

High National Election Commission

Board of Commission

Decision No. 51 of the year 2012,

concerning accrediting the list of observers and agents of candidates

After learning of:

- * The preliminary Constitutional declaration issued on August 3, 2011 and its amendment, and
- * Law No. 3 of the year 2012 , on the establishment of the High National Election Commission, and
- * Law No. 4 of year 2012 ,on the election of the General National Congress , and
- * Law No. 14 of the year 2012 , on the determination of the electoral constituencies for the election of the General National Congress , and
- * Law No. 28 of the year 2012, on the amendment of the Law No. 4 of the year 2012,on election of the General National Congress, and
- * The decision of the Transitional National Council No. 35 of the year 2012, on the amendment of the decision No. 13 , on the re-appointing the Head and the members of the High National Election Commission, and
- * What is mentioned in the meeting minutes no.15 , of the Council of the Commission, held on 25/4/2012,

HAS DECIDED

Article (1)

Accreditation of the list of observers and agents of candidates , relating to the election of the General National Congress , attached to this decision.

Article (2)

This decision is published in the web-site of the Commission, and all those who are concerned with its provisions must implement it.

Nuri Khalifa Al-Abbar

Head of Board of the Commission

High National Election Commission

The list of observers and agents of candidates, attached to the decision No. 51 of the year 2012,

Board of Commission

after learning of:

- * the preliminary Constitutional declaration issued on August 3, 2011 and its amendment, and
- * Law No. 3 of the year 2012 , on the establishment of the High National Election Commission, and
- * Law No. 4 of year 2012 ,on the election of the General National Congress , and
- * Law No. 14 of the year 2012 , on the determination of the electoral constituencies for the election of the General National Congress , and
- * What is mentioned in the meeting minutes no.15 , of the Council of the Commission, held on 25/4/2012, and
- * The International declaration on the principles of the international observation of elections, and the Code of Conduct for international election observers.–

Article (1) Definitions

1. **Observers** : people or national or international, accredited by the Commission to observe the electoral process and to issue reports on it.
2. **Commission** : High National Election Commission and the electoral constituencies belonging to it..
3. **Representative** : A person assigned by the international or local organization to complete all registration and accreditation procedures of observers.
4. **Candidate**: every citizen applying for a seat to the National Congress and has been registered as a candidate with the Commission..
5. **Political entity**: a group of individuals or a political rally or a political coalition that provide a list nomination based on a political agreement.
6. **Sub-Committee**: A committee established by the Commission to manage elections in each sub-constituency.
7. **Accreditation Card**: a Card issued by the Commission. It includes the photograph and the personal information of an observer or an agent. It authorizes him/ her to accomplish the work assigned to him/ her.

8. **Application Form for Accreditation** : It is the form prepared by the Commission , to be filled by the observer or the agent. It includes all the information and data for approval.

9. **Conduct of behavior** :It is the list of the internationally agreed upon and binding principles ,for the purpose of guiding the behavior of participants in the electoral observation.

10. **Agents of political entities**: people-assigned by the political entities and accredited by the Commission for the purpose of monitoring the electoral process in accordance with the provisions of this law.

11. **Agents of candidates**: people-assigned by the individual candidate and accredited by the Commission for the purpose of monitoring the electoral process in accordance with the provisions of this law.

12. **The electoral process**: It includes the stages of the electoral process, starting from voters and candidates' registration, polling and counting, up to the announcement of results.

13. **Supervisor**: The supervisor of the election station.

Article (2) General Provisions

1. Any competent institutions of civil society concerned with democracy, human rights and the agents of candidates or political entities are allowed to observe, upon accreditation by the High National Election Commission , the only body competent to consider requests of accreditations , according to the procedures set forth in the law and in these regulations.

2. The Commission issues a general invitation to the general international organizations, NGOs, civil and national society organizations and official representatives of countries accredited to Libya, to observe the electoral process. All representatives must present a list of their people to the Central Administration of the Commission, and request their accreditation as international observers.

3. Agents will be accredited after the final accreditation of candidates, both in the system of proportional representation system or the majority system.

4. The Commission has the right to exclude any local or international observer or agent, who fails to meet the conditions required for work as an observer or an agent, or for any other reasons. The Commission may submit a report thereon with reasons.

5. The Commission will do its best to facilitate the monitoring activities of the observers and accredited agents. The Commission is not responsible for providing any means of transportation, security, communications or any administrative support.

Article (3)

Terms , Conditions and procedures for the accreditation of observers and agents

I: Terms and Conditions of Accreditation

A. Local observers:

- 1 - To be Libyan.
- 2 - Not to be less than 18 years old and to be fully competent.
- 3 - Impartiality, independence and integrity.
- 4 - He/ she is not allowed to be a candidate.
- 5 - Not to be convicted of a felony involving moral turpitude unless he/she has been rehabilitated.
- 6 - Not to belong to either political parties or political entities, or individual candidates.
- 7 - Not to participate, in any way, in election campaigns for the benefit of any individual or party or political entity.
- 8 - He/she must be aware of the rules of elections and observations.
- 9 - To be a representative of a civil society organization, accredited by the Ministry of Culture and Civil Society. His / Her organization must adopt, among its objectives, the desire of implementing and achieving democracy and human rights.
- 10 - To fill the application form of accreditation, prepared by the Commission.
- 11 - To abide by the rules of the Code of Conduct.

