



**Set of rules for the presidential elections of the World Federation of
KSIMC – procedures, guidelines and requirements**

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B. Definitions

Election procedures. the methods and mechanics of election process, in other words it refers to the set of rules and guidelines that govern the conduct of elections.

Election guidelines. is simply to give an overview of how to perform the elections.

Election requirements. is simply stating the necessary conditions to conduct the elections.

Resolution of any disputes. is simply the process of settling disagreements between parties. There are three basic types of dispute resolution: mediation, arbitration, and litigation.

Mediation is where a neutral third party helps the disputing parties reach a solution on their own.

Arbitration is when a neutral third-party acts as a judge who listens to arguments and evidence as appointed by the conference, then makes a legally binding decision for the parties.

Litigation is when the dispute reaches a courtroom where a defendant argues against a plaintiff in front of a judge or judge and jury.

C. Notes

1. This document is presented as per the powers entrusted by the Conference to the Exco in accordance with SOP 4.3 at Exco 7 Dec 31st, 2023, to Jan 1st, 2024.
2. All definitions under the Constitution shall apply to this document.

1. Introduction

The purpose of this document is to set out guidelines, requirements, procedures, appeal process and resolution of any disputes in the conduct of presidential elections as stated in the Constitution and Standard Operating Procedures (SOP 4.3) for Electing the President of The World Federation of KSIMC adapted by the Extraordinary Conference on 11th June 2023.

- The said procedures and guidelines shall be known as a set of rules for the Presidential elections of the World Federation of KSIMC and shall take effect upon their adoption.

2. Presidential elections guidelines, procedures and requirements

Per the local jamaat and regional federation constitution, local jamaat members in good standings have a say in how the World Federation of KSIMC is run. This is done through the right to vote in the World Federation of KSIMC elections every three years as per the Constitution Clause 19.1.2.

2.1 The Electoral Register

2.1.1 Each regional federation is responsible for maintaining an electronic register of voters entitled to vote in their region for the President of the World Federation of KSIMC. Such a register shall be made accessible to the Electoral Commission and shall be made up of only eligible voters in the regional federation.

2.1.2 The electoral register shall include the name, unique identification of each voter and other information (unless prohibited by local laws) based on the rules applicable within the regional federation governing rules. The Electoral Commission may at its sole discretion undertake a validation of such register provided by each regional federation.

2.1.3 The regional federations shall provide to the Electoral Commission the total count of eligible voters of its voting members hundred (100) days before the end of the three-year term of the President.

2.1.4 Fourteen (14) days after the closing date for the submission of the nominations, the Electoral Commission shall send the requisite number of ballot papers based on the timely submitted electoral register count of voting members to each regional federation.

2.1.5 The electoral register of each regional federation shall be the sole basis for those eligible to vote for the World Federation Presidential elections.

2.1.6 All information on the electoral register shall be confidential and the Electoral Commission shall have access to it.

2.1.7 The Electoral Commission shall make pertinent anonymized information available to The World Federation Secretariat to assist with planning and policy making.

2.2 Elections

2.2.1 As per SOP 2.3, the Electoral Commission shall in consultation with the regional federations and the Executive Council select the most suitable day to conduct the Presential elections. The Elections shall take place in all regional federations on one (1) set date without exception. In the event of *force majeure* event taking place on the set election day in the regional federation(s) rendering it impossible to conduct the elections, the Electoral Commission may allow the election date within the member federation(s) affected to be postponed to another day, not later than thirty-two (32)

days to end of term of the President. Such confirmation must be sought from the Electoral Commission in writing.

2.2.2 Each candidate shall be availed of the facility to carry out a maximum of two electronic mail shots. This shall be done via the World Federation mailing list or database. The Electoral Commission shall have full editorial rights in this matter.

2.2.3 The use of the World Federation of KSIMC logo in the campaign is not allowed. The use of World Federation of KSIMC social media platforms in the campaign is not allowed.

2.3 Ballots and Voting

2.3.1 The Electoral Commission shall send each regional federation the requisite number of ballot papers per the eligible voters in the regional federation, which must be the only means to cast the vote.

2.3.2 Each regional federation shall distribute to their local jamaats the sealed ballots and after the voting return them sealed to the Electoral Commission.

