



# **Federal Republic of Somalia**

## **POLITICAL PARTIES LAW**

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**Somali Political Parties Law ratified by the Parliament, and signed by the President of Federal Republic of Somalia, on 4<sup>th</sup> September, 2016.**

**Article 1:**

**Interpretation of some of the terms in the Law**

Unless otherwise stated, the terms in this Law shall have the following meanings:

**Branch:** means a unit of a political party located outside of its headquarters.

**Registrar:** means the official responsible for all the affairs of the political parties.

**Committee:** means a group of people assigned to a specific task.

**Alliance:** means an agreement between two or more parties who agreed to jointly implement a common political program.

**Coalition:** means two or more parties that are united in accordance with the national Constitution, Laws and political parties' procedures.

**Election:** means voting for a political candidate to carry out a political function.

**Political Party Financier:** means anyone who donates funds to a political party or a candidate in accordance with this Law.

**Funding:** means financing Political Parties or a candidate, as stated in Articles 24 and 25 of this Law.

## **Article 2.**

### **Political Party**

A democratic political party is an organization that reflects the various social groups with real accountability measures, presenting diverse political plans and candidates for the general elections, as it participates in the formation of the government or an opposition.

#### **Political Parties must:**

1. Have a national outlook, represent at least two thirds (2/3) of the regions in the country in accordance with article 58, and their leadership and membership be based on regional boundaries of the country that existed in 1991.
2. Have a democratically elected executive council.
3. Protect, apply and encourage national unity;
4. Comply with the democratic principles of good governance, promote application of democracy, and periodically hold free and legitimate elections within the party.
5. Respect the rights of all people including minorities and segregated people to participate in the political process.
6. Respect and promote human rights, basic freedoms and justice of gender equality.
7. Advance the objectives and principles of the Provisional Constitution of the Federal Republic of Somali and the supremacy of the law.
8. Comply with and respect the Code of Conduct of political parties.
9. Political parties and associations in the country shall be governed in accordance with this Law and shall not contradict the Islamic Sharia Law, the national Constitution and other Laws of the country.

#### **Political parties must not:**

1. Be established based on extremism, clan, dialect, family, race, gender and regionalism and must not encourage hatred within the society.
2. Carry out, encourage crisis and conflict and must not create fear among members of the party, members of the society and members of other associations.
3. Be allowed to have armed forces and similar organization.
4. In taking and giving any type of bribes and or be involved in corruption.
5. Use any type of national assets for particular interests related to elections as stated by this Law and other Laws of the country.

### **Article 3.**

#### **Political Participation**

Political parties shall be established in accordance with this Law and shall not contravene the Constitution and other Laws of the country.

Every Somali citizen who has attained the age of eighteen (18) years may, in accordance with this Law and the Constitution, take part in electoral contest for one of the positions in the party

Every citizen who is a member of a party may contest in one of the positions of the party hierarchy if he/she has been a member of the party for at least six months before the day of the election.

### **Article 4.**

#### **Temporary Registration**

- a. A coalition of people or organizations cannot become a political party if it is not registered in accordance with this Law and Article 22 of the Constitution.
- b. A coalition of organizations or people who came together to create a political party may apply for a temporary registration.
- c. Applicants to temporary registration certificate shall be provided with one within 30 days if they fulfil the criteria/conditions stated in Article 6 of this Law.
- d. A political party that has been temporarily registered, in accordance with Article 2 of this Law may apply for a full registration within five (5) months before the start of the election.
- e. The Registrar shall within seven days publish in the Official Bulletin of the Federal Republic of Somalia and in at least two of the media outlets in the country, every political party that fulfilled the conditions within the time stated in the 4<sup>th</sup> of this article in order to ascertain whether there is another party with same name, symbol and colour shown in the application.
- f. Until the application for full registration is approved or rejected by the registrar, a party that had been given temporary registration may continue using it.
- g. A political party with no official registration cannot take part in elections.

## **Article 5:**

### **Requirements for Registration**

1. Application for a temporary registration of a political party must contain the following:
  - a. Signed written minutes of the first meeting of members of the party.
  - b. Full name and its abbreviation of the political party if the party requests.
  - c. A copy of the constitution of the political party as stated *in Part 9* of this Law.
  - d. A pledge confirming the respect for and application of this Law and the code of conduct stated in Schedule 1 of this Law.
  - e. A written document stating how the party will solve internal differences which is in line with *Schedule 8* of this Law.
  - f. The fee for temporary registration which is 10 million Somali shillings, which is equivalent to five hundred dollars (\$500).
  - g. An application written in a sheet with the official symbol of the party.
2. If the Registrar sees that the party failed to fulfil the conditions, he/she will write to the party and give them fifteen (15) days starting from the day it submitted the application in order to complete the remaining conditions.

## **Article 6:**

### **Official Registration**

- a. Application for an official registration of a party must be in writing and signed by the chairperson of the party or his/her representative.
- b. A temporarily registered political party may be fully registered when:-
- c. The number of its signatory members is ten thousand (10,000) people who are voters and is registered in at least nine of the 18 regions that existed in 1991, in accordance with Article 49, Paragraph (1) of the provisional Constitution.
- d. Members mentioned in Paragraph (a) of this article must reflect regions, clans, gender balance, minorities and segregated groups.
- e. The executive council of the party must reflect regional, clan, gender balance, minorities and segregated/d groups, in accordance with Article 11 of the federal Constitution and Article 4 (2) of this Law.

- f. It must be demonstrated that members of the executive council have fulfilled the same conditions as stated in Article 58 of the provisional Constitution.
- g. Political parties or associations should not oppose the Islamic Sharia, and should not use insulting and abusive language that violate other parties and their management.
- h. A party must submit to the independent office of the registrar: Names, addresses, particular marks that may identify a person and the time when every member joined the party, the location of the central office and branches of the party, their addresses, their telephone numbers and contact emails, the general manifesto and Constitution of the party in line with Schedules 3 and 4 and elections and internal appointment regulations of the party.
- i. Must have a comprehensive, complete and detailed system to solve differences in the party in accordance with Schedule 4 of this Law and the party's internal regulations.
- j. Must pay registration fee of 20 million Somali shillings which is equivalent to one thousand dollars (\$1,000) to be received by the office of the registrar.
- k. The registrar shall issue an official registration certificate to the party that fulfils the registration requirements stated in Paragraph 2 of this Law within 30 days, and the temporary registration certificate that was issued earlier shall be nullified.
- l. A person who is not a Somali citizen cannot become a member and cannot hold position in a Somali political party.

#### **Article 7:**

#### **Rejection of Registration**

The Registrar may reject the application for registration of a political party if:

The name of the party, its abbreviation or symbol may be the same or resembles the name, abbreviated name, distinguishing mark or symbol resembles the name or abbreviation of another already registered political party. The name of the political party appears to be offensive or inappropriate.

