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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

CODE OF CONDUCT FOR CONTESTING POLITICAL PARTIES/ INDEPENDENT GROUPS AND CANDIDATES OF THE ELECTIONS

THIS Code of Conduct is issued in terms of Section 8(8) of the Parliamentary Elections Act, No. 1 of 1981 as amended by the Parliamentary Elections (Amendment) Act, No. 58 of 2009. The Code is applicable to the period commencing from the date of notice of nomination and to the date of declaration of the result of any election.

Prior to the enactment of laws recognizing Political Parties, political parties have existed in Sri Lankan society since 1931. The laws concerning the recognition of political parties have been amended multiple times since 1959. While rules and regulations have limited impact on enhancing the role of political parties in advancing contemporary society, these parties bear significant responsibility in fostering an environment conducive to conducting free and fair elections.

In light of this responsibility, the Code of Conduct for political parties and candidates was first introduced by the Department of Elections during the Provincial Councils Elections in 2012. Since then, the secretaries of political parties, party representatives, and observer organization representatives have all agree to abide by this Code at the Committee for Investigation of Election Complaints in all subsequent elections.

It is important to note that this updated Code, issued by the Election Commission, applies to individuals in Key positions such as leaders, secretaries, candidates, activists and supporters of all political parties participating in elections, as well as representatives of Provincial Councils and Local Authorities, all party activists, candidate supporters, independent group leaders, and their candidates.

Therefore, all those who are engaged in the elections are hereby informed to adhere to this code of conduct.



A. Rule of Law

01. Uphold the citizens' rights and freedoms guaranteed by the Constitution and other laws of Sri Lanka, assist and encourage the voter to exercise the franchise to elect people's representatives at elections and vote at referenda freely and without any obstruction.
02. Safeguard the equal rights that the candidates of all political parties and independent groups are entitled to at all times in the election process.
03. Respect the rights of all political parties and candidates and their right to educate the voter, while safeguarding the right of those with opposing views to hold their views and their right to carry out lawful promotional activities.
04. Refrain from obstructing or interfering in any manner with government, semi-government, private or other institutions established under law from carrying out their legitimate activities and responsibilities.
05. Refrain from obstructing or influencing institutions and personnel vested with the responsibility of maintaining law and order in the country, from carrying out their legitimate duties.
06. Ensure that propaganda activities are carried out without violating existing laws and without interfering with the life of the ordinary citizen.
07. Educate all the candidates and activists on the laws (particularly the sections of the Acts) relating to elections and advise them to refrain from committing offences, corrupt practices and illegal activities.
08. Refrain from touching or removing of material, equipment and documents assigned to be used during the conduct of the poll or the counting of votes, without obtaining approval from the relevant authority.
09. In cases of election law violations, obstruction of election activities, election frauds, and malpractices, refrain from impeding investigations carried out by law enforcement agencies and should provide the necessary support for these agencies to operate independently.

B. General Conduct

01. Refrain from any activity, expression or behavior which could create or aggravate differences, hatred and tension between Sri Lankans of different religions, languages, races, customs and castes.
02. Limit criticisms of other political parties or independent groups to their policies, programmes and their past activities and refrain from criticizing the private life of candidates or making statements or allegations that are not prove and unsubstantiated against candidates of the same party or other parties.
03. Select candidates who can devote themselves to the future well-being of the citizens of Sri Lanka by fulfilling the objectives of the constitutional bodies to which they are to be elected, and who conduct their campaigns in a disciplined and decent manner.
04. Select candidates based on their past conduct and good behavior, respect for the law, non conviction before courts, dedication to serve the society *etc.*, avoid persons who use their wealth or social status to the detriment of society.
05. Submit the declaration of assets and liabilities of presidential candidates together with the nominations to the Election Commission subject to Sections 80(1)(s), 81,82(1)(f), 82(2) and 89 of the Anti Corruption Act, No. 9 of 2023.
06. Educate candidates/agents not to smoke or consume liquor or intoxicants inside polling stations or enter polling stations counting centres and result declaration centre after consuming liquor.

07. Adhere to the instruction that only those who are permitted shall enter the nomination centers or polling stations or counting centers or results declaration centers as well as their premises and act in accordance with the directive not to take weapons to such places.
08. Candidates to abstain from engaging in prohibited election related activities and prevent his/her supporters from engaging in such activities.
09. Candidates or prominent officials of political parties should abstain from participating in state functions held during the election period and refrain from using such events to promote party candidates.

