NATIONAL DEMOCRATIC INSTITUTE
FINAL REPORT ON THE PALESTINIAN LEGISLATIVE COUNCIL ELECTIONS
JANUARY 25, 2006

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NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and promote citizen participation, openness and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

Build Political and Civic Organizations: NDI helps build the stable, broad-based and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions—the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participation in public policy.

Safeguard Elections: NDI promotes open and democratic elections. Political parties and governments have asked NDI to study electoral codes and to recommend improvements. The Institute also provides technical assistance for political parties and civic groups to conduct voter education campaigns and to organize election monitoring programs. NDI is a world leader in election monitoring, having organized international delegations to monitor elections in dozens of countries, helping to ensure that polling results reflect the will of the people.

Promote Openness and Accountability: NDI responds to requests from leaders of government, parliament, political parties and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil-military relations in a democracy. NDI works to build legislatures and local governments that are professional, accountable, open and responsive to their citizens.

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ACKNOWLEDGMENTS

The National Democratic Institute (NDI) expresses its appreciation to The Carter Center and President Jimmy Carter for their partnership in this observation effort. NDI and The Carter Center thank former Swedish Prime Minister Carl Bildt, former Albanian President Rexhep Meidani and former Spanish Foreign Minister Ana Palacio for their leadership of the observer delegation. NDI and The Carter Center also acknowledge members of the delegation's leadership: Co-Founder of The Carter Center, Rosalynn Carter; Treasurer of the National Democratic Institute, Eugene Eidenberg; Executive Director of The Carter Center, John Hardman; Chief Commissioner of the Northern Ireland Human Rights Commission and Former Representative of the Northern Ireland Assembly, Monica McWilliams; Chairman of the Board of the Carter Center, John Moores; and former Governor of New Hampshire, Jeanne Shaheen. NDI and The Carter Center extend their gratitude to all members of the observer delegation, each of whom contributed to the success of the mission.

Most important, the delegation expresses its appreciation to the many government and electoral officials, candidates, political party leaders and election day workers who facilitated the work of the international observers, and to the Palestinian and Israeli interlocutors with whom it met. The delegation is also grateful for the high degree of coordination that occurred between its activities and those of Canada's and the European Union's International Observer Missions.

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EXECUTIVE SUMMARY

At the invitation of the Palestinian Central Elections Commission (CEC), the National Democratic Institute (NDI), in partnership with The Carter Center, organized an 84-member international delegation to monitor the January 2006 Palestinian Legislative Council (PLC) elections. The delegation was led by former United States President Jimmy Carter, former Swedish Prime Minister Carl Bildt, former Albanian President Rexhep Meidani, and former Spanish Minister for Foreign Affairs Ana Palacio. The observation mission was supported by a grant from the United States Agency for International Development.

The observation mission was part of NDI's comprehensive effort to monitor Palestinian electoral processes. As part of this program, the Institute has observed voter registration processes, the 2005 presidential election and recent municipal elections in the West Bank and Gaza.

SUMMARY OF OBSERVATIONS

Despite the difficult circumstance of the ongoing conflict and occupation, hundreds of thousands of Palestinians went to the polls on January 25, 2006 to elect the new members of the PLC. Voting occurred in a largely festive and peaceful environment. The delegation was deeply moved by this clear demonstration of Palestinian enthusiasm to participate in democratic elections. The CEC and electoral staff operated confidently, effectively and impartially, resulting in a process that compared favorably to international standards.

International standards for legitimate elections mandate a sound legal framework and an impartial and effective election administration that conducts its activities in an open manner. They also require an electoral environment in which political parties and candidates are free to organize and participate fully and peacefully in the process. The January 25 elections presented a unique challenge in that they brought to power a group that advocates the use of violence as a means of achieving a political end, refuses to give up arms, and is committed to the destruction of a United Nations member state. It is universally accepted that democratic elections and democratic governance are based on the use of peaceful means to achieve political ends. Elections should be a practical renunciation of violence and can represent a return to a culture of political dialogue and progress. The delegation expresses the hope that the elections mark a decisive move toward renunciation of violence by all Palestinian groups and that elected leaders and representatives construct genuinely democratic institutions and processes that will bring the peace and prosperity that the Palestinian people deserve, within a free and independent state. It is also hoped that these elections renew elected officials' commitment to addressing corruption and the range of other issues central to improving the lives of Palestinians.

- Under a recent and voluntary Political Party Code of Conduct, all competing parties undertook to engage in peaceful and fair campaigning and to accept the results of the election. This marked an important but incomplete step toward recognized democratic norms rejecting the use of violence for political goals. Campaigning was vigorous and largely peaceful, allowing voters to make informed choices at the polls. However, in violation of the Elections Law and the Political Party Code of Conduct, election day campaigning was widespread, and there were credible reports of abuse of public resources for partisan gain, as well as campaigning in mosques.

- Recent changes to the legal framework helped curb some of the problems experienced during the 2005 presidential elections including the use of the problematic civil registry as a means of identifying potential voters, and the abuse of the special procedures to allow for assisted voting for illiterates. New arrangements for early voting by security forces proved effective but were marred by scattered reports of efforts to influence their vote.

- The introduction of a new quota allowed for greater participation by women as candidates. In addition, women played a large and visible role as election officials, party/candidate agents, nonpartisan observers and voters.

- A significant number of political party/candidate agents and nonpartisan Palestinian election observers actively monitored the process, helping to ensure the transparency and integrity of the election.

- Despite some problems during the campaign and with electoral preparations, Israeli authorities generally eased travel through checkpoints on election day to facilitate freedom of movement.

- Agreement between the Israelis and Palestinians on voting in Jerusalem came late in the process, resulting in hasty preparations. Israeli restrictions severely hampered campaign activities in Jerusalem and on election day, conditions in the six Israeli post offices where Palestinians could cast *de facto* postal ballots did not allow voters to make their choice away from the view of postal workers.

The delegation concludes that, with the exception of limits placed on the number of voters who were allowed to cast ballots in East Jerusalem, none of the shortcomings cited above had a material impact on the results. Consequently, the outcome should be considered to reflect the will of the people. Palestinians and the international community now look to the newly-elected leaders to put in place genuinely democratic institutions and processes that will bring peace and prosperity to the West Bank and Gaza. As the Palestinian people build on the success of these elections and continue to work toward these goals, NDI offers the following recommendations.

SUMMARY OF RECOMMENDATIONS

- All groups should immediately and publicly renounce the use of violence as an acceptable means for pursuing political goals. Building on the success of the Political Party Code of Conduct, legal criteria requiring all political parties and candidates to commit to established democratic norms should be introduced.

- Freedom of movement and the ability to organize and campaign freely throughout the Palestinian Territories, particularly in East Jerusalem, was significantly hindered by the ongoing Israeli occupation. Although Israeli authorities eased usually strict travel through checkpoints on election day, particularly for international observers, they set up a significant number of new temporary checkpoints in and around Jerusalem.

- Israeli and Palestinian officials should redouble efforts to reach agreement on measures that would allow East Jerusalemites the same opportunities to exercise their voting rights that other fellow Palestinians already enjoy. In the interim, steps should be taken to protect the right to a secret vote.

- The current system under which CEC members are appointed by Presidential Decree should be reviewed. An appointment system that allows input, incorporates checks and balances and guarantees impartiality and effectiveness would ensure that future Commissions are able to discharge their duties with a similarly high degree of impartiality, independence and professionalism.

- More detailed regulations with enforceable sanctions should be introduced to address issues of campaign finance and campaign activities, especially concerning the use of public resources in campaigns. The prohibition of election day campaigning should be properly enforced or reviewed.

- The design of ballot papers should be reviewed. Logos and candidate photos should be used to eliminate the need for assisted voting for illiterates, and the two legislative ballots should be more clearly distinguishable.

INTRODUCTION

At the invitation of the CEC, NDI, in partnership with The Carter Center, organized an 84-member delegation to monitor the January 25 PLC elections. The delegation was led by former United States President Jimmy Carter, former Swedish Prime Minister Carl Bildt, former Albanian President, Rexhep Meidani, and former Spanish Foreign Minister, Ana Palacio. It included elected officials, electoral and human rights experts, regional specialists, and political and civic leaders from Africa, Asia, Europe, the Middle East and North America.

The objectives of the mission were to demonstrate the international community's continuing commitment to and support for the development of legitimate and viable democratic institutions that will enable Palestinians to freely choose their leaders and representatives, and to provide an impartial and accurate assessment of the polls. The mission was conducted on the basis of the *Declaration of Principles for International Election Observation* as well as comparative practices for democratic elections and respect for Palestinian law.

An accurate and comprehensive assessment of any election must take into account all aspects of the electoral process, as well as the political context in which they occur. The conditions set up by the legal framework for elections; the pre-election environment before and during the campaign; voting, counting and tabulation processes; the investigation and resolution of complaints; and the conditions surrounding the swearing in of elected officials must all be assigned appropriate weight in drawing conclusions about the conduct of elections. This report is informed by the observations of the election day delegation as well as those of eight long-term observers, a January 2006 pre-election assessment team and previous NDI and Carter Center observer missions to Palestinian elections. It also draws upon the work of NDI and Carter Center Jerusalem-based staff who engage Palestinian political leaders and electoral authorities on a regular basis.

For more than a decade, NDI has conducted programs to support the development of democratic Palestinian institutions and processes. The PLC elections observation mission was part of a comprehensive program to monitor Palestinian electoral processes. As part of this program, the Institute has observed voter registration processes, and presidential and local elections in West Bank and Gaza since December 2004. NDI activities in West Bank and Gaza are supported by a grant from USAID.

POLITICAL CONTEXT

Since it was first established in 1996, the PLC has struggled to carve out a role for itself that is independent from and serves as an effective check on the executive branch. These efforts have yielded mixed results. While it appears to have been sidelined in the past, the PLC has undertaken some recent initiatives that have demonstrated its growing capacity to call the Executive to account. In October 2005, for instance, legislators passed a vote of no confidence in then Prime Minister Ahmed Queria's government. These developments have taken place against the backdrop of challenging governance issues in the West Bank and Gaza including military occupation by Israel, the stalled peace process, continuing insecurity, and pressing economic and social needs even as the Palestinian Authority comes under pressure to curb spending and bring its large deficit under control. In this context, the legislative elections provided an opportunity for political leadership renewal and institution building, potentially paving the way for greater stability and a better future for Palestinians and their neighbors.

Meanwhile, the results of the local elections showed widespread support for Hamas, a group that had previously boycotted electoral politics. Having secured a large number of municipal seats, Hamas was now poised to challenge Fateh in national elections. With Fateh weakened by internal divisions, corruption scandals and the failure to address pressing economic and social problems, the stage was set for the most competitive elections in the West Bank and Gaza's history. At the same time, the participation of Hamas posed a unique challenge. Although Hamas' participation was accepted by the Palestinian Authority, the Central Elections Commission, and most Palestinians, the group has employed violence against Israel and publicly committed itself to the destruction of that United Nations member state. Hamas' failure to renounce violence may be seen to undermine the international principles of democratic elections and governance.

The first elections in the West Bank and Gaza were held in 1996. More recently, Palestinians have gone to the polls to elect new municipal legislators in five rounds of voting (2004/2005) and a new President (January 2005). Although Palestinians and the international community largely accepted both the presidential and local elections as clear expressions of the democratic will of the people, they identified a number of shortcomings including: inadequate arrangements for voting by East Jerusalemites; the continuing use of the civil registry – widely viewed as an unreliable means of verifying voter eligibility – alongside and despite the creation of a new and improved voters' register; abuse of the procedures for assisted voting by illiterate Palestinians; and last minute changes in election procedures that led to confusion among voters, candidates, observers and election officials.

In the lead up to the January 25 polls, an NDI-Carter Center pre-election assessment commended the CEC for its efforts to administer the process according to international standards but also highlighted a number of challenges that threatened the organization of legitimate legislative elections. They included the tenuous security situation in Gaza and lack of agreement between Israel and the Palestinians on voting procedures for East Jerusalemites. Despite these challenges, Palestinians emphasized the importance of finally holding elections seven years after the original mandate of the Palestinian Legislative Council (PLC) had expired.

FINDINGS AND OBSERVATIONS

THE ELECTORAL FRAMEWORK

Elections in the West Bank and Gaza are based on the provisions of the Basic Law, the Elections Law, presidential decrees and CEC protocols and bylaws on electoral matters.

Recent Changes to the Legal Framework

The amended Elections Law No 9 of 2005 introduced a number of important changes. First, the number of legislative seats was increased from 88 to 132. In addition, a mixed electoral system was introduced. Under the new provisions, half of the legislative seats are filled from closed national lists using a minimum threshold of 2 percent of the total number of valid votes. Seats are allocated to lists meeting the threshold requirement of the Saint Lague method, also used in Bosnia-Herzegovina, Denmark and Norway.

The remaining 66 legislators are elected under a multiple-member district-based majoritarian system, commonly called the Block Vote System. There are 16 districts in all: five in the Gaza Strip and 11 in the West Bank. Each district is allocated a number of seats in proportion to its population. Voters select the number of candidates corresponding to the number of seats in their district. For example, in addition to selecting one national list, each voter in Jerusalem selects six candidates corresponding to the six seats assigned to the governorate.

The plurality block voting system, a variant of the First Past the Post (FPTP) system has the capacity to produce significant distortions between the level of popular support for a particular party and the number of seats it receives. Under the system there is no requirement to win an absolute majority of the votes. Political parties that are able to limit their number of candidates and to effectively organize and mobilize supporters do particularly well. For instance, because only a plurality is required to win a seat, a small but cohesive group of voters can overpower larger but less organized groups of voters who do not choose their candidates tactically. A party that fails to limit its candidates risks splitting the votes of its supporters among various candidates, diluting the overall chances for that party to secure seats. Every electoral system has the capacity to produce distortions. In this case, while the system can produce more cohesive legislatures, it can also generate results that are somewhat unrepresentative of voters' intentions. Only a handful of countries use the system.

Six seats were set aside for Christians by presidential decree in Bethlehem (2), Ramallah (1), Jerusalem (2), and Gaza (1). In each governorate, Christian candidates receiving the highest numbers of votes are awarded the designated number of seats with the remaining slots going to the non-Christian candidates with the most votes.

While some NDI recommendations, such as the elimination of use of the civil registry as a potential means for verifying voter eligibility, were incorporated into the amendments, others have yet to be implemented. Most notably, registration of partisan entities is still governed by the Bylaw for Registration of Partisan Entities the provisions of which are based on old electoral

regulations that are no longer in force. In addition, registration is largely a formality and does not require entities to abide by established democratic principles. As a result, there are still no appropriate regulations concerning political party registration and activities, an urgent need that must be addressed. A number of other important aspects of the electoral process – such as voting for the security forces and certain details regarding voter registration (exhibition and challenges to the register, for instance) – are not provided for in the law and are simply regulated by CEC instructions or bylaws rather than the Elections Law or other laws. For instance, voting arrangements for the security forces register are currently covered in a bylaw awaiting approval from the cabinet.

The Central Elections Commission (CEC)

The CEC is charged with administering presidential and parliamentary elections in the West Bank and Gaza. It operates at three levels: Commissioners and the Executive Office; District Election Commissions, recruited by the CEC for the purpose of administering elections in specific geographic areas; and polling station staff who administer polling procedures on election day. Members of the Commission, the highest level of administration, are appointed by Presidential Decree and serve four year terms. Once appointed, members are free to serve as "the supreme authority which shall undertake the management and supervision of elections and be responsible for their preparation and organization, as well as the adoption of procedures necessary to secure the integrity and freedom of elections." As such, the CEC is legally independent of the executive and legislative branches. Its independent budget and a strong professional staff that includes expatriate electoral experts have also contributed to its impartiality and competence. In short, the Commission has established a high degree of public confidence and also enjoys the support of the international community.

Over the past year, the CEC has taken a number of steps to further enhance public confidence in its ability to administer the process impartially and efficiently. The Commission has worked hard to ensure the adoption of formal procedures for various aspects of the process such as voting by security forces. The debate over the arrangements also demonstrated the CEC's increased capacity to resist political pressure, a major accomplishment considering the fact that during the presidential election only a year ago, the Commission took certain decisions under duress over the same issue. Steps have also been taken to address concerns over the abuse of provisions for assisted voting by illiterate Palestinians.

