CONSOLIDATED National Electoral Board of Ethiopia DIRECTIVES

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Organization and Procedure of Grievance
Hearing Committees Established
By the Board at Every Level
during Elections Regulation
Number 1/2009
(as amended)

Whereas, it is appropriate to enable every Ethiopian citizen to
exercise his democratic right to elect and be elected by promptly
settling disputes that arise in the electoral process while the
citizen is engaged in the exercise of these rights;

Whereas, it is necessary to provide for a transparent procedure
for the settlement of election related disputes and for the
organization of the body established at all levels to adjudicate
such disputes on a timely basis to make elections free and fair;

Now, Therefore, The National Electoral Board of Ethiopia has
issued this Regulation pursuant to the authority vested in it by
Article 7 Sub -Article 19, Article 19 Sub Article -12, Article 20 Sub-
Article 5, Article 22 Sub -Article 10, Article 92 Sub - Article 4 and
Article 110 of The Amended Electoral of Ethiopia Proclamation
Number 532/2007.

Chapter One
General

Article 1. Short Title
This Regulation may be cited as “The Organization and Procedure
of Grievance Hearing Committees Established by the Board at all
Levels during Elections Regulation Number 1/2009”.

Article 2. Definitions
In this Regulation unless the context otherwise requires:

1. “FDRE” shall mean the Federal Democratic Republic
   of Ethiopia;

2. “Electoral Law” shall mean the Proclamation to
   Amend the Electoral Law of Ethiopia
   Proclamation No. 532/2007;

3. “Board” shall mean the National Electoral Board of
   Ethiopia;

4. “Mobile Representative” shall mean a person
   delegated by a political party or a private
   candidate running for an election to observe the
   electoral process and follow the respect of the rights of the organization or the private candidate
   he represents by moving to different polling
   stations in one constituency;

5. “On site Representative” shall mean a person
   delegated by a political organization or a private
   candidate running for an election to a specific
   constituency or polling station to observe the
   electoral process on site and follow the respect of the rights of the body he represents;

6. “Public Observer” shall mean an impartial resident
   of each constituency or polling station elected by
   the people to observe elections;
7. “Region” shall mean a region established pursuant to Article 47 of the Constitution and for the purpose of the Directive it shall include, Addis Ababa and Dire Dawa;

8. “Regional Branch Office” shall mean a permanent branch office established by the Board at Regional State level to coordinate elections according to the electoral law;

9. “Grievance Hearing Committee” shall mean a committee established in accordance with the Electoral law and this Directive during elections to give administrative decisions to complaints lodged at a regional electoral office, a constituency and a polling station level;

10. “Constituency” shall mean an electoral district established by dividing the nation’s territories in accordance with the law and in a manner conducive for the execution of elections and for the people to elect their representatives;

11. “Polling Station” shall mean a location where voter registration, voting and vote counting is carried out for elections conducted at every level;

12. “Election Official” shall mean a person assigned on a permanent or temporary contractual basis to conduct elections according to the law in electoral offices established for elections at every level;

13. “Complaint” shall mean a grievance submitted in writing to grievance hearing committees or bodies found at all levels;

14. “Appeal” shall mean a written complaint, lodged by a person dissatisfied with the decision of lower grievance hearing bodies at all levels, according to this directive and the forms prepared by the Board, to a higher grievance hearing body;

15. “Person” shall mean any natural or juridical person.

Article 3. Interpretation

This Regulation shall be interpreted in light of the EFDR Constitution and the Electoral Law.

Article 4. Scope of Application

This Regulation shall be applicable to complaints arising due to elections held at all levels pursuant to the electoral law.

Article 5. Gender Reference

In this Regulation, provisions set out in the masculine gender shall also apply to the feminine gender.

Chapter Two

Organization of Grievance Hearing Bodies

Article 6. General

1. According to Article 7 Sub article 11 of the electoral law, the Board has the power to give administrative decisions for disputes that arise
in the electoral process, rectify electoral irregularities and
decide on complaints submitted to it.

2. Complaints brought before the Board directly or on appeal
shall be decided by it in accordance with what is provided
in the electoral law and in line with its own rules of
procedure.

3. In election offices at all levels, the Board shall lay down a
procedure that will allow it to promptly solve complaints
addressed to it.

Article 7. Grievance Hearing Bodies at every
Stage of the Electoral Process

The Board shall establish the following grievance hearing committees at all levels according to the electoral law and this regulation:

1. Regional Electoral Office Grievance Hearing Committee;
2. Constituency Grievance Hearing Committee;
3. Polling Station Grievance Hearing Committee.

Article 8. Structure of the Regional Electoral
Office Grievance Hearing Committee

1. Every regional branch office of the Board shall organize a
grievance hearing committee according to Article 19 (2) of
the electoral law.

2. The members of the regional electoral office grievance hearing committee shall be three in number.

3. The head of the regional branch office of the Board
shall serve as the chairman of the grievance hearing committee.

4. In consultation with the Board, the head of the
regional branch office of the Board shall assign as
members of the grievance hearing committee
two of the public observers in the region.

5. Members of the grievance hearing committee who
are selected from among the public observers shall as far as possible have the knowledge and
experience to render a decision by properly examining the complaints lodged before them.

Article 9. Structure of Constituency
Grievance Hearing Committees

1. According to the provisions of Article 20 Sub-
Article 5:

A. A grievance hearing committee having three
members shall be established in each
county.

B. The head of the constituency office shall serve
as chairman of the constituency grievance hearing committee.

C. Two of the public observers in the constituency shall be members of the constituency grievance hearing committee.
D. The two public observers mentioned above under “C” shall be assigned by the head of the constituency office.

2. Members of the grievance hearing committee who are selected from among the public observers shall as far as possible have the knowledge and experience to render a decision by properly examining the complaints lodged before them.

**Article 10. Structure of Polling Station Grievance Hearing Committees**

1. According to the provisions of Article 22 Sub- Article 10 of the Electoral Law:
   
   A. Each polling station shall organize a grievance hearing committee having three members.
   
   B. The head of the polling station shall serve as the chairman of the grievance hearing committee of the polling station.
   
   C. Two of the public observers of the polling station shall be members of the polling station grievance hearing committee.
   
   D. The public observers mentioned above under “C” shall be assigned by the head of the polling station.

2. Members of the grievance hearing committees selected among the public observers shall as far as possible have the knowledge and experience to render a decision after examining the complaints lodged before them.

**Article 11. Removal from Grievance Hearing Committee**

1. Any chairman of a grievance hearing committee cannot adjudicate a complaint, brought before the committee, which he has previously seen and decided in connection with his duties.

2. Where a situation mentioned under sub- article 1 above happens, one of the election officials shall be assigned as a temporary chairman to see the case at hand.

3. Where the situation mentioned under sub article 1 happens in a regional branch office, one of the workers of the branch office shall be assigned as a temporary chairman to see the case.

4. Once the case mentioned under sub article 1 has been decided, the chairman of the grievance hearing committee shall resume his normal duties as chairman.

**Article 12. Replacement of Missing Members of a Grievance Hearing Committee**

1. Where grievance hearing committee members are missing for various reasons, they shall be replaced forthwith.

2. The procedure followed for replacing them shall be as follows:
A. Where members of a regional electoral office grievance hearing committee are missing, they shall be replaced immediately by those assigned by the head of the regional branch office from among public observers elected from the region.

B. Where the missing member is the head of the constituency or that of a polling station, one of the election officials of the constituency or the polling station shall chair the respective committee.

C. Where the missing member is the one assigned from among the public observers, the chairman shall assign one of the remaining public observers to replace the missing member to be a member of the grievance hearing committee; this observer shall be replaced by another public observer on the waiting list who has the highest votes.

Chapter 3

Procedure followed by Grievance Hearing Bodies when deciding complaints that arise in the electoral process

Article 13. Complaints that Arise during Electors’ Registration

According to Article 93 of the Electoral Law, complaints that arise during electors’ registration shall be decided in the following manner:

1. Where a person is denied registration as an elector, he shall have the right to lodge a complaint with the grievance hearing committee of the polling station and get a decision thereon.

2. A person or a political organization complaining that a person who is not eligible to register as an elector has been registered shall have the right to lodge its complaint with the Polling Station Grievance Hearing Committee and get a decision thereon.

3. The Polling Station Grievance Hearing Committee shall examine and decide complaints brought before it within 24 hours.

4. Where the Polling Station Grievance Hearing Committee fails to give a decision to a complaint submitted to it in accordance with sub article 1 above within 24 hours:

   A. Where the complaint concerns a person who has been denied registration, it shall be deemed to have agreed to the request of the person lodging the complaint; it shall give him a note to this effect and the polling station shall accordingly register him.

   B. Where the complaint is a protest about the registration of a person who is not eligible to register as an elector, the person who lodged the complaint shall have the right to submit his appeal to the Constituency Grievance Hearing Committee within 48 hours.

5. An appeal against the decision of the Polling Station Grievance Hearing Committee shall be submitted to the Constituency Grievance Hearing Committee within 48 hours of the time the decision has been rendered by the former.
6. The Constituency Grievance Hearing Committee shall decide the case submitted to it within 24 hours.

7. Any individual or political organization dissatisfied by the decision of the Constituency Grievance Hearing Committee shall have the right to appeal to the Woreda Court within 24 hours. The decision of the Woreda Court shall be final.

8. Where the Constituency Grievance Hearing Committee does not give a decision within 24 hours to the complaint submitted to it in accordance with sub article 6 of this article:

   A. Where the appeal concerns a person who has been denied registration, it shall be deemed to have agreed to the request of the person who lodged the complaint; it shall give him a note to this effect and the polling station shall register him accordingly.

   B. Where the appeal concerns a protest about a person who is not eligible being registered, the appellant shall have the right to lodge an appeal with the Woreda Court within 24 hours, and the decision of the Woreda Court shall be final.

9. The polling station shall proceed in accordance with the decision given by the Constituency Grievance Hearing Committee.

10. A complaint concerning denial of registration as an elector shall be lodged until the end of registration of electors in the election timetable.

11. A complaint concerning a protest about the registration of a person who is ineligible to qualify as an elector shall be made until the end of the date for public display of the electoral roll.

**Article 14. Complaints arising during Candidate Registration**

Complaints arising in the process of candidate registration shall be decided according to Article 94 of the Electoral Law in the following manner:

1. Any person or political organization denied registration for candidature shall have the right to lodge a written complaint with the Constituency Grievance Hearing Committee and get a decision.

2. Any individual or political organization that objects to the registration of a candidate shall have the right to lodge a written complaint with the Constituency Grievance Hearing Committee and get a decision.

3. The Constituency Grievance Hearing Committee shall investigate the complaint submitted to it and give a decision within 24 hours.

4. Where the Constituency Grievance Hearing Committee does not give a decision within 24 hours to the complaint submitted to it pursuant to sub-article 2 above:

   A. Where the complaint concerns a person who has been denied registration as a candidate, it shall be deemed to have agreed to the request of the complainant, and it shall give him a note to this effect. The complainant shall be registered as a candidate upon presentation of this note to the constituency.
B. Where the complaint concerns an objection to registration as a candidate, the complainant shall have the right to appeal to the Regional Electoral Office Grievance Hearing Committee within 72 hours.

5. A candidate of a political organization or a private candidate who is denied to register as a candidate or a person or political organization objecting to the registration of a candidate and who is aggrieved by the decision of the Constituency Grievance Hearing Committee shall submit an appeal to the Regional Electoral Office Grievance Hearing Committee within 72 hours.

6. The Regional Grievance Hearing Committee shall decide an appeal submitted to it within 48 hours.

7. An appellant aggrieved by the decision of the Regional Electoral Office Grievance Hearing Committee may appeal to the Regional Supreme Court within 48 hours of the decision. The decision given by the Court shall be final.

