

Appendix XXIV

JOINT INTERNATIONAL OBSERVER GROUP IN YEMEN

**FINAL REPORT
ON OBSERVATION FINDINGS**

**Parliamentary elections in Yemen
27 April 1997**

Sana'a. 15 July 1997

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JOINT INTERNATIONAL OBSERVER GROUP IN YEMEN

FINAL REPORT ON OBSERVATION FINDINGS

15 July 1997

EXECUTIVE SUMMARY

The JIOGY mission noted that the 1997 parliamentary elections in Yemen had taken place at an early stage of the country's democratic development and in complex circumstances. Taking into account those circumstances and despite some shortcomings, the JIOGY mission was of the opinion that such elections could be judged, at the end of the polling process, on balance as reasonably free and fair.

I. INTRODUCTION

On 27 April 1997, the Republic of Yemen held its second multiparty parliamentary elections (the "elections"). Yemen has recently undergone a radical transformation of its political structures which has been a challenging process and the country is looking to improve its current difficult economic situation. Against this background, these elections were welcomed as an important step towards the further development of democracy and democratic institutions in Yemen.

At the invitation of the Supreme Elections Committee (the "SEC") and the Yemeni Government (the "Government"), a number of countries, groups of countries and organizations decided to send observers to follow the electoral process. Some of them also decided that, in order to conduct as comprehensive and meaningful an observation as possible and to maximize the use of resources, such observers should operate as an integrated international network known as the Joint International Observer Group in Yemen (the "JIOGY" or the "mission"). The countries and organizations involved were: Denmark, European Commission, European Parliament, Finland, France, Germany, Indonesia, Ireland, Italy, Netherlands, Norway, Palestine, Poland, Russia, United Kingdom.

The members of the JIOGY feel honoured to have had the opportunity to observe the elections. They would like to congratulate all those who have worked hard to make these elections possible. The mission notes that the elections have taken place at an early stage of the country's democratic development and in complex circumstances. Taking into account those circumstances and notwithstanding the shortcomings referred to below, the JIOGY is of the opinion that the elections can be judged, at this date and time, to have been on balance reasonably free and fair.

II. THE JIOGY

Initially, four long-term observers were deployed in Yemen from 6 to 29 April observing the pre-election phase. Furthermore, some 80 short-term observers visited Yemen from 20 to 29 April observing the voting and counting process throughout the entire country. A press statement containing a first general assessment of the elections by the JIOGY observers was released and read out to the national and international press by the mission's spokesperson, Ms. Fr. I. P. P. P., a Netherlands senator and JIOGY observer, at a press conference held on 30 April in Sana'a. A more detailed outline of the mission's findings is contained in this Final Report which also lists the recommendations of the JIOGY to the SEC with a view to possibly improving the quality of the next Yemeni parliamentary elections in the year 2001.

1. STRUCTURE OF THE JIOGY

The JIOGY structure consisted of:

- (i) A Secretariat which had its seat in the capital and which was charged with the set up and logistics of the whole observation mission as well as the collecting of data;
- (ii) a plenary session of all observers;
- (iii) meetings of country delegation representatives;
- (iv) a Drafting Committee designated by the country delegation representatives; and
- (v) a spokesperson.

2. OBJECTIVES OF THE JIOGY

The main objectives of the JIOGY observation mission were:

- (i) To collect information on the election process;
- (ii) to visit polling stations both prior to and on polling day; and
- (iii) to observe and evaluate the voting and counting process and notably to observe whether this process was administered in compliance with the provisions of the 1996 General Elections Law (the "Law").

III. OBSERVATION AND DRAFTING METHODOLOGY

1. OBSERVATION

1.1 Briefing

The 80 short-term observers were first assembled in Sana'a to be briefed from 21 to 23 April by the Secretariat on the following issues: general introduction on the country including the social, cultural and economic context as well as the human rights situation. Furthermore, much time was dedicated to briefings on the political background and the events leading up to the elections, including a profile of the main electoral actors - the SEC, the political parties, the judiciary, the media as well as civil society. Further briefings related to the key provisions of the Constitution and the Law, polling and counting procedures, the security situation and standard forms used in connection with the observation. Meetings were arranged with representatives of a number of leading political parties. Finally, briefings were held by domestic monitoring or generally supportive organizations, including SPC, EMC, ADI and MOST.

1.2 Deployment

On 24 April, the observers were deployed in 14 Governorates where they surveyed the general political situation, met with the Election Committees at governorate and/or constituency level as well as with candidates and party representatives both from the governmental parties and the opposition. In addition, the polling centres were pre-visited to check on the overall situation.

1.3 Observation of voting

On polling day, the observers visited 717 polling stations in 101 Constituencies (i.e. 35% of the total number of constituencies in those 14 governorates that were not off-limits for security reasons). Written reports were made on each individual visit, reflecting the observers' findings on the quality of the polling stations and poll workers, the voting process as well as the opening and closing of a number of

polling stations. These reports were summarized and conveyed to the Secretariat by telephone or telefax. The full reports were submitted to the Secretariat upon return.

1.4 Observation of counting

Whenever possible, the observers followed the transportation of ballot boxes from the polling stations to the counting centres where they witnessed part of the counting process. The findings of the observers were again transmitted to the Secretariat.

2. DRAFTING

The method used by the members of the Drafting Committee, who were equally deployed as observers throughout the country, was to carefully study all observer reports and to draw general conclusions on the voting and counting processes on the basis thereof.