In addition, the CEC was proactive in sharing information with contestants and the general public, contributing to greater transparency. For instance, the CEC maintains a user-friendly website where members of the public can easily access information about various aspects of the electoral process. During the elections, the Commission also operated a public information hotline and produced a series of instructions and manuals on topics such as candidate registration and international observation. One of the few pieces of information that is still not available to the public is the schedule and agenda for CEC meetings. An NDI request to observe CEC meetings was denied.

Participation of Hamas

Hamas' participation in the 2006 elections presented a unique challenge as the group advocates violence, including the killing of civilians, as a means to achieving a political end. It is also committed to the destruction of a United Nations member state. While it is in the long term interest of Palestinian democratic development, and likely in the long term security interests of Israel, that a wide spectrum of groups participate in lawful and peaceful political processes, Hamas' political participation, while simultaneously advocating violence, is not consistent with a fundamental principle of democratic elections.

In an August 2002 pre-election assessment, NDI, the International Republican Institute (IRI), and the International Foundation for Election Systems (IFES), recommended the adoption of candidacy requirements for the expected 2003 PLC elections, which were subsequently postponed until 2006. The 2002 report also suggested that a code of conduct be developed and enforced which committed all parties to transparent and democratic principles, disallowed election related violence and restricted individuals engaged in, or advocating, violence from becoming candidates. A Political Party Code of Conduct was ultimately signed by all competing parties, including Hamas, in advance of the 2006 PLC elections. The voluntary code set the stage for renunciation of violence by all parties during and beyond the elections, and could be expanded in future elections to include specific prohibitions for those actually advocating violence. Although Hamas was democratically elected, its refusal to disavow violence prevents the group from meeting internationally recognized democratic norms.

Voter Registration

In the 1996 elections, the civil registry served as the principal but flawed means of identifying potential voters. Since 2004, the CEC has compiled a new and more credible list in a process that was monitored by NDI through observation of the process in registration centers. In addition, computer tests allowed NDI monitors to confirm that there were no major errors in the database protocols. Although the Institute's request to conduct an independent audit of the voters list itself was denied, NDI's report on the registration process commends the CEC for the high level of proficiency with which the new register was compiled. For instance, voter registration centers were established in local communities throughout the West Bank and Gaza. They were established at the same locations as future voting centers. This approach helped ensure that voters would be able to find their polling centers easily. Most of the registration centers were located in schools, making it relatively easy for the CEC to create sufficient polling stations while limiting the number of voters to 600 per station. This success was achieved despite challenges such as armed clashes in northern Gaza during registration.

Nevertheless, during the 2005 presidential elections, last minute changes to the election law required the CEC to permit any eligible voter who appeared on the civil registry to vote as well. The registry, a document compiled for purposes unrelated to voting, was known to be inaccurate and to contain the names of hundreds of thousands of people who had died or emigrated.

As previously recommended by NDI, the amended Elections Law No 9 of 2005 eliminates the use of the civil registry as an alternate potential source of voter identification. In addition, in line

with another recommendation from international observer groups including NDI, the CEC recently introduced continuous voter registration, a step that will make it even easier for eligible Palestinians to register. On election day, there were no reports of significant problems with the voters' register, a further testament to the credibility of the new list. Voter registration was temporarily suspended in East Jerusalem when Israel shut down seven registration centers. Centers for East Jerusalem residents to register for the PLC elections were eventually set up outside of the city.

Candidate Registration

Palestinians registered to vote, who permanently reside in the West Bank or Gaza and are at least 28 years of age on election day are eligible to run for legislative seats. In order to participate in elections as partisan entities, political movements must first be registered with the Ministry of Interior and subsequently secure accreditation from the CEC prior to candidate registration. There are currently 14 registered partisan entities including Fateh and Hamas. Procedures for candidate registration are relatively simple and include the submission of an electoral platform, a list of signatures belonging to 3,000 eligible voters, basic information about each candidate and a deposit of $US 6,000 for each national list. No signatures or deposits are required for district-based seats.

District election officials were prepared to handle the large number of candidate applications. Registration papers were processed without any significant delays or complaints by the contesting parties and most candidates viewed the registration procedures as fair. However, outside events caused disruption and an eventual amendment to the CEC's registration procedures.

Fateh's internal divisions and its highly controversial primaries, which led some members of the party to run as independent candidates, resulted in the party's submission of two candidate lists. When candidate registration was temporarily suspended after certain CEC offices were attacked by an armed group, the CEC extended candidate registration to allow fair opportunity for those unable to complete the necessary registration procedures because of the attacks to do so, and to comply with the legal requirement of a 12-day candidate registration period. The Electoral Appeals Court overturned the CEC decision, however, instead ordering that candidate registration be re-opened altogether. The Court's ruling to re-open, rather than simply extend registration, more than compensated for the brief suspension and, significantly, allowed Fateh to withdraw the two separate lists that had been filed by its members, and to submit instead a new consolidated single national list. Some independent candidates complained to NDI and Carter Center monitors that they came under pressure to withdraw their candidacies.

The CEC carried out its duties largely unobstructed, receiving a few appeals for rejected candidate applications in the Gaza Strip, three of which were accepted by the Electoral Appeals Court allowing the previously rejected candidacies. Also, a petition jointly filed by President Mahmoud Abbas and the CEC to reject the candidacies of those public officials who failed to attach their resignation letters to their applications as required in the Elections Law was not accepted by the Court because neither President Abbas nor the CEC were contestants in the election.

A total of 728 candidates competed in the PLC elections: 414 for district-based seats and 314 on the 11 national proportional representation lists.

Campaign Finance Issues

Article 100 of the Elections Law No 9 of 2005 prohibits candidates and electoral lists from receiving campaign funding from foreign sources. The spending limits for national lists and district-based seats are $US 1 million and $US 60,000 respectively. All lists and successful candidates are required to submit detailed financial statements to the CEC within one month of the announcement of the final election results. These statements are expected to indicate all sources of funding and campaign expenses.

During the presidential elections, the CEC criticized some PA officials for campaigning and one of the candidates was charged by his rivals of using foreign funding. In the aftermath of the Presidential election, all but one of the candidates complied with the requests for financial records although two of the reports missed the deadline for submission. The reports largely took the form of general statements on expenditures and income. They did not include itemized lists of funding sources, specific information on how money was spent, or which vendors or individuals received payments from the campaign.

THE CAMPAIGN

These elections provided Palestinians with their first opportunity in 10 years to hold their legislators accountable. According to public opinion polls, the main issues of concern to voters were eliminating corruption, improvements in essential government services and the establishment of law and order. Although most candidates tried to address these issues in their platforms and during campaign activities, their proposals were generally vague and hard to distinguish from one another. Nevertheless, the campaign was vigorously contested and generally peaceful with the exception of a few security concerns. Political parties and candidates used electronic media, posters, rallies and door-to-door canvassing to convey their messages, allowing voters to obtain abundant information about the contestants. General campaigning in East Jerusalem was hindered by an Israeli ban on the use of public buildings for campaign-related activities and limitations on the public posting of campaign materials. Official Hamas campaign activities were prohibited in East Jerusalem, although individuals representing Hamas were allowed some campaign activity.

In the lead up to the election, the Palestinian civic group Arab Thought Forum, with technical support from NDI and Tamkeen, a civil society and democracy strengthening organization in the Palestinian Territories, facilitated the development of a voluntary Political Party Code of Conduct that was ultimately signed by all competing parties, including Hamas. NDI recommended the development of such a code in its pre-election report of August 2002 and again in its final report on the January 2005 Palestinian presidential election based on the concerns those polls raised about: intimidation of electoral officials and interference in the electoral process; abuse of provisions for assisted voting for illiterates; clashes over public space

for campaign materials; failure of candidates to disclose sources of campaign financing; and abuse of public resources.

Under the Code, signatories committed to refrain from a range of inappropriate practices such as vote buying, the exploitation of religion and ethnicity, and sabotage/disruption of rival campaign activities. They also reaffirmed their commitment to respecting Palestinian campaign finance law and the final results of the election. Multiparty committees at the national and local levels oversaw implementation of provisions of the Code and were used as forums to address any grievances. The process leading to the acceptance of the Code and its monitoring is partly credited with the relative peacefulness of the campaign.

Arab Thought Forum monitors reported only relatively minor violations of the Political Party Code of Conduct, the most widespread concerning the removal or covering of posters belonging to competing lists/candidates. While many contesting candidates/parties and their supporters engaged and fell victim to these practices, they had a particularly damaging effect on those less able to afford additional posters. There were also credible reports of campaigning in many mosques, especially on behalf of Hamas candidates and of the use of Palestinian Authority resources for the benefit of Fateh candidates.

The Media

Print and broadcast media in the West Bank and Gaza present a plurality of views. Palestinians also have ready access to regional and international news media which provided significant coverage of the elections. Under the amended Elections Law No 9 of 2005, parties and candidates are granted free and equal access to public broadcast media. Contestants also have the option of paid advertising.

During the election period, media monitoring was carried out by the Pavia Institute as part of the European Union Election Observation Mission and by the Palestinian NGO *Filistiniyat.* Media monitors concluded that the legal provisions for free airtime on public television and radio were respected. In addition, a number of televised debates and talk shows provided contestants further opportunity to convey their positions to the electorate. However, during regular news coverage, "Palestinian TV" and "Voice of Palestine" disproportionately favored incumbents and their candidates. In addition, some private media outlets monitored by *Filistiniyat* favored particular candidates or lists. Monitors also reported that media outlets discriminated by charging candidates different prices for political advertisement.

Security Concerns

In the lead up to the election, the security situation in the Gaza Strip continued to deteriorate. There were a number of confirmed reports of election-related violence. Police forces in Gaza, far from being able to impose law and order, appealed to the Palestinian political leadership for more support, refusing in some cases to intervene to stop violent incidents on the streets. In one case in mid-December, masked gunmen attacked CEC offices in Gaza, claiming they were protesting the manner in which some of the PLC candidates had been chosen. Particularly near the Rafah border crossing, manifestations of violence and disorder had distinct political

overtones. In an incident in early January, militants stormed the CEC office in Rafah, blocked all roads and entrances to Rafah and stormed PLC and Ministry of Interior buildings. The group also attacked the Rafah crossing and bulldozed a section of the Gaza-Egypt border causing clashes with Egyptian border guards. The group was protesting the arrest of one of its members on suspicion of involvement in the kidnapping of three Britons. One party's campaign worker was shot and killed by a rival activist in another incident. Later in January, an attempted attack on Palestinian Liberation Organization's (PLO) Executive Committee offices in Gaza City ended in clashes with Palestinian police outside the office. The clashes coincided with President Mahmoud Abbas' arrival to his Gaza office, located nearby. A few days before the election, an Israeli attack resulted in civilian deaths in Gaza and a member of Fateh was killed in Nablus. However, a threat issued by one group indicating that international observers might be targeted was quickly and publicly disavowed by all factions.

Freedom of Movement

The impact of the ongoing Israeli military occupation of the West Bank, including the construction of the wall or "security fence," the presence of hundreds of checkpoints with long delays, closed or restricted roads, access controls, and various other security controls, all inhibited the ability of election officials, voters and particularly candidates and their supporters from going about legitimate election-related activities. There were numerous confirmed reports that political candidates, campaign workers, and election officials were unable to move satisfactorily through Israeli checkpoints during the campaign period. These problems included delays at checkpoints, the refusal of Israeli officials to issue permits to contesting candidates and their campaign workers, the seizure of campaign materials and some cases of arrest and detention. The continuing violence in the Gaza Strip also hindered the work of the CEC there, and constrained the movement of voters and candidates in certain specific areas.

EARLY VOTING BY THE SECURITY FORCES

Initial proposals by the Ministry of Interior included allowing members of the security forces to vote wherever they chose or in barracks on election day, and to vote based on lists compiled by the Ministry rather than the voters' register. Instead, under a new bylaw based on counter proposals from the CEC, members of the security forces cast their ballots in early voting from January 21 to 23. They voted at 17 special centers in their home governorate capitals rather than inside barracks, which made it possible for the CEC to exercise full control over the process and facilitated monitoring by candidate representatives and nonpartisan domestic and international observers. Cast ballots were secured and counted on January 25. These new arrangements constitute a marked improvement over the experience of the presidential election and allowed security forces to perform their election day duties without being disenfranchised.

Turnout among members of the security was high – 92.1 percent – and voting was conducted in a generally orderly and peaceful manner with the exception of isolated disruptions to the process in a handful of centers. In Khan Younis, for instance, a group of armed men broke into a center while shouting campaign slogans leading to a temporary suspension in voting.

The delegation heard reports of attempts to interfere with the individual choices of members of the security forces. There is also evidence that security forces received written instructions to cast their vote for particular candidates. The marked and unexpectedly high number of security force voters on the first day of voting in particular, led many to conclude that they had been pressured to claim illiteracy so that agents who "coached" them while voting were permitted to accompany them throughout the process. In response to these concerns, the CEC temporarily suspended application of the provisions for assisted voting. While illegal, this decisive step, combined with high-level consultations with high-ranking officials in the security forces, proved effective in limiting further abuses. The ban on assisted voting was lifted as soon as the problem was solved.

ELECTION DAY

In a strong expression of their desire to choose their own representatives through open and competitive elections, over 1,000,000 Palestinians – 77 percent of registered voters – turned out on election day to select a new PLC. In places like Salfit, turnout reached almost 84 percent. Voter turnout in East Jerusalem was unusually low at 62 percent. The high participation in these and recent presidential and municipal elections clearly illustrates a serious commitment to democratic elections by the Palestinian people. The largely festive and peaceful environment in which voters cast their ballots demonstrated a degree of optimism, pride and enthusiasm in election processes that was heartening, particularly in light of the ongoing conflict and occupation.

Despite initial uncertainty over the date of the election, the CEC recruited and trained thousands of District Election Commission and polling station staff in sufficient time to administer the process effectively. Recruitment was handled through an open and competitive process and the vast majority of polling station staff were teachers who proved fully up to the task on election day. In addition, observers witnessed officials of the CEC as they visited polling stations during voting to ensure that all was proceeding smoothly. In all, election staff conducted themselves admirably in all stages of the process.

As a result, the CEC and its staff once again inspired a high level of confidence among political contestants and the Palestinian population. The degree of professionalism and impartiality displayed by electoral officials – even as they worked long hours and in difficult circumstances – is particularly commendable and further served to bolster faith in democratic processes.

With the introduction of the mixed electoral system, voting was carried out using two ballots, both of them printed on white paper though they were of clearly different sizes in some districts. Voters were asked to place the ballots for proportional representation and district-based majoritarian seats in two separate ballot boxes. When the CEC realized that using the same color for both ballots could be potentially confusing, instructions were issued to allow voters to return behind booths to verify their ballots before placing them in the correct box. Ballots placed in the wrong boxes were counted as valid.

In general, security forces maintained a visible but appropriate presence outside polling stations and did not interfere with the process. Israeli authorities generally opened checkpoints on election day and otherwise facilitated freedom of movement for voters, election workers and observers.

Inappropriate Campaign Activity

Under Palestinian law, election campaigns must end 24 hours before election day. As with past elections, campaigning by virtually all contestants was widespread on election day. This ranged from the distribution of mock ballots by campaign workers outside almost every single polling center visited by observers to the use of loudspeakers placed immediately outside polling centers to broadcast campaign slogans and the names of candidates. A truck full of activists shouting campaign slogans drove through Nablus. In addition, get-out-the-vote efforts in neighborhoods may have infringed the Elections Law campaigning prohibition. In most instances, election day campaigning, while illegal, was conducted in a vibrant and festive atmosphere. However, in parts of Gaza and Hebron, these activities contributed to tensions and scattered incidents of violence.

