# Report on Voter Registration in the Republic of Yemen

November 11 - 25, 2008







# Report on the 2008 Voter Registration Process in the Republic of Yemen

Prepared by the National Democratic Institute for International Affairs



This report was made possible through the support provided by the U.S. Agency for International Development, under the terms of Award No. 279-A-00-07-00091-00. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Agency for International Development.

Copyright © National Democratic Institute for International Affairs (NDI) 2009. All rights reserved. Portions of this work may be reproduced and/or translated for noncommercial purposes provided NDI is acknowledged as the source of the material and is sent copies of any translation.





The National Democratic Institute is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide. Since its founding in 1983, NDI and its local partners have worked to establish and advance democratic institutions and practices by building political and civic organizations, safeguarding elections, and promoting citizen participation, openness and accountability in government.

With staff members and volunteer political practitioners from more than 100 nations, NDI brings together individuals and groups to share ideas, knowledge, experiences and expertise. Partners receive broad exposure to best practices in international democratic development that can be adapted to the needs of their own countries. NDI's multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies. Deepening democracy so it can deliver tangible improvements to people's lives is an overarching NDI objective.

Citizen Participation – Making democracy work requires informed and active citizens who voice their interests, act collectively and hold public officials accountable. NDI helps citizens engage vigorously in the political process and serve as a link between citizens and elected officials.

**Elections** – NDI engages with political parties and civic organizations in voter and civic education, electoral law reform and monitoring all phases of the election process. The Institute has worked with more than 300 citizen groups and coalitions in 74 countries, engaged with hundreds of parties promoting electoral integrity and organized over 100 international election observation delegations. NDI has also played a leading role in establishing standards for international election observation.

**Political Party Building** – NDI works with its partners on political party building – from internal democratic procedures and candidate selection to polling, platform development and public outreach. The Institute helps parties promote long-term organizational development, enhance involvement in elections, establish codes of conduct, mitigate political conflict, and participate constructively in government.

**Democratic Governance** – NDI works with legislatures around the world to help strengthening committees, legislative oversight, rules of procedure, public access to information, caucuses and constituency outreach. The Institute also helps government ministries and the offices of prime ministers and presidents to function more efficiently, improve public outreach and be more responsive to the public at large.

NDI is a nonprofit  $\S 501(c)(3)$  corporation. Its programs are supported by the National Endowment for Democracy, the U.S. Agency for International Development, the U.S. Department of State, other international development agencies and private donations.



## YEMEN ELECTION MONITORING NETWORK (YEMN)

In June 2008, seven Yemeni non-governmental organizations (NGOs) came together under the mission of strengthening domestic election monitoring and formed the Yemen Election Monitoring Network (YEMN). YEMN seeks to ensure more transparent and competitive democratic elections through a coordinated domestic monitoring effort. The seven member organizations of YEMN include:

- **Sisters Arab Forum for Human Rights** (SAF), established in 1998, works in the field of Human Rights, especially women's rights. SAF has conducted research on domestic violence and conditions in women's prisons, and has worked with other NGOs to redraft the NGO law in parliament.
- Al-Aman for Blind Women Care (Al-Aman), established in 1999, works to integrate persons with disabilities, particularly blind women, into society. Al-Aman, which means 'safety', is a member of several national and international organizations focusing on handicapped persons.
- National Organization for Developing Society (NODS), was established in 1997 and received its work permit in 2006 to focus on developing professional skills and promoting human rights and democratic programs. NODS focuses on leadership skills, awareness, rights and legal support, and works to support gifted children.
- Modern Youth Association (MYA), established in 2006 and based in Shabwa governorate, focuses on raising awareness on women's issues, improving educational opportunities for women and increasing the political participation of women.
- **Brothers' Association for Development and Social Peace** (BADSP), established in 2007, utilizes conflict resolution techniques and public awareness campaigns to address issues related to revenge killings and tribal development in Shabwa governorate.
- **Peace and Development Association** (PDA), established in 2004, works to increase democracy awareness, promote improved living standards and develop the skills of young people in Al-Jawf governorate
- Future Association for Development and Social Peace (FADSP), established in 2007, focuses on conflict resolution and development issues in Mareb governorate.

