



Strasbourg, Warsaw, 24 February 2017

CDL(2017)012*

Opinion no. 879/2017
ODIHR Opinion-Nr.:

Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

OSCE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS
(OSCE/ODIHR)

DRAFT JOINT OPINION
ON THE DRAFT CHECKLIST FOR COMPLIANCE
WITH INTERNATIONAL STANDARDS AND BEST PRACTICES
PREVENTING MISUSE OF ADMINISTRATIVE RESOURCES DURING
ELECTORAL PROCESSES AT LOCAL AND REGIONAL LEVEL

On the basis of comments by

Mr Oliver KASK (Member, Estonia)
Mr Richard BARRETT (Member, Ireland)
OSCE/ODIHR Experts

**This document has been classified restricted on the date of issue. Unless the Venice Commission decides otherwise, it will be declassified a year after its issue according to the rules set up in Resolution CM/Res(2001)6 on access to Council of Europe documents.*

This document will not be distributed at the meeting. Please bring this copy.

www.venice.coe.int

I. Introduction

1. By memorandum of 25 January 2017, Mr Andreas Kiefer, Secretary General of the Congress of Local and Regional Authorities of the Council of Europe (“the Congress”), requested an opinion of the Venice Commission on the “Checklist for compliance with international standards and best practices preventing misuse of administrative resources during electoral processes at local and regional level” (“the Checklist”),¹ prepared by the Monitoring Committee of the Congress.
2. By memorandum of 15 February 2017, the Director of the Venice Commission confirmed the Venice Commission’s readiness to review such Checklist and proposed that the Venice Commission draft the opinion jointly with the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), given both institutions’ regular cooperation in relation to legislation pertaining to elections.
3. The Checklist of the Congress aims to complement the 2016 Joint OSCE/ODIHR and Venice Commission Guidelines for preventing and responding to the misuse of administrative resources during electoral processes.²
4. The present Joint Opinion was adopted by the Council for Democratic Elections at its XXX meeting (Venice, XXX) and by the Venice Commission at its XXX plenary session (Venice, XXX).

II. General comments

Scope of the Checklist

5. The Checklist aims to provide a tool for assessing law and practice in member states with regard to the use of administrative resources³ at local and regional levels during the elections. The Checklist complements the Venice Commission and OSCE/ODIHR 2016 Joint Guidelines for preventing and responding to the misuse of administrative resources during electoral processes, the Venice Commission’s Report on the misuse of administrative resources during electoral processes of 2013 and the 2016 Congress’ Resolution 402(2016).⁴ The Checklist is based on the above-mentioned documents without aiming to change standards and guidelines developed up to now. The proposal to prepare a checklist in this area is to be welcomed. The Checklist intends to focus on issues which arise at local and regional level where instances of misuse of administrative resources could often be found. The intention to include a specific checklist of questions to be used by those who are evaluating the issues of misuse of administrative resources is also to be welcomed.
6. The misuse of administrative resources is a subtle subject. What appears to be a misuse in one system, such as the use of state vehicles during the election campaign, might be quite legitimate for specific purposes in the tradition of a different state system. Partly this depends on awareness and transparency. If all stakeholders are aware of the dangers of misuse, and the use of state resources during the elections is transparent and in line with existing rules, then it may not be an issue.

¹ Council of Europe’s Congress of Local and Regional Authorities, Monitoring Committee, Checklist for compliance with international standards and best practices preventing misuse of administrative resources during electoral processes at local and regional level, Rapporteur: Stewart Dickson, United Kingdom (CG/MON05(2017)10).

² Joint Guidelines for preventing and responding to the misuse of administrative resources during electoral processes ([CDL-AD\(2016\)004](#); “the 2016 Joint Guidelines”).

³ As defined in the Report on the misuse of administrative resources during electoral processes ([CDL-AD\(2013\)033](#); “the 2013 Report”) and in the Joint Guidelines for preventing and responding to the misuse of administrative resources during electoral processes ([CDL-AD\(2016\)004](#)).

⁴ [Resolution 402 \(2016\) on “The misuse of administrative resources during electoral processes: the role of local and regional elected representatives and public officials”](#).

