

DIE Board Hearing Application

Please note that this information will all be public. While the UASU's practice is to redact email addresses and phone numbers from publicly posted DIE Board hearing applications, the information provided may be kept, used, and disclosed in keeping with the operations of the DIE Board, UASU Bylaws, and Alberta's Personal Information Protection Act.

If necessary, the Students' Union DIE Board Registrar may contact you to confirm that you are a student.

NOTE: Under the DIE Board Protocols, the DIE Board reserves the right to reject applications that it judges to be frivolous or vexatious.

Name	Farah Elgaweesh
E-mail	
Phone Number	
This application is for a:	Appeal of a Chief Returning Officer Ruling

Reason for Application

Describe the specific violation of a bylaw or rule, your specific interpretation question, or the specific errors made by the DIE Board or the CRO. If you want the Board to issue some kind of order, explain what you think the Board should do. You may also attach additional written submissions or supporting documents at the end of this form.

Reason
The reason is attached in the document with the evidence.

Proposed Respondent(s)

List the individual(s) alleged to have infringed a rule or who are otherwise adversely involved in interest to your application. If you are appealing a CRO Ruling, list the CRO and any candidates involved.

Proposed Respondent
Chief Returning Officer (CRO)

Anticipated Witnesses

List other individuals involved in the case who can contribute to the Hearing, if any.

Anticipated Witness
Abdul Abbasi
Renson Alva
Asha Jama

Signature



Attach File

Although not required, you may attach additional written submissions or supporting documents for the Board to consider, including any relevant facts, a copy of any Students' Union legislation or rules relevant to your arguments, and your position on the matters in issue. These submissions will help the Board understand the nature of your complaint or request for interpretation. The Board may rule against you if you do not provide sufficient reasons for your application.

Please submit as a single document.

If you're unsure of how to combine multiple separate documents, you can save all documents as a PDF and use [PDF Merge](#).

File upload



DIE Board Appeal - Farah Elg... .pdf

Direct any questions to:

DIE Board Registrar

governance@su.ualberta.ca

SUB 6-24

DIE Board Complaint

On Wednesday, March 6th, Farah requested that the CRO send her the official ruling on a matter that she intended to appeal.

Afterwards, the CRO informed Farah that as a result of her request which he viewed as making it “formal” he would now be applying the bylaws to this matter alongside an official CRO ruling.

He also announced in this email that he no longer needed to meet with Farah or her campaign manager. He canceled this meeting without explanation.

Attached to this email are photographs of these text communications and emails between Farah’s campaign and the CRO’s office.

On Thursday, March 7th, Farah again reached out to the CRO’s office (via email) to meet to discuss the 7 allegations against her. The CRO rejected this meeting. We have attached this to the complaint below.

Farah has taken every reasonable step to address the 7 allegations however it is unfair for extreme punishment to be applied simply because there were several unfound complaints.

In our opinion, it is inappropriate for the CRO to have ruled against Farah without giving her an opportunity to speak and make her case. It is clear to us that this is a decision that is reactionary to Farah’s very reasonable request that a copy of the ruling be given to her via email. If candidates are to be subjected to another standard of rules simply because they request things that they are entitled to, is this truly a fair and free election?

While the CRO has refused to allow her a chance to speak and make her case, we are even more concerned that our campaign never received a copy of the 7 social media posts. These 7 social media posts were not on the official ruling neither nor privately sent to us.

Regardless, below is a direct address to these allegations.

- 1) Posted material without the election office's permission.
- 2) Having an account which wasn’t given to the election office for the purpose of campaigning.

Farah never intended to use her personal social media for the purposes of campaigning. If Farah was planning on purposefully subverting the rules, why would she have allowed the elections office to follow this account?

In our perspective, Farah fulfilled (Bylaw 320, Section 13.8) by allowing the CRO’s office to follow her private social media account. As noted in (Bylaw Article III, definitions), campaign materials are anything used as part of campaign activities. This is Farah’s private social media and it was clearly never her intention for it to be used as part of the campaign.

