delegation under very difficult circumstances to discuss the prospects for meaningful elections in the West Bank and Gaza. The delegation also extends its appreciation to the Israeli academics and government officials with whom it met. Additionally, the joint delegation would like to thank Dr. Saeb Erekat, Minister of Local Government, for his cooperation in conducting this assessment, and the United States Agency for International Development (USAID) for making this mission possible. We also would like to acknowledge Rebecca Haessig for planning the delegation's program and Tricia Keller for her assistance in editing this report and for her support throughout the assessment. Finally, the delegation thanks Catherine Clinger and Lisa Kammerud for the design and layout of this publication.

EXECUTIVE SUMMARY

The International Foundation for Election Systems (IFES), the International Republican Institute (IRI), and the National Democratic Institute for International Affairs (NDI), as well as a representative of the Government of Norway, jointly organized a pre-election assessment mission to the West Bank and Gaza between July 14 and July 24, 2002. The purpose of the mission was fourfold: 1) to evaluate the pre-electoral environment and identify the requirements of the Palestinian Authority, political parties, civil society and the international community to establish a meaningful electoral process; 2) to identify the elements of the process that are most vulnerable and the obstacles that must be overcome; 3) to assess the state of technical preparations for elections; and 4) to recommend electoral reform measures that could enhance the transparency and credibility of the process.

There are few technical barriers to elections being planned in the West Bank and Gaza. However, those that exist are substantial and may require international assistance to overcome. While an argument can be made that elections should be delayed until the completion of reforms and until a new constitution is adopted, the delegation found an emerging Palestinian consensus that early elections are preferable, if not inevitable. Reasons given for elections included: the legal expiration (May, 1999) of the term of the Palestinian Legislative Council (PLC); lack of public confidence in Palestinian governing institutions, including disappointment with the performance of the PLC; and a belief that elections would serve as a catalyst for broader change.

That being stated, the delegation also believes that international electoral assistance and national election reform must possess a long-term perspective. The preparation for an election in 2003 is not solely about the organization of an event; rather, it is the initiation of a process that must contain the features, precedents, and credibility that could contribute to the long-term development of democratic Palestinian institutions of governance. As such, these elections must also be considered from a strategic perspective as an element in overall reform efforts and peace building activities.

The delegation's examination of the conditions necessary for meaningful elections would seem to preclude a January 2003 date, but, if the necessary political will exists on all sides, it could be feasible to hold elections some time in 2003.

FREEDOM OF MOVEMENT

While foundation election preparations can, and should, begin even under present conditions, if new Palestinian leaders and political entities are to emerge and organize, if a meaningful public debate on relevant electoral issues is going to emerge, and if credible technical preparations are to be

realized, freedom of movement, within and among Palestinian population centers must be present well before election day, preferably months before. The current environment, with curfews and extremely limited communication and travel, limits opportunities for political dialogue and highly favors entrenched and localized political forces to the detriment of incipient and resource-poor national coalitions of moderates, independent candidates and other reform minded figures. A quiet period preceding the election may have the effect of cooling nationalist passions, thereby increasing political space for those seeking genuine internal reform. Equally, ill-conceived or delayed technical preparations could weaken the integrity and transparency of an elections process that should, under ideal conditions, favor a level playing field.

VOTING FOR RESIDENTS OF EAST JERUSALEM

In the 1996 elections, a modality was agreed upon to allow Palestinian residents of East Jerusalem to cast their votes for PLC candidates. If elections are to be held, this issue must again be resolved with similar, if not identical, methods. Elections will not likely take place if agreement cannot be reached between Palestinian and Israeli officials on the means of voting for residents of East Jerusalem.

ELECTION OVERSIGHT, ELECTORAL SYSTEM CHANGES AND PUBLIC OUTREACH

Meaningful, democratic elections can only take place if the Palestinian Central Election Commission (CEC) and other responsible bodies are generally representative, independent of improper political influence, and entirely transparent. The public, including political activists and leaders, must have confidence that the electoral bodies are constituted in such a way that the will of the voters is expressed through elections.

In addition, given Palestinian demands for change and reform, public debate on the election system must be facilitated and encouraged by an aggressive public outreach effort. Decisions involving the timing, organization or methods of holding elections must be open and allow for a period of structured public debate and input.

TIMING OF ELECTIONS

A specific election date should be declared only when certain "foundation benchmarks" (described later in this report) have been satisfactorily addressed, although for planning purposes all parties should agree to strive toward the earliest feasible date.

CANDIDACY REQUIREMENTS

If Palestinians conduct elections within international standards, it could represent a rare opportunity to break the on-going cycle of violence. Elections should be a practical renunciation of violence and could represent a return to a culture of political dialogue and progress that has been subverted during the recent past. While cognizant of the difficulty of enforcing such provisions, the delegation heard no significant argument against a prohibition on parties and individuals engaged in or advocating violence. A code of ethics, based on the principles of democratic behavior, should be established and enforced for all election contestants.

In the body of this report, there are a number of recommendations that will assist Palestinian efforts to plan and administer meaningful elections. Those in the international community who wish to assist the Palestinians will find detailed descriptions of necessary activities and timelines for those activities. Recommendations concerning the technical aspects of the election are also included; however, it must be noted that the political issues supercede the technical ones as obstacles to these elections. The quick resolution of political dilemmas will speed efforts to re-engage the Palestinian public in their own governance.

INTRODUCTION

The International Foundation for Election Systems (IFES), the International Republican Institute (IRI), and the National Democratic Institute for International Affairs (NDI) jointly organized a pre-election assessment mission comprised of Jeff Fischer, IFES Senior Advisor; Lazhar Aloui, IFES Regional Program Officer for the Middle East and North Africa; Owen Kirby, IRI Director for the Middle East and North Africa; Les Campbell, NDI Senior Associate and Regional Director for the Middle East; Horacio Boneo, former Director of the United Nations Elections Unit; Francesca Binda, Director of Elections and Implementation for the OSCE in Bosnia and Herzegovina; and Kåre Vollan, elections expert and representative of the Government of Norway. The delegation conducted its assessment between July 14 and July 24, 2002 in the West Bank and Gaza, and, as part of its mission, also held talks with officials from Israel, the United States and the European Union.

The delegation found that there are few technical barriers to holding elections in the West Bank and Gaza. However, the delegation's examination of the conditions necessary for meaningful elections would seem to preclude a January 2003 date, but, if the necessary political will exists on all sides, it could be feasible to hold elections some time in 2003.

The delegation identified key constraints and remedies to be considered if meaningful elections are to take place. These include progressive freedom of movement to allow actions and debates necessary for the conduct of meaningful elections; creative solutions to the sensitive issue of Palestinian elections in East Jerusalem; a call for all Palestinian stakeholders to take all necessary measures to ensure that elections present a genuine opportunity for leadership diversification and institutional reform. Such measures should include the immediate appointment of an independent and unified Palestinian election commission, reforms to the election law, and the adoption of enforceable codes of ethics. Efforts must be made to ensure fairness in media election coverage, to prohibit violence, and to prevent the abuse of public resources for partisan gains. Some ideas on the use and timing of international electoral assistance are also articulated in this report.

The delegation also recommends that international electoral assistance and national election reform must possess a long-term perspective. The preparation for an election in 2003 is not solely about the organization of an event; rather, it is the initiation of a process that must contain the features, precedents, and credibility that could contribute to the long-term development of democratic Palestinian institutions of governance. As such, these elections must also be considered from a strategic perspective as an element in overall reform efforts and peace building activities.

POLITICAL CONTEXT AND PIVOTAL ISSUES

Even under difficult and changing circumstances, the delegation believes that early 2003 elections could be technically accomplished. However, without key changes in the political and security landscape, the conditions will remain problematic for the conduct of meaningful elections.

Meaningful elections mean that the outcome is not predetermined or entirely predictable, that the process allows disparate voices to organize and to be heard, and that governing institutions to be elected are perceived to be significant and accountable by the electorate. Elections are also meaningful when not regarded as singular events, but as elements of a political process that will extend beyond the 2003 election cycle and contribute to the development of democratic Palestinian institutions.

Elections will have little or no positive benefit for the Palestinian people if they serve only as a self-validation of the current Palestinian leadership, if Palestinian political views are shaped solely by the presence of Israeli troops, or if elected bodies continue to be marginalized by the PA.

The delegation also noted that calls for internal reform of the PA, for new elections to the PLC and for municipal elections have been heard from Palestinian citizens since at least May 1999, when the interim period envisioned in the Oslo accords expired. Polls conducted by Palestinian organizations have shown strong support for renewed Palestinian political institutions and for elections. What the delegation heard in meetings in the West Bank and Gaza echoed these demands for change. The Palestinians the delegation met, with a few important exceptions, were adamant in their conviction that elections can and should be held as an integral part of a reform package.

THE NECESSITY FOR NEGOTIATION

The prospects for holding meaningful elections could be deterred by the seemingly irreconcilable gap between positions articulated, respectively, by Palestinians, Israelis and the international community. This necessity for negotiated solutions is most urgent in relation to three topics: election timing, freedom of movement and elections in East Jerusalem.

The timing of elections

For some of the Palestinian officials, opposition figures and civil society actors interviewed, elections as early as January 2003 are viewed as a means both to re-legitimize the current leadership and to send a political message to Israel and the United States. For people holding this point of view, the conditions for holding elections are less important than the need to predetermine the outcome. These leaders would prefer that elections be

accompanied by a full withdrawal of Israeli forces, at least to positions held before September 2000.

Other Palestinians, particularly those critical of the past several years of Palestinian governance, while also supportive of holding elections relatively soon, wish to see a broad debate about Palestinian elections and democracy. They would like to revisit the election law and election systems, and tend, conceptually, to separate elections from the broader Palestinian-Israeli conflict.

Israeli officials interviewed viewed the prospect of Palestinian elections with skepticism, arguing that they should be held to mark the end of a three to five year effort of security and administrative reform.