7. The background discussion in the checklist is broadly consistent with the Joint Guidelines. The terminology retained is the same as in the Joint Guidelines. The Congress indeed retained the definition of “administrative resources” developed in the Joint Guidelines. The period covered by the notion of administrative resources is equally as broad, i.e. an entire electoral process. Concerning the definition of administrative resources, the definition proposed in the 2013 Report of the Venice Commission and the 2016 Joint Guidelines is reproduced in extenso. However, the paragraph following the definition seems to limit the notion of administrative resources to human resources, while not only human but also financial and material resources are often used, such as public premises, telecommunication, transport, etc.

8. In general the Checklist refers to the definition of relevant terminology (such as “administrative resources” or “electoral processes”) used in the above-mentioned documents. However, a few notions used by the Checklist may be misinterpreted or confusing vis-à-vis the notion of administrative resources as they are not used in other similar documents (such as the Joint Guidelines); therefore, such notions and expressions should be either avoided or explicitly defined within the document.⁵

Regarding the structure

9. The Checklist generally follows the logics of the 2016 Joint Guidelines, which is welcomed. However, the suggested checklist questions seem difficult to use in practice. Questions should be clear and operational, i.e. offer practitioners concrete guidance to identify misuse or to prevent misuse of administrative resources. Moreover, the differences among states will add to the complexity of such exercise.

10. The structure of the Checklist is made of four main parts.⁶ Such structure is not easily tracked and might be confusing. It could be therefore valuable to list the identified checklist questions separately in an appendix where they could be grouped by topic (legal framework, media, etc.). A separation could be made between provisions dealing with general issues (and not specifically dedicated to the misuse of administrative resources, e.g. fight against corruption, general requirements for neutrality of public service, etc.) and those dealing with more specific provisions related to the misuse of administrative resources during electoral processes. Alternatively, the Checklist could distinguish questions dealing with legislation, the ones dealing with its implementation and questions dedicated to preventive means and sanctions.

11. One of the main problems with the structure lies in Chapter B (“Implementation of the legal framework, general remedies and sanctions”), which aims at dealing both with implementation of general provisions (*ex officio* duties of competent bodies), complaints and appeals system as well as legislation in some specific areas. Those subcategories are wide and do not have much in common. One solution could be to further segment the Checklist with one section dealing with legislation, its implementation and complaints and appeals systems in different chapters and another section dealing with misuse of administrative resources more specifically (including general and specific provisions, prevention and sanctions).

⁵ The concepts of ‘conflict of interest’, ‘nepotism’ and ‘favouritism’ are broad concepts. This arises at the top of page 3 and in the third and fourth questions under ‘Explicit regulations...’ on page 7. Also on page 8, second question under ‘implementation’ definitions of nepotism and favouritism may be relevant; such concepts could be subjectively interpreted.

⁶ The four parts are the following:

- A. General risk areas concerning the misuse of administrative resources during electoral processes with special focus on the legal framework
- B. Implementation of the legal framework, general remedies and sanctions
- C. Qualification of specific instances of a misuse of administrative resources during electoral processes including at local and regional level
- D. Preventive action to counter the misuse of administrative resources with special focus on the grassroots level.

12. The Checklist being intended *inter alia* for election observers, could be structured in a more user-friendly format both for observers and for election experts. One option could be for instance to have a separate section relevant for observers visiting the country around election day and another section for experts who look at this issue with a longer perspective.

13. Chapter D deals with prevention (“Preventive action to counter the misuse of administrative resources with special focus on the grassroots level”). This part should be preferably moved up at the beginning of the document, after the introduction related to international standards.

14. Items on complaints and appeals are dealt with in Chapters B and C; such repetitions can be seen in other parts of the Checklist as well. Similar topics should be preferably combined and not repetitive for the clarity of the document. In addition, there are many repetitive questions. For instance, the question “*Are breaches of official duties by members of electoral commissions sanctioned?*” contained in Part A is related to the topic of Part B. The following questions are also similar and do not tackle different aspects: “Are there clear guidelines for the implementation of campaign finance regulations to ensure equality of opportunity and non-discrimination?”, “Do laws generally provide for the integrity of the electoral process and ensure the equality of opportunity for candidates and parties (is there a level playing field for electoral contestants)?”, “Is there equality of opportunity and equal treatment before the law (of parties/candidates)?”. The document should be therefore more coherent, user-friendly and less repetitive in its structure.