A preliminary report was contained in the above-mentioned press release, which was extensively discussed in the plenary session. The present Final Report was drafted with the aim to reflect in more detail the findings of the mission at the date and time hereof.

IV. PRE-ELECTION PHASE

1. LEGAL ISSUES

The entire spectrum of political parties has raised to the long term observers concerns about the impartiality and legitimacy of the SEC as stipulated by the Law. The JIOGY notes that the matter remains unsolved to-date.

2. VOTER REGISTRATION

2.1 General

Although the mission has not been in a position to extensively survey the pre-election environment, it received numerous reports regarding serious difficulties in relation to the voter registration process, some cases of which were actually submitted to the competent Yemeni courts of law.

It was found by the long-term observers and confirmed by the electoral authorities that the registration figures available were inaccurate and outdated. It would seem, however, that on polling day itself relatively few problems were noted with regard to registration.

2.2 Security situation inside and outside polling centres and stations

Although the overall security situation appears to have been well maintained, some observers queried the necessity of a rather heavy security presence at certain centres. The mission has received third party reports on the occurrence of violence in certain constituencies; such violence has not, however, been observed by any of the JIOGY observers. Moreover, the mission has no reason to assume that said violence was related to the elections.

Whereas observers expected to see security personnel outside the polling stations checking voters for weapons and maintaining order, they were surprised to see that in many centres security personnel entered polling stations at will and remained there. The security personnel were often armed. In many of these cases, the mission has not been able to establish that the presence of security personnel was requested by the chairperson of the relevant committee in accordance with the Law. It was also observed that security personnel sometimes exceeded their legitimate functions, for example by checking voter cards and helping the voters to vote. However, this involvement often appeared to result from good intentions and the observers note that in many circumstances the security personnel displayed great helpfulness.

2.3 Irregular political activities in polling centres

In 14% of the 384 polling stations for which relevant data are available, illegal political activities were reported, either in or around the polling station (see Annex). It was observed that many candidate posters were prominently displayed inside polling centres and even inside polling stations. Some observers saw candidate election materials being handed out to voters waiting in queue outside the polling stations. In certain instances, it was observed that candidates attempted to influence the vote, for example by distributing food and drinks to the voters in queue, sometimes even with their names or pictures attached. Reports were made to observers of vote-buying, attempts at persuasion, and intimidation of voters, although such irregularities were not observed by members of the mission.

3. COUNTING

3.1 General

The counting procedure, requiring for example unanimous agreement on the validity of ballots, may have been time-consuming but was undoubtedly highly transparent, as all candidate representatives were allowed to express their views regarding each ballot paper. It was noted that, after the initial checking procedure, each ballot box was counted separately. This had an unwanted side-effect to the extent that it made it possible to determine how people had actually voted in a given polling station, including according to gender.

Furthermore, the observers were surprised to see that, in many of the counting centres where they observed, the counting committees seemed to consist of men only whereas these committees obviously dealt with all votes from both parts of the electorate.

As far as female party or candidate representatives are concerned, it was observed that they had considerably less access to the discussion in many counting centres up to the point of being excluded from the counting process altogether by being assigned a totally separate room.

The observers noted that many voters experienced difficulties in exercising their right to vote which seemed to be mostly due to illiteracy. This phenomenon appeared to be particularly prevalent amongst women and in the rural areas. It has been observed in many instances that illiterate voters found themselves unable to understand the ballot paper and did not know how to tick the candidate of their choice or how to hold a pen or fold the ballot paper and insert it into the ballot box. Statistical data collected from 384 polling stations show that in many cases (17%) assistance to handicapped and/or illiterate voters was not provided in accordance with the provisions of the Law (see Annex).

Whilst the majority of the polling station committees appeared to manage the voting process efficiently, fairly and in accordance with the provisions of the Law, a number of shortcomings were observed by the mission. These shortcomings include:

3.2 Secrecy of the vote

Although in the majority of the centres the secrecy of the vote was well respected, some observers noted that in a number of polling stations the secrecy of the vote was not protected due to, for example, the presence of security personnel in the voting booth, the absence of (adequate) screens around the voting booth or the showing of completed ballot papers by the polling station committee to all present. The lack of voter education was an important factor in this problem because voters did not appear to be aware of their right to secrecy.

A number of polling station committees seemed primarily preoccupied with checking voter cards and issuing ballot papers rather than with managing the casting of the vote in an orderly fashion. This resulted in domestic monitors, candidate representatives and security personnel offering (sometimes unsolicited) assistance. In one case, domestic monitors, supported by international observers, demanded a committee chairperson to be replaced after she had handed out filled-out ballot papers to voters.

3.3 Ballot papers

Symbols, rather than candidate names, were used to facilitate the voting for illiterate voters; it was observed, however, that many voters were still not able to recognize their candidate through the symbol. In one case, observers noted, a particular candidate was referred to in the ballot paper by the wrong symbol. This ultimately led to the stopping of voting operations in that constituency on polling day and caused major security problems in the area.

In some constituencies, the ballot papers were double-sided which, in certain cases was observed to confuse voters. Statistics for 384 polling stations show that in 20% of the cases where double-sided ballot papers were used, observers noted that this caused difficulties for voters (see Annex). In some cases it also affected the secrecy of the vote. The double-sided ballot paper, when folded, shows one side from which it can be understood which candidate has been voted for or, at least, a number of candidates who have not been voted for.

