

**Internet Reference List**  
**Information on Voter Participation**

1. **Elections Canada:** Electoral Law & Policy:

**Explaining the Turnout Decline in Canadian Federal Elections - A New Survey of Non-Voters by Jon H. Pammett and Lawrence LeDuc**

<http://www.elections.ca/content.asp?section=loi&document=index&dir=tur/tud&lang=e&textonly=false>

2. **Elections Canada:** Electoral Law and Policy:

**Why Turnout is Higher in Some Countries than in Others? – Study by Andre Blais, Agnieszka Dobrzynska and Louis Massicotte**

<http://www.elections.ca/content.asp?section=loi&document=index&dir=tur/tuh&lang=e&textonly=false>

3. **UK Electoral Commission:**

**Attitudes towards voting and the political process in 2003 – Research study conducted for the UK Electoral Commission.** (MORI Social Research Institute). A look at key issues around voting and elections for the Commission's policy review process and the view of people living in England about the local elections that happened in their district on May 1, 2003.

[http://www.electoralcommission.gov.uk/files/dms/MORIAttitudestovotingandthepoliticalprocess\\_10609-8510\\_E\\_N\\_S\\_W\\_.pdf](http://www.electoralcommission.gov.uk/files/dms/MORIAttitudestovotingandthepoliticalprocess_10609-8510_E_N_S_W_.pdf)

4. **UK Electoral Commission:**

**Public Opinion and the 2004 Elections – A study of attitudes towards elections for the European Parliament and London's Mayor and Assembly.**

A research report that explores what the public thinks about voting and considers what might motivate people to vote in England's elections in 2004.

[http://www.electoralcommission.gov.uk/files/dms/FinalVote2004Reportupdated\\_10854-8545\\_E\\_N\\_S\\_W\\_.pdf](http://www.electoralcommission.gov.uk/files/dms/FinalVote2004Reportupdated_10854-8545_E_N_S_W_.pdf)

5. **The Centre for Research and Information on Canada (CRIC): Voter Participation in Canada, Is Canadian Democracy in Crisis?**

Paper based on the discussions presented at a seminar on voter participation that took place in Ottawa in February 2001 and hosted by CRIC.

[http://www.cric.ca/pdf/cahiers/cricpapers\\_nov2001.pdf](http://www.cric.ca/pdf/cahiers/cricpapers_nov2001.pdf)

6. **International IDEA:**

“Created in 1995, the International Institute for Democracy and Electoral Assistance (IDEA), an intergovernmental organization with member states from all continents, has a mandate to support sustainable democracy worldwide. IDEA operates at an interface between those who analyse and monitor trends in democracy and those who engage directly in political reform or act in support of democracy at home and abroad. IDEA works with both new and long-established democracies, helping to develop and strengthen the institutions and culture of democracy. It operates at international, regional and national level, working in partnership with a range of institutions.”

**Voter Turnout 1945 – Date: Index**

<http://www.idea.int/vt/index.cfm>

**International IDEA: Canada ranks #77 globally**

[http://www.idea.int/vt/survey/voter\\_turnout\\_pop2.cfm](http://www.idea.int/vt/survey/voter_turnout_pop2.cfm)

**International IDEA: Canada ranks #3 in North America and the Caribbean parliamentary elections 1990s.**

[http://www.idea.int/vt/survey/voter\\_turnout\\_pop4.cfm](http://www.idea.int/vt/survey/voter_turnout_pop4.cfm)

**7. The Comparative Study of Electoral Systems CSES:**

“The Comparative Study of Electoral Systems (CSES) is a collaborative program of cross-national research among election study teams in over fifty states. This design allows researchers to conduct cross-level, as well as cross-national, analyses addressing the effects of electoral institutions on citizens' attitudes and behavior, the presence and nature of social and political cleavages, and the evaluation of democratic institutions across different political regimes.”

**Session Meeting 2003 – Electoral Engineering and Turnout – Pippa Norris, Harvard University (presentation and paper)**

[ftp://nes.isr.umich.edu/ftp/cses/meetings/2003Plenary/2003Plenary\\_IDEA\\_Norris\\_2of2.pdf](ftp://nes.isr.umich.edu/ftp/cses/meetings/2003Plenary/2003Plenary_IDEA_Norris_2of2.pdf)

**Session Meeting 2003: Encouraging Turnout And/Or Maintaining Integrity: Voter Turnout in the European Member Countries – Richard Rose (paper)**

[ftp://nes.isr.umich.edu/ftp/cses/meetings/2003Plenary/2003Plenary\\_IDEA\\_Rose.pdf](ftp://nes.isr.umich.edu/ftp/cses/meetings/2003Plenary/2003Plenary_IDEA_Rose.pdf)

**8. Administration and Cost of Elections (ACE) Project:**

“The main goal of the project is to widen the range of choices available to electoral policymakers and administrators. The ACE Electronic Publication strives to provide complete and systematic election information to those who are faced with designing electoral systems and procedures and support those who

furnish advisory assistance to election management bodies world-wide. It analyses the differences between electoral alternatives, with a focus on the cost and administrative implications of available choices, and provides sample materials, such as forms and manuals, as well as innovative and cost-effective country case studies for comparative purposes.”