15. The Venice Commission and the OSCE/ODIHR recommend simplifying the document in order to harmonise the overall structure of the document and to avoid repetitions.

Comments related to the introduction

16. The misuse of administrative resources is clearly linked with neutrality and impartiality in the electoral process; equality of treatment between different candidates and parties in relation to administrative resources; and level playing field between all stakeholders, including incumbent candidates. This notion should be acknowledged in the Checklist as it was done in Joint Guidelines, since all these elements deal with fairness of the electoral process.

17. The Checklist should first of all provide clear information on whom the Checklist is intended for, such as election observers, experts, local and regional elected officials, their collaborators, etc.

18. The first sentence of the Checklist should not only refer to the 2016 Joint Guidelines but also to the 2013 Report on the topic.⁷

19. The definition of administrative resources is satisfactorily reproduced from the 2013 Report and the 2016 Joint Guidelines. References should be made to these two documents, in a footnote for instance.⁸

20. In the sentence “*What is more, also on Election Day problems such as pressure on voters may occur*”, it could be considered to replace the word “pressure” with “unduly influence” or alternatively “protection of the voters on election day”.

⁷ 2013 Report and 2016 Joint Guidelines.

⁸ The proper references are: 2013 Report, par. 12; 2016 Joint Guidelines, par. 9.

Comments related to Chapter A. “General risk areas concerning the misuse of administrative resources during electoral processes with special focus on the legal framework”

21. The first part of Chapter A is in accordance with the Venice Commission’s Rule of Law Checklist, which is welcome.⁹ In the first part of this section, when it is mentioned “*Further requirements are the necessary impartiality and neutrality of civil servants, public employees and (semi-)public entities*”, it is recommended to also mention equality and non-discrimination.

22. Some of the questions developed under Chapter A may be more appropriately placed in Chapter B (“Implementation of the legal framework, general remedies and sanctions”), being more logically covered by the topic (e.g. *Are there mechanisms to prevent, correct and sanction the abuse of discretionary powers?*).

23. Part 2 of Chapter A deals with international standards. Detailed discussion on the interaction between international and domestic law could be avoided for the purpose of this Checklist. In addition, a simpler distinction than that between hard law and soft law could be used in this document. For instance, Venice Commission’s Codes of Good Practice are also political documents, despite being soft-law (the Code of Good Practice in Electoral Matters was supported by the Committee of Ministers in a solemn declaration). Moreover, references should be made among the international binding documents to the Council of Europe’s Conventions on corruption: [Criminal Law Convention on Corruption](#) (ETS No. 173) and [Civil Law Convention on Corruption](#) (ETS No. 174).

24. Among the soft-law – reference documents, it is recommended to include the joint OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation¹⁰ as well as the OSCE/ODIHR Handbook for the Observation of Campaign Finance.¹¹

25. Part 1 of Chapter A could also include in the list of questions related to “Political Freedoms” the following questions:

- Under which circumstances can such freedoms be limited?
- Are there limitations to these rights for civil servants and/or public service employees?¹²
- How can an individual appeal against the limitation of his or her rights?

26. Within the same list of questions, it is suggested to add election officials among the categories of persons concerned by the non-involvement in campaigning, in the following question: “*Does the legal framework provide for the non-involvement of **election officials**, judges, prosecutors, police and the military in electoral campaigning?*”

27. Questions in Part 4 (“*How is the misuse of administrative resources regulated in the domestic legal framework?*”) are relevant and mainly appropriate. However, a few clarifications are needed.

28. First of all, in the development of Part 4, before the series of questions, the following paragraph could usefully quote (in a footnote for instance) the Joint Guidelines, 1.7: “Alternatively, the misuse of administrative resources may also be addressed through voluntary codes of conduct and through self-regulation. The central question is if adequate commitments were made and if relevant stakeholders abide by these commitments.”

29. The first question¹³ could be clarified and refer to legislation on misuse of administrative resources specifically.

⁹ [CDL-AD\(2016\)007](#). See in particular II. “Benchmarks”, subsection C, which could be referred to in footnote 5.

¹⁰ [CDL-AD\(2010\)024](#).

¹¹ <http://www.osce.org/odihr/elections/135516?download=true>.