8. Where the Regional Electoral Office Grievance Hearing Committee does not give a decision within 48 hours:

   A. Where the complaint concerns a person who is denied registration as a candidate it shall be deemed that it has agreed to the request of the appellant, and it shall give the appellant a note to this effect. The appellant shall be registered as a candidate by the constituency upon presentation of this note.

   B. Where the appeal concerns a protest of the registration of a candidate, the appellant has the right to appeal to the Regional Supreme Court within 48 hours.

9. The constituency electoral office shall proceed according to the decision given by the Regional Electoral Office Grievance Hearing Committee.

10. A complaint about denial of registration as a candidate of a political organization or a private candidate shall be lodged until the end of the registration of candidates.

11. A complaint concerning an objection to the registration of a candidate shall be lodged in the period beginning from the commencement of candidate registration up to the official announcement of registered candidates.

**Article 15. Complaints Related to Voting**

Complaints that arise in the process of voting shall be decided according to Article 95 of the Electoral Law in the following manner:

1. When an elector is faced with a situation preventing him from voting or where there is an objection to his right to vote, he shall have the right to lodge a written complaint with the Polling Station Grievance Hearing Committee and get a decision.

2. The Polling Station Grievance Hearing Committee may:

   A. Allow temporary voting and refer the case for decision to the Constituency Electoral Office or

   B. Decide that the complainant shall not cast a temporary vote.
3. A vote cast in accordance with sub-article 2 (a) above shall be rendered invalid unless the complainant presents before the adding up of votes an evidence from the Constituency Grievance Hearing Committee or from the Woreda Court as appropriate stating that he has the right to vote.

4. A complaint on a decision given under sub-article 2 (a) shall be submitted to the constituency office before the conclusion of voting time. The polling station shall implement the decision.

5. Any person dissatisfied with the decision of Constituency Grievance Hearing Committee and denied of temporary voting, may immediately appeal to the Woreda Court and the Court shall decide the case before the conclusion of voting time; the decision of the Court shall be final.

6. Where it is decided by the Constituency Grievance Hearing Committee or the Woreda Court that a person who has been denied to vote temporarily pursuant to sub-article 2(b) above shall vote:
   A. He cannot cast his vote unless he presents the decision to the polling station before the conclusion of the time for voting.
   B. Without prejudice to the provisions of this sub-article (a) above he shall be allowed to vote if he presents the decision when the polling station is closed but where there are electors within the premises in the process of casting their votes.

7. Any person objecting to the voting right of an elector shall have the right to lodge his written complaint at all levels and get a decision in accordance with the procedure laid down above.

8. A decision given under sub-article 7 above shall be executed according to sub article 2 – 6 of this article as appropriate.

Article 16. Complaints Relating to Vote Counting and Results

Complaints relating to vote counting and results shall be decided according to Article 96 of the Electoral Law in the following manner:

1. Any political organization, private candidate or representative who has complaints on vote counting and results shall register his complaint with the Polling Station Grievance Hearing Committee and submit the same to the Constituency Grievance Hearing Committee within 48 hours.

2. Any political organization, private candidate or representative who lodges a complaint under sub-article 1 above:
   A. Shall attach to his complaint an evidentiary document attesting that he has already registered his complaint with the Polling Station Grievance Hearing Committee
   B. The complainant cannot raise a new issue other than what he has already registered at the polling station.

3. The Constituency Grievance Hearing Committee shall examine and give a decision to the complaint submitted to it within 48 hours.

4. The decision of the Constituency:
A. may order a recount, or

B. may reject the complaint by upholding the counting which was the cause of the complaint, or

C. may decide against a recount where it finds that the complaint lodged concerning the counting does not fundamentally change the result for the constituency.

D. may give another decision according to the law if it deems fit.

5. Any complainant aggrieved by the decision given by the Constituency Grievance Hearing Committee may appeal to the Board within 5 days of getting a decision. The Board shall examine the appeal and render a final decision.

6. A complainant dissatisfied by the decision of the Board may appeal to the Federal Supreme Court within 5 days.

7. The Federal Supreme Court shall decide the appeal submitted to it pursuant to sub article 6 above within 5 days and the decision shall be final.

Article 17. Duties and Responsibilities of the Members of Grievance Hearing Committees

1. The head of an electoral office at every level shall:

A. Serve as chairman of the grievance hearing committee to be established at his level according to the electoral law and this directive;

B. Nominate members of grievance hearing committees according to this regulation;

C. Assign work to the members of the grievance hearing committees which shall be recorded in the minutes;

D. Make the deliberations and decisions of the grievance hearing committee to be recorded in the minutes and send them to the concerned body.

E. Make every document properly kept.

F. Enable a complainant who has a right of appeal to exercise this right by providing him with all the relevant documents.

2. One of the persons assigned to be on a grievance hearing committee shall in addition be assigned by the chairman to serve as a secretary to record the minutes and decisions of the committee.

3. Members of grievance hearing committees shall have the duty to examine cases lodged before them and promptly render a lawful decision.

Chapter 4

The Complainant; Lodging a Complaint and Procedure of Grievance Hearing Committees

Article 18. The Complainant

1. Excluding what is provided for under Articles 79, 90 and 91, the following bodies and persons shall have the right to submit a written complaint at all levels and get a decision.
2. Any person who is denied registration as an elector has the right to submit a complaint to the Polling Station Grievance Hearing Committee and get a decision.

3. A person or a political organization objecting to the registration of a person as an elector claiming that he does not qualify to be registered as such, has to lodge a complaint with the Polling Station Grievance Hearing Committee and get a decision.

4. Any person or political organization denied registration as a candidate has a right to lodge a complaint with the Constituency Grievance Hearing Committee and get a decision.

5. A person or a political organization objecting to the registration of a candidate has the right to lodge a complaint with the Constituency Grievance Hearing Committee and get a decision.

6. An elector who is prevented from voting or faces an opposition with regard to his right to vote shall have the right to immediately lodge his complaint with the Polling Station Grievance Hearing Committee and get a decision.

7. Any political organization, a private candidate or representative who has a complaint on the vote counting process or on the results has the right to register his complaint with the Polling Station Grievance Hearing Committee and submit the same to the Constituency Grievance Hearing Committee within 48 hours.

**Article 19. Lodging a Complaint**

1. Every complainant shall submit his complaint in writing in a manner that does not entail other controversial issues so that the body that it is addressed to may be able to give the right decision. The complaint shall clearly indicate:
   
   A. The date and time of writing the complaint
   B. The full name and address of the complainant
   C. The matter giving rise to the complaint
   D. The solution requested
   E. List of evidence
   F. If the evidence includes witnesses, the list shall mention the identity of the witnesses and
   G. The body against whom the complaint is made.

2. A complaint that is submitted to a grievance hearing committee shall be prepared in triplicate on a form especially prepared by the Board for this purpose and it shall be signed by the complainant.

3. Any complaint shall be submitted by the complainant himself or his lawful agent.

4. Where the complainant is illiterate or semi-literate, the grievance hearing committee shall allow the complaint to be made orally in the presence of its members and it shall:
   
   A. Give a hearing to the complainant and transcribe the complaint he made orally.
   B. Follow the requirements of sub-article 1 of this article when transcribing the complaint according to sub-section (A) of this sub-article.
C. Read the transcript to the complainant and make him sign it in writing or by affixing his thumb mark or if he is missing all his fingers, by making another mark as far he is able to do.

5. Where, after a complaint has been submitted to the concerned body, a complainant, or appellant or his lawful agent notifies it in writing that he will not pursue his complaint or appeal, the body hearing the complaint or the appeal shall attach this to the complaint or appeal and close the case after briefly registering the situation in the minutes.

**Article 20. Proof Given for Lodging a Complaint**

1. When a complaint is submitted by any person or body to a grievance hearing committee at every level, the chairman of the said committee shall fill out and sign the form provided to acknowledge receipt of a complaint and give it to the complainant, after first ascertaining that the complaint is in due form as prescribed by Article 19 of this directive;

2. The form to acknowledge receipt of a complaint shall indicate:

   A. the date and time of receipt of the complaint
   B. the body to which the complaint is addressed
   C. that the complaint fulfills the requirements of Article 19 sub article 1 of this directive
   D. the facts alleged, in brief
   E. the name and signature of the chairman of the grievance hearing committee

**Article 21. Prescription**

The time within which any complaint or appeal could be submitted shall be as provided by the electoral law and therefore:

1. Where the complaint concerns a person who is denied registration as envisaged in Article 13 sub -article 1 of this regulation, the time limit for lodging a complaint shall be until the conclusion of registration according to the timetable for the registration of electors.

2. Where the complaint concerns a protest against the registration of an elector as envisaged in Article 13 sub -article 2 of this regulation, the time to lodge a complaint shall be from the commencement date of electors’ registration to the day when the electors’ roll is displayed to the public.

3. Where the complaint concerns a political party or private party candidate who is denied registration, the complaint shall be lodged until the end of the time for candidate registration according to the timetable.

4. Where the complaint concerns a protest against the registration of a candidate, the time for lodging the complaint shall be from the commencement of candidate registration until the time the names of the registered candidates is publicly announced.

5. Where the complaint concerns a voter who encounters a situation preventing him from voting, or a protest submitted as regards his qualification as an elector pursuant to Article 15 sub-article 1 of this regulation, and where he is
allowed to vote provisionally by placing his ballot inside an envelope until the case is examined and a decision given on whether to annul or accept it, the time for lodging the complaint shall be until the tallying of the votes is over.

6. Where the complaint concerns a voter who is faced with a situation preventing him from voting, or an opposition is made as regards his qualification as a voter, and a decision is given that he would not be able to vote provisionally, the complaint shall be lodged until the end of the time for voting.

Article 22. Meetings of Grievance Hearing Committees and Procedure for Giving Decisions

1. The meetings of grievance hearing committees established at all levels shall be conducted with all the members thereof present.

2. The grievance hearing committee shall render its decision after examining the grievance of the complainant and his evidence, and after hearing the response of the body or the election official against whom the complaint is made, and after considering the evidence submitted to it.

3. The complainant as well as the person against whom the complaint is lodged shall have the right to be heard and present evidence. The latter shall also have the right to defend himself.

4. After examining the case submitted to it, the grievance hearing committee may give a decision unanimously or by majority vote.

5. If the vote is tied, the opinion of the side supported by the chairman shall be the decision of the committee.

6. Where the grievance hearing committee believes that it is not necessary for the election official or body against which the complaint is made to respond to the complaint or where they do not respond, the committee may decide the case by examining the complaint and evidence submitted by the complainant.

7. A member of the committee who has dissenting opinion may have his opinion recorded briefly.

8. Every member of a grievance hearing committee shall sign the recorded minutes of the committee's deliberations or the decision rendered by it.

9. The decision of a grievance hearing committee shall contain the following:
   
   A. The appellation and address of the committee to whom the complaint is submitted;
   
   B. The names and signatures of the member of the committee;
   
   C. The full name and address of the complainant;
   
   D. The substance of the evidence and/or the testimony of the witnesses in brief;
   
   E. A reasoned opinion;
   
   F. Steps to be taken pursuant to the decision and
   
   G. Date and time on which the decision is given.
10. Every grievance hearing committee:

A. Shall examine the complaint brought before it in light of the evidence provided and give a written decision.

B. Upon the request of an interested person, it may give him a hearing together with the complainant.

C. May summon and question the complainant himself, the person against whom the complaint is lodged or any other person it believes will help it for rendering a decision.

D. Upon receiving a complaint it shall inform the person who lodged the complaint and other concerned persons the venue, date and time for hearing the case.

11. Every grievance hearing committee shall promptly inform its decision to the person or body who lodged the complaint.

12. Each decision shall be prepared in triplicate and:

A. One copy shall be given to the complainant

B. The second copy shall be given to the body that shall execute the decision or the body against whose decision an appeal has been lodged.