#### **ACKNOWLEDGEMENTS**

The National Democratic Institute for International Affairs and the Yemen Election Monitoring Network wish to express our appreciation to the Government of the Republic of Yemen and the Supreme Commission for Elections and Referendum for facilitating our organizations' observation of the 2008 voter registration.

We also wish to thank the United States Agency for International Development Office of Democracy and Governance (USAID) and the Middle East Partnership Initiative (MEPI) for their encouragement and financial support for this project.

Finally, we wish to acknowledge the coordinators and observers who volunteered their time to monitor the voter registration period. Their commitment, both in preparing for the monitoring and throughout the two-week period, deserves our gratitude.

# **Table of Contents**

Aboı	it the National Democratic Institute	4
About the Yemen Election Monitoring Network		5
Ackn	Acknowledgements	
I.	Executive Summary	8
II.	Methodology	8
III.	The Voter Registration Process in Yemen	9
IV.	Political Environment of Registration Period	9
V.	Administrative and Procedural Problems Noted by Monitors	11
VI.	Concluding Recommendations	13
ANNEX: June 18 <sup>th</sup> Agreement		15

#### I. Executive Summary

During the 2002 and 2006 updates of the voter registry in the Republic of Yemen, domestic and international observers documented major flaws that included large numbers of underage and duplicate registrants, interference of security personnel, lack of proper procedures at registration centers, and limits on the access of domestic monitors to registration centers. While efforts were made by the Supreme Commission for Election and Referendum (SCER) to correct some of these flaws, they were never completely addressed prior to the November 2008 registration period. Despite the serious deficiencies that domestic monitors again observed, the basic technical aspects of the 2008 voter registration process were performed in an adequate manner.

Despite being technically sound, the voter registration process was, however, fundamentally undermined by a lack of universal participation resulting from a political disagreement between the ruling General People's Congress (GPC) party and the opposition coalition of the Joint Meeting Parties (JMP). The lack of accord among the parties cast doubt from the onset about the impartiality and independence of the SCER given the process by which it was established and the composition of its members. As a result, the voter registration period was marked by widespread protests, some of which turned violent, which for political or security reasons effectively prevented significant numbers of eligible Yemeni citizens from registering to vote.

To ensure that the Yemeni electorate continues to view the electoral process as credible and nonpartisan, the political parties must reach some accord on their areas of disagreement. Any resulting agreement should include provisions that guarantee equal access for all eligible voters, support a transparent and accountable election commission and result in a free and fair multi-party competitive election.

#### II. Methodology

The National Democratic Institute (NDI) and the Yemen Election Monitoring Network (YEMN) conducted a joint observer mission to monitor the voter registration process. The principle objectives of the observation mission were to:

- provide an accurate and objective assessment of Yemen's 2008 voter registration process:
- ensure the rights of eligible voters to register or change their voting domicile; and
- build public confidence in electoral and democratic processes in advance of the parliamentary elections.

NDI and YEMN selected 13 governorates<sup>1</sup> to monitor based upon a comparative analysis of total population figures and voter registration figures at the administrative district level. Targeted areas were selected based upon: 1) under-representation of women registered as compared to the overall population; and 2) registered voters in excess of population demographics. Following the comparative analysis, NDI applied a five percent random sampling method to select the voting centers to be observed. In total, YEMN monitored 330

<sup>1</sup> The selected governorates include: Al-Amana, Amran, Al-Hodeidah, Al-Bayda, Al-Mahara, Hadramout, Hajja, Al-Dhale'a, Al-Jawf, Mareb, Shabwa, Taiz and Ibb.

(5.8%) out of 5620 registration centers in 13 of the 21 governorates. Sixty-eight percent of centers were monitored for a total of six days divided evenly across the 15-day registration period; 32 percent were monitored for a full 15 days.

#### III. The Voter Registration Process in Yemen

Starting November 11, 2008, the SCER oversaw and administered a 15-day national voter registration process. As in 2006, the 2008 registration period was limited to revisions and updates in the voter lists, targeting 1) citizens who attained legal voting age since the 2006 voter registration period, 2) voters requesting to change their voting domicile and 3) voters requesting a new identification card. The registration process took place across Yemen's 21 governorates, which encompass 301 parliamentary constituencies and 5,620 voting centers, each of which has two registration centers segregated by gender. Each registration center is overseen by three commissioners; there were a total of 33,720 commissioners for the voter registry update.

