



CODE OF CONDUCT FOR STAKEHOLDERS

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FOREWORD

Free and fair elections are the cornerstone of every democracy; they safeguard the right of every voter to freely express their will without undue pressure. They also ensure that the electoral processes are conducted in accordance with the law, in a peaceful manner and without threat, in such a way as to not advantage certain political parties above others.

Aspects such as violence, intimidation, fraud, unfair rules, censorship and the hindrance of election processes interfere with democratic electoral processes and subvert the will of the people. Even in cases of well-established electoral systems there is a constant need for vigilant observation and improvement of the system.

The purpose of this code of conduct is to ensure that the election is conducted in accordance with the law and that it takes place without threat and in a peaceful manner.

The involvement of election stakeholders in the electoral process is one of the safeguards put in place by the Electoral Commission. Candidates, political parties, observers, the media and the public will all give very close attention to the way that the election is administered to ensure the legitimacy and integrity of the election processes, and that it is free and fair.

Hendrick Gappy
Chairman Electoral Commission

CODE OF CONDUCT FOR ELECTION OFFICIALS

Election Officers are expected to provide the highest quality service required to enable voters to exercise their rights with the least possible inconvenience, in line with the legal framework. The quality and standard of performance of officials during electoral activities impact on the credibility of the election outcomes and hence on the Electoral Commission. All Election Officials shall therefore subscribe and adhere strictly to this Code of Conduct.

Election Officials shall:

- (1) comply with existing laws governing the conduct of elections in Seychelles;
- (2) implement the election laws in an impartial and equitable manner;
- (3) clearly demonstrate impartiality and fairness to all voters, political parties, candidates and their representatives and all stakeholders;
- (4) perform all tasks in a manner that is strictly non-partisan and politically neutral;
- (5) avoid partisanship and conduct that may indicate preference of one party or candidate over another;
- (6) refrain from doing anything that may influence voters to vote for or against a candidate or political party;
- (7) not wear, carry or display any sign, symbol or slogan that is connected to a candidate or political party;
- (8) ensure that voters exercise their franchise without let or hindrance and in secret;

- (9) not attempt to discover the intention or choice of a voter;
- (10) treat with compassion, but in accordance with established procedures, elderly persons, persons with disabilities and pregnant women and provide the assistance that the regulations prescribe;
- (11) always act in an irreproachable manner and observe the highest level of personal discretion;
- (12) exercise a high level of confidentiality at all times;
- (13) refrain from accepting directly or indirectly any monetary gift or promise from any political party, candidate, polling agent or observer;
- (14) avoid expressing views on any subject that is likely to be a political issue in the election;
- (15) not communicate with any voter on a matter of partisan significance;
- (16) conduct all duties with professional courtesy;
- (17) recognize the legitimate roles of polling agents, and observers and other stakeholders on election day;
- (18) be ready to take appropriate action for special, unpredictable events arising during the election.

This code of conduct becomes binding upon the administration of the Oath of Secrecy on the person appointed as an election official.

SHARED CODE OF ETHICAL CONDUCT FOR POLITICAL PARTIES AND OTHER STAKEHOLDERS

The basis for the running of smooth elections requires the full participation of all stakeholders. This Shared Code of Ethical Conduct for political parties, candidates and other stakeholders has been developed and adopted over the course of past elections. It is the result of the collaborative efforts of ALL parties who have subscribed to it.

Application of the Code

In this Code, “party” and “stakeholder” include – any entity that subscribed to this Shared Code of Ethical Conduct, including political parties, their leaders and officials, candidates, including independent candidates, political party members, agents, and representatives of any other entity that subscribed to this Code.

Time of application

This code applies from the period an announcement is made that a vacancy exists either for the Presidency or National Assembly, until after the swearing in of the elected representative.

Guiding Principles:

The legitimacy of a government chosen through a democratic multiparty election process rests on the following fundamental principles:

(1) as a result of being informed of the policies and qualities of all political parties and candidates through appropriate electoral campaigns, voters are able to make an informed choice; and

(2) voters are able to exercise their right to vote freely, without interference, fear, undue influence or bribery.

