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EGC DECISION

January 28th, 2020

After conducting a diligent and thorough review, the Elections Governance Committee (EGC) has concluded that Zamir Fakirani has violated section 2.8 and 2.9 of the EGC Violations Policy. This violation occurred when Fakirani published his campaign Instagram account and Youtube channel on January 19th at 11:55 pm, prior to the beginning of the official campaign period. Consequently, the EGC has sanctioned Fakirani with a warning. The full report is attached.

For further inquiries, please contact Julia Crump at cro.intern@westernusc.ca.

Candidate(s) under review: Zamir Fakirani

Deliberations: January 28th, 2020

Present: CRO, DRO, [REDACTED]

Allegation(s)

- a. Zamir Fakirani published his campaign Instagram account and Youtube channel on January 19th at 11:55 pm, prior to the beginning of the campaign period (see Exhibit 1 & 2).

Violation Under By-Law #2/EGC Violations Policy

b. Section 2.8 and 2.9 (EGC Violations Policy)

Candidates are not permitted to-distribute campaign materials prior to the campaign period

Investigative Action Taken by the EGC

- c. Several committee members examined the evidence in question to determine the validity of the allegation. Through this, the committee was able to determine these actions warranted a violation. The violation submission can be found in Exhibit 3.
- d. Fakirani was requested to come in for a hearing on January 28th in order to follow up with the allegation. Two of his campaign managers attended the hearing as proxies for him.
- e. The managers confirmed with the committee that the Instagram account and Youtube channel in question were, in fact, the campaign's present campaign pages. They also acknowledged that although the Instagram account was private, it was not unpublished. They informed the committee that the intent was not to get ahead in the elections but rather an oversight on their part.
- f. The committee determined that although Fakirani lacked intent, he nonetheless started campaigning prior to the beginning of the official campaign period.

The EGC's Findings

- g. The EGC determined that the publishing of Fakirani's social media channels prior to the beginning of the campaign period constitutes pre-campaigning, which is in violation of section 2.8 and 2.9 of EGC Violations Policy.

Decision

- h. In committee quorum, the EGC unanimously agreed that Zamir Fakirani is in violation of section 2.8 and 2.9 of EGC Violations Policy, which is considered a non-disqualifiable offence. The EGC has given Fakirani an official warning.

Approved for release

Julia Crump

Chief Returning Officer, USC

Elections Governance Committee

Exhibit 1 - Zamir Fakirani's official Instagram account

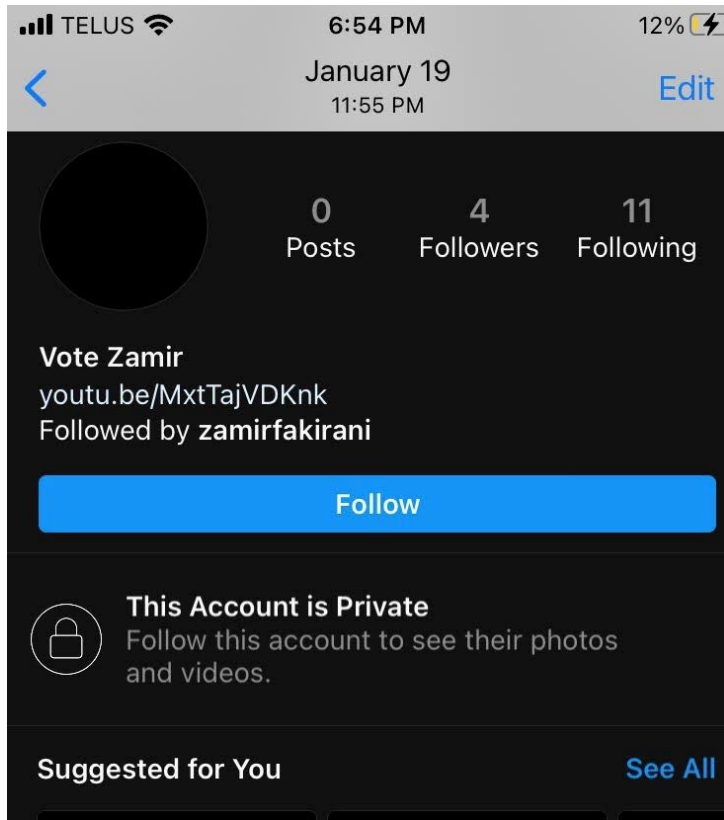


Exhibit 2 - Zamir Fakirani's official Youtube Channel

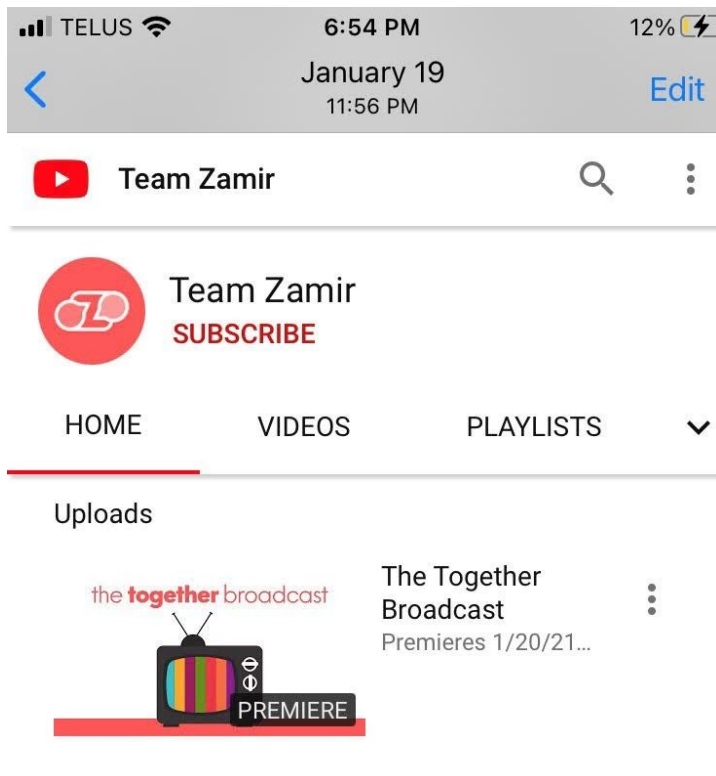


Exhibit 3

Name of the candidate alleged to have committed the violation: Zamir Fakirani

Position being sought by the candidate: President

Approximate date the alleged violation occurred: Jan 19, 2021

Approximate time the alleged violation occurred: 11:55 PM

Relevant section of bylaw 2 and/or EGC Violations Policy: 2.8 & 2.9

Details

This instagram was published at 11:55pm on January 19th. The bylaw clearly states that campaign material must not be distributed until January 20th. Additionally to this, it was said in the All Candidates meeting that pages must stay unpublished until midnight on January 20th. This is in clear violation of the EGC and Bylaw #2.