



CODE OF ETHICS FOR THE ELECTION WORKING GROUP

Introduction

Monitoring of elections is very important, particularly in those countries where controversy, mutual distrust, and conflict overshadow the whole election process, leading to the emergence and prevalence of confrontational politics and deep cleavages in the society. Bangladesh is no exception; rather the scenario here is much more complicated and difficult. Hence in Bangladesh, an election has to be monitored very closely, extensively as well as intensively.

For this purpose, 33 local civil society organizations have come forward and formed a coalition to be known as the Election Working Group (EWG). The EWG will work through a large number of monitors and coordinators at the field level—their number will be approximately 165,000.

An impartial monitoring of elections is not enough. That the monitoring is neutral must be clearly seen and acknowledged by all people and stakeholders without any doubt in anybody's mind, without any eyebrows raised by anyone. A well-formulated Code of Conduct, widely known to all concerned, must be followed by the EWG members, the Secretariat of the EWG, field monitors, and coordinators so as to ensure that the monitoring activity remains absolutely and completely neutral and objective, does not interfere in the election process, and that under no circumstances any allegation of deviation from the accepted code of conduct arises. The members of all the three groups must not only be persons possessing the highest ethical standards, but they will also have to demonstrate their ethical standards in normal as well as trying circumstances to the fullest satisfaction of all.

Code of Conduct for the EWG Member NGOs

All the members of the EWG will:

1. Play totally neutral role and act in a non-partisan manner by strictly avoiding exhibition of any bias in favour or against any political party, their respective manifestoes, or against any candidate;
2. Show neutral attitude and behaviour even in a constituency where the challenger is weak and does not draw any support or attention from the voters. All candidates should be treated equally and no disrespect should be shown to any candidate however unpopular he or she might be;
3. Obey all laws, rules and regulations of the Bangladesh Election Commission, including rules and guidelines prescribed for election observers;
4. Maintain a professional relationship with the Bangladesh Election Commission, national and local level election officials and the administration;

5. Avoid any sort of interference in the election process;
6. Collect, preserve and publish information and observation results only after proper and impartial verification;
7. Publicize the incidence of violations of, and deviations from, electoral laws and code of conduct, before, during and after the election, on the part of the contesting candidates/political parties and their agents, election officials or members of administration and law and order enforcing agencies only after gathering conclusive and credible evidence beyond all reasonable doubt. Incidents not conclusively proven beyond all reasonable doubt may be reported, after obtaining prior clearance from the EWG Secretariat, in a qualified language clearly mentioning that the evidence is inclusive;
8. Publicize incidents of violence of any kind or coercion, threat, attempts to tamper with elections results or obstruction to free and fair voting of any kind before, during and after the election, only after gathering conclusive and credible evidence beyond all reasonable doubt;
9. Submit Election Day observation reports on Election Day, without delay, to the EWG Secretariat;
10. Submit their final election observation reports to the EWG Secretariat as soon as reasonably possible, but no later than one month following the election;
11. Refrain from any activity that may directly or indirectly undermine the work of the EWG coalition. Such activity includes, but is not limited to, spreading or encouraging false information, unfounded rumors, or reports of political bias, corruption, or wrong-doing among the EWG membership;
12. Raise legitimate complaints and concerns through established mechanisms within the EWG, i.e., with the EWG Executive Committee, Ethics Committee or Plenary, or with The Asia Foundation, and not resort to direct contact with the donors or other external stakeholders except in cases where all internal complaint processes have been exhausted. The effectiveness of the EWG rests in the collective commitment to work together and maintain public trust in the EWG's integrity;
13. Abide by decisions adopted by the Plenary majority, unless a collective decision has been made that a decision is non-binding. Concerns about the wisdom of certain decisions can be voiced through the established mechanisms noted in article 12;
14. Notify the Ethics Committee if a reasonable and well-founded suspicion arises of violations of the code of conduct by an EWG member.