B. International observers:

All those who wish to carry out an international observer duties must fulfill the following conditions : -

- 1 - Neutrality, independence, integrity and experience.
- 2 - Represent a recognized governmental or non-governmental international body or organization, specialized in monitoring elections.
- 3 - have been invited by the Commission or have expressed their desire to observe the elections.
- 4 - fill an accreditation application form prepared by the Commission.
- 5 - to abide by the rules of the Code of Conduct.

C. Agents of candidates and political entities:

Any Candidate or political entity must nominate an agent who fulfills the following conditions: -

- 1 - To be Libyan.
- 2 - Not to be less than 18 years old.

- 3 - To be fully competent.
- 4 - Not to be convicted of a felony involving moral turpitude unless he/she has been rehabilitated.
- 5 - He /she must be assigned by the candidate or the political entity according to an official attorney.
- 6 - To fill the application form of accreditation, prepared by the Commission.
- 7 - To abide by the rules of the Code of Conduct.

II / accreditation procedures

Procedures are as follows: -

- 1 - filling the application form for accreditation prepared by the Commission for this purpose.
- 2 - signing the form of abiding by the laws and rules of behavior.
- 3 - providing a copy of the ID card for local observers and agents of the candidates and political entities, and a copy of the passport and the entry visa for international observers.
- 4 - Providing a list of the names of observers if the request is submitted by a local or international body or organization; and nominating a representative for this list, in addition to determining the electoral constituency they like to observe.
- 5 - Providing a List of agents of candidates or political entities; and determining the electoral constituency or constituencies in which they will represent the candidate or political entity.
- 6 - Providing two photographs for each observer.
- 7 - Submitting all the required accreditation documents of all observers and agents of candidates and political entities to the Office concerned the accreditation of observers at the sub-constituencies of the High National Election Commission, which shall in turn issue the cards. Then, the documents will be submitted to the Central Administration of the Commission, during the time period announced by the Commission. No requests will be accepted after the deadline. The results will be announced through the media and the official website of the Commission.
- 8 - The Office of Accreditation at central administration or at the sub-constituencies will accredit the applications..
- 9 - The Commission will issue official accreditation cards for all people who meet the accreditation requirements. These cards will be distributed at the same office, to which they have been submitted.

Article (4)
Rights observers and agents of candidates and political entities

The Commission will facilitate access to information and data relating to the electoral process.

Article (5)
Duties of observers and agents of candidates and political entities

During the exercise of their functions, all observers shall comply with the following: -

- 1 - To ensure the implementation of the electoral law at all stages of the electoral process, and to ensure the respect of all laws and regulations used in Libya.
- 2 - Commitment to public order and public morals.
- 3 - Commitment by foreign observers not to interfere in the internal affairs of the country.
- 4 - Ensuring a good behavior with the supervisors of elections and voters.
- 5 - Continuously and visibly displaying the card of accreditation as an observer, during carrying out their missions.
- 6 - to respect the principle of neutrality and to refrain from making any statements, which may question the credibility of the electoral process, or may call for violence, to the public..
- 7 - Do not wear or carry any logos or colors or symbols similar or identical to any of those of the political entities or candidates.
- 8 - Do not use any camera within the Office of the ballot, unless with a permission from the supervisor of the station.
- 9 - Do not use any mobile phones inside the polling and counting stations.
- 10 - Do not address the results of elections before the end of the vote.
- 11 - Agents of candidates and political entities shall comply with the commitments of their attorney.

Article (6)
Rules of conduct for observers and agents of candidates

Observers and agents who have been accredited by the Commission shall comply with and respect the principles of the international declaration for Election Observation and Code of Conduct for international election observers. Organizations, political entities and candidates will be responsible for assuring the awareness of their accredited

agents with all these laws, regulations and codes of conducts . They will bear the responsibility for any violations of the mentioned laws.

Article (7) Offenses and penalties

The commission has the right to cancel any accreditation of observers and agents in the following cases: -

- * Violation of laws and regulations in force in Libya.
- * Violation of the principles of the international declaration for Election Observation and the international Code of Conduct.
- * The supervisor of the polling center or station will report, to the head of the concerned sub-constituency, any breach done by any observer, agent of a candidate or a political entity.
- * The supervisor of the polling and counting station has the right to reduce the number of observers in his station, when necessary, for the purpose of maintaining order within the polling and counting place.

Board of High National Election Commission

Issued on 26 / 4 /2012

All Observers and Agents accredited by the Commission

are obliged to do the following :

- * Comply with all laws and regulations, issued by the commission, and the rules of international behavior.
- * Exercise their activities professionally, and comply with all instructions issued by officials.
 - * Respect the rights of all voters, candidates and political entities to participate in the election and to express their views freely.
- * Respect the laws and the authority of election officials, keep order, respect the customs and culture of the host country. At all times, maintain professionalism, even during their rest time.
- * Not to interfere or to obstruct the electoral process in any way.
- * Be committed to neutrality throughout the entire process and not to influence voters, candidates or public officials, and shall draw accurate conclusions and judgments from factually provable evidences.
- * Not to campaign on behalf of candidates or political entities during monitoring activities.
- * Not to contact any voters, inside the registration and polling center, and not to carry or to display or to wear any symbols of a political entity, or any colors of a partisan nature.
- * Visibly display accreditation cards whilst monitoring the electoral process.
- * Not to photocopy any materials without prior permission, and shall not take any photographs which might affect the secrecy and integrity of the vote.
- * Report any abuses and violations that would spoil the electoral process.

With this I promise to respect and comply with all the provisions of this document.

Name

Date

Signature