



Electoral Commission of Namibia

CODE OF CONDUCT FOR POLITICAL PARTIES AND POLITICAL ORGANISATIONS ELECTORAL ACT, 2014

APPLICATION

This code of conduct applies to all political parties and political organisations and their candidates, members and supporters and other stakeholders who are all urged to assist in its observance.

PROHIBITED CONDUCT OF POLITICAL MOTIVATED VIOLENCE OR INTIMIDATION

A political party and a political organisation and its candidates, members, and supporters may not –

- use violence, threaten violence or incite or encourage the use of violence against anyone on account of his or her political opinions or membership or support of a political party, political organisation or candidate or participation in the election;
- intimidate, incite or encourage intimidation of anyone on account of his or her political opinions or membership or support of a political party, political organisation or candidate or act in any way that may provoke violence or intimidation;
- use violence or threats of undue influence to force a voter to refrain from voting or to vote for a candidate, political party or political organisation against his or her will; or
- force a voter to reveal the identity of the candidate voted for or take reprisals against a person because of the way in which he or she has voted or is believed to have voted.

PROHIBITED CONDUCT OF OTHER ACTS

A political party and a political organisation and its candidates, members and supporters, may not –

- propagate, publish, circulate in public or through other means of communication or publication, including social media platforms, false or defamatory allegations or any other baseless or inflammatory allegations about another political party, political organisation or its candidates, members or supporters;
- discriminate on the grounds of race, ethnicity, sex, gender, class or religion in connection with an election or a political party or political organisation;
- use hateful language, including speeches, songs and slogans which incites violence towards any individual or group;
- hold rallies, meetings, marches or demonstrations physically close to another political party or political organisation during the same time of the day;
- utilise public address systems, either fixed or mobile between 22h00 and 07h00 and which could constitute a public nuisance;
- remove, damage or deface property, including the election posters, placards, banners and other election material of another political party or political organisation or candidate and any posters or other voter education materials disseminated by the Commission;
- plagiarise the symbols, colours or acronyms of other political parties or political organisations;
- bar or inhibit access to meetings or to voters for the purpose of election campaigning;
- carry or display weapons, traditional or otherwise, at political meetings or at marches, demonstrations, rallies or other public political events;
- bribe a voter to exercise his or her vote in a particular manner;
- bribe or intimidate an election official to induce him or her to make a false entry in the voters' register or to alter or falsify election results;

- encourage a person to vote knowing that they are not entitled to do so;
- use the information on the voters' register supplied by the Commission for commercial purposes or to harass or intimidate voters;
- publish personal information about voters contained in the voters' register;
- coerce or offer monetary or other kinds of inducements to persons for them to –
 - participate in the activities of a political party or political organisation not of their choice;
 - become or not become a member of certain political party or political organisation, stand or not to stand as candidates or to withdraw or not to withdraw their candidacies or membership of a political party or political organisation; and
 - violate the secrecy of the vote;
- procure the support or assistance of any official or public servant to act in a partisan manner or further the interest of any political party or political organisation;
- do any other thing that is defined in the Constitution, Act or other laws of Namibia as a corrupt and illegal practice or an offence; and
- abuse the right to complain to the courts by making false, frivolous or vexatious complaints.

CONDUCT DURING POLLING PERIOD

- A political party or political organisation or candidate may not, from midnight, 24 hours before polling day in any election or referendum until polling stations are closed on that day –
 - convene or hold a public gathering of any kind;
 - publish, or cause or permit the publication of, any advertisement or statement promoting or opposing a particular political party or a political organisation or candidate;
- disrupt the work of election officials at a polling station or counting centre;
- coerce a voter, who does not require assistance, to be assisted to vote.
- On polling day in any election or referendum, all political parties and political organisations and all their candidates, members and supporters must –
 - cooperate with election officials to ensure that polling is peaceful and orderly and that voters are completely free to exercise their right to vote without being subjected to intimidation, annoyance or disturbance; and
 - conduct themselves so as to respect the secrecy and integrity of the ballot.

ANNOUNCEMENT OF ELECTION RESULTS

- A candidate, member of a political party or a political organisation or an office-bearer may not purport to declare or announce the results of an election before it has been declared officially by an electoral officer authorised to do so.
- A candidate, member or office-bearer of a political party or a political organisation may not purport to make any public statement impugning or condemning election results or alleging election or vote rigging without a factual basis other than through prescribed dispute resolution platforms and remedies.

PARTIES TO ADHERE TO EXISTING LAWS, RULES AND REGULATIONS

A political party and a political organisation that has subscribed to this code of conduct must adhere to existing electoral laws, rules and regulations.

