



THE
WORLD
FEDERATION
OF KHOJA SHIA ITHNA-ASHERI MUSLIM COMMUNITIES

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Standard Operating Procedures for Electing the President of the World Federation of KSIMC

**(Adopted as a standard operating procedure for the Presidential elections of the
World Federation of KSIMC by the Executive Council of the World Federation
this 26th day of March in the year two thousand and five in Toronto, Canada).**

Vision Statement:

'The World Federation exists to achieve the pleasure of Allah SWT by developing spiritual and vibrant communities serving humanity.'

Mission Statement:

'The World Federation enables its member institutions to promote the values and practices of the Islamic Shia Ithna Asheri Faith for the spiritual and material well being of humanity at large.'

'We Exist to Serve'

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1. Introduction

1.1 The objective of this document is to provide a Standard Operating Procedure for electing the President of the World Federation of KSIMC within the framework of the World Federation Constitution as amended by the Constitutional Conference in October 2003.

1.2 This document will take effect as a standard operating procedure only after formal adoption by the Executive Council.

1.3 The World Federation constitution has explicitly provided for the involvement of the Electoral Commissioner in the electoral process (clause 26) and further provides the following guidelines

- Clause 20.1.1 the invitation to the candidates
- Clause 20.2 the process to be adopted once candidates have been nominated
- Clause 20.3 the counting of the votes and the declaration of the results
- Clause 20.4.3 the process if no eligible nominations have been received by the due date

1.4 The issues that have not clearly been addressed in the World Federation constitution are as follows:

- the time frame of the actual elections in various parts of the world is very broad
- who is entitled to vote and how is that determined
- the creation of an electoral register or process to ensure only eligible voters vote
- the workings of the Commission, including dispute resolution process
- monitoring World Federation resources for electioneering purposes

2. The Current Electoral Process

The following is the current procedure as set out in the constitution of the World Federation of KSIMC: the role of the Electoral Commissioner being created at the last constitutional conference held in Dubai in October 2003 assumes responsibility over, 'the calling, supervising and monitoring all elections of any posts of the Federation' –Clause 26

2.1 Three months before the end of the term, the Electoral Commissioner will invite nominations for the post of President.

2.2 Within 30 days of the said notice the Electoral Commissioner must receive the eligible nominations.

2.3 If no nominations are received, then the process as set out in clause 20.4.3 of the World Federation constitution will take effect.

2.4 If only one eligible nomination is received, then the Electoral Commission will declare the candidate duly elected unopposed.

2.5 If more than one eligible nomination is received then the Electoral Commissioner will within 7 days after the closing of the submission for the nominations send all members the nominations and invite them to vote on the nominations.

2.6 The members will organise the elections in their respective constituencies after being notified of the nominations received by the Electoral Commissioner (as per 2.5 above) provided that all such elections are held within the intervening timeframe to allow the member to submit the votes to the Electoral Commissioner by post at least 30 days before the end of the term of the President. The Electoral Commissioner would notify members of all such nominations received within 7 days after the expiration of a 30 day period open for nominations; such 30 day period be declared at least 3 months before the end of the term of the President.

2.7 The Electoral Commissioner will be responsible for counting the votes and declaring the results.

3. The Proposed Electoral Process

3.1 Three months before the end of term of the President, the Electoral Commissioner will invite nominations for the post of the President.

3.2 The Elections are to take place over a period of five consecutive days.

3.3 Three months before the end of the presidential term, the Electoral Commissioner will declare these 5 consecutive days when the elections should be held. The Electoral Commission will at this time also invite each member Federation or Jamaat's Managing Committee to choose the most suitable day from amongst the 5 days declared along with its returning officer and inform the Electoral Commissioner of the same within 30 days.

3.4 The Electoral Commissioner must receive eligible nominations within 30 days from the invitation for candidates. Such nominations must be accompanied with a signed consent letter from the nominated candidate.

3.5 A Candidate for presidential elections must be a registered member of a World Federation member Federation or Jamaat and must be nominated by any member Federation or Jamaat.

3.6 If no nominations are received then the process as set out in clause 20.4.3 of the World Federation constitution will take effect.

