

supreme electoral council



Bulletin

Managua, Nicaragua, October 1989

Rules of Electoral Ethics

THE SUPREME ELECTORAL COUNCIL OF THE REPUBLIC OF
NICARAGUA

WHEREAS:

I

There is a need for exemplary civic behavior in the electoral process, with strict adherence to the laws by the authorities, political parties, alliances of political parties, petitioning associations, and the population in general;

II

The electoral process and especially the electoral campaign should be conducted within the highest ethical and moral standards;

III

The Political Agreement signed by the President of the Republic and the political parties on August 4, 1989, proposed that this Council approve various rules of electoral behavior;

AGREES:

To approve these

Rules of Electoral Ethics

in accordance with

Article 173 of the Constitution of Nicaragua and Articles 129 and 130 of the Electoral Law.

Art. 1. Civic Education Function.— The officials of the Supreme Electoral Council, the members of the subordinate electoral organs, other government authorities; leaders and activists of political parties, alliances and petitioning associations, journalists and directors of the mass communication media and the general population are obligated to contribute so that the electoral campaign will be educational and formative of civic values for the Nicaraguan people.

Art. 2. Generalities regarding Electoral Campaigning.— In addition to respecting the Constitution and laws, the electoral campaign should be conducted in conformity with the highest ethical and moral standards, which include respect for:

1. The political opinions of others, so that ideas are responded to with ideas, in an educated and mature manner.
2. The dignity of public officials and of the leaders and activists of political parties, candidates, voters and the population in general.
3. The rights of the political parties, alliances and petitioning associations registered to participate in the elections to conduct their electoral campaigns in accordance with the norms established in the Electoral Law and those contained in this document.
4. The right to preserve one's name and other human rights that protect the honor and reputation of an individual. For this reason neither insults nor degrading terms should be used when referring to the person or names of candidates.

A violation of the terms established in this Article shall be considered a violation of electoral ethics and subject to penalties.

The first infraction of this Article will result in a public warning to the individual and his political party. The procedure established in Article 196 and subsequent procedures contained in the Electoral Law will be implemented in cases when the infraction is repeated.

Art. 3. Respect for Campaign Materials.— Activists, leaders, members of political parties, as well as the authorities and the general population, should respect the campaign materials of the parties. It is prohibited to damage, fragment, distort, or destroy campaign materials in any form. Infractions of this resolution will be sanctioned in accordance with Article 196, item 2 of the Electoral Law.

Art. 4. Respect for Symbols and Emblems.— The name, slogan, symbols, emblems and colors of a political party, alliance or petitioning association may not be used by persons, organizations, or political parties other than those that have registered those items with the appropriate body.

Art. 5. Campaigning in Public Offices.— The use of public offices for political campaigning is forbidden during office hours. This rule also covers temples and churches.

Public officials while exercising their duties and responsibilities should not campaign or distribute campaign materials. An official shall be considered in exercise of his duties when carrying out activities that pertain to his position.

Art. 6. Campaign Materials in Public Offices.— Campaign materials are not permitted inside or outside of public buildings. Meetings and political assemblies are also prohibited inside public buildings.

For purposes of the Electoral Law, public buildings refer to those that are occupied under any contract or legal arrangement or in fact pertain to any of the four branches of Government or other agencies.

Art. 7. Use of Government Property.— The improper use of State property for campaign purposes is prohibited.

Art. 8. Electoral Campaigning.— Campaigning that includes any of the following characteristics will not be permitted.

- a) Making direct or indirect calls for electoral abstention.
- b) The use of violence, threats or bribes to force adherence to a particular candidate or to vote in a given manner.
- c) That contains defamation, rumor or libel, or obscene or denigrating expressions against public officials, political party officials, candidates and the general population.

Art. 9. Duties of the Ministry of the Interior.— The Ministry of the Interior is obliged to facilitate the normal development of the electoral campaign and to collaborate with the Supreme Electoral Council and its organs in compliance with the Electoral Law, these rules and subsequent resolutions and orders emanating from them.

Art. 10. Public Demonstrations and Other Dispositions.— Beginning August 25, 1989, public demonstrations and meetings of political parties, alliances or petitioning associations that are held in open air will not require additional authorization other than informing the corresponding Regional Electoral Council which will comply with the procedure established in Article 108 of the Electoral Law. The first request will have preference over all subsequent requests. The bond referred to in Art. 218, item 2.1.1 of the Electoral Law will be presented to the President of the respective Electoral Council.

The Regional Electoral Councils may authorize meetings or demonstrations by different parties in the same city when the size and the location of the events within the city, in the judgement of the Council, impede the possibility of encounters or interference between individuals, the meetings or demonstrations.

Art. 11. During political party demonstrations conducted during the Electoral process, participants should observe the following standards of conduct:

They should

- A) Not bear any type of firearms, instruments for assault (such as iron, wood, sticks, etc.) or blank arms or sharp objects.
- B) Not damage walls, windows, gardens, sidewalks, fences or any other part of buildings or private houses.
- C) Not throw stones, bricks or any other object that may harm the

physical integrity or health of individuals or damage structures located along the route of the demonstrations.

- D) Not provoke incidents, either by words or actions, with the authority in charge of maintaining public order.
- E) Not damage the campaign literature of other political parties that they encounter along the demonstration route.
- F) Not damage or strike public or private vehicles either parked or circulating in areas where the demonstration passes.

Art. 12. Prohibition.— The distribution of alcoholic beverages or drugs to the participants of vehicular caravans, demonstrations, or public concentrations is expressly prohibited.

Art. 13. General Disposition.— All complaints regarding violations of these rules will be processed by the corresponding office of the Secretariat of the Supreme Electoral Council or of the Regional Electoral Council under the rules established in this Rule and in Articles 196, 197, 198 and 199 of the Electoral Law.

Art. 14. This regulation will take effect immediately upon approval by the Supreme Electoral Council.

Given in the city of Managua, Republic of Nicaragua, at eight hours and five minutes on the evening of the twenty-fifth day of September of nineteen hundred and eighty-nine.

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council**