Under Election Law 13 for the year 2001, any Yemeni citizen who has attained the age of 18 is entitled to register during the voter registration period. Voters may register in one of three locations: their place of residence, their family's place of residence or the location of their employment. For the latter, voters are required to provide proof of six months of employment in that location. To register or change their domicile, Yemeni citizens must provide one form of approved identification, including: personal identification card, family identification card, military identification card, or passport. For male registrants who are unable to provide one of these four forms of identification, the election law stipulates that an amin or aqel<sup>2</sup> may testify to the registering voter's identity and eligibility. For female registrants, two females who are currently registered in the same district may testify. <sup>3</sup>

After verifying a registrant is of legal voting age and that his/her voting domicile falls within the voter registration center's district, the voter registration committee members complete a registration request or change of domicile form that includes personal contact and demographic information; registrants provide their thumbprint on the form. They then enter the required information on the registrant's voter identification card<sup>4</sup> and the photographic voters list, both of which include a passport-size photo of the registrant.

#### IV. Political Environment of Registration Period

Voter registration in advance of the 2009 parliamentary election was originally expected to take place in August 2008. However, a political impasse between the GPC and the JMP regarding the electoral law and the composition of the SCER resulted in a delay in the

<sup>2</sup> The Amin or Aqel is a male dignitary who resides in each precinct and is normally associated with the security services, providing them with reports on major events in the neighborhood.

<sup>&</sup>lt;sup>3</sup> Voter registration centers have special forms from the SCER that are signed by the Amin/Aqel or the two registered females to certify the identity and eligibility of registrants who do not have legal identification.

<sup>&</sup>lt;sup>4</sup> The voter ID card contains the following information: picture of the voter; his/her full name; date of birth; information from his/her identification card or from the Amin/Aqel or two registered female voters within the same center; voting domicile; registration date and number; number of the constituency and center ;and the signature and stamp of the subcommittee.

formation of the Commission and the selection of commissioners for the voting registration centers.

Following the 2006 presidential and local council elections, the JMP and GPC initiated a dialogue on proposed amendments to the election law based upon the June 18<sup>th</sup> Agreement<sup>5</sup> signed by both parties, as well as recommendations from the European Union's election observation report and domestic election monitoring reports. Recommendations addressed issues related to voter domicile and registration, voter list records, neutrality of state media, the composition of the SCER and the nomination process, among other issues. In November 2007, when the term of the previous SCER expired, dialogue and negotiations between the JMP and GPC broke down. While dialogue resumed in July 2008, the parties were unable to reach an accord on the election law and the formation of the SCER. On August 18, 2008, the Parliament, without the participation of the JMP, passed legislation to form the SCER, but failed to pass the proposed amendments to the election law, citing lack of quorum.

In accordance with Article 19 of the election law, the parliament, again without the participation of the JMP, submitted to President Ali Abdullah Saleh a list of 15 candidates for appointment to the SCER. On August 26, the date on which voter registration was originally scheduled to begin, the President issued a decree appointing nine members to the SCER. Seven of the new members belonged to the previous SCER. Five members are from the GPC, two from Islah, one from the Nasserites, and one is a former member of the Yemeni Socialist Party (YSP). The Commissioners include:

- 1. Khaled Abdul-Wahab Al-Shareef; Chairman of the SCER
- 2. Eng. Abdullah Mohsen Al-Akwa'a
- 3. Dr. Mohammed Al-Sayani; Head of the Technical and Planning Sector
- 4. Dr. Ja'afar Ba Saleh; Head of the External Affairs Sector
- 5. Dr. Abdullah Dahan
- 6. Eng. Alawi Al-Mashhoor; Head of the Legal Sector
- 7. Abdo Al-Janadi; Head of the Media and Voter Education Sector
- 8. Saif Al-Shara'abi
- 9. Mohammed Al-Saqaf Bel Ghait; Head of the Parties and CSO Affairs Sector

Three members from the JMP (noted in italics) declined their appointment, citing that the nomination process lacked the proper legal procedures or political consensus and would negatively impact the electoral process. Despite the absence of three members, on August 30, 2008 the commission met and assigned sectors to the sitting members.

