Code of Conduct
for political parties and candidates
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- based on the principles decided by all political parties on 21st October 2014
- drafted by the ad-hoc Working Committee (FDA, NBF, NLD, NUP, UNA, USDP)
- consulted with all political parties on 31st March 2015
- reviewed by the UEC in April 2015 (legal review)
- consulted and accepted by all political parties on 15th May 2015
- signed on 26th of June 2015 in Yangon.
1. Preamble

1. The 2015 election is an important milestone and a step in the historic democratic transition of the Republic of the Union of Myanmar. In this context, political parties commit to fostering democratic dialogue and to cooperating together accepting and recognising diversity.
2. The Code of Conduct for political parties and candidates (the “CoC”) is a set of ethical principles developed with the consensus of political parties. The political parties have consented to follow these principles. This CoC will apply to political parties officially registered in the Republic of the Union of Myanmar, political parties’ alliances, coalitions of parties and independent candidates running in the elections (including but not limited to political parties’ officials, election candidates, members, agents, and representatives), referred to here as the “Parties”. The Parties will observe the content of this CoC in both letter and spirit.
3. The most important objectives of the CoC are:
   - to contribute to the success of the electoral process;
   - to ensure the continuity of that process;
   - to build confidence among individuals, organizations and stakeholders involved in the process;
   - to create a positive and tolerant atmosphere;
   - and to encourage open, free and fair competition. On this basis, the Parties are determined to contribute responsibly, voluntarily and willingly to create an environment conducive to the success of the electoral process, irrespective of the differences in their positions.

4. This CoC sits within the framework of respect for the 2008 Constitution, and the laws and decisions of the official institutions of the Republic of the Union of Myanmar. These laws include as the Pyithu Hluttaw Law, the Amoytha Hluttaw Law, the State-Region Hluttaw Law and the Political Parties Registration Law.
5. The CoC is a voluntary instrument for the use and guidance of the Parties, who will endeavour to act according to the values and principles it promotes. The CoC is not legally binding and does not impose any legal obligation on the Parties. For the avoidance of any doubt, the CoC cannot be used as a legal basis for any legal action or prosecution in the Republic of Union of Myanmar or in any other country. In case of any conflict or discrepancy between this CoC and the Myanmar legal and regulatory framework, the existing laws will prevail.
2. To respect all Parties contesting the elections
1. The Parties undertake to respect the rights of all other Parties to the CoC, and to take all necessary and reasonable measures to respect other Parties’ right to conduct their campaigns in an atmosphere of serenity.
To achieve this goal, the Parties are committed to respecting and promoting the following.

a. other Parties’ right and freedom to: assemble peacefully and to hold public meetings; to campaign; to have access to and contact voters; to present their ideas, basic principles, and political agendas; to have free access to mass media for political canvassing; and to publish and distribute their electoral documents and materials without hindrance, intimidation or coercion, as set out in existing laws or regulations.

b. the right of citizens to participate in political activities;
c. to follow the letter and the spirit of the procedures set out in laws and regulations with regard to the use of funds, the use of media, and participation in campaigning.

d. the neutrality of administrative or religious organizations, and the principle of not mis-using financial and human resources and materials of public and private institutions, the principle of non-abuse of the decision-making process, and mis-use of influence in the decision-making process for electioneering purposes.
3. In addition, the Parties are committed to

a. work with responsible staff of the Union Election Commission (the “UEC”) to ensure peaceful and well-organized elections, and;

b. ensure full freedom of voters in exercising their voting rights without being exposed to any form of harassment or hindrance.
3. **To coordinate and cooperate with other Parties in settling disputes**

1. The Parties shall actively seek rapid and peaceful dialogue for amicable resolution between Parties of any dispute or conflict that may arise during the electoral process. Parties shall refrain from actions or issuing statements that might fuel tensions. The parties shall not interfere with actions taken by the authorities of the Republic of the Union of Myanmar to resolve disputes.
2. The Parties and the UEC undertake to cooperate for the elections as required. The Parties commit to participate actively in consultation and coordination mechanisms that may be established in the future. In this spirit of cooperation and with the aim of national reconciliation, there should be no discrimination against other Parties, whether small or big Parties, competing Parties and ethnic Parties.
4. To campaign on party policies and promote diversity