## **Article 8:**

### **Rules and Regulations of the party**

- a) Rules and regulations of every party must be in conformity as points stated in the (2<sup>nd</sup>) Schedule of this Law;
- b) The registrar shall write a notice to the party informing to correct its name, it's by-Law Laws, Rules and/or Regulations with in thirty days (30) from the day the notice was given to it;
- c) The notice stated in Paragraph 2 of this article must tell the party clearly what areas need to be corrected;
- d) If a party fails to consider the notice given to it in accordance with 2nd Paragraph of this article, the party shall be removed from registration and shall not be allowed to unite or form alliance with another party or parties.

## **Article 9:**

### **Alliance of Political Parties**

- a. Two or more political parties may form a coalition, and shall deposit the coalition agreement with the Registrar.
- b. A coalition agreement entered into before an election shall be deposited with the registrar at least one month (30 days) before that election.
- c. A coalition agreement concluded after an election shall be deposited with the registrar within a month of the announcement of the election results.
- d. A coalition agreement shall set out the matters specified in the Third Schedule.

## **Article 10:**

### **Merger of Political Parties**

- 1. A political party may merge with another party/parties.
- 2. A political party shall not merge with another political party unless the merger is in accordance with this Law, regulations and procedures of those political parties.
- 3. The decision to merge shall be in writing and shall be duly executed by the political party officials authorized to execute agreements on behalf of the political parties and in accordance with their respective rules and regulations.

4. The executive committees of political parties that have merged under article 10 paragraph (2) shall :-
  - a. Determine the Constitution, rules, regulations and the principles which shall form the basis of the merger and the registration of the new political party.
  - b. The leaders of the two parties sign the merger agreement and submit it to the office of the registrar in order to complete the registration of the new party in accordance with this Law.
5. The merger agreement signed under Paragraph (4) (b) shall be deposited with the Registrar within twenty-one (21) days of the signing of the agreement.
6. The political parties, which have merged into a new political party under paragraph (4) (b), shall stand dissolved upon registration of the new political party.
7. Where a political party merges with another political party, a Member of Parliament from any of the merged political parties who does not agree with merger agreement, shall lose his/hers Parliament seat. The Office of the Registrar shall call for a by-election within thirty (30) days.

#### **Article 11:**

##### **Persons not allowed to join Political Parties**

- a. the Armed Forces
- b. Judges of the Courts in the Country
- c. Staff of Embassies (Diplomats)
- d. All government employees are prohibited to become founder or member of a political party, to take part in the organization, promotion of activities and meetings of a party, to show bias towards a political party orally or in writing, which can compromise his/her impartiality.

#### **Article 12:**

##### **Resignation from Political Party Membership**

1. Any person who wants to resign from a political party must, before announcing the resignation, give a written notice to:-
2. The political party that he/she belongs to.
3. The secretary general of the parliamentary assembly that he/she is a member of.

4. The resignation of a member of a political party or one of the two chambers of parliament shall become effective when the written resignation letter is delivered to their respective secretaries.
5. The secretary of the chamber of parliament where he/she is a member and the secretary of the party of which he/she is a member must deliver the resignation to the registrar within seven (7) days.
6. The resignation of the member must be in accordance with Article 59, Paragraph 1 (c) and Paragraph 2 of the federal Constitution.
7. No person can belong to more than one party.
8. A person who belongs to a political party shall lose the membership in the party that he/she belongs to in accordance with this Law and Article 59 (1) (c) and (2) of the Federal Constitution if he/she commits the following acts:
  - a. Forms another political party.
  - b. Takes part in the formation of another political party.
  - c. To campaign for the formation of another political party.
  - d. Encourages the views, interests and policies of another party.
  - e. Opposes the decisions of the party that joined or entered into an alliance agreement with another party.
9. Any person who hinders or attempts to suppress legally sanctioned political activities shall commit an offence punishable with monetary fine of twenty (20) million Somali shillings which is equivalent to (\$1,000) or a maximum of one (1) year in prison, or both of them combined.
10. Article 70 of the provisional Constitution states the immunity and the privileges of arresting a member of parliamentary chambers.

### **Article 13:**

#### **Rights and Privileges of Political Parties**

1. A political party that had been registered temporarily shall have the following rights:
  - a. It may hold meetings in anywhere in Somalia in order to present its political views and programs to the public, as well as recruiting and registering new members who join it.
  - b. Members of the party may hold meetings outside the country in accordance with Paragraph 1 of this article, while respecting the Laws and regulations of the country where they are holding the meeting.

- c. To have security agencies protect the security of the venues where the party holds its meetings.
  - d. The government must accord political parties equal time to disseminate their programs through the national media outlets (such as radio, television, newspapers etc.)
2. Election campaigns in which political parties present their programs and their members who take part in the election shall stop seven (7) days before the start of the election.
3. A political party with a temporary registration has no rights to organize a public rally related to election or to present or campaign for a candidate in order to be elected at the time of the election.
4. The political party that violates Paragraph (2) (3) on an offence stated by the registrar or a competent court in relation to allegations from parties or the public, if such allegations are proven, shall be stopped from participation in the election. The votes that such party obtained in the election shall be nullified.

#### **Article 14:**

##### **Legal Status (Legal Personality of Party) and Declaration of Its Assets**

1. A political party that has been officially registered in accordance with this Law shall have a complete legal personality, and a stamp and shall have the authority to do the following in its name:
- a. Can obtain/acquire or dispose of assets.
  - b. Can sue or be sued.
  - c. Can exercise all authorities by using whatever the Law allows to a political party.
2. When issued the official certificate of registration in accordance with Article 7 of the Law, the political party shall after thirty (30) days submit to the office of the registrar an official document in which it states in details all the assets and expenses, such as all donations, deposits (savings, current) and pledges which can be in cash or in kind that is given by the founders of the party in its first year.
3. The document submitted to the office of the registrar in accordance with Paragraph 2 of this article should indicate the following points:
- a. Sources of funding and other assets owned by the party.
  - b. Other information that the office of the registrar may need.

- c. Legal document signed by the executive council of the party showing the assets of the party.
4. When it received the legal document related to the assets of the party fulfilling all the conditions stated in Paragraph 2 of this Law, the office of the registrar must within thirty (30) days publish it in the official bulletin and in at least two media outlets such as televisions and radios.
5. Without prejudice to other punishments stated in this Law or other Laws in the country, the office of the registrar, while giving consideration to Article 21, Paragraph 2, may deregister a political party if:
  - a. It fails to fulfil the conditions of this article.
  - b. The information it provided is false.
6. The office of the registrar or parties court shall prohibit leaders of the political party that is proved to have committed the offence stated in Paragraph 5 (b) from contesting election as candidates in the name of their party or other party.

