

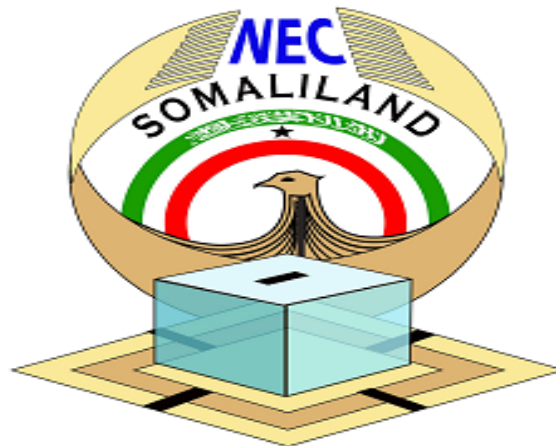
2021

SLNEC

Legal Advisors

LEGAL DEPARTMENT in  
collaborations with the  
TRAININGS DEPARTMENT

## REPUBLIC OF SOMALILAND



## NATIONAL ELECTORAL COMMISSION.

### TRAINING MANUAL

*FOR JUDGES, PROSECUTORS, LAWYERS AND POLICE*

*LEGAL PROFESSIONALS*

## 1. Introduction to the Training Manual

This manual is based on experiences and best practices noted by NEC in both voter registration and elections management. and urgent need of training are more focus on voter registration and electoral offences, irregularities and violations of the electoral law. Electoral offences which entail a criminal prosecution should be the subject of a separate chapter in this manual and as provided in the criminal code and preferably be referred to in the election law No. 91/2020. Due attention should be given to the consistency of the provisions in the election law and in the criminal code and criminal procedural code so as to avoid any confusion over the legal consequences associated with them.

Therefore, the manual shall also and particularly set the parameters for election dispute resolution mechanisms which comply with the rule of law. Subject to adjustments required as a result of the great variety of legal and electoral systems in the world, the standards discussed below should serve to stimulate a constant Endeavour to overcome practical difficulties in their application.

Furthermore, This manual which is more comprehensive was not intended to preclude experiments and different practices, provided these are in conformity with the standards and seek to further the purpose of consolidating the rule of law and free and fair elections. The principles set out below have been formulated and articulated with reference to a dual complaint procedure specifically involving electoral bodies and courts.

Some countries, alternative procedures are being considered, such as the creation of specialist courts to adjudicate election complaints and appeals, or the development of an administrative justice system with jurisdiction over election disputes. However these alternatives have so far had little chance of being endorsed and implemented, mainly for financial reasons. Finally, these principles stand at the crossroads of international rule of law and election standards. Some of them are principles of justice or related to fundamental rules embodied in somaliland law and observing with international instruments, while others are practical. They all have as their foundation the rules relating to the right to a fair trial.

## **2. Purpose of the Manual**

The overall purpose of the Manual recognizes that effective rule of law and fair justice based regulatory frame work should be an integral part of an Successful and secured voter registration and other electoral legal issues. This training manual for justice and judiciary institutions including police as a law enforcement agency is therefore not only intended to help justice and judiciary actors in both civil and criminal cases, and clearly understand how legal-based elections and related issues for this fits in their overall mission and goals but also to engage them on practicing complaints legal disputes and application of electoral offences with effective and efficient legal skills. It is set to build legal capacity among participants in a practical manner and enlighten of police and judiciary participants on what they can achieve through the use of regulatory frameworks of elections and registration process.

## **3. Users of the Manual**

The targeted users of this Manual are all legal professionals including but not limited to the judges, prosecutors, police. Through training approach and methodology shall be applied as much as possible, the sessions should be kept practical and interactive.

The activities are meant to get the participants to practice the key learning that they will gain throughout the training. Any group work will be specified in the instructions as a guide for the facilitator. The sessions have been planned to be

- **INFORMATIVE:** they contain information that will be presented by the facilitators.
- **PRACTICAL:** Sessions have proposed activities that will be completed by the participants.
- **INTERACTIVE:** As much as possible, the facilitator is expected to ensure there is interaction between the participants with adequate time allowed for sharing of experiences.

Kindly note that the user of this manual is also expected to make an effort to read additional materials that will help them deliver the sessions well.

LEGAL TRAINING MANUAL-NEC

## MODULE ONE

### INTRODUCTION TO A SOMALILAND ELECTORAL SYSTEM

1. Fundamental Requirements of Electoral System
2. Objectives of the election and Voter Registration & Elections Law No.91/2020
3. Responsibilities of the District Voter registrar and Electoral Officer
4. Generic Guidelines for Election Dispute Resolution
5. Fundamental Requirements of Electoral System
6. Legal and Policy Frameworks of Somaliland Elections
7. Law/ Regulation/ Policy
8. Types of Electoral Management Bodies

#### A. Introduction

The appropriate balance between the roles played by electoral law, regulations and electoral management body policy in determining the parameters and methods of voter registration, elections and voting operations will in many respects be related to the standing and administrative framework of electoral management bodies. Considering that somaliland have an independent electoral body as a national level, and where multiple electoral bodies under no central controls are responsible for managing different geographic areas for one election, it would be more appropriate that the legal framework were more detailed, for example, in respect to election forms content and design, voting station location and capacities, and voter information requirements, to promote consistency and quality of treatment of all voters. This would also hold true where electoral management bodies are inexperienced or subject to political influences.

Conversely, where electoral management body structure provides for a strong quality control focus from a central point encompassing all electoral districts and has a history of impartial judgment, it would be more appropriate that the more detailed issues of

voting operations management were left to policies developed by the electoral management body. This flexibility, in competent hands, can enable more appropriate and swifter responses to changing environments.

## B. Basic Legal Requirements

What is the basic registration and voting operations framework that should be defined in law for any election environment? It would seem that the essential elements would have to include the following:

- 📖 The method of officially determining the Voter registration and election date;
- 📖 The significant points in the voter registration and election periods and their time frame--the nominations period, campaign period, voting day (or days) and hours, periods for special voting, official announcement of results;
- 📖 Eligibility criteria for voters and where they may vote;
- 📖 Qualifications and disqualifications for candidacy (individual candidates and parties), methods of nominating candidates and announcing accepted candidates and parties for the election;
- 📖 Ballot types and formats;
- 📖 Requirements for location and promulgation of voting stations and other voting facilities;
- 📖 powers and responsibilities of polling officials and voting operations administrators;
- 📖 procedures for handling, maintenance and disposal of accountable materials;
- 📖 the voting method, including requirements for a valid vote, and voting secrecy and integrity controls to be applied;
- 📖 treatment of voters not found on voting station voters lists;
- 📖 methods of and qualifications for any special voting facilities provisional/tendered, assisted votes;
- 📖 rights and responsibilities of candidates and party and candidate representatives;
- 📖 settling of disputes and challenges;
- 📖 adjournment of voting and treatment of errors and omissions in voting processes;
- 📖 Methods for replacement of elected representatives, such as recounts, partial elections;
- 📖 Offences and penalties.

📖 Additional requirements Shall be in accordance with somaliland situation to election systems and cultural environments. (Further discussion of the effect of the election legal framework on voting operations is at legislative Electoral Legislation and Administrative Regulations.)

### Article 5. Scope and founding principles of The Law

The Scope and Principles of this law are:

1. **Qodobka 3aad: Xadka Adeegsiga Xeerka iyo Maba’diida Guud**
2. 1. Xeerkan
3. a) Waxaa lagu maamulayaa doorashooyinka Madaxweynaha iyo Ku-xigeenka Madaxweynaha JSL, Golaha Wakiillada, Golayaasha Degaannada, iyo hannaanka Cod-bixinta guud
4. b) Waxaa lagu maamulayaa hannaanka diiwaangalinta cod-bixiyayaasha ee ka qaybgalaya doorashooyinka qaranka JSL.
5. c) Wuxuu dajiyey aassaasidda, awoodaha iyo waajibaadka iyo hawlaha Komishanka Doorashooyinka ee Qaranka ee madaxa bannaan iyo xafiisyada doorashooyinka ee ay dhisto. d) Wuxuu cayimayaa falalka ku xad-gudubka hab-sami u socodka iyo nidaamka, diiwaangalinta, doorashooyinka iyo ciqaabtooda.
6. 2. Maba’diida guud ee Xeerkan ku dhisan yahay waa:
7. a) Xoriyadda muwaadiniintu u leeyihiin in ay adeegsadaan xuquuqdooda siyaasiga ah si waafaqsan Dastuurka iyo xeerarka dalka JSL.
8. b) Hirgelinta doorashooyin xor iyo xalaal ah, oo ka madhan cabsi gelin, laaluush iyo musuqmaasuq, loona maamulay si madaxbannaan, dhexdhexaad ah, sugan, hufan, oo la xisaabtan leh.

### PRINCIPLES:

- **Human rights-based approach:** The human rights-based approach helps identify inequalities, discrimination and unbalanced power relations in the electoral process. Based on human rights principles, this approach emphasizes the participation of all actors in the decision-making process, with a particular focus on under-represented groups.
- **Inclusion:** Recognizing the value of diversity is key to ensure that electoral

processes are genuinely democratic and leave no one behind. All relevant stakeholders should be able to fully participate in elections without discrimination or violence, regardless their gender identity, tribe, clan , class, age, disability status and among other conditions.