International opinion, expressed through donor country officials and others, tends to favor Palestinian elections as a catalyst of reforms and as a means of renewing and reinvigorating moribund Palestinian institutions. According to this estimation, elections should take place sooner rather than later.

While elections may be technically feasible in the current security environment, meaningful elections will be impossible without certain common understandings about when they should take place. While an argument can be made that elections should be delayed until the completion of reforms and until a new constitution is adopted, the delegation found an emerging Palestinian consensus that early elections are preferable, if not inevitable. Reasons given for elections included: the legal expiration (May 1999) of the term of the PLC; lack of public confidence in Palestinian governing institutions, including disappointment with the performance of the PLC; and a belief that elections will serve as a catalyst for broader change.

The delegation's examination of the conditions necessary for meaningful elections and the time required to establish those conditions would seem to preclude a January 2003 date, but, if the necessary political will exists on all sides, it could be feasible to hold elections before the end of 2003. International electoral assistance and national election reform must work to maintain a long-term perspective. The preparation for an election in 2003 is not solely about the organization of an event; rather, it is the initiation of a process that must contain the features, precedents, and credibility that contributes to the long-term development of democratic Palestinian institutions of governance. As such, these elections must also be considered from a strategic perspective as an elements in overall reform efforts and peace building activities.

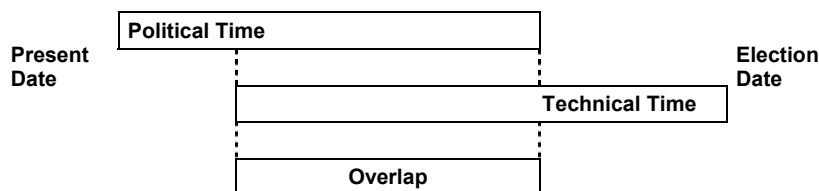
Political & Technical Time

In the Palestinian case, as well as in many other situations of conflict, the duration of the election organization period must account for both *political* and *technical* time. Although it is important to be aware of both kinds of time, it is equally important to realize that the two “times” are in no way mutually exclusive. In fact, political decisions influence technical time to a greater extent than technical decisions influence political time, although technical realities of election organization do offer useful leverage points for the establishment of consensus.

Political time refers to the pre-election period required to solve problems, define the “rules of the game”, and other activities which require the agreement between two or more parties in order to establish the enabling conditions for peaceful and effective political competition. Political time is difficult to predict: the time required for reaching sufficient consensus on a proposed electoral law might range from a few days to several months.

Technical time is what is specifically required for conducting the myriad activities constituting the organization of an electoral process, including but not limited to: voter and candidate registration and registration verification; training of election officials and monitors; design, purchase, and delivery of election materials and equipment; and political campaigning. The general duration of technical time can be estimated, but must then be adjusted contingent on a number of politically-tinged decisions concerning such issues as the approach to voter and candidate registration, the length of the political campaign, and the voting and vote counting system. In consolidated democracies the only relevant times are mostly technical, as there is sufficient consensus on the basic rules of the game and an enabling environment exists.

Political and technical frequently overlap where there are organizational activities that can be carried out, even if the political problems have not been entirely solved. The graphic below outlines the two-time concept.



Pending elections in The West Bank and Gaza, to yield a functional outcome, must be organized on a schedule encompassing both political and technical time. Political time will feature a period for reaching agreements with the Israelis that are necessary for the creation of an enabling environment: with no curfews, with significant freedom of movement and other with additional adjustments to the military presence of Israel in the West Bank and Gaza. Political time will also include the period required for the Palestinians to reach sufficient consensus on the set of rules that define their present electoral and political system.

This political time should pass in parallel with technical time, as steps are taken to establish the parameters for the foundation of the election system that are not wholly contingent on political decisions. Once the set of electoral rules is defined and initial political decisions, highlighted elsewhere in this report, are made, the basic timeline for technical preparations can be generated.

The duration of the process should govern the setting of the election date more than the date should be relied upon to magically drive the election preparation process. For example, if an election date is set six months hence and negotiations on freedom of movement and East Jerusalem take four or five months, then crucial party and candidate organizing time and public debate will be lost to a last minute frenzy of technical preparation. Instead, while some technical preparations can happen soon, the election clock should only start ticking when there is a workable consensus about rules and conditions.

Freedom of Movement

In assessing the conditions for a meaningful election, the delegation preferred to examine the degree of freedom of movement required for the conduct of an

election rather than withdrawal of Israeli forces. Many technical electoral tasks can be accomplished with safe passage given to certain key election officials allowing them to move freely within the West Bank and Gaza. In the following stage, party and NGO leaders may be given more freedom of movement, leading, ultimately, to freedom of movement and association some months before Election Day. Many Palestinian interlocutors strongly preferred an election condition that called for a unilateral withdrawal of Israeli troops to pre-September 2000 (prior to the start of the second "Intifadha") position, while Israeli officials expressed a security first condition calling for a complete cessation to Palestinian violence before any greater freedoms can be contemplated. By focusing on freedom of movement, instead of withdrawal, the political space can be made available to conduct initial election preparations and participation.

Elections in East Jerusalem

While most Palestinians believe that elections in East Jerusalem are an absolute condition for elections, Israeli academics and government observers express little hope that the Israeli government would agree to Jerusalem polls. Creative solutions are no doubt possible, but this is an area for the Palestinians, the Israelis and engaged members of the international community to debate and facilitate – perhaps resorting to the modified polls accepted in 1996 or, at last resort, extending the mandate of the current Jerusalem representatives.

PALESTINIAN POLITICAL INITIATIVES

On the assumption that the necessary solutions described above can be found, the delegation was also able to identify key issues that can be addressed by Palestinians alone prior to the conduct of meaningful elections. These issues include: the creation of, and commitment to, an independent and representative election authority; the development of Palestinian initiatives to encourage broad public debate on election systems and procedures; and permitting a political environment that allows new political actors to emerge. It is possible, with consistent and sustained international pressure and targeted assistance, that these manageable challenges can be met and that elections could be a positive endeavor marking a new phase of Palestinian political development.

The delegation believes that with conceptual changes to the Palestinian, Israeli and international dialogue, timely elections are possible. The eventual election date should be set only after agreement is reached on the fundamental issues of whether there will be an election, on how Palestinian residents of East Jerusalem will vote, on how to manage freedom of movement and on changes to the election law and enabling environment. For example, if an election date is set six months hence and negotiations on freedom of movement and East Jerusalem take four or five months, then crucial party and candidate organizing time and public debate will be lost to a

last minute frenzy of technical preparation. Instead, while some technical preparations can happen soon, the election clock should only start ticking when there is a workable consensus about rules and conditions. Freedom of movement should also gradually increase, eventually allowing a meaningful election campaign. However, involved parties should not use these issues to postpone the elections indefinitely by not fulfilling their respective responsibilities.

CANDIDACY REQUIREMENTS

The delegates fielded a variety of inquiries regarding the details of political candidate qualifications utilized in other environments of conflict, but noted that the situation in the West Bank and Gaza has few, if any, international parallels. If, however, Palestinian elections are to serve as a practical renunciation of violence and an opportunity to strengthen adherence to the rule of law, some type of practical prohibition for individuals and parties engaged in or advocating violence should be adopted.

Candidate qualification requirements cannot be taken lightly. Disqualifying candidates proven to be or who have been engaged in or advocating violence or any other egregious behavior would generally require that there be at least two mechanisms in place: 1) a recognized authority that makes such judgments (international tribunal, independent judiciary, or constitution); and 2) a due process that adjudicates the claims and counter-claims. These mechanisms, in as much as they may exist in the West Bank and Gaza, would benefit from organizational and capacity enhancement.

The 1995 Palestinian Election Law may offer some adjudicative opportunities through the jurisdiction of the Election Appeals Court (EAC); provisions for claims to be filed against candidates; and the description of Electoral Offences. Specifying articles 58 and 59 of the election law, for example, may offer an opportunity to commit all parties to the electoral process to conduct that is consistent with peaceful and democratic political participation.

A code of ethics and conduct could be established and enforced for all election contestants, committing them to transparent and democratic principles. An independent Election Commission may play an active role in devising and enforcing regulations pertaining to candidate qualifications. Additionally, the international community should be prepared to support Palestinian institutions and civil society in the monitoring of adherence to, and the enforcement of, the code of ethics and applicable laws and regulations.

CONSIDERATIONS FOR ELECTION ORGANIZATION

This section presents, in summary narrative form, a “roadmap” of activities and benchmarks necessary for the conduct of meaningful elections. Detailed charts follow this section describing each task in detail, ascribing a responsible party, setting out ideal timing and anticipating problems and technical support necessary.

The roadmap reflects aspects of the four organizational tracks leading up to national elections. The four tracks: 1) Palestinian-Israeli political issue resolution and establishment of foundation benchmarks; 2) legal and regulatory framework development; 3) technical preparations and implementation; and 4) participant qualification and education, can be traveled at times in sequence, and at times in parallel.

Where possible, general timeframes are assigned for various stages represented by the roadmap. Those have been translated into approximate measures of days and weeks, dating from the point in time when the roadmap is put into operation. These approximations assume the existence of sufficient political space for the achievement of each stage.

TRACK 1: POLITICAL ISSUE RESOLUTION AND ACCOMPLISHMENT OF FOUNDATION BENCHMARKS

There are two major political issues involving Palestinians, the Israeli government and the international community that will require resolution for the Palestinian national elections to occur: 1) freedom of movement; and 2) elections in East Jerusalem. Initial technical preparations for the elections can proceed pending a final resolution to these critical points. It is important to remember that without closure, one or both of these issues could become electoral roadblocks.

