



REPUBLIC OF RWANDA  
NATIONAL ELECTORAL COMMISSION



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# GUIDELINES FOR 2018 LEGISLATIVE ELECTIONS' OBSERVERS IN RWANDA

*July 2018*

## TABLE OF CONTENTS

1. INTRODUCTION .....	2
2. IMPORTANCE OF ELECTION OBSERVATION.....	2
3. ORIGIN OF ELECTION OBSERVERS.....	2
Election observers may be domestic or international. ....	2
<b>3.1 Domestic Election Observers</b> .....	2
<b>3.2 International Election Observers</b> .....	3
4. REQUIREMENTS FOR ELECTION OBSERVERS.....	3
5. APPLICATION FOR AND ISSUANCE OF ELECTION OBSERVERS' CREDENTIALS.....	3
6. ELECTION OBSERVERS' RIGHTS.....	4
7. BASIC PRINCIPLES AND CODE OF CONDUCT FOR ELECTION OBSERVERS .....	4
8. PROHIBITIONS TO ELECTION OBSERVERS .....	5
9. MAIN ACTIVITIES FOR ELECTION OBSERVERS .....	5
10. ELECTION OBSERVERS' REPORT .....	6
11. CONCLUSION .....	7

## **1. INTRODUCTION**

In view of facilitating election observers, both domestic (national) and international, the National Electoral Commission (NEC) designed Election Observers' Guidelines for 2018 Legislative Elections. This document focuses on the importance of election observation, origin of election observers, their rights, code of conduct and prohibitions.

Election observation is an important activity as it depicts that elections were held in a free and transparent manner, and in compliance with laws and regulations, hence creating confidence in the electoral process.

Particularly, election observation contributes to respect for election laws and regulations by electoral staff, hence increasing voters, candidates and other concerned people's trust and confidence that election-related activities are conducted in transparency and in accordance with laws.

In order for the above to be possible, election observers should also behave in a manner that creates public trust for them, and their activities be valued by electoral staff and other interested parties.

## **2. IMPORTANCE OF ELECTION OBSERVATION**

Election observation is a significant activity as it promotes transparency and respect for laws and citizens' fundamental rights and freedoms. In this regard, election observers' roles and responsibilities are as follows:

- 1) Contributing in underpinning that election results are accurate or are contrary to the general principles governing the electoral process;
- 2) Strengthening the respect for human rights in general, and political rights in particular;
- 3) Promoting and contributing to the enhancement of good practices in conducting elections based on observers' advice provided prior and post-elections;
- 4) Promoting democracy and good governance in the country.

## **3. ORIGIN OF ELECTION OBSERVERS**

Election observers may be domestic or international.

### **3.1 Domestic Election Observers**

Domestic election observers may originate from:

- 1) Accredited Public entities having election-related activities and good governance in their attributions;
- 2) Political Organizations registered in Rwanda;
- 3) Forums of Political Organizations registered in Rwanda;
- 4) Forum of registered Governmental or Non-Governmental Organizations operating in Rwanda, and having election-related activities in their attributions. An organization with membership in the Forum, provides its observers through the Forum.
- 5) Faith based organizations accredited by competent authorities;
- 6) Media organs and journalists with credentials issued by competent authorities;
- 7) Other legally recognized organs.

### **3.2 International Election Observers**

International observers may come from:

- 1) International Organizations, upon request;
- 2) Diplomatic Missions accredited to Rwanda;
- 3) Regional and International Organizations of which Rwanda is a member;
- 4) Election Management Bodies (EMBs) from other countries.

## **4. REQUIREMENTS FOR ELECTION OBSERVERS**

Every election observer should:

- 1) Have a sound experience in election activities;
- 2) Be a person of integrity;
- 3) Be impartial and independent;
- 4) Have a good knowledge of Rwandan laws in general, and election related laws in particular;
- 5) Know and recognize international principles governing election observers; and
- 6) Be knowledgeable about the Rwandan geographical structure, history, culture and the political system.

## **5. APPLICATION FOR AND ISSUANCE OF ELECTION OBSERVERS' CREDENTIALS**

Before commencing their duties, election observers are provided with mission credentials which differentiate them from other people participating in elections. Such credentials issued by the National Electoral Commission entitle observers to some rights and freedoms while performing their duties.

Modalities for requesting for election observers' credentials are as follows:

- 1) An organisation intending to provide an observer(s) submits a written application to the National Electoral Commission requesting for accreditation. Such an application should indicate the following:
  - a) Identification and resume of the election observer (s);
  - b) Area of deployment or coverage;
  - c) Capacity and knowledge of election observation.
- 2) International observers should have valid travel documents.
- 3) Domestic observers must be eligible voters and registered on the voters' list.