In late October 2008, the new SCER was inaugurated, without the participation of the JMP, and began preparations for the voter registration process. While the JMP commissioners who declined their appointments were not replaced, the SCER did choose to replace party nominees on the election supervisory committee as well as the main and sub-committees. In 2006, a similar political impasse resulted in the formation of registration commissions from unemployed members of the civil service. Reports on the voter registration process, however, criticized the selection process, indicating that a significant number of commissioners were illiterate and therefore not able to fully execute their responsibilities, which include writing voter information in the registration ledgers. In 2008, the SCER chose

-

<sup>&</sup>lt;sup>5</sup> See the report annex for a copy of the June 18<sup>th</sup> Agreement.

to draw commissioners from the Ministry of Education in the expectation that education professionals would have sufficient literacy for the registration process.

The period prior to the opening of voter registration was marked by protests and in some instances by violence or threats of violence against commissioners. Protests and disputes were especially acute in the governorates of Al Dhale'a, Lahj, Abyan, Amran and Dhamar. In some areas in Dhamar and Amran, tribal conflicts spilled over into conflicts regarding the election. The JMP was vocal in its opposition to the voter registration taking place in what it regarded as an illegal or extra-legislative manner, and a significant percentage of JMP members boycotted the registration process in many areas.

#### V. Administrative and Procedural Problems Noted by Monitors

While the SCER has made some efforts to address persistent procedural deficiencies in the voter registration process, the delay in the formation of the SCER and the selection of supervisory, main and sub-commissioners seriously impeded their ability to remedy long-standing flaws in the process. Further, the lack of agreement among the political parties regarding necessary amendments to the election law has seriously hindered the implementation of substantive reforms. The following section describes the most prevalent issues which domestic monitors noted and which have the potential to undermine public confidence in the electoral process.

#### Voter Education and Access to Information Regarding Election Processes

In accordance with Article (38) of Yemen's election law<sup>6</sup>, the SCER broadcast a voter education campaign on television stations in advance of and during the voter registration period. However, in contrast to the 2006 voter registration period during which the SCER posted banners and conducted community theater programs, there was a notable absence of other voter education materials. While the use of television within a population that has a 68 percent illiteracy rate is an appropriate strategy, additional voter education methodologies should be employed given that access to electricity is limited in more remote and rural areas. During voter registration, voters indicated that their primary sources of information regarding the registration process were family, friends and political parties rather than the SCER. Less than a third of voters had access to materials from the SCER. Access to official information was particularly problematic in the governorates of Amana, Al Jawf, Hodeidah, Ibb, Shabwa, Al Bayda and Amran.

#### Voter Registration Environment

While 73 percent of registering voters indicated that they perceived the general atmosphere of the voter registration period as stable, concentrated areas of instability likely had a negative impact on registration turn-out and were a strong indication of public dissatisfaction with the registration process. NDI and YEMN received several reports of violent protests, which in some instances escalated to conflict between protestors and security forces or protestors and field commissioners. Some voter registration centers were closed as a result. In addition, several centers were attacked with incendiary devices, and there were reports of protestors, security officials and local officials using live ammunition. The most serious incident occurred in Lahj governorate when security forces intervened as protestors attempted to

\_

<sup>&</sup>lt;sup>6</sup> Article (38) stipulates that the SCER shall take appropriate measures to increase the level of awareness among the public regarding voter registration and election processes.

prohibit field commissioners from working; a 16-year-old boy was killed and others injured when security forces fired upon the protestors.

#### Committee Member Performance

While over 80 percent of field commissioners reported receiving both visual and practical training in conducting the voter registration, monitors noted a lack of proper procedure in registration centers. Procedural problems observed included: failure to check faces against identification documents; failure to ask for identification documents; voter information entered incorrectly; voter registration books taken to commissioners' residences; registration of voters outside of set hours; and community members or security personnel used to enter voter information. Additionally, almost a third of registering voters indicated that the field commissioners were uncooperative.