#### **Article 15:**

##### **Records of Political Party**

1. A political party shall maintain at its head office and at each of its regional office in the prescribed form, an accurate and authentic record of:-
  - a. A register of its members in a form prescribed in the Second Schedule.
  - b. A copy of the Constitution of the political party.
  - c. A copy of the policies and programs of the political party.
  - d. Details of any contribution, whether in cash, equipment, transport means, residential or pledge of donation or other contributions made by the founding members of the political party or financiers of the party.
  - e. Estimates of the expenditure of the political party in accordance with the Laws relating to public finance management.
  - f. Particulars of any property that belongs to the political party and the time and mode of acquisition of the property.
  - g. The latest audited books of accounts of the political party which shall be in accordance with the accounting principles, showing:-
    - i. The names and addresses of the sources of the funds of the political party and details of the contributors such that the registrar can be contacted if needed.

- ii. Membership fees paid by the members of the party.
  - iii. Donations in cash or in kind.
  - iv. Indirect contributions to the party and all receipts and disbursements. Assets and liability records and all accounting transactions of the political party.
  - v. Other relevant items as the Registrar may prescribe.
2. A person who interferes with, damages or destroys the records of a registered political party commits a crime. If such a person is found guilty by an authorized court, he/she shall be banned from candidature; if convicted after the election results, he/she shall lose the seat.
  3. A member of a political party, during working hours and on payment of the prescribed fee, can obtain copies of the records of a political party.

#### **Article 16:**

##### **Duty of Political Party to Inform Registrar**

1. The Registrar may issue a written notice to the chairperson or secretary-general of a political party to obtain the records of the political party in order to ensure compliance with the provisions of this Law. The governing bodies of the party shall submit required documents to the registrar within seven days of the notice.
2. The registrar may make copies of the documents provided by the party in order to store the data in the party's records.
3. A chairperson or the executive secretary-general of a political party who fails to comply with the notice of registrar contravenes this article, and a legal action shall be taken against him/her in the form of a formal reprimand or a fine not exceeding ten million Somali Shillings which is equivalent to \$500.

#### **Article 17:**

##### **Public Meetings of the Political Party**

A political party intending to hold a public meeting shall comply with the Laws of the country.

#### **Article 18:**

##### **Notification of Changes**

1. Where a registered political party intends to change or amend:-
  - a. It's Constitution.

- b. Its rules and regulations.
- c. The title, name or address of any party official.
- d. Its name, symbol, slogan or colour.
- e. The address and physical location of the head office or regional offices.

The party shall notify the registrar of its intention and the registrar shall, within fourteen (14) days .after the receipt of the notification, shall order the Official Bulletin to publish the change or alteration.

2. The political party giving notification under paragraph (1) of this article shall publish such notification in the media.

3. Upon the expiry of thirty (30) days from the date of publication of the notice in paragraph (1), the political party may, after taking into account the views of the public under paragraph (1) and (2), effect the change or alteration in accordance with the Constitution and other regulations.

### **Article 19:**

#### **Deregistration of a Political Party**

1. The Registrar may deregister a political party if the political party:-
  - a. Has contravened the provisions of Article 3 of this Law or the principles of the Provisional Constitution of Federal Republic of Somalia.
  - b. Does not encourage free and fair nomination of its candidates contesting in an election
  - c. Does not adhere to the Law relating to the nomination of candidates.
  - d. Does not respect the national values and principles of the Provisional Constitution of Federal Republic of Somalia.
  - e. Obtained its registration in a fraudulent manner and in violation of the law
  - f. Has instigated or participated in an electoral offence.
  - g. Has acted contrary to the provisions of article 26 of this Law.
2. The registrar shall, before deregistering a political party:-

- a. Inform the political party, in writing, of the specific provisions that have been violated.
  - b. Inform the political party, in writing, of the intention to deregister the political party.
  - c. Direct the political party to remedy the breach or contravention within thirty days (30) or otherwise show cause why the party should not be deregistered.
  - d. If it is seems that a crime has been committed, the case shall be referred to a competent court.
3. The registrar shall suspend a political party which has not remedied the breach until it complies with the Law as required by the registrar under paragraph (2) of this article.
4. A political party that has been suspended under paragraph (2) and (3) of this Article shall not be entitled to any of the rights and privileges specified in Article 15 of this Law, and the governing body of that party can neither leave their current party nor join or represent a new one.
5. The registrar shall deregister a political party which has not remedied the breach with the timeframe given or has failed to comply with the Laws and the directives of the office of the registrar as stated in paragraph (2) and (3) of this Article.
6. The Registrar shall deregister a political party which has been banned or prohibited in the country in accordance with the Laws of country.

## **Article 20:**

### **Effects of Deregistration**

1. Where a political party is deregistered under this Law, no person shall:-
  - a. Summon a meeting of members or officers of the political party other than for purposes of winding up the political party or for purposes of challenging deregistration of the political party.
  - b. Attend or make a person attend a meeting in the capacity of a member or officer of the political party.
  - c. Publish a notice or advertisement relating to a meeting of the political party except for purposes of a meeting under paragraph (a) of this Article.
  - d. Invite persons to support the political party.

- e. Make a contribution or loan to fund or benefit the party or accept on behalf of the political party a contribution or loan.
  - f. Give funds or loans to other parties and to be a candidate of another party to participate in election.
  - g. Give a guarantee of any kind
2. Where a political party that has been deregistered under Article 21 had representatives elected to a Parliament (the Upper House and the House of the People), those elected members shall continue to serve for the remainder of their term as independent members.
3. Notwithstanding paragraph (2) of this article, where deregistration of a political party is occasioned by a wilful act of a person who is a member of any of the houses of the Parliament, that person shall lose the membership of the house they are a member of.

#### **Article 21:**

##### **Political Parties Fund**

The government shall establish a Fund to be known as the "Political Parties Fund", which shall be administered by the officer of the Registrar of the National Independent Electoral Commission, which will be monitored by the national auditor.

#### **Article 22:**

##### **The Sources of Funds for Parties**

1. The sources of the Fund are:-
- a. The Central Government and Federal Member States shall jointly pay Zero point three per cent (0.3%) of their annual budgets.
  - b. Contributions and donations from sources interested in promoting and developing democracy provided that the registrar receives such fund in explicit and transparent manner, in the presence of the media.
  - c. Funds collected from the registration of the parties.
2. At the end of each financial year, the office of the registrar shall close the fiscal year, subject to any Laws that applies to any public institution in relation to public finance. . The credit balance of a financial year shall be added to the Fund's resources for the following financial year.