Assisted Voting

Procedures for illiterate voters to receive voting assistance have been extensively abused in the past. International and domestic observers have expressed concerns that the provisions have allowed family members and candidate/party agents to exert undue influence over individuals' right to choose. Under new procedures designed to limit such abuses, each person is only allowed to assist one voter and mark the ballot in accordance with the wishes of the voter. Presiding officers are required to monitor developments in the voting booth to ensure that the assistant respects the wishes of the voter. This procedure was not consistently followed. However, the new provisions appear to have curbed abuses relative to past elections though ballot secrecy is precluded under such procedures.

ISSUES SPECIFIC TO JERUSALEM

Past Problems

An estimated 120,000 Palestinians eligible to vote – approximately 9 percent of the entire electorate – live in Jerusalem. Given the unresolved status of city, these residents have not yet had a reasonable opportunity to fully participate in all aspects of Palestinian electoral processes. In 1996 and 2005, a limited number of Palestinian residents of East Jerusalem were allowed to vote within the city under the provisions of the 1995 Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip. Using this procedure, some 5,000 Palestinians were allowed to cast *de facto* postal ballots in selected post offices in Jerusalem. Although staff of the Israeli postal service administered the voting process, cast ballots were transported at the close of the polls to counting centers within the West Bank administered by the CEC. Additional arrangements were made for the remainder of East Jerusalemites to vote in special centers outside the city boundaries. However, this procedure required them to travel longer distances than most other voters.

Voting at Israeli post offices has been fraught with problems. The postal facilities tend to be small, making it difficult to accommodate more than a few voters at any one time. In addition, during the 2005 presidential election, many eligible Palestinians arrived at post offices only to find that their names were not on the lists for the post offices closest to their homes. In one case, two sisters who lived at the same address, and who had registered to vote at the same center in East Jerusalem found their names on the lists of two different polling stations several kilometers apart. These voters were referred to the special centers outside the city boundaries. Eventually, a solution was found that permitted those turned away from post offices to vote, but as a result of poor communications, the procedures were applied unevenly, causing further confusion. Turnout of eligible voters of East Jerusalem has consistently been significantly lower than in other parts of the West Bank and Gaza. Jerusalem district recorded the lowest turnout of the 16 districts with 62 percent of eligible voters casting their ballots.

When the CEC began compiling a new voters' register in 2004, seven centers were opened in East Jerusalem. During their first week of operation, they were raided by Israeli authorities and were eventually shut down. Although special centers were established outside the municipal boundaries of the city, they attracted few voters. As a result, it is widely assumed that the current register does not capture tens of thousands of eligible Jerusalemites.

Reaching Agreement on Voting Arrangements for 2006

The ability to vote within the municipal boundaries of Jerusalem is important to both Palestinian rights and the fair conduct of elections. With six of the district-based seats in the PLC assigned to Jerusalem, putting adequate measures in place to facilitate participation by East Jerusalemites was particularly important.

Israel refused to discuss the arrangements for voting in East Jerusalem until the last moment, citing their rejection of the participation of Hamas. Although the Israeli government threatened to disallow voting in East Jerusalem altogether, they eventually proposed to facilitate the travel of eligible Palestinian voters to polling stations outside of East Jerusalem. This proposal was rejected by the Palestinians and an agreement was reached just 11 days before the election, which resulted in a slight improvement to the polling-day procedures of 1996 and 2005. This delay hindered preparations in Jerusalem and made it difficult to mount adequate voter education efforts.

The Campaign

Although campaign activities were to be permitted in Jerusalem, competing candidates continued to face strict limitations. In a series of meetings, Israeli officials reassured NDI and The Carter Center that contestants would be allowed to campaign in Jerusalem under the same conditions applied in Israeli elections. On the first day of official campaigning, Israeli police detained candidates in the Jerusalem district and prevented them from campaigning near the Damascus Gate of the Old City. For example, candidates required approval to hold meetings with constituents in public facilities and were banned from using Palestinian flags or other Palestinian symbols from their flyers and campaign materials. Candidates and campaign workers in

Jerusalem continued to face a variety of problems including questioning and detention by Israeli security forces, the imposition of fines for putting up campaign posters, and Israeli instructions to hotels warning them against permitting candidates to use their premises for campaign activities. Additionally, Hamas was not permitted to campaign in East Jerusalem.

Election Day

This election marked a small increase in the number of Palestinians allowed to cast their votes in Jerusalem – 6,300 instead of 5,367. Prior to election day, at three selected post offices, numbered tickets were issued to East Jerusalemites planning to vote inside the city limits. On election day, only those voters presenting these tickets at the six locations selected to offer *de facto* ballots were allowed to vote inside the city. As indicated above, the delay in reaching agreement on arrangements for Jerusalemites left insufficient time for adequate voter education efforts. As a result, many people were not aware of the ticketing procedures. In addition, only one of the three locations was clearly marked, making it difficult for voters to identify where they could obtain the necessary tickets. Nevertheless, this procedure helped to avoid the large-scale confusion experienced in 2005.

Notwithstanding, voting arrangements in Jerusalem remain inadequate. For instance, as no booths were made available on election day, those casting their ballots in post offices did so at counters in view of postal workers, a violation of the right to a secret ballot. As in past elections, no ballot boxes were used in post offices. Instead, voters were asked to place their ballots in envelopes that were then stored in receptacles until voting in post offices closed and ballots were turned over to the CEC. To compensate for delays caused by the cramped conditions in some post offices, voting in Jerusalem was extended by two hours. Those not in possession of post office tickets were offered the possibility of casting their ballots at 14 special polling stations established and operated by the CEC outside the city boundaries.

Nevertheless, as with past elections, turnout was lowest among the Arab residents of East Jerusalem – 61.6 percent as compared to 78.2 percent for other areas. Low rates of participation in Jerusalem are often attributed to fear of the loss of health insurance and retirement benefits provided by the Israeli state.

WOMEN'S PARTICIPATION

According to recent amendments to the Elections Law, national party lists for the proportional representation seats must contain a minimum of one woman in the first three names, a second woman in the next four names, and an additional woman for every five more names. Combined, the proportional representation lists included 70 women out of a total of 414 candidates. There is no gender quota for the district-based majoritarian seats, however, and the number of women competing for these seats was disappointingly low – only 15 out of a total of 414 candidates. In Hebron, the sole woman candidate for a district-based seat was reported to have unofficially withdrawn from the race. A total of 17 women secured seats in the new PLC, none of them district-based seats.

As with past elections, women played a large and visible role in the process as election officials, party/candidate agents, nonpartisan observers and voters. For instance, many of the party/candidate representatives who were placed outside polling centers to ensure that all sympathizers were coming to vote were women. In some cases, women filled all the election staff positions in particular polling stations.

ELECTORAL DISPUTES

Electoral disputes are received and ruled upon by an Elections Appeals Court whose nine members are appointed by presidential decree upon the recommendation of the Supreme Court. Fateh submitted petitions challenging the election results for Salfit, Nablus, Gaza, Khan Younis and Jerusalem and requested a rerun in those districts. The petitions concerning Nablus and Salfit Districts were eventually withdrawn by Fateh. In the Gaza Strip and Khan Younis petitions, Fateh representatives argued that voters received coaching and that the ballots were not properly counted. A separate petition submitted by Hamas argued that a data entry error by the CEC cost the movement one seat under the proportional representation system. The Fateh petitions were rejected because they were not submitted after the deadline for electoral complaints. In the Hamas case, the CEC was ordered to verify its data entry. When no errors were found, the petition was rejected. Both plaintiffs have accepted the court's ruling.

OBSERVATION OF THE ELECTIONS

Palestinian electoral law guarantees candidate representatives access to all aspects of the electoral process. Large numbers of party/candidate agents as well as nonpartisan Palestinian observers from such groups as Arab Thought Forum, the Palestinian Center for Human Rights, the Palestinian Election Monitoring Committee and *Filistinayat* monitored the elections. They worked collaboratively with each other and election officials to enhance prospects for a legitimate process. Although few of them carried out their duties with the assistance of written materials, their strong presence during pre-election events and on election day demonstrated the growing capacity of Palestinians to safeguard the integrity of their election processes.

In addition, hundreds of international observers representing more than 40 organizations and diplomatic missions received accreditation to monitor the process. The largest of these international observation missions were the European Union, the European Parliament, the Canadian and NDI-Carter Center delegation. There was a very high degree of coordination among the international observers, particularly the largest missions, which is consistent with the growing cooperation among organizations that endorse the *Declaration of Principles for International Election Observation*. Both Israeli and Palestinian officials were extremely helpful in accommodating the work of the delegation.

Prior to election day, the CEC issued instructions to all polling staff asking them to make all data, protocols and statistics available to observers. While commendable, these instructions were not consistently applied and in a few cases, electoral staff discouraged observers from moving around polling stations.

FINAL RESULTS

The official results published by the CEC awarded Hamas and Fateh 74 and 45 seats respectively. In addition, seats were secured by Martyr Abu Ali Mustafa (3), Third Way (2), Alternative (2), Independent Palestine (2) and various independent candidates (4).

It is the delegation's judgment that the shortcomings in the electoral process had no material impact on the outcome of the elections. Consequently, the published results are believed to reflect the will of the Palestinian people.

RECOMMENDATIONS

The delegation expresses the hope that these elections will mark a decisive move toward the renunciation of violence by all Palestinian groups and renew elected officials' commitment to addressing corruption and the other range of issues central to improving the lives of Palestinians. As the Palestinian people build on the success of these elections and continue to work toward these goals, NDI offers the following recommendations.

Steps to Ensure that Political Parties and Candidates Play by Democratic Rules

While the Political Party Code of Conduct marks an important step toward ensuring the use of elections as a peaceful means for resolving conflict among contesting parties, is not a substitute for proper regulation of political parties and candidates. Such legal instruments promote a level playing field and help to ensure that all contesting parties engage in the process based on agreed upon rules that are consistent with international standards for democratic behavior.

A draft law on political parties that was submitted to Council of Ministers in 1998 proposed that registered parties publish the names of their leaders and their organizational structure and pursue their objectives "through lawful and peaceful means" but has not been passed. The Palestinian Authority and newly-elected PLC should, as a priority, introduce regulations to ensure that political entities participate in elections fairly and peacefully and do not advocate the use of violence as a political tool. This prohibition should apply equally to all groups.

Equal Treatment of Jerusalemites as Provided for in Palestinian Law

Inadequate arrangements for registration and voting by East Jerusalemites are largely the result of broader political issues related to the peace process. However, all Palestinians deserve the same opportunity to exercise their rights by choosing their leaders in processes that meet established standards for democratic elections. This right is also enshrined in Articles 8 and 112 of the Elections Law No 9 of 2005. In addition Article 45 of the bylaw on voter registration provides for additional, special legislation on registration of Jerusalemite voters.

Israeli and Palestinian authorities should reach an agreement on procedures to ensure equal treatment of eligible East Jerusalem voters during Palestinian elections. This includes, but is not limited to, proper registration of Jerusalemites. In the event that no permanent solution is found

before the next elections, at a minimum, steps should be taken to protect the right to a secret ballot.

Low turnout among East Jerusalemites is often attributed to the fear of the loss of certain benefits. Although no evidence of such losses has been presented to NDI or The Carter Center, the perception of a potential for discrimination is as damaging to public confidence as proven cases of discrimination. In such contexts, extraordinary measures are required to reestablish faith in the ability of public officials to treat people equally. Therefore, the Institute reiterates previous calls upon Israeli officials to issue public assurances that there will be no retribution against Palestinian Jerusalemites for voting. Such efforts could help allay Palestinian fears.

Institutionalizing the Independence and Procedures of the CEC and Further Steps Towards Transparency

Despite being appointed by Presidential Decree, the current CEC was able to withstand efforts to politically interfere with its administration of the process. There are few safeguards to help ensure that future commissions will be able to discharge their duties to the same degree of impartiality. To isolate future commissions from any actual or perceived political biases, the PLC should revisit the procedures by which CEC members are appointed. The procedures should provide for broad input on potential CEC members and incorporate adequate checks and balances in the process. On balance, the appointment system must guarantee the impartiality and competence of the individual members and a body that warrants public confidence in its independence and effectiveness. In accordance with general practice elsewhere, once appointed, Commissioners should be allowed to elect their own chair from among their members. The procedures for the recruitment of the Chief Electoral Officer and the necessary qualifications should also be regulated by law.

To address the few cases in which CEC instructions were not respected, the Commission should redouble its efforts to ensure that all electoral staff grant observers full access to all data, protocols and other polling station information provided that the observers do not disrupt the process.

Steps to Limit Inappropriate Campaign Activity and Financing

Widespread violation of the prohibition on election day campaigning by parties on all sides, while appearing to have no material impact on the outcome of the election, makes a mockery of the law. To promote respect for the rules of engagement and to prevent inappropriate election day campaigning in the future, legal campaign periods and restrictions should be properly enforced or reviewed to better reflect Palestinian culture in a way that is consistent with international democratic standards.

Public resources including government funds, vehicles, communications equipment, materials and the work hours of public officials and civil servants belong to the Palestinian people. Their use for the benefit of individual parties or candidates is a violation of the public trust and diverts scarce resources away from legitimate public development initiatives toward partisan goals. The

use of mosques for campaigning violates Palestinian law and the Political Party Code of Conduct.

No democracy has been spared the scourge of political scandals arising from unethical or illegal political financing practices and campaign activities, a problem that undermines one of democracy's greatest assets – the faith of ordinary citizens in the political process. The experience of other democracies suggests that a combination of comprehensive regulation, effective and impartial enforcement of the rules and active monitoring by civil society and the media can help limit inappropriate behavior. Campaign finance laws are most effective when supplemented by additional regulations that limit the discretion of public officials and thus, opportunities for influence peddling and other abuses. Palestinian authorities should work to refine regulations concerning campaign activities and finance and improve their enforcement. The Institute also encourages civil society and the media to continue exposing abuses and to contribute to the debate about ways to limit illegitimate practices.

In a commendable move, the CEC recently wrote to contestants in the PLC elections reminding them to submit their campaign finance reports within the legally mandated period – one month from the announcement of the final election results. The Commission has also announced that it is considering referring the reports to a financial and administrative monitoring committee that would help ensure that the documents filed by contestants meet the legal requirements.

Additional Efforts to Strengthen Electoral Law

The current timelines mandated in Palestinian laws handle voter registration as a single event. They should be updated to bring them in line with the recently-introduced continuous voter registration. In addition, a number of important aspects of the electoral process are defined in bylaws -- instructions drawn up by the CEC, and approved by the President, but should be regulated in law. For instance, procedures for displaying and challenging the voters' register and arrangements for voting by the security forces should be enshrined in the law.

The distribution of mandates posed no particular problem for this election. However, leaving this potentially sensitive task to the discretion of the President could raise concerns in future elections. This provision of the Election Law should be revisited with a view to introducing more detailed procedures that ensure a transparent and impartial manner of distributing mandates across the West Bank and Gaza that incorporates checks and balances.

Freedom of Movement

In environments where movement and communication between different locations are problematic, the integrity of electoral processes can easily be compromised. NDI recognizes that there are legitimate security concerns relating to certain individuals and groups. Without minimizing those concerns, it is important to find ways to establish acceptable conditions for a legitimate election. Elections administration officials, contestants and their representatives and voters must all be allowed unfettered access to all parts of the West Bank and Gaza so that they can conduct legitimate activities during all aspects of the entire electoral process.

Reviewing Ballot Design as Part of Steps to Further Protect the Rights of Illiterate Voters

The new procedures for assisted voting curbed some of the abuses observed in past elections. NDI recognizes that the procedures allowing polling station staff to oversee assisted voting are intended to ensure that ballots are marked in accordance with the true wishes of the voter. However, such procedures preclude the secret of the vote. Particularly in small or close-knit communities, the risk of undue influence or interference with a voter's right to choose is great. A number of options exist that could facilitate voting by illiterates while safeguarding the secrecy of the vote. First, differentiating the proportional representation ballot and the district-based ballot by color could help simplify the process for all voters. A combination of candidate photos and symbols would also make it possible for all voters to make their choice without assistance. Similar ballot design elements, when accompanied by vigorous voter education, have proved successful in countries with high levels of illiteracy.