**Voter Registration: Political Parties and Interest Groups**

<http://www.aceproject.org/main/english/vr/vra09.htm>

**Voter Registration: Overview**

<http://www.aceproject.org/main/english/vr/vr10.htm>

**Voter Registration: Guiding Principles**

<http://www.aceproject.org/main/english/vr/vr20.htm>

**Democratic/Representational Considerations**

<http://www.aceproject.org/main/english/vr/vr50.htm>

**9. Political Participation and Accessibility of the Ballot Box – James Gimbel (University of Maryland) and Jason Schuknecht (Westat, Inc.)**

An academic study on the effects of accessibility on the voter turnout at the 2000 U.S. presidential elections.

<http://www.vote.caltech.edu/Links/gimpell.pdf>

## Elections BC Web site & Political Party Statement

It is expected that this statement will meet the generally accepted standards of:

- Truth, accuracy and honesty;
- Non defamatory/non-inflammatory language ;
- Exercised with all due respect for the law.

The content may reflect the Political Party's philosophy, address provincial election issues or their Political Party's platform, or summarize the constitution or all of the above.

Elections BC will not edit the statement. Once the statement is placed on the Elections BC Web site it will not be changed until the current provincial electoral event is completed.

The Chief Electoral Officer will retain the right to refuse to post a Party's statement to the Elections BC Web site if deemed to be non-compliant with the above standards.

\_\_\_\_\_

**Registered Political Party Name:** \_\_\_\_\_

**Most Commonly Used Other Name:** \_\_\_\_\_

**Name as it appears on the ballot:** \_\_\_\_\_

**Policy Statement (200 words or less):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contact Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Web site:** \_\_\_\_\_ **Postal Address:** \_\_\_\_\_

**Name of Party Leader:** \_\_\_\_\_

**Signature of Principal Officer of the Party:** \_\_\_\_\_

**Code of Conduct  
for Political Parties**

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**Campaigning  
in Democratic  
Elections**

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This Code of Conduct was drafted in the first half of 1998. The process involved the retrieval, collation, analysis and synthesis of all the different codes and materials on this topic. This enabled the formulation and drafting of a universal set of minimum standards. Following distribution of the draft code, a lengthy and detailed process of consultation with Election Management Bodies was undertaken over a 12-month period.

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Code of Conduct Political Parties Campaigning in  
Democratic Elections – Prelims





## Background

The Agreement Establishing the International Institute for Democracy and Electoral Assistance (International IDEA) includes several objectives of the Institute. One objective is – “to broaden the understanding and promote the implementation and dissemination of the norms, rules and guidelines that apply to multi-party pluralism and democratic processes”.

In pursuit of that objective in 1997, International IDEA published two texts: –

*Code of Conduct for the Ethical and Professional Observation of Elections;* and

*Code of Conduct for the Ethical and Professional Administration of Elections.*

This text, setting out a Code of Conduct for Political Parties Campaigning in Democratic Elections, is the third in the series. As with the previous two Codes, this one assumes that governments, parties, organizations and individuals are each committed to multi-party pluralism and the democratic process.

International IDEA reviewed several Codes of Conduct produced recently in various parts of the world, which are relevant and valuable to all democracies. Each of the Codes reviewed was developed at a time when the democratic process was facing significant challenges, and was implemented with the intention of minimizing conflict, eradicating intimidation, and encouraging a climate of open, free and fair competition during the election period.

## A voluntary “Code of Conduct”

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A “Code of Conduct” for political parties may be developed in any of several ways and can be quite diverse in character:

1. It may be a part of the electoral law, determined by the sovereign authority in a country; for example, see the Annex to the United Nations Electoral Law for Cambodia, 1992. Sometimes provisions in legislation prescribe the conduct of parties, even though those provisions are not described as a “Code of Conduct”.
2. It may be agreed by political parties, as an outcome of negotiations entirely among themselves, or, more commonly, as a result of negotiations moderated by a third party. An example is the agreement reached in September 1989 in advance of the Namibian independence elections.
3. It may be agreed by the parties, and then embodied in law. The parties who agreed the Code of Conduct before the 1996 elections in Sierra Leone appear to have contemplated that it would be enacted as law, although in fact that did not happen.
4. It may be determined by a third party, such as the election administration body.

A distinction can be drawn between those texts to which political parties voluntarily subscribe, and those which are imposed either by the

sovereign legal authority or by some other authority. A number of authors have placed particular emphasis on the importance of *voluntary* subscription to a Code of Conduct.

The Code that follows in this text is a voluntary Code, based on the following definition:

“a set of rules of behaviour for political parties and their supporters relating to their participation in an election process, to which the parties ideally will voluntarily agree; and which may subsequent to that agreement be incorporated in law”.

