

## **CODE OF CONDUCT FOR ELECTION OFFICIALS**

### **I. Purpose and Application**

#### **A- Purpose of the Code of Conduct**

The purpose of the code of conduct for election officials (Code of Conduct) is to enable the National Election Committee (NEC) and every election official to achieve:

- an election which is conducted in accordance with the LEMNA, and the amendment to this law (Electoral Law);
- an election that is accepted as free, fair and just by the citizens of Cambodia, by all political parties that participate in the election, and by the international community;
- an election that takes place without threat, violence, coercion, intimidation or criticism.

#### **B- Application of the Code of Conduct**

Every employee of the NEC and the officials who have the power delegated to them by the NEC are election officials. Every election official shall comply with this Code of Conduct while he/she is at his/her working place or is carrying out his/her duties.

#### **C- Implementation by the Election Officials**

1. Application of the Electoral Law, By-Laws, Regulations and Procedures of the NEC:  
Every election official shall be committed to comply with and support the Electoral Law, By-Laws, Regulations and Procedures of the NEC.
2. Conditions of Employment:  
Every election officials shall be committed to abide by his/her mandate and conditions of his/her employment. The conditions of the employment shall also include this Code of Conduct.
3. Implementation of the Code of Conduct:  
Every election official shall be committed to comply with, support and implement the Code of Conduct.
4. Support and Dissemination:  
Every election official shall be committed to support and broadly disseminate the Electoral Law, Regulations and Procedures of the NEC and the Code of Conduct.

## **II. General Conduct**

### **1. Condemnation of Violence, Coercion and Intimidation**

Every election official shall be committed at all times to act within his/her authority to condemn and prevent any violence, coercion and intimidation related to the election.

### **2. Impartiality between Political Parties**

- 2.1 Each election official shall not be biased and shall not do anything by way of action, attitude or speech which indicates a bias or preference for any political party, candidate or political party representative in the implementation of his/her duties.
- 2.2 Each election official shall not do anything that may influence voters and can make voters to vote for or against any candidate, or political party.
- 2.3 Each election official shall not wear or display any sign, emblem or slogan on their clothes that is related to any candidate or political party.

### **3. Working Environment**

- 3.1 In the conduct of his/her duties, each election official shall support a quiet atmosphere of non-bias, confidentiality and dignity.
- 3.2 Every election official must be ready to take appropriate actions for special, unpredictable events arising during the election process, which requires an election official to:
  - carry out their duties under difficult circumstances; and
  - carry out a new or additional task that suits his/her capacity, but it falls outside his/her usual working place.
- 3.3 In case of interference or disturbance, an election official shall:
  - continue to carry out his/her duties carefully and strictly;
  - secure all electoral material kits for which they are responsible, including forms, certificates, ballot papers, notices, seals and envelopes or boxes for election materials;
  - act immediately according to the instructions given by their superiors.

### **4. Special Assistance**

Every election official shall provide a special assistance to an extent of their capacity as requested to any individual who:

- is illiterate (during the registration) or disabled;
- does not know what he/she is going to do or is not sure about what he/she is going to do to register as a voter or to vote or does not know about how to lodge a complaint or appeal;
- does not have any of the required documents or whose name is missing from the list of voters or whose right to register or vote is rejected.

## **5. Intimidation, Damage and Obstruction**

- 5.1 Each election official shall disassociate him/herself from any involvement in any proposal or act of:
- threatening;
  - violence, coercion or intimidation by any individual or against any individual;
  - causing damage to any polling station premise;
  - causing harm or damage or concealing of any election material or property;
  - hindering or preventing any eligible individual from going to a registration, polling or counting station.
- 5.2 Each election official shall take appropriate measures within their authority to prevent and cope with intimidation, harm and obstruction as stated above.

## **6. Smoking and Causing Fire**

Each election official shall not:

- smoke in a registration, polling or counting station;
- strike a match or use a lighter or any device which may be flammable in a registration, polling or counting station without obligation to do so.

## **7. Eating**

Each election official shall not eat or drink in a registration, polling or counting station except after getting the express permission by his/her superior.

## **8. Alcohol and Drug**

Each election official shall not have a beverage that contains alcoholic substance or use alcohol or drug in any registration, polling or counting station or within the inner perimeter of these stations.

## **9. Gambling**

Every election official shall not gamble or play games in his/her working place and during working hours.

### **III. Requirements for Registration, Polling and Counting Stations**

#### **A- Requirements for Registration Stations**

##### **1. General Duty**

Every election official who is responsible for any aspect of registration work at a registration station shall carry out his/her specific obligation in a way that ensures every citizen can exercise his/her right with dignity, comfort and on appropriate time to be registered as voters.

##### **2. Citizens with Disabilities**

2.1 Any citizen who is blind, frail, illiterate or has any disability has the right to choose any means or any degree of assistance he/she needs to assist him/her to register to vote.

2.2 Any election official who is appointed to assist any applicant who is blind, frail, illiterate or has any disability shall provide such assistance based on the degree requested by the concerned disabled applicant.