Consequently all stakeholders having accepted this Shared Code of Ethical Conduct, commit themselves to its principles and undertake voluntarily and in good faith to adhere to the guiding principles of this Code as follows:-

- All Stakeholders subscribe to the principles of free and fair elections, and in so doing will respect electoral laws, strive to maintain public confidence in the electoral process, and will uphold the democratic rights of the citizens of Seychelles.
- All Stakeholders shall respect and adhere to the principles and rules of conduct set out in this Code and actively promote adherence to the Code on the part of other Members. All political parties shall make the Code available to their Members, agents and other representatives.
- All Stakeholders shall maintain and promote respect for the election laws. This involves complying with both the letter and spirit of the provisions of all election laws and regulations, including the administrative, regulatory and offence provisions of the *Elections Act*.
- All Stakeholders shall maintain and assist in maintaining the fair and proper administration of the vote, and the secrecy of the vote.
- All Stakeholders shall conduct themselves in ways that uphold the integrity of, and the public's respect for, the electoral system.

- All Stakeholders shall make every effort to ensure that their conduct is above reproach. This means that they should not engage in conduct which could be regarded as unfair or unacceptable by reasonable, fair-minded and informed persons.
- All Stakeholders shall co-operate with election officials who are charged with the responsibility to conduct elections and administer campaign finance laws, and they shall not interfere with election officials in the performance of their duties.
- All Stakeholders shall co-operate in responding fully and accurately to any inquiries or investigations undertaken by the Electoral Commission pursuant to Seychelles electoral law.

RESPONSIBILITY OF STAKEHOLDERS

The sections that follow outline in greater detail the responsibilities of stakeholders with respect to campaigning, polling and the announcement of results. In any matter relating to the election process, stakeholders will conduct themselves in conformity with the prescriptions set out below.

1. Stakeholders

- 1.1 Existing election laws and rules must be adhered to.
- 1.2 **ALL** political parties and candidates will have to extend all necessary help and co-operation to the law-enforcing authorities.
- 1.3 Everyone should be aware not only of his or her own rights, but should also respect the rights of others.
- 1.4 **ALL** political parties and candidates participating in the polls will endeavour to extend full co-operation to election officials so as to ensure their safety until the polls are over.
- 1.5 Election campaigns should be so organized that a congenial and peaceful atmosphere prevails during polling.
- 1.6 Nothing should be done that will create tension and disrupt the congenial atmosphere of the election. **ALL** parties shall exercise restraint in speech, manner and conduct, and show respect for the opinion of others so that electioneering does not turn into a war of words and confrontation.
- 1.7 It is expected that criticism of opponents will occur during electioneering. However, indecorous and provocative speeches,

statements, posters, taunting, ridiculing and innuendos shall be avoided. Parties shall be careful so that behaviour, statements or comments do not cause unnecessary tension.

- 1.8 **ALL** political parties and candidates shall be vocal against violence. No party shall give indulgence to any kind of violent activity to demonstrate party strength or to prove supremacy. **ALL** political parties and candidates will extend co-operation to the law-enforcing agencies for recovery of illegal arms. No party will take any initiative for the release of any person arrested by the police, forcibly or with arms, during an election or referendum campaign or in the polling station during voting or in the vicinity of the polling station during polls.
- 1.9 **ALL** political parties and candidates shall maintain a line of communication with their opponents so that the source of tension may be speedily addressed and diffused.
- 1.10 **ALL** parties and candidates shall at all times maintain control over their supporters, members and agents.
- 1.11 **ALL** parties and candidates must dissuade their agents and supporters from playing loud music around the polling station.

ALL parties and candidates will have equal opportunity for publicity. Meetings, processions and other campaign activities of opponents cannot be interfered with. Posters, banners and billboards shall be displayed only in accordance with the Guidelines for the Placing of Billboards and Posters for Election Campaign set out in the Schedule hereto.