### **Article 23:**

#### **Distribution of the Fund**

1. The Fund shall be distributed as follows:-
  - a. Ninety five percent (95%) of the Fund shall be distributed proportionally to the officially registered parties by the Registrar.
  - b. The remaining Five percent (5%) shall be for the administration expenses of the fund.
2. Notwithstanding paragraph (1) of the Article 24 of this Law, a political party shall not be entitled to receive funding from the fund if:-
  - a. The party that does not secure, within the given period of the registration, ten thousand (10,000) registered members in at least one-third (1/3) of the country's regions.
  - b. More than two-thirds (2/3) of its registered party leaders and staff are of the same gender, same clan or hail from the same region of the country.

### **Article 24:**

#### **Purpose of the Fund**

1. Funds allocated to a registered political party from the Fund shall be used for purposes compatible with democracy including:-
  - a. Promoting and encouraging Somali citizens in general to engage in the issues affecting national politics.
  - b. Promoting and encouraging the representation in the various levels of elected bodies to reflect the inclusiveness of all social groups that dwell in the regions of the country such as women, youth, persons with disabilities, minorities and marginalized communities.
  - c. Covering the expenses of the party and the dissemination of the party's principles and policies during elections.
  - d. Raising awareness in relation to democracy, voting, and other electoral processes and procedures.
  - e. Enabling party's policies to influence in the shaping of the general opinion of the public.

- f. Administrative and staff expenses of the political party shall not exceed than thirty per cent (30%) of the funds allocated to the political party. The remaining seventy percent (70%) shall be used for the other activities of the party.
- 2. The funds allocated to a party shall not be used for any other purposes other than those specified in this Law.
- 3. Money allocated to a political party from the Fund shall not be used:-
  - a. For paying direct or indirect remuneration, allowances, fees, rewards, or any other benefit to a member or supporter of the political party, other than a member of staff of the party.
  - b. To finance or as a contribution to any matter, cause, event or occasion directly or indirectly in contravention of code of ethics of the activities of public institutions.
  - c. Any purposes of establishing any business or acquiring or maintaining any right or financial interest whatsoever in any business or in any immovable property.
  - d. For any other purpose incompatible with the promotion of a multiparty democracy and the electoral processes, or with the Federal Constitution.
- 4. Every political party, in accordance with Article 25, shall ensure accountability and transparency in its procurement processes, acquisition of goods and services, and shall always be ready for the monitoring of the registrar to its all recorded expenses.
- 5. A person who contravenes the provisions of this section commits an offence and shall be brought to justice.

#### **Article 25:**

##### **Other Sources of party's Fund or monthly contributions of members of the party**

- 1. The sources of other funds for a political party are:-
  - a. Membership fees.
  - b. Voluntary contributions from a Lawful source.

- c. Donations, bequests and grants from any other Lawful source, not being from a foreign government, governmental or non-governmental organization and foreigners.
  - d. The proceeds of any investment, project or undertaking in which the political party owns or has a share in it.
- 2. A foreign agency, or a foreign political party which shares an ideology with a political party registered in Somalia, may only provide technical assistance to the political party.
- 3. Technical assistance under paragraph (2) of this article shall not include provision of any assets both movable and immovable assets to the Somali political party.
- 4. The party shall disclose to the registrar full particulars of all funds and its sources.

### **Article 26:**

#### **Violations Related to Sources of Fund of the Party**

- 1. A party which receives funds from a non-Somali citizen violates article 26 (1) (c) commits an offence.
- 2. No person or organization shall, within one year, contribute to a political party an amount, whether in cash or in kind exceeding five percent of the total yearly budget of the political party.
- 3. The total expenditure referred to in paragraph (2) shall be in relation to the audited accounts of the political party, in the previous year.
- 4. If a party fails to fulfil paragraph 3, due to the lack of the annual budget of the previous year, it will be fined to maximum of \$5000.
- 5. A person who or an organization which contravenes paragraph (2) and (3) of this Law commits an offence.
- 6. A political party that receives an amount exceeding the amount specified in paragraph (2) or (3) of this article commits an offence and shall, in addition to the penalty be imposed by this Law, forfeit that amount to the state and shall be banned from participating in elections.
- 7. Paragraph (2), (3) and (6) shall not apply to any contribution or donation whether in cash or kind, made by any founding member of the political party as his contribution to the initial assets of the party within the first year of its existence.

8. An official of a political party or other person acting on behalf of a political party required to disclose to the Registrar information fails to disclose the information, or gives false information, commits an offence and shall on conviction be liable to a fine equal to the amount falsified or the value of the resources not disclosed or, or to imprisonment for a term not exceeding two years or both and shall not compete in elections.

#### **Article 27:**

##### **Disclosure of Party's sources of fund**

1. A political party shall, within ninety days of the end of its financial year, publish:-
  - a. the sources of its funds stating:-
    - i. The amount of money received from the political party fund.
    - ii. The amount of money received from its members and supporters.
    - iii. The amount of money and sources of the donations given to the party.
  - b. The income and expenditure of the political party.
  - c. The assets and the debts of the political party.
2. The publication referred to in paragraph (1) shall be done in at least two of country's media.
3. A political party which violates this Article is liable to a penalty.
4. Notwithstanding the provisions of paragraph (3) of this Article, the party that fails to comply with this Law shall, until it complies and until the next election be disqualified from receiving money from the fund.

#### **Article 28:**

##### **Information Required From the Party Prior to Elections**

1. A party shall submit overall list of its members and a statement of assets and liabilities in the prescribed form to the registrar thirty (30) days before appointing its members who will contest in the elections.
2. Notwithstanding any other penalty provided in this Law or in any other Laws, the registrar shall deregister a political party which:-
  - a. Fails to comply with this Article;
  - b. Submits to the registrar false information.

## **Article 29:**

### **Audit of Political Party's Accounts**

1. Each party shall keep its proper books and records of account of the income, expenditure, assets and liabilities.
2. A party shall, within three (3) months after the end of each financial year submit to the Auditor-General the accounts of the party in respect of that year.
3. The accounts of every party shall be audited annually by the Auditor-General and shall be submitted to the office of the Registrar and House of the People.
4. The office of the Registrar may at any time request the Auditor-General to carry out an audit of the accounts of a political party.
5. Any person shall be entitled, to inspect the audited accounts filed by a political party and, upon payment of a fee prescribed by the office of the Registrar be issued copies of the audited accounts.

