



Republic of Sierra Leone
National Electoral Commission (NEC)



**GUIDELINES AND CODE OF CONDUCT FOR OBSERVER
OF THE ELECTORAL PROCESS BY POLITICAL PARTIES /
POLITICAL PARTY COALITIONS, INDEPENDENT
CANDIDATES AND THEIR AGENTS**

Sierra Leone Elections 2012

TABLE OF CONTENTS

	Page
PART I. GENERAL PROVISIONS	
Section 1	Citation, Introduction and purpose of code
Section 2	Definitions
Section 3	Agents or Representatives of political Parties and of independent Candidates
Section 4	Observation by agents or representatives of Political parties and of Independent Candidate Preamble, Mission, Vision and Guiding Principles of NEC
PART II. ACCREDITATION OF POLITICAL PARTY/CANDIDATE AGENTS OR REPRESENTATIVES	
Section 5	Accreditation of Agents/Representatives of Political parties and independent candidates
Section 6	Decision of Commission on accreditation
Section 7	Accreditation of Agents Representatives
PART III. OTHER PROVISIONS	
Section 8	Rights and obligations of agents or representatives Section
Section 9	Do's and Don'ts Section
Section 10	Revocation of Accreditation
Code of Conduct	
Campaign Conduct	
Attachments	
1. Address of NEC HQ and Districts Offices	
2. List of forms	
(i) NEC form PP/IC 01 – Request for Accreditation	
(ii) NEC form PP/IC 02 – List of Nominated Representatives	
(iii) NEC form PP/IC 03 – Declaration of Agents or Representative	
(iv) NEC form PP/IC 02 – Statement of Commitment	
3. Letter of invitation	

PREAMBLE

WHEREAS Section 32 of The Constitution of Sierra Leone, 1991 (Act No. 6 of 1991) {and Section 2(1) of The Public Elections Act, 2012} established the National Electoral Commission as an Independent Electoral Commission; **WHEREAS** Section 33 of the said Constitution empowers the Commission to make regulations by statutory instrument for the conduct of all public elections and other matters connected therewith; **WHEREAS** the Commission in its Mission and Vision statements “seeks to impartially serve all stakeholders in the electoral process”, and administer “elections in such a manner that the results are acceptable to all”; **WHEREAS** the Commission welcomes the participation of all registered and accredited political parties/political party coalitions, nominated independent candidates and their agents, to observe any or all aspects of the electoral process in order to ensure transparency and accountability and in support of the conduct of credible elections;

THEREFORE, IN FURTHERANCE OF THE ABOVE OBJECTIVES; The National Electoral Commission hereby promulgates the following Guidelines and Code of Conduct for Political Parties/ Party Coalitions, Independent Candidates and their Agents:

NEC’s MISSION STATEMENT

The National Electoral Commission (NEC) is a public institution, whose mission is to organize, conduct and supervise all public elections and referenda, register all eligible voters, demarcate constituency boundaries and make regulations for the efficient performance of its functions.

The NEC also seeks to impartially serve all stakeholders in the electoral process, and to undertake voter education programmes for the citizens of Sierra Leone as a means of promoting and sustaining democracy and good governance.

NEC’s VISION STATEMENT

Our vision of the National Electoral Commission (NEC) in the future is that of an independent, credible and well resourced institution which promotes democracy and good governance by continually administering elections in such a manner that the results are acceptable to all.

NEC's GUIDING PRINCIPLES

In the attempt to attain our mission and vision, the principles that guide NEC are:

- ⇒ Independence
- ⇒ Transparency
- ⇒ Credibility
- ⇒ Impartiality
- ⇒ Professionalism and Dedication
- ⇒ Integrity
- ⇒ Accountability

PART I.
GENERAL PROVISIONS

Section 1: Citation, Introduction and purpose of Code

These guidelines and code of conduct may be cited as the Guidelines and Code of Conduct for Political Parties/Party Coalitions, Independent Candidates and their Agents/Representatives.