APPENDIX A:

PRELIMINARY STATEMENT OF THE NDI / CARTER CENTER INTERNATIONAL OBSERVER DELEGATION TO THE PALESTINIAN LEGISLATIVE COUNCIL ELECTIONS

Jerusalem, January 26, 2006

This preliminary statement on the January 25, 2006 Palestinian Legislative Council (PLC) elections is offered by the international observer delegation organized by the National Democratic Institute (NDI) in partnership with The Carter Center. The delegation was led by former United States President Jimmy Carter, former Albanian President Rexhep Meidani, former Swedish Prime Minister Carl Bildt and former Spanish Foreign Minister Ana Palacio. It included current and former legislators, former ambassadors, elections and human rights experts, civic leaders and regional specialists from 22 countries in Asia, Europe, the Middle East, North Africa and North America. The delegation visited the Palestinian territories from January 21-26 and deployed 85 observers to the West Bank, Gaza and East Jerusalem.

This delegation is part of NDI's two-year comprehensive observation of Palestinian election processes, which is supported by USAID and which began with the 2004 voter registration process and included all five rounds of the 2004-2005 municipal elections, the joint NDI/Carter Center observation of the 2005 presidential election, and the placement of long-term observers in Jerusalem, the West Bank and Gaza in the lead up to these elections. The Institute issued a series of statements on the voter registration and municipal election processes, and NDI and The Carter Center issued statements on the presidential election and on the pre-election environment, all of which are available on NDI's web site at www.ndi.org. The Carter Center also jointly organized an international election observation mission for the 1996 Palestinian presidential and legislative elections.

The purposes of the delegation were twofold: to demonstrate the international community's continued interest in and support for the development of viable democratic institutions that will enable Palestinians to freely choose their leaders and representatives; and to provide Palestinians and the international community with an impartial and accurate assessment of the election process and the political environment surrounding the elections to date. The delegation conducted its assessment on the basis of the Declaration of Principles for International Election Observation, comparative practices for democratic elections and Palestinian law. For more than a decade, NDI has conducted, on an impartial basis and across the political spectrum, programs to support the development of democratic Palestinian institutions and processes.

The delegation wishes to emphasize that this statement does not constitute a conclusive assessment of the election process, given that the final official tabulation of results is not complete and that any electoral complaints that may be lodged will require monitoring through their completion. The delegation recognizes that ultimately it will be the Palestinian people who will judge the quality of the election process.

SUMMARY OF OBSERVATIONS

Under the difficult circumstances of the ongoing conflict and occupation, Palestinian voters turned out in large numbers in a strong expression of their desire to choose representatives through open and competitive elections. The obvious pride and enthusiasm of Palestinians about the election process was evident throughout the voting districts. This was reinforced by the professional and impartial performance of election officials. Through the high turnout in these elections and in the 2005 presidential election, as well as the notable participation in five rounds of municipal elections over the last year, Palestinians have clearly demonstrated a commitment to democratic elections. It is now up to the elected leaders and representatives to construct genuinely democratic institutions and processes that will bring the peace and prosperity that the Palestinian people deserve, within a free and independent state.

The January 25 elections can be an important step on the road to greater democracy for the Palestinian people. They present a unique challenge in that they included a group that advocated the use of violence as a means of achieving a political end and refuse to give up arms. Also, it has been committed to the destruction of a United Nations member state. It is universally accepted that democratic elections and democratic governance are about employing peaceful means to achieve political goals. We hope that the elections will mark a decisive move toward the renunciation of violence by all groups and toward addressing corruption and other issues that are central to improving the lives of Palestinians.

The elections were characterized by the following positive developments.

- Within the bounds of an occupied territory, the legal framework for the elections generally compared favorably to international standards.

- The adoption of a voluntary code of conduct by all political parties set an important precedent, though not all points were consistently implemented.

- The Central Election Commission (CEC) operated with a high level of confidence among the political contestants and the Palestinian population.

- The election campaign proceeded relatively peacefully and allowed voters to obtain abundant information about the contestants.

- Except for restraints in East Jerusalem, the election process was open and highly competitive.

- Election day was generally peaceful, and the elections thus far appear to be well administered under the difficult circumstances of ongoing conflict and occupation.

- A large number of Palestinians turned out to vote and were able to exercise their franchise without major difficulties. Voting procedures for illiterate persons generally curbed problems noted in prior elections.

- Israeli authorities generally eased travel through checkpoints to facilitate freedom of movement for election day processes.

- A significant number of political party and candidate agents and a significant number of nonpartisan Palestinian election observers were present in the polls, providing transparency to the process and helping to ensure its integrity.

- Women played a large role in the election process as election officials, party and candidate agents and nonpartisan observers. The legal framework required 20 percent of the names on the party lists for proportional representation seats be women, though few women appeared as candidates for district-based majoritarian seats.

The elections, however, were not without problems, including the following developments.

- Arrangements for voting in East Jerusalem were agreed to late in the process by Israeli authorities, while possibilities for voting in their neighborhoods remained inadequate for Palestinian voters in East Jerusalem. Conditions in East Jerusalem post offices did not provide voting privacy, as voters marked ballots on counters in view of postal workers.

- Campaigning by virtually all parties and many independent candidates was widespread on election day in violation of the election law, and, though in most instances such campaigning was peaceful, it contributed to tensions and scattered incidents of violence, particularly in Gaza and some localities in the Hebron governorate (Beit Awwa and Ash Shuyuk).

- Though freedom of movement was generally unobstructed on election day, there were numerous confirmed reports that political candidates, campaign workers and election workers were unable to move satisfactorily through checkpoints during the campaign period that began on January 3.

- While parties and candidates were able to get out their messages, and they received free access to public media through regulated spots, news coverage documented by professional Palestinian and international media monitors noted significant bias, and paid political advertisements were not offered at the same price to all candidates by certain media outlets.

- There were credible reports of use of Palestinian Authority resources for the benefit of Fateh candidates and numerous reports of campaigning in many mosques on behalf of Islamic Resistance Movement (Hamas) candidates.

The vote tabulation process is still underway. Election complaints may be lodged by political parties and/or candidates. NDI and The Carter Center will continue to monitor these developments until the election process is completed and may issue additional statements. A final report will by issued soon after completion of the election process.

THE ELECTORAL CONTEXT

Participation of Hamas. The 2006 PLC elections present a unique challenge with the participation of the Islamic Resistance Movement, or Hamas, which has advocated violence, including the killing of civilians, as a means to achieving a political end. It is also committed to the destruction of a United Nations member state. While it is in the long term interest of Palestinian democratic development, and likely in the long term security interests of Israel, that a wide spectrum of groups participate in lawful and peaceful political processes. Hamas' current political participation, while simultaneously advocating violence, is not consistent with a fundamental principle of democratic elections.

In an August 2002 pre-election assessment, NDI, the International Republican Institute (IRI), and the International Foundation for Election Systems (IFES), recommended the adoption of candidacy requirements for the expected 2003 PLC elections. The 2002 report also suggested that

a code of conduct be developed and enforced, which committed all parties to transparent and democratic principles, disallowed election-related violence and restricted individuals engaged in, or advocating violence from becoming candidates.

A voluntary code of conduct was developed by the Arab Thought Forum with support from NDI in late 2005, which went some way toward this goal. While stopping short of disallowing certain candidates, the code contains important undertakings geared to help enforce peaceful and fair campaigning and to promote a peaceful acceptance of election results. All political parties and movements, including Hamas, signed on to the code. The Palestinian Authority, in successful efforts led by President Mahmoud Abbas, engaged different factions in dialogue over the last year, including Hamas, to consolidate the "State of Calm" initiated by the Cairo Agreement signed in 2005.

Such steps related to the elections could help set the stage for renunciation of violence by all parties beyond the elections in order to achieve the peace and prosperity that are goals of democratic governance. The new PLC also has an opportunity to address this issue with the adoption of a political party law. Now that it has entered the political arena, Hamas has the chance to accept and adhere to recognized democratic norms.

Voting in East Jerusalem. There are an estimated 120,000 eligible voters in East Jerusalem, accounting for about 9 percent of the Palestinian electorate. Given the long-standing dispute over the status of Jerusalem, these voters have yet to obtain a reasonable opportunity to exercise their franchise.

A compromise was reached in 1995 (the Israeli-Palestinian Interim Agreement Elections Protocol, Annex II, Article VI) that, as implemented, provided an opportunity for approximately 5,000 Palestinian residents of East Jerusalem (approximately 6,300 in these elections) to vote inside the city. The agreement, employed during the 1996 PLC elections and the 2005 Presidential election, designated Israeli post offices in East Jerusalem as locations for that number of Palestinians to cast ballots. Palestinian Jerusalemites not voting in post offices were provided an opportunity to vote in special voting centers outside the city's boundaries. Under this arrangement, voting in East Jerusalem could be considered by Israelis as a form of "absentee" balloting, since ballot boxes were transported to counting centers in the West Bank, while Palestinians could consider the ballots as regular votes. This compromise, though inadequate, allowed the elections to proceed.

The ability to vote within the municipal boundaries of East Jerusalem remains important to both Palestinian rights and the fair conduct of elections. The PLC is to have six representatives from Jerusalem, and Jerusalemites vote for national lists in the proportional representation system. Until approximately two weeks before the January 26 PLC elections, however, Israeli authorities refused to agree to the prior compromise for East Jerusalem voting. Israel's ambiguous stance was explained by its reluctance to facilitate Hamas participation in the elections. While the compromise was again eventually implemented, the delay hindered electoral preparations in Jerusalem and made it difficult to mount adequate related voter education efforts.

Some administrative procedures were modified in these elections to avoid the large-scale confusion that was evident in the 2005 presidential election. However, secrecy of the ballot remained a serious problem, with voting at counters in view of postal workers. In these and the 2005 election, the areas in East Jerusalem had the lowest turnout of any Palestinian electoral district. An often stated reason for this is the potential loss of certain social and state benefits if Jerusalemites vote, though no evidence of such losses have been presented to NDI or The Carter Center. NDI and The Carter Center have urged that Israeli officials publish express assurances that there will be no retribution against Palestinian Jerusalemites who vote.

The Legal Framework. The legal framework for the PLC elections was provided by the Basic Law and the Election Law. Though incomplete and not without shortcomings, they provide a foundation for democratic elections and compare favorably to international standards. The legal framework provides for 132 seats in the PLC, 66 of which are determined by proportional representation. Eleven parties and independents groups competed for those seats with closed national lists of candidates. The other 66 seats are divided into electoral districts corresponding to the 16 Palestinian governorates, with seats allocated to each district based on population, providing at least one seat per governorate. Voters then selected up to the number of individual candidates on the ballot corresponding to the number of seats allocated to their respective governate. Six seats were set aside for Christians, with the Christian candidates receiving the highest number of votes in designated governates being awarded the allocated seats and the remaining seats in the governate going to the highest vote winners that are not Christian. National party lists for the proportional seats must contain one woman in the first three names on the list, one woman in the next four names and one woman in every five names thereafter, thus approximating 20 percent of each list. There were no requirements for including women as candidates for the district-based majoritarian seats.

Electoral Administration. The CEC and its staff operated with a high level of confidence among the political contestants and the Palestinian population. Despite uncertainties in the timing of the elections, the difficult circumstances of the ongoing conflict and occupation and some political pressures, the CEC operated as an independent, effective and professional administrative body. The PLC accepted a recommendation of the NDI/Carter Center and European Union observer missions to the 2005 presidential election to cease using the civil registry as a source for the voter lists. This change to the law allowed the CEC to prepare, with the exception of Jerusalem, a sound voters list. The voters list was developed based on voters going to registration centers, and the process was marked by extensive voter education and registration drives organized by the CEC that provided a genuine opportunity for all voters outside East Jerusalem to register.

The CEC also addressed a problem in the presidential election by requiring closer scrutiny of those claiming assistance as illiterate voters and of those seeking to assist voters, thus better ensuring against undue influence and compromising ballot secrecy. The CEC provided for voting by security forces during the three days preceding January 25. Such voting took place in 17 special polling centers located in home governorate capitals of security force personnel. This allowed the forces to be on duty on election day without their disenfranchisement and avoided voting in barracks, which poses significant potentials for undue influence on voting choices. In addition, recruitment and training of polling station workers and logistical preparations were completed successfully in advance of the elections. Maintaining political impartiality, developing effective administrative capacities and successfully organizing for election day is an enormous and difficult undertaking in any environment and is particularly commendable in the circumstances of these elections.

The Campaign Environment. The election campaign was vigorously contested and generally peaceful. These were the first parliamentary elections where all major Palestinian political movements competed, and they provided the first opportunity in 10 years for Palestinians to hold their representatives accountable. Some 738 candidates stood for the 132 seats, including on 11 national lists of candidates.

Public opinion polling indicated that the major issues of voter concern were eliminating corruption, providing essential government services and establishing and maintaining law and order. The campaign provided a genuine opportunity for the contestants to present their views on these and other issues and allowed voters to obtain information upon which to make an informed choice.

Code of Conduct. A voluntary code of conduct, developed by the Arab Thought Forum with support from NDI, was signed by all political parties. Compliance with the code's provisions concerning peaceful and fair campaigning was monitored by nonpartisan Palestinian observers, including the Higher National Committee to Follow up The Code of Conduct. The process leading to acceptance of the code and its monitoring may have contributed to the relative peacefulness of the campaign.

Improper Campaign Activity. Significant issues were noted by international and Palestinian nonpartisan election observers concerning use of Palestinian Authority resources for the benefit of Fateh and campaigning in a significant number of mosques for Hamas candidates. Public resources, including government funds, vehicles, communications equipment, materials and work hours of government officials and employees belong to the Palestinian people and should not be used for the benefit of individual parties or candidates. The lack of a clear and enforceable regulatory framework for campaign activities and financing undermines public trust. At the same time, use of religious facilities to benefit individual parties and candidates runs counter to standards for democratic elections and is counter to Palestinian law and the political party code of conduct.

Freedom of Movement and Campaigning. There were numerous confirmed reports that political candidates and campaign workers, as well as in some cases election workers, were unable to move satisfactorily through checkpoints during the campaign period that began officially on January 3. On the first day of the official campaign, candidates in the Jerusalem district were prevented from campaigning near the gates of the old city. Israeli police detained some candidates and dispersed the crowd.

Security Situation in Gaza. Incidents of violence and disorder in the Gaza Strip during the campaign period, especially those near the Rafah border crossing, had distinct political overtones. In addition, the CEC offices were raided and closed by gunmen, and one party's campaign worker was shot and killed by a rival activist. There was at least one politically motivated threat that mentioned international observers, though all factions announced publicly that they disavowed any such threats. Police forces in Gaza appealed to the Palestinian political leadership for more support, refusing in some cases to intervene to stop violent incidents on the streets, due to lack of resources to impose law and order. These conditions added to the problems of organizing successful elections.

The Media. The Palestinian mass media present a plurality of views. Palestinians also have ready access to regional and international new media, which provided significant coverage of the elections. Parties and candidates, by law, were provided free access to public broadcast media to offer messages to the electorate. The media carried paid political advertisements, and political posters were present throughout the Palestinian territories.

The political contestants therefore were able to present their views to the population, and voters received information upon which to make informed political choices in the elections. However, professional international and Palestinian media monitors, including monitoring by the Pavia Institute for the European Union Election Observation Mission and the Palestinian NGO "Filastiniyat", noted significant bias in the broadcast media, with the public media favoring Fateh and privately owned media favoring candidates who owned certain media outlets. Media monitors also noted that some media outlets discriminated by charging candidates different prices for political advertisements. The lack of regulations to ensure fairness and prevent discrimination remain a weakness in the electoral framework.

ELECTION DAY

Election day was orderly, well administered and generally peaceful. This was a particularly significant accomplishment in light of the ongoing conflict and occupation, as well as the tensions and incidents in the Gaza Strip during the lead-up to the elections. There were, however, limited instances of disturbances and violence in Gaza and Hebron governate (Beit Awwa and Ash Shuyuk).

Palestinian voters turned out in large numbers in a clear expression of their desire to choose their representatives in open and competitive elections. Through the high turnout in these and the 2005 presidential election, and notable participation in five rounds of municipal elections over the last year, Palestinians have demonstrated a strong commitment to democratic elections.