- 1.12** Assistance of the nearest law-enforcing agencies will have to be sought to resist and check any sort of election offence.
- 1.14 Any attempts to influence voting through money or allurements are election offences. Everyone should be aware of these offences.
- 1.15 No Government vehicle shall be used to carry voters to polling stations other than persons working for Government departments who are on duty or persons living in Government institutions. This rule does not apply to a person who has the use of a Government vehicle and the vehicle is used for self and family.
- 1.16 No Defence Force vehicles shall be used to carry voters, including Defence Force personnel, to polling stations.
- 1.17 Defence Force personnel shall not go to vote in uniform.
- 1.18 Political parties and candidates will not procure voters by forcible occupation of polling stations or through illegal activities in the polling stations.
- 1.19 No candidate or party can commit or give covertly or overtly any contribution, grant or favour to any individual, institution, body or organisation until election or referendum day for the purpose of election campaigning and obtaining votes.
- 1.20 The congenial and peaceful atmosphere for an election or a referendum cannot be disturbed by spreading untrue and motivated rumour or by having recourse to conspiracy.

- 1.21 No election camps, check points and refreshment stall shall be set up by political parties, candidates, their members and supporters. There shall be no campaigning of any sort either individually or collectively on polling day. District Administration Offices shall be closed on the day of the election or referendum. Voters must be left alone when queuing up so that they are not influenced in any way.
- 1.22 Where a voter is incapacitated by blindness or other physical cause or otherwise, he or she may ask the Electoral Officer to record his or her vote in the presence of a person selected by him or her.

In those circumstances the Electoral Officer shall satisfy himself or herself that:

- (a) the voter is truly incapacitated as he or she claims to be;
 - (b) that the person who is to witness the vote has been freely and genuinely chosen by the voter; and
 - (c) that the vote expressed by the voter is free. In this respect the political parties shall not abuse this procedure to pressure incapacitated persons to vote in their favour.
- 1.23 In addition to election officials, only the voter is entitled to enter the polling stations. The political parties shall make sure that their workers do not enter the polling stations and loiter therein. Polling and counting agents will remain seated at their designated seats in the polling station and discharge their

responsibility from there. No disruption shall be caused by the moving or changing of agents or any accredited persons.

- 1.24 No person shall, in a polling station or within a radius of 100 metres from a polling station, be allowed to wear or display any cloth, banner, insignia, logo, bill or board, indication, affiliation to or support for a registered political party. This does not extend to the wearing of any dress or clothes of a particular colour. A candidate may wear the party colour or badge.

2 *Use of billboards*

- 2.1 Any election or referendum notice, political advertisement or announcement shall be displayed only on billboards.
- 2.2 These billboards or hoardings will be erected only at certain specific places agreed upon by the Seychelles Land Transport Agency, Police (Traffic Section) and Planning Authority.
- 2.3 The Planning Authority, the Police (Traffic Section), the Seychelles Land Transport Agency, have agreed that the maximum size of a billboard shall be 8ft.by 4ft. and a poster shall be of an A2 size glued on plywood or board of the same size to be affixed on a pole. Only one poster per candidate shall be affixed per pole.
- 2.4 The Seychelles Land Transport Agency has already erected some permanent billboards in Victoria. Only advertisements announcing local events such as educational, cultural, social or recreational and tourism promoting activities should be displayed on these boards.

- 2.5 Extra temporary billboards may be erected and allocated to the different political parties.
- 2.6 Billboards or posters shall be erected **after 6.pm** on Nomination Day.
- 2.7 All boards and political displays must be removed by the political parties as soon as possible, and in any case within fourteen days of the close of the poll in the election or referendum in accordance with regulation 13 (2) (b) of the Town and Country Planning (Control of Advertisements) Regulations, Cap 160.

3 *Use of cloth banners*

- 3.1 Easily removable cloth banners should be utilized as much as possible instead of pasted posters.
- 3.2 Cloth banners shall be utilized only where necessary and they shall be displayed upon approval of the authority concerned. This does not apply to temporary banners at rally sites.
- 3.3 All banners shall be removed as soon as possible and in any case within fourteen days after the election or referendum.

4 *Use of paint*

- 4.1 There shall be a total ban on the use of paint (liquid and sprays) to write upon, mark or paint any slogan on any road, pavement, telephone or electric post, wall, fence, etc whether on public or private property.