- **Participation:** Through a number of participation mechanisms, men and women are empowered to play an essential role in their own development and also in their communities. Constructive participation strategies in the electoral process comprise a wide range of activities, including voting, standing as a candidate, expressing opinions, supporting political parties and candidates, serving as a polling officer, protesting peacefully and observing the election, among others.
- **Transparency:** Strategies promoting citizen's participation in elections should be clear and open, and the process needs to be understandable for all parts involved. Stakeholders should take responsibility for their actions and be held accountable.
- **Impartiality:** Acknowledging the political nature of the electoral process,
- **Integrity:** The behavior of actors seeking to promote democratic elections. abide by the principles of transparency, accountability, fairness and impartiality, the credibility of voter registration and elections
- **Effective collaboration:** Stakeholders working to promote inclusive electoral processes need to join forces and ensure an effective and sincere collaboration, in order to avoid gaps and overlapping

- 1) GENERAL PROVISIONS OF ELECTROAL LAW
- 2) SPECIFIC PROVISIONS FOR ELECTION AND FRAMEWORK PRACTICAL ASPECTS
- 3) VOTER REGISTRATION
- 4) CONDITIONS OF VOTER ELECTIONS
- 5) TIME LINE FOR REGISTRATION
- 6) TIME LINE FOR ELECTIONS
- 7) TIME LINE FOR CAMPAINGS
- 8) TIME LINE FOR AWARENESS
- 9) RIGHTS AND RESPONSIBILITIES FOR ALL PERIODS OF REGISTRATION AND ENTIRE ELECTIONS TIME
- 10) CANDIDATES , CONDITIONS, RIGHTS AND RESPONSIBILITIES



11) PENALTIES , ELECTROL OFFENCES

12) ALL ADMINSTRATIVE ASPECTS

13) FINAL PROVISIONS : **SESSIONS: TIME FOR ALL SESSIONS : 10 HOURS**

**LESSION 1: XEERKA GUUD EE DOORASHOYINKA IYO DIWAANGALINTA**  
**COD-BIXIYAYAASHA XEER LR.91/2020**  
**TUSMADDA XEERKA**  
**CUTUBKA KOOWAAD ..QAYBTA 1AAD QODOBBADA GUUD**

**SESSION 1: CHAPTER 1 OF THE LAW:**

Qodobka 1aad. Magaca Xeerka

Qodobka 2aad ..Eray-bixinta

QAYBTA 2AAD

Qodobka 3aad. Xadka Adeegsiga Xeerka iyo Mabaa' diida Guud

Qodobka 4aad Shuruudaha Cod-bixiyaha .

Qodobka 5aad .Xuquuqda Cod-bixiyaha

Qodobka 6aad ..Wakhtiga Qabashada Doorashooyinka

Qodobka 7aad Xaqa is Sharaxidda Ka Qaybgalka Bulshada

Qodobka 9aad .Shaqaalaha Dawladda & Hay'adaha Dawliga ah

Qodobka 10aad ..Muddo-xileedyada

Qodobka 11aad . Astaamaha murashixiinta iyo kala horaysiinta Magacyada iyo Astaamaha Xisbiyada/Ururada

**SESSION 2: CHAPTER 2 OF THE LAW**

**CUTUBKA LABAAD .**

QAYBTA 1AAD

**.KOMISHANKA DOORASHOYINKA QARANKA JSL**

**Qodobka 12aad Qaab-dhismeedka Komishanka Doorashooyinka Qaranka**

**Qodobka 13aad Xubnaha Komishanka Doorashooyinka**

**Qodobka 14aad .**

**Shuruudaha Xubinta Komishanka**

**Qodobka 15aad . Xil ka Qaadista Komishanka**

**Qodobka 16aad Awoodaha Komishanka**

**Qodobka 17aad . Miisaaniyadda Komishanka Doorashada**

**Qodobka 18aad .Sanduuqa Doorashooyinka/Diiwaangalinta**

**Qodobka 19aad Xafiiska Goobta Cod-bixinta .**

**Qodobka 20aad .Xafiiska Degmada ee Doorashada Xafiiska Gobolka ee Doorashada**

**Qodobka 22aad . Shaqaalaha komishanka doorashooyinka Qaranka .**

**Qodobka 23aad Shaqo qorista iyo ka Saarista gudoomiyayasha gobolada iyo degmooyinka doorasho**

Qodobka 24aad .Hawl-wadeennada Xafiisyada Doorashada/Diiwaangelinta  
Qodobka 25aad .Gunnada Hawl-wadeenada .  
Qodobka 26aad .Dhawrsanaanta Komishanka, Musharixiinta iyo Hawl-wadeenada

### SESSION 3: CHAPTER 3 OF THE LAW

#### CUTUBKA 3AAD .

#### .QAYBTA 1AAD DIIWAAN-GELINTA COD-BIXIYAYAASHA ...

Qodobka 27aad .Xadka ku dhaqanka  
Qodobka 28aad .Diiwaanada Cod-bixiyeyaasha Qaranka Somaliland  
Qodobka 29aad .La-haanshaha diiwaanka ..  
Qodobka 30aad ..Dhaqan-gelinta Diiwaangelinta Cod-bixiyaha  
Qodobka 31aad .Dadka ay ka reeban tahay in la diiwaangeliyo  
Qodobka 32aad .Kaydinta diiwaangelinta cod-bixiyayaasha iyo soo saarista liisaska  
Kama dambaysta ah  
Qodobka 33aad .Dadka aan lahayn awoodda saxeexa  
Qodobka 34aad Habka xafidaadda qalabka diiwaangelinta  
Qodobka 35aad Hab-qoraalka magaca muwaadinka  
Qodobka 36aad .Saxitaanka xogaha khaldama  
Qodobka 37aad ..Nooca kaadhka cod-bixinta  
Qodobka 38aad ..Lumista Kaadhka Cod-bixinta  
Qodobka 39aad .Dhawrista Xogta Cod-bixiyaha  
Qodobka 40aad Qaadashada wax ka badan hal kaadh oo codbixineed  
Qodobka 41aad .Diiwaan-gelinta cod-bixiyeyaasha .  
Qodobka 42aad .Habka diiwaangelinta cod-bixiyeyaasha  
Qodobka 43aad Shaqada komishanka doorashooyinka qaranka ee diiwaangelinta  
Qodobka 44aad Ku dhawaaqidda diiwaangelinta codbixiyayaasha  
Qodobka 45aad .Dhaqan-gelinta diiwaan-gelinta codbixiyayaasha  
Qodobka 46aad .Foomka diiwaan-gelinta cod-bixiyayaasha  
Qodobka 47aad .Xogta lagu qorayo kaadhka codaynta  
Qodobka 48aad Saxitaanka iyo muranka da'da  
Qodobka 49aad .Shaqaalaha diiwaan-gelinta cod-bixiyayaasha  
Qodobka 50aad Habka iyo goobaha diiwaan-gelinta codbixiyayaasha  
Qodobka 51aad Wakiillada Xisbiyada/Ururada qaranka ee diiwaangelinta cod-  
bixiyaha  
Qodobka 52aad .Hawsha mas'uulka komishanka doorashooyinka qaranka ee goobta  
diiwaangelinta cod-bixiyaha  
Qodobka 53aad Soo saarista iyo daabacaadda liisaska codbixiyayaasha  
Qodobka 54aad .Soo saarista liisaska Kama dambaysta ah eecod-bixiyayaasha  
Qodobka 55aad .Qaybinta kaadhka cod-bixinta  
Qodobka 56aad : Guddiga farsamo ee hawlaha diiwaan-gelinta .  
Qodobka 57aad .Gacan ka gaysashada arrimaha nabad-gelyada iyo wacyi-gelinta ee  
hawsha diiwaangelinta  
Qodobka 58aad ..Goob-joogayaasha

Qodobka 59aad .Soo saaridda xeer-nidaamiyayaasha diiwaangelinta (power to issue regulations)

#### SESSION 4: CHAPTER 4 OF THE LAW

##### CUTUBKA AFRAAD

.HABKA DOORASHADA MADAXWEYNAHA IYO KU XIGEENKA MADAXWEYNAHA ..

.Qodobka 60aad ..Hanaanka Doorashada Madaxweynaha iyo kuxigeenka Madaxweynaha

Qodobka 61aad .Deebaajiga Madaxweynaha Iyo Ku-Xigeenka Madaxweynaha

Qodobka 62aad Shuruudaha Musharaxa Madaxweynaha Iyo Ku-Xigeenka Madaxweynaha

Qodobka 63aad .Qabashada Liisaska Murashaxiinta .

Qodobka 64aad . Qaabka soo Bandhigida Murashaxiinta

##### CUTUBKA 5AAD ..

.DOORASHADA GOLAHA WAKIILLADA

Qodobka 65aad . Xaqa ka Qayb Galka Doorashada Golaha Wakiillada.

Qodobka 66aad Tirada Guud ee Golaha Wakiilada

Qodobka 67aad .Shuruudaha Murashaxa Golaha Wakiillada

Qodobka 68aad .Deebaajiga musharixiinta doorashada Golaha Wakiillada

Qodobka 69aad .Habka Xulista Musharaxiinta

Qodobka 70aad : Khilaafaadka ka soo Baxa soo Xulida

Murashaxiinta Golaha Wakiillada.