## **Article 30:**

### **Functions of the office of the Registrar**

The functions of the registrar shall be:-

- a) Registering, guiding, observing, supervising, and ascertaining whether the political parties are observing and implementing this Law.
- b) Managing the parties' Fund
- c) Ascertaining the dissemination of the audited annual fiscal budget of the parties.
- d) Ensuring and publishing the registry of members of the party.
- e) Keeping registry of parties and their respective symbols.
- f) Ascertaining whether an individual is not a member of more than one party, should the reverse be true, the office of the registrar will report in writing to the concerned parties and request them to regularize the issue as per the Law within 15 days.
- g) Ensuring whether an individual is registered by a political party or is being put forward as a candidate by a party without seeking the prior consent of the concerned person. Any party found practicing such an act will be punished.
- h) Ensuring, ascertaining and supervising the process in which political parties nominate candidates from within their parties is in line with their respective regulations

- i) Investigate complaints submitted to the office of the registrar in a procedure which in line with this Law.
- j) Fulfilling any other functions assigned to it by this Law or the other Laws of the country.

### **Article 31:**

#### **Establishing a Coordinating Committee for Registered Parties**

1. There shall be established a consultative forum for exchanging information at national and regional states levels and shall consist of;
  - i. Two (2) members from the office of the registrar or from the Electoral Commission
  - ii. Two(2) members representing each registered political party
2. The main task of the coordination committee for the political parties is to create a forum in which the political parties, office of the registrar and the electoral commission could discuss issues.
3. The coordination committee of the political parties and their related offices will be chaired by a member of the registrar's office.

### **Article 32:**

#### **Resolving Disputes of Parties**

Disputes arising among political parties are of two types:-

1. If the dispute is based on financial and administrative issues, the normal Regional Court shall have jurisdiction to hear the case and make a decision, and the decision can be appealed against to the court of second degree.
2. If the dispute is based on a case related to Constitutional rights, the Constitutional Court of the country shall have jurisdiction to hear the case and make a decision.

The case will not go to the court without first exhausting efforts to solve the dispute at the levels of dispute resolution of political parties.

### **Article 33:**

#### **Decision Making of the Court**

It is the obligation of the Court to speed up the process of making decision on disputes brought before it. It should conclude its decisions within thirty (30) days effective from the date a case is tabled before it.

1. The decision by the regional court can be appealed against to the court of second degree in the country. Civilian courts

## **Article 34:**

### **Violations**

1. The person will commit a crime if;
  - a. He/she fails to share an information which was supposed to come from the party.
  - b. Knowingly spreads a false information or information he/she is not sure is true.
  - c. Irresponsibly creates or makes a false statement
2. Should the party commit a crime, then it will be seen as if the top leaders of the party have committed the crime.
3. Should an institution supporting a given political party commit a crime against this Law, then the officials of the concerned institution will be charged with the offence.
4. Should a group collaborating with a party commits an offence, then each member of the concerned group will be charged with the offence.
5. No crime has been committed if a court declares that a person who is accused of violation in accordance with paragraphs 1 or 2 is not aware of.
6. Should a party commit an offence spelled out in this Law, then the office of the registrar shall have the authority to:
  - a. Give it a written warning asking the party to rectify issues being accused of it within sixty (60) days.
  - b. Suspend the registration of the concerned political party for a period of 6 six months.
  - c. Suspend funds from the political party within a period of six (6) months.
  - d. Any measure taken by the registrar in accordance with Article 5, paragraphs b, c, and d shall commence a year before the election period and it should come to an end at least six months prior to the election period.
  - e. Deregister the party, in accordance with Article 21 of this Law.
7. A member of suspended political party who is also a member of the House of the People will retain his membership as an independent member of the House of the People until the term of the parliament comes to an end.
8. The registrar or a member of his staff are assumed to have committed an offence if they deliberately act or omit the objectives of the Constitution and this Law.

9. Any body found violating this Law for which this Law did not state a punishment shall be liable to a monetary fine of up to 100 million Somali shillings (\$5,000) or an imprisonment not more than one (1) year or both and will lose the membership of the political party and cannot contest in the next election.

#### **Article 35:**

##### **Dissolution of Political Party**

A political party can be dissolved as follows:

1. When the registrar deregisters a political party or declares it prohibited in line with any Law, the registrar shall communicate the same to the national attorney general within seven (7) days.
2. The attorney general, after receiving the dissolution or the prohibition order from the registrar, shall file a dissolution case against the political party and how to deal with its moveable and immoveable properties, its rights and debts within seven (7) days.
3. The Supreme Court, after receiving the dissolution order of the party from the Attorney General and is satisfied with it, shall issue a ruling in accordance with this Law within fifteen (15) days.

#### **Article 36:**

##### **Regulations for Implementation of Provisions of this Law**

1. The registrar shall issue general regulations on the proper implementation of the provisions of this Law:
  - a. Naming of the candidates of parties;
  - b. Bylaw Laws and regulations of political parties.
  - c. Bylaw regulating funds to be used by candidates and parties during each election.
  - d. Briefing and directing political parties to help them prepare themselves and implementation of the election in line with this Law.
  - e. Describes the process of registering political parties.
  - f. Regulates the activities of registered political parties in line with this Law.
  - g. Regulates or limits the use of names of political parties, their symbols or colours.
  - h. Sets out the process in which a political party can submit its annual report to the registrar including issues related to its Constitution, objectives and its members.

- i. The registrar must ensure that reports submitted by political parties contain the seal of the auditor general and other finance related issues of the party including party property, debt, income and expenditure.
- j. Specifies the fees and expenses incurred in carrying out any activity related to this Law.

**Article 37:**

**Transitional Provisions**

1. Without, prejudice to the provisions of this Law;
  - a. The legal existence of a political party can commence when this Law comes into force and the temporary registration is completed.
  - b. Registration of members of a party, donations and fees paid by the members in line with this Law can start when this Law comes into force.
  - c. Persons who were members of a political party before this Law comes into force will continue holding their positions.
  - d. The process of completing the registration of political parties will take place at least sixty (60) days before the elections.
  - e. Tittles mentioned in this Law will remain valid until another Law is enacted to repeal this Law.

**Article 38:**

**Coming Into Force of the Law**

This Law shall come into force on the date it was passed by the parliament and assented to by the President of the Federal Republic of Somalia, and published in the Official Bulletin.

## **First Schedule**

### **Code of Conduct for Political Parties**

1. Political parties shall, pursuant to Chapter 4 of the provisional constitution of Somalia and Article 3 and 9 of this law, comply with and observe this code of conduct.
2. This code of conduct shall regulate the behaviour of members and office holders of political parties, contesting candidates representing political parties and their supporters, by promoting good governance and refraining from political malpractices.
3. Political competition and co-operation between parties shall be regulated under this code of conduct, which is based on the supremacy of law in accordance with the universally accepted standard.
4. Political Parties shall:
  - a. Promote alternative policies and programs responding to the interests, the feelings and the needs of the citizens of Somalia.
  - b. Respect and uphold the democratic contest as they strive to obtain political power and to implement their planned development programs.
  - c. Create an atmosphere of national consciousness against autocracy and leading to dialogue and collaboration in policy decision making on issues of national importance.
5.
  - a. Every political party shall protect the right to political participation and maintaining the equality of citizens and providing special consideration to youth, minorities and marginalized groups.
  - b. Respect human rights and fundamental freedoms, uphold and promote gender equity (male and female).
  - c. Show tolerance and collaboration in their political activities.
6. Every political party shall:-
  - a. Respect, uphold and defend the provisional constitution of the federal republic of Somalia, which is based on the Islamic sharia.
  - b. Respect and apply this Law, electoral Law and other laws of the country.