A multi-lateral committee could be established for the purpose finding an acceptable solution to both issues, and to remain in place as a standing forum to address additional points of disagreement between principal process stakeholders. Assigning a timeline to such political discussions is elusive. The committee should be established and consensus found on the issues of freedom of movement and elections in East Jerusalem within the first 90 days (+/- 13 weeks) of roadmap operation.

The determination of an election time window, and finally, and election date necessitates the accomplishment of seven technical *foundation benchmarks* that set in place the basic electoral infrastructure. Those should be accomplished within the first 60 days (+/- 9 weeks) of roadmap operation.

The following table summarizes these benchmarks.

TABLE 1: FOUNDATION BENCHMARKS

| | BENCHMARK | PARTIES RESPONSIBLE | TIMEFRAME FOR COMPLETION |
|----|---|--|--|
| 1. | Appointment of a Central Election Commission (CEC); and Election Appeals Court (EAC) | PA, PLC | First 14 days of roadmap operation (+/- 2 weeks) |
| 2. | Appointment of a Chief Electoral Officer (CEO West Bank); District Election Commissioners (DECs); Establishment of National Election Office | PA; Central Election Commission | First 20 days of roadmap operation (+/- 3 weeks) |
| 3. | Request for Technical Assistance Package | Central Election Commission; Chief Electoral Officers | First 30 days of roadmap operation (+/- 4 weeks) |
| 4. | Debate over needs to amend the Electoral Law ¹ | President; Palestinian Legislative Council (PLC - Legal Committee); Palestinian National Authority (PNA); General Public | First 35 days of roadmap operation (+/- 5 weeks) |
| 5. | Adoption of an Operational Plan for Registration and Elections | Central Election Commission; Chief Electoral Officers; Technical Assistance Team | First 40 days of roadmap operation (+/- 6 weeks) |
| 6. | Recruitment and Employment of Key Electoral Staff | Central Election Commission; Chief Electoral Officers | First 50 days of roadmap operation (+/- 7 weeks) |
| 7. | Establishment of District Election Offices | Central Election Commission; Chief Electoral Officers | First 56 days of roadmap operation (+/- 8 weeks) |

TRACK 2: LEGAL AND REGULATORY FRAMEWORK

The second track of the roadmap will address enabling legislation and administrative procedure. The 1996 elections were conducted under the Palestinian Election Law, issued in Gaza on December 7, 1995. On May 29, 2002, Chairman Arafat ratified a Basic Law, which defines issues normally regulated by a constitution, such as the authority of elected bodies and the

¹ The electoral law is also included in Track 2 preparations.

executives. The Basic Law has, in many ways, replaced the regulations of the (Oslo) Interim Agreement, but does not specify nor make arrangements for an electoral system (except for a reference to by-elections necessary to fill vacancies in constituencies).

The election law may require public examination, updating, or potential reform in five areas: 1) interim nature of the law (Chapter 1, Article 3); 2) duties of the president versus prime minister² should a parliamentary system be adopted, especially if the PA president is no longer directly elected (Chapter 2, Section 2, Article 11); 3) electoral registration procedures (Part II); 4) polling procedures (Chapter 5); and 5) relevance of transitional and final provisions (Part VII). The reform legislation can also include the system of representation, financial disclosure, and composition of the CEC among others.

In order to accomplish this updating, the competent authorities should organize a series of meetings with political parties, civil society organizations, and the public in order to assemble a package of proposed changes for consideration by the PLC and PA.

As part of the regulatory framework, the CEC will develop Memoranda of Understanding (MOUs) with other federal ministries, international organizations, bilateral donors, and nongovernmental organizations to provide specified services in support of election preparations.

The table below describes the services covered by these MOUs.

TABLE 2: MEMORANDA OF UNDERSTANDING

| ORGANIZATIONAL PARTNER | SERVICES |
|---|-------------------------------------|
| Office of Statistics | Voter Registration Support |
| Palestinian Police | Polling Station Security |
| United Nations | Technical Assistance or Observation |
| European Union | Technical Assistance or Observation |
| Bilateral Donors | Technical Assistance or Observation |
| International Nongovernmental Organizations | Technical Assistance or Observation |

Per foundation benchmark #4 outlined in Table 1, the legal and regulatory package should be completed within the first 35 days of roadmap operation (+/- 5 weeks).

² The delegation met a number of Palestinian influential personalities who recommended a change from a presidential to a parliamentary system of government; one that is headed by a prime minister responsible to the PLC. Should this aspect of reforming the political system be considered, the election law would need to be amended accordingly.

TRACK 3: TECHNICAL PREPARATIONS AND IMPLEMENTATION

While the political and legal work tracks are in motion, there are initial elements of the technical preparations that can proceed without strict dependency on the specific outcomes of those tracks. Principal among these initial elements is the development of an operational plan for the conduct of registration and elections.

Such an operational plan should cover the following requirement areas:

- Budgetary requirements;
- Strategy for voter registration;
- Staffing requirements – numbers and skill-sets;
- Facility requirements – administrative offices, warehousing, registration sites, and polling stations;
- Supply, service, and equipment requirements;
- Security requirements – facilities, people, and events;
- Training requirements – CEC, DEC, CEOs, Polling Station Committees (PSC's), staff, observers;
- Voter education requirements;
- Information technology requirements; and
- Transport and other logistical requirements.

Per the foundation benchmarks 5, 6, and 7 outlined in Table 1, the operational plan should be completed within the first 40-56 days of roadmap operation (+/- 6-8 weeks).

Registration

The first major implementation step is the conduct of voter registration. The voter registration can be accomplished in two phases: 1) confirmation phase; and 2) assignment phase. The confirmation phase may be conducted in cooperation with the Office of Statistics and must accomplish several objectives including: 1) confirming the validity of existing voter registration data; 2) updating data for existing entries; 3) adding newly qualified voters to the rolls; 4) deleting the entries of deceased and prohibited individuals; and 5) assigning registered voters to polling stations.

The registration process must anticipate the size parameters of each polling station for assignment purposes (On the basis of 1.6 million voters, an estimated 2,300 stations would be needed compared to the 1,702 ones employed in the 1996 elections). Public information messages would inform voters of the locations of the registration centers and the necessity to visit the centers in order to confirm, update, or apply.

After the close of the confirmation phase, the data collected would be entered to formulate the preliminary voters list. When the preliminary voters list is completed, the assignment phase is required for voters to learn of their polling locations and receive their voter cards. The voter card is an

instrument to remind the voter of their polling location and other vital voting information. The assignment phase would be conducted in the same registration locations as the confirmation phase. During this phase, voters will have the opportunity to scrutinize the lists for a final time and to receive their voter cards. Voters should be allowed to check their own registration as well as the accuracy of other voter's registrations during this process.

Both phases of registration should be completed between weeks 16 and 24 (+/- days 112 and 168) of the preparation period outlined by the roadmap.

Voting

After the closure of the assignment phase, the focus of technical preparations would then shift to the requirements of Election Day. Voting might be conducted at an estimated 2,300 polling stations. Voters would be required to present their national identity card and confirm their name on the voter list in order to cast ballots. Ballots would then be stamped at the polling station in order to deter fraud. At the close of polls, the Polling Station Commission members count the ballots in the presence of observers, party, coalition or candidate agents, and media organizations.

Once the ballot counting has been finished, the Polling Station Commissions would complete counting and protocols would be sent to the DEC for compilation by constituency. Once the DEC has completed this task, the provisional results would be forwarded to the CEC and partial results should be published as they are produced.

Within 5 days, the preliminary results may undergo a second step of scrutiny by the CEC and the final results would be announced. However, if the CEC discovers sufficient evidence of any irregularities, new elections at those polling stations would be held within ten days. In addition, contestants can file claims over the final results within 2 days of the announcement of final results.

Taking into account political time and technical time, and the roadmap, the actual election event could occur in a 2003 *election window*.

TRACK 4: PARTICIPANT QUALIFICATION AND EDUCATION

There will be six categories of participants in this election: 1) political parties/candidates; 2) voters; 3) domestic observers; 4) international observers; 5) political party agents; and 6) media organizations.

Political Parties/Candidates

After an election date is set, the registration and nomination period for political party candidates would be conducted. The nomination period would be followed by a period of refusal and claims for the entities and candidates

that do not meet the established qualifications. The certification of the eligible parties and candidates would be followed by the campaign period that would finish 24 hours before Election Day.

Given the *election window* described above, political party and candidate qualification, nomination, and certification activities would shift according to the actual election date; however, it can be projected that the real timeframe will occur in late 2002 and early 2003.

Observers

The legal and regulatory framework would anticipate the involvement of domestic, international, and political party observers and provide a mechanism by which these groups and individuals can monitor all elements of the process. Provisions for the accreditation of these observers may be established upon the adoption of the election law so that observers can monitor all aspects of registration, election preparations, campaigning, balloting, and post-election certifications.

In accordance with the roadmap, the general parameters for national and international monitoring and observation should be established by the appropriate authorities in time to permit the initiation of monitoring and observation activities within the first 4 weeks of roadmap observation (+/-30 days).

Media

In order to enhance the transparency, credibility, and public understanding of the electoral process, the CEC would organize a series of briefings and press availability sessions at key points in the electoral process.

Some of those key points for public dissemination could include:

- Roles and responsibilities of election administration body at national and sub-national levels;
- Names of CEC members, EAC members, and CEOs and location and contact information of election offices;
- Content of election law and related instructions;
- Establishment of DEC's;
- Voter registration procedures and dates;
- Roles and responsibilities of election administrators, political parties and candidates, government officials, public security forces, and military in all aspects of the election process;
- Announcement of contesting parties and candidates;
- Commencement and conclusion of campaign period;
- Announcement of PSC's and polling locations;
- Announcement of Election Day procedures and voter requirements;
- Admonitions on electoral fraud or violence;
- Election Day status reports (0900, 1300, 1700, and close of polls);

- Announcement of preliminary results;
- Tracking of filed claims and complaints; and
- Announcement of certified final results.