Qodobka 71aad ...Xeer-nidaamiyaha iyo Hagaha Xisbiyada ee Xulista iyo Magacaabista Musharaxiinta

Qodobka 72aad .. U soo Gudbinta Komishanka liiska Musharixiinta Doorashada Golaha Wakiilada

Qodobka 73aad ..Hubinta iyo Soo badalida Musharaxiinta doorashada Golaha Wakiillada ee buuxin waya shuuradaha xeerarka ama is-casila

Qodobka 74aad .....Shaacinta liistada Kama danbeysta ah murashiinta Doorashada Golaha Wakiillada iyo Astamahooda Qodobka 75aad ..Habka Doorashada

Qodobka 76aad .Samaynta Goobo Doorasho

Qodobka 77aad .Habka Qaybinta Kuraasta

Qodobka 78aad.. Musharaxiinta Doorashada ku Guul-Daraysta

CUTUBKA LIXAAD ....QAYBTA: 1AAD..DOORASHADA GOLAYAASHA DEEGAANKA.

Qodobka 79aad.Tirada Golayaasha Degaanada .

Qodobka 80aad ..Habka Doorashoyinka Deegaanada

Qodobka 81aad Shuruudaha Murashaxa Golaha Degaanka...  
Qodobka 82aad .Ururada u Gudbi Waaya Xisbi .  
Qodobka 83aad .Deebaajiga Musharaxiinta Doorashada Golayaasha Deegaanka  
Qodobka 84aad ..Qaabka soo Bandhigida Musharaxiinta  
Qodobka 85aad Shaacinta liistada Kama danbeysta ah musharaxiinta Doorashada  
Golayaasha Deegaanka iyo Astamahood Qodobka 86aad Xulista iyo Xalinta  
Khilaafadka Musharaxiinta Golayaasha Deegaanka  
Qodobka 87aad .Musharaxiinta Doorashada ku Guul-Daraysta

## SESSION 5: CHAPTER 7 OF THE LAW

### CUTUBKA TODOBAAD.HANAANKA DOORASHOYINKA (ELECTION PROCEDURES) .

#### . QAYBTA 1AAD..OLALAHA DOORASHOYINKA

Qodobka 88aad Bilowga iyo Dhamaadka Ololaha Doorashada .

Qodobka 89aad .Qabashada Shirarka & Banaan-baxyada .

Qodobka 90aad .Muuqaalka Boodhadhka

Qodobka 91aadHub iyo Lebbis Ciidannimo

Qodobka 92aad Hawlaha Olalaha .

#### QAYBTA 2aad .....DHAQAALAHA OLOLAHA

.Qosobka 93aad.Nidaaminta Dhaqaalaha Ololaha Doorashada

Qodobka 94aad .Reebbanaanta Isticmaalka Hantida Danta Guud

Qodobka 95aad ....Cidda Awoodda u leh Qaadhaan Ururinta

Qodobka 96aad ....Meelaha uu ka Imanayo Dhaqaalaha Ololah Doorashadu

Qodobka 97aad .Maaliyada aan ku jirin Ilaha dhaqaalaha ee Ololaha .

Qodobka 98aad .Kharashaadka doorashada:

Qodobka 99aad Soo Bandhiga Dhaqaalaha Ololaha

#### QAYBTA 3AAD ....HANAANKA COD-BIXINTA GOOBAHA DOORASHADA

Qodobka 100aad ..Qandaraasyada la Xidhiidha Agabka & Adeegyada Doorashooyinka

Qodobka 101aad .

Qalabka Goobta Doorashooyinka

Qodobka 102aad .Waraqaha Cod-bixinta

Qodobka 103aad Habaynta Liisaska Rasmiga ah iyo Goobaha Cod-bixineed

Qodobka 104aad Ogeysiinta Liiska Murashaxiinta

Qodobka 105aad ..Qaybinta Qalabka Doorashada

#### QAYBTA 4AAD ....BILOWGA HAWLAHA GOOBTA COD-BIXINTA .

Qodobka 106aadXafiiska Goobta Cod-bixinta

Qodobka 107aad ..Awoodda Guddoomiyaha Goobta Cod-bixintta

Qodobka 108aad .Masuuliyadaha Shaqaalaha kale Goobta Codbixint

Qodobka 109aad .Wakiilada Axsaabta/ururada

Qodobka 110aad .Gelidda Goobta Cod-bixinta .

Qodobka 111aad .Talaabooyinka Ka Horeeya Cod-bixinta

Qodobka 112aad .Cod-bixiyayaasha aan Codka Dhiiban Karin

#### QAYBTA 5AAD ..HAWLGALKA COD-BIXINTA

Qodobka 113aad ..Nidaamka Cod-bixinta

Qodobka 114aad ..Muddada Cod-bixinta  
 Qodobka 115aad .Go'aanka Cabashooyinka ee Goobta Cod-bixinta  
 QAYBTA 6AAD ...TIRINTA CODADKA.Qodobka 116aad..Hawsha ka Horaysa Tirinta  
 Codadka  
 Qodobka 117aad .Hawsha Tirinta Codadka  
 Qodobka 118aad ..Dib u Tirinta Codadka ee Goobta Cod-bixinta  
 Qodobka 119aad ..Xidhitaanka Hawsha Tirinta .  
 Qodobka 120aadCodadka Xumaada ama Lagu Muransanyahay  
 Qodobka 121aad ..Qoraalka Raadraaca Goobta Cod-bixinta .  
 Qodobka 122aad ...Qaadista iyo Wareejinta Qalabka .

**SESSION 6: CONT... CHAPTER 7 OF THE LAW**

QAYBTA 7AAD ...SHAQOOYINKA XAFIISYADA DEGMADA, GOBOLKA IYO  
 XARUNTA DHEXE EE TIRINTA CODADKA IYO KU DHAWAAQISTA  
 NATIIJOOYINKA ...Qodobka 123aad Shaqada Xafiiska Doorashada ee Degmada ...  
 Qodobka 124aad .Tirinta Codadka Doorashada Degaanka & ku Dhawaaqidda  
 Natijadda  
 Qodobka 125aad ..Gudbinta Raad-raaca (Records) .  
 Qodobka 126aad ..Soo Saaridda Go'aanada DoorashooyinkaDegaanada  
 Qodobka 127aad .Isugeynta tirada Cod-bixinta Doorashada Madaxtooyada iyo  
 Golaha Wakiilada ee xafiiskaDegmada  
 Qodobka 128aad Shaqada Xafiiska Doorashada Gobolka ee Doorashooyinka  
 Deegaanka ..  
 Qodobka 129aad ..Shaqada Xafiiska Gobolka ee Doorashada Golaha Wakiilada  
 Qodobka 130aad .Ku Dhawaaqida Natijada Hordhaca ah ee Doorashada Golaha  
 Wakiilada  
 Qodobka 131aad .Gudbinta Raad-raacyada  
 Qodobka 132aad ..Shaqada Xafiiska Gobolka ee Doorashada Madaxtooyada  
 Qodobka 133aad .Hawsha Xafiiska Dhexe ee Doorashada Golaha Wakiilada iyo  
 Degmooyinka  
 Qodobka 134aad .Hawsha Xafiiska Dhexe ee Doorashada Madaxtooyada  
 Qodobka 135aad ..Ku Dhawaaqidda Natijada Doorashooyinka Madaxtooyada  
 Qodobka 136aad Dhaarinta Xildhibaanada la Doortay ee Golaha Wakiilada .  
 Qodobka 137aad .Dhaarinta Xildhibaanada la Doortay ee Golayaasha Degaanka  
 Qodoka 138aad ..Dhaarta Madaxweynaha iyo ku xigeenka Madaxweynaha  
 Qodobka 139aad Xeerka Anshaxa iyo Guddida Anshaxa iyo Xalinta Khilaafaadka  
 CUTUBKA SIDEEDAD .....DAMBIYADA DOORASHADA LA XIDHIIDHA  
 IYO XADGUDUBYADA XEERKA IYO NIMAADKA DOORASHOODA  
 Qodobka 140aad .U Hogaansanka Nidaamka iyo Xeerarka Doorashooyinka .  
 Qodobka 141aad Dambiyada Guud ee la Xidhiidha isoo Baxyada Bulshada  
 Qodobka 142aad Matalaadda  
 Qodobka 143aad .Bixinta Laaluushaka  
 Qodobka 144aad ...Khasabka iyo Khiyaamada .  
 Qodobka 145aad ..Dambiyada la Xidhiidha hawl wadeenada .

Qodobka 146aad .Dambiyada la xidhiidha Codaynta .  
Qodobka 147aad  
Dambiyada La xidhiidha Diiwaan-gelinta Codbixiyaha  
Qodobka 148aad .Dambiyada la Xidhiidha Anshax xumada waqtiga ololaha  
Qodobka 149aad ..Anshaxmarinta ku Xad-gudubka Xeerka iyo Habka Doorashada  
Qodobka 150aad .Ku Xadgudubka Xeerarka iyo Habka Doorashooyinka  
CUTUBKA SAGAALAAD .DACWADAHA DOORASHOYINKA  
Qodobka 151aad Dacwadaha Doorashada Madaxweynaha iyo ku xigeenkiisa .  
Qodobka 152aad .Dacwadaha Dorashada Golaha Wakiilada  
Qodobka 153aad .Dacwadaha Doorashada Golayaasha Degaanka

**SESSION 7: CHAPTER 10 OF THE LAW**

CUTUBKA TOBNAAD ..QODOBO QUBANE AH  
Qodobka 154aad .Xeer-nidaamiye  
Qodobka 155aad .Laallid .  
Qodobka 156aad Dhaqan-galka .....