- c. Observe, apply and defend the rules of their respective party, internal party election rules, and nomination rules of party staff and any other political party rules that does not contravene this code of conduct.
- d. Respect, uphold and promote human dignity, equality and comprehensive social justice that protects any social group from discrimination and degrading.
- e. Respect, uphold and promote human rights and the supremacy of the law.
- f. Promote patriotic sentiment and national unity.
- g. Respect, uphold and promote democratic principles and the basic principles prescribed in the provisional constitution, whilst ensuring that all party members engage in accountability and good governance efforts for the development of the country.
- h. Respect, uphold and promote integrity, reverence, tolerance, good governance and efficient accountability.
- i. Promote cooperation in the political competition.
- j. Promote common ownership and devolution of power and resources.
- k. Respect, uphold and promote democratic practices and regular free and legitimate elections within the political party to attain party leadership elected in that manner.
- l. Respect, uphold and promote democratic practices and free and legitimate, which are acceptable when a political party nominates its candidates in accordance with the party rules and this Law.
- m. Respect, uphold and promote leadership and integrity as prescribed in the provisional constitution of Somalia.
- n. Show transparency and accountability in all its rules and regulations.

7. A political party is prohibited to:

- a. Engage in or encourage violence by its supporters.
- b. Engage in or encourage any kind of abuse against the supporters of other parties or citizens.
- c. Engage in the organisation of business malpractice, bribery or any other form of corruption.
- d. Accept bribe or agrees to pay bribe.

- e. Accept or use public property other than those allocated through the political party fund.
  - f. Incite sedition and advocate for hatred, clan incitement, vilification of others or any other incitement that can cause harm and difficulty.
  - g. Obstruct, disrupt, break-up, eliminate or interfere a meeting, rally or demonstration of the supporters of another political party or its leadership.
  - h. Maintain or establish an armed forces such as militias or having any links with similar organizations.
  - i. Use state property for negative campaigns that can cause a problem.
8. A political party shall promote inter-party relations by:-
- a. Ensuring free competition among political parties, which allows the consideration of each party's political principles and views.
  - b. Fostering trust and confidence among its members and collaboration and cooperation mechanism that promotes peace, development and co-ownership.
  - c. Managing, resolving and narrowing the differences in political views through effective dialogue that ensures finding a common ground among the parties so as to accomplish a fruitful democracy.
  - d. Promoting national reconciliation and unity.

## **Second Schedule**

### **Contents of the Charter, Rules and Regulations of Political Party**

1. The name of the political party and its abbreviations.
2. The logo, symbol and colour of the party.
3. Objectives of the party.
4. Clearly defined view of the party vision, mission, guiding principles and values.
5. The location and postal address of its registered offices.
6. Membership requirements include:-
  - a. Fulfilling membership criteria.
  - b. Paying party membership fees.
  - c. The criteria for resignation from party membership or ceasing to be a member.
  - d. The rights and duties of members of the party.
  - e. Membership details that are required to be written in the register including full name, age, place of birth, region, district and gender.
  - f. The procedure for conducting the annual general meeting and other scheduled meetings of different levels such as district, regional, regional state and national level meetings.
7. Information required from the Executive Committee to be written in the register:
  - a. The name of the Executive Committee of the party.
  - b. Fulfilling criteria for election to the Executive Committee and the appropriate procedure to be followed.
  - c. The positions, titles, job description and term of office.
  - d. The rights and duties of members of the Executive Committee.
  - e. The procedure for the election of members of the Executive Committee, sub-committees responsible for different tasks, branch level party organs and support staff.
  - f. Guidelines to be followed by the Executive Council, committees and their support staff when executing their duties.
  - g. Quorum of the meetings.
  - h. Frequency of meetings.
  - i. Decision making power.

- j. Guidelines for holding meetings, procedures of convening meetings; procedure during meetings and the minutes of the meeting and expressing in formal way the resolutions passed at meetings and also stating the venue, date, time and names of the attendees of the meeting.
- 8. A list of management structure of the party and its preparatory process include:-
    - a. The data of the employees and terms of employment.
    - b. The human resource, preparation of documents related to the finance and audited accounts.
    - c. Branches of the party in every region.
  - 9. The establishment of party branches inside and outside of the country and identification of their roles and responsibilities.
  - 10. The financial structure and process include:-
    - a. The role and responsibility of each party official and Executive Committee with regard to the finances of the party.
    - b. The annual report and accounts of the political party; and
    - c. The purposes for which the funds have been used, and in particular the prohibition against the distribution of funds among members.
  - 11. The general organizational and management structure of the party, including the regional structures and the executive leadership process at regional and national levels.
  - 12. The establishment and management of the upper House and House of the People, parliaments of member states of the Federal Republic of Somalia and district assemblies.
  - 13. The disciplinary measures against a member or official of a political party include:-
    - a. The methods and procedure of disciplinary measures.
    - b. Actions deserving disciplinary measures and reasons.
    - c. The various criteria for disciplinary measures;
    - d. And the impact that each disciplinary measure can have at the national and regional levels.
  - 14. A member of the party or a member of the public has the right to inspect the books and the register of the members of the political party.

**15. The authorized officials shall sign on behalf of the party:-**

- a. Documents to be submitted to the Office of the Registrar including membership register, reports, merger agreements with other party or parties and any other political alliance.
- b. The finance and bank accounts of the party.
- c. The audited annual accounts and financial transactions of the party.
- d. Any report or document of the party required under this Law or other Laws of the country.
- e. The certificates for any nomination or election of a member of the party.

16. The policy documents which the party shall develop and follow while performing its functions include the system and procedures in which such documents shall be developed, ratified or implemented.

17. The policy documents and their regularity which the party shall develop shall address the procedures in which they were developed, approved and publicized.

18. Policies and procedures for asset management, custody and investment of the funds and property of the party, and identification of the designated persons.

19. The rules and regulations of party nomination of its members to be candidates in elections and the preparation of the Party contestants' lists during elections period.

20. Identification of the Articles for the amendment of the name, constitution, and rules of the political party.

21. Rules and procedures for the merger between two or more parties include:-

- a. The circumstances and criteria for mergers.
- b. The procedure and guidelines for mergers that must be approved in the annual general meeting of the political party.