C. The third copy shall be retained as a document of the body that gave the decision.

13. Each decision shall have a covering letter signed by the chairman of the committee.

Article 23. Right of Appeal

1. Where he is aggrieved by a decision given to his complaint, every complainant shall have the right to appeal within the time limit provided in the electoral law.

2. The chairman of every grievance hearing committee shall have the duty to inform the person who has the right of appeal:

A. The fact that he has the right to appeal;

B. To whom the appeal should be submitted;

C. The time within which he should present his appeal starting from the time the decision had been given by the committee.

3. Every grievance hearing committee shall give the person who has the right to appeal:

A. One copy of the decision of the committee;

B. One copy of the complaint which is the basis for the decision;

C. A covering letter signed by the chairman of the grievance hearing committee to which the above mentioned copies of the decision and the complaint are attached.

4. Appellate committees at every level:

A. Without prejudice to the provisions of article 13 sub- article 4 (b) and article 14 sub- article 4(b) of this regulation, shall not admit cases that have not been given final decision by lower grievance hearing committees at different levels.
B. May uphold, or partially or wholly alter the decision given by lower level grievance hearing bodies.

C. Shall promptly decide the appeal lodged before them and shall instruct election officials at various levels to execute decisions given by them.

5. An appellate body to whom an appeal is submitted shall decide the case within the time limit prescribed under the provisions of this directive.

6. Without prejudice to the mandatory provisions of the electoral law, appropriate laws shall apply when an appeal is submitted to the ordinary courts.

7. Without prejudice to the provisions of article 13 sub-article 8 (b) and article 14 sub-article 8 (b) of this regulation, courts shall not have jurisdiction over cases that have not been given a final decision by the Board or by election execution bodies found at various levels according to article 92 (11) of the electoral law.

**Article 24. Decision on appeal**

Where an appeal is submitted to an appellate grievance hearing committee, the provisions laid down in this regulation for first instance committees shall also apply to them accordingly.

**Chapter Five**

**Miscellaneous Provisions**

**Article 25. Duty to Cooperate**

Any federal or regional public institution, political organization, grouping, private organization or individual shall have the duty to cooperate in implementing this regulation.

**Article 26. Penalty**

Any person who obstructs the implementation of this regulation or violates its provisions shall be punished according to the appropriate law.

**Article 27. Repealed Regulations and Practices**

Any regulation or practice which is inconsistent with matters covered by this regulation shall not be applicable to them.

**Article 28. Effective date**

This regulation shall come into force on August 19, 2009.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia
Directive on the Registration of Candidates

Number 1/2009

(as amended)

Article 1. Issuing Authority

The National Electoral Board of Ethiopia has issued this Directive pursuant to the powers vested upon it by the Amended Ethiopian Electoral Law Proclamation No. 532/1998.

Article 2. Short Title

This Directive may be cited as “The Registration of Candidates Directive No. 1/2009”

Article 3. Definitions

In this Directive unless the context requires otherwise:

1. “Board” shall mean the National Electoral Board of Ethiopia.
2. “Constituency” shall mean an electoral district established by dividing the nation’s territories in accordance with the law and in a manner conducive for the execution of elections and for the people to elect their representatives.
3. “Political Organization or Political Party” shall mean a grouping legally registered to promote its political programme in a lawful manner.
4. “Candidature Identity Card” shall mean an identity card issued by the constituency to a candidate after he has been registered as such pursuant to the Electoral Law.
5. “Public Observer” shall mean an impartial resident of each constituency or polling station elected by the people to observe elections.
7. “Person” shall mean any natural or juridical person.

Article 4. Scope of Application

This Directive shall be applicable to general elections, and also to local elections, by-elections and re-elections.

Article 5. Objective

Every Ethiopian is vested by law with democratic rights and as such the objective is:

1. to enable the development of the democratic culture of the country by making it possible to exercise these rights impartially and equally when participating as a candidate;
2. to exercise his rights properly so as to emerge as a strong competitor while respecting the Electoral Code of Conduct and observing mutual respect to and tolerance of each other.
3. to elucidate the substance of the right to be a candidate and to make the process clear and transparent.
Article 6. Gender Reference

In this Directive, provisions set out in the masculine gender shall also apply to the feminine gender.

Article 7. Preparations for the Registration of Candidates

Preparations shall comprise of the following activities:

1. Issuing the timetable for elections.
2. Making the public aware of the timetable before the date of the commencement of the registration of candidates by:
   a. Making announcements on the mass media or
   b. Posting notices in the constituency or polling stations, and by using other similar means.
3. Preparing the necessary documents, forms and other materials for the registration of candidates.
4. Delivering documents and materials to constituency and polling stations in time.
5. Giving training to election officials.
6. Providing civic education on candidate registration.
7. Preparing other things that are essential for the registration of candidates.

Article 8. Organization of Constituencies

1. The number of constituencies for general elections shall be determined on the basis of the population of the country, and special representation of minority nationalities and peoples shall not exceed 550 and shall contain proportional number of people except in the case of constituencies where minority nationalities and peoples are represented.

2. Without prejudice to the provisions Article 20 Sub - Article 2 of the Electoral Law:
   a. Those constituencies that are used for the election of members of the House of Peoples Representatives, and those of Regional Councils shall also serve as constituencies for the election of members of Zonal Councils.
   b. Urban and rural Kebeles shall serve as constituencies for the election of members of Woreda Councils.
   c. The constituencies for City and Sub - City Councils shall be those Kebeles that are found in the city or sub - city where the election is to be held.
   d. The constituencies for the election of Kebele Councils shall be the electoral area or kebele constituency or district or locality that will be organized within the kebele pursuant to regional laws.
   e. The locality or village covered by each polling station shall be self - contained and shall not overlap with those of another polling station.
Article 9. Election Officials

1. The members of Constituency Election Officials Committee shall:
   a. be loyal to the constitution;
   b. be free from partisanship to a political organization;
   c. have professional competence;
   d. be known for their good conduct.

2. Without prejudice to the provisions of Sub-Article 1, the Board could organize constituency election offices by recruiting, on a permanent or temporary contractual basis, competent and non-partisan electoral officers. It could also recruit and deploy electoral officers seconded from other institutions.


Article 10. Powers and Duties of the Constituency

1. The Constituency office shall have the following powers and responsibilities:
   a. shall organize according to the law, the committees of polling station election officials.
   b. based on the timetable issued by the Board, it shall register candidates through a registrar designated by the head of the constituency office from among the election officials.
   c. shall give civic education on candidate registration, or shall assure that it is given.
   d. shall give adequate training on candidate registration and filling of forms to polling station officials under it, or it shall follow up to assure that this is done.
   e. shall follow up by various means to assure that polling station officials have understood what was imparted to them during the training.
   f. shall receive candidate registration forms on time and have them utilized.
   g. make election complaints review committees to be established in the constituency.
   h. cause complaints that arise during candidate registration to be solved at all levels or assure that this is done.
   i. cause Joint Political Party Forums to be established in the constituency pursuant to directives addressed to it by the Secretariat of the Board.
   j. convene elected public observers of polling stations and have them elect from among them, three constituency public observers by inviting in writing competing political parties and private candidates to attend.
   k. shall consult with the Secretariat of the Board when they encounter problems that are beyond their means to solve and then give a timely and appropriate solution.
   l. utilize the funds assigned to it by the Secretariat of the Board, in accordance with the Financial Laws and Regulations of the Government.
   m. cause the stipend allotted to polling station officials to reach those to whom it is destined.
   n. account for expenses incurred, according to government financial laws and regulations by presenting supporting documents pursuant to
Article 11. Place and Time for Registering Candidates

1. The registration of candidates shall be conducted by the Election Execution Committee that will be established in each constituency according to the provisions of Article 20 Sub-Article 3 of the Election Law.

2. Registration of candidates for the election of members of The House of Peoples’ Representatives of the FDRE, Regional and Zonal Councils shall be conducted in the respective constituencies.

3. Registration of candidates for City and Sub-City Councils shall be conducted in one of the polling stations in a Kebele which had previously served as the Kebele Election Office. The registration will be conducted by polling station officials thereof.

4. For the election of members of the Kebele Council:
   a. Candidate registration shall be conducted in a Kebele constituency, locality or village apportioned according to the laws of the Regions. The registration shall be conducted by election officials of the polling station.
   b. There could be one or more Kebele constituencies, districts or villages under one polling station.
   c. Electors who live in a Kebele constituency/locality shall, without being divided, be included under one polling station and be made to vote therein.
   d. Polling Station officials shall register candidates for one or more localities found under them in the respective Kebele constituency/locality by separating them accordingly.

5. Candidate registration shall be conducted according to the timetable issued by the Board, every day including weekends and public holidays, during working hours of government offices.

6. Without prejudice to the provisions of Sub-Article 5 above, if the Board deems it necessary, it could extend the candidate registration period or arrange special registration hours.
Article 12. Criteria for Candidature

1. Any person who wants to register as a candidate shall meet the criteria listed hereunder:
   a. is an Ethiopian;
   b. is versed in the working language of the Regional State of the area of his intended candidature;
   c. is 21 years old or above on the date of the registration;
   d. has been regularly residing in the constituency of his intended candidature for two years immediately preceding the date of the election, or his birth place is within the constituency of his intended candidature, or where the city or Woreda has more than one constituency or he has been regularly working in the city or woreda for two years, in the woreda or city he chooses.

2. In addition to the criteria set out under Article 1, a political party or a private candidate who wants to register to compete in an election, must accept and sign the election code of conduct to be issued by the Board in accordance with the electoral law.

3. A political party that nominated a candidate must itself be a party duly registered with the Board.

4. Sub -Article 1 /d/ of this article shall not apply to the following:
   a. A person who has been outside the constituency because of work or education, or
   b. who, having previously been elected in the constituency, is on duty.

5. In addition to the criteria enumerated above, a private candidate shall produce no less than one thousand endorsement signatures.

6. Without prejudice to the provisions of Sub- Article 5 above, the number of endorsement signatures to be produced by a private candidate for Woreda or City Administration or Kebele Council shall be as follows:
   a. for Woreda Council, no less than 200 signatures;
   b. for City Administration Council, no less than 200 endorsement signatures;
   c. for Kebele Councils, no less than 50 endorsement signatures.

7. Without prejudice to the provisions of Article 6, the Board can reduce the number of endorsement signatures a private candidate must produce in certain constituencies if it deems it necessary.

Article 13. Persons eligible to give Endorsement Signatures

1. A person who is eligible to give an endorsement signature:
   a. shall be an Ethiopian national;
   b. has been residing in the constituency at least for six months;
   c. is 18 years old and above;
   d. has not been deprived of his right to vote by law;
   e. is not insane;
   f. is not serving a prison sentence.

2. A person cannot sign for endorsing more candidates than there are seats available in the constituency.

3. Every candidate shall present the endorsement signatures he gathered to the constituency he is running in according to the timetable after having the endorsement signatures verified by the Kebele administration they were gathered in.
4. Endorsement signatures shall be gathered and presented according to the following procedure:
   a. Every private candidate could gather endorsement signatures after getting one copy of the form for endorsement signatures from the constituency office and reproducing the s
   b. He shall sort out the people who gave him the endorsement signatures according to the Kebele they reside in, and present the forms to the respective Kebele Administration.
   c. The Kebele Administration shall give back the forms to the candidate or his agent after having screened and stamped them according to the law.
   d. The constituency shall receive and screen the endorsement signatures presented by the candidate. The Kebele Administration shall register the candidate on the form for candidates if it finds that the required criteria have been met.
   e. If it is found that the endorsement signatures are lacking in any way, the candidate shall be notified promptly so that he may be able to rectify it, and present it according to the timetable.

