

Baltimore Association of Nepalese (BANA)
Election Committee 2022

Election 2022: Code of Conduct

EC.2022.01. Overview and adoption

This Code of Conduct is intended to guarantee the free and fair election of BANA Executive Committee for 2022-2025 Term and uphold the sanctity of the election by ensuring the right of each voter to practice his/her franchise without intimidation and counting of each valid vote. The Code was formulated by the BANA 2022 Election Committee and adopted unanimously by its third meeting held on Feb 6, 2022.

EC.2022.02. General

- 02.01. All concerning individuals or groups including the BANA Executive Committee, Board of Trustee, Election Committee, candidates, voters, and members of the community (hereafter mentioned as parties, whether it is a single individual or a team) will play their respective roles in creating and/ maintaining an environment conducive to conducting the free and fair election.
- 02.02. All concerning parties must be obligated by the relevant provisions of this Code of Conduct, recognize the authority of the Election Committee, allow the election officials to perform their duties, and accept the result of the election.
- 02.03. In case of any concerns or questions regarding the election, all concerning parties shall correspond with the Election Committee through election@banaonline.org. No one shall contact any election committee member through personal phone or email or any social site.
- 02.04. Only official correspondences of the Election Committee will be authentic. Any verbal or written correspondence with (or of) a member of the Committee will not be recognized as an authentic correspondence of the Committee.
- 02.05. No one, by any means, shall force any member of the Election Committee for any information or decision or anything related to the election.
- 02.06. All election programs/activities will be conducted as per the Election Program/Timeline determined by the Committee and posted on <https://www.banaonline.org/election/timeline/>.
- 02.07. On the election date, in the polling or counting stations, only representatives of the candidates or election volunteers authorized in advance by the Election Committee will be allowed to stay at the allocated location(s) to perform the allocated tasks. No one else shall stay inside the boundary/mark, as determined by the Election committee, in the premises of the polling or counting stations. The voters will be allowed to stay only to cast vote.
- 02.08. All parties shall respect security personnel and help them execute their duties to ensure safety in the polling or counting station.

- 02.09. No one shall interrupt or harass, by any means, the Election Committee or any member of the Election Committee or any election staff.
- 02.10. Every voter has a right to cast vote for a preferred candidate secretly in a safe and fair environment without fear and intimidation. No one shall force, in any way, a voter to vote or not vote for a candidate or tell or show a proof of who he/she voted for. With an intent to protect a voter from being compelled to take a picture of his ballot as a proof, taking mobile phones or cameras into the polling station will be prohibited.
- 02.11. To maintain a conducive environment, campaigning for or against a candidate by anyone, using any means, in the premises of the voting station will be prohibited.
- 02.12. Any kind of chanting in the premises of polling and counting stations will be prohibited. Speaking loudly or scolding election or security officers will be prohibited as well. Anyone violating this provision, will be handed to the security personnel.
- 02.13. No one other than the voters or persons authorized by the Election Committee will be allowed to stay in the premises of the polling or counting station. However, small kids can stay with their parents while the parents are in the process of casting their vote.
- 02.14. In addition to mobile phones as stated above in 02.10, any liquids or fire-producing devices will not be allowed into the polling or counting stations.
- 02.15. Only ballot papers issued by the Election Committee, duly signed by an election officer, and handed at the polling station to the prospective voters will be considered a legitimate ballot paper. Vote casted on the paper other than the legitimate ballot paper will not be counted.
- 02.16. To obtain a legitimate ballot paper at the polling station, each prospective voter shall produce an authentic identity document, containing a photo with an recognizable face of the voter, in front of the election officers for verification with the name published in the voter list.
- 02.17. If deemed necessary or useful, the Election Committee can nominate any individuals or organizations to observe the election and issue them individual passes. Individuals carrying such passes will be allowed to enter the election or counting stations just to observe the election. They must not interrupt the election or counting process in any way, and they must not, in any way, conduct any activity for or against any candidate. If the election committee perceives violation of this provision by any such observer, the committee will immediately relieve the person from the position of the observer and force him out of the station premises.
- 02.18. If violation of this code of conduct by any one is evident, the Election Committee can take disciplinary actions as appropriate. The disciplinary action includes (but not limited to) a formal warning, termination of candidacy (if the violator is a candidate), termination of the election responsibility (volunteer, polling/counting agent, etc.), and/or cancellation of voting right. The disciplinary action taken by the Election Committee shall be final and mandatory. All shall be abided by the decision of the Election Committee or challenge the decision through due legal process.
- 02.19. The current BANA executive Committee shall provide all logistic supports to the Election Committee in a timely manner or when needed and cooperate with the Committee for all activities including implementing the decision of the Committee.

02.20. The election volunteers will be under the command of the Chair of the Election Committee or, if the chair is absent, a member of the Committee nominated by the Chair. If any volunteer violates this provision, he/she will be terminated from his/her duty and will not be allowed to stay in the voting/counting station.