**CHAPTER THREE: REGULATIONS, GUIDELINES, AND CODE OF CONDUCTS**

**XEER NIDAAMIYAHA DIIWAANGELINTA CODBIXIYAYAASHA**  
**(XEER LR. 91/2020).**

**Table of Contents**

<b>Qodobka 1aad.</b> .....	Error! Bookmark not defined.
<b>Magaca Xeer nidaamiyaha</b> .....	Error! Bookmark not defined.
<b>Qodobka 2aad.</b> .....	Error! Bookmark not defined.
<b>Qeexitaano</b> .....	Error! Bookmark not defined.
<b>Qodobka 3aad.</b> .....	Error! Bookmark not defined.
<b>Mabaadi'ida Guud</b> .....	Error! Bookmark not defined.
<b>Qodobka 4aad</b> .....	Error! Bookmark not defined.
<b>Dhaqangelinta Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 5aad</b> .....	Error! Bookmark not defined.
<b>Dadka ay ka Reeban tahay in la Diwaangaliyo</b> .....	Error! Bookmark not defined.
<b>Qodobka 6aad</b> .....	Error! Bookmark not defined.
<b>Bilawga iyo Dhammaadka Diiwaangelinta Codbixiyayaasha</b> ..	Error! Bookmark not defined.
<b>Qodobka 7aad</b> .....	Error! Bookmark not defined.
<b>Habraaca Geedi-socodka Diiwaangelinta Codbixiyayaasha</b> ....	Error! Bookmark not defined.
<b>Qodobka 8 aad:</b> .....	Error! Bookmark not defined.
<b>Aasaaska Guddiga Farsamo ee Hawlaha Diiwaangelinta Codbixiyayaasha</b> .	Error! Bookmark not defined.
<b>Qodobka 9aad:</b> .....	Error! Bookmark not defined.
<b>Ujeeddada Guddiga Farsamo ee Hawlaha Diiwaangelinta Codbixiyayaasha</b>	Error! Bookmark not defined.
<b>Qodobka 10 aad:</b> .....	Error! Bookmark not defined.

<b>Xilka iyo Waajibaadka Guddiga Farsamo ee Hawlaha Diiwaangelinta Codbixiyayaasha</b>	..... Error! Bookmark not defined.
<b>Qodobka 11 aad:</b>	..... Error! Bookmark not defined.
<b>Xarrunta Guddida Farsamo</b>	..... Error! Bookmark not defined.
<b>Qodobka 12 aad:</b>	..... Error! Bookmark not defined.
<b>Gunnada iyo Kulanadda Guddida</b>	..... Error! Bookmark not defined.
<b>Qodobka 13aad:</b>	..... Error! Bookmark not defined.
<b>Aasaaska Guddi Hawleedka Diiwaangelinta Codbixiyayaasha ee Heer Gobol</b>	..... Error! Bookmark not defined.
<b>Regional Operation Team (ROT)</b>	..... Error! Bookmark not defined.
<b>Qodobka 14aad:</b>	..... Error! Bookmark not defined.
<b>Ujeeddada Guddi Hawleedka</b>	..... Error! Bookmark not defined.
<b>Qodobka 15aad:</b>	..... Error! Bookmark not defined.
<b>Xilka iyo Waajibaadka Guddi Hawleedka</b>	..... Error! Bookmark not defined.
<b>Qodobka 16aad</b>	..... Error! Bookmark not defined.
<b>Wacyigelinta Hawlaha Diiwaangelinta Codbixiyayaasha</b>	..... Error! Bookmark not defined.
<b>Qodobka 17aad</b>	..... Error! Bookmark not defined.
<b>Hawl-wadeenada Diiwaangelinta Codbixiyayaasha</b>	..... Error! Bookmark not defined.
<b>Qodobka 18aad</b>	..... Error! Bookmark not defined.
<b>Gunnada Hawl-wadeenadda</b>	..... Error! Bookmark not defined.
<b>Qodobka 19aad</b>	..... Error! Bookmark not defined.
<b>Hawl-wadeenada Goboladda iyo Degmooyinka ee Komishanka</b>	Error! Bookmark not defined.
<b>A. Xilka iyo Waajibaadka Gudoomiyaha Gobolka</b>	..... Error! Bookmark not defined.
<b>B. Xilka iyo Waajibaadka Xoghayaha Gobolka</b>	..... Error! Bookmark not defined.
<b>C. Xilka iyo Waajibaadka Gudoomiye-ku-xigeenka Gobolka</b>	.. Error! Bookmark not defined.
<b>D. Xilka iyo Waajibaadka Gudoomiyaha Degmadda</b>	..... Error! Bookmark not defined.
<b>E. Xilka iyo Waajibaadka Xoghayaha Degmadda</b>	..... Error! Bookmark not defined.
<b>F. Xilka iyo Waajibaadka Tiriyaaha Xafiiska Degmadda</b>	..... Error! Bookmark not defined.
<b>G. Xilka iyo Waajibaadka Hubiyaha Degmadda</b>	..... Error! Bookmark not defined.
<b>Qodobka 20aad</b>	..... Error! Bookmark not defined.
<b>Dhaarta Hawl-wadeenada Diiwaangelinta Codbixiyayaasha</b>	.. Error! Bookmark not defined.
<b>Qodobka 21aad</b>	..... Error! Bookmark not defined.
<b>Hawl-Wadeenada ka hawl galaaya Goobaha Diiwaangelinta Codbixiyayaasha</b>	..... Error! Bookmark not defined.



<b>Qodobka 22aad</b> .....	Error! Bookmark not defined.
<b>Reebanaan:</b> .....	Error! Bookmark not defined.
<b>Qodobka 23aad</b> .....	Error! Bookmark not defined.
<b>Xilka iyo Shuruudaha Gudoomiyaha Goobta:</b> .....	Error! Bookmark not defined.
<b>Qodobka 24aad</b> .....	Error! Bookmark not defined.
<b>Shuruudaha iyo Xilka Xog-galiyaha (Operator):</b> .....	Error! Bookmark not defined.
<b>Qodobka 25aad</b> .....	Error! Bookmark not defined.
<b>Shuruudaha iyo Xilka Xog-Ururiyaha (Interviewer):</b> .....	Error! Bookmark not defined.
<b>Qodobka 26aad:</b> .....	Error! Bookmark not defined.
<b>Shaqaalaha Amniga ee Goobta Jooga</b> .....	Error! Bookmark not defined.
<b>Qodobka 27aad</b> .....	Error! Bookmark not defined.
<b>Tababarka Hawl-wadeenada Diiwaanka Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 28aad</b> .....	Error! Bookmark not defined.
<b>Ilaalinta xogta Diiwaangelinta</b> .....	Error! Bookmark not defined.
<b>Qodobka 29aad</b> .....	Error! Bookmark not defined.
<b>Qalabka/Agabka Xafiisyada Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 30aad</b> .....	Error! Bookmark not defined.
<b>Habaynta Qalabka/Agabka Xafiisyada Diiwaangelinta Codbixiyayaasha</b> ..	Error! Bookmark not defined.
<b>Qodobka 31aad</b> .....	Error! Bookmark not defined.
<b>Qaybinta Qalabka iyo Agabka Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 32aad</b> .....	Error! Bookmark not defined.
<b>Diyaarinta Goobaha Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 33aad</b> .....	Error! Bookmark not defined.
<b>Nidaamka Goobta Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 34aad</b> .....	Error! Bookmark not defined.
<b>Wakhtiga Hawlgalka Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 35aad</b> .....	Error! Bookmark not defined.
<b>Doorarka Shaqo ee Wasaaradda Arrimaha Gudaha</b> .....	Error! Bookmark not defined.
<b>Qodobka 36aad</b> .....	Error! Bookmark not defined.
<b>Sugitaanka Muwaadinka</b> .....	Error! Bookmark not defined.
<b>Qodobka 37aad</b> .....	Error! Bookmark not defined.