Article 14. Persons who are ineligible to register as candidates

Without prejudice to the provisions of Article 12 Sub-Article 1, the following persons are ineligible to register as candidates:

1. A person who is deprived by law, of his right to vote or be elected.
2. A person in regard to whom it is certified medically, or by a court decision that he is incapable of making a sound judgment because of mental illness, or is notoriously insane.
3. A person serving a prison term.

Article 15 Nomination of Candidates

1. Any Ethiopian national who fulfills the criteria can become a candidate:
   a. through a political party, or
   b. privately.
2. A political organization can nominate only one candidate for a single seat in a constituency.
3. Each political party shall notify the Board or the constituency according to the timetable issued by the Board the list of candidates grouped separately based on the type of the council seat they are running for.
4. The list of candidates nominated by a political organization for a general election must bear the signature of the top leadership of the organization and must also be attested by the seal of the organization.
5. The list of candidates nominated by a political organization for local elections shall be notified to the constituency by the signature of the organization's top leadership or by its highest leadership in the zone or woreda and it must be
attested by the seal of the organization. If it appears that there is disagreement on the nomination of candidates, the list submitted by the top leadership shall prevail.

6. An evidence of nomination by a party and the consent of the person nominated shall be presented along with details of candidature for candidates nominated by a political organization.

**Article 16. Candidate Registration**

1. Every candidate shall register in person.
2. Without prejudice to the provisions of Sub-Article 1, if a candidate nominated by a political organization is unable to register in person, he may register provided that concrete documentary evidence or witnesses to prove the candidate's fulfillment of the criteria for candidature are presented through the political organization that nominated the candidate, or through his representative.
3. At the time of registration each candidate shall specifically mention to the constituency office, which council he is running for.

**Article 17. Government Employees who Run for Election**

1. Any government employee can become a candidate either privately or through a political organization.
2. A judge, soldier or policeman shall resign from his post if he runs for election as a private candidate, or a candidate of a political party.
3. Any government employee who runs for election may not lose any benefits as a result of his running for election as long as he has achieved the required performance to entitle him thereto.

**Article 18. Determination of Number of Candidates**

1. The number of candidates running for election to the House of Peoples' representatives in a constituency shall not exceed twelve.
2. The number of candidates in a constituency and their priority shall be determined in the following manner:
   a. Where the number of candidates exceeds twelve, political parties shall be made to register first;
   b. Where the number of candidates nominated by political organizations exceeds twelve, priority shall be given to not more than six political parties that received the highest votes in the previous election. The remaining political organizations shall be determined by lot.
   c. Where the number of candidates nominated by political organizations is less than twelve, the remaining places shall be filled by private candidates who received the highest votes in the previous election.
   d. If there are candidates who obtained equal number of votes in the previous election, it will be decided by lot.
e. If there are places left after the implementation of the procedure laid down above in Sub-Article 2, private candidates will be allowed to register after lots have been drawn.

3. Pursuant to Article 49 Sub-Article 6 wherein it is provided that the number candidates nominated to state councils, or to other electoral levels shall be determined by the Board, it is decided that:
   a. In a constituency, up to 24 candidates can take part in elections for members of a regional council.
   b. In a constituency, up to 24 candidates can take part in elections for members of zonal council;
   c. In a constituency, up to 24 candidates can take part in elections for members of a woreda council;
   d. In an urban kebele, up to 24 candidates can take part in elections for members of city and Sub-City Councils.
   e. In a kebele constituency or district or locality, up to 100 candidates can take part for elections for kebele councils.

4. If there are more candidates than is determined by the Board in sub article 3 above, the provisions of sub article 2 shall apply accordingly.

5. Lots to determine candidates shall be drawn in the presence of the candidates concerned or their representatives.

6. Election officials of the constituency shall first group the candidates based on the type of council seat they are running for and then undertake the task of screening the candidates in the presence of public observers according to the law.

**Article 19. Issuance of Candidature I.D. cards**

1. After it has been determined who the candidates are according to the electoral law, their names shall be entered on the candidates’ registration form and they will each be issued a candidature I.D. card;

2. I.D. Cards will be issued only after the candidate is made to present a passport size photograph and after it is affixed to the card.

3. I.D. Cards issued to candidates for the House of Peoples’ Representatives as well as regional and zonal councils shall be attested by the signature of the head of the constituency office and the seal thereof.

4. I.D. Cards issued to candidates for woreda, city and sub-city councils shall be attested only by the signature of the kebele constituency office.

5. Without prejudice to the provisions of this article, candidates for a kebele council may not be issued with I.D. cards.

6. Candidature I.D. cards for candidates of political organizations may be given to the candidates in person or to the political party that nominated them.

7. Candidates or representatives of political parties shall each be made to sign a receipt acknowledging the fact that he has received his candidature I.D. card on time, and this shall be kept as evidence in the constituency office.

8. I.D. Cards are valid only until the Board announces the official results of the election concerned.
9. Candidates shall give back the candidature I.D. cards to the constituency office or the secretariat of the Board immediately after they have expired.

Article 20. Announcement of Candidates

1. The list of candidates which will be drawn according to the council, the candidates are running for shall be publicized in the constituencies concerned in line with the election timetable issued by the Board.

2. The constituency office shall fill out the particulars listed herein under concerning candidates who are issued with candidature I.D. cards on the form for publicizing candidates sent to it from the secretariat of the Board. It shall post these forms in public places where people congregate and circulate; it shall also post it in the compound of the constituency office, and in every polling station. The particulars concerned are:
   a. Full name, including grandfather's name
   b. Age
   c. Gender
   d. Educational level
   e. Profession
   f. The name of the party that nominated the candidate or mention the fact that he is a private candidate as the case may be;
   g. The appellation of the candidate's logo and
   h. Other relevant information.

3. The head of the constituency office shall visibly write his name, sign and affix the seal of the constituency at the foot of every poster for publicizing candidates who run for the House of Peoples’ Representatives as well as regional and zonal councils.

4. Without prejudice to the provisions of sub article 3 above, posters for publicizing candidates for woreda, city, sub-city and kebele councils shall be verified by the signature of the head of the electoral office before they are posted.

Article 21. Right to Change and Replace Candidates

1. Any political party can change or replace the candidate it nominated, according to the law.

2. Unless otherwise provided, a political organization can change or replace its candidate only during the period for registering candidates.

Article 22. Withdrawal and Replacement of Candidates

1. A political organization or a private candidate can withdraw from being a candidate.

2. A candidate nominated by a political party who withdrew from being a candidate shall notify the same in writing, that must be signed by him, to the party that nominated him, and he shall return his candidature I.D.

3. A political organization whose candidate has withdrawn may replace him by nominating another candidate within the period allotted to the registration of candidates in the timetable.

4. The political organization shall immediately notify the constituency office in writing signed by the concerned leadership and verified by the stamp of the organization, it shall also annex thereto a copy
of the letter of withdrawal, the candidature I.D. card that has been returned, the name of the replacement candidate and other material pertaining to the qualification of the candidate.

5. The constituency office shall examine the case presented to it according to the law and promptly register the candidate; it shall also issue a candidature I.D. card to him.

6. If the candidate of a political organization has withdrawn on the final date of the timetable, it shall be made to replace the candidate within one week starting on the date of his withdrawal.

7. If a political organization whose candidate has withdrawn does not replace him by another candidate within the time indicated in sub article 6 above, the election shall continue with the remaining candidates in accordance with the timetable.

Article 23. Replacing a Dead Candidate

1. A political organization whose candidate has died may replace him with another candidate before the end of the period allotted to candidate registration according to the timetable.

2. Where the candidate of a political organization has died after the end of candidates’ registration, the political organization may replace the candidate within 15 days before the voting day.

3. Where a political organization has not submitted a replacement within the said time, the election shall continue with the remaining candidates.

4. Where the candidate of a political party has died in less than 15 days preceding the voting day, the election process in the constituency shall be discontinued and another election shall be conducted in accordance with the decision of the Board after the replacement of the deceased candidate.

5. Without prejudice to the provisions of sub article 4 above, where the political organization informs the Board in writing that it cannot replace the deceased candidate, the election shall continue with the remaining candidates in accordance with the timetable.

6. Where the date of election is changed in accordance with sub article 4 above, the election shall be conducted by replacing the deceased candidate only while the voters and other candidates registered earlier remain unchanged.

7. For the election to be conducted in accordance with the provisions of sub article 4 above, only the candidate that has replaced the deceased candidate may campaign to introduce himself up to two days preceding the voting day.

Article 24. To Run In Only One Constituency

1. A person can become a candidate in only one constituency;

2. If a person becomes a candidate in more than one constituency, he shall be cancelled in both constituencies.

3. If it is found out that a candidate who has been declared a winner had also been registered as a candidate in another constituency, the result shall be annulled and a new election shall be held.
Article 25. Transferring from One Constituency to Another

A candidate maybe transferred from one constituency to another during the period of candidate registration in accordance with the electoral law. The particulars shall be as follows:

1. The political organization shall submit a written request for transfer to the constituency in which the candidate was registered. This should bear the signature of the leadership of the organization and its stamp.

2. The political organization or the private candidate shall inform in writing the constituency to which he wants to be transferred that a request to this effect has been made.

3. A private candidate shall submit a written transfer request that is signed by him to the constituency in which he has been registered.

4. The candidate shall return the former registration documents, and the candidature I.D. to the constituency in which he was registered and these shall be cancelled; and he will be issued by the said constituency with a certificate attesting this fact.

5. The candidate who is to be transferred shall submit the documents given to him by the constituency he was registered in, to the constituency that he wants to run in. The latter shall register the candidate and issue him a candidature I.D. and other registration documents after ascertaining that he fulfills the criteria.

Article 26. Choosing Candidature Symbols

1. The Board shall prepare an album containing a variety of candidature symbols.

2. Any candidate may submit his own symbol or choose one from the album prepared by the Board.

3. Each political organization shall be made to submit its symbol or to come to the Secretariat of the Board and choose one from those prepared by the Board according to the election timetable issued by the Board.

4. The Secretariat of the Board shall inform the constituencies the symbols that are selected and those that are not.

5. Private candidates may submit their own symbols or they may come to the constituency in which they are running and choose from the albums with different symbols for different types of elections, sent by the Board to the constituencies.

6. Candidates shall utilize the symbols they chose only after the symbols have been approved by the Secretariat of the Board or constituency offices.

7. Candidates of a political organization may use the same symbol at all levels of election.

8. Candidates of a political organization shall use the same symbol to elections for each council in all constituencies.

9. No party or private candidate shall have copyright of symbols. However, a political organization or private candidate may be given priority to choose a symbol it had used during the previous election.
10. The Board shall give the necessary decision regarding disputes arising out of the selection of symbols.

11. Any symbol of candidature shall not:
   a. be similar to that of other candidates;
   b. be a cause for hatred and conflict among nations, nationalities, race or religion;
   c. be one that propagates war or any other unlawful act;
   d. be similar to flags or emblems of Federal and State Governments, emblems of other political organizations or flags or emblems of international organizations or signs of religious organizations;
   e. violate public morals and ethics.

Article 27. Change and Replacement of Candidature Symbols

1. The Board, for printing purposes, or in accordance with Article 26 Sub-Article 11 of this Directive, may change or order the change of the symbols of a political organization or of a private candidate;
2. Where the change of a candidature symbol is decided by the Board for the purposes of printing or other reasons, the decision shall be communicated to the political organization or the private candidate within 15 days after the closure of candidates' registration, and they shall be made to present or choose a replacement symbol.
3. Where a political organization or private candidate wants to change a symbol chosen earlier, it shall notify the change to the Board in writing within ten days after the closing of candidates' registration.