The real timeframe for this Track begins in Week 4 and continues through the certification of election results. In accordance with the roadmap the CEC should have a public outreach plan ready for implementation by the end of the first 4 weeks of roadmap observation (+/-30 days).

RECOMMENDATIONS

POLITICAL RECOMMENDATIONS

1. The Palestinian elections should offer an opportunity for a diversification of Palestinian political leadership and reform of Palestinian institutions. Electoral assistance for the 2003 election cycle must be crafted to support such diversification so that the election results are not predictable or seemingly predetermined. If elections are to be considered an essential part of the overall Palestinian reform package, then elections must be perceived by all interested parties to be meaningful. That is: 1) the outcome must not be predetermined or entirely predictable; 2) there must be an opportunity for disparate voices to organize and to be heard; and 3) the governing institutions to be elected must be perceived as significant and accountable by the electorate. Meaningful elections should not be considered the end of a reform process, but rather a catalyst that can be employed to provoke further reform measures through public debate, candidate positions, and consequent actions by elected officials.
2. Meaningful elections cannot be held in conditions where movement and communication are not possible between and within villages and towns. Rather than conditioning elections on withdrawal of Israeli forces from Palestinian areas, however, it is possible to define gradations of freedom of movement that are required at each stage of election preparation leading up to broad freedom of movement some time prior to election day -- recognizing that the resumption or continuation of hostilities may force changes to the security environment. Specific and exceptional freedom of movement could be initially sought for a small number of election organizers during the first phase of technical preparations followed by an expansion that would then embrace other political players such as parties, candidates, NGOs, observers and media. However, in order to promote an open political campaign whereby issues other than nationalist concerns are fairly debated, general conditions for public dialogue are of utmost importance.
3. Given the sensitivity of the East Jerusalem issue, it is preferable to preserve and operate under the election provisions negotiated and accepted prior to the 1996 election. If modifications are required, creative solutions should be sought to resolve this issue to all parties' satisfaction. Negotiations about polls in East Jerusalem, however, should not delay the start of technical preparations for elections.
4. An independent election commission should be established immediately through a nomination committee, comprised of eminent Palestinian figures, who would submit a list (two people for each position to be appointed) to the PLC, which would then select the final membership of the election commission. To enhance public confidence in this commission, the chair of the commission should be independent with no direct ties to PA structures.

5. Palestinian political leadership must be open to receiving public proposals and ideas on election reform. This dialogue can begin immediately under formal or ad hoc PLC sponsorship in the form of a call for proposals and public testimonies. The dialogue can continue when the permanent Central Election Commission has been established. To the extent that CEC authority in rule making is of public interest, the CEC should similarly organize a call for proposals and hearings of concerns and ideas about the electoral process. The CEC should structure such an ongoing dialogue with political parties by establishing a consultative forum that would meet two or three times during the course of the election cycle for briefings and question sessions. Issues for public consultation may include the relative merits of the current electoral system and competing systems (majoritarian versus proportional representation), and establishing quotas in the PLC for women as well as religious minorities.

LEGAL AND ADMINISTRATIVE RECOMMENDATIONS

6. There are two immediate electoral priorities for Palestinian political leadership the PA and PLC: 1) adoption of an amended election law; and 2) appointment of an independent election commission. The law will codify other election specific issues such as system of balloting, political parties, campaign finance disclosure, nongovernmental organizations and observers, the media, and the mandate of a neutral Central Election Commission and an independent Election Appeals Court. The election legislative initiative should be organized as an election reform program for the PLC. To enhance public confidence in the independent election commission, it should be selected by the PLC from a list of nominees provided by a credible nomination committee. The chair of the commission should be independent with no direct ties to PA structures.
7. The CEC and EAC should be independent election management, policy and enforcement bodies for both national and municipal elections. The current two-commission arrangement creates duplicate efforts, risks inconsistency of practice and procedure at the local level, and effectively creates two electoral infrastructures to be maintained. Under the 1996 law, the composition of the nine-member CEC is described as "Palestinian judiciary, outstanding academics, or lawyers with reputable professional career and experience" (Chapter 2). An appointment of a CEC and EAC could occur, in principle, before an election law is passed, or afterwards.
8. Once an election commission responsible for the conduct of elections has been established, the Chief Electoral Officer for the West Bank should be considered the lead officer, with other CEOs for Gaza, West Bank, and East Jerusalem considered as deputies to this position. In keeping with this structure, there should be a single voter registration process applicable for all future elections with a single set of procedures, training modules, and voter education programs for all Palestinian participants. The

administrative policy should be to unify procedures, training, and education into a single, Palestinian electoral process.

9. All contesting parties and candidates should be required to abide by a code of ethics for the campaign. Moreover, the 1995 Palestinian Election Law offers some adjudicative remedies for candidate disqualification by the Election Appeals Court. Although the Palestinian judiciary should also be the object of reform measures, any such claims against candidates on a 'violence clause' should receive special observation scrutiny and be used as benchmarks in judicial reform and transparency. Finally, the backgrounds and statements of candidates are observable and a matter of public record. Election and media monitors can provide public insights into these candidates to assure that there is public knowledge about their records.
10. Local monitoring organizations should be provided with training on how to audit and analyze asset disclosure statements provided by candidates so that their organizations can promote transparency and potentially identify abuses in the use of public resources for political purposes.
11. Recognizing the conflictive nature of the environment, the CEC should assure that there are procedures in place for the education, registration, and voting for marginalized groups such as women, youth, illiterate persons, displaced people, and people with disabilities.

For recommendations on related international assistance, refer to Annex II.

ANNEX I COMMENTS ON THE ELECTORAL SYSTEM

THE PRESENT ELECTORAL SYSTEM

The electoral system employed in the Palestinian 1996 elections was a majoritarian plural system, which can be defined as a variant of the block vote system, sometimes called limited vote. It is based on multi-member constituencies, with multiple votes and open lists where “panachage” (the possibility of voting for candidates of different parties is allowed).

In each constituency, voters are given as many votes as there are seats in the constituency, and might use one or all votes as desired. The Palestinian ballot is categorical, and does not allow for the expression of preferences. The candidates with the highest number of votes in each constituency are elected. The system includes quotas for Christian and Samaritans, which require the disclosure of religious affiliation when being nominated. Christians are given quotas in Gaza (1), Ramallah (1), Bethlehem (2) and Jerusalem (2). Samaritans are given one seat in Nablus. Constituencies are of very different sizes, ranging from one seat in the case of Jericho or Salfit to twelve in the case of Gaza City. One of the reasons for the very different size of the constituencies was to ensure the ability to conduct campaigns without the need to cross Israeli checkpoints.

Candidates are nominated by “partisan entities” in any constituency. Independent candidates are allowed, and they are required to collect 500 signatures, irrespective of the constituency size. The requirements for constituting a “partisan entity” are minimal. According to the Palestinian Election Law of 1995, the only requirement to be registered as “partisan entities” is to submit a written application to the Minister of Interior with the following information:

- The name of the entity and the logo or symbol to appear on the ballot papers;
- The names of the President or Secretary-General;
- The names of its representatives before the Central Electoral Commission, before the District Electoral Commissions and before the Polling Station Committees, whose accreditation is requested from the relevant Commission;
- The address of its main seat;
- A copy of the entity’s statutes signed by its President or Secretary-General; and
- A signed statement affirming that the entity does not advocate racism.

Once registration has been approved, and the partisan entity has also registered with the CEC, it can nominate candidates in any of the constituencies.

Despite the apparent simplicity of party formation and accreditation, the Ministry of Interior frequently delays or denies without reasons the registration requests of some entities. People running as individuals also seem to have preferred to maintain distance from political structures and run on the basis of their personal reputation.

The Limited Vote is one of the rarer systems in use today, but it has some advocates due to the way in which it facilitates the election of strong independent candidates and allows for a 'personal' vote for individual candidates. It was used in the 1989 elections in Jordan, and it is used in Gibraltar, for Lower House elections, in Spain for the upper house of the Spanish Cortes, and in local government elections, primarily in the United States. It was also used in the United Kingdom between 1867 and 1885.³

EVALUATING THE IMPACT OF THE SYSTEM ON THE 1996 ELECTIONS

It has been argued, both in evaluations of the 1996 elections⁴ and in the interviews held during this pre-election assessment, that the present system favors the main party (Fateh) and does not facilitate the representation of smaller parties. The systems proposed as alternatives are either a straight open list PR system, or a mixed system with compensatory seats, similar to the Germany, New Zealand or Bosnia systems.

Other than Fateh, 24 other parties ran in the 1996 elections. Fateh presented 76 candidates for the 88 seats; the other parties 89, and 507 independent candidates joined them. However, most of the smaller parties didn't seem to seriously contest the election, and only two of them – PPP and FIDA – seem to have had a significant organization. Fairness is a difficult concept when applied to electoral systems based on different criteria – as majoritarian and PR systems are. However, it is usually agreed that one criteria of fairness is that large minority parties should – or must – have a fair chance to be elected. The case of the PPP has been used as an example. PPP obtained approximately 66,000 votes nationally, and its best place candidate obtained 11,553 votes in Ramallah. These figures are compared with the 780,079 national voters and the 56,429 who voted in Ramallah. Therefore, it is argued that the system that did not give a seat to a party that obtained 7.6% of the national vote or to a candidate that got 20.5% of the votes in a seven-member constituency.

The arithmetic in the above example, however, is not at all accurate. A characteristic of the system is that there is a significant difference between voters and votes. Voters and votes are equal only in constituencies with only one seat, or in situations where voters follow party lines only. However, a

³ Administration and Cost of Elections files – Limited Vote.