3.7 If only one eligible nomination is received then the Electoral Commissioner will declare the candidate duly elected unopposed.

3.8 If more than one eligible nomination is received then the Electoral Commissioner, will activate the electoral process within 7 days after the closing date for the nominations.

3.9 Upon activation of the electoral process (per 3.8 above), the Electoral Commissioner will send to all members the Electoral Register for their Jamaats along with the requisite number of ballot papers. The same shall be sent by approved courier (DHL, FedEx or TNT) and will have enclosed a prepaid return courier waybill bearing the Electoral Commission's address for members to return all the ballots.

3.10 The members will organise the elections on one of the five days set and agreed by the Electoral Commissioner in their respective areas and submit its votes to the Electoral Commissioner by return courier (using the prepaid approved courier waybill provided) at least 30 days before the end of the term of office of the President, as per Constitutional clause 20.5.2. As a recommended practice the election results from each member Federation or Jamaat should be submitted within 48 hours of the election taking place.

3.11 The Electoral Commissioner will count the votes from all member Federations & Jamaats. The candidate receiving the largest aggregate of votes shall be declared the President-Elect.

4. The Electoral Commissioner

The duties are as implied by the constitution of the World Federation of KSIMC:

4.1 Clause 20.1.1 At least three months before the end of the term of office of the President, the Electoral Commissioner shall issue a notice to all members inviting written nominations within thirty (30) days of such notice for a candidate for the office of the next term of three years.

4.2 Clause 20.2 The Electoral Commissioner shall within a period of seven (7) days after the closing date for the submission of the nominations, send to members all such nominations received by him in response to the notice and ask all members to vote on the nominations. Each member Federation or Jamaat shall submit its votes to the Electoral Commissioner by approved courier at least 30 days before the end of the term of office of the President. As a recommended practice the election results from all members (Federations or Jamaats) should be submitted within 48 hours of the elections taking place.

4.3 Clause 20.3 The Executive Council of the Federation shall appoint two Executive Councillors to witness the counting of the votes. The Electoral Commissioner will declare the candidate receiving the largest number of aggregate votes of all members as the President-Elect of the World Federation.

4.4 The nominations are to be received by the Electoral Commissioner and this will be at the address of the World Federation Secretariat.

5. The Electoral Commission

5.1 The Electoral Commission will be the committee set up to assist the Electoral Commissioner in his duties. The mandate for such a committee will derive from the Executive Council with the objective of ensuring the smooth running of the electoral process.

5.2 The Executive Council in consultation with the Electoral Commissioner shall appoint two individuals to be part of the Electoral Commission.

5.3 The Commission will be responsible for creating and maintaining a Central register of voters, which will be based on each member's eligible voting member's list.

5.4 The Electoral Commissioner through the workings of the Commission will monitor and conduct all the World Federation non-presidential elections.

5.5 The Commission's address will be the same as the World Federation Secretariat.

5.6 Whilst utilising the facilities provided by the World Federation Secretariat, the commission will at all times maintain its independence and autonomy.

5.7 The Commission will be responsible for all its correspondence.

5.8 The Commission will ensure that the register complies with all relevant UK legislation, such as the Data Protection Act.

5.9 The Commission will monitor the usage of the World Federation resources by Candidates.

5.10 The Commission may be requested in writing to provide certain assistance, such as, use of the World Federation website for Candidate manifestos and/or question and answers. In addition, each candidate will be allowed a maximum of two electronic mail shots to individuals on the register without charge. A single postal mail shot campaign may also be carried out provided the candidate reimburses the cost of such an exercise. The text and material for this will be prepared by the Candidate and not the Commission and be delivered to the Secretariat for fulfilment, labelling and posting.

5.11 Serving Officers including but not limited to Office Bearers, Councillors, Chairs of Boards or Desks and their team members, members of staff and Volunteers may be candidates and do not require to relinquish their posts, as the electoral process is completely independent of the Secretariat.

5.12 Complaints from Candidates or members regarding the electoral process will be subject to arbitration as highlighted here in below.