4.1. To not slander other Parties during the campaign

The Parties shall refrain from incorrectly criticizing leaders, candidates and supporters of other Parties on the basis of aspects of their private lives. They will also refrain from making criticisms based on unverified allegations or facts that have been distorted, and from insulting or making tendentious innuendoes about the candidates or their family members based on race, religion, creed, gender, social or regional origin, education or any other similar reason. Polite and respectful language should be used in speeches and announcements.
4.2 To campaign on party policies and promote diversity

Criticism of any Party or candidate shall be confined only to the policies and programs of the Party or candidate and his/her past performances. No criticism may be made without basis or by distorting the facts. No incorrect or false criticism regarding personal matters unrelated to political responsibilities shall be made of political party leaders, activists and candidates.
4.3. Not to use religious and racial discriminatory messages in campaigns

1. In line with the Political Parties Registration Law Chapter II (article 6d), the Parties commit to abstaining from “writing, delivering speech or organizing and instigating that can cause conflict or that can affect dignity and morals relating to nationality, religion, individual or public.”
2. The Parties commit themselves, when addressing the public at political rallies or as part of their communications through mass media, including the social media, to refrain from:

a) any form of intimidation or incitement to violence vis-à-vis any person or group of persons or beliefs;

b) defamation and incitement to hatred, or accusation of apostasy, treason, terrorism or any other similar serious charges;
(c) fuelling regionalist, racial, sectarian or tribal trends that could threaten national unity;
(d) insult, libel and degradation.

3. An election campaign should not be implemented in a manner that encourages hatred between any religion, tribe, group, gender, language, or community.

4. Respecting the Article 407(d) of the Constitution, the Parties shall not “abuse religion for political purposes”. When there is no other place for campaigning, the Parties may use places for social gathering in religious buildings, with the agreement of the religious organisations of the site.
5. Security

5.1 To maintain peace and stability while campaigning

1. The Parties undertake to speak out against violence, and not to contribute to it whether directly or indirectly. They must not destroy posters or advertisements of other Parties. They must ensure that their campaigns do not incite violence, encourage hatred, or cause or aggravate tensions between different groups or communities. They shall try in good faith to take all necessary measures to avoid violent confrontations.
2. The Parties shall cooperate with each other for the security of voters. They shall agree to cooperate with law enforcement services such as Myanmar Police Force to promote a peaceful electoral environment and maintain public order.

5.2 To not campaign with arms
The Parties, in public gatherings, commit not to carry torches, arms and ammunition, and not to display or use sharp and dangerous weapons such as sticks, swords, and knives.
5.3 Violations and the integrity of the process

1. In line with the respective Hluttaw Laws, Chapter XIV, the Parties commit not to engage in violations such as impersonation, casting votes more than once in the same election (multiple voting), and giving or taking bribes. The Parties also commit not to abuse the advanced voting procedures.

2. The Parties shall cooperate with UEC and sub-commissions, security and judicial authorities, and organizations active in electoral observation, in preventing and addressing the above issues.
3. The Parties shall refrain from

a) acquiring votes through their presence inside polling stations or conducting illegal activities in the polling stations/ offices or their surroundings;

b) making false verbal or written declarations or attempting to mislead voters;

c) deceiving or exercising any form of pressure on voters with special needs, illiterate voters or those voters with limited capacity, or resorting to abuse of power to restrict voters’ freedom of choice;
d) interfering with the work of the Electoral Management Body of the Union Election Commission or offering them gifts

e) disrupting the operation of voting or vote counting.

4. The Parties shall not commit or cause to be committed any act of obstruction or detention in order to prevent voters from exercising their voting right or prevent party agents and observers from completing their tasks.
5.4. Engagement with supporters

1. The Parties agree to:
   a. issue guidelines that strictly forbid their subordinates, candidates, members and those involved in their campaign from intimidating any person whatsoever at any time; and campaign against violence or threats of violence and against any act of vandalism or any act of disturbance of community peacefulness or endangering of public order.
b. refrain from hiring (or using) any associations, or any person or body corporate as a façade to undertake illegal acts.

c. upon the occurrence of acts of violence, denounce them publicly, and take the necessary disciplinary action within the Party when appropriate, and combat impunity.