<b>Muranka Da'da Codbixiyaha</b> .....	Error! Bookmark not defined.
<b>Qodobka 38aad</b> .....	Error! Bookmark not defined.
<b>Foomka Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 39 aad</b> .....	Error! Bookmark not defined.
<b>Habka Diiwaangelinta Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 40aad</b> .....	Error! Bookmark not defined.
<b>Diidmada Codsiga Diiwaangelinta</b> .....	Error! Bookmark not defined.
<b>Qodobka 41 aad:</b> .....	Error! Bookmark not defined.
<b>Cabashooyinka ka Dhanka ah Diidmada Codsiga Is Diiwaangelinta</b> ....	Error! Bookmark not defined.
<b>Qodobka 42aad</b> .....	Error! Bookmark not defined.
<b>Xidhitaanka Hawsha Diiwaangelinta Codbixiyayaasha iyo Wareejinta Qalabka/Agabka</b> .....	Error! Bookmark not defined.
<b>Qodobka 43aad</b> .....	Error! Bookmark not defined.
<b>Wakiiladda Axsaabta</b> .....	Error! Bookmark not defined.
<b>Qodobka 44 aad</b> .....	Error! Bookmark not defined.
<b>Waajibaadka iyo Masuuliyadda Wakiillada Asxaabta Siyaasadda</b> .....	Error! Bookmark not defined.
<b>Qodobka 45aad</b> .....	Error! Bookmark not defined.
<b>Shuruudaha Wakiilka Xisbiga</b> .....	Error! Bookmark not defined.
<b>Qodobka 46 aad:</b> .....	Error! Bookmark not defined.
<b>Kormeerayaasha Caalamiga ah iyo kuwa Wadaniga ah</b> .....	Error! Bookmark not defined.
<b>Qodobka 47aad:</b> .....	Error! Bookmark not defined.
<b>Saxaafadda Maxaliga ah iyo Ta Caalamiga ah</b> .....	Error! Bookmark not defined.
<b>Qodobka 48aad</b> .....	Error! Bookmark not defined.
<b>Soo Saarida Liistada Diwaangelinta Codbixiyayaasha ee Ku-Meel Gaadhka ah</b> .....	Error! Bookmark not defined.
<b>Qodobka 49 aad</b> .....	Error! Bookmark not defined.
<b>Cabashooyinka La Xidhiidha Soo Saarida Liistada Ku meel Gaadhka ah</b> .....	Error! Bookmark not defined.
<b>Qodobka 50aad</b> .....	Error! Bookmark not defined.
<b>Foomamka Cabashada</b> .....	Error! Bookmark not defined.
<b>Qodobka 51aad</b> .....	Error! Bookmark not defined.
<b>Muddada La Sameyn Karo Cabasho</b> .....	Error! Bookmark not defined.

<b>Qodobka 52aad</b> .....	Error! Bookmark not defined.
<b>Go'aan ka Gaadhida Cabashooyinka La Xidhiidha Diwaanka Kumeel Gaadhka ah</b> .....	Error! Bookmark not defined.
<b>Qodobka 53aad</b> .....	Error! Bookmark not defined.
<b>Guddida Xalinta Cabashooyinka iyo Khilaafaadka Diiwaangelinta Codbixiyayaasha ee heer qaran</b> .....	Error! Bookmark not defined.
<b>Qodobka 54 aad</b> .....	Error! Bookmark not defined.
<b>Diwaanka Codbixiyayaasha</b> .....	Error! Bookmark not defined.
<b>Qodobka 55 aad:</b> .....	Error! Bookmark not defined.
<b>Qaybinta Kaadhka Codbixinta</b> .....	Error! Bookmark not defined.
<b>Qodobka 56 aad</b> .....	Error! Bookmark not defined.
<b>Lumista Kaadhka Codbixinta</b> .....	Error! Bookmark not defined.
<b>Qodobka 57 aad</b> .....	Error! Bookmark not defined.
<b>Reebanaanta Hal Kaadh Wax ka Badan</b> .....	Error! Bookmark not defined.
<b>Qodobka 58 aad</b> .....	Error! Bookmark not defined.
<b>GOOB BEDEL</b> .....	Error! Bookmark not defined.
<b>QODOBKA 59 AAD</b> .....	Error! Bookmark not defined.
<b>Xogta Khaldanta:</b> .....	Error! Bookmark not defined.
<b>Qodobka 60 aad</b> .....	Error! Bookmark not defined.
<b>Wax-ka-badal</b> .....	Error! Bookmark not defined.
<b>Qodobka 61 aad</b> .....	Error! Bookmark not defined.
<b>Dhaqangal</b> .....	Error! Bookmark not defined.
<b>Saxeexa Xubnaha Komishanka Doorashooyinka Qaranka</b> .....	Error! Bookmark not defined.

## REGULATIONS AND CODE OF CONDUCT

### 2. Regulations Contents

QAYBTA KOOWAAD ..... Error! Bookmark not defined.

Qodobka 1aad : Magaca xeer nidaamiyaha ..... Error! Bookmark not defined.

Qodobka 2aad : Eraybixin/fasiraad..... Error! Bookmark not defined.

Qodobka 3aad: Dabbaqaadda iyo Xadka Adeegsiga Xeerka Hab-dhaqan. Error! Bookmark not defined.

Qodobka 4aad: Mabaadiida guud ee xeerka habdhaqanka .. Error! Bookmark not defined.

Qodobka 5aad: Ujeeddada xeerka hab-dhaqanka(code of conduct).....Error! Bookmark not defined.

QAYBTA 2AAD..... Error! Bookmark not defined.

**HABDHAQANKA XISBIYADDA SIYAASADDA SOMALILAND EE MUDADA  
DIIWAANGALINTA IYO DOORASHOYINKA QARANKA JSL.....**Error! Bookmark not defined.

Qodobka 6aad: Kudhaqanka xeer-nidaaminaya xeerka habdhaqanka xisbiyadda.....Error! Bookmark not defined.

Qodobka 7aad: Xuquuqda iyo waajibaadka xisbiyadda ee muddadda diiwaangalinta ..... Error! Bookmark not defined.

Qodobka 8aad: Xuquuqda diiwangalinta codbixiyaha iyo mudadda doorashooyinka Error! Bookmark not defined.

Qodobka 9aad: Maamulka ololaha doorashada..... Error! Bookmark not defined.

Qodobka11aad: Waxyaabaha ka reeban xisbiyadda waqtiga diiwaangalinta/doorashada iyocodbixinta..... Error! Bookmark not defined.

Diiwaangalinta codbixiyaha ..... Error! Bookmark not defined.

Qodobka 10aad: Waxyaabaha ka reeban xisbiyada wakhtiga diiwaangelinta .....Error! Bookmark not defined.

Qodobka 11aad: : Tallaabooyinka ka reeban xukuumadda Error! Bookmark not defined.

Qodobka 12aad: Reebbanaanta isticmaalka iyo haysashada noocyada hubka .....Error! Bookmark not defined.

Qodobka 13aad: Waxyaabaha ka reeban xisbiyada wakhtiga ololaha doorashooyinka iyo goorta codbixinta..... Error! Bookmark not defined.

Qodobka 13aad: Reebbanaanta isticmaalka iyo haysashada noocyada hubka .....Error!  
Bookmark not defined.

Qodobka 14aad: Qodobka goobaha ololaha iyo meelaha ka reeban in laga ololeeyo...Error!  
Bookmark not defined.

Qodobka 15aad: Wakiiladda xisbiyadda qaranka ee waqtiga diiwaangalinta .....Error!  
Bookmark not defined.

**QAYBTA 3AAD HABDHAQANKA MAGACAABISTA MUSHARIXIINTA EE  
DOORASHOYINKA QARANKA.....** Error! Bookmark not defined.

Qodobka 16aad: Doorashadda madaxweynaha, ku xigeenka madaxweynaha .....Error!  
Bookmark not defined.

Qodobka 17aad Musharaxa golaha wakiiladda ..... Error! Bookmark not defined.

1. Shuruudaha Musharaxa ee G. Wakiiladda .....**Error! Bookmark not defined.**
2. Habka Qaybinta Kuraasta .....**Error! Bookmark not defined.**
3. Mudadda Soo gubinta Musharixiinta .....**Error! Bookmark not defined.**

Qodobka 18aad : Doorashooyinka golayaasha deegaanadda, tiradooda, shuruudaha iyo  
xeerarka lagu dhaqayo..... Error! Bookmark not defined.

**QAYBTA AFRAAD: .....** Error! Bookmark not defined.

**AASAASIDA/ABUURIDA GUDDIDA FARSAMO EEE HAWLAHA IYO ARIMAHA  
DIIWAANGALINTA .....** Error! Bookmark not defined.

Qodobka 19aad: Aasaasid guddida farsamo ee diiwaangalinta.....Error! Bookmark not  
defined.

Qodobka 20aad: Tirada xubnaha guddida iyo qaabka soo-xulisteeda: Error! Bookmark not  
defined.

Qodobka 21aad : Awoodaha iyo waajibaadka shaqo ee guddida farsamoError! Bookmark  
not defined.

Qodobka 22aad: Xilka iyo shaqada guddi hawleedka..... Error! Bookmark not defined.

Qodobka 23aad: Mudadda xilka guddida..... Error! Bookmark not defined.

Qodobka 24aad: Shuruudaha lagu soo xulayo xubinta guddida .....Error! Bookmark not  
defined.

Qodobka 25aad: Geeddi-socodka doorashada ..... Error! Bookmark not defined.

Qodobka 26aad: Maaliyadda guud. hantida iyo warbaahinta dawladda... Error! Bookmark  
not defined.

Qodobka 27 aad: Hawlaha ololaha ..... Error! Bookmark not defined.

Qodobka 28aad: Xeerka anshaxa iyo gudidda anshaxa iyo xalinta khilaafaadka .....Error!  
Bookmark not defined.

QAYBTA SHANAAD ..... Error! Bookmark not defined.

A) CABASHOYINKA KA DHASHA DIIWAANGALINTA IYO DOORASHOYINKA  
..... Error! Bookmark not defined.

Qodobka 29aad : cabashooyinka, diiwaangalinta codbixiyayaasha / doorashadda iyo  
xarunta gudidda ..... Error! Bookmark not defined.

b) Cabashooyinka iyo hanaanka dacwadeed ee diiwaangalinta iyo mudada  
doorashooyinka..... Error! Bookmark not defined.