As with the 2005 presidential election, the delegation was impressed by the dedication and professionalism of the vast majority of polling officials, members of the District Election Commissions and CEC members and staff, who worked diligently for long hours and under difficult conditions. Large numbers of political party and candidate agents and Palestinian nonpartisan election observers were present in polling stations and worked cooperatively with each other and election officials, thus adding to the transparency and credibility of the process. International election observers were granted unhindered access to the polls.

Election monitoring by large numbers of party and candidate agents and the strong presence of nonpartisan Palestinian election observers, who monitored pre-election events as well as election day developments, is a substantial achievement that represents the growing strength of Palestinian society to safeguard electoral integrity. These efforts by political competitors and by civil society groups, such as the Arab Thought Forum, the Palestinian Center for Human Rights (Gaza), the Palestinian Election Monitoring Committee, Filastiniyat and others, made important contributions to a generally peaceful election day and the development of public confidence in Palestinian election processes.

The high participation of women in the election process as election officials, political party and candidate agents, nonpartisan election monitors and as voters illustrates the commitment of Palestinians to the democratic elections and citizen participation in public affairs. The requirement that 20 percent of the political party lists be women candidates was also a positive development, though the small number of women candidates for constituency majoritarian seats was disappointing (e.g., there was only one women on the ballot in Hebron, and reportedly she unofficially withdrew from the election). The generally high level of women's participation in other aspects of the process was nonetheless a positive feature of these elections.

THE DELEGATION AND ITS WORK

NDI and the Carter Center are independent, nongovernmental organizations that have conducted more than 100 impartial pre-election, election-day and post-election observation missions around the world. Both organizations recognize that elections cannot be separated from the broader political process of which they are part. NDI's and The Carter Center's methodologies for assessing elections are based on the premise that all aspects of the election process must be considered to accurately understand the nature of an election. Considerable weight must be given to the pre-election period as well the resolution of complaints and disputes following the initial proclamation of results.

The delegation held meetings with Palestinian Authority President Mahmoud Abbas; the Chairman and officials of the Central Election Commission (CEC); representatives of the major competing political parties/candidate lists that have renounced violence; civic leaders; news media; political analysts; the heads of the European Union, European Parliament and Canadian Observation Missions; other representatives of the international community who are concerned with supporting a democratic Palestinian election process; and senior Israeli government officials and analysts. The delegation worked in close cooperation with Palestinian nonpartisan election monitoring organizations and with the European Union's International Observation Mission.

Delegates divided into teams and deployed to 14 electoral districts in the Palestinian Territories for meetings with governmental, electoral, political and civic leaders in their respective localities. On election day, the teams observed the voting, counting and tabulation processes in over 300 polling centers selected on the basis of a scientific statistical sample and at District Election Commissions. Delegates then reconvened in Jerusalem to debrief and develop this statement. The delegation expresses its gratitude to all with whom it met.

APPENDIX B:

STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE/CARTER CENTER PRE-ELECTION ASSESSMENT OF THE PALESTINIAN LEGISLATIVE COUNCIL ELECTIONS

Jerusalem, 06 January 2006

Introduction

This statement has been prepared by the National Democratic Institute (NDI) in partnership with The Carter Center. NDI and the Carter Center examined the technical preparations and political dynamics surrounding the upcoming Palestinian Legislative Council (PLC) elections in the West Bank and Gaza, currently scheduled for Wednesday, 25 January 2006. In addition to drawing on the observations of ten long-term observers stationed throughout the West Bank and Gaza since December 1, 2005, the delegation conducted a series of meetings with electoral authorities, campaign representatives, Palestinian and Israeli governmental officials, representatives of domestic and international monitoring organizations and political party leaders.

The group conducting the assessment included: Leslie Campbell, NDI Senior Associate and Director of Middle East and North Africa programs; Michael Murphy, Director of NDI's Programs in the West Bank and Gaza; Colin Stewart, Director of the Carter Center's West Bank Gaza Field Office and Vladimir Pran, NDI Senior Program Officer for Elections.

This pre-election assessment is part of a comprehensive international observation effort for the 25 January PLC elections being organized by NDI in partnership with the Carter Center. The assessment forms part of NDI comprehensive two-year program to monitor the electoral process in the region, which has included the placement of long term observers in Jerusalem, the West Bank and Gaza, observation of the 2005 Palestinian Presidential Election and observation of all five rounds of Palestinian local elections. All reports are available at www.ndi.org. The pre-election assessment and the international observer delegation are supported by a grant from USAID.

Background

The 2006 PLC elections, being organized under the difficult circumstances of the ongoing conflict and occupation and being held shortly after the Gaza withdrawal, will pose tremendous challenges for the Palestinian Central Election Commission, the Palestinian political leadership and Palestinian and Israeli security forces. Nevertheless, the importance of holding elections seven years after the PLC's original mandate has expired and after three previous postponements was emphasized to the delegation by Palestinians and the international community alike. Elections will provide a unique opportunity for political leadership renewal and institution building which could, if accomplished peacefully, pave the way for greater stability and a better future for Palestinians and their neighbors.

NDI and the Carter Center, conducting an assessment during the first several days of active campaigning, found several issues which threaten to undermine the success of the election and the delegation offers the following observations and recommendations:

Participation of Hamas

The 2006 Palestinian Legislative Council elections face a unique challenge in that they include the participation of a group, the Islamic Resistance Movement, or Hamas, that defends violence (including the killing of civilians) as a means to achieving a political end, refuses to give up arms or to declare a permanent ceasefire and is committed to the destruction of a United Nations member state, Israel. While it is in the long term interest of Palestinian democratic development and likely in the long term security interests of Israel that a wide spectrum of groups participate in lawful and peaceful political processes, Hamas' current political participation, while simultaneously advocating violence, undermines a fundamental principle of democratic elections.

In an August 2002 pre-election assessment, NDI, the International Republican Institute (IRI), and the International Foundation for Election Systems (IFES), recommended the adoption of candidacy requirements for the expected 2003 PLC elections. The 2002 report also suggested that a code of conduct be developed and enforced which committed all parties to transparent and democratic principles, disallowed election related violence and restricted individuals engaged in, or advocating violence from becoming candidates.

A code of conduct was developed by the Arab Thought Forum in conjunction with NDI in late 2005, which went some way toward this goal. While stopping short of disallowing certain candidates, the code does contain important undertakings that will help enforce peaceful and fair campaigning and promote a peaceful acceptance of the results of the polls. Most political parties have signed on to the code of conduct, and Hamas, as of January 5th, also accepted and signed the code. The international community and domestic observers should be vigilant in watching for violations.

The code is a necessary but incomplete step toward ensuring that elections are about peaceful means to achieve political ends. The Palestinian Authority and newly elected PLC should, as a priority, amend the election and party laws to ensure that political entities participate in elections fairly and peacefully and do not advocate the use of violence as a political tool. This prohibition should apply equally to all groups.

Voting in East Jerusalem

There are an estimated 120,000 eligible voters in East Jerusalem, accounting for as much as 9% of the total Palestinian electorate. Given the long-standing dispute over the status of Jerusalem, these voters have yet to obtain a reasonable opportunity to exercise their franchise.

A compromise was reached in 1995 (the Israeli-Palestinian Interim Agreement Elections Protocol, Annex II, Article VI) that provided some opportunity for Palestinian residents of East Jerusalem to vote. The arrangement, utilized during the first PLC election in January 1996 and again in the Palestinian Presidential election of 2005, utilized Israeli post offices in East Jerusalem as a location for Palestinians to cast ballots. This arrangement allowed Palestinians to cast ballots within the boundaries of Jerusalem but could also be considered a form of "postal ballot" in that ballot boxes were picked up at the end of the voting day and transported to counting centers within the West Bank administered by Palestinian election authorities.

The 1996 and 2005 arrangements for East Jerusalem were far from optimal and caused difficulties and confusion (see www.ndi.org for previous reports) but they did allow elections to go ahead. Israel has, so far, declined to offer even this imperfect arrangement for the PLC election of 2006, but has instead offered to facilitate the travel of the approximately 120,000 eligible Jerusalem voters to voting places situated outside the municipal borders of Jerusalem. The reasoning behind the Israeli stance includes a reluctance to accept that Hamas is participating in the election, and therefore an unwillingness to facilitate voting for Hamas in areas where the Israeli State -- postal authorities and police officers -- are required to facilitate such voting.

The Palestinian stance is, understandably, different. For Palestinians, the ability to vote within the municipal boundaries of Jerusalem is important for issues of Palestinian rights and important to the fair conduct of the election. Voters will be choosing six Jerusalem representatives to the PLC as well as voting for a national list in a proportional representation system. Unlike the Presidential poll, where the Jerusalem votes had little influence over the national outcome, the Palestinians argue, every Jerusalem vote will be crucial in fairly determining Jerusalem district and national representation.

It is clear that a solution to this problem is required to allow the election to go ahead. The Palestinian Authority has announced that it will postpone elections if voting in Jerusalem is not allowed, and the Central Elections Committee requires a clear announcement of intent by Israel to accomplish the requisite organization for the vote.

NDI and the Carter Center recommend the following as possible solutions to the impasse:

1) While recognizing its shortcomings, the preferred solution would be to reach a political agreement to allow voting with substantially the same arrangements as in 1996 and January 2005. The precedent already exists, the arrangements are familiar to voters, and, with explicit Israeli cooperation, the CEC can accomplish the necessary organizational tasks within the time left before election day. While significant problems with voting may still occur, this procedure would probably be the best available at this juncture.
2) A second option, which partially takes into account Israeli reluctance to facilitate voting in East Jerusalem, is to set up polling stations in private locations in East Jerusalem which may include private schools, hotels or clubs. While still requiring some Israeli security arrangements, government-owned facilities would not be utilized. A related scenario may be to utilize UN facilities for balloting within East Jerusalem.
3) A third option may be to organize some form of mobile balloting -- for example, buses -- which would be deployed to various neighborhoods. Ballots would be cast in Jerusalem but gathered and transported to CEC facilities in the West Bank for counting and verification.

Whatever solution is worked out, there is a need for immediate discussions between Palestinians and Israelis and a clear and effective communication to the voters is required.

Security in Gaza

Security in Gaza is deteriorating quickly and may threaten the ability of voters to cast ballots freely and without fear of recrimination. In recent days there have been a number of confirmed reports of election related violence. CEC offices have been raided and closed by gunmen, one party's campaign worker was shot and killed by a rival activist and threats of kidnapping have been issued against international election observers. Manifestations of violence and disorder, especially those near the Rafah border crossing, have had distinct political overtones. Police forces in Gaza, far from being able to impose law and order, have appealed to the Palestinian political leadership for more support, refusing in some cases to intervene to stop violent incidents on the streets.

It is not too late to provide the peaceful atmosphere necessary to the conduct of a fair election, and NDI and the Carter Center urge the Palestinian leadership to impose the necessary security to assure that the CEC can organize efficiently, that Palestinian parties can campaign freely and that voters can cast their ballots without threat of coercion.

Freedom of Movement

Freedom of movement for election organizers, candidates and campaign workers and voters is essential to the conduct of a fair and credible election. The PLC election, with multiple parties and individuals competing in both district based elections and on national

lists, demands even greater freedom of movement than the presidential poll of January 2005. The NDI/Carter Center observation delegation in January 2005 recognized the extraordinary efforts of Israelis during the Palestinian Presidential election to allow unimpeded movement through checkpoints during the campaign period, and particularly on election day. Israeli officials assured the delegation that similar freedom of movement will be ensured for the 2006 election.

The official campaign period started on January 3rd, 2006. There were numerous reports that political candidates and campaign workers were unable to move through checkpoints and isolated reports that election workers were also delayed. NDI and the Carter Center recommend that Israeli security authorities facilitate reasonable freedom of movement for bona fide candidates, campaign and election workers through the campaign period. On election day, voters should be unrestricted as they move to polling places to cast their ballots.

NDI and the Carter Center recognize that there are bona fide security concerns relating to some individuals and groups and this recommendation is not meant to minimize those concerns but to describe the minimum conditions for a meaningful election.

Campaigning in Jerusalem

On the first day of official campaigning, candidates in the Jerusalem district were prevented from campaigning near the gates of the old city. Israeli police briefly detained some candidates and dispersed the crowd. Subsequent meetings between Israeli officials and the NDI/Carter Center delegation suggest that campaigning will be allowed in Jerusalem for Palestinians under the same conditions that it is allowed in Israeli elections. Israeli authorities stated to the NDI/Carter Center delegation that Palestinian candidates will now be able to campaign freely in Jerusalem as long as there is sufficient prior coordination with the police and other relevant authorities.

The delegation welcomes Israeli cooperation and clarity in this matter and will monitor developments as the campaign progresses.

Election Administration

NDI and the Carter Center have found the Central Election Commission (CEC) to be independent, competent and professional and believe that they are endeavoring to administer the electoral process according to international standards.

The delegation also noted that the PLC accepted the recommendation of the NDI/Carter Center and European observation missions to the Presidential elections to cease using the civil registry as a source for voters list records. This change to the law enabled the CEC to prepare a sound (with the exception of Jerusalem) voters list. NDI and the Carter Center also commend the extensive voter registration drives and accompanied campaign organized by the CEC to provide as many opportunities to voters to register as possible.

NDI and the Carter Center evaluated the CEC plan for the voting of security forces. Arrangements have been made that would include 77 special polling stations located in governorate capitals that would be made available for early voting for security forces in their home governorate. Early voting would take place over three days prior to the election and would apply to registered voters only. The delegation considers the CEC's plan as an appropriate application of international standards.

The CEC has been under pressure to allow security forces to vote only within their barracks – a plan that would create many opportunities for fraud and manipulation and which could make it impossible for the CEC to provide proper oversight. As of this writing the CEC has offered to resign to protest the pressure coming from the security administration and the Council of Ministers, and the NDI/Carter Center delegation urge a swift resolution to this issue that keeps the integrity of the CEC's original plan.

NDI and the Carter Center offer these observations and recommendations in the spirit of cooperation and thank the Palestinian and Israeli officials and Palestinian political party and civic activists who so generously offered their time and energy to facilitate the delegation's work.

Unofficial translation

APPENDIX C:

Code Of Conduct

Between The Parties and Factions Regarding The Elections Process

We, the political forces and parties taking part in the Second Palestinian Legislative Elections;
Expressing their eagerness to having transparent and integral elections process with all its stages
Expressing their keenness on having an honest competition between the nominees and the candidates lists in order to serve and strengthen the public interest,
Realizing the importance of abidance by the Elections Law, and its rules and regulations to organize and facilitate the elections process,

Have hereby pledged our commitment to the following:

First: Full commitment to the provisions of the Palestinian Elections Law and its issued rules and regulations, directives and decisions of the Central Elections Committee in relation to the implementation of the elections process.

Second: Cooperation with the Central Elections Committee in its endeavors to organize free and integral elections and respect of its staff.

Third: Respect of the role of local and international observers and cooperate with them in performing their monitoring role.

Fourth: Commitment to the principle of confidentiality of voting and the voter's right to choose his list and candidate freely.

Fifth: Commitment to the legally determined period for Election Campaign.

Sixth: During the campaign, all attitudes which constitute an act of instigation or back biting of other candidates, party bodies or electoral lists are to be averted and refrained from. There should not be any kind of slander, accusation and mischief. Differences and rifts have to be avoided; and exploitation of feelings on the basis of religion, sect, tribe, region, family, or race is to be avoided too.

Seventh: Refrain from any act of inflicting any material harms to other electoral campaigns whether through sabotage, tearing or pasting of posters and slogans over the effigies and slogans of others. Or any other acts which may be interpreted as a material transgression on other candidates' elections campaigns.

Eighth: Abidance to not exercising any form of pressure, intimidation, accusation, blasphemy or violence against any of the candidates and/ or any of the voters.

Ninth: Abidance to not carrying any weapons or / and using it during public meetings, rallies, and other elections activities.

Tenth: A commitment to not presenting gifts, donations, cash, in kind or other benefits or making promises to anyone, be it average or legal, during the election process whether directly or indirectly.