Article 28. Immunities of Candidates

1. No candidate shall, during the course of election, be arrested except in the case of a flagrant de leicto for a serious offence.
2. Where candidates allegedly commit an offence in situations other than those specified under Sub-Article 1 of the Article, legal action may be taken against them only after the electoral results are officially announced by the Board.
3. Without prejudice to the provisions of Sub-Article 2 above, a winner shall be held liable for the alleged crime during the election if his immunity has been waived by the concerned council.

Article 29. Lodging of Complaints

Complaints and grievances arising from candidate registration shall be dealt with in accordance with The Directive for Candidate Registration Number 1/2009.

Article 30. Duty to Cooperate

Every person shall have the duty to cooperate in implementing the provisions of this Directive.
Article 31. Penalty

Every person who violates this Directive or who commits the offence of deliberately obstructing the electoral process shall be punishable according to the appropriate law.

Article 32. Repealed Practices and Directives

Any directive or practice that is inconsistent with matters covered by this directive shall not be applicable to them.

Article 33. Effective Date

This Directive shall come into force on August 19, 2009.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia
DIRECTIVE FOR THE REGISTRATION OF ELECTORS
Number 2/2009
(as amended)

Article 1. Issuing Authority

The National Electoral Board of Ethiopia has issued this Directive pursuant to the authority granted to it by the Amended Electoral Law of Ethiopia Proclamation Number 532/2007.

Article 2. Short Title

This Directive may be cited as “Electors’ Registration Directive No.2/2009”

Article 3. Definitions:

Unless the context otherwise requires, in this Directive:

1. “FDRE” shall mean the Federal Democratic Republic of Ethiopia;

2. "Board" shall mean the National Electoral Board of Ethiopia;

3. "Political Organization or Political Party” shall mean a group legally registered to lawfully advance its political programme;

4. "General Election" shall mean elections to the House of Peoples’ Representatives and Regional State Councils conducted in accordance with relevant laws;

5. "Local Election” shall mean Elections to Zonal,

Woreda, City, Municipality, Sub -City or Keble Councils conducted in accordance with relevant laws;

6. "Polling Station" shall mean a location where voter registration, voting, and counting is carried out for elections at every level;

7. "Electoral Roll" shall mean a record wherein voters are registered at polling stations as electors for elections conducted at every level;

8. "Elector’s Identification Card” shall mean an identification card issued to an elector upon registration at polling stations;

9. "Registrar” shall mean a person who is a member of the polling station election officials who is assigned by the head of the polling station to register voters;

10. "Special Registration” shall mean registration conducted according to a special programme set to register those electors who were unable to register according to the regular timetable issued by the Board for the registration of voters because of force majeure or those voters who were not able to do so because of complaints lodged against their registration and in favour of whom a court has decided;

11. "Reelection’ shall mean an election to be conducted upon the decision of the Board in accordance with the Electoral Law or where
candidates get equal votes and it becomes impossible to determine the winner;

12. “Bye-election” shall mean an election conducted to fill in vacant seats of members whose mandates are terminated due to recall or any other reason;

13. “Referendum” shall mean a system of voting conducted when decided in accordance with the Constitution of the FDRE to assess public interest and to know the decision of the public;


15. “Person” shall mean any natural or juridical person.

Article 4. Scope of Application

This Directive shall be applicable to general and local elections, bye-elections and re-elections, and also to referendums conducted in accordance with the Constitution.

Article 5. Objective

The objective of this Directive is to set up a transparent system whereby the citizens are able to register impartially and without harassment so as to participate in government by electing their deputies.

Article 6. Gender Reference

In this Directive, provisions set out in the masculine gender shall also apply to the feminine gender.

Article 7. Structure of the Polling Station Organs

1. Each polling station shall have a committee composed of five election officials recruited from the constituency according to the electoral law.

2. Each election official shall fulfill the following criteria:

   A. be loyal to the FDRE Constitution;
   B. be non-partisan;
   C. be a professional as the case may be;
   D. be known for his good conduct.

3. Each polling station shall have five public observers who are impartial and elected by the public.

4. Each polling station shall have a Grievance Hearing Committee chaired by the head of the polling station and have two public observers as members.

5. The head of the polling station shall assign two of the election officials of the polling station as registrars.

6. The registration of voters shall be conducted by the assigned registrars.

7. Without prejudice to the provisions of sub-article 5 above, if an election official assigned as a registrar cannot be present at his post because of
force majeure, the head of the polling station shall instruct another polling station official to temporarily carry on the registration.

8. If a registrar cannot be present permanently at his post the head of the polling station shall replace him by immediately assigning one of the polling station officials present to take over as registrar.

9. Any polling station official assigned as a registrar:
   A. Shall perform the task of registering of voters. He shall fill out the elector’s identification card and shall immediately issue it to the registered voter;
   B. When registering electors on the electors roll assigned to him, he shall do so only by using ball-point pens, in legible handwriting with no cancellation or erasure.

Article 8. Registration Timetable
1. Registration of candidates for general elections shall, throughout the nation, begin and end at dates to be fixed by the Board. The Board shall consult political parties before deciding on the dates for registration.

2. The Board shall, based on the constitution or decision of concerned Regional States, issue registration timetable for local elections. It shall hold consultations with political parties on the timetable.

3. The Board shall indicate the date of registration in its election timetable and continually announce the date on the mass media and advertise it 15 days before the start of the registration.

4. The registration of electors shall be carried out according to the timetable issued by the Board during government office working hours, weekends and public holidays

Article 9. Special Registration
1. The Board may, under special circumstances, decide a special registration date.

2. The Board decides on a special registration date:
   A. to enable a person, who is eligible to vote but has encountered a force majeure, to register as an elector and
   B. a person who comes to register by virtue of an appellate court decision after the deadline for registration has passed.

3. If the Board decides on a special registration date pursuant to this article:
   A. it shall publicize its decision in any media it deems fit so that all those bodies who are concerned may be aware of it;
   B. when polling stations receive the decision according to ‘a’ above, they shall issue an announcement so that the concerned electors may register pursuant to the directive issued by the Board.
   C. polling stations shall register those electors who are allowed to register because of special circumstances within the timetable for special
registration on a special electors roll meant for this purpose at the end of the electors roll.

Article 10. Distribution of Documents and Advance Preparation for Elector Registration

1. The Board shall have all the documents to be used for the registration of electors delivered to all constituency offices 10 days before the commencement of the registration of electors.

2. The Board and election officials at all levels shall have the documents for elector registration delivered to the polling stations at least 8 days before the commencement date of elector registration.

3. The Board shall give training to election executive bodies at all levels on elector registration.

Article 11. Transfer of Election Documents and Materials

Each Constituency shall take delivery of documents and other materials sent to it for the registration of voters and dispatch it with appropriate care to every polling station. The transfer shall be effected against a legal transfer form.

Article 12. Safekeeping of Election Documents and Materials

1. Election officials at all levels shall make due care to be taken when election documents and materials are dispatched by the Board to the constituencies or to polling stations.

2. Constituency and polling station election officials shall prepare a suitable place for receiving and safekeeping of electors’ rolls and other election documents and materials.

3. Constituency and polling station officials shall carefully keep the electors roll, and other election documents and materials in a secure place so that the documents and materials are safe from being damaged, burnt or stolen.

Article 13. Place for the Registration of Electors

1. The registration of electors shall be undertaken at polling stations established by the Board in the constituency where the electors reside.

2. It is prohibited to register electors outside polling stations by going door to door to their homes or other similar places.

3. Without prejudice to the provisions of sub-article 2 of this article, the Board may establish mobile polling stations taking into account the lifestyle of pastoralists.

4. Election officials shall arrange the place for the registration of electors and other election activities in such a way that it will be convenient to carry on these activities, and that it is centrally located and easily identifiable by electors.

5. The polling station where elector registration is carried out shall be announced to the public in time.
6. There shall not be more than one polling station at the same place.

7. In any election, the number of electors accommodated by a polling station shall not exceed one thousand.

8. If the Board estimates that there are more than one thousand electors in a polling station, it shall divide them into two groups and it shall have them register in two polling stations.

9. When the Board thus divides a polling station, it shall assure that it is not complicated and that it is clearly delimited and convenient to the elector.

10. The Board may change the venue of a polling station; it shall immediately inform competing political parties, candidates and the electorate of any change in the location of polling stations.

**Article 14. Places that cannot serve for the Registration of Electors**

The following places shall not serve as places for the registration of electors:

1. Military camps
2. Police stations
3. Churches
4. Mosques
5. Hospitals
6. Bars
7. Buildings of political or religious organizations and
8. Private homes

**Article 15. Preparation of a Polling Station**

1. With a view to making a polling station suitable for the registration of electors polling station election officials shall make the following preparation:
   
   A. For the purpose of registering electors they shall prepare a room, tent or shed with a separate entrance and exit;
   
   B. They shall arrange the seating in such a way that the public observers and candidates’ representatives are seated opposite the registrars where they will be able to observe the process by seeing and hearing clearly the coming and going of electors to and from the place of registration;
   
   C. They shall prepare a waiting area where electors who come to register are protected from the elements;

2. 15 days before the commencement of elector registration, election officials of polling stations shall clearly announce to the electorate:
   
   A. The approach of the date for elector registration and indicate the duration of the registration process by specifying the dates when it will begin and end, and
B. The polling station where the elector registration will be carried out.

3. With a view to enabling the electors to register without any hassle, the announcement under sub article 2 of this article shall:
   A. be conspicuously written on a paper prepared for this purpose and hung or posted within the premises of the polling station or
   B. be posted at a place where people congregate in large numbers or
   C. be officially publicized in a way they dim fit.

4. Election officials shall see to it that electors roll, the elector ID cards, ink pads and other documents and materials necessary for the registration of electors are ready.

Article 16. Preparation of Electors Rolls

1. Each polling station shall have two electoral rolls of its own according to the electoral law.

2. Before the date of the commencement of the registration of candidates, the electoral roll shall be prepared in the following manner:
   A. On the front cover of the first and the second roll, it shall be written Roll Number 1 and Roll Number 2 respectively;
   B. The name of the region, zone, woreda, kebele and the polling station and the year shall also be written on the front cover of both rolls;
   C. Page numbers should be carefully written in the space provided on the internal pages of the rolls;

Article 17. Persons Who Shall Be Present at the Place for Elector Registration

1. The following persons shall be present at the polling stations where electors are registered during the days when electors are registered:
   A. Election officials;
   B. Stationary agents of competing political parties or private candidates;
   C. Public observers

2. Ten days before the commencement of the registration of electors, the head of the polling station shall notify in writing the persons enumerated under sub-article 1 of this article, to be present at the polling station on the date of registration;

3. The process of registration of electors shall not be interrupted because of the absence of a public observer, a representative of a competing political party or a private candidate who has been served notice to be present during the time of registration.
Article 18. Criteria for Registration as an Elector

1. A person shall fulfill the following criteria to be registered as an elector:
   A. is an Ethiopian;
   B. is 18 years old or above at the time of registration;
   C. has been residing within the constituency for at least 6 months.

2. Where there is no written evidence to prove that the age of a person who wants to be registered or whether there is doubt in this regard, it shall be decided based on the testimony of a senior member of the family or relative of the person and where these are not available by any person who knows about the age of the individual after which the person shall be registered.

Article 19. Identification Cards to be presented to register as an Elector

1. A person who is eligible to register as an elector can do so in a polling station near his residence by presenting one of the following documents as the case may be:
   A. an identification card to prove residence issued by the kebele in the city or rural area where the elector is a resident;
   B. Employee identification card;
   C. Student identification card;
   D. Passport or
   E. in the absence of one of the above identity cards, a recently issued driver’s license, a certificate to prove residence, a document given to prove discharge from the army, a refugee card issued by the United Nations or ID card issued to those who receive retirement benefits bearing a recent photograph of the elector or other similar identity cards.