The National Electoral Commission is pleased to accredit agents or representatives of political parties (and independent candidates) to observe all electoral processes for the July 28th 2007 elections, including voter registration, exhibition of the provisional voters' register (PVR), claims and objections to the provisional voters register, the nomination of candidates, polling and counting, and the compilation and announcement of results.

The purpose of these Guidelines and Code of Conduct is to ensure that the observation by agents or representatives of political parties (and independent candidates) is informed and carried out with integrity, and in support of the conduct of a credible electoral process. To this end, every accredited agent or representative shall abide by these guidelines and code of conduct :

Section 2: Definitions

In these Guidelines and Code of Conduct, unless the context otherwise requires:

a. "Political party" includes;

"Any entity registered with the Political Parties Registration Commission as Political Party"

"The leader, officials, candidates, members, agents, supporters and representatives of any Entity that has subscribed to this code of conduct".

b. "Agent or Representative" means an individual representing a registered political party by the Political Parties Registration Commission (PPRC), (or coalition or alliance of political parties, or an independent candidate whose nomination has been accepted by the National Electoral Commission) whose party has been accredited by the National Electoral Commission for the purpose of observing the conduct of electoral procedures by officials of the Commission during the registration exercise, polling, counting of the votes and announcement of election results;

c. "Observation of the electoral process by accredited agents or representatives of political parties and independent candidates" means the right of an agent or representative of a political party or an independent candidate to bring to the

attention of the election official concerned any procedural or other irregularity occurring at a registration centre, nomination proceeding, polling station or collating centre, and announcement of results, without interfering in or obstructing the electoral process

- d. **“Observe”** means the right of a representative of a political party or an independent candidate to observe and bring to the attention of the election official concerned any procedural or other irregularity occurring at a registration centre, exhibition centre, determination of objections, nomination proceedings, polling station or collating centre, and announcement of results, without interfering in or obstructing the electoral process.
- e. **“The Commission”** means the National Electoral Commission (NEC) of Sierra Leone.
- f. **“Electoral process”** means all electoral activities conducted by the Commission, including voter registration, exhibition of the provisional voters’ register (PVR), claims and objections to the provisional voters’ register, the nomination of candidates, polling, counting, and the compilation and announcement of results;
- g. **“The Public elections Act”** means The Public Elections Act of 2012.

Section 3 Agents or Representatives of political parties and of independent candidates

- i. Registered political parties, including accredited coalitions or alliances, shall be entitled to nominate representatives who shall observe the electoral process.
- ii. Independent candidates who have appeared on the final list of nominated Candidates issued By the Commission shall also be entitled to nominate agents or representatives to observe the electoral process.

Section 4 Observation by Agents or Representatives of political parties and of independent candidates

- i. The right of agents or representatives of political parties (and of independent candidates) to observe the electoral process in the electoral districts which they are contesting is safeguarded by law (Sections 62, of The Electoral Laws Acts 2002).
- ii. Every registered political party (or nominated independent candidate) shall be

entitled to nominate not more than two representatives in connection with the registration, nomination a election exercises at every registration centre, nomination centre, polling station, counting centre, and at the Office of the Registration Returning Officer.

- iii. Only one representative from each political party and from each independent candidate, as referred to in sub guideline 4(2), shall be allowed inside the registration centre, nomination centre, polling station, counting and collation centre and at the Office of the Registration Returning Officer, while the registration and election exercises are underway.
- iv. A registered political party (or nominated independent candidate) may, at any time and with written notice to the Registration/Returning officer, revoke the nomination of any agent or representative and replace that person with another.

PART II:

ACCREDITATION OF REPRESENTATIVES

Section 5 Request for accreditation of Agents/Representatives of political parties and independent candidates

