

## Resolution No 10/05

### CODE OF ELECTORAL CONDUCT

#### CHAPTER I GENERAL PROVISIONS Section I Objectives and Principles Article 1 (Objectives)

1. This Code establishes the principles and the disciplinary rules for the conduct of the electoral participants.
2. For the purposes of this Code, electoral participants include political parties or party coalitions, candidates, active members and supporters of political parties, the National Election Commission, the Polling Station officials, the Forces of Public Order, the electorate, observers, the media, list delegates at the Polling Stations, religious entities, traditional authorities and members of civil society.

#### Article 2 (General principles)

1. Electoral participants shall observe the following principles:
  - a) respect for differences;
  - b) freedom of choice;
  - c) right of meeting and manifestation;
  - d) legality;
  - e) tranquillity;
  - f) impartiality;
  - g) transparency;
  - h) exemption;
  - i) civility;
  - j) responsibility.
2. The elections shall be organised and the electoral participants shall conduct themselves in accordance with the following principles:
  - a) the constitutional and legal guarantee of liberty and respect of the rights of the citizenry;
  - b) an environment that is conducive to free, fair, transparent, peaceful and democratic elections;
  - c) exemption, transparency and non-discrimination in the registration of voters;
  - d) existence of up-to-date voter registries that are accessible by the electorate;
  - e) timely announcement of election data;
  - f) transparent financing on the basis of the limits established by law;
  - g) localisation of the Polling Stations in neutral space;
  - h) the tabulation of the votes in the Polling Stations in which the voting occurred;
  - i) openness to electoral observation and to the monitoring of the candidates and their representatives;
  - j) cooperation and acceptance of the authority of the National Election Commission and its bodies and for their mandate to conduct free, fair and transparent elections;
  - k) respect for the law, for the Sovereign Bodies, the National Symbols, public and private property and, in particular, the undertaking of scrupulous compliance with electoral legislation;
  - l) acceptance and respect for the electoral results and abstaining from challenging them before their announcement by the National Election Commission;
  - m) resolution of the electoral conflicts preferably by dialogue and by challenging any irregularities in the electoral proceedings at the relevant electoral entity or the competent tribunal;

- n) posture of reinforcement of the culture of reciprocal tolerance and sound conviviality among citizens, which is extensive to the leadership and other responsible parties, party members and supporters and citizens in general;
- o) posture of magnanimity, respect, acceptance and reciprocal tolerance in post-electoral period;
- p) assurance of liberty of political action by all candidates;
- q) abstention from the utilization of inappropriate propaganda and language and from the practice of acts that could result or incite its supporters or citizens in general to commit acts of violence or intimidation;
- r) abstention from the utilization of State assets or those of public employees for the exclusive benefit of a particular political grouping;
- s) freedom of circulation throughout the national territory;
- t) equality of opportunity of access to the press, in accordance with the terms of the law;
- u) exemption, equity and professionalism by the Forces of Public Order in the treatment of all the participants in the electoral process;
- v) promotion of the equality of rights and non-discrimination or exclusion without regard to location of residence, or economic or social status or the political, philosophical and religious choices of citizens or candidates, and without prejudice to the effort to achieve the minimum goal of thirty per cent gender representation;
- w) defence of peace, National Independence, territorial integrity and the commitment to the reinforcement of democracy, unity and national reconciliation, justice, the development of Angola and human dignity.

**Section II**  
**Special Provisions**  
**Subsection I**  
**Political parties**  
**Article 3**  
**(Rights)**

For electoral purposes, the political parties have the right to:

- a) promote the civic education of their supporters throughout the national territory;
- b) meet with their supporters and promote campaign activities in public places, after giving prior notice to the competent authority and in accordance with the terms of the law;
- c) choose the parties with which to make a coalition;
- d) manifest publicly their electoral programme and their principal lines;
- e) point out the reasons for their programmes and the method of execution;
- f) broadcast time to present their electoral programme;
- g) protection by the Forces of Public Order.

**Article 4**  
**(Duties)**

In the exercise of political activity with electoral purposes, political parties shall abstain from:

- a) incitement of the public or their supporters to violence or to the practice of acts of vandalism whether against the supporters of other parties or against public and private property;
- b) meet in public places without prior notice to the administrative or local authorities;
- c) disturb the activities of other parties;
- d) distribute pamphlets that are offensive or encouraging violence against other parties and their supporters;
- e) resort to corruption to obtain party supporters;
- f) resort to electoral promises that are unrealisable or contrary to constitutional principles;
- g) adopt conduct that is contrary to the electoral ethics, the law and good custom.

**Subsection II**  
**Candidates**  
**Article 5**  
**(Rights)**

Candidates have the following rights:

- a) promote civic education of their supporters throughout national territory;
- b) meet in public places on prior notice to administrative or local authorities;
- c) manifest publicly their electoral programme;

- d) point out the reasons for their programme and the method of execution;
- e) broadcast time to present their electoral programme;
- f) protection by the forces of public order.