2. An identification card issued according to sub-article 1 ‘A’ to ‘D’ may, irrespective of its validity, serve for the purpose of registration

3. In the absence of the above mentioned documents it is possible to register an elector:
   A. where the registrars recognize the elector or
   B. where it is possible to identify the elector through a traditional or customary way.

4. If it is still impossible to identify the elector through the means provided above registration may be carried out where it is possible to recognize the elector based on the testimony of public observers, which shall be duly recorded in the minutes.

5. The minutes recorded pursuant to sub- article 4 above shall be signed by polling station public observers and election officials.
Article 20. Persons ineligible to register as electors

Persons listed hereunder cannot register as electors:

1. A person who is not an Ethiopian national;
2. A person who is below 18 years of age on the date of registration;
3. A person who is notoriously insane;
4. A person who is serving a prison term;
5. A person who has been deprived by law of his right to vote.

Article 21. The Registration Process

1. A person who appears before a registrar to be registered as an elector shall answer correctly all the questions addressed to him by the registrar with a view to establishing his identity; all the information he provides in this regard shall be carefully entered in the register prepared for this purpose.

2. To avoid a lopsided registration in only one of the registers, election officials shall effect the registration of electors as evenly distributed as possible between the two electoral rolls.

3. Eligible voters shall be served in order of their arrival and an elector whose turn it is to register shall appear before one of the registrars and his name shall be entered in the electors roll.

4. Old people and people with physical disabilities shall be given priority after informing the head of the polling station thereof.

5. The registrars shall, for the benefit of the public observers and the elector himself, speak out the particulars that they enter onto the electoral roll.

6. After an elector has been registered, he shall be made to put his signature or finger print depending on his abilities, or if a person is missing all his fingers, the registrar shall assist him to make a mark as far as is possible under the circumstances.

7. The infirm and the blind that are eligible to register as electors may register in person with the help of their assistants.

8. The assistant to infirm or blind persons shall be:
   A. An Ethiopian;
   B. 18 years old or above and
   C. A person who is not a candidate or a representative of a candidate.

Article 22. Registration in person at one time and in one place

1. No elector shall be registered more than once in one polling station or in more than one polling station.
2. The registration of electors including special registration shall be carried out only by appearing in person.

**Article 23. Elector’s Identification Card**

Every person who is legally registered as an elector:

1. Shall be issued with an elector’s identification card;

2. Each elector’s identification card shall have the following paragraphs wherein all the particulars entered on the electoral register shall be copied:
   
   A. the name of the elector including that of his grandfather;
   
   B. his address - region, zone, woreda, kebele, polling station, house number, village and locality;
   
   C. Roll number, serial number and page number;
   
   D. the signature of the elector and the signature of the registrar and
   
   E. The date of registration.

3. An elector shall have only one elector’s identification card.

4. Any person who is registered as an elector shall carry his elector’s identification card when he comes to the polling station on polling day.

5. Any elector whose elector’s identification card has been lost or damaged may inform the matter to the polling station during working hours before or on voting day. Where the polling station is convinced of the matter, the elector may get a replacement or be allowed to vote.

**Article 24. Particulars of the Electoral Roll**

1. The electoral roll shall have columns for entering the following particulars:
   
   A. serial number of registration
   
   B. date of registration
   
   C. full name, including that of the grandfather
   
   D. age
   
   E. sex
   
   F. duration of residence within the constituency
   
   G. signature or thumb mark at the time of registration
   
   H. signature or thumb mark during voting
   
   I. house number/village or locality/
   
   J. remarks

2. The particulars mentioned under sub-article 1’C’ ‘D’ ‘E’ ‘F’ ‘G’ and ‘I’ of this article shall be used during elector registration to enter the information obtained by asking the elector who came to be registered and by verifying his documents.

3. What is provided for under sub article 1- ‘H’ of this article is the column on which the elector puts his signature on polling day.
4. If multiple elections are to be held and the elector has to register only once, then additional columns similar to the one provided for under sub article ‘H’ could be added.

**Article 25. Minutes to be recorded upon conclusion of each day’s Registration**

1. Upon the conclusion of each day’s elector registration, the last elector’s serial number and the total number of registered electors shall be filled out according to the form prepared by the Board.

2. The form shall be signed by the registrars of the polling station and a representative of the polling station public observers.

3. The form thus recorded and signed shall be carefully kept in the polling station.

**Article 26. Closure of the Regular Elector’s Roll**

On the final day of elector’s registration at the end of the time for elector registration:

1. The registration on both rolls shall stop;

2. Both rolls shall immediately be closed after the activities mentioned hereunder are undertaken;

   A. On both rolls, an unbroken zigzag line shall be drawn from left to right on the lines below the name of the last elector registered.

   B. After the rolls have been closed according to ‘A’ above, the total number of electors on each register shall be classified by sex and entered separately for the purpose of certification.

C. The total number of electors arrived at as on ‘B’ above shall be entered on the last line at the end of the last page of each roll by writing: “Male ------ Female-------- Total----------”. This shall be recorded in the minutes and signed by polling station officials and the public observers.

D. No new electors shall be registered or shall new entries be made or shall anything else be written on the electoral roll after it has been closed and after it has been signed by election officials and public observers unless the Board specially decides otherwise and communicates its decision to the concerned polling stations through an appropriate notice.

E. In addition to the certified document recorded on the final date of elector registration, election officials and public observers shall put their signature at the end of the entry made on each roll according to sub -article 2(c) of this article.

**Article 27. Closure of the Special Roll**

After electors have been registered on the special roll pursuant to the decision of the Board to this effect pursuant to Article 9 of this Directive, the special roll shall be closed in the following manner:
1. Special registration shall be concluded and the roll closed according to the timetable issued by the Board;

2. The closure of the special register shall follow the procedure laid down under Article 26 of this Directive for the closure of the regular electors roll.

Article 28. Displaying Electoral Roll to the Public

1. Upon the conclusion of electors registration, the electoral roll shall be officially displayed to the public for five consecutive days within the premises of the polling station.

2. The electors roll shall be displayed to the public in the following manner:
   
   A. The persons who shall take delivery of the electors roll and are responsible to display it to the public are those election officials who are assigned as registrars;
   
   B. The head of the polling station shall arrange for the members of the public who wish to see the electors roll to present themselves one by one according to the order of their arrival;
   
   C. The registrars shall show the information requested by the public;
   
   D. A person who requests to see the electors roll shall only look at the relevant pages of the roll or listen to it being read and he shall never touch the electors roll or write anything in it or make any mark thereon.

3. Any person who wishes to look at the electors register shall carry an identity card or a document to prove that he is an agent of an organization or entity he is representing as the case maybe;

4. The electors roll shall be displayed to the public in the presence of the polling station public observers, representatives of political party or private candidates and polling station officials;

5. The electors roll shall be displayed to the public according to sub-article (1) for five consecutive days including weekends and public holidays during working hours of government offices;

6. At the end of the five days during which the electors roll has been displayed, a document shall be drawn up containing the following information:

   A. the fact that the electors roll has actually been displayed to the public for five consecutive days;
   
   B. the content of the information requested by the public in brief and whether this has been provided or not;
   
   C. if there are complaints lodged by the public after looking at the rolls and the response provided;
   
   D. whether, public observers, representatives of candidates of political parties or private candidates and polling station officials were
present or not during the five days in which the electors roll has been on display. This document shall be signed by the public observers and election officials and kept as an official document.

**Article 29. Cancellation of Registration**

1. Except for persons who are notoriously insane or fraudulently registered, or is in prison following a conviction, no registered elector shall be cancelled from the electoral register following a complaint.

2. When electors are imprisoned after a conviction, or when they become insane or when they act fraudulently, courts and ‘Idirs’ shall have a duty to immediately report the fact to:
   A. the regional branch office of the secretariat of the Board or
   B. the constituency or
   C. the polling station

3. The regional branch office of the secretariat of the board or constituency or polling station which has received information pursuant to sub-article 2 above shall:
   A. Cancel immediately the elector from the electors roll;
   B. Record in the minutes the evidence for cancelling the elector according to sub-article (A) above;
   C. the minutes recorded according (B) above, shall be signed by election officials and public observers.

4. Any person who fraudulently registers after he had been interdicted to vote shall be cancelled from the electors roll.

5. If any person is found to have fraudulently registered in the name of a deceased person and if election officials are convinced thereof, he shall immediately be cancelled from the electoral roll and the case will be brought to the concerned judicial authority.

6. Under the provisions of this article, an elector may be cancelled from the electoral roll up to polling day.

**Article 30 Prohibited Activities during Elector Registration**

Anybody who commits one of the following prohibited activities shall be prosecuted according to the law:

1. A person who is registered on the electoral roll without fulfilling the criteria to qualify as an elector;

2. The registrar who registers an elector knowing that he does not qualify;

3. A registrar who registers electors outside the dates and time fixed for the purpose and contrary to the electoral timetable;

4. A person who is registered as an elector more than once, or in more than one polling station or
who is found holding more than one elector's identity card;

5. A person who provides false information or evidence, or false document when registering as an elector;

6. A person who intimidates electors in any way to prevent them from registering or who gives false information or evidence for the same purpose;

7. A person who curtails or prevents another from exercising his right to register as an elector or lodge a complaint or who interferes with the exercise of that right;

8. A person who alters, crosses out or erases an elector identity card

9. A person who crosses out or erases from any electoral document a legally registered person;

10. A person who registers electors without being a registrar or without being assigned as a registrar by the head of the polling station according to article 7 sub-article 7 of this directive.

**Article 31. Lodging a Complaint**

Complaints concerning elector registration shall be resolved pursuant to the provisions of Directive Number 1/2009 issued by the Board.

**Article 32. Forms to be Utilized during Elector Registration and the Submission of Reports**

1. Election execution organs at all levels shall submit reports on their elector registration activities to election execution organs above;

2. The report to be submitted under sub-article 1 of this article shall be done pursuant to the timetable issued by the Board.

**Article 33. Duty to Cooperate**

Every person or organ shall have the duty to cooperate in implementing the provisions of this Directive.

**Article 34. Penalty**

Any person who violates this Directive or who commits the offence of deliberately obstructing the electoral process shall be punishable according to the appropriate law.

**Article 35. Repealed Directives**

Any directive or practice that is inconsistent with matters covered by this directive shall not be applicable to them.
Article 36 Effective date

This Directive shall come into force on August 19, 2009.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia
Chapter 1

Article 1. Issuing Authority

The National Electoral Board of Ethiopia has issued this Directive pursuant to the authority granted to it by the Amended Electoral Law of Ethiopia Proclamation Number 532/2007.

Article 2. Short Title

This Directive maybe cited as “Procedure for the Activities of Public Observers and Representatives of Candidates”

Article 3. Definitions

Unless the context otherwise requires, in this Directive:

1. “Board” shall mean The National Electoral Board of Ethiopia;
2. “Electoral Law” shall mean the Proclamation to Amend the Electoral Law of Ethiopia Proclamation No. 532/2007;
3. “General Election” shall mean elections to the House of Peoples’ Representatives and Regional State Councils conducted in accordance, with relevant laws;
4. “Local Election” shall mean Elections to Zonal, Woreda, City, Municipality, Sub City, or Kebele Councils conducted in accordance with relevant laws;
5. “Reelection” shall mean an election to be conducted upon the decision of the Board in accordance with the Electoral Law, or where candidates get equal votes and it becomes impossible to determine the winner;
6. “Bye-Election” shall mean an election to be conducted to fill in vacant seats of members whose mandates are terminated due to recall or any other reason;
7. “Political Organization or Political Party” shall mean a group legally registered to lawfully advance its political program;
8. “Public Observer” shall mean an impartial resident of each constituency or polling station elected by the people to observe elections;
9. “On-site Representative” shall mean a person delegated by a political party or private candidate running for an election, to a specific constituency or polling station to observe the election process on - site and follow the respect of the rights of the body he represents;
10. “Mobile Observer” shall mean a person delegated by a political party or a private candidate running for an election who observes the election process and follow the respect of the rights of the body he represents by moving to different polling stations in a constituency;
11. “Person” shall mean any natural or juridical person.
Article 4. Scope of Application

This Directive shall be applicable to general and local elections, bye-elections and re-elections.