Double-sided ballot papers would not have been required in many cases if withdrawals of candidacies had to be announced before ballot papers are printed. The legal provisions allow for the late withdrawal of candidates; this requires an update of the ballot papers at the very last moment. Such updates were done by putting stickers over or by crossing out the symbols of the withdrawn candidates. These amendments were confusing for a number of voters and were not always executed properly. To the extent that the amendments were carried out incorrectly, this affected the fairness of the vote.

4. ELECTION BOYCOTTS, WITHDRAWALS AND COORDINATION AGREEMENTS

The elections were boycotted by a number of registered parties including the Yemen Socialist Party, the country's largest opposition party. The General People's Congress and Al-Islah as well as some of the opposition parties have entered into so-called coordination agreements avoiding the nomination of a candidate in a certain constituency in favour of the other party's candidate. The JIOGY notes that the boycott by a number of political parties, the withdrawal of a significant number of candidates and specifically female candidates (8 out of 23) as well as the coordination agreements have reduced the range of choice of the Yemeni electorate.

V. ELECTION DAY

1. NUMBER OF CONSTITUENCIES AND STATIONS VISITED

As mentioned above, on polling day, the JIOGY observers were deployed in 14 governorates where they visited 101 constituencies out of 285, i.e., 35 % of the total. In these constituencies, 717 polling stations were observed (detailed statistical data can be found in the Annex).

2. ORGANIZATION

The observers were impressed with the work of the election committees at all levels and greatly appreciated the commitment and efforts of the poll workers who were often dealing with difficult conditions.

The mission was also impressed by the substantial efforts made by the SEC with IFPS technical assistance to train poll workers; it was noted that voter education was undertaken by various organizations, both international (NDI, ERS) and national (ADI). Furthermore, the observers express their appreciation for the work undertaken by domestic monitoring organizations.

The layout of polling stations was generally good, although in many centres sufficient and/or suitable furniture was lacking. The election materials appear to have arrived in time. Certain centres, especially in the rural areas, were only accessible with great difficulty either because they were not located at ground floor level, which obliged the voters to move up high staircases, or because they were simply too

small for the intended purpose. Moreover, many voters in the countryside had to travel for hours to reach their polling station.

3. VOTING

The mission was particularly impressed with the voters' turnout and their commitment as very many of them were required to wait long hours before being able to cast their ballot.

VI. RECOMMENDATIONS

Although JIOGY's overall impression of the elections remains generally positive as stated above, the mission would like to submit a number of recommendations which it believes deserve the SEC's careful consideration with a view to improving a number of aspects of the electoral process for future purposes.

1. RECOMMENDATIONS REGARDING THE PRE-ELECTION PHASE

1.1. Voter registration

It is recommended that the relevant Yemeni authorities work towards the establishment and permanent updating of a register for all citizens, which could be used as a basis for the voters register listing all persons aged 18 or over. Among other things, this might alleviate the difficulties resulting from the inadequacy of communication and infrastructure in some parts of the country, or from the impossibility for many Yemeni women to travel.

It is furthermore recommended that it be ascertained that voter cards, names and numbers match those on the voters list. The quality of voter cards should be improved to prevent forgery.

1.2 Candidate registration and withdrawal

The Yemeni electorate deserves to have a clear overview of the available candidates sufficiently long before polling day. It should be avoided that would-be candidates hold a threshold of voters who only hours before polling day are advised to vote for an alternative candidate. Such candidate behaviour seriously affects the overview referred to above. It is therefore strongly recommended that both candidate registration and withdrawal be subject to a strict national deadline, e.g. 4 weeks before polling day or any longer period required for the purpose of printing and distributing the ballot papers.

1.3 Poll worker, voter and security personnel education

It is recommended that in the next four years running up to the 2001 parliamentary elections, continuous efforts be made by the relevant authorities, in close cooperation with domestic monitoring organizations, to educate poll workers and especially the electorate who, in view of widespread illiteracy, require and deserve the utmost preparation so as to be able to make full and free use of their democratic rights. Since security personnel play such a major role in supporting the electoral process, they should be very clearly instructed on their specific role and its limits on polling day.

1.4 Ballot papers and list of candidates

If the recommendation sub 1.2 above is adopted, ballot papers can be printed sufficiently ahead of time to correctly reflect the available candidates, thus avoiding the risk of having to use amended ballot papers which are likely to contain errors and to confuse the voters.

Furthermore, if that same recommendation is implemented, there will remain no need for double-sided ballot papers. It is the view of the mission that one-sided ballot papers will more effectively ensure the secrecy of the individual vote.

In order to facilitate the voters' choice, the list of candidates affixed outside the polling stations should be an identical, enlarged version of the actual ballot paper.

1.5 Polling centres and stations

Especially in the rural areas, it is recommended that the number of polling centres and stations be enlarged and geographically distributed on a wider scale so as to reduce voter travel time and queuing.

Wherever possible, it is recommended that greater accessibility to the polling centres or individual stations be ensured. Disabled voters must have easy access to their particular station.

Taking into account the turnout of voters, it is recommended that, where possible, larger rooms be selected to allow for simultaneous voting by more than one voter. This requires the polling station to be provided with more furniture (such as tables and chairs) and voting booths. It is most strongly recommended that the voting booths be better designed to contain proper screens so as to ensure the secrecy of the vote. Also, it is recommended that the slot of the ballot box be slightly widened to facilitate the entry of the ballot papers.

Observers in the rural areas recommend that sun screens be put up outside polling stations to protect the voters.

Finally, the mission urges the relevant authorities to enforce more strictly the regulations governing the use of campaigning material (such as leaflets, posters, flags and cars carrying such material), especially in or around polling centers. It is recommended that the use of such material on polling day be expressly prohibited in polling centers or within a perimeter to be specified in the Law.