⁴ Kåre Vollan, "An evaluation of the electoral system", in Nils Butenchøn and Kåre Vollan, Interim Democracy: Report on the Palestinian Elections January 1996, Norwegian Institute of Human Rights, Oslo, May 1996

Ramallah voter had seven votes and a Gaza City voter had 12, and it is likely that voters mixed their ballots across parties. Therefore, the total number of votes is quite different from the number of voters. The total number of votes at the national level was 6,679,212 and thus the proportion of votes received by all PPP candidates was a little less than 1%. The total number of votes in Ramallah was 395,003, and thus the PPP candidate received only 2.9% of the votes in that constituency.

Even this analysis is incomplete, though, because the PPP did not run with a full complement of candidates, as that would have, under the current system, hurt its chances to get one candidate elected. It is fair to assume that PPP voters, having only one PPP candidate to vote for in Ramallah, also gave some of their votes to other candidates. In Ramallah, the PPP would have received the last available seat had it not been for the Christian quota that resulted in a Christian candidate—with a significantly smaller number of votes than the PPP candidate—being elected.

While it cannot be decisively assessed how voters would have voted in a system with proportional representation, under a proportional system there is a clear relationship between the voters' choice and the relative representation between parties, whereas under the current system it is left much more to chance. With a PR system, a certain proportion of the votes will guarantee a seat.

It should also be noted that many of the independent candidates running and winning seats in the 1995 elections were, in reality, Fateh supporters who had not been nominated by Fateh; and Fateh allowed them to run. Very few genuinely independent candidates were elected.

PROSPECTS FOR THE 2003 ELECTIONS

The majoritarian system used in 1996 could produce extremely non-proportional results if the party discipline were high. As Kåre Vollan points out, if one party gained a well-distributed 40% majority, it might get all of the contested seats⁵. In the present system, there is a clear bias toward independent, respected, well-known personalities, which might still allow some representation outside major political groupings.

It should be added that a system based upon open lists would put strong pressure on Fateh to improve the selection of its candidates. In 1996 many candidates were able to run based on personal reputation alone and there was no performance record that could be used. Incumbent candidates will now have to account for their record as PLC members that may force Fateh to

⁵ Kåre Vollan, op.cit.

bring in new and respected candidates. On the other hand, Fateh may again choose to let its own members run as independents.

Other potential systems have also some flaws. The more sophisticated systems, like STV (single transferable vote) make it impossible to count ballots at the polling station level, and an important and necessary degree of transparency would be lost. Pure PR in one single constituency might require a significant degree of movement of candidates across the area, and this might create some confrontation unless an almost complete freedom of movement exists. As voter choices would be restricted to one party, it would be easier for Fateh to reintroduce some incumbents who are not too popular, provided the PR system is combined with closed lists, particularly with closed candidate lists. Last, when voters have only one choice in an emotionally charged environment, polarization tends to occur, and this might play havoc with smaller parties' aspirations.

The most realistic alternative to the current system, which should be seriously discussed by all parties involved, is a PR system based upon multi-member constituencies. Such a system would still connect the candidates to a local area, and therefore keep the accountability elements of the current system. Under this system independent candidates could still run and may be allotted seats provided they win a sufficient portion of the votes. The system would encourage independent candidate to run on lists together, since a single independent may get enough votes to be entitled to more than one seat. This would, however, be up to the individuals to decide.

In order to secure seats for smaller parties, even if they do not have enough support to win seats in the constituencies, an arrangement with compensatory seats could be implemented. This could be done in a manner similar to systems in South Africa, Romania, Hungary, Scandinavia and Bosnia and Herzegovina where compensatory seats are being used without introducing a second ballot (such as in Germany). A number of seats could be elected directly from the constituencies. The remaining seats would be distributed as compensatory seats based on the aggregated overall result. The actual elected candidates may be taken from constituency lists of the parties according to rules, which can easily be worked out and there are a number of models that could be used.

A further enhancement to the system could be open lists where voters distribute individual votes within the party list. Accountability is high because voters would have all the names listed on the ballot, and would be able to leave out candidates who have not been performing well in the past and whom the party has chosen to nominate again.

The system described here is similar to the one introduced by authorities in Bosnia and Herzegovina in cooperation with the international community and the one introduced in Kosovo in 2001. The system described above would not violate the Basic law, or the Interim (Oslo) agreement.

CONCLUSION

While the delegation has not made a firm recommendation on the electoral system, the electoral system to be chosen may have important ramifications for accountability and for the ability of new political parties and leaders to emerge – a public debate should occur and sufficient time and resources should be set aside to allow a full discussion.

ANNEX II RECOMMENDATIONS ON INTERNATIONAL SUPPORT AND STRATEGY FOR ASSISTANCE IMPLEMENTATION

RECOMMENDATIONS ON INTERNATIONAL SUPPORT

The delegation identified some general recommendations for international support, the delivery of which should be contingent on the expressed needs of appropriate Palestinian institutions--governmental and non-governmental, professional and political, and on the clear demonstration of commitment to the organization of a meaningful process by key stakeholders. These general recommendations focus primarily on the potential assistance input of the members of the Election Reform Working Group and their associated technical specialists.

1. International efforts to create an enabling environment for the elections should immediately focus on two issues for resolution: 1) freedom of movement; and 2) elections in East Jerusalem. An ad hoc forum can be established for the purposes of discussing these issues. The forum will meet in committee fashion and comprise Palestinian, Israeli, and international representatives.
2. The Election Reform Working Group should design and implement its assistance strategy through an assistance and development program that involves five sectors, then targets and links assistance and development programs to each sector: 1) electoral assistance and development; 2) political assistance and development; 3) civil society assistance and development; 4) electoral court assistance and development; and 5) election monitoring and observation. Consultative assistance on the planning and preparatory activities for each of these sectors should begin immediately.
3. The Election Reform Working Group can establish benchmarks against which to track progress toward the establishment of favorable political conditions for elections and the technical progress in election preparation. These benchmarks will be most useful during the Foundation Phase where core tasks essential to any election must be completed, as outlined in the report.
4. Recognizing the importance of Palestinian real and perceived ownership of the electoral process, all electoral assistance should be provided by request and invitation from the CEC, EAC, or other competent Palestinian institutions.

STRATEGY FOR ASSISTANCE IMPLEMENTATION

The first step in designing a strategy for an electoral assistance program is to

pose the fundamental question about objectives or intentions of the intervention.

Based upon the delegation's evaluation, there are three strategic underpinnings to an assistance program that frame the purpose and objectives:

1. To support an accessible, transparent, and internationally acceptable process with opportunities to achieve governance by individuals and parties currently outside of elected office.
2. To encourage local actors that this process contain features and precedents that could provide it with long-term credibility and sustainability.
3. To reduce the opportunities for the purveyors of violence to distort or disrupt the electoral process.

These objectives translate into three phases of assistance involvement: 1) *foundation phase*; 2) *acceleration phase*; and 3) *facilitation phase*. Activities of each phase are briefly discussed below.

A 2003 election cycle would be conducted with a unique international dimension. The Israeli government stands as the de facto final decision-making authority for electoral freedom of movement and election timing. Although elections are featured in the Oslo Accords, this international dimension has an impact on election supervision that has not been ratified by a UN resolution or other covenant. As a result, a national election authority will not be in complete control of its election administration and stands to require international assistance in their organization.

While international supervision is generally regarded as a positive factor in providing a post-conflict electoral process with 'neutral' umpires, the Palestinian election can conjure a different image to those who would be governed by its results. In the Palestinian case, the international dimension is not present in the context of a peacekeeping process. As a result, there is a higher risk that international presence be perceived as working in favor of one of the parties to an ongoing conflict. It is important that the impact of assistance programs is evident so that the perception of international support for the election process does not become compromised.

This program of technical assistance should be initiated through an invitation by and agreement with the Central Election Commission and other relevant Palestinian institutions (civil society organizations, political parties, professional associations, etc.) on the size and focus of the technical assistance effort. As mentioned above, the assistance activities can be divided into three phases: foundation, acceleration; and facilitation.

The foundation phase activities may occur regardless of the conditions, enabling environment, or timing of the elections. This phase involves those activities of an infrastructural nature that must be completed regardless of the exact election date. Such activities include the establishment of electoral structures, completion of the election law, development of election plans and budgets, and supporting the completion of other foundation benchmarks.

The acceleration phase only occurs if the foundation benchmarks have been accomplished and there is broad agreement that elections should occur. In this phase, the assistance is designed to accelerate the start-up of such activities as voter registration, political party development, and civil society observation.

Finally, the facilitation phase is an open-ended assistance component that provides ongoing support to the process through Election Day, vote counting, and the announcement of results.

Such an approach to technical assistance requires a substantial, intrusive, and complementary election-monitoring program so that the Palestinian organizers operate with transparency and accountability; and the Israeli government fulfills its obligations. This monitoring program should be long-term in nature and involve international organizations and national NGO's in the process. The monitoring program should begin in parallel with the Foundation Phase and continue through the implementation of the election results.