Article 5. Objective

1. To enable the electorate to follow the electoral process and observe elections through its representatives;

2. To establish an impartial and transparent system whereby the private candidates and political organizations are able to follow the electoral process through their representatives.

Article 6. Gender Reference

In this Directive, provisions set out in the masculine gender shall also apply to the feminine gender.

CHAPTER TWO
PUBLIC OBSERVERS

Article 7. Principle

1. The public has a fundamental right to closely follow the electoral process through its representatives;

2. It shall only be those people who are non-partisan and neutral who are elected by the people and who are accountable to them that can follow the electoral process as public observers;

3. Competing political parties and private candidates or their representatives shall be invited in writing by electoral offices at various levels to attend the meeting called for the election of public observers.

Article 8. Establishment

Public observers shall be organized at constituency and polling station levels according to the electoral law.

Article 9. Election of Polling Station Public Observers

1. Each polling station shall have 5 public observers.

2. The public observers shall be directly elected by the residents of the polling station. The candidates who are to be elected as public observers shall fulfill the following criteria:

   A. be an Ethiopian national;
   
   B. be loyal to the constitution;
   
   C. be non-partisan;
   
   D. be resident of the polling station for at least 6 months;
   
   E. be 18 years old and above and
   
   F. be a person who has earned the trust of the local people.
3. The election of public observers shall take into account gender representation as well as the representation of the local people. It shall also as far as possible be assured that the candidates have better knowledge, and experience in election observation.

4. The election of public observers shall have following procedure:
   A. The head of the polling station shall officially call the people of the polling station to a meeting.
   B. The meeting shall be chaired by the head of the polling station or by another election official of the polling station delegated by him. The election officials of the polling station shall give the necessary support.
   C. The chairman shall make a brief presentation about the procedure for the election of public observers and about their duties and responsibilities.
   D. He shall make ten persons to be nominated as candidates, to elect five public observers.
   E. The election shall proceed and voting shall be by show of hand; each person shall vote only for five candidates.
   F. Five of the candidates who got the highest vote shall be deemed elected as polling station public observers. The remaining five candidates shall be kept on the waiting list in order of the votes they got.

5. The elected public observers shall take an oath of office before the people affirming that they shall serve with impartiality and loyalty and in good faith.

6. The election officials of the polling station shall give training to the public observers.

7. The head of the polling station shall send to the constituency office a document containing the following data about the public observers just elected:
   A. name;
   B. age;
   C. nationality;
   D. gender and
   E. other necessary information.

8. Where a person nominated as a candidate to be a public observer does not fulfill the required criteria, he shall decline the nomination and remove himself from the list of candidates.

9. Any person who violates the provisions of sub - article 8 of this article shall be punished according to appropriate laws.

10. Where there are public observers missing for various reasons, each polling station shall replace them with those public observers who are kept on the waiting list according to sub- article 4 (F) of this article. The observers on the waiting list shall be called upon in order of the number of votes they got, the one with the highest vote being called upon first.

11. In advance of the meeting to be called for the election of public observers, the head of the polling station shall invite in writing competing political parties and private candidates (those private candidates who have expressed their intention to run for elections) to attend the meeting.
Article 10. Duties and Responsibilities of Polling Station Public Observers

1. Public observers shall follow the electoral process to assure that it is being conducted according to the law by being present at the polling station where they were elected when electors are registered and votes are cast; and also when votes are counted and results announced.

2. Without prejudice to the provisions of sub - article 1 which are expressed in general terms, during electors’ registration, public observers shall:
   A. Observe that residents of the polling station who have the right to vote are properly registered.
   B. Assure that electors are properly registered on the electoral roll according to the law; they shall also assure that each day, the last elector's serial number and date is filled in the form to be signed in accordance with the provisions of Article 40 sub- article 1 of the Electoral Law, after which they shall sign the form.
   C. Assist the registrar in accordance with the provisions of Article 39 sub- article 5 by testifying in cases where the elector does not have an identity card or where his age is doubtful.
   D. Assure that people who do not qualify as electors are not registered and that an elector is registered only once.
   E. Follow that complaints submitted to the polling station are promptly and properly resolved.
   F. Follow that the electors are registered with no hassle or that they are getting the appropriate service.
   G. Appropriately put their signature when the electors roll is closed according to article 40 sub-article 2 of the electoral law.

3. On polling day:
   A. They shall be present at the polling station on time according to article 62 sub 3 of the electoral law and shall sign the form for recording the minutes which state that voting started after the empty ballot box has been installed in front of the public observers.
   B. According to article 63 sub - article 4, they shall present a request to the head of the polling station that the security of the polling station be maintained.
   C. They shall follow that preparations are made so that the voting process is conducive for an elector to cast his ballot in secret without any pressure according to the electoral law and regulations and directives issued by the Board.
   D. They shall follow that there is preparation to identify and control unlawful electors.
   E. They shall follow that there is control to assure that only those who are allowed to enter the polling station do so.
   F. They shall follow that representatives of political organizations and private candidates are properly performing their activities by sitting in the place assigned to them.
   G. They shall observe that complaints submitted on
polling day are promptly and properly dealt with and that polling station officials are performing their duties with due diligence and efficiency.

H. In general, they shall follow that the voting process is carried on according to the law.

I. They shall assure that after the conclusion of voting, the ballot box is properly locked and that it is appropriately secured and kept with the necessary care until the commencement of counting of votes.

4 At the time of counting of votes and announcement of results:

A. Pursuant to article 73 of the electoral law, they shall be present at the closure of polls and ascertain that the seal of the ballot box has not been opened or broken and that it is in the condition it has been sealed before the start of voting. They shall also ascertain that the ballot box (sack) has not been broken or damaged and sign the minutes.

B. They shall ascertain that the ballot box is empty after it has been opened and all the ballot papers are taken out.

C. They shall ascertain that the counting of the votes is conducted on time according to the law.

D. They shall ascertain that the voting, the vote counting and the results are correct and sign the minutes drawn to record these facts.

E. They shall follow that the complaints concerning the process of vote counting and the results are properly resolved on time by the polling station or that they are registered and referred to the constituency.

F. After the conclusion of voting, they shall ascertain that the ballot papers are put back in the ballot box after they have been properly sorted according to the type of council they relate to. They shall also ascertain that the relevant document is filled out and put in the ballot box together with the ballot papers and that the box is then sealed and sent to the constituency. In addition, they shall ascertain that the results are immediately announced to the public.

G. They shall observe the counting at the constituency election office when it is decided to carry out the counting there in accordance with article 72 sub article 2 of the electoral law. They shall also sign the necessary documents as to the correctness of the process.

H. They shall assure that the total of the polling station results added up at the constituency level and sent to the polling station is officially announced to the people as sent by the constituency.

Article 11. Election of Constituency Public Observers

1. Each constituency shall have no more than 3 public observers elected according to article 20 sub article 4 of the electoral law.

2. Constituency public observers shall be elected from among the public observers of the polling stations under the constituency.
3. To elect the public observers of the constituency the head of the constituency electoral office shall convene to a meeting all the public observers of the polling stations in the constituency.

4. The head of the constituency electoral office shall have 6 candidates, who qualify to be constituency public observers, nominated from among the polling station public observers who are attending the meeting pursuant to the call issued by him.

5. The gathered public observers shall vote by a show of hand. Each person shall vote for only three candidates.

6. Three of the six candidates who get the highest vote shall be the constituency public observers and the rest shall be put on a waiting list.

7. The public observers thus elected shall be made to take an oath of office according to the traditions of the area to perform their duties in good faith and loyalty.

8. In advance of the meeting called to elect the public observers, the head of the constituency electoral office shall invite in writing the candidates of competing political parties and private candidates to attend the meeting.

9. The head of the constituency electoral office shall list and keep for the record the names of the elected public observers and other relevant information pertaining thereto. He shall send a copy to the Secretariat of the Board.

10. Where public observers are missing for various reasons, each constituency shall replace them with those who have the highest votes from among the ones put on the waiting list according to sub-article 6 of this article.

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**Article 12. Responsibilities of Constituency Public Observers**

1. Constituency public observers shall perform their duties as observers by being present at the constituency office during electors’ and candidates’ registration; during the transfer and distribution of ballot papers, election documents and materials; and after polling day, during the delivery of the sealed ballot boxes containing the ballot papers sent from polling stations, and also during the adding up of the votes and designation of the winner.

2. Without prejudice to the general provisions of sub-article 1 above, constituency public observers shall:

   A. Observe that candidates of political organizations and private candidates who fulfill the criteria set by the law are registered according the election timetable.

   B. Follow that the constituency provides an impartial and equal service to all candidates.

   C. Follow that the complaints of electors and those of candidates are attended to promptly and appropriately.

   D. Follow that the candidates are publicized to the public in accordance with the election timetable.

   E. Follow that election documents and materials are sent properly to the polling station with due care and on time.
3. On polling day, after the conclusion of voting and during the delivery of documents from polling stations, constituency public observers shall:

A. Follow that the constituency has provided the necessary support to the polling stations so that the election shall proceed peacefully.

B. Follow that complaints or appeals that are lodged daily are promptly dealt with.

C. Follow that the documents and materials utilized for voting are delivered to the constituency in line with the electoral law and the directives of the Board, and that transfer of the same was properly done.

D. Follow that complaints relating to voting and counting are duly registered and sent to the constituency, and that they are appropriately decided.

E. Follow that after the results of the vote counting from the various polling stations are properly added up and sorted according to the type of council; and the winner identified accordingly, the result is announced on time to the people of the constituency, the Board and its regional office.

F. Observe that the correctly filled out and duly signed certification form pertaining to the result of the adding up of votes at the constituency is given to the candidates or their representatives on time.

G. Observe the counting of votes together with polling station observers when it is decided to count the votes at the constituency according to Article 72 sub article 2 of the electoral law. They shall also sign a document as regards the process.

H. In general, assure that the election was conducted according to the law and that the result is correct.

**Article 13. Request for Corrective Measures to be taken**

Public observers assigned at any level may, without obstructing the electoral process, submit a request either in writing or orally to the head of the polling station or the constituency to have corrective measures taken as regards the irregularities they encounter in the process of observing the electoral process.

**Article 14. Responsibilities of Public Observers**

1. Polling Station or constituency public observers shall have the following duties and responsibilities:

   A. To follow the electoral process only in the polling station and constituency they were elected from by being present at the time and on the date required.

   B. Not to interfere in the work of any election official such as counting and adding of votes, and the registration of candidates or electors.

2. To appropriately discharge their responsibilities when they are assigned to be members of constituency or polling station grievance hearing committees.

3. Shall not side with any candidate of a political organization or a private candidate.
4. Shall attentively read the electoral law, regulations and directives and properly follow the training given to them so that they acquire sufficient understanding and be able to appropriately follow the electoral process.

5. Shall not interfere with the work or the decision of the electoral officials, or try to solve on their own the problems and irregularities they encounter.

6. Shall show good behavior and give due respect to constituency or polling station election officials, representatives of candidates of political organizations and private candidates, as well as the public.

7. Shall not at any time be seen carrying or collecting symbols, emblems or similar items reflecting partisanship.

8. Shall not carry any kind of arms when engaged in their work of observing the elections.

9. Shall conspicuously pin on their chest the public observer identity card issued to them when observing elections.

10. Shall respect the confidential nature of matters that come to their knowledge by virtue of their duties as observers, in the constituency or polling station where they are assigned, before these matters are made public by the body concerned.