**Article 6  
(Duties)**

In the exercise of their political activity, the candidates shall abstain from:

- a) incitement of their supporters to violence or to acts of vandalism whether against the supporters of other candidates or supporters of other parties or against public and private property;
- b) meeting in public places without prior notice to the administrative or local authorities;
- c) disturbing the activities of other candidates;
- d) distributing pamphlets that are offensive or encouraging violence against other candidates and their supporters;
- e) resorting to electoral promises that are unrealisable or contrary to constitutional principles;
- f) conduct that is contrary to the electoral ethics, the law and good custom.

**Subsection III  
Members and supporters of political parties**

**Article 7  
(Rights)**

The members and supporters of political parties have the right to:

- a) use the means that they have or that are made available by their parties for electoral purposes;
- b) affix posters or other campaign materials in places in their neighbourhoods or locality, as established by local authorities or established by law;
- c) promote recreational activities in previously selected area during the legally established hours;
- d) promote tours to support their respective party;
- e) promote debates regarding the programmes and principal lines of their respective party;
- f) convince the rest of the electorate of the advantages of their party's programme for the nation;
- g) protection by the Forces of Public Order.

**Article 8  
(Duties)**

The members and supporters of a political party shall:

- a) respect the different choices of the supporters of other political parties;
- b) abstain from the practice of acts of violence against political parties, candidates, activists or supporters of other political parties;
- c) abstain from meddling in the affairs of the Polling Stations;
- d) abstain from meddling in the affairs of the Forces of Public Order;
- e) abstain from utilizing the media to morally offend candidates and supporters of other political parties;
- f) abstain from calumny and defamation with regard to leaders, supporters and activists of other parties;
- g) abstain from the practice of acts that are contrary to democracy.

**Subsection IV  
National Election Commission**

**Article 9  
(Principles)**

The National Election Commission is governed by the principles of transparency, competence, partisan exemption, consensus and cooperation.

**Article 10  
(Rights)**

The National Election Commission has the right to:

- a) carry out the objectives of the State with regard to electoral matters;

- b) direct electoral activities;
- c) solicit information from the political parties, the Government and the other participants in matters relating to the electoral process;
- d) announce the electoral results;
- e) promote acts which promote civic education and the sensibilities of the electorate;
- f) protection by the Forces of Public Order.

**Article 11**  
**(Duties)**

The National Election Commission, in the exercise of its duties, shall:

- a) act with impartiality and transparency;
- b) comply with the Electoral Law and other legislation;
- c) keep the President of the Republic, the National Assembly, the Chief Justice of the Constitutional Court and other electoral participants informed regarding the conduct of the process;
- d) proceed in accordance with the terms of the Electoral Law , with the tabulation of the results of the presidential and parliamentary elections and publish the electoral results;
- e) decide regarding the challenges and appeals submitted by political parties and other electoral participants.

**Subsection V**  
**Officials of the Polling Stations**

**Article 12**  
**(Rights)**

The officials of the Polling Stations have the right to:

- a) protection from the Forces of Public Order;
- b) a subsidy for the services they provide;
- c) dispensation from their places of employment;
- d) dignified treatment by political parties, candidates, observers and electorate;
- e) receive all of the means that are necessary for fulfilment of their duties;
- f) not to be bothered or disturbed by members and supporters of political parties;
- g) to use credentials and other symbols and signs which are representative of their activity.

**Article 13**  
**(Duties)**

The officials of the Polling Stations, in the exercise of their activity, shall:

- a) prepare the conditions for the realisation of the election;
- b) verify the identification of the electorate;
- c) reject the badly identified electorate;
- d) guarantee the impartiality of the process of voting;
- e) observe rigorously the provisions of the Electoral Law and other legislation.

**Subsection VI**  
**Forces of Public Order**

**Article 14**  
**(Rights)**

The Forces of Public Order, in the exercise of their duties, have the right to:

- a) logistic means and other means for achievement of their duties;
- b) be treated with respect by the other electoral participants.

**Article 15**  
**(Duties)**

The Forces of Public Order, in the exercise of their activities, shall:

- a) act with impartiality and transparency in relation to all of the candidates and the general citizenry;
- b) abstain from meddling in the matters of the officials of the Polling Stations;
- c) abstain from the practice of conduct contrary to the law.

**Subsection VII  
Electors  
Article 16  
(Rights)**

The electorate has the right to:

- a) exercise freely their right to vote;
- b) be duly informed during the civic education campaign and electoral campaign ;
- c) be protected so as to be able to exerciser this right.

**Article 17  
(Duties)**

The electorate, in the exercise of their rights shall:

- a) register, vote and persuade the rest of the electorate to vote;
- b) abstain from promoting campaigns within the area reserved for the process of voting;
- c) abstain from offending or injuring the electorate;
- d) abstain from disturbing the order and discipline in the place of voting.