ANNEX III
MAIN ELECTION ACTIVITIES AND REQUIREMENTS

| MAIN ELECTION ACTIVITIES AND REQUIREMENTS | | |
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| | HIGHLIGHT | DETAIL |
| 1. | LEGAL AND PROCEDURAL FRAMEWORK | <p>The concept of updating the law employed here goes beyond solving small problems detected in the 1996 elections. It will also involve discussing:</p> <ul style="list-style-type: none"> • The electoral system employed in 1996 and the possibility of adopting an alternative system, such as proportional representation, that may secure a more equitable representation of smaller parties and disadvantaged groups. • The constituencies used in 1996, and the possibility of a different number of constituencies (for instance, dividing Gaza City or Hebron which are too large), as well as reallocating seats according to population (In 1996, the number of voters per seat ranged from 19,191 in Salfit to 8,945 in Gaza North). Avoiding very small constituencies such as those with single members, particularly if the electoral system is remains unchanged, may justify some positive effects of split votes. |
| | Enabling environment – Palestinians | Although the changes to be introduced are the responsibility of the PLC, only a participatory approach will insure the required transparency. All relevant actors in the Palestinian society (political parties not represented in the PLC, some NGOs, etc) should be involved in the consultation stage. The more substantive the change, the greater the need for dialogue. Minor procedural adjustments do not require the same level of participation and discussion. |
| | Enabling environment – Israel | The participatory/transparent approach described under Enabling Environment (Palestinians) would require the organization of meetings and workshops to discuss the proposed amendments. This will require the displacement of involved participants between cities in the West Bank and between the West Bank and Gaza. It is important that the general public participate in this process. |
| | Main constraints/problems | <p>Although it is possible to have as much participation and discussion as desired, the choice between the existing and alternative and more representative systems will have to be done by the present PLC.</p> <p>The limited knowledge about voters’ behavior under alternative systems might result in a discussion about theoretical advantages of one system or the other, without really understanding its final impact on the distribution of seats between contenders. However, different systems meet different criteria, and these should form the basis for the discussion.</p> |

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| MAIN ELECTION ACTIVITIES AND REQUIREMENTS | | |
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| | Timing | The discussion about the political system to be used should be addressed immediately. Only basic election organization activities can take place in the absence of a set of electoral regulations. If a protracted discussion is envisaged, it could significantly impede the timely organization of the elections. Some technical planning would be required to guide the discussions, but a political consensus the scope of systemic changes necessary if those are to be considered. |
| | Technical support required | International experts on electoral systems should be involved. |
| 2. | POLITICAL SYSTEM | A number of governance issues were raised by many of the delegation's interviewees. These include the possibility of adopting a parliamentary system of government and a proportional system of representation. Although most of these issues fall outside the scope of this mission, their relevance to the electoral process and the public debate they may require ought to be considered in assessing the timing of elections. |
| | Enabling environment - Palestinians | Same as for 1A |
| | Enabling environment - Israel | Same as for 1A. Depending on the extent of changes to the Palestinian institutions of government and the validity of the Oslo accords, negotiations with Israel may be necessary. |
| | Main constraints/problems | May require amending the Basic Law and renegotiating agreements with Israel |
| | Timing | Significant delays of elections may be necessary |
| | Technical support required | Constitutional law expertise. |
| 3. | ESTABLISHMENT OF ELECTION MANAGEMENT BODY, APPOINTMENT OF MEMBERS, ENGAGEMENT OF STAFF | Clarification of the election administration structure and responsibilities and engagement of members and staff. Clarification of structure and responsibilities should include addressing all resources: human, material, technical, and financial. |

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| MAIN ELECTION ACTIVITIES AND REQUIREMENTS | | |
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| | Enabling environment – Palestinians | The timely appointment of a truly representative election commission, headed by an independent personality, perceived as fair/impartial by potential contenders is an essential step. An approach that might be chosen is to establish a nomination committee comprised of well-respected people that would submit to the PLC a list of candidates (two for each position to be appointed) and the requirement of a 2/3 majority and options for avoiding deadlocks. The nomination committee should ensure that groups without strong representation in the PLC, but with intention to run, are represented in the CEC. |
| | Enabling environment – Israel | The selection of the CEC can be done even in the present conditions. However, necessary conditions for the PLC to meet and do its part in this process need to be considered process. In addition, freedom of movement of involved participants between cities in the West Bank and between the West Bank and Gaza would improve transparency and participation. |
| | Main constraints/problems | In addition to the issue of freedom of movement, two potential problems may arise: possible lack of interest of respected individuals in becoming electoral authorities and the lack of resources to carry out necessary steps. |
| | Timing | Adequate time is required to ensure that appointed authorities are defined as neutral and impartial by the PA, but also that their neutrality and impartiality is accepted by other participants. It is difficult to make precise estimates on how long it would take to do the required consultations at the different levels. However, as soon as the highest level electoral management is in place, it is important that quick planning and action follow to demonstrate both competence and impartiality. |
| | Technical support required | Provision of information on best practices of election management body organization and staffing, logistical and financial arrangements, and related aspects in transitional environments. |
| 4. | DESIGNATION OF CONSTITUENCY-LEVEL ELECTORAL COURTS | Appointment of constituency level Electoral Appeal courts |
| | Enabling environment – Palestinians | Transparent and participatory procedures. |
| | Enabling environment – Israel | The selection of the EAC can be done even in the present conditions, although transparency and participation would significantly increase if the freedom of movement of involved participants between cities in the West Bank and |

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| MAIN ELECTION ACTIVITIES AND REQUIREMENTS | | |
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| | | between the West Bank and Gaza is reestablished. |
| | Main constraints/problems | No specific problems or constraints identified |
| | Timing | Time necessary to ensure transparent procedures and competent courts. |
| | Technical support required | Provision of information on best practices in election court organization and administration in transitional environments. |
| 5. | POLLING AREA DEMARCATION | In close relation to the approach selected for the building/updating of the voters' register, it would be necessary to identify and codify the location of the polling stations. The overcrowding of certain polling centers was one of the problems detected in the evaluations of the 1996 elections. |
| | Enabling environment - Palestinians | No major requirements beyond facilitating voting. |
| | Enabling environment - Israel | Once constituency level authorities are appointed, the location of polling stations only requires travel within the defined constituencies. |
| | Main constraints/problems | Should not involve major problems, particularly if most of the stations utilized are those that were used in 1996. |
| | Timing | |
| | Technical support required | Supporting technical information as required and conduct of a technical audit of polling center placement and election logistics plans, focusing on the handling of secure and non-secure election materials. |
| 6. | VOTER REGISTRATION | National elections being based on a single national constituency, residency is the overarching requirement for participation. Municipal elections feature a second overarching requirement, home address, tying each voter to a specific local constituency in which his/her vote is cast and counted. A final decision must be taken as to whether the voters' list will be reconstructed through a door-to-door enumeration as in 1996, whether it will be updated on the basis of the existing civil registry, or whether there will be |

| MAIN ELECTION ACTIVITIES AND REQUIREMENTS | |
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| | <p>a voters’ list at all. In the case that the decision is to update the existing voters’ list it will also involve linking voters names with polling stations and informing voters of the location of their polling station. The decision should be informed by the Electoral Commission and the Bureau of Statistics regarding the technical approach to registration, as well as supported by dialogue with the main political actors leading to consensus on a way forward.</p> <p>There are three potential approaches to registration:</p> <ul style="list-style-type: none"> • The voters’ list can be built from scratch as in 1996. At that time the Bureau of Statistics defined residential polling districts with well-defined boundaries, appointed a five-member Polling Station Commission (PSC), who canvassed their polling districts conducting up to three visits to each house, filling registration forms for each elector and providing each of them with a Confirmation of Provisional Registration. The information in the forms was then entered into computers. The provisional lists were confronted with Israeli Population Registers and differences were negotiated between Israelis and Palestinians. They were then publicly exhibited and there was a period for claims and objections. The process took ten weeks from the beginning of the canvassing. • The lists can be updated, on the basis of the Population Registers and public participation. The main problem faced here is to link voters with polling stations, as the address is not codified in ways that would allow relating it to given polling stations. It would probably require the opening of registration stations over several days (difficult or impossible under present circumstances), so that people can visit them and define the polling stations nearer to their residences. The main difference with the previous system is that the onus is now placed on the public, rather than on the electoral authorities, and it is sometimes difficult to ensure an adequate participation. • A combination of both canvassing and registration centers to update the rolls. <p>The first activity to be conducted would be to have discussions between the Electoral Commission and the Bureau of Statistics regarding the approach to registration, as well as consultation with the main political actors.</p> |
| Enabling environment – Palestinians | Transparent and participatory procedures. |
| Enabling environment – Israel | Both the alternatives involving building a new or updating voters’ lists would require travel throughout the West Bank and Gaza of a significant number of EAC officials in order to define the logistics of the process and to provide training to the registration officials. The conduct of registration in both cases would require substantial movements within constituencies. In the case of building up a new register, it would involve the movement of a large number of registration officers throughout the constituency. In the case of updating, it would require setting up special stations |

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| | | <p>where voters should appear to ensure that they are registered, and to verify the location of polling stations to which they are assigned.</p> <p>To help registration in East Jerusalem, it is important that Israel publicly declares that registration will have no effect on the residence permits for East Jerusalemites.</p> |
| | Main constraints/problems | <p>The voter register compiled through door-to-door canvassing in 1996 covers only 65% of currently eligible voters. In addition, 270,000 voter records lack complete data. The Palestinian Bureau of Statistics has recently compared data from the 1996 register, the 1997 census and the civil registry. The comparison revealed that only 940,000 voter records (or 94% of registered voters, excluding those in Jerusalem) are compatible and, therefore, accurate. The civil registry, the database of which is maintained by Israel and accessible by the Palestinian authorities, shows that eligible voters number 1,525,215, or 49% of registered population is eligible to vote. This means that almost one third of the eligible voters will need to be added to the voter rolls. Voters will then need to be linked to polling stations in accordance with new voting districts.</p> <p>Potentially low voter registration rate in East Jerusalem.</p> |
| | Timing | <p>Early consultations between the CEC and the Statistics Bureau need to take place to decide on the approach to updating the voter register and approve a timetable for registration.</p> |
| | Technical support required | <p>Provision of technical information on voter registration, and comparative data from transition elections worldwide, including examples of public information campaign methodologies employed to educate potential voters on the registration and verification process. Implementation of the system selected could require technical support—human and material resources. For verification and public confidence, an audit of the process and the product could be conducted.</p> |
| 7. | NOMINATION AND REGISTRATION OF PARTIES AND CANDIDATES | <p>At least in theory, it is easier to form a political party than to present an independent candidacy. According to the Palestinian Election Law of 1995, the only requirements to be registered as “partisan entities” is to submit a written application to the Minister of Interior with the following information:</p> <ul style="list-style-type: none"> • The name of the entity and the logo or symbol to appear on the ballot papers. • The names of the President or Secretary-General. • The names of its representatives before the CEC, before the DEC and before the PSCs, <u>whose accreditation is requested</u> from the relevant Commission. • The address of its main seat. |