C. Election Propaganda Activities

01. Hold campaign meetings without causing any disruption to law and order and to the lawful campaign activities of rival candidates, and maintain election offices in accordance with election laws.
02. Political parties participating in the elections should present their party's policies and proposed programs to be implemented within a specified timeframe to the voters. With a copy to the Election Commission and to the Department of National Archives through the Election Commission.
03. Follow election laws in printing election material and distributing handbills, among voters,
In Particular :-
 - i. Refrain from distributing anonymous handbills without indicating the name of the printer/publisher and from printing illegal notices, *etc* ;
 - ii. Refrain from using large crowds in the form of rallies or processions, music or displaying posters when engaged in door to door canvassing or distribution of handbills and prevent candidates or the close relations of candidates from engaging in door-to-door canvassing, if it is prohibited by the law.
04. Refrain from publishing political newsletters, articles or advertising supplements etc., at the expense of the government or government institutions, during the election period.
05. Refrain from displaying any election campaign notices, posters, photographs or paintings with the objective of promoting the election of a party or an independent group or a candidate, or preventing the election of a rival party, independent group or candidate in a state owned or private building, residential premises or a vacant land belonging to the government or a private person or in a public place or road to which the public have access, such display being permitted to be exhibited only at notified offices and within the premises in which a meeting is conducted on the day of such meeting.
06. Refrain from using lands, buildings or any property owned by the State or Semi-State institutions or Services or official for election promotion, except assembly halls or playgrounds that are hired under normal conditions and from engaging in any propaganda activities such as soliciting votes, distribution of handbills, displaying placards or hoardings in public institution such as offices, schools, etc.
07. Government official quarters allotted to politicians should not be utilized as election office for the promotion of any party or candidate. It is imperative that no offence, corruption, or illegal activity takes place in these precincts that contravenes the election laws or directives issued by the Commission through the Gazette.
08. If public buildings, playgrounds, or government circuits bungalows are used for election propaganda activities, they should be accessed by paying the prescribed fees, Equal opportunities should be provided for all stakeholders to utilize these facilities.
09. All Politicians are expected to cooperate with the district committee overseen by the respective Returning Officer at the district and regional levels to address issues related to the reservation of sports grounds or hall facilities owned by local authorities.

10. During government or government-sponsored festivals, shows, exhibitions, or sports competition held in areas where elections are taking place, refrain from engaging in political campaign activities to promote candidates or parties participating in the election.
11. Photographs or statements of disenfranchised government officers and serving officers of security forces and police officers as well as retired security force officers or police officers taken or made while on duty or in official uniform, should not be used for publishing, broadcasting or publicizing through social media or any other electronic or print media in a manner promoting or prejudicing parties/ candidates.
12. Refrain from and publicly denouncing the unauthorized involvement of police officers and officers of other security forces, who serve as the lawful protectors of peoples' representatives, in political election campaigns and their use to hinder the election activities of opposition parties.
13. Abstain from using firearms, protective equipment, and tools legally designated for the protection of people's representatives for any unlawful purposes, except for safeguarding the designated people's representative.
14. Refrain from using places of religious worship or land or premises belonging to any religious organization for election promotion.
15. The government places typically allocated for campaign activities by political parties and independent groups should not be exclusively reserved for one party or candidate. Equal opportunities should be provided for other parties or candidates to access these locations for their campaign activities.
16. Display posters or flags or stickers related to the election or the name, number and photographs of the candidate only on the vehicle in which the candidate travels and refrain from using unregistered vehicles or vehicles with garage/fake numbers for election promotion.
17. Restrict any decorations or exhibition of election promotion materials to the venue of an election campaign meeting, ensure that such decorations do not harm the environment and remove all such decorations without delay after the meeting.
18. Refrain from holding processions, public rallies, motorcades and bicycle rallies as promotional activities during the election period as they are violations of election laws.
19. Use loudspeakers only at the places permitted, restrict the use of loudspeakers to the time allowed for the meeting and refrain from using loudspeakers in moving vehicles.
20. Stop all propaganda activities, 48 hours before the day of poll and refrain from holding musical shows, advertisements in print/ electronic media, during such silent period to promote party or candidates.
21. Refrain from using vehicles, or other State property or any powers and privileges available to a Member of Parliament, Provincial Councils or Local Authorities to promote the election of a party, independent group or a candidate.
22. Refrain from using free of charge government owned aircraft or any other vehicles for election propaganda activities.
23. Use the services of Sri Lanka Rupavahini Corporation and the Sri Lanka Broadcasting Corporation provided, under election law, to a party or an independent group for election propaganda, according to the guidelines and conditions imposed by the Election Commission and the Heads of the respective corporations. (This is not applicable for Provincial Council and Local Authorities elections.)