Although observers represent their organisations/bodies or countries, credentials are issued to each observer individually, and he/she may be held accountable for his/her actions.

## **6. ELECTION OBSERVERS' RIGHTS**

Election observers' rights are important for proper performance of their duties. Thus, any election observer in Rwanda enjoys the following rights:

- 1) To be provided with laws and instructions governing elections;
- 2) To be provided with Mission Credentials, upon request and fulfilling the requirements;
- 3) To be informed of areas/location of election activities;
- 4) To be facilitated to get other election-related documents;
- 5) To monitor election activities in his/her area of deployment;
- 6) To be facilitated to meet electoral officials;
- 7) To be informed of election results after their official publication by the National Electoral Commission;
- 8) To be received with courtesy and provided information on electoral process.

## **7. BASIC PRINCIPLES AND CODE OF CONDUCT FOR ELECTION OBSERVERS**

Although election observers enjoy the right to work independently, there are basic rules and principles that guide them in their operations. Therefore, election observers should ensure the following:

- 1) Have knowledge of and respect Rwandan laws in general, and laws governing elections in particular;
- 2) Respect the authority of the bodies charged with administering the electoral process at all level of administration;
- 3) Maintain strict political impartiality during election observation period;
- 4) Be characterized by impartiality and transparency;

- 5) Have a sound knowledge of the Rwandan history and geographical structure, respect the Rwandan culture and Rwandans;
- 6) Avoid any interferences in non-election related activities;
- 7) Submit their election observation report to the National Electoral Commission.

## **8. PROHIBITIONS TO ELECTION OBSERVERS**

Generally, election observers are prohibited from the following:

- 1) interfering in election activities and obstructing the election process;
- 2) entering the polling booth during voting hours;
- 3) carrying any kind of weapons to the polling room;
- 4) operating outside their area of deployment or operation;
- 5) giving any instructions relating to elections;
- 6) carrying or wearing any partisan symbols, colours, banners;
- 7) entering and taking photographs within premises of government security organs;
- 8) interfering in non-election related activities;
- 9) giving or accepting anything of value (bribe) during election observation;
- 10) announcing election results before their official publication by the National Electoral Commission.

## **9. MAIN ACTIVITIES FOR ELECTION OBSERVERS**

The main activities of election observers are the following:

- 1) Collecting accurate information on the election process;
- 2) Analysing such information without any biases or with impartiality, with the aim of giving objective recommendations for improving the effectiveness of future electoral processes;
- 3) Submitting to concerned bodies a report on the outcome of such analysis within the specified timeframe.

The following are some of the elements to be considered by election observers during information gathering:

- 1) laws and regulations governing election as well as the organization of the body administering elections;
- 2) pre-election activities: registering on the voters' register, civic education, acquisition of election materials, election campaigns and other related activities;
- 3) skills, behaviour and functioning of the electoral officials;
- 4) electoral environment, voters and candidates' conduct during elections, conduct of political organizations as well as that of their members;

- 5) the way various stakeholders and the population in general, participate in election activities;
- 6) the way citizens' fundamental rights are respected in relation to elections;
- 7) how elections are conducted with an emphasis on voting, counting and tabulation of results, their consolidation and publication; and
- 8) irregularities that were observed and how they can be addressed.

## **10. ELECTION OBSERVERS' REPORT**

Before starting their activities, election observers set their guidelines and the basis for their assessment of the election process. After observing elections, they shall consolidate their findings and prepare a report. The said report shall be submitted to the National Electoral Commission within sixty (60) days after the final publication of election results.

The following elements shall be taken into consideration while preparing election observers' report:

- 1) particularity of Rwanda taking into account its history, political system, culture of the people, and electoral system;
- 2) prepare an accurate report avoiding terminologies that may cause confusion or conflicts;
- 3) base their report on factual and verifiable evidence, and not draw biased conclusions;
- 4) indicate positive elements observed, irregularities and give recommendations for improving the integrity and effectiveness of future electoral processes, basing on legal provisions and international principles governing electoral process;
- 5) base their findings and conclusions on their own observations, thus retaining their independence.

## 11. CONCLUSION

As clearly set out above, these guidelines focus on the code of conduct of election observers during Parliamentary Elections scheduled for September 2-4, 2018.

In this context, the document elaborates the importance of election observation during elections, the origin of election observers, their rights, code of conduct and prohibitions.

The National Electoral Commission is confident that these guidelines shall help election observers to monitor electoral activities and prepare their reports. Consequently, an accurate observers' report shall help in improving the integrity and effectiveness of future electoral processes, thus strengthening democracy and good governance in Rwanda.

Kigali, 16/07//2018



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