

ELECTORAL SUPERVISORY COMMISSION

CODE OF CONDUCT

FOR THE

ELECTION OF ONE MEMBER TO SERVE IN THE

NATIONAL ASSEMBLY

FOR THE CONSTITUENCY OF

QUARTIER MILITAIRE AND MOKA

Nomination Day: 14 February, 2009

Polling Day: 01 March, 2009

February 2009

CODE OF CONDUCT
MADE BY THE
ELECTORAL SUPERVISORY COMMISSION
FOR THE ELECTION OF ONE MEMBER FOR THE
CONSTITUENCY OF QUARTIER MILITAIRE AND MOKA

AIMS AND OBJECTIVES

- This Code of Conduct aims at complementing the legal provisions in force regarding the holding and conduct of elections in Mauritius, more specially those provisions regarding bribery, treating, undue influence, illegal practice, irregularity as well as those regulations governing election expenses which have to be strictly and scrupulously complied with.
- Its objective is to ensure the integrity of the electoral process and to enable the election to take place freely and fairly, in an atmosphere of tolerance, conducive to free campaigning, unrestricted but responsible public debate so that the electorate of the constituency may make an informed choice.
- This Code is conceived as a set of principles to be adhered to by the participants and to be upheld in both spirit and letter.
- It further seeks to generally consolidate and reinforce the democratic culture of Mauritius.

ARTICLE 1

APPLICATION OF THE CODE

- 1.1 This Code shall apply to all participants to the election. These include political parties or political party alliances, candidates, their agents, sub agents, employees, supporters or backers.

ARTICLE 2

PRINCIPLES AND PRESCRIPTIONS

- 2.1 All participants shall observe and uphold the following principles and prescriptions:
- (a) refusal to indulge in bribery or corruption or to unduly influence voters;
 - (b) respect for differences;
 - (c) freedom of choice;
 - (d) the right and freedom to hold meetings and to campaign freely within the limits provided by law; and
 - (e) abstention from engaging in violence or intimidation in any form or manner.

ARTICLE 3

I RIGHTS OF PARTICIPANTS

- 3.1 All participants acknowledge, confirm and proclaim that during campaigning each one shall have the right to unrestricted political activities, within the limits of the law, and to freely:
- (a) express his political beliefs and opinion;
 - (b) manifest publicly his electoral programme and his lines of action and canvass support for same;
 - (c) organise and convene meetings and gatherings and rallies to advocate his ideas and advance his programmes; and
 - (d) have a fair and equitable access to the public and private media to present his electoral programme and promote his political views.

II DUTIES OF PARTICIPANTS

- 3.2 In the exercise of such political activities and campaigning, all participants shall abstain from, whether directly or indirectly:

- (a) resorting to any form of corruption or bribery or the use of unfair means to obtain votes and shall publicly disavow such practices ;
- (b) inciting the public or their supporters to violence against persons or property;
- (c) using provocative, taunting, reviling and offensive language at all times and in all circumstances;
- (d) publishing, causing to publish or repeating or disseminating any offensive, defamatory or inflammatory allegations against political opponents and their families;
- (e) disturbing or disrupting in any manner whatsoever the legitimate political activities of other participants;
- (f) destroying, disfiguring, defacing other political opponent's campaign display posters, placards, buntings, banners and any other election material; and
- (g) resorting to any electoral promises which are untrue and are unrealizable.

3.3 All participants shall, in particular, refrain from:

- (a) organising any meeting or gathering where access is restricted to a section of the electorate on the grounds of religion, ethnicity, caste, race;
- (b) making any appeal to the electorate on grounds of religion, ethnicity, caste or race; and
- (c) disseminating material and ideas which are offensive, or which contains an appeal to sectarian or 'communal' sentiments or which advocate violence.

3.4 All participants shall:

- (a) take all necessary measures to avoid holding political activities at the same time and place or in such close proximity as might result in tension between their respective supporters;
- (b) maintain at all times a line of communication with their opponents so that any source of tension may be speedily addressed and defused; and
- (c) co-operate with the election and law enforcement agencies and by keeping a line of communication open with them at all times.

ARTICLE 4

CAMPAIGN AND ELECTION EXPENSES

- 4.1 All candidates undertake to keep their election finances and expenses transparent and within the limits provided for by law.
- 4.2 They renounce any resort to underhand means to disguise such expenses or to use illegitimate means to obviate or circumvent the relevant provisions of the law.

ARTICLE 5

RESPECT FOR THE ENVIRONMENT

- 5.1 All participants shall conduct their campaign with utmost concern for the environment by:
- (a) ensuring that all buntings, flags, posters and elections paraphernalia are made of biodegradable material;
 - (b) shunning the use of plastic material whether in the form of buntings, flags, or ribbons;
 - (c) refraining from indiscriminate placarding of posters on walls and electric poles and by restricting the display of posters to designated areas;
 - (d) placing buntings close to electrical transmission wires and other telephone or electric installation;
 - (e) abstaining from using paint for political propaganda on the public thoroughfare and on private and public property; and
 - (f) restricting political campaigning within reasonable hours and not using loud speakers to unduly disturb the peace, tranquility and habit of the community at large.
- 5.2 Following the proclamation of the results, all the participants shall promptly remove all elections paraphernalia used including posters, buntings, flags and ribbons.

ARTICLE 6

CAMPAIGN QUARTERS

- 6.1 All participants shall refrain from setting up temporary and adhoc political quarters or camps commonly known as BAZ, where activists congregate.
- 6.2 Notwithstanding Article 6.1, nothing shall prevent participants from setting up political quarters in the constituency for purposes of organising their campaigns.
- 6.3 They further undertake to communicate to the Electoral Commissioner the address of each of their campaign political quarters and they hold themselves responsible for the proper management of such political quarters.
- 6.4 All participants shall ensure that such quarters shall not constitute sources of nuisance, annoyance, conflicts or tension in the constituency.

ARTICLE 7

CONDUCT ON POLLING DAY

- 7.1 All participants shall at all times:
- (a) comply with the provisions of the law and the directives of the election authorities to ensure that the electorate should have free and impeded access to exercise these rights to vote;
 - (b) ensure that their agents do not subject the electorate to any form of harassment or annoyance; and
 - (c) dissuade their agents or supporters from impeding access to polling stations, from playing loud music or broadcasting messages through loud speakers or other devices.

ARTICLE 8

CONDUCT ON PROCLAMATION

- 8.1 The successful candidate in any victory speech must set the tone and obtain from his supporters that any unsuccessful candidate should he so wish, address the gathering in a dignified manner and not be shouted down.

8.2 All candidates shall:

- (a) conduct themselves in such a way as to be magnanimous in victory and gracious in defeat;
- (b) not indulge in any demonstrations of strength by loud and disorderly parades, “defilés”; and
- (c) conduct themselves in such a manner as to preserve the integrity and safeguard sincerity of the voting process so as to make the result truly representative of the elector’s wish.

ARTICLE 9

REPORTING OF BREACHES

- 9.1 All participants shall show respect for the law and scrupulous compliance with the electoral laws in force at all times.
- 9.2 They undertake to bring information or complaints of breaches of the laws to the relevant authorities and of this Code to the Commission.
- 9.3 They shall however not abuse the right to complain, nor make false, frivolous or vexatious complaints.

ARTICLE 10

COMPLIANCE AND OBSERVANCE OF THE CODE

- 10.1 All participants proclaim their adherence to the principles and prescriptions contained in this Code and publicly commit themselves to the upholding of these principles.
- 10.2 All participants undertake to give wide publicity to these principles and prescriptions set out in this Code and the necessity to adhere thereto.