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| | <ul style="list-style-type: none"> • A Copy of the entity’s statutes signed by its President or Secretary-General. • A signed statement affirming that the entity does not advocate racism. (It may be possible to add new a stipulation related to violence and terrorism.) <p>Once the registration has been approved, and the partisan entity has also registered with the CEC, it can nominate candidates in any of the constituencies.</p> <p>Despite of the apparent simplicity of party formation and accreditation, it has been mentioned that the Ministry of Interior frequently delays or denies the registration requests of some entities.</p> <p>Candidate Selection: Although each party can define in its own internal statutes the approach to the selection of the candidates, it is crucial that adequate time be provided in the election schedules so that open and transparent selection of candidates takes place for those partisan entities that have such mechanisms for selection.</p> <p>Candidate Accreditation: The time allowed in the elections schedules for the accreditation of candidates by the CEC, as well as a period for claims and objections, and a period for adjudication.</p> |
| Enabling environment – Palestinians | <p>The present role of the Ministry of Interior in regulating political parties should be discontinued. The registration of political parties should be the responsibility of an impartial and respected CEC. If an attempt is made to develop “real” political parties, with cross-constituency membership and well-defined platforms, there should be no interference in this process by the PA. There should also be a timely, independent appeal process for CEC decisions on party registration.</p> |
| Enabling environment – Israel | <p>The requirements for establishing a political party are almost non-existent, and the formal constitution of a political party would not require significant relaxation of restrictions on the FoM. However, the organization and development of an ideologically based political party centered on policy proposals rather than personalities would require an almost complete FoM at the very earliest stages of the political process.</p> <p>Similarly, the formation of new coalitions of established political parties and leaders and national figures would require almost complete freedom of movement for consultations, founding meetings and public gatherings.</p> <p>The same degree of FoM would be required if the requisites for the formation of a political party are increased and would involve setting up constituency structures or the collection of signatures.</p> |
| Main constraints/problems | <p>As discussed in some of the previous tables, the formalities required for the creation of a new political party are minimal. As little as ten persons can get together, design a party symbol, appoint themselves as authorities, draft statutes and sign a few forms to become a party.</p> |

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| | HIGHLIGHT | DETAIL |
| | | However, building parties with presence throughout Palestinians – with regional offices, a well defined platform, and a large and active membership – requires time and technical support. |
| | Timing | |
| | Technical support required | If there is a political decision to delay the elections in order to provide time for organization and development of political parties, then a specific program should be designed. |
| 8. | NOMINATION AND REGISTRATION OF INDEPENDENT CANDIDATES | Independent candidates are required to present 500 supporting signatures. |
| | Enabling environment – Palestinians | No major requirements. Consideration might be given to relate signature requirements to constituency size, rather than a uniform requirement of 500. |
| | Enabling environment – Israel | The collection of signatures by independent candidates would require almost complete FoM within constituencies for candidates' workers. There were problems in 1996 in some constituencies for movements through B and C areas and near settlements. |
| | Main constraints/problems | The uniform requirement of 500 signatures in constituencies of significantly different sizes seems to be unfair. 500 signatures represent 0.4 % of the votes in Gaza City, but 3.6% in Jericho – nine times more. It would be more reasonable to relate the signature requirement to the size of constituencies or to lower the required number of signatures. |
| | Timing | |
| | Technical support required | No specific requirements. |
| 9. | VOTER EDUCATION | Transitional elections benefit from well organized and thorough citizen information at all stages of the election process. |

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| | HIGHLIGHT | DETAIL |
| | Enabling environment – Palestinians | Transparent and participatory procedures throughout the process, particularly in the initial stages. |
| | Enabling environment – Israel | In order to make a significant contribution to building Palestinian voter confidence, some measures transmitting a positive message could be undertaken from a very early stage – elimination of curfews, improvement of FoM, willingness to participate in coordinating committees with the Palestinian electoral authorities. |
| | Main constraints/problems | Voters’ confidence has been shattered by the increase in violence, the overwhelming presence of IDF, curfews, the almost complete lack of FoM, and the poor performance of the Palestinian institutions of governance. It might be expected that this will have a significant impact on voters’ turnout. It is thus important to build back voters confidence, both through transparency and wide discussion of changes in the political and electoral system as well as through evidences of coordination and cooperation between Israeli and Palestinian authorities, leading to a gradual relaxation of present conditions. |
| | Timing | |
| | Technical support required | Samples of effective public outreach campaigns and technical support. |
| 10. | CAMPAIGN REGULATION | Pre-agreed regulations for the conduct and timing of all campaign-related activities. |
| | Enabling environment – Palestinians | Minimal restrictions on campaigning and association and taking the measures necessary to ensure a level playing field. Prohibitions on the use of any public resources for political use and adequate enforcement of these rules. Equitable access to public media for all parties and candidates. |
| | Enabling environment – Israel | Would require full freedom of assembly, as well as almost unrestricted FoM. |
| | Main constraints/problems | In 1996 the electoral campaign lasted only 20 days, which is a very short period. It might be important to increase somewhat that period. A second problem related to the electoral campaign is that, unless there is a significant change in the context, the campaign rhetoric of all candidates will be almost exclusively related to nationalistic issues and anti Israel rhetoric. |

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| | HIGHLIGHT | DETAIL |
| | Timing | |
| | Technical support required | Information on campaign regulation from other transitional environments, and technical support as requested. |
| 11. | OBSERVATION AND MONITORING | Both international and national observation was considered by most interviewees as an important element in building voter's confidence and legitimizing the results of the election. In order to have an impact on voters' confidence, the observation should begin at the very earliest stages of the electoral process, particularly if it involves changes in the electoral law leading to a major reliance on parties. Monitoring and observation should address all components of electoral administration, political party campaign and media monitoring. |
| | Enabling environment – Palestinians | Freedom of organization and support for national (domestic) observers. |
| | Enabling environment – Israel | Significant improvements in FoM would be required particularly in the case of national observers, if they are to adequately observe the initial stages of the process. As in the case of political party formation, the people involved are numerous. |
| | Main constraints/problems | No major problems concerning international observation, except the usual problems related to coordination between the different delegations. Ensuring the impartiality of national observers in the present charged context might not be an easy task. |
| | Timing | |
| | Technical support required | International observation can be provided according to standard organizational procedures. Support to national observers can be provided, as usual, through funding as well as through an advisor for a period of two months, to help local organizations in the development of observation methodologies. |
| 12. | POLLING DAY | The quality of an election day reflects the quality of the planning that makes election day possible. In transitional environments marked by mistrust and suspicion, increased importance should be placed on effective planning. |

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| | HIGHLIGHT | DETAIL |
| | Enabling environment – Palestinians | Adequate organization. |
| | Enabling environment – Israel | Almost unrestricted FoM. |
| | Main constraints/problems | The only noticeable problem in voting in 1996 was the overcrowding of some polling stations, as well as the vote within East Jerusalem, where the overcrowding was at its worst (voting took place only in five postal stations). |
| | Timing | |
| | Technical support required | Provision of information and technical expertise to support the election management body in preparing for and facilitating election day. |
| 13. | VOTE COUNT AND TABULATION | Votes are counted at the polling station, and results of polling stations are transmitted to the constituency level for tabulation. |
| | Enabling environment – Palestinians | Improvements over 1996, involving better planning and an adequate organization, especially the protocols in polling stations. In order to avoid the gaps observed in 1996, pollworkers will need adequate training and have at their disposal clear guidelines on election day procedures protocols. |
| | Enabling environment – Israel | No major requirements on the Israeli side. |
| | Main constraints/problems | Major problems existed in 1996, that should be avoided by careful planning and training. |
| | Timing | |
| | Technical support required | To avoid a repeat of 1996, technical information and specialist(s) should be made available to the election management body well in advance of the elections to prepare the vote counting and tabulation process and protocols, and the training and public information materials required to make this a transparent and accessible process. |

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| 14. | REGISTRATION AND ADJUDICATION OF CLAIMS AND CHALLENGES | The treatment of complaints and challenges arising from the electoral process. |
| | Enabling environment – Palestinians | Improvements over 1996. It is necessary to have fast, efficient adjudication process after the election to ensure credibility. The arguments justifying the decision taken by the Tribunals should be clearly stated. This was one of the areas where significant problems were observed in 1996. |
| | Enabling environment – Israel | No major requirements on the Israeli side. |
| | Main constraints/problems | Again, major problems existed in 1996, and a much greater degree of transparency will be required in 2003 |
| | Timing | |
| | Technical support required | Technical information and expertise to inform the development of regulations, and with the preparation of the individuals and institutions responsible for addressing claims and challenges, and for those responsible for the enforcement/follow-up of decisions. |
| 15. | RESULTS VERIFICATION AND CERTIFICATION | Issuing provisional results; verifying and releasing final results; clarifying procedures for taking office. |
| | Enabling environment – Palestinians | Special care should be taken with the declaration of provisional results. To enhance transparency and avoid long periods of information blackout, it is crucial that partial results are published as they come in, along with the tabulation for the constituency. Transmitting directly on electronic media should be considered. The fact that partial results may not be final should be communicated clearly. |
| | Enabling environment – Israel | No major requirements on the Israeli side. |

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| MAIN ELECTION ACTIVITIES AND REQUIREMENTS | |
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| HIGHLIGHT | DETAIL |
| Main constraints/ problems | Provisional results should not be delayed excessively, but emphasizing their limitations. |
| Timing | |
| Technical support required | Provision of information and samples of regulations and legal code governing these processes in other nations. |

ANNEX IV: HIGHLIGHTS FROM THE JOINT NDI/CARTER CENTER REPORT ON THE 1996 PALESTINIAN ELECTIONS

NDI and the Carter Center monitored the 1996 Palestinian election process for four months in late 1995 and early 1996, producing three pre-election reports and two post election reports that contained observations and recommendations designed to highlight successes and shortcomings of the 1996 elections and to improve the conduct of future elections.