¹² In light with the decision of the European Court of Human Rights *Ahmed and others v. United-Kingdom*, 1998.

¹³ “Is there (are there) written law(s) or provisions?”, page 7.

30. Regarding the question “*Is stability of the law(s) ensured (are laws on misuse of administrative resources stable insofar as they are only changed with fair warning, no shorter than one year before the elections)?*”,¹⁴ the Code of Good Practice in Electoral Matters refers to the fundamental aspects of the electoral process such as electoral system, election administration, etc., which have to remain stable.¹⁵ Additionally, it should also be referred in this respect to the Venice Commission’s Interpretative Declaration of the Code of Good Practice on this issue.¹⁶ As not being among the fundamental elements of an electoral law, it has to be recalled that changes or introductions of appropriate provisions on liability and (administrative or criminal) sanctions for the breach of rules related to misuse of administrative resources are strongly recommended, even less than one year before elections. Additionally, the concept of criminal and administrative law in general does not allow retroactive sanctions,¹⁷ but follows the line – the fines are applied as defined as of the time a violation happens.

31. Regarding the question “*Are there provisions which aim at the neutrality of civil servants, public employees and similar groups (judges, military, etc.) during electoral processes (are they protected against pressure accordingly)?*”,¹⁸ the neutrality of people with specific job or functions should also apply to groups of people who enjoy the prestige of public (elected) office. Moreover, the questions should also raise the issue of provisions aiming at preventing the misuse of equipment and public premises.

32. The question “*Is provision made for a clear separation between the state and political parties?*”¹⁹ could be further elaborated and clarified, as such provisions are rare. More often, there might be provisions on party pluralism and equality of political parties as well as provisions on separation of state and party budgets. The questions on these more specific issues might be more appropriate.

33. Question “*Do laws provide for an unimpeded and non-discriminatory media access for all political parties and candidates?*”²⁰ assumes that media access should be non-discriminatory. It is important to have a separate look into public media and private media, while the latter might be also owned by political parties. The Checklist should be clarified in this regard and brought in accordance with European standards in this regard, possibly by adding some further questions or restricting the question only to state-owned media.

34. The matter of media access is complex. It may go too far to suggest that access to every media must be based on the principle of equality. The distinction between state-owned/public media and private media should be taken into account and the start position might be equitable access rather than strict equality.²¹ The question “*Do laws provide for an unimpeded and non-discriminatory media access for all political parties and candidates?*” should include the notion of strict or proportional equality.²² The concept of ‘non-discrimination’ appears in a very uncertain way in the first question on page 9. It might be recommendable that media-related questions are separated from others and consistent language is used.

¹⁴ Within the list of questions “Generalities of domestic legislation”, page 7.

¹⁵ II. 2. b.

¹⁶ Interpretative Declaration of the Code of Good Practice in Electoral Matters on the Stability of the Electoral Law ([CDL-AD\(2005\)043](#)).

¹⁷ See in this respect Article 7 of the European Convention on Human Rights.

¹⁸ Within the list of questions “Explicit regulations in relevant domestic laws”, page 7.

¹⁹ Within the same list of questions.

²⁰ Within the list of questions “Implicit regulations in relevant domestic laws”, page 7.

²¹ This issue arises in the third question under “Rule of Law” and the fourth question under ‘Impartiality etc.’ on page 4 and with the concept of media ‘neutrality’ in the sixth question at the end of page 7.

²² See in this respect the Code of Good Practice in Electoral Matters, I. 2.3.

35. Within the list of questions “Misuse of administrative resources dealt with by codes of conduct and self-regulatory mechanisms”, the first question could be whether such code of conducts exists at all.

36. The question “*Are there any (informal) sanctions provided for in case of violation (e.g. suspension of public funding for political parties)?*”²³ is problematic. Suspension of public funding is a formal and severe sanction for not following the codes of conducts so it might not be a good example. It could be clearer to ask if the codes of conduct are enforced/supervised in any way. A suspension of public funding as a result of violations of voluntary agreements, such as codes of conduct could cause another problem – misuse of such a mechanism. Due to informal character of codes of conduct in case of possibility of informal sanctions, those will be hardly possible to appeal in a fair trial process.

37. The question “*Is general provision made to outlaw bribery and corruption?*” could be open to more possible cases of misuse of administrative resources: lobbying, post-mandate employment, gifts for instance could be considered.

