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## Amendment of Regulation on Presence of Special Guests at Electoral Centers to Observe the Various Processes of the 1398 [2019] Elections

### Basis

#### Article 1

This regulation has been enacted by the Independent Election Commission (hereinafter referred to as the Commission) pursuant to the provisions mentioned in articles 108 and 19.1.2 of the Election Law and considering the provisions of article 83 of the amendment to the Election Law.

### Objective

#### Article 2

This regulation has been enacted to achieve the following goals:

1. Regulating the manner of presence of special guests to observe the various processes of the elections.
2. Defining the rights and obligations of special guests, their accompanying delegation and guards.

### Special Guests

#### Article 3

- (1) “Special guests” refers to those foreign diplomats, employees of the different UN agencies and other international organizations that are not observer organizations and who do not have a direct stake in the elections, whose presence does not influence the choice of voters and who are there only to observe one or more specific electoral processes.

- (2) The accompanying delegation refers to those individuals who accompany the special guest during his/her presence at the electoral centers. The accompanying delegation too does not have a stake in the elections.
- (3) Guards refers to those individuals who are assigned for protecting of the special guest.

## **Request to Visit as a Special Guest**

### **Article 4**

- (1) Requests to visit as special guests shall be submitted in written to the relevant section (External Relations Department) at least one week prior to the planned visit. The request shall include at least the following information:
  1. Name and position of the special guest;
  2. Country of the foreign special guest;
  3. Copy of passport, and photo;
  4. Information on the electoral processes which the special guest intends to visit;
  5. Number, details and photos of the accompanying delegation; and
  6. Number, details and photos of the security guards.
- (2) After receiving the ID Card, the special guest shall share with the Commission on the due date the PCs that (s)he intends to visit;
- (3) The relevant section, after ensuring that the information provided is complete, shall refer the matter through the Secretariat to the Commission for decision. The Commission shall either approve or reject the submitted application of the special guest, and/or shall make the decision on change of the date, location, number of the accompanying delegation and security guards.
- (4) The relevant section shall communicate the results of the decision of the Commission to the requesting authority as soon as possible.
- (5) If approved by the Commission, the External Relations Department shall prepare an ID card considering the information shared by the requesting authority and provide it to the special guest or his/her representative directly or through the relevant provincial office.
- (6) If possible, a minimum of one representative of the Commission or Secretariat of the Commission (the CEO or one of the Deputy CEOs, Director or one staff of the External Relations Department or Provincial Office) may accompany the special guest during his/her presence at the VR centers, polling centers and vote counting centers and other processes.

## **Rights and Responsibilities**

### **Article 5**

(1) Rights of special guests:

1. Special guests with the ID cards issued to them may visit the polling centers and stations in compliance with the relevant procedures;
2. Special guests may seek information from the electoral personnel of the relevant sections, about the electoral processes that they are visiting; and
3. In case of request from the reporters who hold the ID Cards, they may give interview during the electoral process.

(2) Responsibilities of Special Guests:

1. Special guests and their the accompanying delegation and security guards shall always visibly display their ID cards issued by the Commission at the VR centers, polling centers and vote counting centers and during other processes.
2. Special guests may not file a complaint on the electoral process.
3. The women-specific centers and stations may be visited only by female special guests and accompanying female delegation. There is no restriction on the visit by male special guest to female station with consent of officials of the female station, and on the visit by female special guest to male stations.
4. Special guests shall in no way interfere with the electoral process and shall not disrupt the process.
5. Special guests shall respect the principle of secrecy of ballot.
6. Special guests may in no way support any specific party or candidate during their presence at the voter registration, polling or counting center, and shall observe the principle of impartiality.
7. Special guests shall bear full responsibility for the behavior and conduct of the accompanying delegation and their security guards.
8. The accompanying delegation and security guards of the special guests may enter the VR centers, polling centers and counting centers only if they accompany the special guests.

**Printing of the ID Card for the Special Guests**

**Article 6**

- (1) Once the request of the special guest is approved, the External Relations Department shall print and stamp ID Card for him/her and shall submit it to the special guest directly or through the provincial offices.
- (2) The IT Department shall create a special section in the accreditation issuance database for recording of the specifications and printing of the special guest ID Card.
- (3) The basic information of the special guests and their accompanying delegation and guards shall be recorded in this database. The following information shall appear on the ID Cards:

1. Type or name of the elections;
  2. Personal details of the guest, the delegation or guard;
  3. Position of the special guest; and
  4. Photo.
- (4) The ID Card of the special guest shall be distinguished from the cards of monitors, observers, media, the accompanying delegation and the guards in terms of shape and colour.
- (5) The ID Card of the special guest and the accompanying delegation and guards shall not be transferrable.

### **Security Measures**

#### **Article 7**

- (1) The guards of the special guest shall be responsible for ensuring security of the special guest and the accompanying delegation.
- (2) The security forces (security forces assigned to the electoral centers) shall be responsible for ensuring security of the electoral centers.
- (3) The security guards of the special guests shall have the duty to comply with the restrictions imposed on bearing weapons at the electoral centers.

### **Miscellaneous Provisions:**

#### **Article 8**

- (1) The External Relations Department shall communicate to the applicants the mechanism of issuance of the ID Card and the requirements thereof.
- (2) The Commission shall prepare a factsheet on manner of presence of the special guests at the electoral centers and the rights and responsibilities of the special guests and shall provide it to them.

### **Compliance with the Laws**

#### **Article 9:**

No provisions of this regulation can be interpreted and construed in contradiction with provisions of the effective laws. In case of contradiction, the applicable laws shall prevail.

## **Enforcement**

### **Article 10**

This regulation shall be published and enforced from the date of approval.