2.3.3 Each local jamaat shall appoint a minimum of three (3) and up to five (5) local returning officers to oversee the voting. During the voting, they shall assist in verifying the members in the electoral register, handing out the ballots and after the voting returning their ballots to the regional federation. The names and mobile phone contact details of each local returning officer shall be submitted to the regional federation no less than ten (10) days in advance of the set date of elections. The Electoral Commission shall have access to the list of local returning officers at any time.

2.3.4 The ballot papers shall be in four languages: English, French, Gujarati and Urdu. Each ballot shall have a serial number and a line to be initialized by the returning officer verifying the identity of the voter based on a photographed government issued document. Thereafter, correspondingly the local electoral register shall be marked indicating to who the ballot was issued. The marked local electoral register shall be retained in custody at the regional federation until the Electoral Commission instructs the regional federation to discard.

2.3.5 Each ballot paper shall be casted in a secure and private booth and placed in a sealed voting box.

2.3.6 The regional federation shall count the votes of all its member jamaats. The count shall be undertaken by its appointed/elected Electoral Commissioner in presence of three witnesses and observers should they want to be present. The count shall commence on the day following the set day of the voting. For further security and transparency, the regional federations Electoral Commissioner and returning officers are instructed to take a photo of the signed transmittal document (to be provide by the Electoral Commission) and send it by encrypted secure mobile messaging service to a

dedicated number of the Electoral Commission created especially for receiving the voting count from each regional federation. No announcement or declaration of votes counted shall be made by the local jamaat and regional federations.

2.3.7 All ballots and the Returning Office Declaration (ROD) must be returned to the Electoral Commission of The World Federation in the pre-paid courier service provided to each regional federations no later than ten (10) days after the voting day. The regional federation shall ensure that all documents used in the voting, including those received from its members jamaats taking part in the voting shall be sealed and stored in a secured area of the regional federation's office.

2.4 Counting of Ballots and Elections Results

2.4.1 In accordance with Clause 20.3 of the Constitution and SOP 3.3, the Executive Council of the Federation shall appoint two (2) Executive Councilors to witness the counting of the votes. The Electoral Commission shall count the votes at the World Federation and shall sign off on the final counting.

2.4.2 The Electoral Commission shall accommodate observers from each candidate during the counting.

2.4.3 Once all the ballots are counted, the Electoral Commission shall calculate the Electoral College points as per the formula in Clause 2.3 of the Constitution and SOP section 4

2.4.4 The Electoral Commission shall seal the ballots and hand them over to the World Federation Secretariat to remain in custody until further notice.

3. Appeal Process and resolution of any disputes

3.1.1 All such complaints must be in the first instance brought to the attention of the Electoral Commission in writing within three days of the completion of the set date of the election in question by the candidate(s). The Electoral Commission shall adhere to notices and notifications as per SOP 4.7

3.1.2 On receipt of such a complaint, the Electoral Commission shall ask the parties concerned to sign a declaration accepting to be explicitly bound by the decision of the arbitrators as elected by the conference and to refrain from all public statements (audio, video, written etc.) thereafter. No retort shall be responded to by either party under any circumstances, be it provoked or otherwise. All future correspondence sent to the parties shall be deemed to have been received by them subject to any evidence to rebut this assumption.

3.1.3 From the point of filing the original complaint, the party shall have one week (or as stipulated by the arbitrators) to submit their evidence and arguments in support of their complaint and the remedy they seek.

3.1.4 The arbitrators would within seventy-two 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.

3.1.5 The complainant would then have one week to reply. On receipt of this reply, the arbitrators shall provide a copy to the concerned party and close the arbitration for private deliberation. The arbitrators shall 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.

3.1.6 At any point after receiving the other parties reply to submission to the complainant's original submissions, the arbitrators may, in the interest of amicably resolving the matter and at their sole discretion, choose to bring 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.

3.1.7 The arbitrators shall limit themselves to issues pertaining to the electoral process only and specifically exercise jurisdiction over the matter placed before them. Strict confidentiality shall be maintained. The arbitrator's duty is to act fairly and impartially as between all parties, and to provide a fair, efficient and expeditious means for the final resolution of the parties in dispute in a timely manner.