Qodobka 30aad: Cabashooyinka ..... Error! Bookmark not defined.

Qodobka 31aad: Cabashooyinka been-abuurka ah ..... Error! Bookmark not defined.

Qodobka 32aad: Cabashooyinka muddada diiwaangalinta. Error! Bookmark not defined.

Qodobka 33aad: Dacwadaha/ cabashooyinka muddadda doorashadda..... Error! Bookmark  
not defined.

b) Doorashadda madamxweynaha iyo kuxigeenka madaxweynaha.. **Error! Bookmark not  
defined.**

t) Doorashadda golaha wakiiladda..... **Error! Bookmark not defined.**

J) Dacwadaha Doorashada Golayaasha Degaanka..... **Error! Bookmark not defined.**

QODOBKA LIXAAD: TALLAABOYINKA LAGA QAADAYO CIDDA KU  
XADGUDUBTA/AMA JABISA KU DHAQANKA XEERKA Error! Bookmark not defined.

QAYBTA TODOBAAD : ..... Error! Bookmark not defined.

QODOBO ISKU DHAFAN..... Error! Bookmark not defined.

Qodobka 35aad: ku dhaqanka iyo wax ka beddelka xeerka/habdhaqanka iyo anshaxa  
..... Error! Bookmark not defined.

QODOBKA 36 AAD : DHAQAN-GALKA XEERNIDAAMIYAHA(XEERKA  
HABDHAQANKA)..... Error! Bookmark not defined.

     Saxeexa Xubnaha Komishanka Doorashooyinka Qaranka. Error! Bookmark not defined.

HABRAACA KA FACAMAYA XEER LR.91/2020 IYO XEERNIDAAMIYAASHA

XEER LR. 91/2021

**Table of Contents**

AARAAR..... Error! Bookmark not defined.

QODOBKA 1AAD..... Error! Bookmark not defined.

**MAGACA HABRAACA.**..... Error! Bookmark not defined.

QODOBKA 2AAD..... Error! Bookmark not defined.

**UJEEBADA HABRAACAN.**..... Error! Bookmark not defined.

QODOBKA 3AAD..... Error! Bookmark not defined.

**MABAADIIDA UU KU DHISANYAHAY HABRAACU.**..... Error! Bookmark not defined.

QODOBKA 4AAD..... Error! Bookmark not defined.

**DHAQAN GALINTA TALAABOYINKA HABRAAC EE BEDELIDA KAADHKA IYO GOOBTA**  
..... Error! Bookmark not defined.

QODOBKA 5AAD..... Error! Bookmark not defined.

**TALAABOYINKA KAADHKA CODBIXINTA EE LUMAY AMA XUMAADAY** Error! Bookmark  
not defined.

QODOBKA 6AAD..... Error! Bookmark not defined.

**TALAABOYINKA HELIDA KAADH LUMAY**..... Error! Bookmark not defined.

QODOBKA 7AAD..... Error! Bookmark not defined.

**SIXIDA IYO BEDELIDA XOGTA QALDANTA EE IS-DIIWAANGELIYAHA** . Error! Bookmark  
not defined.

**PERSONAL INFORMATION CHANGE REQUEST**..... Error! Bookmark not defined.

QODOBKA 8AAD: **CODSIGA IYO SABABTA KAADH BEDELIDA**Error! Bookmark not defined.

QODOBKA 9AAD..... Error! Bookmark not defined.

**GOOB BEDEL**..... Error! Bookmark not defined.

QODOBKA 10AAD..... Error! Bookmark not defined.

**WAAJIBAADKA SHAQAALAHA KOMISHANKA**..... Error! Bookmark not defined.

QODOBKA 11AAD:..... Error! Bookmark not defined.

**MUDADA CODSIGA GOOB BEDELKA IYO CABASHOYINKA KAADH BEDELKA,**  
**KAADHKA LUMAY AMA XUMAADAY.**..... Error! Bookmark not defined.

QODOBKA 12AAD..... Error! Bookmark not defined.

**DHAMAADKA MUDADA BEDELIDA**..... Error! Bookmark not defined.

QODOBKA 13AAD .....	Error! Bookmark not defined.
<b>CODSI BEDELAAD OO BEEN ABUUR KUDHISAN</b> .....	Error! Bookmark not defined.
QODOBKA 14 AAD .....	Error! Bookmark not defined.
<b>WAX-KA-BEDEL</b> .....	Error! Bookmark not defined.
QODOBKA 15AAD .....	Error! Bookmark not defined.
<b>DHAQANGAL</b> .....	Error! Bookmark not defined.
SAXEEXA XUBNAHA KOMISHANKA DOORASHOOYINKA QARANKA. ....	<b>Error! Bookmark not defined.</b>
<b>LIFAAQYADA HABRAACU WAA.</b> .....	<b>Error! Bookmark not defined.</b>
<b>1. Foomka Goob bedelka.</b> .....	Error! Bookmark not defined.
<b>2. Foomka Kaadhka lumay ama xumaaday.</b> .....	Error! Bookmark not defined.
<b>3. Foomka Xog Bedelka (Sixida xogta)</b> .....	Error! Bookmark not defined.

## MODUEL FOUR

### Generic Guidelines for Election Dispute Resolution

- A. General Principles
- B. Hierarchical Appellate Procedure
- C. Accessibility and Transparency
- D. Promptness of Proceedings: Time Limits and Deadlines
- E. Voter Registration
- F. Validity of Candidatures
- G. Election Results



## H. Admissibility of Complaints and Appeals

### I. Enforcement

## J. Consistency in the Interpretation and Application of Election Dispute Provisions

## K. Electoral Offences, Irregularities and Violations of Electoral Law

### L. Prosecution

NEC

## II. GENERIC GUIDELINES FOR ELECTION DISPUTE RESOLUTION

The following guidelines are not intended to describe in detail a model system of election dispute resolution. They seek only to set out what is generally accepted as being good principle and practice in addressing election-related disputes. They set the parameters for election dispute resolution mechanisms which comply with the rule of law. Subject to adjustments required as a result of the great variety of legal and electoral systems in the world, the standards discussed below should serve to stimulate a constant endeavor to overcome practical difficulties in their application. They are not intended to preclude experiments and different practices, provided these are in conformity with the standards and seek to further the purpose of consolidating the rule of law and free and fair elections. The principles set out below have been formulated and articulated with reference to a dual complaint procedure specifically involving electoral bodies and courts. In some countries, alternative procedures are being considered, such as the creation of specialist courts to adjudicate election complaints and appeals, or the development of an administrative justice system with jurisdiction over election disputes. However, these alternatives have so far had little chance of being endorsed and implemented, mainly for financial reasons. Finally, these principles stand at the crossroads of international rule of law and election standards. Some of them are principles of justice or related to fundamental rules embodied in international instruments, while others are practical. They all have as their foundation the rules relating to the right to a fair trial

### A. GENERAL PRINCIPLES

1. Every individual and every political party has the right to the protection of the law and to a remedy for violations of their political and electoral rights. 2. Every individual or political party whose candidature, party or campaign rights are denied or restricted shall be entitled to address their grievance within a competent jurisdiction

3. Where a violation has been found, the competent authority within the appropriate jurisdiction should provide for redress in a prompt manner within the timeframe of the electoral process.

4. The effectiveness, impartiality and independence of the judiciary, including the office of the prosecutor, and that of electoral bodies, is a pre-condition for the fair, effective and impartial handling of election-related disputes in conformity with the commonly accepted international standards on elections and the rule of law.

5. The decisions made by independent and impartial authorities which are responsible for supervising the conduct of elections and other public consultations, including the preparation and periodic revision of the electoral roll, shall be subject to appeal with an independent and impartial judicial authority.

6. The electoral law shall secure a clear demarcation of the respective jurisdictions of the courts and the electoral bodies so as to exclude the possibility of courts or electoral bodies being served with repeated or concurrent complaints on the same matters. B. Hierarchical appellate procedure

7. The electoral law should set out a clear hierarchical appellate procedure for the handling of election-related complaints and appeals, in accordance with the framework legislation governing the judiciary and civil proceedings.

8. The electoral law should provide for at least one appeal procedure to ensure that a higher court or electoral body reviews all cases. The law should clarify which decisions are final. When a decision is reviewable, it should be stated which court or electoral body it may be appealed to.

9. No pre-requisite for a review by an electoral body should be required prior to the admissibility of a challenge in court and a court challenge should always be available.

10. For all types of election disputes, the decisions of the higher electoral body should be reviewable by the highest body of the judiciary whose ruling should then be final.

11. If the law allows the decisions of the highest electoral body to be reviewed by lower level courts, this should be stated as an exception to the general rule and be strictly defined in the law. The court to which such decisions may be appealed should be unambiguously identified in the law.

12. The electoral law should stipulate which decisions are final and binding. The highest body of the judiciary or the constitutional court should not be entitled or compelled to release an election-related case to a lower level court.

### **C. ACCESSIBILITY AND TRANSPARENCY**

13. The complaints procedure should be transparent and easily understandable. Appropriate forms should be readily available for filing complaints and appeals in the language(s) used in the country. Election officials should be acquainted with the rules and procedures for filing complaints as well as with the standards governing election disputes and relating to the scope of their involvement in these matters. Finally, civic education campaigns should include basic information on the complaints procedure.