#### Voter Registration Materials and Equipment

Monitors observed that registration centers did not receive adequate supplies, including film, voter identification cards and cameras. Further, commissioners lacked training to properly use the Polaroid cameras distributed by the SCER, and in many instances the cameras or film were unusable. As a result, male committee members took photographs of female voters or committees ordered registrants to retrieve a picture from their homes to be used for registration.

#### Registration of Ineligible Persons

As in 2002 and 2006, monitors observed significant numbers of underage children being registered to vote. Nearly 40 percent of field commissioners told monitors that they would register underage voters if directed by the amin/aqel (those persons responsible for attesting as to the eligibility of citizens who lacked identity documents). Monitors witnessed amins/aqels testifying that clearly underage voters were of-age to register, and in some instances observed amins/aqels accepting payment in exchange for their testimony. Monitors also observed other community leaders pressuring commissioners to register ineligible voters, including underage voters, voters without any identification and, in once instance, those without Yemeni citizenship.

#### Role of the Security Committee and Military

Monitors reported witnessing security personnel in some areas interfering in the work of the registration committees. In some instances security personnel gave instructions to committee members on which voters to register and allowed registering voters to carry weapons into the registration centers.

In addition, monitors reported seeing large numbers of military personnel bused to registration centers, the majority of whom were changing their voting domicile. While the impact of high numbers of military registrations in select districts cannot be determined, the registrations could give the impression that military personnel are being used to influence voter demographics in specific constituencies and could be in violation of Article 4:f of the election law.

#### Voter Turnout

Monitors observed that voter turnout was consistently lower than anticipated for three reasons. First, in governorates affected by the heavy rains and flooding that occurred in advance of the voter registration process, citizens were preoccupied with immediate concerns of shelter, food and health. Second, in many governorates, voters appeared not to be

registering as a protest against the process and in response to calls from political leaders. Finally, in other areas, it is likely that protests and violent conflicts with commissioners, security personnel and residents prevented many potential voters from registering.

#### List Verification

On November 26, the SCER announced initial statistics on the number of registering voters and referred 165,000 names of suspected multiple and/or underage persons for judicial review. However the selection of names for review was not transparent, and the names of those proposed for removal have not been made public. In 2006, the lack of transparency led to eligible voters being denied the right to vote because their names had been removed from the registry without their knowledge. Further, NDI is concerned that the statistics provided by the SCER are identical to the registration figures provided after the 2006 voter registration update, including the number of registrants submitted for review.

#### Domestic Monitor Accreditation and Access to Registration Centers

YEMN and NDI requested monitoring credentials for 367 volunteer observers; 327 received accreditation from the SCER, with 11 percent of the applications declined. While NDI and YEMN have submitted a request to the SCER for a written explanation of the rejections, no reasons have been provided. The SCER was otherwise cooperative during the accreditation process, correcting mistakes in an expedient manner and facilitating NDI and YEMN monitoring of the registration process.

During the 15-day registration period, 43 monitors (13 percent) were refused access to voter registration centers for part or all of the registration period. Of those who were allowed to monitor, many reported that security personnel or field commissioners prevented them from viewing the photographic voters list or speaking with members of the registration committee. In some instances, registration committee members had not received instructions from the SCER to allow domestic monitors to observe the registration process.

#### VI. Concluding Recommendations

The political composition of the SCER and the process by which it was formed demonstrate that unresolved political issues have the potential to undermine an independent process. The lack of JMP representation on the Commission, although by its own accord, negatively impacted the political balance of the SCER and, therefore, the perception of its non-partisan mandate. Unfortunately, the political impasse currently facing the country set a partisan tone to the voter registration process, rendering it fundamentally flawed.

Boycotts, protests and demonstrations that led to violence and center closures, as well as process deficiencies, including a prevalence of underage registrants and a non-transparent registry verification process, all negatively impacted the validity of voter registration in 2008. The boycott of the voter registration process by the JMP further means that a significant percentage of eligible voters likely failed to register or update their registry information. Despite the fact that the registration process was implemented in a technically sound manner, the exclusion of a sizeable number of potential registrants does not reflect an inclusive process.