Eleventh: Posters and effigies must not be pasted on private property or doors and walls of citizens' stores unless with their unambiguous approval; there should also be commitment to not placing posters and effigies on billboards of commercial businesses or citizens unless they receive their approval and commitment to removing all forms of electoral propaganda following termination of the election process.

Twelfth: The official logo/ emblem of the Palestine Liberation Organization and / or the Palestinian Nationality or any slogan resembling it and other kinds of inscriptions, drawings, photos are to be prohibited in meetings and election communiqués that are used in election campaign.

Thirteenth: Events, festivals and rallies are not to be held in mosques, churches, next to hospitals, buildings, stores, occupied by governmental administrations or public institutions; Palestinian security camps and headquarters or public facilities are not to be used for elections purposes.

Fourteenth: Preservation of a clean environment during the election campaign; random pasting of photos and communiqués in public places should be prevented. Public places in which electoral marches and rallies are held have to be cleaned and well kept following their termination.

Fifteenth: Commitments to not acquiring and receiving any funds to cover expenses of the campaign from any non Palestinian foreign or external source directly or indirectly.

Sixteenth: Commitment to a limited expenditure on the campaign so as not to exceed one million US dollars or their equivalent in the legal local currency and sixty thousand US dollars or their equivalent in the legal local currency on the candidate's campaign for the membership of the council in the electoral district.

Seventeenth: Commitment to the submission of a detailed financial report to the Central Elections Committee including all funding sources which it acquired and the sums it spent during the campaign within a period no later than one month following the announcement of the Final Elections results.

Eighteenth: Training of our representative on codes of conduct of representatives and observers issued by the Central Elections Committee.

Nineteenth: Taking full responsibility for all campaigning activities issued by all our representatives and workers in our elections campaign.

Twentieth: Supplying the Elections Committee with all pages and electronic sites through which campaigning may take place.

Twenty One: Taking full responsibility for any bulletins, posters, or communiqués issued by our electoral campaign.

Twenty Second: Commitment to following sound and legal techniques including making objections, refutations and their results in all stages of the elections process and cooperation with the specialized parties regarding investigations in these objections, refutations and complaints.

Twenty Third: Commitment to laws of Palestinian Judiciary regarding the elections process.

Twenty Fourth: Commitment and acknowledgment of official and final results issued by the Central Elections Committee and / or Specialized Court.

Twenty Fifth: Formation of a national committee to follow up commitment and abidance by the provisions of this charter and making the society aware of it.

In witness where of we are committed to the purport of this charter.
We sign it on this Thursday 10 Ramadan 1426 A.H. coinciding with
13 October 2005 A.C.

Islamic National Forces and Powers taking part in the Legislative Elections

Code Of Conduct

Name	Name of signer	Signature
Palestinian National Liberation Movement (Fateh)		
Islamic Resistance Movement (Hamas)		
Palestinian People's Party (PPP)		
Popular Front For The Liberation Of Palestine (PFLP)		
Democratic Front For the Liberation of Palestine (DFLP)		
Palestinian Democratic Union (FIDA)		
Palestinian Popular Struggle Front (PPSF) Nidal Front		
Palestinian Liberation Front (PLF)		
Arab Liberation Front		
Palestine Arab Front		
Popular Front For The Liberation of Palestine- General Command		
Popular Liberation War Pioneers (Sa'iqa)		
Palestinian National Initiative		

Central Elections Committee Arab Thought Forum

APPENDIX D :

RESULTS OF THE 2006 PLC ELECTIONS

PLC Lists Results 2006

List	Votes	Mandates	
Change and Reform	440409	29	44.45%
The Palestinian National Liberation Movement- Fateh	410554	28	41.43%
Martyr Abu Ali Mustafa	42101	3	4.25%
The Alternative (The Coalition of the Democratic Front, People's party, Fida and Independents)	28973	2	2.92%
Independent Palestine Mustafa al-Barghouthi and independents	26909	2	2.72%
The Third Way	23862	2	2.41%
Freedom and Social Justice	7127	0	0.72%
Freedom and Independence	4398	0	0.44%
Martyr Abu al-Abbas	3011	0	0.30%
The National Coalition for Justice and Democracy Wa'ad	1806	0	0.18%
The Palestinian Justice	1723	0	0.17%
TOTAL	990873	66	

No. of blank papers	21687
No. of invalid papers	29864
Total no. of voters	1042424

PLC District Results 2006*

Electoral district : Jerusalem	District No. : 01	No. of candidates : 39
Total No. of seats : 6	Christian quota : 2	

No.	Candidate	Political affiliation	Votes	Remarks
1	IBRAHEIM ABU-SALEM	Change and Reform	15.337	
2	MOHAMMAD TOTAH	Change and Reform	14.540	
3	WAIL AL-HUSSEINI	Change and Reform	14.183	
4	AHMAD ATTOUN	Change and Reform	14.084	
5	HATEM EID	Fateh Movement	13.444	
6	OTHMAN ABU GHARBIEH	Fateh Movement	8.963	
7	AHMED ABEDEL RAHMAN	Fateh Movement	7.368	
8	AHMAD GHONEIM	Fateh Movement	7.143	
9	YACOUB QERESH	Independent	5.036	
10	ABDELATIF GHAITH	Independent	4.814	
11	HATEM SALAH ALDEN	Independent	4.563	
12	EMIL JARJOUI	Fateh Movement	4.522	Christian quota
13	TALAL ABU AFIFEH	Independent	4.444	
14	IVIVIAN SABELLA	Fateh Movement	4.035	Christian quota
15	SAID DAWOUD	Independent	3.586	
16	HAMDE RAJABI	Independent	3.512	
17	FADWA KHADER	Independent	3.512	
18	SIMON AWAD	Independent	3.377	
19	MOHAMMED HAMMAD	Independent	3.168	
20	RAJEH ABU ASSAB	Independent	3.077	
21	YOUNES JAFAR	Independent	2.864	
22	ZIAD ABU ZAYYAD	Independent	2.861	
23	HANI EESSAWI	Independent	2.788	
24	ADNAN ARAFEH	Independent	2.730	
25	DAFE ALLH ABO DAHOUK	Independent	2.652	
26	ASAD GHAZAWNEH	Independent	2.533	
27	NASER QOSS	Independent	2.380	
28	SAADA KHATIB	Independent	1.413	
29	YACOUB AMER	Independent	1.270	
30	DIMITRI DILIANI	Independent	1.246	
31	HANNA SINIORA	Independent	1.092	
32	IYAD SALAIMH	Independent	1.061	
33	AHMAD ALBATSH	Independent	934	
34	KHALIL ABU ZAYYAD	Independent	849	
35	WALID AYYAD	Independent	810	
36	MAJED ALLOUSH	Independent	628	
37	MITRI NASRAWI	Independent	584	
38	SALAH EL DEEN ZUHAIKA	Independent	511	
39	RICHARD ZANANIRI	Independent	433	

* Shaded names indicate winner

Electoral district : Jenin	District No. : 02	No. of candidates : 32
Total No. of seats : 4		

No.	Candidate	Political affiliation	Votes
1	KHALID YAHYA	Change and Reform	30.863
2	AZZAM ALAHMAD	Fateh Movement	29.249
3	KHALID ABU HASAN	Change and Reform	28.025
4	SHAMI SHAMI	Fateh Movement	27.040
5	HUSSEIN RABAIA	Fateh Movement	26.314
6	HIKMAT ZAID	Fateh Movement	23.795
7	FAKHRI AHMED	Change and Reform	21.701
8	BILAL ABOSHI	Change and Reform	21.376
9	RIYAD ATTARI	Independent	8.435
10	JAMAL ZUBAIDEE	PFLP	7.133
11	TAYSER AL_ZABRI	Independent	6.455
12	THIAB AYYOUSH	Independent	5.220
13	JAMAL AL - HINDI	Independent	3.476
14	MOHAMED JARRAR	Independent	3.433
15	SAADEH IRSHAID	Independent	3.322
16	SAID OBIDY	Independent	3.096
17	MAHMOUD AL LABDI	Independent	3.083
18	WALID ARDA	Independent	3.061
19	MOUSA ALBAWAQKNEH	Independent	2.809
20	REBHE ABU ALRUB	Independent	2.435
21	FAISAL GAWADRAH TUROKMAN	Independent	2.374
22	MOHAMMAD ABU HAYJA	Independent	2.353
23	BURHAN JARRAR	Independent	2.040
24	YOUSIF ORIDAY	Independent	1.681
25	AMNEH MANSOUR	Independent	1.556
26	HUSAM NAZZAL	Independent	1.527
27	WALID JARAR	Independent	1.278
28	NOURALDIN ABU ALRUB	Independent	930
29	SALEH AMAWI	Independent	891
30	GHASSAN SAID	Independent	834
31	NAFIDTH RABAIYA	Independent	638
32	RAED SAMMAR	Independent	267

Electoral district : Tulkarem	District No. : 03	No. of candidates : 17
Total No. of seats : 3		

No.	Candidate	Political affiliation	Votes
1	HASAN KHREISHI	Independent	21.179
2	ABDERRAHMAN ZAIDAN	Change and Reform	20.407
3	RIYAD RADDAD	Change and Reform	20.272
4	IBRAHIM KHRAISHI	Fateh Movement	17.723
5	MUSTAFA DERAWEYEH	Fateh Movement	17.369
6	ADNAN DAMIRI	Fateh Movement	15.887
7	NADA HWEITI	Independent	6.072
8	ALLAM HAMDALLAH	PFLP	5.850
9	DOCTOR SHAWQI SABHA	Independent	5.504
10	MOHAMMAD BLADEY	Independent	3.964
11	NAYEF JARRAD	Independent	3.121
12	ABDELRAHEEM KETTANI	Independent	2.919
13	MOHAMAD AWAD	Independent	2.447
14	MOFEED ABID RABO	Independent	2.165
15	MOHAMMED DIAB	Independent	1.972
16	KHEAREE HANOON	Independent	1.091
17	SAEED SHADID	Independent	420

* Shaded names indicate winner

Electoral district : Tubas	District No. : 04	No. of candidates : 9
Total No. of seats : 1		

No.	Candidate	Political affiliation	Votes
1	KHALID ABO TOUS	Change and Reform	5.784
2	BASSAM DARAGMEH	Fateh Movement	5.146
3	ALI BARHAM	Independent	2.988
4	FATHY KHDARAT	Independent	1.109
5	BASHAR BANI ODEH	Independent	643
6	ABDEL AZIZ BANI ODEH	PFLP	302
7	NUMAN DAREGHMEH	Independent	291
8	FUAD DARAGHMI	Independent	285
9	SALEEM AYOUB	Independent	156

Electoral district : Nablus	District No. : 05	No. of candidates : 30
Total No. of seats : 6		

No.	Candidate	Political affiliation	Votes
1	AHMED AHMED	Change and Reform	44.957
2	HAMID KDIER	Change and Reform	43.789
3	MAHMOUD ALALOUL	Fateh Movement	39.746
4	REYAD AMLEH	Change and Reform	39.106
5	HUSNI BORINI YASEEN	Change and Reform	39.056
6	DAWOOD ABO - SEIR	Change and Reform	36.877
7	GHASSAN SHAKAA	Fateh Movement	35.397
8	MOAWIAH MASRI	Independent	33.561
9	AHMAD EDEALY	Fateh Movement	32.118
10	SARHAN DWIKAT	Fateh Movement	30.958
11	ISAM ABO BAKER	Fateh Movement	29.766
12	DALAL SALAMEH	Fateh Movement	26.952
13	AHED ABU - GOOLMY	PFLP	17.221
14	MAJIDA ALMASRI	Independent	14.568
15	JAMAL ALOUL	Independent	12.277
16	GHASSAN HAMDAN	Independent	11.242
17	MAHER FARES	Independent	10.122
18	ISMAT SHAKHSHIR	PFLP	7.726
19	HANI ALMASRI	Independent	6.641
20	ISSMAT SHOLY	PFLP	6.288
21	MUNIB YAISH	Independent	2.850
22	WALEED DWIEKAT	Independent	2.292
23	FAYEZ ZAIDAN	Independent	2.290
24	FEDA ABU HANOOD	Independent	1.810
25	NOMAN MASHAYEK	Independent	1.604
26	FATHI BUZIEH	Independent	1.449
27	JAMAL SALMAN	Independent	1.067
28	NABEGH KANAN	Independent	758
29	ZIAD KAYED ZANOON	Independent	548
30	AHMED HAWAMDEH	Independent	532

* Shaded names indicate winner

Electoral district : Qalqilya	Electoral district : 06	No. of candidates : 10
Total No. of seats : 2		

No.	Candidate	Political affiliation	Votes
1	WALEED ASSAF	Fateh Movement	14.049
2	AHMAD SHREIM	Fateh Movement	12.900
3	KHADER AS SEDEH	Change and Reform	9.090
4	MOHMMAD NAZAL	Change and Reform	8.372
5	SALMAN SALMAN	Independent	1.580
6	KHALID YAHYA	PFLP	1.114
7	HASEM ALSHAIR	Independent	1.057
8	AHMAD YOUSEF	Independent	805
9	ABED ELFATEH DAWOD	Independent	555
10	BELAL JAPER	Independent	348

Electoral district : Salfit	District No. : 07	No. of candidates : 11
Total No. of seats : 1		

No.	Candidate	Political affiliation	Votes
1	NASER ABDALJAWWAD	Change and Reform	6.762
2	BILAL OZRAIEL	Fateh Movement	5.632
3	AHMED DEEK	Independent	4.957
4	SHAHER AFFONEH	Independent	1.389
5	MOHAMAD AL-AMOUR	Independent	1.236
6	HUSAM ABU FARES	The Alternative	802
7	QADRI SLAMEH	Independent	155
8	MUHANNAD ASHQAR	Independent	54
9	NAJWA ZIDAN	Independent	33
10	ABED ALRUHMAN TURK	Independent	31
11	HAFIZ AHMAD	Independent	15

* Shaded names indicate winner

Electoral district : Ramallah & al- Bireh	District No. : 08	No. of candidates : 34
Total No. of seats : 5	Christian quota : 1	

No.	Candidate	Political affiliation	Votes	Remarks
1	HASAN DAR KHALEIL	Change and Reform	37.306	
2	FADEL FADEL HAMDAN	Change and Reform	33.594	
3	AHMAD MOBARAK	Change and Reform	33.133	
4	MAHMOUD MUSLEH	Change and Reform	30.825	
5	ABED EL KADER HAMED	Fateh Movement	24.350	
6	ABED EL FATEH HAMAIL	Fateh Movement	23.712	
7	YOUSEF MOHAMMAD	Fateh Movement	23.070	
8	MUHEEB SALAMEH	Fateh Movement	22.834	Christian quota
9	KHALIL LUTFI YASIN	Fateh Movement	20.364	
10	JAMIL AL-TARIFI	Independent	16.147	
11	OMAR SAFI	Independent	11.012	
12	KHALED AL HELU	Independent	8.567	
13	WISAM RAFEEDIE	PFLP	8.547	
14	KHALID BAKIR	PFLP	7.937	
15	ZUHEIR KHALAF	Independent	7.383	
16	BUTHEINA DUQMAQ	Independent	6.470	
17	MOHD ALZUBAIDI	Independent	4.735	
18	ISSAM ABUALHAJ	Independent	4.217	
19	BASEM TAHA	Independent	2.829	
20	RIFAIE TAHA	Independent	2.588	
21	ZEIAD TALEB	Independent	2.553	
22	MUHARRAM BARGHOUTI	Independent	2.431	
23	AZMI AL-KAWAJA	Independent	2.363	
24	ADIB KHATIB	Independent	2.044	
25	MOHAMMAD MUQBEL	Independent	1.842	
26	RIBHI ASFOUR	Independent	1.760	
27	AHMAD ABUGOSH	Independent	1.573	
28	HASSN SHARAKA	Independent	1.537	
29	FADEL KHALDE	Independent	1.390	
30	AYED ZATAR	Independent	1.140	
31	ABDALLA HORANI	Independent	1.095	
32	AFIF HAMDAN	Independent	813	
33	MAHMUD QADRI	Independent	391	
34	RAED ABDEIL-RAHMAN	Independent	312	