- i. Each political party (and nominated independent candidate) shall request accreditation of its representatives using the appropriate NEC Form.
- ii. The request for accreditation of Agents or Representatives shall be accompanied by:
 - (a) List of Nominated Agents or Representatives, using the appropriate NEC Form;
 - (b) Declaration of Agents or Representatives, using the appropriate NEC Form;
 - (c) Statement of Commitment by the National Chairman or Secretary General of the Party {or Independent Candidate(s)} where applicable.
- iii. The political party (or nominated independent candidate) shall also furnish such further information or documentation as may be required by the Commission.
- iv. The request for accreditation shall be submitted to either the External Relations Unit at NEC Headquarters in Freetown or to the District Elections Office in the district concerned.
- v. Forms to request accreditation shall be available from the External Relations Unit at the headquarters of the Commission in Freetown, and at the District Elections Offices, and shall be free of charge.
- vi. A request for accreditation shall be submitted to the Commission not later than two (2) weeks before the start of any electoral activity, which the requesting party {or Independent candidate(s)} intends to observe.
- vii. As soon as practicable, the Commission or its appointed agents shall inform the political party / independent candidate that its request has been received.

Section 6 Decision of Commission on accreditation

- i. If the Commission (or its appointed agents) finds that the application for accreditation of agents or representatives from a political party (or independent candidate) complies with the requirements set out herein, it (or he/she) shall accredit the representatives and notify the applicant within seven (7) days of receipt.
- ii. If the Commission (or its appointed agents) finds that the application for accreditation of representatives from a political party (or independent candidate) does

not comply with the requirements set out herein, it (or he/she) shall not accredit the party (or independent candidate) and shall notify the applicant in writing of the decision and reasons. Deficiencies in the application may be rectified by the applicant, without prejudice to the deadline of submitting requests for accreditation.

- iii. An applicant whose application for accreditation has been rejected by the Commission or its appointed agents shall have the right to appeal to the Commission within three (3) days for a review of its decision.
- iv. The Commission shall determine the appeal within three (3) days of receipt.
- v. Decisions of the Commission with regard to applications are final.

Section 7 Accreditation of Agents/Representatives

- i. Following the accreditation of the agents or representatives of a political party (or independent candidate) by the Commission, it shall immediately issue to the political party/independent candidate such number of representative identification cards or badges as there are accredited agents/representatives.
- ii. The representative identification card or badges shall include the logo of the Commission and the signature of the authorized official of the Commission.
- iii. The respective political party/independent candidate shall issue the accredited agents/representatives with the representative identification cards or badges authorized by the Commission.
- iv. The respective political party/independent candidate shall also issue or communicate the contents of these guidelines and the Code of Conduct for Agents or Representatives of Political Parties (and Independent Candidates) to the representatives.

PART III.
OTHER PROVISIONS

Section 8 Rights and obligations of Agents or Representatives

- i. Every accredited agent or representative is entitled to attend and observe at any time the electoral process at registration centres, exhibition centres, nomination places, polling places, counting centres and at other premises used for the electoral process by the Commission or its officials.
- ii. Every accredited agent or representative shall abide by The Electoral Laws Act 2002, regulations, guidelines and Code of Conduct issued by the Commission.
- iii. Every accredited agent or representative shall be familiar with the electoral procedures and the Code of Conduct for Agents/Representatives of Political Parties and Independent Candidates.
- iv. No agent or representative shall make any remark aimed at influencing other person or persons on the premises where electoral activities are being conducted.
- v. Agents or representatives shall, while observing the electoral activities, visibly display their identification cards or badges and any other documentation required by the Commission. If requested by an election official, the agent or representative shall also produce a copy of the letter of his/her nomination by the political party or independent candidate.
- vi. Agents or representatives shall not display anything which identifies them as agents/ representative of a particular political party or candidate.
- vii. An Election Official (the Registrar, Presiding Officer, Registration/Returning Officer) or other official of the Commission may, notwithstanding any provisions to the contrary contained in these guidelines, order any political party/independent candidate agent or representative to leave the registration center, polling station, counting center, office of the Registration/Returning Officer, or location where the electoral activities are being conducted, until such time as the agent or representative consents to comply with his/her duties and obligations pursuant to these Guidelines, Code of Conduct and other existing laws.

Section 9 Dos and Don'ts for Political Parties/Party Coalitions, Independent Candidates and their Agents.