**Subsection VIII  
Observers Electoral  
Article 18  
(Rights)**

The observers, in the exercise of their duties, have the right:

- a) to the information related with the electoral process;
- b) to protection by the Forces of Public Order;
- c) means of transport to the places of observation.

**Article 19  
(Duties)**

The observers, in the exercise of their duties, shall:

- a) abstain from politics or campaigning for some political force or candidate;
- b) abstain from not inciting the electorate to violence;
- c) abstain from spreading false information with regard to candidates, the political parties or to their supporters.

**Subsection IX  
Media  
Article 20  
(Rights)**

The media, in the exercise of the electoral coverage, has the right:

- a) to the access to the sources of electoral data;
- b) to the protection by the Forces of Public Order;
- c) be treated with respect by the candidates, political parties and other electoral participants.

**Article 21  
(Duties)**

The media, in the exercise of the electoral coverage, shall

- a) act with com discipline and professionalism
- b) abstain from publishing unofficial provisional results;
- c) abstain from transmitting or publishing language of incitement to hate and other forms of language that may lead to violence.

**Subsection X  
List delegates to the Polling Stations  
Article 22  
(Rights)**

The list delegates to the Polling Stations have the right to:

- a) protection by the Forces of Public Order;
- b) dispensation from place of employment;
- c) appropriate treatment by the other electoral participants;

- d) not to be bothered or disturbed by members and supporters of political parties or of other candidates;
- e) to have credentials and other distinctive symbols of their activity.

**Article 23**  
**(Duties)**

The list delegates to the Polling Stations, in the exercise of their activity, shall:

- a) abstain from politics and electoral campaigns in favour of their political party;
- b) abstain from inciting the electorate to violence;
- c) abstain from distributing false information in relation to the political parties and their supporters or candidates;
- d) observe rigorously the provisions of the Electoral Law and other legislation.

**Subsection XI**  
**Religious Entities**

**Article 24**  
**(Rights)**

Religious entities, in the exercise of their activity, have the right to:

- a) provide information to their religious followers regarding electoral process;
- b) be treated with respect by all of the electoral participants;
- c) receive from the bodies of the National Election Commission all of the appropriate information regarding the electoral process.

**Article 25**  
**(Duties)**

Religious entities, in the exercise of their role, shall abstain from:

- a) providing information in benefit of a candidate;
- b) incite the electorate to violence or to electoral fraud;
- c) utilize language that is conducive of intolerance, discrimination or violence among citizens or within the respective community;
- d) not respect their other duties as established by law.

**Subsection XII**  
**Traditional Authority**

**Article 26**  
**(Rights)**

Traditional authorities, in the exercise of their activities, have the right to:

- a) provide information to the citizens in the respective locality regarding electoral process;
- b) be treated with respect by all of the electoral participants;
- c) receive from the bodies of the National Election Commission all appropriate information regarding the electoral process.

**Article 27**  
**(Duties)**

Traditional authorities, in the exercise of their function, shall abstain from:

- a) provide partial information in benefit of a candidate;
- b) incite the electorate to violence or to electoral fraud;
- c) utilize language that is conducive of intolerance, discrimination or violence among citizens or within the respective community;;
- d) not respect their other duties as established by law.

**Subsection XIII**  
**Members of civil society**

**Article 28**  
**(Rights)**

The members of civil society have the right to:

- a) promote activities leading to the clarification of the electorate with regard to electoral acts;
- b) realize activities with regard to the participation of the citizenry in the electoral process;
- c) free circulation throughout the national territory;

- d) be respected by the other electoral participants.

**Article 29**

(Duties)

The members of civil society shall abstain from:

- a) inciting the electorate to violence and to not participating in the electoral process;
- b) create false information with regard to a candidacy;
- c) utilize language that is conducive of intolerance, discrimination or violence among citizens or within the respective community;
- d) meddle in the affairs of the other electoral participants;
- e) engage in partisan acts that benefit one candidacy to the detriment of others;
- f) not respect their other duties as established by law.

**CHAPTER II  
FINAL PROVISION**

**Article 30  
(Voter Registration)**

The dispositions in this Code shall apply, with the appropriate adaptations, to the participants involved in the process of voter registration.

Article 31

**(Responsibility)**

1. The provisions in this Code shall not prejudice the exercise of other rights nor the obligation to comply with the other duties provided by law.
2. The violation of the principles or the rights and duties set out in this Code may be subject to criminal and civil liability in accordance with the terms of the law, independently of the censure by society and the other electoral participants.

Article 32

**(Questions and Omissions)**

Questions and omissions arising from the interpretation and application of this Code shall be resolved by the National Election Commission.

THE PRESIDENT OF THE NATIONAL ASSEMBLY  
ROBERTO ANTONIO VICTOR FRANCISCO DE ALMEIDA

THE PRESIDENT OF THE REPUBLIC  
JOSÉ EDUARDO DOS SANTOS

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