2. RECOMMENDATIONS REGARDING POLLING DAY

2.1 Procedures in case of voter list/voter card discrepancies

It is recommended that clear procedures be included in the Law to cover those cases where discrepancies occur between the voter list and an individual voter card. These procedures should be copied in any poll worker manual.

2.2 Voting by poll workers, domestic monitors and security personnel

All of the poll workers, domestic monitors and security personnel assigned to assist in maintaining law and order in polling centres, should be enabled by the Law to vote in the constituency where they act on polling day. If they operate outside their constituency, they should be allowed to vote by proxy.

2.3 Assistance to illiterate and disabled voters

Rather than letting the matter over to local observers, polling workers should receive clear instructions as to how illiterate and disabled voters should be dealt with, in accordance to the Law. Such instructions should be included in any poll worker manual.

2.4 Identification of veiled female voters

It is recommended that the rule according to which veiled female voters are obliged to unveil in order to be identified be strictly enforced, especially where poll workers operate in an area other than that from which they originate.

2.5 Counting of ballot papers prior to voting

Before voting starts, all ballot papers should be counted at the polling station level to ensure that their number matches that of used, spoilt and unused ballots at the end of polling day.

2.6 Use of second ballot

It is recommended that a procedure be established to enable voters who claim to have spoiled their ballot paper to obtain a new one. With reference to the recommendation sub 2.5 above, a category for spoiled ballot papers should be created.

2.7 Voting by proxy

In order to enable the elderly, ill or disabled and those who are in prison to also cast their vote, it is recommended that a procedure be established whereby such voters can vote by proxy. It is hoped that on the occasion of the 2001 parliamentary elections, the various civil registries will allow for such a procedure.

3. RECOMMENDATIONS REGARDING COUNTING PROCEDURES

3.1 Male and female representation

Since male and female voters participate on an equality basis in the voting process and the organization thereof, it is strongly recommended that both sexes also be equally represented on the counting committees. Similarly, female party or candidate representatives must be allowed to participate in the counting process on an equal basis with their male counterparts.

3.2 Male and female votes

In order to ensure total secrecy of the votes on the national level, it is recommended that a procedure be established to mix male and female votes before counting starts.

3.3 Invalid ballot papers

Criteria should be established by which the validity of ballot papers can be decided upon by the votes sorting and counting committee, in accordance with the provisions of the General Elections Law..

3.4 Recount of votes

It is recommended that clarity be achieved on the very important issue of the recount of the votes, which is not satisfactorily dealt with under the present legislation.

4. Role of the media

The Government is advised for the next parliamentary elections to assure, in accordance to the provisions of the General Elections Law, the monitoring of the media for a period of at least six months running up to the elections, in order to observe the media's role in relation to campaigning and voter education.

5. Legal proceedings

Any legal proceedings by voters before the Yemeni courts of law in connection with the pre-election phase or the elections should be swift and affordable.

Statistical information of Joint International Observers Group in Yemen

Statistical information was gathered from the completed "standard reporting forms" which were turned back in to the Secretariat. Out of 38 JIOGY-observer teams (deployed in 14 governorates) a total of 27 teams returned their forms. Data collection was done per polling station; no data are available per polling centre. In total, the forms which were returned by the 27 international teams cover 384 polling stations in 79 constituencies (27 % of the total number of constituencies in the 14 Governorates that were visited).

<u>Governorate (# const.):</u>	<u>(# teams):</u>	<u>statistical data available from:</u>
Sana'a Capital Trust (18):	(9 teams)	5 teams returned forms for 81 polling stations
Sana'a Province (36):	(5 teams)	4 teams returned forms for 51 polling stations
Aden (11):	(4 teams)	2 teams returned forms for 26 polling stations
Taiz (43):	(2 teams)	1 team returned forms for 14 polling stations
Lahj (12):	(1 team)	1 team returned forms for 6 polling stations
Ibb (38):	(2 teams)	2 teams returned forms for 37 polling stations
Abyan (8):	(1 team)	1 team returned forms for 17 polling stations
Al Bayda (10):	(1 team)	-- (no forms returned)
Shabwa (6):	(1 team)	1 team returned forms for 9 polling stations
Hadramawt (17):	(5 teams)	4 teams returned forms for 52 polling stations
Hajjah (23):	(1 team)	1 team returned forms for 10 polling stations
Hodeidah (34):	(2 teams)	2 teams returned forms for 28 polling stations
Al Mahweet (8):	(2 teams)	1 team returned forms for 18 polling stations
Dhamar (21):	(2 teams)	2 teams returned forms for 35 polling stations

Most significant outcomes:

- * 17 % of the visited polling stations ¹ did not open on time;
- * in 23 % of the visited polling stations, no domestic monitors were present during the time of the visit ²;
- * in 16 % of the visited polling stations, unauthorized people were present;
- * in 28 % of the visited polling stations, ballot papers were printed double-sided;
- * in 20 % of the visited polling stations with double-sided ballot papers this was considered to have caused difficulties;
- * in 13 % of the visited polling stations with double-sided ballot papers this was considered to have affected secrecy of ballot;
- * in 17 % of the visited polling stations assistance to handicapped and/or illiterates was not given according to the rules;
- * in 14 % of the visited polling stations illegal polling activities were reported in or around the station;
- * in only 3 % of the visited polling stations purposeful attempts to fraude were reported;

Basic statistical information is to be found on the next page.