Every agent or representative of a political party/political party coalition and independent candidate shall, furthermore:

- i. Adhere to the laws of the Republic of Sierra Leone;

- ii. Do nothing that disrupts the normal course of the electoral process or that hinders the officials of the National Electoral Commission in the performance of their duties;
- iii. Respect the role, status and authority of NEC officials, including international advisers to the National Electoral Commission, and comply with all lawful instructions or directions given by NEC officials;
- iv. Have the right to complain about any violation of the law or regulations and procedures which they have personally seen. This complaint shall be made to the Registration Officer, Registrar, Presiding Officer, Returning Officer or official of the Commission during or after the violation has been committed;
- v. Where required, have the right to sign those forms used in the conduct of the voter registration and elections exercises;
- vi. Maintain and aid in maintaining the secrecy of voting;
- vii. Avail themselves of briefings and other information on the electoral process provided by the NEC, where available; And be knowledgeable about the conduct of the electoral process by the Commission;
- viii. Wear or otherwise display prominently the agent or representative identification card or badges issued by the Commission when engaged in observing the electoral process; and;
- ix. If requested by Registration/Returning Officer or any NEC official, produce a copy of the letter of his/her nomination by the political party or independent candidate.

Moreover, every agent or representative of a political party/political party coalition and independent candidate shall

NOT:

- x. Give unauthorized information or guidance to persons involved in the electoral process;
- xi. Announce election results without the authority of the National Electoral Commission;
- xii. Communicate with applicant for registration or voter on a matter of partisan significance;
- xiii. Touch any registration or election material and equipment without the express consent of the NEC official concerned;
- xiv. Display anything which identifies him/herself as agent or representative of a particular political party or candidate;
- xv. Interfere unjustifiably or in bad faith with the duties of the election officials, disturb

- the process of casting or counting of votes; And
- xvi. Assist any voter who requests assistance in the voting process.

Section 10 Revocation of Accreditation

- i. The Commission may revoke the accreditation of a representative of a political party (or independent candidate) upon a determination that the individual has:
- (a) Failed to comply with a lawful instruction, direction or order issued by or on behalf of the Commission;
 - (b) Hindered or obstructed any official of the Commission in the conduct of his or her duties; or
 - (c) Infringed the Guidelines or Code of Conduct for agents or representatives of Political Parties and Independent Candidates.

PART IV
POLITICAL PARTIES CODE OF CONDUCT

Compliance with the Code

- i. All Political Parties that have subscribed to this “Code” –
 - (a) Are bound by the Code, and must, therefore, instruct its leaders, officials, candidates and members to adhere to the terms of the Code; and dissuade its supporters from breaching the code.
 - (b) Will not make false, frivolous or vexatious complaints or generally abuse the right to complain about violations of the Code;
 - (c) The leader of a party that has subscribed to this code will instruct the party’s officials, candidates, members and supporters to observe the code and ensure compliance.

Compliance with the Law and Election Process

- iii. All political parties that have subscribed to this Code will adhere to existing laws, rules and regulations.
- iv. All political parties that have subscribed to this code will cooperate with election officials to ensure
 - a) The safety and security of electoral officials, party agents, accredited election observers and election materials such as ballot papers, ballot boxes, etc, before, during and after the polls;
 - b) Respect and cooperate with officials or accredited election observers in maintaining the secrecy of the voting.
- v. All political parties that have subscribed to this code shall inculcate respect for human rights, the pursuit of liberty and tolerance of divergent opinions amongst the citizenry.

Campaigning Conduct

- vi. No political party or its candidate, member or supporter that has subscribed to this code shall indulge in any activity which may create or aggravate tension between race, gender, ethnicity, language, class, region or religion or for any other reason. Nor will any political party or candidate issue any poster, pamphlet, leaflet or other publication that contains any such incitement.
- vii. All political parties (and Independent candidates) that have subscribed to the Code of Conduct shall have the right to present their political principles and ideas without in-

timidation or threat. However, criticism of other political parties, when made, shall be confined to their policies and programmes, past record and work. Political parties and candidates shall refrain from unfounded criticism of any aspect of private life, not connected with public activities of the leaders or workers of other parties. Criticism of other political parties or their workers based on unverified allegations or distortion shall be avoided.