14. The relevant authorities should take the necessary policy and institutional steps to ensure that those with election-related responsibilities are trained on election dispute rules and procedures in accordance with the election law of the country and international standards.

15. The complaints procedure should be free of unnecessary obstacles, especially as regards the cost of bringing an action to court. Wherever possible the complaints procedure should be accessible without charge to the complainant. Where costs are unavoidable, they should be kept to a minimum so as not to deter citizens from bringing a complaint.

16. An effective, fair and transparent complaints procedure requires that potential complainants be informed of the means by which the complaint should be made, which body it will be considered by and the time frame for its resolution. In addition, complainants should be aware of the type and amount of evidence needed to sustain their allegations with sufficient factual and legal materials.

17. Decisions taken by the electoral bodies, in particular those related to voter and candidate registration, should as a rule indicate the remedies available.

18. Mechanisms for resolving election disputes should be governed by a coherent body of legal norms, preferably in a distinct chapter or section of the law. The terms, wording and legal scope of the election dispute provisions on the different subject matters should be mutually uniform so as to secure their consistency and completeness. The language used throughout the law should be clear and consistent so as to eliminate arbitrary interpretation. D. Promptness of the proceedings: time limits and deadlines

19. Considering that the conduct of an election requires prompt decisions and actions within a pre-determined timeframe, the procedures governing election disputes should differ from those provided for general civil disputes. This could be reflected in shorter deadlines and a single appeal process, which can be justified so long as sufficient time is provided to file complaints and appeals.

20. When setting time limits a balance should be struck between imperatives relating to the administration of justice in a timely manner within the electoral timeframe and the right to challenge decisions, actions or omissions of the electoral bodies in the fulfilment of their mandate.

21. In particular, time-limits should allow courts and electoral bodies sufficient time to process, review and make decisions upon the complaints and appeals submitted to them. The fact that some complaints or appeals, especially those related to election funding or campaigning, may require further investigation should also be taken into consideration.

22. For each phase or facet of the electoral process, the electoral law should expressly and systematically set deadlines after which applications, objections, complaints and appeals may no longer be admitted by courts and electoral bodies alike. Specific time-limits may

23. For each phase or facet of the electoral process (such as voter registration or the validity of the candidatures), the electoral law should expressly and systematically set deadlines for filing complaints and appeals by which either the courts or the electoral bodies must reach a decision.

Specific time-limits departing from the general rules may be prescribed for complaints and appeals pertaining to the voter registers or the validation of candidates.

24. In the case of violations of an allegedly criminal nature, particular care should be taken to conduct an objective and impartial investigation by the responsible authorities in the most expedient manner possible. E. Voter registration

25. All citizens should be entitled to file complaints and appeals on the accuracy of the register of voters.

26. The electoral law should set a deadline after which applications, objections or complaints to the voter register may no longer be admissible. The law should not permit the accuracy of the voter register to be challenged right up to the eve of an election. This would ensure that electoral bodies and the judiciary are not diverted from urgent complaints and appeals related to the voting and counting process and drawn into resolving disputes that could have been addressed earlier.

27. The electoral law should set out an exclusive venue for filing complaints and appeals regarding the accuracy of the voter register or, where applicable, the electoral cards. The complaints procedure should be designed so that courts are not unnecessarily burdened with minor disputes. F. Validity of candidatures

28. A deadline should be set by the electoral law, after which the validity of candidatures may no longer be challenged. The time-frame for the verification process of the candidatures should be adjusted accordingly.

29. The electoral law should establish the procedure for the verification of signatures collected in support of candidates.

**G. ELECTION RESULTS**

30. The electoral law should provide a mechanism for the invalidation of election results. In both parliamentary and presidential elections, the decision to partially or fully invalidate election results should be assigned to the highest electoral body. This decision should be reviewable by the highest body of the judiciary or the Constitutional Court.

31. The electoral law should specify whether the entities vested with the power to invalidate the election results can take action without being presented with a formal complaint and whether their decisions should be made on a polling-station-by-polling-station basis. It should be clear from the law whether a general invalidation mechanism applies or a restricted one, depending upon the



fulfillment of special conditions as regards evidentiary matters and the admissibility of complaints and appeals.

32. Both the preliminary and the final results should be subject to challenges. Therefore the electoral law should differentiate between the procedures, deadlines and time-limits applicable to each phase. The principles below are based on this assumption.

33. Where lower level electoral bodies are mandated to publish the preliminary results of the election, they should not be entitled to declare the results void but should be able to make non-binding recommendations to that purpose to the highest electoral body.

34. The final results should not be published before all challenges of the preliminary results have been decided upon by the highest body of the judiciary or the constitutional court.

35. Challenges pertaining to the preliminary results of the election within the mandate of lower level electoral bodies should be filed with the highest electoral body so as to secure a coherent and hierarchical procedure. The time-limit for filing and deciding upon such challenges should not exceed one month, so as to enable the publication of the final election results no later than this deadline (taking into account the deadline for publication of the preliminary results). 3

6. All complaints pertaining to the overall final results or the declaration of election results to be partially or fully void should be filed with the highest body of the judiciary, the Constitutional Court or with the court where the highest electoral body is located. In the latter case, the ruling delivered by the court may be further appealed to the highest body of the judiciary.

37. In accordance with the procedural time limits prescribed by law for publication of the preliminary and final results and for filing and deciding upon related challenges, all complaints and appeals should be determined once and for all within a maximum of two months.

38. The electoral law should clearly state the grounds upon which the election results may be partially or fully invalidated. A mere reference to the constitution should not be held as providing a sufficient basis for adjudicating such cases. Also, the law should specify the amount and type of evidence required for a review of the results. In the absence of clear and unambiguous standards of evidence, the determination of what evidence would satisfy these standards could vary on a scale that may undermine the whole process.

39. Where a polling-station-by-polling-station resolution mechanism applies, the invalidation of voting in a particular polling station should be considered by means of an evaluation of the way the alleged irregularities or violations have affected the outcome of the election.

## H. ADMISSIBILITY OF COMPLAINTS AND APPEALS

40. The electoral law should lay down the grounds upon which complaints and appeals are admissible. Any complainant should be duly notified in writing of the decision as to whether his/her petition was considered admissible or not, with reasons given.

41. Grounds for appeal should be strictly defined in the law, preferably for each phase involving an election dispute mechanism, so that courts and electoral bodies are not burdened with irrelevant or frivolous challenges. 42. The parties authorized to bring election-related complaints or appeals before a court or an electoral body should be strictly identified by the electoral law. 43. Time-limits and procedures governing the admissibility of complaints and appeals should be designed so as to preserve the right of aggrieved parties to seek redress. I. Enforcement 44. Bodies with jurisdiction over election disputes should be vested with the power to enforce their decisions within a reasonable time. Electoral legislation and/or framework legislation governing the administration of justice should expressly indicate the legal consequences associated with the decisions taken by the various bodies which have jurisdiction over election disputes. It should also specify unambiguously the legal sanctions which can be imposed and enforced, including fines, imprisonment, suspension or disqualification of a candidate.

**J. Consistency** in the interpretation and application of election dispute provisions 45. Election laws should expressly bestow upon the highest body of the electoral administration the authority to pass regulations or instructions aimed at securing a uniform interpretation and application of the election law by electoral bodies. 46. The highest body of the judiciary should ensure that all election-related legislation, including framework legislation (such as Civil and Penal Codes, as well as Criminal and Civil Procedure Codes) which is generally considered as having primacy over other legislation, is not flawed with discrepancies, loopholes or gaps. 47. The highest body of the judiciary should also take the necessary steps to ensure the constitution of a coherent set of governing judicial precedents and that judges be acquainted with these precedents and the reasoning behind them.

48. Well in advance of the elections, the highest entity within the hierarchy of the election commissions and the highest body of the judiciary responsible for issuing final and legally binding decisions on election-related cases, should jointly develop instructions, guidelines or resolutions on the various matters involved in election disputes. Where a dual complaint and appeals process applies, both institutions should clarify their respective areas of competence and those of the lower level courts and election commissions. They may also play a crucial role in fostering reforms of the electoral legal framework or judicial practices and standards in the consideration of election-related cases. Conflicts between the institutions or mutual misunderstandings may seriously undermine the uniform interpretation and application of election laws and regulations at lower levels and could threaten the certainty of the law as well as confidence in the electoral process.

**K. Electoral offences,** irregularities and violations of the electoral law 49. The electoral law should enumerate in a separate paragraph or article the categories of irregularities and infractions together with their possible consequences for the electoral process. A mere reference to violation of the law or the constitution should be avoided. 50. The electoral law should further specify the standards by which the impact of these irregularities or violations upon the electoral process should be determined. 51. Electoral offences which entail a criminal prosecution should be the subject of a separate chapter in the criminal code and preferably be referred to in the election law. Due attention should be given to the consistency of the provisions in the election law and in the criminal code and criminal procedural code so as to avoid any confusion over the legal consequences associated with them. L. Prosecution 52. Cases which give rise to criminal prosecution should be conducted through the venues and following the rules and standards prescribed in the law governing criminal proceedings. This does not preclude the determination by either the courts or the election commissions of the impact of alleged violations on the electoral process. 53. The laws should clearly set forth the standards for the institution of criminal proceedings in election-related cases. Specifically, the laws should indicate the standards to be used by prosecutors in deciding whether there is sufficient evidence to prosecute. These standards should be established by the election law and/or by criminal legislation. All laws and other legally binding statutes, which govern this particular issue, should be unambiguously cross-referenced so as to ensure uniformity and consistency. 54. The laws should provide for a clear delineation of prosecutorial discretion. In particular, the terminology used to define this discretion should be strictly determined by law. Where the law limits this discretion, the limitations should not be left unspecified. The grounds for not prosecuting an electoral offence should be clearly stated and not merely referred to as the interests of the state or society. The provisions which set out limitations on prosecutorial discretion should not conflict with other provisions. Finally, the law should provide standards for the exercise of prosecutorial discretion.