This is an offence punishable under Section 183 (j) of the Penal Code, Cap 73.

5 *Electoral or referendum posters*

- 5.1 Electoral or referendum posters shall be affixed only on special boards erected for this purpose as set out in paragraph 1.
- 5.2 No poster or any other paper shall be pasted on any wall, building, road, pavement, telephone or electric poles, fence whether public or private property.

This is an offence punishable under Section 183 (j) of the Penal Code, Cap 73.

6 *Respect of others and their property*

Political party members and supporters shall respect others and their property and shall refrain from causing damage to any property whether public or private.

7 *Certified Registers of Voters*

- 7.1 For the Presidential Election **ALL** Presidential Candidates will be issued with a certified register of each electoral area on Nomination Day.
- 7.2 For National Assembly Election **ALL** National Assembly Candidates will be issued with a certified register for the respective electoral area that they contest.
- 7.3 All registers will be provided free of charge.

8 *Conduct and Proclamation*

The successful candidate in any victory must set the tone for peace and tranquility. All others must be given the chance to air their views and not be shouted down.

ALL CANDIDATES shall:

- conduct themselves in such a way as to be magnanimous in victory and gracious in defeat
- conduct themselves in such a manner as to preserve the integrity and safeguard the sincerity of the voting process.

9. *Compliance and observance of the Shared Code of Ethical Conduct*

(i) **ALL** parties and stakeholders **proclaim** their adherence to the principles and prescriptions contained in this Shared Code and publicly commit themselves to adopt, promote and abide by the Shared Code.

(ii) **ALL** parties and stakeholders undertake to give wide publicity to the principles and prescriptions set out in the Shared Code and the necessity to adhere thereto.

CODE OF CONDUCT FOR POLLING AND COUNTING AGENTS

Polling and Counting Agents are important stakeholders in an election. They are the ‘watch dogs’ of their respective political parties or independent candidates. The Polling and Counting Agents are appointed under Section 20 (1) of the Elections Act Chapter 68A, 1996 and are required to take the Oath of Secrecy.

Polling and Counting Agents form part of the Election Team at a polling station. Although they are under the direction of the Electoral Officer, they represent the Candidates contesting the election.

Before accepting the appointment to act as a Polling or Counting Agent, the person concerned must understand the roles and responsibilities that the job entails. An agent is generally responsible for monitoring electoral practices and pointing out malpractices that may arise.

Polling and Counting Agents must:

- (1) familiarize themselves with the rules and regulations governing elections;
- (2) observe the election rules and regulations;
- (3) understand the voting process;
- (4) produce his/her formal appointment document on entering a polling station, to satisfy the Electoral Officer of the status as to his/her identity;
- (5) wear his/her accreditation badge issued by the Office of the Electoral Commission at all times in the polling station;

- (6) conduct themselves in a courteous and responsible manner;
- (7) not carry anything in the polling station;
- (8) switch off all mobile phones on entering the polling station;
- (9) not take pictures in the polling station;
- (10) follow instructions from the Electoral Officer at all times, while in a polling station;
- (11) not communicate with polling staff and voters in the polling station;
- (12) address all concerns to the Electoral Officer in a manner that will not obstruct the voting process;
- (13) make an entry in the Occurrence Book when lodging a complaint or objection;
- (14) inform the Electoral Officer of his/her intention to retire from the polling station during the poll, after which he/she may do so;
- (15) must not remove the marked copy of the register of voters he/she has been marking the names of those who have voted when replaced by another polling agent appointed by or on behalf of the same candidate;
- (16) return to the Electoral Officer the copy of the register of voters at the close of the poll;
- (17) leave the polling station at the close of the poll;

- (18) refrain from divulging any information obtained at a polling station except by order of a court and /or the Electoral Commission.

This code of conduct becomes binding upon the administration of the Oath of Secrecy on the person appointed as Polling or Counting Agent.

CODE OF CONDUCT FOR ELECTION OBSERVERS

This Code of conduct provides that every observer must observe the election impartially and independently of any political party or candidate contesting the election.