- viii. All political parties (and Independent Candidates) that have subscribed to this code shall respect the right and freedom of other political parties (and independent candidates) to campaign and to disseminate their political ideas and principles without let or hindrance. There shall be equal access to the state media; Journalists who are engaged in their professional activities shall have a free hand to do so without any intimidation
- ix. All Political Parties, Candidates, agents and party entities that have subscribed to this code shall not obstruct, disrupt, breakup or cause to be broken up, meetings, or rallies, organized by other political parties and candidates; nor should they interrupt or prevent speeches and cause the destruction of handbills, leaflets, and the pasting of posters by other political parties and candidates. However, the posting of these handbills, leaflets, and posters must be with the consent of owners of the properties. Accordingly, all political parties and candidates will give directives to their members and supporters not to remove, destroy or disfigure the posters and other campaign materials of other parties or candidates.
- x. All political parties (and Independent Candidates) that have subscribed to this code shall in accordance with the Public Order Act of 1965 notify the Inspector General of Police/Paramount Chiefs of any meeting or rally. The Police/Paramount Chief should ensure that no preferential treatment is accorded to one political party or a particular candidate to the detriment of other parties (or candidates) that have subscribed to this code of conduct.
- xi. All Political Parties (and Independent candidates) that have subscribed to this code shall not use state power, privilege or influence or other public resources for campaign purposes.
- xii. All Political parties (and Independent Candidates) that have subscribed to this code shall desist from coercing or offering pecuniary gains or other kinds of inducements to individual or group of individuals to vote for or against a particular party or candidate, or to abstain from voting.
- xiii. All political parties will take all practical steps to coordinate their campaign activities

in such away to avoid holding rallies, meetings, marches or demonstrations close to one another at the same time. Accordingly, whenever the date, venue or timing of any such activities of different political parties clash, their representatives will meet to resolve the issue amicably, without resort to intimidation, force or violence.

- xiv. Every political party will expressly forbid its supporters from wearing its identifying colours and other paraphernalia to the rallies and any public gathering of other parties.
- xv. All political parties or candidate(s) will instruct their members and supporters that no arms or any object that can be used to cause injury may be brought to a political rally, meeting, march, demonstration or any other political function.
- xvi. All political parties will cooperate with the law – enforcement agencies for recovery of illegal arms. Consequently, no party or its agent will take any initiative for the unlawful release of a person or group of persons arrested with arms by the Police at a political rally, meeting, March, demonstration or at a polling station during polling.
- xvii. All Political Parties (and Independent Candidates) that have subscribed to this code shall not make use of the radio/television stations or convene or hold political activity twenty four hours prior to polling

Intimidation and Violence

- xviii. All Political Parties (and Independent Candidates) that have subscribed to this code accept that intimidation, in any form, is unacceptable, and leaders of these parties will direct their officials, candidates, members and supporters not to intimidate any person (or persons) at any time.
- xix. All Political Parties (and Independent Candidates) that have subscribed to this code shall ensure that they do not coerce or intimate Paramount Chiefs or their Sub-Chiefs, or any other authority to deny any political party (and Independent candidates) the right of access to any chieftom for political functions.
- xx. All Political Parties (and Independent Candidates) that have subscribed to this code shall not raise any private force or militia or use the regular army or other forces to intimidate and gain political or electoral advantage.

Communication and Monitoring Adherence to the Code

- xxi. All political Parties (and Independent Candidates) that have subscribed to this Code will make every effort to maintain communications with other political parties (and Independent Candidates) that have subscribed to this Code.

- xxii. An aggrieved political party, candidate or supporter may submit a written complaint addressed to the Secretary of the Political Parties Registration Commission.
- xxiii. A committee, chaired by the PPRC and comprising representatives of political parties, a representative of Sierra Leone Police, two representatives from civil society, one representative from National Commission for Democracy and one from the Inter-Religious Council to function as a forum for discussion of issues of common concern, including breaches of the Code before, during and after the elections.
- xxiv. All Political Parties (and Independent Candidates) that have subscribed to this Code, civil society and the media shall ensure the dissemination of the issues in the Code widely throughout the length and breadth of the country.