As a result of this analysis, the following recommendations are offered for consideration and action by the Government of the Republic of Yemen, political parties, the SCER and relevant civil society organizations:

- 1. Political parties should make every effort to resolve their disputes related to the rules and regulations of the electoral process in order to promote and conduct a competitive multiparty election.
- 2. The SCER should be formed in a manner that reflects a reasonable political balance among the Commissioners to prevent any perceptions that the Commission administers electoral processes in a partisan manner. To that end, the SCER should be reformed on the basis of mutual agreement between the GPC and JMP in advance of the parliamentary elections.
- 3. The SCER should provide a complete copy of the voter registry in a searchable format to political parties, the parliament, the Supreme Court, and civil society organizations responsible for electoral process monitoring.
- 4. The SCER should engage in and support a comprehensive review of the voter registry to address any concerns regarding the manner in which the 2008 voter registration was conducted and to respond to questions regarding the validity of voter registration statistics. Particular attention should be paid to the governorates of Ibb, Shabwa and Taiz, where reports of process deficiencies were prevalent and significantly higher than in all other governorates where monitoring took place.
- 5. The SCER should reopen the voter registration to allow voters who were unable to register in November, whether due to political reasons, process deficiencies or security concerns, to participate in the electoral process. Reopening the registration would contribute toward a more inclusive process and further alleviate public concerns regarding the partisanship of the SCER.
- 6. The SCER should clearly define the process by which registrants are removed from the voter list, publish the names of contested registrants, and allow individuals sufficient opportunity to appeal their removal from the registry.
- 7. The SCER should re-form election supervisory, main and sub-committees based upon nominations from the GPC and JMP according to an agreed upon formulation for their composition. Sufficient time and training should be allotted to ensure that all committee members understand registration and election day processes; fully accept and understand their responsibilities to administer the elections in a transparent and non-partisan manner; and are aware of the rights and responsibilities of voters, candidates, security personnel, political party agents, and domestic monitors.
- 8. The SCER, members of parliament, political parties and relevant civil society organizations should conduct a review of the election law to address deficiencies related to the voter registration process. At a minimum, the law should include provisions to:
  - empower the SCER to enforce the law by bestowing the Commission with full authority, and therefore full accountability, for implementing electoral processes, including the voter registration process;

- define a more objective process to verify the identity of potential registrants who lack official identification documents; and
- establish transparent and balanced criteria for forming field committees.
- 9. The SCER, in conjunction with Yemeni civil society organizations, should implement a coordinated, comprehensive and multi-faceted voter education campaign to ensure that all voters understand their rights and responsibilities within the electoral process. Emphasis should be placed on voters in governorates where election violations are historically prevalent.

## June 18th Agreement

(Agreement on principles to conduct free, fair, transparent, and safe elections in the upcoming presidential and local council elections between the GPC and JMP)

As Yemen in this stage is up to the most important democratic event in the political life and democratic practice which is the presidential and local council elections... and as political parties- signing this agreement- are aware of the national responsibility they hold in practicing their constitutional right which is built upon pluralism and peaceful transfer of power, and responding to the call of serious dialogue directed by his Excellency the president of the republic Ali Abdullah Saleh, and reinforcing the democratic process, and because of political parties' concern to actively and seriously participate in the upcoming presidential and local council elections to reflect the reality of pluralism and the achievement of the principle of peaceful transfer of power in responsible democratic atmosphere with absolute awareness that competitive elections do not mean antagonism as much as they mean being ready and working hard to serve the people in the best possible manner and deepening the principles of partnership and democracy and confirming that dialogue is a tool of development and transformation in all aspects of life.

For that the political parties agreed upon the following:

#### *First:* The Supreme Commission for Elections and Referendum:

It was agreed to add 2 members from JMP to the current SCER structure. For that the political parties in parliament should provide a proposal to amend article, 19 Clause "A" of the law no 13 for the year 2001 regarding elections and referendum. The proposal should include amendment request to expand SCER structure from 7 to 9 members from amongst the 15 member list that were already nominated by the parliament.

#### **Second:** Formation of the elections commissions:

It was agreed to form the supervisory, main and sub elections commissions according to the law in the upcoming presidential and local council elections based upon 54 percent to GPC and 46 percent to the JMP.

#### **Third:** The Voter Lists Record:

It was agreed to form a legal professional team from the GPC and JMP to be approved by the SCER. This team will examine the voter Lists Record and take necessary legal procedures to transfer any legal violations in the Record (voters' lists) to the court aiming at clearing them from the record. The SCER should allow this team to start its mission as soon as possible.

