

**CODE OF CONDUCT
FOR POLITICAL PARTIES DURING
THE ELECTION OF MEMBERS OF THE NATIONAL ASSEMBLY

I. Purpose and application

a. Purpose of Code of Conduct

The purpose of the Code of Conduct for Political Parties, Candidates and their Representatives (the Code of Conduct) is to enable political parties, candidates and their representatives to achieve:

- an election that is held in accordance with the Law on the Amendments to the Law on the Election of Members of the National Assembly (the Electoral Law) and other provisions of this law;
- an election that is accepted as free, fair and just by the citizens of Cambodia, by all political parties that participate in the election, and by the international community;
- an election that takes place without violence, coercion, intimidation.

b. Application of the Code of Conduct

1. The Code of Conduct applies to every political party registered to participate in the election and to every candidate and representative of that political party;
2. The Code of Conduct applies throughout the election. The election starts when the date of the election is announced and it continues until the final results have officially been announced;

A political party representative is the party agent who is appointed by the party and is authorized by the National Election Committee to observe the election;

The representative of a political party includes every person that holds an office in the political party, or is currently appointed by the political party to an office within the party.

c. Extent of Rights and Activities

Every right and activity in this Code of Conduct is subject to the Constitution and requirements and procedures that are contained in the Electoral Law. Any other Law or interests relate to the national security and public order may also supersede these rights and activities.

d. Implementation by political parties

1. Every political party, candidate and its representative undertakes to follow and support the Electoral Law, and to instruct its staff, members and supporters to do the same;
2. Every political party, candidate and its representative undertakes to follow, support and implement the Code of Conduct, and to instruct its staff, members and supporters to do the same;
3. Every political party, candidate and its representative undertakes to take affirmative steps immediately to prevent their staff, members and supporters from:
 - infringing the Electoral Law or the Code of Conduct;

- committing any offence in relation to the Electoral Law or the Code of Conduct.
- 4. Every political party, candidate and its representative undertakes to give wide support and publicity to the Electoral Law and the Code of Conduct.

II. Rights of Political Parties, candidates and their representatives

1. Every political party, candidate and representative has the full and equal basic rights to take part in the free, fair and just election as well as the right to campaign;
2. The full and equal basic rights to take part in the election include the right to apply to register in the political party list and the candidate list for the election, the right to participate in the campaign, the right to observe, the right to appeal, the right to accept the outcome of the election, the right to cooperation and expression and the right to protect these rights;
3. Every political party, candidate, official and representative not only have their own rights and freedom but must also respect the rights and freedom of others;
4. Representatives and candidates of every political party may observe the process of voter registration, polling and ballot-counting but shall not interfere into these processes;
5. Every political party, candidate and representative may complain and appeal in accordance with the Regulations and Procedures of the National Election Committee if it is understood that the election is not free and fair;
6. Every political party, candidate, official and representative shall accept the outcomes of the free, fair and just election.

III. Rights and duties of the party representatives

A party representative who is authorized to observe the election process:

1. shall have the right to observe the election process on behalf of his/her political party to ensure that the Law and the Regulations and Procedures are respected;
2. shall have the right to be present at a voter registration station or a polling station or a ballot-counting station where he/she is assigned based on the venue and time as determined by the Electoral Authority;
3. shall have the right to question the information provided by an applicant who registers for the election when answering the questions of a registration official;
4. shall have the right to ask questions related to the age of the applicant and birth place of the applicant's parents;
5. shall have the right to examine the documents shown by the applicant at the time when he/she is registering to vote;
6. shall have the right to complaint about any violation of the Law or Regulations and Procedures which they have personally seen. This complaint shall be made to the member of a Commune/Sangkat council who is assigned to monitor the registration or the Commune/Sangkat Clerk at the time of voter registration or to the chief of a polling station or chief of a ballot-counting station during or after the violation has been committed. This complaint can be made orally and/or by following the modality of the National Election Committee;
7. shall have the right to sign a number of reports and minutes on voter registration, minutes of the polling station and ballot-counting station in accordance with the modality of the National Election Committee;
8. shall complete and sign or thumbprint the declaration of promise of the party representatives on the Form to register the party representatives as electoral observers;