So much so, she directed people to follow her campaign account as is standard practice. This has been done historically by numerous candidates and in this election as well.

While we believe that Farah did not contravene any bylaws in this matter, (Bylaw 320, Section 17.1) clearly states that the penalty of violating the bylaw should counterbalance any advantage gained. In our opinion, this raises 2 key questions for DIE Board to deliberate on:

- A. Did Farah or her campaign get an unfair advantage by Farah resharing posts on her private social media?
 - a. In our opinion, Farah nor her campaign achieved an unfair advantage by resharing select posts on her private social media.
- B. Can candidates use their private social media accounts during a campaign period?
 - a. In our opinion, Farah and other candidates should be free to use their personal social media accounts to reshare already approved materials or stories as has been the case in previous years. This is a private social media account and we are concerned by the CRO's attempt to control every aspect of a candidate's social media use both private and public.

With these two questions in mind, we do not believe a punishment of \$160 is fair or reasonable as this was a private social media account with followers associated with Farah's personal life and not her campaign.

As a result, this is a formal request to overturn the CRO's ruling issued on March 7th.

On a separate note – On March 6th, the CRO met with numerous candidates that had been accused of colluding with SJP. In this meeting, the CRO claimed that going over the budget due to penalties will not disqualify candidates however they will not get reimbursed. This was observed by several candidates including the incoming VPX, and the incoming VP SL who are willing to testify to this.

References

1. (Bylaw 320, Section 13.8) The C.R.O. shall be kept privy to elections-related social media and public internet ventures undertaken by Candidates or sides, and reserves the right to penalize Candidates or sides for any violation of this bylaw or related regulations.
2. (Bylaw Article III, definitions) "Campaign Materials" shall be any physical or electronic media produced or distributed as part of Campaign activities;
3. (Bylaw 320, Section 17.1) Where a Candidate, Volunteer, or side has contravened a bylaw, rule, or regulation, regardless of the cause or the intent of the parties involved, and that contravention has provided an unfair advantage to a Candidate or side, the C.R.O. shall assign a penalty that
 - a. fully counter-balances any advantage gained; and
 - b. where the contravention was intentional, penalizes the Candidate, Campaign manager, or side manager who was or whose Volunteer was guilty of the contravention.

4. (Bylaw 320, Section 17.5) The C.R.O. shall investigate and rule upon every contravention of this bylaw or any other bylaw, rule, or regulation related to the election, plebiscites, or referenda.

Attached below are the communications between Farah and her campaign. If further evidence is required that is not attached, Farah is more than happy to comply with any requests from the DIE Board.

Farah we need to talk to you and your campaign manager

10:37 p.m.

Please repost what Asha's apology it is unfair that theirs was done on public platform and now Asha is using a private account.

10:57 p.m.

Today

Please repost what Asha's apology it is unfair that theirs was done on public platform and now Asha is using a private account.

Please send me the official cro ruling document to my email

8:03 a.m. ✓✓

As the election office we had tried to solve this informally to ensure that candidates had an easy election but if you want this to be done formally, the election team will abide by these rules. The cases which are currently on you:

- 1) Posted material without the election office permission
- 2) Having an account which wasn't given to the election office for the purpose for campaigning.
- 3) Having pamphlets in common area

Message



election team will abide by these rules.

The cases which are currently on you:

- 1) Posted material without the election office permission
- 2) Having an account which wasn't given to the election office for the purpose for campaigning.
- 3) Having pamphlets in common area and distributed one on one. Photo evidence will be provided.
- 4) Campaign manager was seen doing one on one in front of the CRO and a complaint was also sent in.
- 5) Complaint from Layla team which needs to be resolved.
- 6) Having posters on surfaces which aren't permitted.
- 7) Affiliation with SJP and the campaigning which has been done on your behalf

Thank you and the election team will get back to you. Also all communication now with you and any of your volunteer party will be kept on email and the election office has 24 hours for an approval of material and no personal messages on WhatsApp will therefore be looked at. An email of this message will also be sent to your account.