24. Use the free postal facility provided under the election law to send a publication, by political parties and independent groups, to every household according to the provisions of the relevant Act and according to the instructions issued by the Post Master General. (This is not applicable to Provincial Council and Local Authorities elections).
25. Refrain from election promotion activities that disturb the conduct of public examinations including the General Certificate of Education (Ordinary and Advanced Level) and Grade 5 Scholarship Examination at the examination centers and at their evaluation centers at schools.
26. During propaganda campaigns, avoid using images of children in posters, notices, cutouts, and video footage. Additionally refrain from involving children in any propaganda activities.
27. Refrain from promoting parties/ candidates during educational workshop associated with public examinations and scholarship examinations.
28. Refrain from using statements or comments made by a candidate regarding another party or candidate, to promote or prejudice another party or candidate, if the person who made the statements has previously expressed objection to such statements.
29. When conducting election propaganda campaigns on social media and the internet, it is important to consider the following points and adhere to the ethical guidelines applicable to social media :
 - i. Avoid advertising false news, disinformation, and intentionally altered or distorted information generated by artificial intelligence-based computer programs.
 - ii. Refrain from creating fake social media accounts in the names of others to harm other candidates.
 - iii. Street clear of intimidating and harassing individuals who support other parties/ candidates on the internet and social media.
 - iv. Do not enlist social media platforms to disseminate false news, disinformation, and intentionally altered or distorted information.
 - v. Avoid attempting to manipulate or sway public opinion through fake social media accounts.
 - vi. Do not promote pre-election polls through social media.
 - vii. Ensure that advertising activities conducted by social media influencers follow ethical standards.

D. Poll Day

01. Refrain from engaging in any prohibited activity, especially, canvassing for votes *etc.*, mentioned in the election law, within a radius of 500 meters of a polling station on the poll day.
02. Refrain from obstructing voters who come to the polling station and voters casting their vote at the polling station, from influencing the voter and from preventing the voters casting their vote freely and in secret.
03. Refrain from intimidating or causing bodily harm to voters, polling agents, candidates and election observers and their families or causing damage to their houses or properties, from interrupting voters on their arrival at or departure from the polling station, and from chasing away polling agents from the polling station.
04. Ensure that only those permitted (Secretary of contesting political party, candidates and their polling agents) enter the polling station after they prove their identity, while refraining from bringing security personnel or journalists, or photographers into the polling station.

05. Refrain from committing or promoting of any corrupt practice or offences (such as bribery, intimidation stuffing of ballot boxes at the polling station, breaking into polling stations, impersonation or other corrupt practices or offences.)
06. Refrain from illegal transport of voters to polling stations.
07. Ensure that polling agents co-operate with the poll staff at the polling station and that the agents do not create any disturbance at the polling station.
08. Refrain from interfering with election observers approved by the Election Commission in engaging in observations and support their activities.
09. Refrain from prohibited actions such as videoing, using mobile phones, *etc.*, in the premises of the polling stations.

Please note that above codes are applicable for the day of postal voting as well.

E. Count of Votes and Preference (including Postal Votes), and Declaration of Results

01. Make the counting agents aware of the procedure regarding the counting of votes and preferences (including the counting of postal votes) and the procedure for making complaints.
02. Ensure that the Agents at the Centre for Counting Votes and at the Centre for Declaration of Results observe and follow the administrative arrangements at the centre provided by the Election Commission and the Returning Officer.
03. Ensure that Government Ministers, Ministers of Provincial Councils, Members of Provincial Councils and Local Authorities and other politicians are prevented from entering Counting Centers/halls unless they are duly appointed as Counting Agents or are candidates.
04. Prevent politicians appointed as counting agents or declaration centre agents from being accompanied by security personnel of any politician, with or without weapons, into the counting halls of the Centre for Results Declaration and refrain from bringing unauthorized persons to the premises of the counting halls/centre for Results Declaration.