### **Third Schedule**

#### **Basic Requirements of Coalition Agreements**

1. A Coalition agreement shall comply with the articles indicated in the rules and procedures of the political parties forming such coalition.
2. A coalition agreement shall be concluded by the Executive Committees of the parties entering into the coalition and shall be:-
  - a. In writing and duly executed by authorized party officials.
  - b. Approved by the authorized Registrar.
3. A Coalition agreement shall state:-
  - a. The parties which are members of the coalition.
  - b. The policies and objectives of the coalition.
  - c. The overall structure of the coalition.
  - d. The general organizational structure and management of the executive committee of the coalition at federal, regional state, regional, district and branch levels.
  - e. The guidelines and formula for power sharing of the levels in the coalition structure, roles and responsibilities within the coalition.
  - f. The coalition's internal election rules.
  - g. The coalition's internal nomination rules.
  - h. The decision making rules, procedures and structure.
  - i. The initiation of policies, consultation, decision making structure, rules and policy procedures.
  - j. The Code of Conduct of the coalition including the values and the principles guiding the performance of the individuals and the members of the parties within the coalition.
  - k. The dispute resolution mechanism and procedure.
  - l. The articles for implementation, enforcement as well as procedures for prevention of any breach against the agreement.
  - m. Procedures for appeal to specialised tribunal or high courts.
  - n. The role of the executive committee and party departments of the individual member parties of the coalition in the running of the affairs of the coalition including the coordination, techniques and procedures.

- o. The formula and the mechanisms for sharing the funds from the Political Party Fund to the respective members of the coalition.
- p. The grounds upon which the coalition may be dissolved and the mechanisms and procedures to be followed

## **Fourth Schedule**

### **Committees for Dispute Resolution, Discipline and Appeals within a Party**

#### **1. General Provisions**

The establishment of independent committees for discipline and internal dispute resolution:

- a. Every party shall, through internal party elections, form two independent committees which are the disciplinary committee and the dispute resolution committee; and
- b. The party may, if it deems that it is in its best interest, dissolve the disciplinary and dispute resolution committees.

#### **2. Appeal Committee**

An independent appeal committee, whose responsibility shall be to hear and decide appeals against the decisions of the internal independent committees of discipline and dispute resolution, shall be established.

- a. The appeals committee shall be appointed from the members of the party, or shall be appointed by the executive committee.
- b. The party may, if it deems that it is in its best interest, dissolve the appeals committee.

#### **3. The committees prescribed in paragraph (1) and (2) are composed of:**

- a. The committee members are from five to nine in number, and shall have a chairperson, vice chairperson and a secretary.
- b. The committee shall elect among its members a chairperson, vice chairperson and a secretary.
- c. The composition of each committee shall reflect the inclusion of members representing the regions and districts of the country.
- d. The members of the committees shall maintain gender balance.
- e. The members of these committees shall not include members of executive committee at any level.
- f. A member of a committee cannot simultaneously serve as a member of another committee.
- g. The members of these committees shall be appointed in accordance with the criteria specified in article (2) of this schedule.

- h. The members of these committees shall hold office for a non-renewable term of six years.
- i. If a member of a committee dealing in the hearing of cases relating to discipline and disputes is found to have a conflict of interest in that case, he/she shall be removed from that committee while the matter is under consideration.
- j. If the Chairperson of a committee hearing a case receives an official complaint in relation to alleged claims of a conflict of interest involving one or more of the members of the committee, the Chairperson shall discharge such member(s) from hearing the case.
- k. Cases involving disputes, disciplinary complaints and appeals shall be heard and adjudicated within 30 days from the day the complaint was received.

#### **4. Internal disputes committee:-**

The objectives of the disciplinary procedure are to ensure that:

- a. All members of the party are familiar with the disciplinary procedure.
- b. The disciplinary procedure is aimed to promote justice and equality.
- c. The accused member is innocent until proven guilty.
- d. Each accused member has the right to defend him or herself in person or through the assistance of a defence lawyer.
- e. Any convicted member is entitled to appeal against such conviction.

#### **5. Functions of the internal disciplinary committee are:**

- a. To decide on any alleged unethical conduct, violations of the party constitution, operational procedures, demeaning or opposing party policy.
- b. To decide on alleged misuse of the party revenue.
- c. To decide on alleged ethical violations related to misinterpretation and non-compliance of the party rules.
- d. To inform, in writing, the security forces of direct threats made against a member or members of the party or other party.

## **6. Internal Regulations of the Disciplinary Committee of the Party**

- a. The party shall establish an office for the purpose of collecting complaints.
- b. In the event of a conflict of interest involving the panel, with respect to a specific dispute, the panel shall disclose the same.
- c. The complaint shall be submitted to the committee within 30 days.
- d. The complainants can be members of a party and /or party officials.
- e. Members adjudicating a case shall be ethical and of good conduct, and shall be guided by this law and the Islamic Sharia.
- f. The adjudication procedure shall be:-
  - i. The committee shall hear the complaint.
  - ii. The clerk of the committee shall take the minutes of the case.
  - iii. The minutes of the case shall be prepared in details by indicating the allegations and related reasons.
  - iv. The clerk shall specify in the minutes the nature of the alleged crime, relevant articles of the constitution, rules, regulations, and the code of conduct that has been violated.
  - v. The defendant or their defence lawyer shall be informed of the allegations, in writing and in verbal and shall sign the receipt thereof within five days or less in case of emergency before the commencement of the hearing.
- g. The committee, upon receiving all of the documents and information of the case, shall, within a short period not exceeding more than two weeks, summon all the persons involved in the case to appear in that hearing.
- h. The committee, if necessary, shall provide an expert in sign language or lip-reading, for the deaf and those who have difficulty in speech, during the hearing.
- i. The following persons shall be present and can provide any necessary contribution during the hearing:-
  - i. Members of the committee.
  - ii. The complainant
  - iii. The accused
  - iv. The defence lawyer, interpreter, and an expert in sign language, if a hearing impaired persons are involved.

- v. Maximum of five witnesses from each part of the case.
- j. The chairperson of the disciplinary committee shall ensure:-
  - i. That the disciplinary hearing is just and fair.
  - ii. The Chairperson of the disciplinary committee shall ensure the smooth running of the hearing, and shall make a preliminary decision on the cases.
  - iii. That the accused has been informed of the allegations, and explore whether he/she was asked to confess or deny the allegations.
  - iv. The claimant shall explain in detail the violations committed against him/her, and may call upon a witnesses, and present all documents and evidences relevant to the case.
  - v. The accused may appoint a defence lawyer to represent him/her, and may question the witnesses brought in the hearing and can present any documents and evidences relevant to the case.
  - vi. Shall ensure that the documents of the case have been well written and preserved by the secretary.
  - vii. The committee meeting requires a quorum of a simple majority of the committee members.
  - viii. The committee decisions shall be based on consensus. Where a consensus is not reached, decisions shall be made through a simple majority vote. In the event of a tie, the vote of the Chairperson shall decide.
- k. At the end of the hearing, the committee shall retire to a special session, discuss and make in-depth analysis of the case, and shall make any of the following decisions:-
  - i. Lack of sufficient evidence related to the case.
  - ii. Monetary fine or unpaid work within the party.
  - iii. Suspension of the party membership.
  - iv. Expulsion of the member from the party.