#### Fourth: Neutrality of State Media:

1. Giving all political parties participating in the elections and the presidential candidates equal and enough space in the state run media to present their platforms and express their opinions. This right shall not be restricted except in matters that come to individuals' private lives or their honor. Any person working in the public media who shall violate the principle of neutrality shall be fired. SCER should itself observe the neutrality of the state-run media and receive and handle complaints from political parties and candidates and refer those who are proven guilty to administrative or judicial investigation according to a clear and transparent mechanism identified by SCER; and.

2. SCER should make a media plan to ensure neutrality of state-run media according to the Law.

#### Fifth: Neutrality of Public Office:

The public office should not be used for the interest of a particular political party. All district directors, governors and security and military leaders should be committed to neutrality towards the competition between political parties and candidates in the elections and not perform any campaign activities for or against any party or candidate during the electoral. Any official or person holding public position is prohibited from donating or promising any project from public money during the elections campaign. The SCER itself should monitor the neutrality of public office and receive and handle complaints from political parties and candidates and refer those who are proven guilty to administrative or judicial investigation according to a clear and transparent mechanism identified by SCER.

#### Sixth: Public Money:

Using public money for a particular political party or candidate during elections is prohibited. The money allocated according to the law for presidential candidates should be distributed equally amongst all candidates under the observation of the parliament. Apart from that it is prohibited to spend public money or from the budgets of ministries, associations, companies and public authorities on elections campaigning. It is also prohibited to use public facilities, mosques and prayers' places for elections campaigning for or against any political party or candidate during campaigning. The SCER itself should undertake supervising and monitoring that. Those who prove to violate this during the elections campaign should be ceased from his job and referred to administrative or judicial investigation according to a clear and transparent mechanism identified by SCER. Local donations should be handled in a transparent way according to the law. Any outside donation is prohibited.

#### **Seventh:** Neutrality of military and Security Forces:

The Supreme leader of the Military Forces should issue a directive to military and security forces to confirm the right of military and security forces to practice their political right in running for office and voting. Military and security leaders are prohibited from forcing or compelling the individuals to vote for any political party or candidate. Campaigning is prohibited inside military and security units and locations. This directive should be published in state-run and military media.

#### Eighth: Security Commissions

The tasks of the security commissions of the SCER and the security commissions under those commissions are limited to protect the security of voting centers. They are prohibited from interfering in the electoral in any manner. They should report to and receive their directives, orders and instructions from the SCER. They should be headed by a member of the SCER.

#### Ninth: Political Party Observation Commissions:

Political party observation commissions shall be formed from all political parties. Every political caucus should be represented by one observer in all voting centers. The observers shall not interfere in the electoral process. Funding for this procedure shall come from government fund for the electoral process.

#### **Tenth:** Transparency:

- 1. SCER shall inform the political parties and the public about all the steps it takes related to its tasks; and,
- 2. Provide electronic versions of the voter lists records archived at the SCER to political parties-upon their request.

#### **Eleventh:** The Role of Women in the Democratic Process:

The role of women in the democratic process should reflect the leading Yemeni civilization spirit and renew the human and dynamic balance in the mutual relationship between men and women. For that Yemeni women and their constitutional and legal rights should be supported without any undermining in any manner, morally of financially. That is because women are the sisters of men. All political parties should make women's political participation a national, human and civilized goal.

**Twelfth:** things agreed to be addressed after the upcoming presidential and LC elections: The following amendments to the law were agreed upon:

- 1. Re-forming the SCER so that all its members should be judges who are known for their qualifications, and impartiality. The mechanism of nominating and choosing them shall be agreed upon... their rank should not be less than appeal court judge;
- 2. Restructuring the administrative and technical body of the SCER according to civil service conditions and criteria. This should include SCER branches in governorates (announcement of vacancy and competition amongst those who meet the conditions);
- 3. Electoral judicial guarantees; and,
- 4. Finalizing the process of making a civil record of all administrative units which should be a reference to voters' lists.

Implementation of this agreement shall start as soon it is signed.

Sanaa

Sunday 06.18.06