Attachment: 1**Addresses: NEC Headquarter and District Offices.****DISTRICT: LOCATION/ADDRESS**

REGION	DISTRICT	ADDRESS
EAST	Kailahun	Old Barrack Road, Kailahun
	Kenema	64 Hanga Road, Kenema
	Kono	8 Gandi Fania Street, Koidu
NORTH	Bombali	5 Gibrilla Street, Makeni
	Kambia	District Council Area, Kambia
	Koinadugu	Main Makeni Road-One Mile, Kabala
	Port Loko	24, New London, Off Kambia Road, Port Loko
	Tonkolili	Kono-Makeni Highway, Magburaka
SOUTH	Bo	79 Tikonko Road, Bo
	Bonthe	77 Bo Road, Mattru Jong, Bonthe
	Moyamba	62 Congowo Road, Moyamba
	Pujehun	Minkailu Street, Pujehun
WEST	Western Rural	Old Main Motor Road, Waterloo
	Western Urban	7 Henry Street, Freetown
	HQ	OAU Drive, Tower Hill, Freetown

FORMS

Attachment 2 List of Forms



Republic of Sierra Leone
National Electoral Commission (NEC)



NEC/FORM PP/IC 01

**Request for Accreditation of Political Parties/
Political Party Coalitions, Independent Candidates and their**

1. District: _____

2. Political Party / Independent Candidate Name: _____

Address: _____

Telephone: _____

3. Person authorized by the political party / candidate to liaise with the Commission or its appointed representatives

Name: _____ Position: _____

Address: _____

Telephone: _____ Email _____

4. Number of representatives to be appointed by the political party / candidate in the district: _____

ADDITIONAL INFORMATION REQUIRED

For accreditation of representatives, in addition to this form, please attach other details as contained in Section 5(2) of these Guidelines and Code of Conduct

Submitted by: _____

Position: _____ Date: _____

Received by: _____

Position: _____ Date: _____



Republic of sierra Leone
National Electoral Commission (NEC)



NEC/FORM PP/IC 02

List of Nominated Representatives

District: _____ Section: _____

Political Party / Independent Candidate: _____

NO	Name	Address	Location of Assignment

Submitted by: _____
Position: _____ Date: _____
Received by: _____
Position: _____ Date: _____



Republic of Sierra Leone
National Electoral Commission (NEC)



NEC/FORM PP/IC 03

Declaration of Agent or Representative

I, _____ (*name*) hereby confirm my commitment to serve as an agent/representative of _____ (*name of party, coalition or alliance, or independent candidate*) to observe the electoral process.

I shall adhere to the Public Elections Acts 2012, Guidelines and Code of Conduct for Agents or Representatives of Political Parties/Coalitions and Alliances, and Independent Candidates, and such other instructions issued by the National Electoral Commission.

I understand that my accreditation may be revoked by the National Electoral Commission if, among other reasons, it determines that I have infringed the Guidelines or Code of Conduct for Agents or Representatives of Political Parties/Coalitions and Alliances and Independent Candidates.

Signature of Representative: _____ Date: _____



Republic of Sierra Leone
National Electoral Commission (NEC)



NEC/FORM PP/IC 04

Statement of Commitment by the National Chairperson/Secretary General

I, _____ (*name*), National Chairperson/ Secretary General for _____ (*name of party/ coalition or alliance, or independent candidate*) hereby affirm that the nominated agents or representatives listed in form provided, are the sole individuals that will receive the Identification Cards or badges issued by NEC to the above mentioned party/coalition or alliance or independent candidate. The identification cards or badges will be used only for the purpose of observing the electoral process, at the location of assignment.

I also affirm that the nominated agents shall adhere to the Public Elections Act 2012, Guidelines and Code of Conduct for Agents or Representatives of Political Parties/ Coalitions and Alliances, and Independent Candidates, and such other instructions issued by the National Electoral Commission.

Signature of National Chairperson/Secretary General: _____

Contact Address _____

Date: _____