9. shall report in advance to the person-in-charge or chief of the station in case of the replacement of the full right representative with a reserved representative;
10. shall show the party representative's ID card and letter of authorization to the person-in-charge of the registration or polling or ballot counting stations for the purpose of admission in and out of the stations in the conduct of their duties;
11. shall wear the ID-card in the conduct of their duties;
12. shall sign the complaint if it is recorded in the minutes of the stations;
13. shall respect the secrecy of voting;
14. shall not instruct or reprimand the person-in-charge of the voter registration or registration and ballot counting officials;
15. shall not raise an objection or file an objection to any person rather than to the Commune/Sangkat council at the time of voter registration or chief of a polling station or chief of a ballot-counting station;
16. shall not infringe upon any provisions of the Electoral Law or the Regulation and Procedures or this Code of Conduct;
17. shall not interfere into the process of the voter registration, election or ballot counting or disrupt any other process which is related to the election work.

IV. Obligation and cooperation

1. Every political party, candidate and its representative shall ensure that they:
 - 1.1 strictly respect and comply with the Electoral Law, the Regulations and Procedures and this Code of Conduct entirely;
 - 1.2 closely collaborate with the competent and electoral authorities of all levels to enable the electoral process to proceed well and correctly in accordance with the electoral law and safely;
 - 1.3 closely cooperate with the competent authorities to investigate any irregularities, allegations or offenses which have occurred during the election period;
 - 1.4 adhere to taking the effective and appropriate measures to ensure the safety and security for the electoral officials and that their representatives restrain themselves from intimidating, causing harms, insulting or threatening the above officials in the conduct of their work;
2. During its campaign, every political party, candidate and its representative shall make voters understand that voting is conducted secretly and in good faith;
3. Every political party, candidate and its representative shall not criticize or discriminate, even in any form, due to race, sex, ethnics, social status, religion or support any criticism or discrimination against any of the above;
4. A political party, candidate and its representative shall attentively support and facilitate the exercise of:
 - 4.1 the right of the monks to take part in the election process;
 - 4.2 the right of women to take part in the election process;
 - 4.3 the right of women to take part in political work and activities in the election;
 - 4.4 the right of women to be provided with and receive fair information relating to the election.

V. Right to campaign

1. Every political party, candidate and its representative have equal rights to:
 - conduct a campaign to seek support and votes but this campaign shall be organized in a calm and harmonious environment;
 - promote its campaign in all forms and by all legitimate means.
2. Every political party, candidate and its representative have equal right to enjoy the protection of security and safety in the conduct of the election activities;
3. All political parties, candidates and their representative have the right to conduct the election campaign freely in their constituency or throughout the country;
4. All political parties have equal access to the State media based on the arrangement of the NEC in the conduct of the election campaign;
5. All activities of the election campaign of political parties shall be ceased from 22:00 P.M. to 06:00 A.M.;
6. All political parties, candidates and their representative shall strictly respect the period of the election campaign determined by the Electoral Law;

VI. Content of the election campaign

1. The election campaign has the objective to enable the political parties and their candidates to disseminate their political program to voters;
2. Statements, announcements, leaflets, posters and other propaganda materials shall definitely avoid using an abusive language or picture, which lacks the morals and is having the characteristics to incite, cause disputes or create intense environment or violence;
3. In the conduct of the election campaign, criticism against other political parties shall reflect only on their policy, political program and work-experiences. The criticism against the personal characteristic of individuals or that of other political parties shall be absolutely avoided.
4. All political parties, candidates and their officials shall be responsible for the content and activity of their election campaign.

VII. Forms of the election campaign

- a. Public meeting and parades:
 1. Political parties registered to participate in the election, candidates and their representative have equal right to hold peaceful public meetings and parades to seek votes;
 2. Political parties, candidates and their representative who are willing to hold public meetings, or parades shall notify the competent authorities and the Provincial/Municipal or Commune/Sangkat Election Commissions, specifying the time, date and place of such intended activity at least three (03) days before it is due to take place in order to enable the authorities to:
 - arrange the protection of security and public order;
 - avoid the duplication of the program or place or time;
 - avoid any eventual occurrence of confrontation, conflict and violence.
 3. All political parties, candidates and their representatives shall pay attention to abide by the program coordinated by the authorities well;