¹ Statistical data apply only to information in received completed reporting forms; this means that "visited polling stations" are only the ones for which the forms were returned. General or compiled information from other teams could not be included in this statistical analysis.

² this seems to be a high rate, which may be caused by the fact that data were collected per station; the fact that, during the (short) visit of the team no local monitors were present, could mean that they may have been moving around between the stations in the same centre

JIOGY STATISTICAL INFORMATION

		<i>total (out of 384 pollingstations)</i>	<i>yes</i>	<i>no</i>
1.1	site poll in designated location:	369	357	12
1.2	change duly advertised (if applicable):	14	10	4
2.1	pollingstation open in time:	240	199	41
2.2	were all officials present:	365	360	5
2.3	no. candidates in constituency:	--	--	--
2.4.1	no. candidates representatives present:	--	--	--
2.4.2	domestic monitors present:	348	268	80
	SPC	72	-	-
	BMC	137	-	-
	ADI	185	-	-
	Most	19	-	-
	Others	44	-	-
2.5	unauthorized people present:	307	49	258
2.6	election materials complete:	358	351	7
2.6.1	non essential material missing (if applicable):	290	14	276
2.6.2	essential material missing (if applicable) :	288	19	269
2.7	layout polling station o.k.:	354	339	15
2.8	opening procedures o.k.:	95	81	14
2.9	people waiting at opening: < 50	211	-	-
	50 - 100	61	-	-
	> 50	78	-	-
3.1	card register:	349	348	1
3.2	were eligible voters refused: 293	14	279	-
3.3	were non-eligible voters allowed:	286	36	250
3.4	candidates list clearly publicised:	343	312	31
3.5	withdrawn candidates clearly deleted:	344	301	43
3.6	names deleted with: marker/pen	256	-	-
	sticker	10	-	-
	other	4	-	-
3.7	many errors in deletions:	318	12	306
3.8	ballots printed doublesided:	353	98	255
3.9	doubleprinting complicate voting (if applic.):	185	38	147
3.10	purposeful violations of secrecy:	334	20	314
3.11	doublesided paper affects secrecy (if applic.):	173	22	151
3.12	assistance to handicaped/illiterates o.k.:	218	180	38
3.13	intimidation:	341	18	323
3.14	illegal polling activities:	335	49	286
3.15	ink used adequate:	335	333	2
3.16	purposeful attempts to fraude:	317	9	308

Appendix XXV

JOINT ELECTORAL ASSISTANCE SECRETARIAT

FINAL REPORT (revised)

13 May 1997

Background

Parliamentary elections were to be held in the Republic of Yemen on 27 April 1997. The electoral authorities and the Government decided to invite the international community to come and observe the process so as to assess whether it was free and fair.

In order to facilitate the work of international observers, the Netherlands Embassy took the initiative to try and organize a joint observer group (See Annex I) and to set up a secretariat to provide technical support to such a group (See Annex II). The leading role assumed by the Netherlands to assist observers, from the European Union (EU) primarily but also from other countries or group of countries, reflected both their wish to contribute to an exercise that would further democracy in Yemen and the fact that they have the presidency of the EU.

However, since it felt it lacked adequate experience in this field, the Netherlands Embassy requested technical support from UNDP. In consultation with the Director of the UN Electoral Assistance Division in New York, it was agreed that the UN Electoral Adviser (UNEA), currently in country to assist UNDP in its coordinating efforts and the Supreme Elections Committee (SEC) in the preparations for the elections, would provide such support and act as coordinator.

In addition, it was decided to incorporate into JEAS the two leaders of a domestic NGO, the Arab Democratic Institute (ADI), that had approached the Netherlands Embassy to obtain funding for a related project in favor of international observers. It was agreed that ADI would provide the JIOGY with local background information relevant for the elections, either in the form of briefings or written files (See Annex III).

The opening of the JEAS was officially announced on 24 March. The team was complemented by two Dutch experts, one to organize the operation of the office, the other to coordinate deployment of observers and to design and update the relevant databases. Those experts arrived respectively on 26 March and 4 April. A third expert, in charge of logistics, was provided by the German Embassy for the period 7-21 April.

Participating countries and organizations

All countries and international organizations represented in Yemen were told about the Dutch initiative in March 1997. In addition, all EU Member States were informed through the COREU channel. Some countries responded quickly; others needed more time to make a decision and JEAS received new applications or withdrawals as late as 22 April.

Representatives of 15 countries/organizations were deployed: Denmark (2), European Commission (3), European Parliament (3), Finland (2), France (3), Germany (7), Indonesia (3), Ireland (3), Italy (8), the Netherlands (20), Norway (2), Palestine (9), Poland (1), Russia (2), United Kingdom (8) (List of participants - see Annex IV). The total number of international electoral observers was 76 of which 27 came from embassies in Sana'a.

Cooperation with third parties

The SEC set up a committee to welcome the international observers. Such a committee coordinated its activities with JEAS on a daily basis to ensure that immigration/customs were facilitated and that proper transportation arrangements were made from and to Sana'a airport

The National Democratic Institute for International Affairs (NDI), an American, non-partisan NGO whose aim is to help promote, maintain and strengthen democratic institutions, sent a 34-person delegation to observe the elections. Although it preferred to work autonomously, it closely cooperated with JEAS in exchanging information and coordinating deployment to enhance the observation effort. In addition, it was agreed that both observer groups would be releasing their findings separately but simultaneously, at a joint press conference.