Comments related to Chapter B. “Implementation of the legal framework, general remedies and sanctions”

38. As noted, the content and structure of this Chapter should be reconsidered, as the Chapter deals with different issues on implementation of law, appeals procedures, legislation on sanctions and clarity of such provisions. The parts on remedies, complaints and appeals should be combined and harmonised.²⁴

39. In addition the following questions seem to be related to the legal framework and could be moved to that section:

- Is there equality of opportunity and equal treatment before the law (of parties/candidates)?
- Are there effective measures taken against nepotism and favouritism?
- Are there clear regulations with regard to public procurement (especially during election campaigns to prevent the allocation of government contracts etc. for personal gain or to the advantage of political parties)?

40. A question might be asked as to whether misuse of administrative resources can be a ground for setting aside the result of the election.

41. Similarly, it is suggested to add a question on misuse of social advertisements: “*Are clear regulations on social advertising before and during the campaign period provided (especially those favouring the incumbents or certain business groups)?*”.

42. Within the same list of questions, the question related to media could only be assessed based on reliable media monitoring processes, which implies that the respective countries have appropriate institutions able to monitor media access and equality.

43. Within the same list of questions, the footnote of the question “*Are there clear regulations with regard to public procurement (especially during election campaigns to prevent the allocation of government contracts etc. for personal gain or to the advantage of political parties)?*” could be further clarified or developed.

44. Within the list of questions “Transparency”, the footnote of the question “*Are there audits by independent bodies as regards compliance with the relevant obligations?*” should make a reference to a specific chapter.

²³ Within the list of questions “Misuse of administrative resources dealt with by codes of conduct and self-regulatory mechanisms”, page 7.

²⁴ Pages 9 and 11.

45. Within the list of questions “Remedies, complaints and appeals”, the question “*Does the law provide for effective complaints and appeals avenues which are accessible and not too costly?*” seems not specifically relevant for the issue of misuse of administrative resources and could be deleted from the list of questions.

46. The question “*Does the law provide for effective complaints and appeals avenues which are accessible and not too costly?*” should also say “timely”.

47. The question “*Is provision made for the independence and impartiality of the judiciary?*” is vague and might go beyond the scope of the Checklist. It is therefore recommended to delete it.

48. Within the same list of questions, it is suggested to add “and adequate” to the following question: “Are remedies timely **and adequate?**”.

49. Within the list of questions “Audits, oversight and monitoring”, in the question “*Are persons who bring instances of misuse to the attention of authorities (c.f. whistle-blowers) adequately protected to avoid intimidation, harassment, dismissal or violence in case of reporting over malpractice, nepotism, favouritism?*”, the use of the terms “nepotism” and “favouritism” could be avoided. The question may be too complex and the reference to ‘malpractice, nepotism and favouritism’ could be removed.

50. The question “*Are the communication and the flow of information between audit authorities, electoral management bodies and other equivalent bodies, in particular at the grassroots’ level, ensured in order to facilitate transparent decision-making?*” could also mention “in order to make monitoring and oversight more effective”.

51. Within the list of questions “Sanctions and enforcement”, two questions could be combined:

- *Are steps taken to prevent, identify, investigate and prosecute instances of the misuse of administrative resources for campaign purposes?*
- *Are steps taken to prevent, identify, investigate and prosecute instances of pressure on and intimidation of voters?*

52. It is suggested to add “administrative” to the question “*Are civil servants and public employees who are engaged in misuse subject to disciplinary, **administrative** and/or criminal sanctions?*”.

Comments related to Chapter C. “Qualification of specific instances of a misuse of administrative resources during electoral processes including at local and regional level”

53. Chapter C deals with the same issues already discussed in Chapter B. Thus, a restructuring of this Chapter would also be appropriate.