While NDI and the Carter Center viewed the 1996 elections as a positive step, some aspects of both election preparation and conduct were less than successful. It is notable that many of the concerns enumerated in the 1996 report are relevant to the planning and conduct of 2003 elections, including the haste with which electoral preparations were made, concerns about the electoral system and public criticism of lack of debate and transparency around the electoral process.

REFLECTIONS ON THE 1996 PALESTINIAN ELECTIONS AND POLITICAL TRANSITION EXCERPTED FROM THE 1996 NDI/CARTER CENTER REPORT

"Election administrators succeeded in accomplishing the complicated tasks of registering voters, mapping constituencies, training staff and preparing materials, all within an extremely compressed time period. Although problems surrounding the tabulation process provoked accusations of manipulation, local and regional election workers were widely viewed as fair, honest and hard working.

"In other respects, however, the elections were less successful. The election did not serve as a catalytic moment for democratic political organizing as transition elections often do. Some political observers expected that elections would precipitate new political arrangements and that the traditional Palestinian factions that had emerged would evolve in response to electoral competition. This did not occur; in part because several factions removed themselves from the process due to their opposition to the Oslo agreements, and in part because many political leaders believed that the majoritarian electoral representation system would not accurately reflect their strength within Palestinian society. Electoral competition was not driven by issues or ideology, but was often based on the reputations and promises of rival families and clans who sought to formalize their stature within the community. As a result, the elections were largely a competition among local Fateh leaders and between Fateh candidates and independents.

"The elections also served as a reminder of the limits of open debate and adherence to the rule of law under the Palestinian Authority. Security forces, in particular those from the intelligence and preventative security, interfered with voters, pressured some independent candidates to withdraw, and detained some journalists and civic leaders without due process or just cause. Television coverage by the official Palestinian media strongly supported Arafat and Fateh candidates, and self censorship restrained the coverage of many

independent journalists. Palestinian Authority Chairman Yasser Arafat intervened in the election administration process to allocate seats—a responsibility given to the CEC in the election law—and did so in a manner that seemed to favor the Gaza Strip in contravention of the election law’s proportionality requirements. The Central Election Commission repeatedly changed the pre-election timetable and disregarded some provisions of the election law, such as the requirement that the results list Christian candidates separately. Furthermore, the Election Appeals Court, in cases brought from the Ramallah and Hebron districts, declined to address the merits of appeals that were important to resolving lingering questions about the elections.

“The Palestinian electoral framework unfolded in a seemingly haphazard fashion with many important decisions being made and revised up to election day. Delays in promulgating the election law and appointing the CEC and Election Appeals Court, and changes in timetables for registering candidates and voters combined to potentially thwart the electoral process. Even the January 20 election date was not made official until the second week of December when Yasser Arafat issued a decree formally setting the date. That announcement prompted some political leaders, including the head of the Palestinian delegation to the Madrid negotiations, Haider Abdul Shafi, to advocate postponing the elections to allow for further discussion about the electoral system and more time for political reparation.”

ANNEX V: BIOGRAPHIES OF DELEGATION PARTICIPANTS

LAZHAR ALOUI

Lazhar Aloui is an international development professional with ten years of experience in the design and management of international assistance programs. Before joining the International Foundation for Election Systems (IFES,) Mr. Aloui conducted development and relief work in Africa, the Southern Balkans, and the Middle East and North Africa. He is currently the IFES Regional Program Officer for the Middle East and North Africa in charge of program development and implementation in the region. Mr. Aloui received his BA from the American University in Washington, D.C. and an M.A.L.D from the Fletcher School of Law and Diplomacy in Medford, Massachusetts. He speaks fluent Arabic and French.

FRANCESCA BINDA

Francesca Binda is the Director of Elections/Implementation Department for the OSCE Mission to Bosnia and Herzegovina. A Canadian political consultant, Ms. Binda has lived and worked in Bosnia and Herzegovina for over five years. Before joining OSCE in August 2000, Ms. Binda was the Country Director for the National Democratic Institute for International Affairs, working with political parties and parliamentarians in Bosnia & Herzegovina. Her international experience includes consulting with political parties and parliamentarians in Albania, Ukraine, Poland, Serbia, Croatia and Romania.

As Director of the Election/Implementation Department for the OSCE Mission to Bosnia and Herzegovina, Ms. Binda has designed and overseen the transfer of the Bosnian election administration to local authorities. Before moving to Bosnia and Herzegovina in 1996, Ms. Binda spent 11 years in Ottawa, Canada working as a staff person for a political party in the Canadian House of Commons. She holds a degree in Political Science from Carleton University in Ottawa.

DR. HORACIO BONEO

Dr. Horacio Boneo is a private consultant and served on the ACE Steering Committee from its inception until the spring of 1999. Dr. Boneo was Interregional Adviser on Democratic Governance and Elections in the Department of Economic and Social Affairs at the United Nations, and has served in the capacity of Director of the Electoral Assistance Division at UN Headquarters in New York, and as Chief Electoral Officer for the United Nations Missions to Haiti and Nicaragua. Dr. Boneo has also been involved in the provision of electoral assistance to a large number of countries. Before joining the United Nations, he was a Senior Researcher at the National Council of Scientific Research and the Center for Studies on State and Society in his country, Argentina.

LESLIE CAMPBELL

Leslie Campbell is an NDI Senior Associate and Middle East Regional Director. Previous to his current position, he directed NDI's field offices in Zagreb, Croatia and Sarajevo, Bosnia, where he conducted programs with political leaders on issues of democratic development, political party building and electoral reform. Mr. Campbell earlier served as an NDI consultant to the Russian parliament. Mr. Campbell has been involved in election processes and observation in Albania, Algeria, Bosnia, Croatia, Georgia, Russia, and Yemen. Before working with NDI, Mr. Campbell was the chief of staff to the leader of the New Democratic Party in the Canadian House of Commons and an advisor to the premier and cabinet in the province of Manitoba. Mr. Campbell has extensive Canadian campaign experience at the national, provincial, and local levels, was co-director of a national constitutional referendum campaign, and is currently helping to lead a party renewal effort. Mr. Campbell holds a Master in Public Administration degree from Harvard University.

JEFF FISCHER

Jeff Fischer currently serves as a Senior Advisor for Governance and Elections at the International Foundation for Election Systems (IFES). Mr. Fischer served as the organization's Executive Vice President from 1993 to 1999 where he directed the daily operations of all IFES departments and programs.

Mr. Fischer has held three internationally appointed posts in post-conflict transitions. In 1996, he was appointed by the Organization for Security and Cooperation in Europe (OSCE) to serve as Director General of Elections for the first post-conflict elections in Bosnia and Herzegovina. In 1999, Mr. Fischer was appointed by the United Nations (UN) as Chief Electoral Officer for the Popular Consultation for East Timor. In addition, in 2000, Mr. Fischer received a joint appointment from the UN and OSCE to head the Joint Registration Taskforce in Kosovo and served as the OSCE's Director of Election Operations in Kosovo. In 2001, Mr. Fischer continued to support to Kosovo political process by serving as a Senior Advisor to the OSCE Mission to Kosovo.

Mr. Fischer has also directed IFES technical assistance projects in Haiti (1990-91) and Guyana (1991-92). Mr. Fischer has also worked on election assistance, observation, or conference projects in over 40 countries. In the United States, Mr. Fischer represented the MicroVote Corporation (1989-1992) and in this capacity consulted with local and state administrators on electronic voting. In 1985, Mr. Fischer was also appointed to a four-year term as Commissioner on the Kansas City Election Board and from 1990 to 1993 he served as a Commissioner for the Missouri Campaign Finance Review Board.

OWEN KIRBY

Owen Kirby joined IRI in 1998, becoming Director of the new Middle East and Northern Africa Division in late 2001. As a Program Officer, he oversaw IRI activities, including public opinion polling, parliamentary strengthening and advocacy training in Morocco, Oman and the West Bank-Gaza. Since assuming the regional directorship, Mr. Kirby has overseen an expansion of IRI activities into Jordan, Pakistan and Afghanistan. Before joining IRI, Mr. Kirby spent a number of years in the Middle East, teaching in Jordan, Syria, Saudi Arabia and Kuwait. Mr. Kirby is a graduate of Trinity College Dublin and the University of Limerick in Ireland.

KÅRE VOLLAN

Kåre Vollan is a private consultant. Most of his current work consists of advising companies on business processes and project management. He had previously taken up numerous assignments related to electoral assistance.

Mr. Vollan was head of the Norwegian election observation mission to Zimbabwe in March 2002, a mission that was crucial to European efforts to assist that country in a delicate political context. From May 1999 to November 2000, he was Deputy Head of the OSCE Mission to Bosnia and Herzegovina and responsible for organizing the two elections held there in 2000. He also advised on the electoral systems to be introduced in the country. In 1999 he also advised on electoral and citizenship issues to the OSCE Mission to Croatia.

During the period 1996 to 1998 Mr. Vollan was Head of ten OSCE/ODIHR election observation missions. In 1995-96 he led the Norwegian observation mission to the Palestinian elections.

Mr. Vollan is a mathematician by profession.

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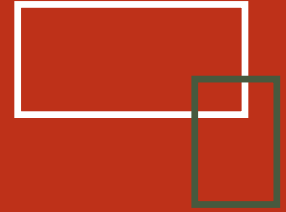
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For access to many relevant legal documents and agreements (such as The Palestinian Basic Law, The 1995 Election Law, The Palestinian Local Election Law, The Palestinian One-Hundred-Day Reform Plan, The Cairo I and II Agreements, The Declaration of Principles, The Interim Agreement, and The Oslo Agreements), please visit <http://www.ifes.org>, <http://www.iri.org>, and <http://www.ndi.org>.

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