4. Political parties and their candidates who are willing to rent a concert hall, sports-center, public park or hall shall submit an application to the persons-in-charge of those facilities at least three (3) days prior to the day of the scheduled meeting and shall send a copy of such application to the Commune/Sangkat Election Commission;
5. Political parties, candidates and their representative shall not:
 - disrupt, disturb or create a rumor which cause shocks or prevent people from taking part in a political meeting, parade of any other political parties or candidates;
 - use or agree to the use of a language, display or activity or drug or alcohol which may incite or encourage the commission of any violence, coercion or intimidation;
 - agree to display or show or distribute any description understood as an attack or weapon.

b. The use of media and propaganda means

1. The State's media such as Radios, TVs and other propaganda means including public broadcasting system and (loudspeakers), civil servants, military, police, transportation means, office supplies, or other State's equipments shall not be allowed to be used for the benefits of any political party or candidate;
2. Each political party, candidate and representative shall only use their opportunity of the allocated time of broadcast on State Radios and TVs in accordance with the principles and objectives of the National Election Committee regarding the equal right to the use of media;
3. All political parties can disseminate the information or their policy and political program to voters by means of renting the private media which are open on an equal basis to all political parties;
4. The broadcast of information or the use of media along a public road at loud volumes which interfere with the voice of other political parties or candidates shall be prohibited;
5. All campaign activities by means of using loud-speaking equipment shall be prohibited from 12:00 noon to 14:00 P.M and from 22:00 P.M. to 06:00 A.M.

c. Propaganda documents:

1. Political parties, their agents, candidate and supporters shall avoid:
 - 1.1 the use of the King's photo or name or the National Election Committee's logo to seek votes;
 - 1.2 plagiarism of logo or slogans of other political parties;
 - 1.3 posting their posters, political statements or other propaganda materials over the others';
 - 1.4 removing or damaging or destroying the posters, political statements or other propaganda materials of the others;
 - 1.5 posting the posters, political statements, other propaganda materials or putting up banners within 100 meters of a polling station.

- 1.6 putting up the propaganda banner and sign displaying the support of any political party or candidate across the public street.
2. Each political party shall remove all its posters, placards, banners and other propaganda materials from all public places within the period of fifteen (15) days after the polling day.

d. Means of transportation of voters

1. Any political party, candidate or individual shall not be allowed to use the transportation means of the State of all kinds including the military and police owned transportation means to transport voters to and out of the polling stations;
2. The transportation of voters to the polling stations or the provision of the transportation means does not constitute campaign activity if the use of these transportation means do not carry with them any dissemination related to any political party;
 - 2.1 Political parties, candidates or their representatives can use or are allowed to use any transportation means controlled by the private sector itself to transport voters to and from where the political activities are conducted or for conducting any political activity;
 - 2.2 On the polling day, this transportation means shall not carry with it the posters or dissemination of election propaganda.

VIII. Violence and intimidation

1. Every political party, candidate and its representative shall ensure that:
 - 1.1 no violence of all kinds is used;
 - 1.2 no attack is launched against posted posters or the headquarter of any political party. This includes threats, intimidation, armed pressures directly made or using somebody to do it, or the use of cruel language against members, supporters or candidates of other political parties.

All of these acts are condemned and considered to derail from the principles of democracy, which every political party and/or candidate shall absolutely avoid.
2. The carrying, use or display of weapon and explosive substance of any kind is prohibited at a propaganda meeting, the parade, the headquarter of a political party, as well as at the registration stations at the time of registration, the polling stations on the polling day and the ballot-counting stations.

IX. Bribes and gift:

1. Every political party, candidate and its representatives shall avoid:
 - 1.1 the commission of corruption during the election period;
 - 1.2 giving contribution, gift or incentives either in form of monetary or material by whatever means to an institution, organization or individual during the election campaign up to the polling day in order to gain support or votes from that institution, organization or individual.
 - 1.3 the abuse or use of a position of power, privilege or influence by making any promise or threat in order to obtain votes or support from a person for or against a political party or candidate.

- 1.3.1 The abuse includes any offer or threat of reward, deprivation or disfavor.
- 1.3.2 A position of power, privilege or influence includes parental, patriarchal, marriage or religious or traditional authority.
2. All political parties, candidates and their representative shall not seek support from:
 - 2.1 members and officials of the National Election Committee and the Election Commissions at lower levels in order to encourage voters to vote for or against any political party or candidate;
 - 2.2 their supporters in order to falsify or destroy or put any mark on the ballot papers;
3. All political parties, candidates and their representative shall not buy votes from voters.

Phnom Penh, December 09, 2002
For. the National Election Committee
Chairman

Signature and seal:
Im Suosdey