Code of Conduct for all EWG Monitors and Coordinators

All election monitors and coordinators will:

1. Carry ID cards issued by the Election Commission on their person and display the same in such a manner that it is easily and clearly visible;
2. Maintain strict neutrality in the conduct of their duties and shall, at no time, express by speech, attitude, behaviour, verbal or facial expressions any bias/preference for or against any party or candidate or political manifesto;

3. Refrain from participating in any political debate, discussion of any contentious issues or politically participating in the election process in any manner;
4. Refrain from carrying or displaying any partisan symbols, colours or banners or showing either respect or disregard for any such symbols etc;
5. Act in an unobtrusive manner and will not interfere with the election process, polling day procedures or counting of votes;
6. Bring cases of irregularities/ malpractices to the notice of the election officials, but while doing so behave politely and refrain from giving instructions or contradicting decisions of the election officials;
7. Base all conclusions on well-documented, factual, and objectively verifiable evidence;
8. Comply with all relevant rules and procedures including the guidelines for local observers prescribed by the Bangladesh Election Commission;
9. Participate, before Election Day, in observing various election activities maintaining strict neutrality;
10. Participate in voter education, voter motivation, in a completely non-partisan, neutral, non-communal manner avoiding any liking/ disliking for any ethnic or regional issues;
11. Strictly avoid canvassing for or against any political party or candidate or their manifestoes in any manner-- directly, indirectly or in any kind of expressions.

Role of EWG Secretariat

The EWG Secretariat will:

1. Provide necessary logistic support to the EWG members on a regular basis;
2. Ensure transparency and accountability of the EWG partners with respect to their operation, activities and financial management including sources and application of funds utilized by the respective partner and the Secretariat;
3. Act as a watchdog in determining and publicizing the observations received from the field monitors and coordinators;
4. Work as a pressure group on the Caretaker Government and the Election Commission to hold a free, fair and credible election;
5. Play a completely neutral role and act in a non-partisan manner;
6. Maintain democratic practice in its committees, partners and their network members;
7. Make public the true situation for the sake of furthering the democratic process. All the partner organizations should remain accountable to the nation and not to any political party or the Government;
8. Not accept any favour of any kind from any political party;
9. Not accept any donation from bilateral/multilateral donors having any strings attached with it, which may influence the monitoring activities in favour or against any political party or their manifestoes;
10. Ensure that the field level monitors and coordinators do not receive any favour from political parties or donors or they are not enticed to receive any favour from the political parties.

Application and Enforcement of the Common Code of Conduct:

(Applicable to all the members of the EWG, monitors and coordinators)

1. The individual members of the EWG along with their respective workers in the office and at field level connected in any way with the work of election monitoring will enter into a mutual agreement among themselves that they will strictly abide by the codes of conduct, in letter and spirit, as formulated in the foregoing paragraphs or may be subsequently formulated to meet any particular situation arising during the monitoring duty.
2. Each member of the EWG will ensure that its workers connected, directly or indirectly, with the monitoring duty abide by the codes of conduct to which the organization is a signatory.
3. All the members of the EWG, together with their respective workers, will further resolve among themselves that any violation of, or deviation from the codes of conduct will make the particular member or the particular worker liable to be dismissed from the EWG.
 - a. All credible allegations of deviations from the code of conduct will be investigated by an independent panel of distinguished citizens who will convene as an Ethical Review Committee, as set out in article 4 below, The Committee will take appropriate action, including but not limited to dismissal from the EWG. In the case of dismissal, the Executive Committee shall notify the Election Commission and make a formal announcement through various media for the information of all concerned.
 - b. Decisions by the independent Ethical Review Committee are final. A decision can only be overturned by a three-quarters majority of the entire Plenary.
4. The Ethical Review Committee will be composed of individuals with no partisan associations, who are drawn from outside the EWG membership. These individuals may have expertise in judicial matters, and will be unaffiliated with any political party or any EWG member organization. The composition will be approved by the EWG Plenary. A roster of five individuals may be appointed to serve as members of the Ethics Committee. In discharging its formal duties, the Ethics Committee will convene as a three-person panel.

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