Fruitful cooperation was also established with the International Foundation for Election Systems (IFES), another American, non-partisan NGO, dedicated to providing assistance in monitoring, supporting, and strengthening the mechanics of the electoral process around the world. IFES allowed JEAS to distribute to JIOGY observers the English version of its training manual for poll workers. This manual explained in a clear and concise manner all procedures to be followed for polling and counting. In addition, IFES Project Manager briefed observers on the 1996 Elections Law and the changes since the 1993 elections.

Contacts with domestic monitoring organizations were maintained throughout the period and exchange of information during the observation phase was the rule. Apart from ADI (that deployed approximately 11,000 observers), local NGOs involved were the Supreme Committee for Monitoring Elections (SPC), with some 4,000 monitors, and the Elections Monitoring Committee (EMC), with close to 8,000 monitors [figures provided by the respective groups].

EMC had announced that they were expecting more than 400 international observers. JEAS therefore made attempts to cooperate with them but these attempts remained one-sided and eventually stopped as workload increased.

JEAS also collaborated with the Media and Observers Support Team (MOST), an association of Yemeni intellectuals eager to assist the international observers. Some MOST members accompanied the observers teams as translators; others facilitated meetings with local authorities and party representatives in the governorates.

JEAS organization

Operations

Office space and equipment were rented or lent by or through the Netherlands Embassy. Vehicles were hired from a local agency. UNDP also contributed some equipment as well as a vehicle with driver for the Coordinator.

Since mobile phones do not work outside Sana'a and given the quality and coverage of the Yemeni telecommunication system, it was felt that no individual communication system was needed for international observers.

Stickers were ordered for JIOGY vehicles. They proved quite valuable in facilitating identification and formalities at check points and on elections sites.

Also to facilitate identification, JEAS had T-shirts and blouses manufactured. However, some problems were faced because of late delivery and unavailability of adequate sizes.

Logistics

When arriving at Sana'a airport, observers were met by the SEC Committee and a JEAS member and given VIP treatment. The smooth organization also allowed time for observers to be introduced to electoral officials and to become acquainted with the program in general.

During their stay in Sana'a, observers were provided with free transportation by JEAS between their respective hotels and the briefings venues. For deployment, cars were rented through a local agency and charged to the observer teams. Many of the Sana'a teams made their own transportation arrangements.

Most observers were accommodated at the Hadda Hotel, reasonably priced and conveniently located within walking distance from JEAS headquarters.

The opening ceremony of the 3-day briefing session was held at the Sheraton Hotel because of the expected media coverage; the actual briefings were given at the Hadda Hotel. The press conference organized jointly with NDI to make public the preliminary observation findings took place at the Taj Sheba, which is better equipped for that sort of events.

Deployment

The intention was to have international observers evenly spread throughout the country. However, it was decided not to deploy observers in Sa'ada, Al-Jawf and Marib for security reasons, nor to Al-Mahra, because of its remoteness and low population. As stated above, deployment was also coordinated with NDI.

Teams comprised of two members (three on request), whenever possible male and female, one at least being Arabic-speaking.

To the largest extent possible, areas were assigned on the basis of preferences expressed by embassies and/or individual observers, taking into account the above constraints. In some cases, this resulted in teams not being nation-mixed. The deployment plan was adjusted and updated on a daily basis until deployment day (See Annex IV).

Observation exercise

Briefing period

Most observers were in country by 20 April. A general information file was distributed at the beginning of the briefing session, on 21 April, or upon arrival in the case of latecomers (See Annex V).

It had been the intention to prepare a written summary of the oral briefings for those observers who could not attend the session from the start. However, this could not be done because of delays in the submission of the required documentation. ADI tried their best to stimulate lecturers but most of them had left Sana'a for the Great Aeed holidays. As a result, there was little control over the contents of the presentations and latecomers had to rely on teammates to fill the gaps. JEAS endeavored to remedy this situation by ensuring that latecomers were placed in teams where the other member(s) had attended the briefings.

The schedule of briefings is included as Annex VI.

Furthermore, some mechanical problems, such as the breakdown of three photocopiers, difficulties with computers, considerably hindered the preparation of the background documentation and, in particular, the specific information for the governorates.

Such information, which was to be quite detailed, proved more difficult and time-consuming to gather than foreseen by ADI because of some problems that prevented full use of the local network of domestic monitors. A fallback solution had to be found and JEAS decided to accept an offer made by the GPC to resort to their own database and maps. However, ADI, through extreme dedication and hard work, managed to deliver the required data on time. GPC maps was used to complement such data where needed (See Annex VII).

Because of such technical problems, JEAS was only able to distribute the files on the evening of 23 April, at a reception given by the Dutch Ambassador. Those files apparently attracted a lot of interest and attention, so much that guests other than the international observers left with them, depriving some teams from their due. Although most files could be reconstructed eventually, one team had to leave without any indication at all and spent its first day in the governorate trying to collect essential information.

Planning reporting of observation results

JEAS designed a standard format to be used by all observers for reporting observation results (See Annex VIII). The purpose of such format was to gather information that could be quantified and serve for a meaningful statistical analysis. In addition, in order to speed up communication of findings on the evening of polling day or on the following day, a summary checklist was prepared for reporting by phone or fax (See Annex IX).

On the other hand, it was agreed that JIOGY would issue a joint statement at the end of the observation exercise, assessing whether elections had been free and fair. Representatives of all delegations met to discuss when such a statement should be released. It was felt that this should be done at approximately the same time as NDI, i.e., on 29 April, to ensure adequate press coverage, also bearing in mind that British elections were to attract the world press' attention on 1 May.