## Reasons for using a voluntary Code of Conduct

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In his study of international law and practice in relation to free and fair elections, Goodwin-Gill has noted that:

“Codes of Conduct agreed between the parties are increasingly accepted in potentially tense situations as a practical basis for contributing to a peaceful election; in the long term, such codes may also help to develop confidence in the democratic process as a mechanism for implementing representative government and effecting peaceful change. ... A crucial problem in transition situations is often the failure of competing parties to communicate with each other, together with a lack of confidence in the ability of the system to produce a free and fair result. Codes of Conduct, in which the parties agree on the basic ground rules and to meet regularly during the campaign period, clearly contribute not only to the avoidance of potentially dangerous confrontation, but also to popular support for the democratic process.”<sup>1</sup>

The Commonwealth Secretariat in its *Good Commonwealth Electoral Practice* (at Paragraph 29), refers to:

“... the development, together with representatives of the political parties, of a written ‘Code of Conduct’ to which all of the parties, their candidates and agents, as well as all independent candidates and their agents subscribe by formally

undertaking to abide by its terms. ... Equipped with such a 'Code', an electoral body may be better placed to exert moral and legal authority over parties which may be in breach of its provisions. The 'Code' is also a valuable tool in promoting a public atmosphere of political tolerance."<sup>2</sup>

There are other arguments in favour of voluntary endorsement by parties to a Code of Conduct, for example:

- (a) Parties are more likely to feel bound by commitments into which they have freely entered, and therefore may be more likely to fulfil those commitments. This is true in all elections, but is particularly important in transitional elections, when citizens are being given the opportunity to vote for the first time, and may well question the moral authority of the hitherto dominant regime, the laws made by it, and the directives made by its organs.
- (b) Unless a code of Conduct is enforceable by legal methods, it can be effective only if the parties act in good faith, which is more likely to happen if the parties have voluntarily committed themselves to comply with the Code of Conduct.
- (c) Parties to a voluntary Code are able to bind themselves, and each other, to conduct or refrain from conduct that might otherwise conflict with international or constitutional obligations such as the freedom of speech or association.
- (d) By participating in consultation, development and use of a voluntary Code, political parties contribute positively to the style and culture of campaigning.

# Negotiating the Code of Conduct

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The parties to a voluntary Code will have to negotiate toward consensus on the text of the Code. There are certain matters which need to be addressed during negotiation, including:

## 1. Who does the Code of Conduct apply to?

A Code of Conduct should explicitly bind at least –

- (a) the parties who negotiate it; and
- (b) through the control of each party, its leader, officials, candidates and members.

To the extent that is reasonable in the prevailing local circumstances, a party should be expected to –

- (a) exercise control over the activities of its supporters; and
- (b) be responsible for violations of the Code by its supporters.

If a voluntary Code of Conduct is subsequently incorporated in a law, the law or the general legal framework will determine who is bound by the Code.

## 2. During what period will the Code apply?

The period will vary from case to case: in some circumstances, it will be the election period as provided by law; in other cases, the Code itself may specify a time for its application.

The Code should always apply to the period from the beginning of campaigning until the

certification and announcement of the results. Beyond that, a Code should apply to any period during which violations of it might have a particularly dramatic effect on the integrity of the election process.

Many of the provisions in a typical Code, for example, those that reflect and reinforce general human or political rights, would be operative at all times.

### **3. What sanctions will apply to breaches of the Code?**

The most basic sanction, which should apply in virtually all cases, is the public exposure of a failure to comply with the Code by a party, or by those persons for whose conduct it has some responsibility. The type of sanction may vary from country to country.

If the Code is incorporated in a law, criminal or civil penalties could apply, and other specific electoral penalties, such as the disqualification of candidates or parties, may also be possible.

Whatever legal or other sanctions are established, a party and its members have to be able to clearly understand their obligations. Therefore, it is important that both the obligations and the sanctions should be spelt out in clearly-worded legal form.

### **4. Relationship of a Code of Conduct to the electoral law**

Electoral legislation will generally set out the procedures and mechanisms to be used when dealing with complaints and disputes regarding the electoral process. Those provisions will differ from country to country, both in detail and in

content, and may affect how the Code of Conduct is enforced. For example, a country's electoral law may provide for adjudication or other mechanisms, such as mediation, to deal with infringements of a Code of Conduct or disputes arising from an infringement.

## **5. Relationship of a Code of Conduct to Human Rights Codes**

Typically, a Code will incorporate generally acceptable provisions embodying basic human and political rights. However, some of its more valuable provisions may be:

- (a) those that require self-restraint by the parties in the exercise of their rights; and
- (b) the procedures which are to apply when the rights of different parties may potentially be in conflict.