#### **B- General Requirements for Polling and Counting Stations**

##### **1. Polling Stations**

Every election official who is responsible for any aspect of polling related work at a polling station shall carry out his/her specific obligation in a way which ensures that all voters can exercise his/her right to vote secretly, with dignity, comfort and on appropriate time and shall ensure that all election material and equipment are well secured and complete.

##### **2. Counting Stations**

Every election official who is responsible for any aspect of a polling station shall carry out his/her specific obligation in a way which ensures that all ballot papers are well secured and complete.

##### **3. Touching Election Materials**

3.1 An election official who is working in a polling or counting station shall not touch ballot books, ballot papers, lists of voters, seals,

confidential stamps, official stamps, forms or any other election materials if he/she does not have the permission to do so even though it is his/her duty.

- 3.2 If there is no permission, an election official at a polling or counting station shall not:
- untie the knots or open the seals, ballot books, ballot boxes, packages or envelopes that contain election materials;
  - take out ballot books, ballot boxes or packages or envelopes that contain election materials inside;
  - remove any election materials out of a polling or counting station or assist any person to do so;
  - put a mark or write on any election material or delete a mark or note from any election material.

#### **4. Ballot Papers and Ballot Boxes**

If an election official in any polling or counting station does not have the permission, the official shall not:

- provide any ballot paper to any person;
- put the confidential stamp officially on any ballot paper;
- change or destroy the confidential stamp marked officially on any ballot paper;
- change or destroy a ballot paper;
- mark on a ballot paper;
- take away or touch ballot boxes;
- put a ballot paper or other items in a ballot box;
- take ballot papers out of a ballot box.

### **C- Special Requirements for Polling Stations**

#### **1. Polling Stations**

- 1.1 An election official who is working in a polling station shall not attempt to:
- find out the intention of a voter who is voting or has voted;
  - make a voter reveal or tell him/her about how the voter has voted;
  - put a mark on a ballot paper that can make the identity of the voter known;
  - use his/her influence to help any person to be able to vote knowing that the person is illegible for voting;
  - walk close to give a signal or speak to any voter without permission to do so, since the time the voter walks into the inner perimeter of a polling station and inside the polling station until the time he/she leaves the inner perimeter of the polling station;
  - walk into a voting booth without duty.

- 1.2 An election official shall report immediately to a designated election official on the activity of any individual requesting to disclose or intending to find out how a voter has voted.

## **2. Voters with Disabilities in Polling Stations**

- 2.1 A disabled voter who cannot vote by him/herself has the right to choose any mean or decree of assistance that he/she needs to assist in voting.
- 2.2 Election officials shall provide assistance to an extent requested by the concerned voter and as determined in the regulations of the NEC only. This requires the designated election official to ask the voter about what political party that he/she wants to vote for, and the official shall mark the ballot paper on the voter's behalf. The election official designated to assist voters with disability is required to keep the confidentiality of their voting.

## **D- Special Requirements for Counting Stations**

Without the permission to do so, each election official in a counting station shall not attempt to disclose:

- which political party a voter has voted for on a ballot paper;
- the results of audit and any calculation made by election officials;
- invalid ballot papers in disputes;
- the number of votes that voters have voted for a political party.

## **IV. Relationship with Political Parties, Their Representatives and Observers**

### **1. Relationship**

- 1.1 Each election official shall be friendly, unbiased and have a close relationship with all candidates, representatives and observers at all times.
- 1.2 Every election official shall acknowledge and accept the legitimate roles of all political party representatives and observers who:
  - are present in the registration, polling and ballot-counting stations and the inner perimeter of these stations in order to observe the election process;
  - are appealing or objecting or lodging an appeal or an objection on irregularity of the implementation of the regulations and procedures through the designated election official (for political party representatives only).
- 1.3 The election official who is entitled to settle appeals or objections must receive all complaints even if they are late or have insufficient

conditions. In these two cases, the official shall make a note of rejection on the complaints and give appropriate reasons.

## **2. No Authority**

Every election official must know that:

- a political party, candidate, representative or observer has no right to give any instruction to any election official;
- every election official is prohibited from complying with any instruction given by a political party, candidate, representative or observer.

## **3. Gifts and Promises**

- 3.1 Every election official must not accept directly or indirectly any monetary gift or promise from any political party, candidate, representative or observer;
- 3.2 The gifts also include food, drink or other personal services provided to an election official by a political party, candidate, representative or observer at a registration, polling or ballot-counting station without an open agreement of all political parties being present in that station.

## **4. Prohibited Activities**

During the election, each election official must not:

- be a candidate of any political party whose name is on the list of candidates running for the election;
- work for or receive wages from any political party or candidate;
- hold any position in an office of any political party.

## **V. Training**

Each election official must attend every training course or workshop to which he/she is assigned.

## **VI. Penalty**

Every election official will receive the punishments stipulated in Chapter 11 of the LEMNA when he/she acts against the electoral law, regulations, procedures and this Code of Conduct.