On 22 April, the same representatives designated a drafting committee and a spokesperson. On 26 April, a change in the membership of the Committee was decided to enable the participation of one of the major delegations.

Deployment period

It has been decided from the start that observers would be informed of their place of deployment only at the end of the briefing session so as to avoid endless discussions and distract participants' attention. A first deployment plan was released late on 22 April, with the understanding that changes could be made in exceptional cases. This plan was made final on the following day so that teams could get together and learn to know each other. This also allowed those who needed interpreters to make necessary arrangements, for instance, contacting MOST members.

On 24 April, vehicles were assigned to observers, who left for their destination where they met with local authorities and electoral committees and familiarized themselves with the constituencies they were to observe. Local contacts in some governorates were facilitated by MOST members as they had offered to do.

Polling day

On polling day, JEAS received a great number of faxes from a few political parties reporting mostly minor incidents, generally without convincing evidence to substantiate them. Where observers could be reached in the field, they were asked to check those complaints, which were later summarized, filed and made available to the drafting committee.

On the evening of 27 April or early the following day, teams reported their first observations following the summary checklist. Some teams reported jointly for the whole of the governorate they observed, others as individual teams. To the largest extent possible, those observations were also pre-analyzed for use by the drafting committee. Some teams returned to Sana'a on 28 April, most on 29, and a few on 30.

Debriefing and release of statement

The drafting committee met from 9 a.m. to 4 p.m. on 29 April. At 4 p.m., their draft was submitted for discussion and approval by the observer group as a whole. A number of changes or additions were requested. The drafting committee then met again at the JEAS headquarters to incorporate those changes. They sat until 2 a.m. because new information brought late that night by a group of observers prevented one delegation from accepting the text agreed upon at the plenary meeting. The group of observers maintained that they had witnessed an incident that nullified the conclusion reached by JIOGY as a whole that the elections were reasonably free and fair. The drafting committee challenged that one single incident was not enough to change what some thirty observers had concluded further to extensive and detailed discussion. The dissenting group of observers submitted an alternative text which was eventually included by the drafting committee in the final statement to be read the following day at a press conference.

The resulting statement was again submitted to the JIOGY as a whole (See Annex X). Discussion on the text was not reopened, except for a couple of minor changes, and the amended conclusion was adopted. (However, it was later learnt that the dissenting group of observers had issued a separate statement.) Those observers who had not returned from the field were debriefed individually at JEAS and it was decided that their comments, if any, would be reflected in the final, more detailed report to be published a later date.

Press conference

As mentioned above, it had been agreed with NDI to hold a joint press conference. The JIOGY had designated a woman senator from the Netherlands as its spokesperson. Its statement was read first; then, the spokesperson answered questions from the press, the UNIC Director acting as moderator. Although received positively on balance, the statement was too long and too detailed. The conclusion that elections had been reasonably free and fair came as relief.

Final report

Data for the final report were compiled by JEAS with the help of volunteers from among the observer group. Two members of the drafting committee agreed to stay and prepare a first draft (See Annex XI). This draft should be distributed shortly to embassies and delegations for circulation among JIOGY members. The latter are expected to submit their comments in writing to the JEAS Coordinator who will finalize the report and submit it to the embassies involved by the end of June for presentation to the Yemeni authorities.

Closing down JEAS headquarters

The Operations Officer settled JEAS accounts, returned the rented/loaned equipment and closed the office on 11 May.

Conclusions and recommendations

JEAS combined the efforts of a national embassy, an international organization and, for the first time, a domestic NGO. This created coherence rather than diversity. After respective tasks had been identified and assigned, each component duly delivered its contribution in an adequate manner. Internal functioning was smooth and based on mutual understanding and respect.

ADI was on the front line because of its responsibilities in the preparation of briefings and collection of information. It played an essential role as a bridge between groups involved in elections within the national and international communities. In spite of the problems it had to face, it managed to live up to JEAS expectations. Relying on well-structured domestic NGOs such as ADI in Yemen could also be highly valuable on other missions, depending on local circumstances.

From JEAS perspective, some organizational problems might have been avoided if priorities had been set from the start as to the information to be collected and if progress had been followed and evaluated in a more systematic manner.

Although the Secretariat started operating late, its organizational, logistical and deployment preparations progressed smoothly until Yemeni public life came to an almost complete standstill with the Great Aeed holidays. This nearly jeopardized the production of the governorate files, which, without ADI dedication and professionalism and GPC Technical Committee's help, might not have been ready on time.

Staffing appeared adequate at the onset but proved insufficient when the German expert assumed his functions as observer. During the period when JIOGY members were present in country, the officers in charge of external relations, operations and deployment should have been supplemented with one logistics officer and one person for secretarial support. One possible way to obviate that sort of problem would be to hire staff for the whole duration of the mission and keep them on call for quick intervention in case of need.

As far as relations with the media are concerned, it might have been worthwhile to hire a specialist who would have also assisted the drafting committee in the preparation of the joint statement, or to develop guidelines for the organization of press conferences. It would also be appropriate to designate from the start a spokesperson from among the observer group, who would liaise between the latter and the Secretariat and contribute to a better understanding of each other's problems and concerns.

Despite the above-mentioned shortcomings, and although some observers complained that the contents of briefings at both national and governorate levels could have been improved, the majority felt that JEAS overall performance was satisfactory in terms of practical assistance, information and coordination.