EC.2022.03. Election Committee

- 03.01. A member of the Election Committee (hereafter mentioned as a member) shall maintain, observe, and enforce the high standards of conduct so that the integrity, independence, and fairness of the election is ensured.
- 03.02. A member shall perform all duties diligently with honesty and without fear or favor to guarantee impartiality and fairness in the election.
- 03.03. A member shall not make public comment or involve in any debate or express any personal opinion for or against any candidate and on the merits of any election matter that is under the consideration of the Election Committee.
- 03.04. A member shall not make any comments or opinion in the public against any procedure or decision of the Election Committee through any means including email or social media. It is a duty of a member to defend the decision of the EC.
- 03.05. A member should practice civility, by being patient, dignified, respectful, and courteous, in dealings with all stakeholders including his/her colleagues in the Election Committee, BANA officers, voters, and candidates.
- 03.06. A member shall maintain confidentiality on the matters of the Election Committee and will not publicly disclose any confidential information, issue under consideration of the Committee, and any opinion expressed by any member in an Election Committee meeting on any issues.
- 03.07. A member shall not conduct any election campaign or make any contribution for or against a candidate including asking anyone to file or not file candidacy and requesting any voter to vote or not vote for a particular candidate or a team of candidates.
- 03.08. A member shall not participate in any election-related meetings (physical or online) other than Election Committee meetings or meetings called by BANA executive committee where Election Committee is invited.
- 03.09. A member shall refrain from any activities or behaviors that may pose threats to the integrity and fairness of the election.
- 03.10. A member of the election committee, who has been involved in any task of the election in the capacity of the Election Committee Member, or has remained in that capacity for any duration, cannot file candidacy for himself or second a candidacy of anyone else or become a campaign member of any candidate(s) even after resigning from the Election Committee.
- 03.11. Only officer(s) designated by the Election Committee from within the Committee will be authorized to speak or issue statement(s) to the media about any aspects of the election procedure or any information related to the election.

EC.2022.04. Candidates

- 04.01. Must support the Election Committee's effort to conduct the fair and impartial election and cooperate with the Election Committee and its members.
- 04.02. Must recognize the authority of the Election Committee, allow the Committee members to perform their duties, accept the decision(s) of the Election Committee, and accept the result of the election. A candidate can dispute in writing to the Election Committee for any election activities or results including counting of votes. Upon receiving such dispute, the Election Committee will review the written dispute and make a decision, which will be a final decision. No other review or investigation or decision will be made after the final decision. Candidate(s) must accept the decision(s) of the Election Committee or challenge the decision(s) by due process of law.
- 04.03. Must agree to abide by this code of conduct. The Election Committee may take disciplinary actions as appropriate, including cancelation of the candidacy, against a candidate violating this Code of Conduct.
- 04.04. Are prohibited to use language which provoke violence or discrimination (based on race, ethnicity, sex, gender, class or religion), publish false or defamatory allegations about other candidate(s), abuse position of power or privilege (if any) by himself/herself or through others, or influence any stakeholders through any undue means to affect the outcome of the election.
- 04.05. Must not use violence or threat or illegal pressure to force a voter to vote or refrain from voting for a candidate
- 04.06. Must not force a voter to disclose the identity of the candidate he/she has voted for or take reprisals against a voter on account of the way in which he or she has voted or is believed to have voted.
- 04.07. Must not force, intimidate, or use any means to influence Election Committee member(s) to affect the procedure(s), action(s), and/or decision(s) of the Election Committee.
- 04.08. Must not encourage or assist a person, who is not an eligible voter or who has already voted on his behalf, to vote using another voter's credentials.
- 04.09. Must not disrupt the work of election officials at a polling or counting station by himself or representative(s) or supporter(s).
- 04.10. Must not campaign or distribute/display campaign materials in the polling station premises.
- 04.11. Must instruct his/her representative(s) or supporter(s) to comply with this Code and any other applicable provisions or codes. Any candidate(s) or his/her supporters or representatives must not disrupt any disciplinary action(s) against himself, his representative(s), or his supporter(s) by the Election Committee for violating this code.
- 04.12. Must co-operate with election officials to guarantee peaceful and fair polling and ensure that voters are completely free to cast their votes without being subject to any undue pressure including intimidation, annoyance, or disturbance.

04.13. Must not carry or display any weapons at meeting(s) or polling booth(s) or counting station(s) or any place related to the election activities.

EC.2022.05. Amendment

If deemed necessary by the Election Committee, the Committee can make necessary amendment(s) to this Code.

EC.2022.06. Date of Effectiveness

This code shall be effective immediately upon its adoption by the Election Committee and shall be operational until the completion of the election.

BANA Election Committee 2022

Dr. Krishna Dhakal, Chair
Er. Mangal Maharjan, Member
Mr. Kul Gurung, Member
Mr. Kiran Pantha
Mrs. Kamala Bhusal, Member
Mr. Ram Krishna Bhattarai, Member
Mr. Indra Thapa, Member