F. Hate Speech or Speech Prejudicial to National Harmony

Refrain from spreading hate speech, statements that undermine national harmony, false news on print or electronic mass media or social media, as mentioned below, and from endorsing such statements.

01. Abstain from hate speech of any form ; that is speech that threatens, or insults communities or social groups, especially women, persons with special needs or disabled, those of different sexual orientation and other religious or ethnic groups.
02. Ensure that all those engaged in political activities refrain from hate speech at all times, especially during the period commencing from the first day of the nomination period at any election and ending on the day following the date of the poll at such election.
03. Hate speech is indentified as an offence and therefore those who make hate speech should be reported.
04. Abstain from making statements or displaying images that disturbs the harmony and mutual trust among the ethnic and religious groups.

05. Abstain from making any statement that may harm or prejudice the dignity of ethnic or religious groups and individuals and abstain from using such statements as propaganda.
06. Abstain from making statements or from any action that could be deemed to be prejudicial to or discriminative of any person or group based on religious, ethnic, linguistic, caste, or gender differences.
07. Abstain from making statements or engaging in any action that is contemptuous or abusive of women based on their physical appearance. Though women are specifically referred to here those who are engaged in politics should refrain from such statements or action since they are relevant to every citizen.
08. Abstain from making statements or engaging in any action that is contemptuous or abusive of any deformity or disability of any person.
09. Avoid using print and electronic media to spread programs that make unfounded or false accusation against opposition parties and their supporters without allowing the concerned parties the chance to respond, during the election period.
10. Refrain from engaging in any form of election propaganda (sharing unreliable election promotion information) in reaction to criticism and allegations directed at a political party or politicians, and respond solely through non-violent legal means.

G. Abstain from Entertaining

01. Refrain from inviting voters or state officers individually or in groups to private or official residences and from entertaining them during the period of the election.
02. Refrain from making promises of financial assistance, laying foundation stones for projects or proposed projects, promising to provide roads, water and electricity services, and making *ad-hoc* appointments to posts outside the approved scheme of recruitment with the aim of attracting votes.
03. Refrain from influencing appointments, transfers, and promotions with political favoritism, whether directly or indirectly.

H. The Use of Nationality, Religion, National and Religious Symbols and other Important Matters

01. Abstain from using or otherwise abusing the National Anthem, National Flag, religious symbols, religious flags, paintings or photographs of founders of religions or religious leaders through publication or broadcast to promote or demote the candidature of a candidate or parties/groups. Also, abstain from exhibiting them at promotional rallies, meetings of parties/groups or candidates or on the notices and display boards. Refrain from using photographs or paintings of public officers, in any manner, to promote parties/candidates.
02. Abstain from uttering at any religious assembly any words for the purpose of influencing the result of an election or inducing any elector to vote or refrain from voting for a candidate of any recognized political party or independent group at such election.
03. Abstain from distributing and displaying at any religious assembly, any handbill, placard, poster, drawing, notice, photograph of a candidate, symbol, sign, flag or banner ; holding or causing to be held any public meeting at a place of worship for the purpose of promoting the election, or the election campaign of a candidate of any recognized political party or independent group at such election.

It is expected that candidates contesting at any Election and Secretaries of respective political parties, agents and supporters or candidates, as applicable, act in accordance with the aforesaid code. It is also expected that the candidates and, as relevant, Secretaries of Political Parties will make suitable arrangements to ensure that their agents, party members, followers and supporters earnestly observe this Code of Conduct.

R. M. A. L. RATHNAYAKE,
Chairman,
Election Commission.

M. A. P. C. PERERA,
Member,
Election Commission.

AMEER FAAIZ,
Member,
Election Commission.

A. SHANMUGANATHAN,
Member,
Election Commission.

Prof. LAKSHMAN DISSANAYAKE,
Member,
Election Commission.

On this 26th Day of July 2024,
At Election Commission,
Sarana Mawatha, Rajagiriya.

EOG 08 - 0080