Electoral district : Jericho	District No. : 09	No. of candidates : 5
Total No. of seats : 1		

No.	Candidate	Political affiliation	Votes
1	SAEB ERAKAT	Fateh Movement	6.717
2	KHALED RAEE	Change and Reform	3.411
3	ADEL ABU-NEMH	Independent	1.288
4	IBRAHIM JALAYTA	Independent	197
5	FAKHER KAABNEH	Independent	180

* Shaded names indicate winner

Electoral district : Bethlehem	District No. : 10	No. of candidates : 32
Total No. of seats : 4	Christian quota : 2	

No.	Candidate	Political affiliation	Votes	Remarks
1	KALID DWEIB	Change and Reform	17.268	
2	MAHMOUD ALKHATEEB	Change and Reform	15.869	
3	MAJED FARAJ	Fateh Movement	14.429	
4	SULIEMAN ABU- MUFERREH	Fateh Movement	13.842	
5	MOHAMMED ALTAMARE	Independent	8.894	
6	FUAD KOKALY	Fateh Movement	8.636	Christian quota
7	FAYEZ SAQQA	Fateh Movement	8.340	Christian quota
8	BISHARA DAOUD	Independent	6.232	
9	YUSUF HAMAD	Independent	5.883	
10	SALEM ALTHWAIB	Independent	4.713	
11	FANNOUN MAHMOUD	Martyr Abu Ali Mustafa	4.512	
12	MARY ROCK	Martyr Abu Ali Mustafa	4.402	
13	ISSAM ABU - ZULUF	Independent	4.239	
14	FUAD RIZIK	Independent	4.208	
15	HASSAN ALFARARJAHA	Martyr Abu Ali Mustafa	4.197	
16	SAMI AWAD	Independent	4.020	
17	BASEM ABU SHAMA	Independent	3.913	
18	JUBRAEL AL-SHOMALI	Martyr Abu Ali Mustafa	3.605	
19	MAKRAM QUMSIEH	Independent	3.595	
20	MAHER ASSAF	Independent	3.551	
21	SAMI ABU AITA	Independent	2.588	
22	SALIM QASQAS	Independent	2.302	
23	MOHAAMAD ALRADAIDEH	Independent	2.155	
24	KHADER ALLAHAM	Independent	2.140	
25	USAMA ODEH MUALLEM	Independent	2.105	
26	KHALED AL-AZZAH	The Popular Struggle Front	1.524	
27	OMAR ABUGHAYADAH	Independent	1.441	
28	HANNA RISHMAWI	Independent	907	
29	WALID ALHEREIMI	Independent	740	
30	JAMAL HAJAHJAH	Independent	604	
31	YOUSEF ABU OMAR	Independent	495	
32	NASER SAFI	Independent	231	

* Shaded names indicate winner

Electoral district : Hebron	District No. : 11	No. of candidates : 46
Total No. of seats : 9		

No.	Candidate	Political affiliation	Votes
1	NAIF RAJOB	Change and Reform	59.885
2	SAMEER AL KADI	Change and Reform	59.841
3	AZIZ DWEIK	Change and Reform	55.649
4	AZZAM SALHAB	Change and Reform	53.720
5	MOHAMMAD ABU JHESHEH	Change and Reform	52.027
6	NIZAR RAMADAN	Change and Reform	51.891
7	HATEM KAFEESHE	Change and Reform	50.485
8	BASIM ZAAREER	Change and Reform	49.236
9	MOHAMMAD AL TEL	Change and Reform	47.353
10	NABIL AMIR	Fateh Movement	41.293
11	JEMAL SHOBKY	Fateh Movement	39.672
12	JEBREEL RJOUB	Fateh Movement	38.367
13	RAFIQ AL NATSHEH	Fateh Movement	37.558
14	ZUHAIR ALMANASREH	Fateh Movement	35.919
15	MOSA ABDU SABHA	Fateh Movement	35.860
16	SLUIMAN TAHA ABU SNAINEH	Fateh Movement	35.008
17	M TAYSEIR RIFAI	Fateh Movement	33.432
18	DR GHAZI ABU-SHARKH	Fateh Movement	31.923
19	ISSA ABO-EHRAM	Independent	10.028
20	ABDELALEEM DANA	PFLP	8.541
21	SAMI AWLAD MOHAMAD	PFLP	7.519
22	MAHMOUD MOHAMED ABUAYAASH	Independent	6.589
23	KHALED BADWI	PFLP	6.495
24	AYMAN KAWASMEH	Independent	6.346
25	ABDULHAMID ABU TURKEY	Independent	6.304
26	REZEQ NAMOORA	The Popular Struggle Front	5.649
27	ALI ABU ZNAID	Independent	5.570
28	SAMIH ABUE ISHEH	Independent	5.457
29	ZHRAN ABUQBETA	Independent	5.400
30	MUSA AJWEH	Independent	5.281
31	MOHAMMED RSHAD DWAIK	Independent	5.055
32	FAHMI SHAHEEN	Independent	4.959
33	OSAMA NAJJAR	Independent	4.943
34	ABRAHEEM ABUOZHREH	Independent	4.562
35	AHMED AL HORAINY	Independent	4.368
36	FARID SARAHNA	Independent	4.090
37	ISHAQ IBHEIS	The Arab Palestinian Front	3.446
38	MAHMOUD EBHAIS	The Palestinian Democratic Union	3.257
39	MOHAMMED ABU-ARAR	Independent	3.255
40	MOHAMMAD HOURANI	Independent	3.078
41	MOUSA BHAIS	Independent	2.572
42	SAQR ABU AYYASH	Independent	2.091
43	MAHER ZALLOUM	Independent	1.979
44	GHASSAN JUBA	Independent	1.866
45	HAMMAD LEHSONY	Independent	1.346
46	JAMAL AWAD	Independent	1.087

* Shaded names indicate winner

Electoral district : North Gaza	District No. : 12	No. of candidates : 27
Total No. of seats : 5		

No.	Candidate	Political affiliation	Votes
1	YOUSEF AL SHRAFI	Change and Reform	37.106
2	MOSHIR ELHABEL	Change and Reform	34.560
3	MOHAMED ABED HADI SHEHAB	Change and Reform	33.223
4	ATEF ADWAN	Change and Reform	33.102
5	ISMAIL ALASHQAR	Change and Reform	32.030
6	HISHAM ABD EL-RAZIK	Fateh Movement	27.287
7	TAYSEER ABU EIDA	Fateh Movement	27.036
8	JABR EL DAOUR	Fateh Movement	26.897
9	HASSAN ABU-JARAD	Fateh Movement	25.301
10	YAZID HWIHI	Fateh Movement	23.935
11	KAMAL EL-SHARAFI	Independent	16.362
12	ABEDEL RAHMAN JOMAA	PFLP	9.528
13	RAMADAN TANBOURA	Independent	9.431
14	IZZELDIN ABUELAISH	Independent	5.691
15	OMAR ALAKHRASS	PFLP	4.793
16	JAMAL ABDALNSSER ABU HABEL	Independent	4.017
17	RABEEA AL MASSRI	The Alternative	2.366
18	IMAD AL FALOUJI	Independent	1.974
19	MOHAMMED AL RAZANY	Independent	1.678
20	YOUNIS EL-KATRI	Independent	1.667
21	WALEED ELKALDY	Independent	1.366
22	YOSEF OTHMAN	Independent	1.176
23	SAMER SHALLAN	Independent	964
24	KHADER ABU NADA	Independent	798
25	REWYDA HAMAD	Independent	670
26	JAMAL ABU EL JEDIAN	Independent	485
27	SALIM ABUSAFIA	Independent	389

* Shaded names indicate winner

Electoral district : Gaza	District No. : 13	No. of candidates : 49
Total No. of seats : 8	Christian quota : 1	

No.	Candidate	Political affiliation	Votes	Remarks
1	SAID SEYAM	Change and Reform	75.880	
2	AHMED BAHAR	Change and Reform	73.988	
3	KHALIL ELHYYA	Change and Reform	73.313	
4	MOHAMMED FARAJ ELGHOUL	Change and Reform	71.492	
5	JAMAL SALEH	Change and Reform	69.856	
6	JAMAL ELKHOUDARY	Independent	63.150	
7	ZIAD ABU-AMR	Independent	55.748	
8	HUSAM ALTAWEEL	Independent	54.961	Christian quota
9	FOAD EL SHOBAKY	Fateh Movement	44.541	
10	AMIN AL HINDI	Fateh Movement	41.916	
11	SAMEER MASHHARAWY	Fateh Movement	39.410	
12	MAHER MIKDAD	Fateh Movement	39.183	
13	AZZAM EL SHAWWA	Fateh Movement	38.930	
14	SAEB EL AJEZ	Fateh Movement	36.664	
15	THEHNI AL WUHAIDI	Fateh Movement	35.584	
16	HANI SABA	Fateh Movement	33.742	
17	MOHAMMED MADI	Independent	15.425	
18	MUSBAH SAQR	Independent	13.447	
19	FADEL ABU HEIN	Independent	12.928	
20	NAHEDH AL-RAYYES	Independent	11.136	
21	RABAH MOHANNA	PFLP	5.470	
22	FATHI EL-WAHAIDI	Independent	4.965	
23	THOLFIKAR SWAIRJO	PFLP	4.575	
24	MUSA EL GHOUL	Independent	4.089	
25	MOHAMMAD MADI	PFLP	3.959	
26	AYESH AKSHEYA	PFLP	3.815	
27	MARWAN KANAFANI	Independent	3.546	
28	HASSAN AL-KASHIF	Independent	3.532	
29	BADR YASSIN	Independent	3.133	
30	MOUSA EL ZABOUT	Independent	3.029	
31	MOFFEED ALHASSINA	Independent	2.984	
32	RABI AYYAD	Independent	2.902	
33	FAKHRY SHAQQOURA	Independent	2.861	
34	ZAINAB AL GHINAIMI	Independent	2.760	
35	SALEM ELDAHDOUH	Independent	2.568	
36	HASSAN DOGHMOSH	Independent	2.422	
37	TALAT AL SAFADI	The Alternative	2.285	
38	NEHAD AL SHEIKH DEEB	Independent	2.225	
39	KAMAL ABU QAMAR	Independent	1.865	
40	JAMAL ABU KASHEF	Independent	1.838	
41	HAMZA ELBELTAJI	Independent	1.823	
42	NAFEZ SHALLAH	Independent	1.753	
43	HESHAM ABU SIDO	Independent	1.702	
44	EMAD ELSAYEGH	Independent	1.464	
45	RAIF DIYAB	The Alternative	1.297	
46	AHMED FUAD AL MEZEINY	Independent	1.198	
47	BASSAM DIAB	Independent	978	
48	KHALID DAWOUD	Independent	847	
49	SAMI MOHAMAD ELHASHAM	Independent	780	

* Shaded names indicate winner

Electoral district : Deir al- Balah	District No. : 14	No. of candidates : 18
Total No. of seats : 3		

No.	Candidate	Political affiliation	Votes
1	ABD AL RAHMAN ALJAMAL	Change and Reform	27.976
2	AHMED ABU HOLY	Fateh Movement	26.229
3	SALEM SALAMEH	Change and Reform	26.067
4	AHMED BIN SAID	Change and Reform	25.551
5	SADI EL-KRUNZ	Fateh Movement	24.192
6	JAMILA SAIDAM	Fateh Movement	20.954
7	JABER WISHAH	Independent	4.961
8	MAHMOUD ABU SAMRA	Independent	4.228
9	MAHMOUD ALHABBASH	Independent	3.713
10	SALEEM ELZREAAY	Independent	3.553
11	MHAMMED ELGATTAWAY	Independent	2.004
12	HUDA BASHEER	Independent	1.174
13	MOHAMED HOSSAM AL-MOSSADAR	Independent	1.091
14	MUSTAFA HAFIZ ABU MIDDAIN	Independent	767
15	KHALID AL SOWSOW	Independent	639
16	TAREQ EL BUHISSI	Independent	485
17	MOHAMMED FARAJALLA	Independent	390
18	FREEH MEDEN	Independent	314

* Shaded names indicate winner

Electoral district : Khan Younis	District No. : 15	No. of candidates : 43
Total No. of seats : 5		

No.	Candidate	Political affiliation	Votes
1	MOHAMMED DAHLAN	Fateh Movement	38.349
2	YOUNIS EL-ASTAL	Change and Reform	37.695
3	SALAH EL BARDAWIL	Change and Reform	33.746
4	KHAMIS NAJJAR	Change and Reform	33.307
5	SOFYAN AL-AGHA	Fateh Movement	32.964
6	SOULIMAN EL FARRA	Change and Reform	32.687
7	SALEH ELRIGEB	Change and Reform	32.579
8	WEELD MUKHMIER	Fateh Movement	29.722
9	SOLIMAN ABU MTLAK	Fateh Movement	28.703
10	IBRAHIM ABU ALNAGA	Fateh Movement	28.685
11	SALEEM ALSAQQA	Independent	5.525
12	RIYADH EL ASTAL	Independent	4.581
13	RAAFAT EL NAGGAR	Independent	4.571
14	TALAL ZAREFE	The Democratic Front for the Liberation of Palestine	3.817
15	ABDELAZIZ ABU DAGGA	Independent	3.620
16	IBRAHEEM ABU DAGGA	Independent	2.833
17	MOHAMMADAYYOUB ABU HADROUS	PFLP	2.728
18	ABEDELSAMEA ALNAJAR	Independent	2.488
19	JAWAD ELFARRA	Independent	2.456
20	MOHAMMAD ABOU DAGA	Independent	2.185
21	ABDEL AZIZ QUDAIH	The Popular Struggle Front	1.648
22	NASEEM ABU JAMIE	Independent	1.545
23	HASHEM AL FARAH	Independent	1.519
24	DAIFALLAH EL AKHRAS	Independent	1.431
25	HOSAM SHAAT	Independent	1.401
26	AHMED AL FARRA	Independent	1.327
27	ABED EL SALAM ZAQQUT	Independent	1.238
28	AHMED WAFI	Independent	1.136
29	RAMADAN KODAIH	Independent	1.126
30	ABDU SEYAM	Independent	1.123
31	MOHAMMED ABU EMDEA	Independent	806
32	ABD ALLA AL AKAD	Independent	457
33	ABD ELKAREM ABOU SALAH	Independent	452
34	MOHMMOUD SHEEHINE	Independent	423
35	AHMAD ALQARRA	Independent	389
36	ZIAD SHAMMOUT	Independent	375
37	MOHAMED KULLAB	Independent	373
38	SOBHI AL QEDRA	Independent	339
39	SAOD ABU MHANNA	Independent	338
40	AHMED ALSHIBI	Independent	290
41	ABD EL QADER AWADI	Independent	182
42	ZEYAD KULLAB	Independent	155
43	ALI HAMED	Independent	152

* Shaded names indicate winner

Electoral district : Rafah	District No. : 16	No. of candidates : 12
Total No. of seats 3		

No.	Candidate	Political affiliation	Votes
1	MOHAMMED HEGAZI	Fateh Movement	28.527
2	ASHRAF JOMA	Fateh Movement	28.089
3	REDWAN AL AKHRAS	Fateh Movement	26.759
4	ATALLA ABU EL-SIBAH	Change and Reform	21.142
5	GHAZI HAMAD	Change and Reform	21.119
6	FUAD ALNAHHAL	Change and Reform	19.675
7	FATHY BARKA	Independent	2.318
8	EMAD ELTAWEEL	Independent	2.286
9	ZIAD JARGHON	The Alternative	1.466
10	SULAIMAN ELROMY	Independent	834
11	IBRAHIM EL-GAZZAR	Independent	541
12	HAMDY ALNAHHAL	Independent	491