Desirable forms of self-restraint, and the procedures for managing conflicting rights, will be determined by such factors as:

- (a) the political traditions and culture of a country;
- (b) the threats which may exist to the electoral process; and
- (c) the prevailing institutional framework.

In the past, the importance of each country's specific circumstances has been reflected in considerable variations in national codes. International IDEA has a comprehensive collection of those codes, which negotiators may wish to consult separately when developing ideas for a new Code.

## **6. Implementing the code of conduct.**

For a voluntary Code to be useful, the parties



must be committed to it, viewing it not merely as a set of mechanical rules, but as a set of *principles* to be honoured in spirit as well as in letter. No single code can ever anticipate and make appropriate prescriptions for the diversity of situations that may be encountered in the course of elections. In all cases, a Code of Conduct must be implemented with good common sense and in good faith.

The parties who negotiate a Code of Conduct should expect to:

- (a) Meet regularly after the Code has been adopted to discuss observing and implementing the Code over the campaign period. The duty to participate in these meetings could be an obligation in the Code.
- (b) Meet before, and in the early stages of, an election campaign to discuss the Code. These meetings can be a valuable step towards a tolerant electoral campaign.

# Code of Conduct

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These are core prescriptions generally accepted as applicable to the behaviour of political parties during a democratic election campaign.

## *1 Application of the Code*

In this Code, “party” includes –

- (a) any entity that subscribed to this Code of Conduct, including political parties, independent candidates, alliances or coalitions of parties, and political movements other than parties; and
- (b) the leader, officials, candidates, members, agents, and representatives of any entity that subscribed to this Code of Conduct.

## *2 Principles of the Code*

- (1) The legitimacy of a government chosen through a democratic multiparty election rests on these principles:
  - (a) that as a result of being informed through the electoral campaign of the policies and qualities of all political parties and candidates, voters are able to make an informed choice; and
  - (b) that voters are able to vote freely, without interference, fear, undue influence or bribery.
- (2) All parties, having accepted this Campaign Code, commit themselves to these principles and undertake voluntarily and in

- good faith to adhere to the Code so that –
- (a) these principles will be upheld;
  - (b) the elections will be recognised as expressing the credible free choice of the voters; and
  - (c) the result of that choice will be respected by all.
- (3) In any matter relating to the election process, a party will conduct itself in conformity with the prescriptions set out below.

### ***3 Compliance with the Code***

- (1) A party that has subscribed to this Code –
- (a) is bound by the Code;
  - (b) will take decisive steps to prohibit leaders, officials, candidates and members from infringing the Code;
  - (c) will take all reasonable steps to discourage any type of conduct by their supporters which would, if undertaken by a party official, candidate or member, be in breach of the Code; and
  - (d) will not abuse the right to complain about violations of the Code, nor make false, frivolous or vexatious complaints.
- (2) The leader of a party that has subscribed to this Code will issue directives to the party's officials, candidates, members and supporters, requiring each of them to –
- (a) observe the Code; and
  - (b) take all other necessary steps to ensure compliance.

## ***4 Compliance with the law***

A party that has subscribed to this Code will adhere to existing election laws, rules and regulations.

## ***5 Campaign management***

- (1) A party that has subscribed to this Code will –
  - (a) respect the right and freedom of all other parties to campaign, and to disseminate their political ideas and principles without fear;
  - (b) conduct itself in a manner that respects the rights of other parties, and respects the rights of voters and other members of the community;
  - (c) respect the freedom of the press;
  - (d) use its good offices to seek to ensure reasonable freedom of access by all parties to all potential voters; and
  - (e) seek to ensure that potential voters wishing to participate in related political activities have freedom to do so.
- (2) A party that has subscribed to this Code will not –
  - (a) harass or obstruct journalists who are engaged in their professional activities; disrupt, destroy or frustrate the campaign efforts of any other other party;
  - (b) prevent the distribution of handbills and leaflets, and the display of posters, of other parties and candidates;
  - (c) deface or destroy the posters of other

- parties and candidates;
- (d) prevent any other party from holding rallies, meetings, marches or demonstrations;
- (e) seek to prevent any person from attending the political rallies of another party; or
- (f) permit its supporters to do anything prohibited by this section.

## ***6 The election process***

- (1) A party that has subscribed to this Code will –
  - (a) co-operate with election officials in order to ensure –
    - (i) peaceful and orderly polling, and
    - (ii) complete freedom for voters to exercise their franchise without being subjected to any annoyance or obstructions;
  - (b) ensure the safety and security of electoral officials before, during and after the polls;
  - (c) respect and co-operate with official or accredited election observers; and
  - (d) maintain and aid in maintaining the secrecy of the voting.
- (2) A party that has subscribed to this Code will not –
  - (a) procure votes by forcible occupation of polling stations or through illegal activities in the polling stations;
  - (b) interfere unjustifiably or in bad faith with the duties of election officials,

disturb the process of casting or counting of votes; or

- (c) falsely assert to voters that their votes will not be secret.