Observers must:

- (1) familiarise themselves with the rules and regulations governing the elections;
- (2) comply with all national laws and regulations;
- (3) wear the identification badge issued by the Office of the Electoral Commission and identify themselves immediately, whenever necessary and on request from the authorities;
- (4) maintain a close liaison with the Office of the Electoral Commission;
- (5) not participate in any activity that could lead to a conflict of interest with the duties of an Election Observer;
- (6) exercise sound judgement and maintain the highest levels of personal discretion and professional behaviour at all times;

- (7) display a high level of impartiality, independence, neutrality and objectivity in the conduct of their duties;
- (8) avoid doing anything that could indicate, or be seen as indicating, partisan support for a candidate, political party, political actor or political tendency;
- (9) always act in an unbiased manner;
- (10) not display or wear any partisan symbols, colours or banners;
- (11) not accept any gift from a candidate, political party, organisation or person involved in the election process;
- (12) not impede or interfere in the electoral process, the voting or counting procedures;
- (13) introduce themselves to the Election Officer on entry into the polling station;
- (14) switch off mobile phones when entering a polling station;
- (15) refrain from taking pictures inside the polling station;
- (16) not give instructions or interfere with the work of the Election Officer;
- (17) refrain from giving advice unless requested to do so by the Election Officer;
- (18) bring any serious irregularities to the attention of Electoral Officer in charge of the Polling Station;

- (19) document visits to the polling and counting stations and report in an objective way.
- (20) reach their judgements on the basis of the accuracy of information and objective analysis;
- (21) report back on their observations and participate in debriefings if requested;
- (22) show respect for the people and culture of the country;
- (23) disclose to the appropriate body or authority any relationship that could lead to a conflict of interest with their duties as election observers, or with the process of observation and assessment of the election;
- (24) not communicate with any voter on a matter of partisan significance.
- (25) not express a view on any subject that is likely to be an issue in the election.
- (26) ensure that information is collected, compiled and published in a way that is systematic, clear and unambiguous;
- (27) take necessary action to ensure that all information that is compiled, used or published as part of the observation process is received first hand and is verifiable;
- (28) seek a response from the person or organisation concerned if any allegation is received that reflects adversely on the Electoral Commission or on any participant in the electoral process, before treating the allegation as valid;

- (29) refrain from issuing public statements about their observations and the electoral process until all due process has been followed;
- (30) refrain from announcing election results without the authority of the Chairman Electoral Commission.

CODE OF CONDUCT FOR ACCREDITED JOURNALISTS AND OTHER MEDIA REPRESENTATIVES COVERING ELECTIONS

The aim of election coverage is to provide accurate, fair, impartial and balanced information about election process.

This code of conduct shall be applicable to accredited journalists and media houses that are engaged in the production, transmission or dissemination of news, reportage or information regarding elections. Every journalist and media entities shall comply with this code of conduct as well as laws and regulations governing elections.

The objective of this code of conduct is to enable the journalists and media houses, as stake holders to the electoral process, to contribute their part by reporting responsibly, communicating relevant information from political parties and candidates and relaying important voter information released by the Electoral Commission.

The journalists and media representatives must:

- (1) familiarize themselves with the rules and regulations governing the elections;

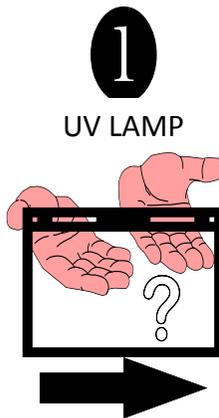
- (2) comply with all election laws and regulations;
- (3) maintain a close liaison with the Electoral Commission;
- (4) wear the accredited badge issued by the Office of the Electoral Commission, for identification purposes;
- (5) introduce themselves to the Election Officers on entry into polling stations;
- (6) display a high level of impartiality, independence, neutrality and objectivity in the conduct of their duties;
- (7) be balanced and impartial in their election reporting and not to discriminate against any party;
- (8) report the views of candidates and political parties directly and in their own words, rather than as they are interpreted by others;
- (9) report only fact-based information with knowledge of origin;
- (10) make a clear separation between fact and comment;
- (11) observe professional secrecy regarding the source of information obtained in confidence;
- (12) not impede or interfere in the electoral process, the voting or counting procedures;
- (13) not accept any inducement from a political party, candidate or from any other source;