- **Human rights-based approach:** The human rights-based approach helps identify inequalities, discrimination and unbalanced power relations in the electoral process. Based on human rights principles, this approach emphasizes the participation of all actors in the decision-making process, with a particular focus on under-represented groups.
- **Inclusion:** Recognizing the value of diversity is key to ensure that electoral processes are genuinely democratic and leave no one behind. All relevant stakeholders should be able to fully participate in elections without discrimination or violence, regardless their gender identity, tribe, clan, class, age, disability status and among other conditions.
- **Participation:** Through a number of participation mechanisms, men and women are empowered to play an essential role in their own development and also in their communities. Constructive participation strategies in the electoral process comprise a wide range of activities, including voting, standing as a candidate, expressing opinions, supporting political parties and candidates, serving as a polling officer, protesting peacefully and observing the election, among others.
- **Transparency:** Strategies promoting citizen's participation in elections should be clear and open, and the process needs to be understandable for all parts involved. Stakeholders should take responsibility for their actions and be held accountable.
- **Impartiality:** Acknowledging the political nature of the electoral process.

- **Integrity:** The behavior of actors seeking to promote democratic elections. abide by the principles of transparency, accountability, fairness and impartiality, the credibility of voter registration and elections
- **Effective collaboration:** Stakeholders working to promote inclusive electoral processes need to join forces and ensure an effective and sincere collaboration, in order to avoid gaps and overlapping

## Contents

QAYBTA KOOWAAD ..... Error! Bookmark not defined.

Qodobka 1aad : Magaca xeer nidaamiyaha ..... Error! Bookmark not defined.

Qodobka 2aad : Eraybixin/fasiraad..... Error! Bookmark not defined.

Qodobka 3aad: Dabbaqaadda iyo Xadka Adeegsiga Xeerka Hab-dhaqan..... Error!  
Bookmark not defined.

Qodobka 4aad: Mabaadiida guud ee xeerka habdhaqanka.....Error! Bookmark not defined.



**Qodobka 5aad: Ujeeddada xeerka hab-dhaqanka(code of conduct).** Error! Bookmark not defined.

**QAYBTA 2AAD** ..... Error! Bookmark not defined.

**HABDHAQANKA XISBIYADDA SIYAASADDA SOMALILAND EE MUDADA DIIWAANGALINTA IYO DOORASHOYINKA QARANKA JSL....**Error! Bookmark not defined.

**Qodobka 6aad: Kudhaqanka xeer-nidaaminaya xeerka habdhaqanka xisbiyadda** ..... Error! Bookmark not defined.

**Qodobka 7aad: Xuquuqda iyo waajibaadka xisbiyadda ee muddadda diiwaangalinta** ..... Error! Bookmark not defined.

**Qodobka 8aad: Xuquuqda diiwangalinta codbixiyaha iyo muddadda doorashooyinka** ..... Error! Bookmark not defined.

**Qodobka 9aad: Maamulka ololaha doorashada.....** Error! Bookmark not defined.

**Qodobka11aad: Waxyaabaha ka reeban xisbiyadda waqtiga diiwaangalinta/doorashada iyocodbixinta.....** Error! Bookmark not defined.

**Diiwaangalinta codbixiyaha** ..... Error! Bookmark not defined.

**Qodobka 10aad: Waxyaabaha ka reebban xisbiyada wakhtiga diiwaangelinta.**Error! Bookmark not defined.

**Qodobka 11aad: : Tallaabooyinka ka reebban xukuumadda .....**Error! Bookmark not defined.

**Qodobka 12aad: Reebbanaanta isticmaalka iyo haysashada noocyada hubka ..**Error! Bookmark not defined.

**Qodobka 13aad: Waxyaabaha ka reebban xisbiyada wakhtiga ololaha doorashooyinka iyo goorta codbixinta.....** Error! Bookmark not defined.

**Qodobka 13aad: Reebbanaanta isticmaalka iyo haysashada noocyada hubka ..**Error! Bookmark not defined.

**Qodobka 14aad: Qodobka goobaha ololaha iyo meelaha ka reeban in laga ololeeyo** ..... Error! Bookmark not defined.

**Qodobka 15aad: Wakiiladda xisbiyadda qaranka ee waqtiga diiwaangalinta .....**Error! Bookmark not defined.

**QAYBTA 3AAD HABDHAQANKA MAGACAABISTA MUSHARIXIINTA EE DOORASHOYINKA QARANKA** ..... Error! Bookmark not defined.

**Qodobka 16aad: Doorashadda madaxweynaha, ku xigeenka madaxweynaha...**Error! Bookmark not defined.

**Qodobka 17aad Musharaxa golaha wakiiladda .....** Error! Bookmark not defined.

1. Shuruudaha Musharaxa ee G. Wakiiladda.....**Error! Bookmark not defined.**

2. Habka Qaybinta Kuraasta .....

3. Mudadda Soo gubinta Musharixiinta.....**Error! Bookmark not defined.**

**Qodobka 18aad : Doorashooyinka golayaasha deegaanadda, tiradooda, shuruudaha iyo xeerarka lagu dhaqayo.....** Error! Bookmark not defined.

**QAYBTA AFRAAD:**..... Error! Bookmark not defined.

**AASAASIDA/ABUURIDA GUDDIDA FARSAMO EEE HAWLAHA IYO ARIMAHA DIIWAANGALINTA.....** Error! Bookmark not defined.

**Qodobka 19aad: Aasaasid guddida farsamo ee diiwaangalinta ..**Error! Bookmark not defined.

**Qodobka 20aad: Tirada xubnaha guddida iyo qaabka soo-xulisteeda:.....**Error! Bookmark not defined.

**Qodobka 21aad : Awoodaha iyo waajibaadka shaqo ee guddida farsamo.....**Error! Bookmark not defined.

**Qodobka 22aad: Xilka iyo shaqada guddi hawleedka... Error! Bookmark not defined.**

**Qodobka 23aad: Mudadda xilka guddida.....** Error! Bookmark not defined.

**Qodobka 24aad: Shuruudaha lagu soo xulayo xubinta guddida.**Error! Bookmark not defined.

**Qodobka 25aad: Geeddi-socodka doorashada .....** Error! Bookmark not defined.

**Qodobka 26aad: Maaliyadda guud. hantida iyo warbaahinta dawladda .....**Error! Bookmark not defined.

**Qodobka 27 aad: Hawlaha ololaha .....** Error! Bookmark not defined.

**Qodobka 28aad: Xeerka anshaxa iyo guddida anshaxa iyo xalinta khilaafaadka .....** Error! Bookmark not defined.

**QAYBTA SHANAAD .....** Error! Bookmark not defined.

**A) CABASHOYINKA KA DHASHA DIIWAANGALINTA IYO DOORASHOYINKA .....** Error! Bookmark not defined.

**Qodobka 29aad : cabashooyinka, diiwaangalinta codbixiyayaasha / doorashadda iyo xarunta guddida .....** Error! Bookmark not defined.

**b) Cabashooyinka iyo hanaanka dacwadeed ee diiwaangalinta iyo mudada doorashooyinka .....** Error! Bookmark not defined.

Qodobka 30aad: Cabashooyinka..... Error! Bookmark not defined.

Qodobka 31aad: Cabashooyinka been-abuurka ah..... Error! Bookmark not defined.

Qodobka 32aad: Cabashooyinka muddada diiwaangalinta .....Error! Bookmark not defined.

Qodobka 33aad: Dacwadaha/ cabashooyinka muddadda doorashadda ..... Error! Bookmark not defined.

b) Doorashadda madamxweynaha iyo kuxigeenka madaxweynaha..... **Error! Bookmark not defined.**

t) Doorashadda golaha wakiiladda..... **Error! Bookmark not defined.**

J) Dacwadaha Doorashada Golayaasha Degaanka..... **Error! Bookmark not defined.**

**QODOBKA LIXAAD: TALLAABOYINKA LAGA QAADAYO CIDDA KU XADGUDUBTA/AMA JABISA KU DHAQANKA XEERKA.....** Error! Bookmark not defined.

**QAYBTA TODOBAAD :**..... Error! Bookmark not defined.

**QODOBO ISKU DHAFAN** ..... Error! Bookmark not defined.

Qodobka 35aad: ku dhaqanka iyo wax ka beddelka xeerka/habdhaqanka iyo anshaxa ..... Error! Bookmark not defined.

**QODOBKA 36 AAD : DHAQAN-GALKA XEERNIDAAMIYAHA(XEERKA HABDHAQANKA)**..... Error! Bookmark not defined.

     **Saxeexa Xubnaha Komishanka Doorashooyinka Qaranka.....** Error! Bookmark not defined.