## ***7 Accepting the outcome of a free and fair election***

A party that has subscribed to this Code will –

- (a) accept the outcome of an election that has been certified;
- (b) submit any grievance only to the relevant dispute settlement agency; and
- (c) accept and comply with the final decisions of the dispute settlement agency.

## ***6 Language***

(1) A party that has subscribed to this Code will –

- (a) organize and conduct its election campaign in a manner that contributes toward a congenial and peaceful atmosphere during the campaign period, the polling, the counting, and the post-election period; and
- (b) act with a sense of responsibility and dignity befitting its status.

(2) Speakers at political rallies will avoid using language that –

- (a) is inflammatory, or defamatory; or
- (b) threatens or incites violence in any form against any other person or group of persons.

(3) A party that has subscribed to this Code will not issue, either officially or anonymously,

pamphlets, newsletters or posters containing language or material that threatens or incites violence.

## **7 *Symbols***

A party that has subscribed to this Code will not –

- (a) imitate the symbols of another party;
- (b) steal, disfigure or destroy political or campaign materials of another party; or
- (c) permit its supporters to do anything prohibited by this section.

## **8 *Intimidation and violence***

- (1) A party that has subscribed to this Code accepts that intimidation, in any form, is unacceptable, and will –
  - (a) issue directives expressly forbidding its officials, candidates, members and supporters to intimidate any person at any time;
  - (b) campaign against violence or threats of violence, and against any acts of vandalism or public disorder committed or threatened by their officials, candidates, members or supporters; and
  - (c) respect other persons and parties, and their property.
- (2) The leader of a party that has subscribed to this Code will instruct the party's officials, candidates, members and supporters that no weapon of any kind, including any traditional weapon, may be brought to any political rally, meeting, march or other

demonstration.

- (3) A party that has subscribed to this Code will not –
- (a) engage in or permit any kind of violent activity to demonstrate party strength or to prove supremacy;
  - (b) cause damage to any public or private property; or
  - (c) permit its supporters to do anything prohibited by this section.

## ***9 Abuse of position***

- (1) A party that has subscribed to this Code will not –
- (a) abuse a position of power, privilege or influence for a political purpose, by offering a reward, threatening a penalty, or by any other means; or
  - (b) use official State, Provincial, Municipal or other public resources for campaign purposes.
- (2) In this section, “a position of power, privilege or influence” includes a position of parental, patriarchal, governmental, police, military or traditional authority.

## ***10 Corrupt practices***

- A party that has subscribed to this Code will not –
- (a) coerce or offer monetary or other kinds of inducements to persons to vote for or against a particular party or candidate, or to abstain from voting;
  - (b) coerce or offer monetary or other kinds of



inducements to persons to stand or not to stand as candidates, or to withdraw or not to withdraw their candidacies; or

- (c) procure the support or assistance of any official or civil servant to promote or hinder the election of a candidate.

## ***11 Continued Communications***

- (1) A party that has subscribed to this Code will make every effort to maintain communications with other parties that have subscribed to this Code.
- (2) A committee to function as a forum for discussion of issues of common concern during an electoral campaign will be established by parties that have subscribed to this Code. The Committee will comprise representatives of –
  - (a) political parties,
  - (b) contesting candidates; and
  - (c) officials from the Electoral Management Body.

# Annex

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## Codes of Conduct of various countries used as reference documents

Bangladesh (1991)	<i>Jatiya Sangsad (Parliament) Election, 1991 – Code of Conduct to be Adhered to by Political Parties, 1991</i>
Bangladesh (June 1996)	<i>The Code of Conduct for the Political Parties and Contesting Candidates Seeking Election to the Jatiya Sangsad, 1996, 1996</i>
Bosnia and Herzegovina	<i>Electoral Code of Conduct for Political Parties, Candidates and Election Workers, Provisional Election Commission, 1996</i>
Cambodia	<i>United Nations Electoral Law for Cambodia, 1992 – Annex – Code of Conduct, August 1992</i>
Costa Rica	<i>Electoral Tribunal Agreement by Political Parties on the Ethical Conduct of Political Parties during Elections, 1998</i>
Ghana	<i>Code of Conduct for Political Parties in Ghana for Public Elections, 1992</i>
Guinea	<i>Draft Code de Conduite des Parties Politiques de la République de Guinée pour les Elections Legislatives, 23 March 1995</i>
India	<i>Model Code of Conduct for the Guidance of Political Parties and Candidates, Election Commission of India, 1991</i>
Malawi (1993)	<i>Parliamentary and Presidential Election Act (No. 31 of 1993) – Code of Conduct (<b>Issued under section 61(2)</b>), 1993</i>
Malawi (1994)	<i>Parliamentary and Presidential Elections – Code of Conduct, 1994</i>
Namibia (1989)	<i>Code of Conduct for Political Parties During Present Election Campaign, September 1989</i>
Namibia (1994)	<i>Code of Conduct for Political Parties, reproduced in Consolidation of Democracy in Namibia – AWEPA Electoral Observer Mission – December 1994</i>