2. Candidates are responsible for the behavior of the representatives and activists undertaking their campaigns; they must explicitly approve all documents in their campaign by endorsing them clearly.
6. Level Playing field

6.1 To not use state resources and security apparatus to threaten or influence voters.

1. The Parties agree to refrain from:

   a) abusing positions of power, influence or privilege for electoral purposes by offering rewards, using intimidation, or any other means.

   b) using national-level, regional, local or any other state-owned resources for campaign purposes or to prevent others from engaging in political activities permitted by law.
2. The Parties shall commit not to obtain or buy votes using public property; a senior government official must not campaign for a candidate using his/her position, authority and financial means. When travelling under orders or in connection with duty assignments, a candidate must not use his/her current positions and authorities to conduct a campaign.

6.2 Media

1. The Parties should:
   a. respect the freedom of the media.

   b. not harass, obstruct, threaten, or assault journalists who are engaged in their professional activities
c. not offer bribes or inducements to journalists or media houses to influence their coverage of campaigns.

2. None of the Parties shall abuse their office to gain unfair advantage in access to the media.

6.3 To abide by the regulations relating to campaign expenditure

1. The Parties agree to comply with the laws relating to campaign expenditures, in particular Chapter XII of of the Hluttaw Election laws and Chapter XIII of the By-Laws of the Hluttaw election laws. Any text in the CoC should be read in line with that guidance.
2. The Parties commit to carry out all public postings, including but not limited to posters and billboards, in strict compliance with the regulations and limitations set by any city development committee and regional or State regulations on public display.

3. During campaigning, candidates are permitted to use commercial flights if travelling to distant locations or those locations that can only be reached by airplane; however, the use of helicopters or charter flights should be avoided.
7. Gender and differently abled people

1. The Parties shall strive, during all stages of the electoral process, to provide equal opportunities and criteria for the greater participation of women, youth and the elderly, and to make as much effort as possible to encourage and facilitate participation of marginalized, poor and low-income sectors of society. The time of campaigning should be arranged so as to enable women working in households to be easily able to participate.

2. The Parties shall not incite or encourage any person to commit gender-based violence. Campaigning for the election should be gender friendly and sensitive towards differently abled people.
8. Monitoring and implementation

8.1 To establish a standard procedure for monitoring compliance and take actions

The Parties shall:

1. undertake the necessary efforts to maintain communication with the other Parties to the CoC
2. establish a “CoC Monitoring Committee” in which the Parties shall commit to actively participate so as to discuss and facilitate the implementation of the CoC. The CoC Committee will rely on the communication each Party has with its various committees in constituencies as appropriate.
3. decide at the majority whether the CoC has been followed or not. If necessary, they can issue joint statements to request a retraction.

4. in the implementation of the CoC, to be accountable to and work together with civil society organizations that have been accredited by the UEC for election observation.

5. appoint representatives from respective parties to the Committee, and use the Committee throughout the electoral process as a primary channel to exchange information so as to contribute to resolve disputes informally, without delay, and without any discrimination against other Parties.
6. respect the confidentiality of the CoC Monitoring Committee during the period when a dispute is still under scrutiny. All Parties must cooperate so as to ensure that the Committee does not become a place that promotes propaganda for, or attacks, an individual party or group of parties.

8.2 Communication

1. The Parties shall find ways to disseminate a simplified content of the CoC to the general public and the supporters.
2. The Parties shall undertake to disseminate the CoC and encourage respect for the CoC on all occasions, and introduce the CoC to all of their officials, agents, members, activists, representatives and supporters and to the general public as well.

3. To this end, the Parties shall take all steps to educate and train their supporters; and to inform them consistently and to the greatest extent possible of the main rules and commitments of the CoC.
Secretariat of the Code of Conduct for Political parties and candidates.
Tel: +95 1 534754, 512873, 507089 (Ext: 107)
Email: coc.secretariat@gmail.com