

Statement by RASED on the First Day of Candidate Registration for the By-Election in Irbid's 2nd District October 26th, 2014

RASED has been working to promote accountability, fairness, freedom, and integrity of the by-election process⁽¹⁾ to fill a parliamentary seat in Irbid's 2nd district. Today, Sunday, marked the first day of the three-day candidate registration period which will last until October 28. During this time, the Independent Electoral Commission's (IEC) bylaws state that it must respond to all requests for candidacy within 7 days (counting from the day after they are received). RASED is observing the by-election process with a team of monitors, and so far has noted the following:

1. In answer to an inquiry from an aspiring candidate, the IEC clarified on the first day of candidate registration that candidates would be placed on the ballots in the order they registered their candidacy. RASED views this practice as unfair and asks the IEC to reconsider this, pursuant to a RASED statement released on December 22, 2012 during the preparations for the 2013 general elections, which suggested that the most fair way to order names on the ballot was through an unbiased lottery system.

RASED suggests that the High Commissioner's Council of the IEC work to bring the commission's rules into line with recognized best practices, which represents a realistic goal given the experience the IEC has acquired.

2. RASED believes the IEC has raised serious questions about its commitment to maintaining high electoral standards by failing to respond to RASED's statement on October 15, 2014. In this statement, RASED explained the contradiction between Section 7, Paragraph 5 of the Election Law, which

(1) A by-election is a one-time election conducted to fill a seat in the House of Representatives that has been left vacant by the death or resignation of a candidate. In this case, the by-election in Irbid's 2nd District is being held to fill the seat left vacant by the late Member of Parliament Mohammed Al Khasawneh, who passed away on September 23, 2014.

demands government employees resign 60 days before declaring candidacy in an election, and the IEC's announcement of the by-elections, which did not precede the prescribed date for declaring candidacy by 60 days, and the Jordanian Constitution. This contradiction, which appears to effectively bar government employees from running in the by-elections, is a violation of Jordanians' constitutional right to run for elections. RASED based its request for clarification on the events surrounding the by-elections in Amman's 2nd District after the death of MP Ali Mahsiri, during which His Excellency the Prime Minister referred a similar question to the Special Office for Legal Interpretation. At that time, it was decided that Section 7-A of the Election Law can't be used to prevent people from exercising their constitutional right to run for office. The IEC has unfortunately has created this same contradiction with the current by-elections rather than learning from previous problems, and until now, it has failed to live up to expectations by not responding to RASED's request for clarification.

3. RASED has monitored the 2nd District in Irbid for any announcements that would help people find the place for candidacy registration, and it appears that the IEC has not used the usual bulletin boards informing citizens of the registration place. In addition, there was no signage at the registration place (Kuliyat Al Husun) up until 9:30 of the morning when registration started. The IEC should disseminate information on the place of registration, and it should and put up more signage making it easier to find the place of registration.

On the first day of registration, the office opened at 8:30 AM and 7 requests were received before 3:00 PM. The office will continue accepting requests during work hours for the next 3 days. During this time, RASED invites the IEC to learn from issues that have arisen in the past and to improve its operations accordingly in the coming period.