Nicaragua	<i>Rules of Electoral Ethics</i> – Approved by the Supreme Electoral Council of the Republic of Nicaragua, October 1989
Pakistan	<i>Code of Conduct for the Political Parties – General Elections 1993</i> , 1993
Seychelles	<i>Code of Conduct to be Adhered to by Political Parties, their Members and Supporters on an Election or Referendum</i> , 1992
Sierra Leone	<i>Draft Code of Conduct for Political Parties</i> as accepted by the contesting political parties, 1996
South Africa	<i>Electoral Act, 1993 – Schedule 2 – Electoral Code of Conduct</i> , 1993
St Kitts and Nevis	<i>Code of Conduct for the Political Process: Ethical Guidelines issued by the St Kitts Christian Council and the Nevis Christian Council</i> , June 1995

<sup>1</sup> Guy S. Goodwin-Gill, *Free and Fair Elections: International Law and Practice*, Inter-Parliamentary Union, Geneva, 1994, pp 71-73.

<sup>2</sup> Commonwealth Secretariat, *Good Commonwealth Electoral Practice: A Working Document June 1997*, London, 1997, para 29.

[28-01-99]



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**International IDEA - Institute for Democracy and Electoral Assistance**

# Code of Conduct

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# Political Parties Contesting Democratic Elections



# SHARED CODE OF ETHICAL CONDUCT FOR MANITOBA'S POLITICAL PARTIES

## Purpose

The Shared Code of Ethical Conduct sets out guiding principles and specific practices that establish the framework for ethical conduct expected of participants in the political process.

The Shared Code of Ethical Conduct is founded on a deep and enduring respect for the democratic process and compliance with election laws that codify the rules for elections and campaigning. Ethical conduct in the political process embraces fundamental democratic principles including the right to vote, the secret ballot, accessibility to voting, the right to be a candidate, organization of political parties, the independent administration of elections, freedom from intimidation in the exercise of democratic rights, honesty and truthfulness in political campaigning, and transparent and accurate public disclosure of political finances. All political participants accept the responsibility to act in such a manner as to maintain and enhance public confidence in the integrity of the political process. This Code will assist the public in assessing the ethical conduct of political participants.

## Application

This Code applies to all political parties and independent candidates that have declared an intention to adhere to its guiding principles and rules of conduct. The Code applies to all elected representatives, candidates, persons seeking to become candidates, constituency associations, office-holders, staff, party members, volunteers associated with the political party, and principle vendors and suppliers (hereinafter referred to as "Members") whenever they are acting as participants in the electoral process.

Party leaders and candidates undertake to actively promote compliance with this Code and, to the extent that it is reasonable and practicable, party leaders and candidates are expected to exercise authority over other Members to ensure the spirit and letter of the Code are applied.

This Code is not intended in any way to replace or limit the ethical standards of conduct expected of Members by their own political parties, personal ethical standards held by individual members, or otherwise applicable legal or professional standards which are not specifically referred to in this document.

This Code may be modified by consensus of the political parties that have declared an intention to adhere to the Code.

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**Nothing in this document alters the responsibility of all political parties and Members to promptly report any illegal activities to the appropriate authority. Suspected violations of *The Elections Act* or *The Elections Finances Act* are to be reported to the Chief Electoral Officer.**

## **GUIDING PRINCIPLES**

***All Members subscribe to the principles of free and fair elections, will respect electoral laws, strive to maintain public confidence in the electoral process, and will uphold the democratic rights of Manitobans.***

### **Knowledge and Adherence**

- Political parties shall make the Code available to their Members.
- Members 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.

### **Respect for the Law**

- Members shall maintain and promote respect for Manitoba's 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* and *The Elections Finances Act*.
- Members shall maintain and assist in maintaining the fair and proper administration of the vote, and the secrecy of the vote.

### **Integrity**

- Members shall conduct themselves in a way that upholds the integrity of, and the public's respect for, the electoral system.
- Members 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.

### **Co-operation**

- Members shall co-operate with election officials who are charged with the responsibility to conduct elections and administer campaign finance laws, and shall not interfere with election officials in the performance of their duties.
- Members shall co-operate in responding completely and accurately to any inquiries or investigations undertaken by Elections Manitoba pursuant to Manitoba's elections legislation.

### **Diligence**

- Members shall apply the Code with diligence, skill, and reasonable promptness.

## **RULES OF CONDUCT**

***Members shall conduct themselves in a manner that respects the rights and legitimate democratic interests of all citizens, voters, political parties and Members, including Members of other political parties, and shall avoid behaviour that is likely to bring the electoral system into disrepute.***

### **Public Statements**

- Members shall strive at all times to make public statements that are accurate and shall not make public statements that are defamatory with respect to another Member, leader, or any candidate of another political party, or another political party generally.
- Members shall not make statements that they know to be untrue in their criticism of the platform, policy statements, positions, or otherwise of other political parties or the candidates of other political parties.
- Members shall not knowingly make false statements about poll results, nor authorize interpretations of poll results that are inconsistent with the data available.