- v. The accused shall be informed of the verdict and penalty made by the disciplinary committee, the reasons thereof, and his/her right to make an appeal.
- vi. The verdict of the committee shall be read to both parts.

## **7. Establishment of the Internal Party Appeals Committee**

- 1. The objective of the disciplinary appeal hearing is to ensure that:
  - i. There is a normal procedure that is familiar to all party members.
  - ii. Promote justice and equality.
  - iii. The accused member is innocent until proven guilty.
  - iv. The accused is given a chance to defend himself or herself.
  - v. The appellant is informed whether the appeals committee ratified the verdict reached by the disciplinary committee or whether there is modification to the previous verdict or the penalty thereof.
  - vi. The appellant and the respondent both have the right to file an appeal, against the decision of the appeals committee, to the special tribunal for political parties' disputes or to the high court.

## **8. Internal Party Disputes Resolution Committee**

The objective of the dispute resolution procedure is to ensure that:-

- i. There is a normal procedure that is familiar to all of the members of the party.
- ii. Encourage justice and equality.
- iii. The member has the right to defend himself/herself.
- iv. The member has the right to file an appeal.

## **9. Duties of the Internal Party Disputes Resolution Committee**

- a. Dispute resolution committee encourages the commonality and unity of the members of the party.
- b. The dispute resolution committee reaches decisions on:
  - I. The disputes between the members of the political party.
  - II. The disputes between the party and its members.

- III. The disagreements arising from the appointment of candidates before an election.
- IV. The disagreements arising from the election or nomination of the party officials.
- V. Disagreements related to sharing of appointed positions after the elections.
- VI. Disagreements arising from the management of the finance and other assets of the party.
- VII. Disagreements related to the management of the party affairs.

#### **10. Internal Dispute Resolution Committee Regulations**

- a. Disputes resulting from the nomination of electoral candidates shall be submitted to the committee after twenty-four hours of announcement of the candidates.
- b. Other disputes, excluding the nomination of electoral candidates, shall be registered within thirty days.
- c. It is obligatory that the complaint:-
  - i. Be in written form or an oral statement recorded by the Registrar.
  - ii. Causes of the dispute shall be made clear and written in a detailed and comprehensible manner.
  - iii. Clarify the dispute and the articles of the Constitution, Laws, regulations, and Code of Conduct which have been violated.
  - iv. Where the complaint is directed at the electoral candidates, the accused shall be informed of the allegation within twenty four hours and for any other complaints, the accused shall be notified within thirty days.
  - v. Must be signed by the complainant.
- d. The internal dispute resolution committee shall summon the disputing parties at a convenient time, in not more than fourteen days, and the committee shall inform the disputing parties of their right to appoint a defence lawyer or a member of the party to represent them. The disputing parties may also bring witnesses.

- e. The internal dispute resolution committee shall provide, if necessary, interpreters, experts in sign language or lip-reading, for the deaf and for those who speech difficulty.
- f. The following persons shall be present the hearing:-
  - i. Members of the committee adjudicating the case
  - ii. The complainant.
  - iii. The respondent.
  - iv. If necessary, interpreters and experts in sign language or lip-reading for the deaf and for hearing impaired people.
  - v. Witnesses.
- g. The chairperson of the dispute resolution committee shall ensure that:-
  - i. Dispute resolution procedure is based on fairness.
  - ii. Any issue raised in the case is decided upon.
  - iii. The defendant is informed of the allegation presented against him/her.
  - iv. The complainant describes in detail the allegations and presents evidences and witnesses.
  - v. The accused has brought a lawyer to defend him/her, and the lawyer may question the witnesses and present information for case dismissal.
  - vi. The registrar has written, registered and preserved all the information related to the case.
- h. A simple majority of fifty percent plus one (50%+1) of the members is required to have a quorum.
- i. The Committee shall reach the decisions through consensus. Where a consensus is not reached, decisions shall be made by a simple majority vote. In the event of a tie, the vote of the Chairperson shall decide.
- j. The Chairperson of the dispute resolution committee shall, upon the end of the hearing, ensure that:-

- i. The members of the committee shall hear the case and give due regard to all issues provided in the case after which a decision based on facts is reached or a recommendation is made.
- ii. The accused shall be informed of the verdict and orders of the committee and the reasons on which they are founded. Moreover, the accused shall be informed of his/her right to file an appeal.
- iii. The decision shall be read to both parts of the case.

#### **11. Appeals Committee for Internal Dispute Resolution**

The objective of this committee is to ensure:-

- a. That all members are conscious of the existence of proper procedure.
- b. Justice and equality.
- c. That a member has the right to defend him/ herself.

#### **12. The duties of the appeals committee for internal dispute resolution are;-**

- a. To promote the commonality and interconnectedness of the party members.
- b. To decide on the appeals filed against the rulings of the disputes resolution committee.

#### **13. The process for appeal.**

- a. Appeal can be taken by:
  - i. An accused person who's case is being decided by a the committee for resolving disputes. Can take an appeal.
  - ii. A plaintiff who submitted a case to the committee for resolving interparty disputes.
- b. The appellate committee shall hear appeal cases brought before it.
- c. The appellate committee is the final body that can be appealed to within the party.

#### **14. Appeals regulations**

- a. The party shall establish an office for receiving appeal cases.
- b. The appeal shall be submitted to the appeals committee.

- c. The appeal shall:
  - i. Be filed within fourteen days from the day of notification of the verdict.
  - ii. Be in oral or in writing prepared by the secretary.
  - iii. Include detailed reasons based on facts
  - iv. The accused shall be informed of the hearing of the appeal case within fourteen days, or less if urgent, before the hearing.
- d. Notwithstanding special cases specified by the chairperson of the appeals committee, new evidence shall not be presented and considered during the re-hearing of the case.
- e. New allegations shall not be made during the appeal.
- f. The chairperson and members of the appeals committee shall consider the issues raised during the hearing of the case, and on the basis of the information and the evidences presented reach a decision, which may be similar or different from the previous verdict.
- g. The appellant shall be informed of the decision of the appeals committee; of whether the previous verdict has been affirmed or whether the previous verdict or penalty has been modified.
- h. The complainant and the accused both have the right to file an appeal against the decision made by the appeals committee and refer it to the political parties' dispute tribunal or to the Supreme Court.