

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

MINISTRY OF STATE ADMINISTRATION

**TECHNICAL SECRETARIAT FOR ELECTORAL
ADMINISTRATION
(STAE)**

**CODE OF CONDUCT FOR DELEGATES OF CANDIDACIES AND
DELEGATES OF POLITICAL PARTIES OR PARTY COALITIONS**

Pursuant to sub-paragraph c), Article 8, of Law No. 5/2006 of 28 December, combined with paragraph 2, Article 67, of Law No. 7/2006 of 28 December, THE NATIONAL ELECTORAL COMMISSION approves the following to have the force of a code:

Scope

The present code of conduct shall govern the acquisition of the status, the exercise of the functions, as well as the rights and duties of delegates of candidacies and delegates of political parties or party coalitions.

Electoral monitoring

Electoral monitoring shall mean all the activities provided for in the present statute carried out during the period extending from the up-dating of voter registration through the polling day and the subsequent counting of votes, until the completion of the tabulation of electoral results undertaken by the delegates of candidacies and delegates of political parties or party coalitions.

Terms of reference for delegates of candidacies and delegates of political parties or party coalitions.

1. Political parties or party coalitions presenting a list of candidates to the election of the National Parliament, including the candidates to the election of the President of the Republic, may nominate a delegate to follow up on the polling operations and the tabulation of electoral results for each polling centre and polling station, as well as for each tabulation station.
2. In order to avoid disturbing the regular functioning of polling operations, only one delegate of each candidacy shall be allowed to remain inside the polling station during polling.
3. The rule contained in number 2 above shall also apply to the counting operation in the polling station and to the tabulation operation in the tabulation stations.

4. The delegates shall have the following rights and guarantees:
 - a) Follow up the teams up-dating the voter registration in the exercise of their functions;
 - b) Follow up the polling and counting operations from the installation of the polling centre or polling station up until its final closure, in the polling station;
 - c) Present doubts and obtain clarifications during the functioning of the polling station and also during the counting operation;
 - d) Follow up the transportation of the ballot boxes to the district tabulation stations;
 - e) Follow up the process of counting of votes and tabulation of results;
 - f) Sign the minutes of electoral operations relating to the operations of polling, counting and tabulation of results in the places where they are present;
 - g) Present claims and protests during the electoral process;
 - h) Direct the claims to the National Electoral Commission.
5. The lack of nomination or absence of a delegate shall not constitute ground for impeaching the election.
6. The electoral authorities shall not provide transportation to the delegates of candidacies and delegates of political parties or party coalitions.

Process of nomination and accreditation of delegates

1. The complete list of the delegates shall be presented in writing to STAE by the respective candidacy, political party or party coalition.
2. The document containing the names of the delegates shall mandatorily be signed by the representative of the candidacy, political party or party coalition and shall contain the following elements regarding each indicated delegate:
 - a) Complete name;
 - b) Number of Voter;
 - c) Photograph;

- d) Photocopy of the voting card.
- 3. Only voting citizens shall be nominated as delegates.
- 4. Within 10 days from receiving the list referred to in item 1 above, STAE shall issue the respective credentials.
- 5. Where any irregularity is found, STAE shall immediately notify the candidacies, political parties or party coalitions so that they can undertake the necessary correction within 48 hours.
- 6. Duly notified irregularities not corrected by the candidacy, political party or party coalition shall determine the non issuance of credentials for the affected delegates.

Incompatibilities

The exercise of the function of delegate of candidacy, political party or party coalition shall be incompatible with the following functions:

- a) Candidate;
- b) Observer;
- c) Electoral officer;
- d) Member of district or national tabulation station.

Rules of conduct for delegates of candidacies, political parties or party coalitions

Delegates of candidacies and delegates of political parties or party coalitions shall respect the following rules of conduct:

- a) Maintain political impartiality in the exercise of their functions, abstaining from unduly favouring the candidacy, the political party or the party coalition they represent, and respecting only the Constitution, the laws and the applicable regulations;
- b) Abstain from unduly obstructing the phase of up-dating of voter registration and the electoral process;
- c) Formulate the questions considered pertinent to electoral staff, to other delegates of candidacies, and to electoral observers in the polling centres, polling stations, and tabulation stations with a view to, in the case of the delegates of candidacies, obtaining some important information for the correct exercise of their functions,;

- d) Cooperate with the other delegates of political parties or party coalitions and delegates of candidacies so that the phase of up-dating of voter registration and the electoral process take place in a transparent and orderly manner;
- e) Produce the credential required by the national authorities, presenting it whenever so requested by the electoral staff or other competent national authorities;
- f) Present the claims and protests together with evidence supporting their pretensions;
- g) Sign the minutes relating to the counting of the votes and the tabulation of the electoral results.

Temporary Immunity

When in the exercise of their functions, delegates of candidacies and political parties or party coalitions shall not be detained, unless in case of *flagrante delicto*.

Removal of credential

Timorese electoral authorities may remove the credential from any delegate of candidacy or political party or party coalition who does not comply with the laws, regulations and the code of conduct.

Entry into force

The present code of conduct shall enter into force on the date of its publication.

CODE OF CONDUCT FOR DELEGATES OF CANDIDACIES AND DELEGATES OF POLITICAL PARTIES OR PARTY COALITIONS

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- a) Maintain political impartiality in the exercise of their functions, abstaining from unduly favouring the candidacy, the political party or the party coalition they represent, and respecting only the Constitution, the laws and the applicable regulations;
- b) Abstain from unduly obstructing the phase of up-dating of voter registration and the electoral process;
- c) Formulate the questions considered pertinent to electoral staff, to other delegates of candidacies, and to electoral observers in the polling centres, polling stations, and tabulation stations, with a view to, in the case of the delegates of candidacies, obtaining some important information for the correct exercise of their functions;
- d) Cooperate with the other delegates of political parties or party coalitions and delegates of candidacies so that the phase of up-dating of voter registration and the electoral process take place in a transparent and orderly manner;
- e) Produce the credential required by the national authorities, presenting it whenever so requested by the electoral staff or other competent national authorities;

Code of Conduct proposed by STAE

Tomás do Rosário Cabral
[signed]
Director of STAE

Approved in Dili on March/2007

By the National Electoral Commission

No.	Name	Signature
1	Maria Domingas Fernandes Alves	[signed]
2	Faustino Cardoso Gomes	[signed]
3	Joana Maria Dulce Vítor	[signed]
4	Maria Angelina Lopes Sarmiento	[signed]
5	José Agostinho da Costa Belo	[signed]
6	Silvestre Xavier Sufa	[signed]
7	Lucas de Sousa	
8	Teresinha Maria Noronha Cardoso	[signed]
9	Tomé Xavier Jeronimo	[signed]
10	Deolindo dos Santos	[signed]
11	Vicente Fernandes e Brito	[signed]
12	Sérgio de Jesus Fernandes da Costa Hornai	[signed]
13	Pe. Martinho Germano da Silva Gusmão	[signed]
14	Arif Abdullah Sagan	
15	Manuela Leong Pereira	[signed]