54. The following question could benefit from revision: “*How is the awareness within the political sector and the public administration?*”

55. The question “*To what extent do measures countering the misuse of administrative resources impact on fundamental rights?*”²⁵ should be specified. It is clear that any restriction on the use of any means, including administrative resources, limits the electoral rights or freedoms (or those human rights closely related to that), but such restrictions can be appropriate. The question should focus on how far the limitations go in order to safeguard the equality of contestants and the neutrality of the state and its administration, which also

²⁵ Within the list of questions “Consequences of any restrictions on the use of administrative resources vs. degree of impact /encroachment upon fundamental/individual/human rights”, page 11.

raises the issue of possible limitations of state institutions in the implementation of their tasks, especially during pre-electoral periods. Another question might be related to the method used in the observed country – whether it limits fundamental rights in order to avoid misuse of administrative resources or provides for wide access to administrative resources, but on equal terms to all candidates.

56. Concerning the section “(Self)governmental functions and illegitimate use of administrative resources”, the footnote no. 20 associated to this title touches a rather sensitive point, and maybe it could benefit from further explanation.

57. It is suggested to add “until after the elections” to the question “*To what extent is the alleged misuse necessary for the continuity and efficiency of (self)government work (to what extent is it related to the exercise of (self)government functions, is it indispensable/necessary/unimportant to (self) government work and can it be postponed **until after the elections** without detriment to the local community/region/ state functioning)?*”.

58. Regarding the title of the list of questions “The dimension of misuse of administrative resources”, it is suggested to replace “dimension” by “seriousness”: “The seriousness of misuse of administrative resources”.

59. The question “*Does the particular relationship of a local authority to the community require specific safeguards (c.f. monitoring/oversight bodies at the local and regional level)?*”²⁶ could be clarified. What information could this question provide for the assessment?

60. The question “*Is a misuse of administrative resources at grassroots’ level more problematic given the special relationship between the local and regional authority and the community where the election takes place?*”²⁷ seems to be more theoretical and not based on the specificity of each country. A more thorough explanation to these questions, e.g. in footnote, would be advisable.

61. Within the list of questions “Complaints and appeals avenues, monitoring and sanctions”, it is suggested to add a new question: “*Are there effective and independent non-governmental organisations (NGOs) to assess compliance with the relevant (campaign finance, media etc.) regulations?*” It is also suggested to add the following question “Are the sanctions properly applied or whether their application is problematic?”

62. Within the list of questions “The degree of awareness concerning problems and instances of a misuse of administrative resources”, it is recommended to add the following question: “*Is there a general awareness-raising effort?*”.

Comments related to Chapter D. “Preventive action to counter the misuse of administrative resources with special focus on the grassroots level”

63. The question “*Are restrictions on the misuse of administrative resources implemented in good faith (c.f. through protection of civil servants and public employees against hidden sanctions and intimidation, through fostering of the principle of neutrality as regards professional duties and (semi)-public bodies)?*”²⁸ should be divided into more sub-questions and aspects, as different actors (political parties, electoral management bodies, other state institutions, public servants) might have different level of good faith in implementation. Currently, it is difficult to assess the country based on such a general question.

²⁶ Within the list of questions “Local/regional level”, page 12.

²⁷ Within the same list of questions.

²⁸ Within the list of questions “Political will and strengthening of checks and balances”, page 12.

64. The question “*Are there relevant declarations against misuse by leading figures (cf. statements and written instructions that no pressure on civil servants and government employees be tolerated)?*”²⁹ does not give much information on the state of fight against the misuse of administrative resources. Quite often, the declarations are more promising in countries with important problems of corruption and of misuse of administrative resources, whereas in countries without many problems, there might not be any need to declare it.

65. In the subsection “Specific measures at local and regional level”, it is possible that due to the size or legal order of the country, there is no need to have any regional or local level institutions or any specific provisions and a nationwide institutional framework is well suitable and not in contradiction with the principle of subsidiarity. Thus, the questions in this subsection might be misleading.

66. Within the list of questions “Information, awareness raising and training”, it is suggested to add “political parties” to the question “*Is training on relevant standards and practices provided to the relevant stakeholders (electoral management bodies, **political parties**, candidates, election observers)?*”.

Conclusion

67. The Congress’ Checklist is in line with international standards in the field of elections as expressed in particular by the documents of the Venice Commission and the OSCE/ODIHR on the issue of misuse of administrative resources during electoral processes.

68. However, the Checklist would benefit from revising the structure to make it coherent and user-friendly, in particular for election observers and election experts.

69. This checklist would benefit from the revision and harmonisation of questions that are at times dispersed throughout the document and repetitive.

²⁹ Within the same list of questions.