* Shaded names indicate winner

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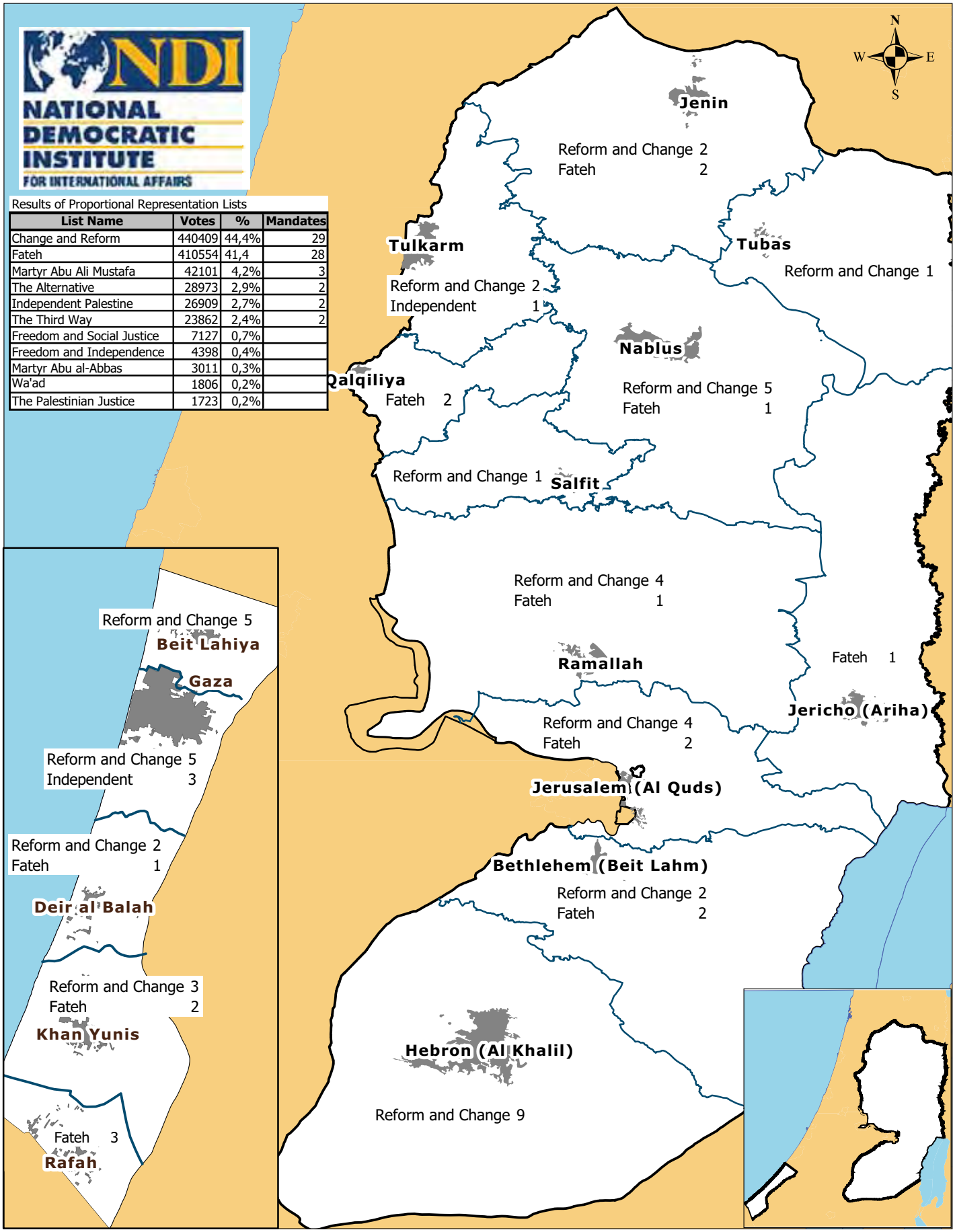
Results of Proportional Representation Lists

List Name	Votes	%	Mandates
Change and Reform	440409	44,4%	29
Fateh	410554	41,4	28
Martyr Abu Ali Mustafa	42101	4,2%	3
The Alternative	28973	2,9%	2
Independent Palestine	26909	2,7%	2
The Third Way	23862	2,4%	2
Freedom and Social Justice	7127	0,7%	
Freedom and Independence	4398	0,4%	
Martyr Abu al-Abbas	3011	0,3%	
Wa'ad	1806	0,2%	
The Palestinian Justice	1723	0,2%	



Palestinian Legislative Council Elections

Election Results

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Base maps curtesy of Ministrty of Planning, PA
Comments and questions: jerusalem@ndi-wbg.org

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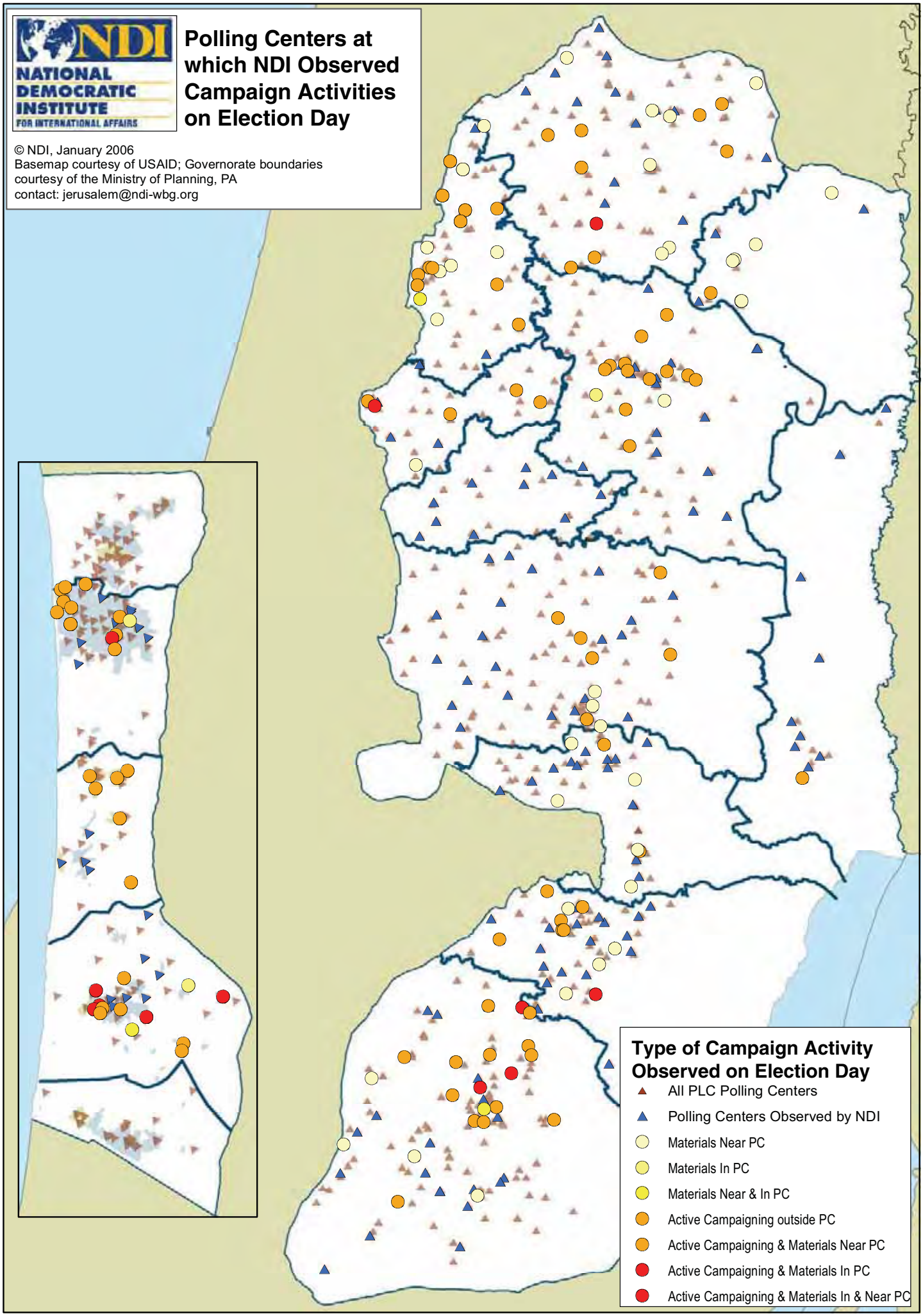
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Polling Centers at which NDI Observed Campaign Activities on Election Day
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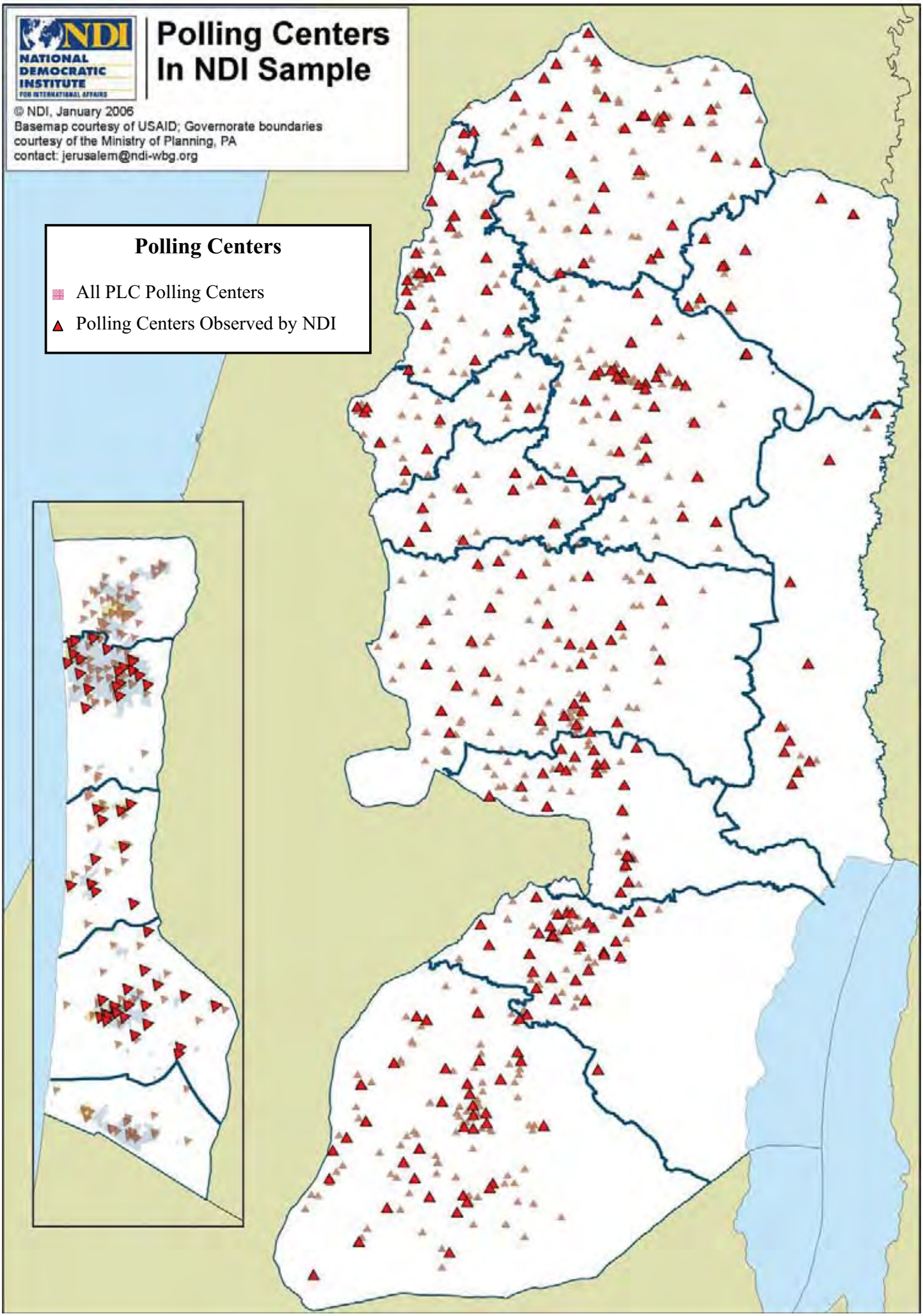
contact: jerusalem@ndi-wbg.org
Type of Campaign Activity Observed on Election Day
All PLC Polling Centers
Polling Centers Observed by NDI
Materials Near PC
Materials In PC
Materials Near & In PC
Active Campaigning outside PC
Active Campaigning & Materials Near PC
Active Campaigning & Materials In PC
Active Campaigning & Materials In & Near PC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Polling Centers In NDI Sample
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Basemap courtesy of USAID; Governorate boundaries courtesy of the Ministry of Planning, PA
contact: jerusalem@ndi-wbg.org
Polling Centers
All PLC Polling Centers
Polling Centers Observed by NDI

Appendix F:

National Democratic Institute/The Carter Center
International Observation Mission, Palestinian Legislative Council Elections
January 25, 2006

Delegation Leadership Group

JIMMY CARTER
Delegation Co-Leader
Former President of the United States

NILS DANIEL CARL BILDT
Delegation Co-Leader
Former Prime Minister of Sweden

REXHEP MEIDANI
Delegation Co-Leader
Former President of Albania

ANA PALACIO
Delegation Co-Leader
Former Foreign Minister of Spain

ROSALYNN CARTER
Co-Founder, The Carter Center
United States

EUGENE EIDENBERG
Treasurer, National Democratic Institute
United States

JOHN HARDMAN
Executive Director, The Carter Center
United States

MONICA MCWILLIAMS
Chief Commissioner, Northern Ireland Human Rights Commission;
Former Representative, Northern Ireland Assembly
Northern Ireland

JOHN MOORES
Chairman of the Board, The Carter Center
United States

JEANNE SHAHEEN
Former Governor of New Hampshire
United States

KENNETH WOLLACK
President, National Democratic Institute
United States

DELEGATION MEMBERS

DAVID ABRAMOWITZ
Democratic Chief Counsel, Committee on International Relations,
U.S. House of Representatives
United States

DOUGLAS AHLERS
Fellow, Kennedy School of Government, Harvard University;
Co-Founder, Modern Media
United States

LARA SHAHRIYAR ALAMEH
Professional Staff, Committee on International Relations,
U.S. House of Representatives
United States

ZIAD ASALI
President and Founder, American Task Force on Palestine
United States

SAMANTHA AUCOCK
Head of Public Outreach, Joint Election Management Body,
United Nations, Afghanistan
South Africa

HARRIET BABBITT
Former U.S. Ambassador to the Organization for American States;
Former USAID Deputy Administrator
United States

PETER BOURNE
Fellow, Green College, Oxford University
England

NATHAN BROWN
Senior Associate, Carnegie Endowment for International Peace
United States

SHARI BRYAN
Regional Director, Southern and East Africa, National Democratic Institute
United States

LESLIE CAMPBELL
Senior Associate and Regional Director, Middle East and North Africa,
National Democratic Institute
Canada

DAVID CARROLL
Director, Democracy Program, The Carter Center
United States

AMY CARTER
The Carter Center
United States

JAMES E. CARTER III
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Appendix G:

Deborah Hakes/The Carter Center

Election posters plaster the Palestinian side of the wall in El Ram.

Deborah Hakes/The Carter Center

A crowd gathers at a Fateh rally in Ramallah.

Deborah Hakes/The Carter Center

Election poster in downtown Ramallah.

Richard Gee/National Democratic Institute

Loading ballots and ballot boxes in Ramallah for distribution to polling centers.

Richard Gee/National Democratic Institute

Hamas rally outside Khan Younis, Gaza.

Richard Gee/National Democratic Institute

Outside a polling center as it closes in Gaza City.

Casting ballots on election day in Gaza City.

Richard Gee/National Democratic Institute

Checking names on the voter list in Gaza City.

Richard Gee/National Democratic Institute

Deborah Hakes/The Carter Center

President Carter and Prime Minister Bildt confer at a polling station.

Deborah Hakes/The Carter Center

A polling station worker checks names against the voters list in Bethlehem.

Deborah Hakes/The Carter Center

President and Mrs. Carter at a poll closing in Jericho.

Deborah Hakes/The Carter Center

Posting results after the vote count in a polling station in Jericho.

Deborah Hakes/The Carter Center

The joint NDI/Carter Center press conference following the elections with Prime Minister Carl Bildt, the Hon. Ana Palacio, President Jimmy Carter, Mr. Kenneth Wollack, and President Rexhep Meidani.