### **Advertising and Campaigning**

- Political parties and Members, in their advertising, campaigns and promotional material, shall strive at all times to make statements that are accurate and to avoid statements that are misleading or deceptive.
- Members shall not sponsor advertising nor issue other promotional materials, such as pamphlets, brochures, handbills, newsletters, electronic messages, signs or posters, that make defamatory references to another Member, leader, or any candidate of another political party, or another political party generally.
- Members shall not sponsor advertising nor other promotional material containing language or other visual representation that promotes hatred toward any individual or group.
- Members shall not obstruct campaigning nor deface, destroy, prevent or obstruct the distribution of advertising or other promotional material of other political parties and rival candidates, nor shall such conduct on the part of other Members be encouraged, condoned or permitted.

### **Fund Raising Practices**

- Members shall not improperly pressure or corruptly induce prospective contributors to make contributions to any political party, candidate or constituency association by any direct or indirect threat or promise.

### **Public Disclosure**

- Political parties, candidates, constituency associations and Members required to publicly disclose political contributions and election spending shall do so according to *The Elections Finances Act* and in a manner which fairly, honestly and transparently discloses all financial activities.



- Political parties, candidates, constituency associations and Members shall not enter into transactions or engage in accounting practices whose purpose is to alter the actual amount of election expenses incurred, avoid disclosure of actual or original contributors, or to improperly obtain the benefits of publicly funded tax credits or election expense reimbursement for themselves or for other Members.

#### **Improper Influence of the Vote**

- Members of one political party shall not offer or give anything of value, including but not limited to financial, organizational or administrative assistance, to another political party or candidate for a corrupt purpose.
- Members shall not, directly or indirectly through another person, offer or give anything of value to a voter for the purpose of corruptly procuring the voter's support.

## **IMPLEMENTING THE CODE**

**This Code of Conduct contains a set of expectations and commitments freely entered into by political parties. Political parties commit to the importance of designating a specific authority for receiving complaints and an internal process, including sanctions, for implementing the Code. The Code will be self-regulated with good common sense and in good faith.**

### **Party Review Process**

- Each political party shall designate an authority to receive and review complaints made against the political party and its Members.
- Each political party shall create and make known a process by which complaints may be brought before the designated authority and a process by which matters will be reviewed and decided.

### **Responsibility to Report**

- All political parties and Members subscribe to the necessity and importance of reporting breaches of this Code and will do so in a prompt and diligent manner.
- If the conduct of a political party or a Member would be likely to bring into question the integrity of the political party, or any of its Members, or the electoral process generally, it shall be reported to the designated authority within the political party.
- Members will not make false, frivolous or vexatious complaints.

### **Sanctions**

- If it is determined by the designated authority within the political party that a complaint is well-founded, and the conduct in question is such that it would be likely to bring into disrepute the integrity of the political party, its Members or the electoral system in general, the political party shall repudiate the unethical conduct and may take any other action it feels is necessary.
- If it is suspected by the designated authority that a breach of the law may have occurred, the matter shall be referred to the appropriate authority for investigation.

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# MEMORANDUM

Date: October 15, 2003

To: Members of the Election Advisory Committee

Re: **Data Provided on Electronic Voters Lists**

The data fields of voter registration information that Elections BC currently provides to political parties, when they request an **electronic** version of the voters list, are included on the following table. The same data structure is used for electronic lists provided to candidates during an election.

The data fields that are included in a **printed** voters list are essentially a subset of the same file structure. These fields are indicated with an asterisk (\*) preceding the field numbers shown on the table.

		<u>Maximum field lengths</u>
*1.	Electoral District Code	character ( 3)
*2.	Voting Area Code	character ( 4)
3.	Voter ID #	character ( 9)
*4.	Name (Surname)	character (20)
5.	Surname Key <i>{used to sort surnames correctly}</i>	character (20)
*6.	Names (Given)	character (20)
*7.	Street Name	character (20)
8.	Residential Street Name Key <i>{used to sort streetnames correctly}</i>	character (20)
*9.	Street Indicator	character ( 5)
*10.	Direction Indicator	character ( 2)
*11.	Building Number	character ( 6)
	- Numeric	character ( 2)
	- Alpha	character ( 2)
*12.	Apartment Number	character ( 5)
13.	Blank <i>{was 'residential address postal code' data, but no longer used}</i>	character ( 6)
14.	Blank <i>{was 'occuration' data, but removed by legislative change}</i>	character (15)
15.	City of Residence	character (20)
16.	Blank <i>{was 'rural route' data in previous file format}</i>	character ( 2)
17.	Mailing Postal Code	character ( 6)
18.	Mailing Address Line 1	character (30)
19.	Mailing Address Line 2	character (30)
20.	Mailing Address Line 3	character (30)
21.	Initials (Given Names)	character ( 4)
<b><u>TOTAL</u></b>		<b><u>279</u></b>

The Chief Electoral Office has received a request to include information indicating the date of the most recent update or confirmation for each registered voter on the electronic format voters lists provided to political parties.