Edited 10:02 a.m.

Can you send me this via email pls

10:03 a.m. ✓✓

\$40.

9:04 a.m. ✓✓

Okay that's fine 10:25 a.m.

 **Voice call**
1 min 10:25 a.m.



CRORuling_2024GeneralElectio
n_3.pdf
2 pages • 79 kB • PDF

10:33 a.m.

Farah why would you post your campaigning stuff on your personal account. The reason we ask you to keep your social media to a certain account is for a reason and this again is going against bylaw and regulations 11:26 a.m.

This is not something again we can overlook because you are making an undue advantage on your behalf by not using your election social media platform that the election office told you to keep your campaigning to do 11:28 a.m.

Okk 11:45 a.m. ✓✓

 **Voice call**

 Message



9:56



Dear Farah,

As the election office we had tried to solve this informally to ensure that candidates had an easy election but if you want this to be done formally, the election team will abide by these rules. The cases which are currently on you:

- 1) Posted material without the election office permission.
- 2) Having an account which wasn't given to the election office for the purpose for campaigning.
- 3) Having pamphlets in common area and distributed one on one. Photo evidence will be provided.
- 4) Campaign manager was seen doing one on one in front of the CRO and a complaint was also sent in. No need for the meeting with the campaign manager as the CRO is making a ruling based on what was seen.
- 5) Complaint from Layla team which needs to be resolved.
- 6) Having posters on surfaces which aren't permitted.
- 7) Affiliation with SJP and the campaigning which has been done on your behalf

Thank you and the election team will get back to you. Also all communication now with you and any of your volunteer party will be kept on email and the election office has 24 hours for an approval of material and no personal messages on WhatsApp will therefore be looked at.



9:56



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Kindest Regards,
Farah Elgaweesh



Jacob Verghese 2:00 p.m.



to me ▾

Dear Farah,

It is appreciated that you contacted the election office, but this is currently the only way we can handle the matter. You chose to have the cases made official even though we tried to have this discussion informally. The election office declines your request for a meeting because we tried to communicate with you about possible less compensatory violations but you chose to make it an official ruling and therefore we have to follow bylaws and regulations.

Regards,
Jacob Verghese

[Show quoted text](#)

↩ Reply

↩ Reply all

➦ Forward

No add-ons available for this email



9:55



to me, Sithara ▾

Dear Farah,

We have been working on some of the rulings for your campaign violation: Your 7 unapproved posts and using your personal account to campaign which the election office deemed a violation of bylaw and regulation.

The total fine which you have accumulated is 160 dollars and you can see the breakdown in the file we have attached.

You are over your budget limit due to this and will face disqualification from this general election.

We ask you to still campaign because you can still appeal all our decisions to the DIE Board if they deem the fine too harsh and reduce it. You can appeal till 12:00 PM, Monday 11th of March.

Regards,
Jacob Verghese



9:56



Farah Elgaweesh 12:02 p.m.



to Jacob, Sithara

Hello Jacob and Sithara,

I am concerned that I am being treated unfairly in this election campaign. My team and I are a first-time campaign made up of a majority of women of colour. We have faced continued bullying and unfounded accusations without merit. We apologize for causing you inconvenience however feel that your clear anger is being misdirected towards us.

Therefore, we are requesting an in-person meeting with you and the Deputy Returning Officer to clarify this matter. I would also want to bring my volunteers to this meeting. We are available to discuss this matter today at 5pm onwards.

Please inform us at your earliest convenience as this is a matter of urgency.

Thanks,
Farah Elgaweesh

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Kindest Regards,
Farah Elgaweesh



Jacob Verghese 2:00 p.m.