Appeal process

- All such complains must be in the first instant brought to the attention of the Commission in writing within three days of the completion of the final day of the election/s in question.
- On receipt of such a complain, the Commission will appoint upto three independent arbitrators and ask the parties concerned to sign a declaration accepting to be bound by the decision of the arbitrators and to refrain from public statements thereafter. No retorts shall be responded to by either party under any circumstances, be it provoked or otherwise. The parties will also confirm their email and fax contacts to which future correspondence sent will be deemed to have been received by them subject to any evidence to rebut this assumption.
- From the point of filing the original complaint, the party would have 1 week (or as stipulated by the arbitrator/s) to submit their evidence and arguments in support of their complaint and the remedy they seek.
- The arbitrators would within 48 hours of receiving this submission decide if there is a genuine issue in which case the submissions of the complainant would be forwarded to the second (or more if applicable) party to present their position with regard to the complaints made including any evidence and/or substantiation within one week from the date of the Arbitrator(s) invitation.
- The complainant would then have one week to reply to the other parties' submissions. On receipt of this reply, the Arbitrators will provide a copy to the other party and close the Arbitration for private deliberation. The Arbitrators will then issue a written award within five days of closing the Arbitration process and forward this to the Electoral Commission and all the parties to the Arbitration.
- At any point after receiving the other parties reply submission to the complainants original submissions, the Arbitrators may, in the interest of amicably resolving the matter and at their sole discretion, choose to bring both parties together, either physically or otherwise as appropriate and agreed by all the parties, to seek further clarification and resolution of the matter before them.
- The Arbitrators will limit themselves to issues pertaining to the electoral process and specifically exercise jurisdiction over the matter placed before them.

6. The Electoral Register

6.1 The Electoral Commission is responsible for maintaining an electronic Central register of voters entitled to vote for the President of the World Federation of KSIMC. Such register will be made up of a list of eligible voters of each member Federation or Jamaat and shall be provided by the member based on their records.

6.2 As the relationship between the individual voter and the World Federation is via the member Federation or Jamaat, it will be the responsibility of the member to provide the list of eligible voters and register them with the Electoral Commission. This may be done between 150-120 days prior to end of the term of the President. The register will record the following details: Full Name, Full Address and Date of Birth.

6.3 Seven (7) days after the closing date for the submission of the nominations, the Commission will re-send to each member the registered voter list provided to it initially by the Federation or Jamaat member along with the requisite number of ballot papers. The registered voter list will be universal for all World Federation members to ensure uniformity of information.

6.4 The registered voter list originally provided to the Commission by the member Federation or Jamaat will be the basis for those eligible to vote for the World Federation Presidential elections.

6.5 The cut off date for providing the list of eligible voters of each member will be 120 days before the end of the three year term of the President.

6.6 All information on the Register will be confidential and only the Commission will have access to it.

6.7 The Commission will make information available to the World Federation to assist with planning and policy making.

6.8 Each candidate will be availed the facility to carry out a maximum of two electronic mail shots and one postal mail shot for campaign materials to those individuals on the register. This will be done via the Commission as the mailing list or database of registered voters will not be released.

7. Elections

7.1 The Commission will set the date of Election over five consecutive days. The Elections will take place in all member Federations or Jamaats on one of these five days without exception. In the event of a major natural disaster taking place on the selected polling day in a constituent Jamaat rendering it impossible to conduct the election, the Commission may allow the election date within the member Federation or Jamaat affected to be postponed to another day, not later than 32 days to end of term of the President. Such confirmation must be sought from the Commission in writing.

7.2 The Commission will send each member the list of eligible voter's from the Electoral Register along with the requisite number of ballot papers which must be the vehicle to cast the vote.

7.3 The Returning Officer selected by each constituent member's Managing Committee will oversee the presidential elections and will be responsible for the counting of the ballots and announcing the results locally.

7.4 The original ballot papers used to cast the vote and the eligible voters list along with the result notification signed by the Returning Officers of the member Jamaat or Federation, must be sent by approved courier to the Electoral Commissioner at the Secretariat's address. As a recommended practice the election results from each member Federation or Jamaat should be submitted within 48 hours of the election taking place.

7.5 Proxy, Postal and all types of electronic voting will not be permitted.

This standard operating procedure sets out additional guidelines within the framework provided in the Constitution of the World Federation as amended at the Constitutional Conference held in Dubai in October 2003.