



Code of Conduct for Referendum Observers

1. Ethical Principles

In order to maintain a high level of professionalism, and to meet recognized international standards, the activities carried out by referendum observer groups and their representatives during the Bougainville Referendum are governed at all times by five general principles:

Legality – At all times, and under all circumstances, referendum observers must recognize and respect all prevailing laws in Bougainville and Papua New Guinea.

Certainty – Referendum observers must be truthful and trustworthy. In other words, the results of their activities should be completely accurate. Associated with accuracy is the principle of transparency, such that the results of the activities of referendum observers may be validated and their conclusions evaluated scientifically.

Objectivity – Referendum observers must base any conclusions on a comprehensive and accurate review of all relevant circumstances and facts. Referendum observers must perform every task with due regard for the highest standards of accuracy of information, objectivity of analysis, and recognized scientific methodology.

Independence – Referendum observers should be free to reach decisions without interference from referendum officials, interest groups, or other political forces, whether from within Bougainville or from elsewhere, being limited only by the rule of law.

Impartiality – All referendum observers must acknowledge and protect the interests of the process and the fundamental values of democracy, subordinating to these any personal interests or political preference. This means referendum observers must be non-partisan and neutral, acting in complete independence from any local party, interest group or political group and without commitment to any particular outcome.

2. Rights and Privileges of Referendum Observer Groups

In undertaking their activities, referendum observer groups have the following rights and privileges:

- 1) To closely follow and to obtain information about the Bougainville Referendum at any stage or location.
- 2) To enjoy freedom of movement throughout the region without prior permission or notification.
- 3) To have interviews or informational meetings with the Bougainville Referendum Commission.
- 4) To communicate freely with all interest groups and other social and political forces in the country.
- 5) To receive ideas and pertinent information from interest groups, and political groups regarding political platforms and perspectives and their views on the development of the referendum process.

- 6) To have access to information offered by the Bougainville Referendum Commission and its officers in order to facilitate the activities of referendum observation.
- 7) To communicate any specific concern they may have to the Bougainville Referendum Commission or any other competent authority.
- 8) To have freedom of access to all polling locations and counting centres.
- 9) To communicate the findings of their observation to the members of the various institutions involved in the referendum process and in particular to the Bougainville Referendum Commission.
- 10) To report privately to their Embassy or parent organisation.
- 11) To issue a public report on their findings, following delivery of that report to the Bougainville Referendum Commission.

3. Duties and obligations of referendum observers

In undertaking their activities, referendum observers must:

- 1) Exercise their role with impartiality, transparency, and objectivity.
 - a) Abstain at all times from indicating or expressing any bias or preference with reference to any interest group.

Referendum observers must thus refrain from carrying, wearing, or displaying any referendum material or any article of clothing, emblem, colours, badges, or other item denoting support for, or opposition to, Greater Autonomy or Independence or with reference to any of the issues in contention in the referendum.

Equally, referendum observers should abstain from participating in any function or activity in any manner that could lead to a perception of sympathy for Greater Autonomy or Independence.
 - b) Refrain from accepting any gift or favour from an interest group, organization, or person involved in the referendum process.
- 2) Abstain from interfering in any way with the activities of the referendum authorities, political parties, or citizens, or in any political affair in the country, and, in general, refrain from interfering in the internal affairs of Bougainville or Papua New Guinea.
- 3) Comply at all times and under all circumstances with the laws applicable in Bougainville and Papua New Guinea during their observation.
- 4) Ensure that their conduct strictly conforms to the regulations issued by the Office of the Bougainville Referendum Commission and that they immediately comply with any direction issued by or under the authority of the Office of the Bougainville Referendum Commission with reference to the referendum. This includes any reasonable request to leave or refrain from entering a particular area or venue or to depart from any polling or counting location or any specified part of it.

- 5) Respect the role, status, and authority of referendum officials and exhibit a respectful and courteous attitude to referendum officials and voters. Equally, referendum observers should refrain from any defamatory public statement regarding the Office of the Bougainville Referendum Commission.
- 6) Abstain from interfering with or impeding the normal course of the referendum process. In every case, referendum observers must refrain from preventing referendum officials from exercising their duties and obligations.

IMPORTANT NOTE

Presiding Officers, Assistant Returning Officers, and the Bougainville Referendum Commission may order the removal of observers from polling and counting locations if they interfere with the normal conduct of the referendum process or otherwise fail to abide by the Code of Conduct.

Furthermore, the Referendum Commission may cancel the accreditation of any referendum observer group that violates the terms of its accreditation.

- 7) Wear, or otherwise prominently display, the identification badge issued by the Bougainville Referendum Commission at all times when engaged in their activities. Representatives of Referendum Observer Groups must identify themselves when so requested to any interested person, especially to a referendum official when entering a Polling Place or Counting Centre or other BRC space, structure, or building.
- 8) Refrain on polling day from communication with voters with a view to influencing how they vote or in any other manner interfering with the secrecy or orderly conduct of the voting process – including not entering the voting compartment.
- 9) Abstain from observing the vote count in any way that interferes with, or obstructs, the process.
- 10) Refrain from announcing or commenting on referendum results before the referendum authorities' official announcement.
- 11) Refrain from attempting to provide guidance or information to people involved in the referendum process or from providing interpretations of the applicable law.
- 12) Refrain from adjudicating disputes, certifying results, or providing written statements to be used in relation to dispute resolutions.
- 13) Take reasonable steps to ensure that all material information or reports referendum observers receive, and any event, occurrence, or statement of which they may be notified, or which they may have directly experienced or observed, which could indicate the possible commission of an offense or infringement of referendum laws, are brought to the attention of the BRC. This includes allegations of dishonesty, corruption, intimidation, or violence.
- 14) Ensure that information is collected, compiled, and reported in a way that is systematic, clear, and unambiguous. Referendum observers must ensure that all information compiled and reported has been received first-hand and is verifiable.

- 15) Be prepared to communicate to the referendum authorities a final collective report on the results of their activities.
- 16) Provide evidence and arguments to support all their assumptions and judgments when presenting reports. When reporting statistical information, observer groups must identify the basis of any sampling they have carried out and disclose the measures of uncertainty associated with those statistics. Observer groups have a duty to fully brief their registered representatives on the referendum process and the provisions of this Code of Conduct prior to the beginning of any of their activities.

I hereby acknowledge that I have read the code of conduct and will comply with it.

Name of Observer.....Signature.....

Observer group/ organisation.....