- (14) not make any promise to a political party or candidate about the content of a news report;
- (15) bring problems and irregularities to the attention of the Election Officer;
- (16) not give instructions or interfere with the work of the Election Officer;
- (17) not display or wear any partisan symbols, colours or banners;
- (18) document their visits to the polling and counting stations and report in an objective manner;
- (19) report back on their observations and participate in debriefings if requested;
- (20) show respect for the people and culture of the country;
- (21) refrain from issuing public statements about their observations and the electoral process;
- (22) refrain from announcing election results without the authority of the Chairman of the Electoral Commission

Notes on the voting process are included in annex for the information of all stakeholders

ANNEX: HOW TO VOTE

- 1 Go to the Polling Station where you have been registered as early as possible. Stations open at 7.00 am and closes at 7.00 pm. Take your National Identity Card or any form of identification to identify yourself. Avoid wearing anything which may identify you as a member of any political party or associate you with any particular candidate. Queue in the line outside the polling station and follow the instructions of Polling Officers who are there to maintain order.



2. Upon entering the Station, go to **TABLE 1** where the **Check Officer** will check your left hand to ascertain that you have not yet voted. The officer will then put your left hand under the UV light in a second test. If no ink shows on your thumb and index finger you will move to **TABLE 2** where the Document Check Officer sits



3. The **Document Check Officer** looks for your name on the Register of Voters for your Electoral Area and then calls out your name, National Identity Number (NIN) and your Date of Birth for the benefit of the polling agents who are also checking their copy of the voters' register. The officer then puts a  against your name in the register to denote that you have made an application to vote. Answer any questions put to you by the Officer. You will then move on to **TABLE 3** to the Ink Marking Officer.



4. The **Ink marking Officer** asks you to dip your left index finger into the indelible ink and sprays the fingers of your left hand with invisible ink. The officer then checks your left hand under the UV light to ensure that your thumb and index finger are well stained.

You then move on to **TABLE 4** to the **Ballot Paper Officers** to collect your ballot paper.



5. There are two (2) Ballot Paper Officers:
- (a) The first Officer tears a ballot paper from the ballot paper book and passes it to the second officer.

Look carefully at your Ballot Paper

The ballot paper should show the following:

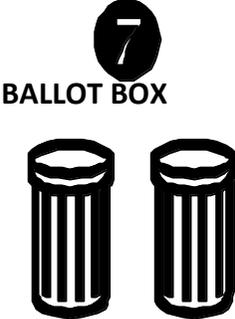
- (1) name of the candidate and their political party (in the case of independent candidates there is no political party)*
 - (2) logo and symbol of the candidate*
 - (3) photograph of the candidate*
 - (4) empty box next to the picture of each candidate*
- (b) The second officer puts the official mark. The officer folds the papers to show you how to fold it after you have marked it. Upon receipt of your ballot paper, go straight to a vacant polling booth and there you will mark your paper with the felt-marker which is provided. If you have any difficulty with the marker, please seek the assistance of the Election Officer.



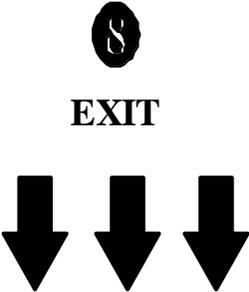
6. On the ballot paper, insert a mark **inside** the empty box against the photograph of the candidate whom you want to vote for. It is important that you only insert one (1) mark on the ballot paper. The mark can be a tick ☑, a cross + or an x. **DO NOT** write or insert any other marks on the ballot paper.

After marking your ballot paper, fold it on the right hand side first, then fold the left side on to the right side and then fold it in two.

- 7. Once you have folded your papers, move out of the polling booth, go straight to the ballot box and put the ballot paper in the slot at the top of the box.



- 8. Leave the Polling Station promptly. Please vacate the Electoral Area immediately upon the casting of your vote.



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