As part of a general policy review on electronic voters list data provision, Elections BC will consider additional requests for changes to the content or structure of the data. The political party representatives who make up the Election Advisory Committee are requested to act as the conduit for such requests and to formalize them in a written request to the Chief Electoral Officer prior to December 31, 2003.



**ELECTIONS BC**  
Province of British Columbia

## Redistribution

Redistribution is the redrawing of an electoral map, and the reassignment of voters based on that map. It is also called “redistricting”. There are fundamental differences between electoral district redistribution and voting area redistribution. Electoral district redistribution is based on total population; voting area redistribution is based on the number of registered voters. This is because redistribution in each case is intended to address a different issue. In the case of electoral district redistribution, the intent is to ensure equitable representation of the population by their elected representatives. In voting area redistribution, the intent is to ensure that each team of voting officials serves a similar number of registered voters, and that accessibility to the voting place is given appropriate consideration.

Electoral district redistribution is governed by the *Electoral Boundaries Commission Act*. This Act was passed in 1989 and was the result of the B.C. Supreme Court decision in the Dixon case, declaring the electoral boundaries of BC to be unconstitutional. The Dixon case was based on a challenge of the electoral boundaries and dual member ridings that were in effect at that time. In the 1986 election, there were 52 electoral districts, returning 69 members. The “dual member ridings”, providing some voters with two votes for MLA, and the significant disparity of population between electoral districts were the key issues in the case. The landmark case was heard by then-Chief Justice McLachlin, who determined that “relative equality of voting power is fundamental to the right to vote enshrined in s.3 of the Charter.” The tabled, but not yet acted upon, report of the Fisher Commission used a variance of plus or minus 25% from an electoral mean, and the judgment suggested that it would be an acceptable benchmark in the Canadian context.

The *Electoral Boundaries Commission Act* requires that an Electoral Boundaries Commission be established after every second general election to review the population of existing electoral districts and make recommendations regarding boundary placement and electoral district names.

The Electoral Boundaries Commission is comprised of a judge or retired judge of the B.C. Supreme Court or Court of Appeal, the Chief Electoral Officer, and a third person recommended by the Speaker of the Legislative Assembly. When a Commission is established, they have one year in which to make a preliminary report. They then have an additional six months in which to conduct public hearings and submit their final report to the Legislative Assembly. The Legislative Assembly must then decide whether they wish

to act on the Commission's recommendations and pass amendments to the *Electoral Districts Act*. The legal descriptions and names of electoral districts are established in the Schedules to the Act. Generally speaking, changes to electoral districts take effect upon dissolution of Parliament.

The establishment and redistribution of voting areas is the responsibility of the Chief Electoral Officer. Section 80 of the *Election Act* requires that each voting area contain no more than 400 registered voters, unless the CEO determines that a larger number will facilitate conducting the vote. In establishing voting areas, consideration must also be made of the boundaries of municipalities, regional districts and federal electoral districts. The convenience of voters must also be considered. Accessibility to one's voting place is of primary concern when establishing voting area boundaries. Voting area redistribution takes effect at the discretion of the Chief Electoral Officer.

Voting areas are the key administrative element used for election planning and administration, both by election administrators and political strategists. When establishing voting areas, we consider traffic patterns, local mobility preferences, public transit, geographic features, "communities of interest" and other boundaries. By observing municipal and federal boundaries, we facilitate the sharing of voter data. By recognizing reserve boundaries, we can ensure that community of interest and accessibility needs are met.

Some voting areas are established as "special voting areas". A special voting area (SVA) is a statutory definition, which permits general voting to be administered in circumstances which would ordinarily require absentee voting with a mobile team. Special voting areas are generally single addresses, such as long-term care facilities, where voters are ordinarily resident but may have mobility problems. Locations such as work camps, jails, and acute care hospitals are not suitable selections for SVA status, as they are not the usual residence of the voters. (The *Election Act* specifically prohibits the use of a penal institution address for residential address purposes under the Act.)

During an election, voting areas may exceed the 400 registered voter maximum and require "splitting". "Splitting" a voting area is not redistribution. The boundaries and number of the voting area do not change. The voters list is split alphabetically into two or more parts, and a separate voting station is established for each portion of the list. In preparation for an election, voting areas that have over 400 voters and that will require splitting for voting purposes are considered for redistribution. Accessibility issues arising from the placement of voting area boundaries in previous elections are also reviewed and addressed prior to the next election.

District Electoral Officers are asked for input for voting area redistribution, and are responsible for proofing the resulting maps. DEOs are also responsible for assessing the impact on voting area assignments to voting places following any type of redistribution.