Acknowledgments

JEAS would like to express its gratitude to all of those who made its work easier as well as more effective and efficient, starting with its main sponsors, the Netherlands Embassy in Sana'a and EAD/UNDP, for their unfailing support. Special thanks should also go to MM. Saidi Al-Hakimi and Abdallah Saidi and to Col. Ali Salah for their invaluable contribution to the coordination with the SEC, as well as to Mr. Mohamed Al Tayeb for his assistance in a variety of situations. JEAS is also most grateful to all the lecturers for their enlightening and informative briefings. In addition, it should underline that its usefulness would have been considerably reduced without the friendly help of Dr. Ronald Wolfe from IFES and Mr. David Nassar from NDI. Finally, JEAS greatly appreciated the input of all the political leaders who accepted its invitation to address directly the group of observers.

Appendix XXVI

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Republic Of Yemen
Ministry Of Foreign Affairs



National Democratic institute for International Affairs
NDI
Washington D.C, USA

May 28, 1997

On behalf of the General People's Congress (GPC) and myself, I Would like to extend my personal thanks and great appreciation for NDI's fruitful efforts over the past few years in supporting the democratization in the Republic of YEMEN's democratic experience and practices through the transfer of the institute's different international experiences. In particular, NDI played an outstanding role in political parties' development, raising the level of political awareness and in the promotion of women participation in YEMEN's political life.

NDI has also played a prominent role in the international observation effort of YEMEN's recent parliamentary elections. Such participation bolstered public confidence in the democratic experience and democratic prospects in the country. Having NDI representatives in YEMEN during the past period was key in translating the institution's efforts on the ground effectively and positively. It has created a relationship based on mutual trust and understanding between NDI and the different political forces in the country. NDI's presence in YEMEN has facilitated the transfer of experiences and activities most effectively.

I would like to express to you once again our gratitude and appreciation for all your efforts and warmly welcome any future cooperation prospects in the development and promotion of democracy in YEMEN.

With my highest consideration.

A handwritten signature in black ink, appearing to read 'Dr. Abdulkarim A. Al-Eryani'.

Dr. Abdulkarim A. Al-Eryani

Deputy Prime Minister and Foreign Minister

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

REPUBLIC OF YEMEN
PEOPLE'S GENERAL CONGRESS
POLITICAL AND FOREIGN RELATIONS DEPARTMENT



جمهورية اليمن
مجلس الشعب العام
للسياسة والعلاقات الخارجية

NO : _____

DATE : _____

National Democratic Institute for International Affairs
NDI
Washington D. C., USA

May 28, 1997

I have been fortunate to have worked for quite some time as the main liaison between the General Peoples Congress(GPC) and the various international agencies and organizations and other foreign groups interested in supporting YEMEN's democratization experience.

The activities undertaken by the National Democratic Institute for International Affairs(NDI) in YEMEN in particular in the past were effective and useful for the country's democratic experience and political pluralism in general.

The personal activity and enthusiasm of NDI's representatives in YEMEN had the most impact in translating the institute's efforts into actual practice which in turn facilitated the deepening of personal links and understanding between you and us.

We hope NDI will maintain its positive efforts in YEMEN through individuals with the same quality and experience. I would like to seize this opportunity to express my personal appreciation to NDI's representative Mr. David Nassar and his colleagues who lived through and watched closely and effectively our democratic experience on the ground and provided their best of experience.

I would be pleased to see NDI maintain its effort in supporting the YEMENI democratization process with the same momentum, enthusiasm and continued presence. Thank you once again for all your support and look forward to further activities and cooperation.

With my highest consideration

Eng. Mohammed M. AL-TAYEB
Minister of Labor and Vocational Training
Member of the GPC Political Committee in YEMEN

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الرقم : (٧٥)
التاريخ : ١٤/١٢/١٩٧١
الموافق : ٢١/١٢/١٩٩٧
المرفقات :



الجمهورية اليمنية
الحزب الاشتراكي اليمني
سكرتارية اللجنة المركزية
مكتب
صنعاء

المحترم

الصديق العزيز/ديفيد نصار
ممثل المعهد الوطني الديمقراطي الأمريكي
صنعاء

باسمي شخصياً وباسم قيادة الحزب الاشتراكي اليمني أود أن أشكركم وأقدر جهودكم الشخصية وجهود المعهد الوطني الديمقراطي الأمريكي في مجال تنمية الديمقراطية وتعزيزها في اليمن، كما نقدر الجهود التي بذلتموها وتبذلونها مع السلطة في مجال تطبيع أوضاع الحزب الاشتراكي اليمني ، وإستعادة مقراته وممتلكاته وأمواله، وإنهاء آثار حرب صيف ١٩٩٤م وتطبيع الوضع السياسي في البلاد .

تهنئتنا لكم بدوام الصحة والسعادة
والنجاح والتوفيق .



عضو المكتب السياسي
سكرتير اللجنة المركزية
للحزب الاشتراكي اليمني

May 7, 1997

Mr. David Nassar
Representative of the National Democratic Institute
Sana'a

In my own name and in the name of the leadership of the Yemeni Socialist Party, I would like to thank you and note my appreciation for your personal efforts and the efforts of the National Democratic Institute towards developing and strengthening democracy in Yemen. We also appreciate the efforts you have exerted with the government towards normalizing relations with the Yemeni Socialist Party; returning our headquarters, properties, and funds; and ending the remnants of the 1994 war and normalizing political conditions in the country.

Our warmest regards and best wishes.

Dr. Saif Sayel
Member of Political Department
Central Secretariat
Yemeni Socialist Party