11. Shall as appropriate write their opinion and sign electoral documents and minutes they are concerned with.

12. Shall respect the order given them by the head of the constituency or polling station they are assigned to.

13. Shall refrain from any activity that prevents the electoral process from proceeding freely, correctly and efficiently.

**Article 15. Exception**

1. The provisions of this directive concerning the procedure for electing public observers and their duties and responsibilities shall be applicable as appropriate where the size of constituencies and the number of polling stations is not uniform because of the special nature of local elections.

2. Taking the special nature of conducting each election, the Board may decide to follow the procedure prescribed herein to have public observers elected in the electoral offices it establishes at various levels and for their activities to be governed by it.

**CHAPTER THREE**

**Representatives of Political Organizations and Private Candidates**

**Article 16. Types of Representatives**

Political organizations and private candidates may assign on-site and mobile representatives at each polling station under the constituency in which they are running to follow the electoral process on their behalf.

**Article 17. Assigning on-site representatives**

1. Any political party that has fielded a candidate may assign:
A. One on-site representative at the constituency in which he is running and
B. One on-site representative at each polling station under the constituency in which he is running.

2. Any private candidate may assign:
   A. One on-site representative at the constituency in which he running and
   B. One on-site representative at each polling station under the constituency in which he is running.

**Article 18. Assigning Mobile Observers**

Each political organization or private candidate may assign not more than 5 mobile observers to a constituency pursuant to the provisions of article 83 (3).

**Article 19. Notification of Representatives**

1. Any political organization that has fielded a candidate or any private candidate shall submit to the constituency electoral office where they run a list of the names of their on-site and mobile representatives including those of the substitute representatives ten days before the commencement of the registration of candidates and electors respectively, and also ten days before the polling day.

2. The constituency electoral office shall duly notify to each polling station the list of representatives submitted to it according to sub article 1 above. It shall also issue identification cards to the representatives.

3. It shall also send to each polling station a letter enclosing the name of the mobile agents assigned to the constituency and the name of the political organization or private candidate they represent.

**Article 20. Method for Submission of the List of Representatives**

1. The list of representatives of a political organization shall be verified by the seal of the organization and must be signed by the highest leadership of the organization or the chairman of its zonal or woreda committee in the constituency or its lawful agent.

2. Where the representatives are submitted by a private candidate, the list shall be verified only by the signature of the candidate himself.

3. When submitting the list of representatives, each political party or a private candidate shall clearly indicate:
   A. The category of the representatives as being on-site, mobile or substitute.
   B. The polling station and the constituency they are assigned to.

**Article 21. Rights of On-site and Mobile Representatives**

1. An on-site representative of any candidate shall have the right to follow the electoral process in the place where he
is assigned to, to submit his complaints according to the law, to get information and to receive a copy of a duly signed form attesting to a fact pertaining to the relevant event in the electoral process he is following.

2. A mobile representative of any candidate shall have the right to get information on the electoral process in the area where he is assigned to and to contact the stationary representative of the candidate he represents.

3. A representative of a candidate of any political party or a private candidate has the right to perform the duties assigned to him by law as a representative without any pressure.

**Article 22. Duties and Responsibilities of On-site Representatives**

An on-site representative:

1. Shall be present at the constituency or the polling station he is assigned to and follow the electoral process when he is called upon according to the electoral timetable.

2. Shall sign in the appropriate place minutes recording the electoral process and forms pertaining thereto. He shall transmit all duly signed and certified documents and other forms he receives to the candidate he represents.

3. While observing the electoral process, if he encounters a situation that is a cause for complaint in the constituency or polling station he is assigned to, he shall immediately submit his complaint in writing to the head of the constituency or the polling station as the case maybe.

4. He shall carefully read and acquire sufficient understanding of the electoral law and other explanatory materials on the subject so that he is able to properly follow the electoral process.

5. Shall provide accurate information to the political organization or private candidate he represents concerning his duties as an agent.

**Article 23. Duties and Responsibilities of Mobile Representatives**

Every mobile representative:

1. Shall carry the identity card given to him as a mobile representative.

2. Shall follow the electoral process by moving around the constituency he assigned to, and the polling stations under it, he may also request for relevant information.

3. Where he encounters a situation that gives rise to a complaint, he shall submit the complaint only in the constituency office or polling station where the situation occurred.

**Article 24. Responsibilities of On-site and Mobile Representatives**

Any on-site and mobile representative of a political party or private candidate shall:

1. Obey orders given by election officials at every level;
2. Show his ID card when asked by a relevant body;
3. Respect the electoral law and refrain from committing unlawful acts;
4. Sign and respect the code of ethics for representatives issued by the Board;
5. Refrain from any activity which obstructs the electoral process;
6. Not interfere in the duties of election officials or their decision. He shall not also try to solve on his own the problems he encounters;
7. Not harass electors waiting on line to cast their vote, or those who are on their way to do so by saying to them so and so has voted for such and such a candidate or by telling them other similar information;
8. Not ask electors who have already voted to whom they have cast their votes;
9. Respect the right of electors to vote in secret;
10. Not move around outside the place he is assigned to;
11. Not perform the duties of an election official such as lining up voters, handing out ballot papers, stamping the ballot papers, counting electors' ID cards and ballot papers, signing on the register, applying ink, moving about the ballot boxes, sealing ,opening or locking ballot boxes. It is absolutely forbidden to assist the election officials perform these tasks.
12. Not campaign on polling day where electors are lined up or around the polling area or anywhere else.
13. Show due respect to and behave politely towards election officials, public observers, representatives of other political party or private candidates, the electorate and candidates.
14. Not carry or wear items with emblems, symbols or other similar things that reflect partisanship in the place where he is assigned to.
15. Not carry arms when performing his duties as a representative.
16. Refrain from any activity which obstructs the electoral process from being conducted correctly and smoothly.
17. Where a representative of a political organization or a private candidate deliberately commits an offence of obstructing the electoral process, he shall be punished according to the relevant law.

Article 25. Identification Cards of Representatives of Political Organizations or Private Candidates

1. The office that issues ID cards to any person assigned as a stationary or mobile representative of a political organization or a private candidate shall be the constituency election office.
2. The constituency office, after first ascertaining according to the law that the necessary conditions are fulfilled, shall immediately issue ID cards to the representatives.
3. Where any representative fails to respect his responsibilities as provided in the electoral law, and this directive and/or commits an offense of obstructing or interfering with the electoral process, his identification card as a representative shall be annulled and he may be removed from the
surroundings of the polling station, or he will be held responsible according to the relevant law.

**Article 26 Removing and Substituting a Representative**

1. Any candidate may remove a representative and substitute another instead.

2. The removal and the substitution of a representative shall be effective only where the candidate notifies in writing the constituency office ten days in advance the name of the representative to be removed and that of the one that will substitute him. This notice shall be signed by the private candidate himself and in the case of a candidate of a political organization it shall be signed by the head of the organization and shall bear the seal of the organization concerned.

3. The constituency shall notify the concerned polling station of the change of representatives.

4. No candidate shall be obliged to disclose the reason why he changed or removed a representative.

**Article 27. Conduct of Local Elections**

Where appropriate, the provisions concerning representatives of candidates laid down above shall be applicable for constituencies and polling stations organized for local elections.

**Article 28. Absence of Representative**

1. Where any stationary or mobile representative is absent from his assigned post due to his own reasons, he cannot request the electoral activities carried out in his absence to be invalidated.

2. Without prejudice to the provisions of sub-article 1 above, it shall not apply where it is proven that the absence of the representative was due to factors deliberately created to prevent him from being present.

**CHAPTER FOUR MISCELLANEOUS PROVISIONS**

**Article 29. Duty to Cooperate**

Any person or body shall have the duty to cooperate in implementing the provisions of this directive.

**Article 30. Penalty**

Anyone who violates this directive or who deliberately obstructs the electoral process shall be punishable according to the relevant law.

**Article 31. Repealed Practices and Directives**

Any directive or practice that is inconsistent with questions covered by this directive shall not be applicable to them.
**Article 32. Effective Date**

This directive shall come into force on August 19, 2009.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia
The Amended Directive on the Code of Conduct of Election Officials to be Recruited at various Levels

Chapter One
General Provisions

Article 1. Issuing Authority

The National Electoral Board of Ethiopia has issued this Directive pursuant to the authority granted to it by the Amended Electoral Law of Ethiopia Proclamation Number 532/2007.

Article 2. Short Title

This Directive may be cited as “The Amended Directive on the Code of Conduct of Election Officials No. 4/2009”

Article 3. Definitions

Unless the context otherwise requires, in this Directive:

1/ “Board” shall mean the National Electoral Board of Ethiopia;

2/ “Electoral Law” shall mean the Electoral Law of Ethiopia Amendment Proclamation 532/2007;

3/ “Constituency” shall mean an electoral district established by dividing the Nation’s territories in accordance with the law and in a manner conducive for the execution of elections and for the people to elect their representatives;

4/ “Polling Station” shall mean a location where voter registration, voting, and counting is carried out for elections conducted at every level;

5/ “General Elections” shall mean elections to the House of Peoples’ Representatives and Regional State Councils;

6/ “Local Elections” shall mean elections to Zonal, Woreda, City, Municipality, Sub-City or Kebele Councils conducted in accordance with relevant laws;

7/ “Election Official” shall mean a person who executes elections on a permanent, contractual or temporary basis in the secretariat of the Board and in the offices established for elections to be conducted at various levels;

8/ “Political Organization or Political Party” shall mean a grouping legally
Article 4. Scope of Application

This Directive shall be applicable to election officials deployed to execute general and local elections, reelections, bye-elections and referendums conducted in the country.

Article 5. Objective

The objective of this Directive is to enable election officials recruited at various levels to impartially conduct democratic, free and fair elections by instituting a transparent procedure guided by internationally accepted principles of ethical rules of conduct.

Article 6. Gender Reference

In this Directive, provisions set out in the masculine gender shall also apply to the feminine gender.

Chapter Two
Organization of Electoral Offices and Recruitment of Election Officials

Article 7. Organization of Electoral Offices

The Board may establish according to the law the following electoral offices:

1/ the secretariat of the Board;
2/ regional branch office of the Board to coordinate elections at the regional state level;
3/ a coordinating needed which may be established as needed and which shall report to the regional branch office;
4/ constituency electoral office and
5/ polling station electoral office.

Article 8. Recruitment of Election Officials

1/ Election officials who will serve in election offices at all levels shall be recruited in the following manner:

A/ the secretariat of the Board shall recruit/hire the election officials of the regional branch office;
B/ the regional branch office shall recruit election officials of the coordinating offices to be established as needed and those of the constituency;

C/ the constituency electoral office shall recruit the election officials of the polling station.

2/ an election official to be recruited at any level shall fulfill the following criteria:

A/ is an Ethiopian;
B/ is loyal to the constitution;
C/ is non-partisan;
D/ is not a member of any government (peoples) council;
E/ is not appointed as an executive in any government administration;
F/ is a resident of the branch office or constituency or polling station in which he is to be recruited;
G/ have enough competence and experience to enable him to conduct electoral activities and
H/ is known for his good conduct by the residents of the area and has earned their trust.

3. The person or body charged with the responsibility of recruiting election officials at various levels shall assure that they fulfill the criteria listed under sub article 2 above and that they are willing to accept and respect the provisions of the code of conduct listed in this directive.

Chapter Three
General Principles of the Code of Conduct for Election Officials

Article 9. General

1/ An election official at any level is expected to observe the general principles of the code of conduct listed under this chapter.

2/ Every election official shall:

    A/ be given the necessary training to enable him to understand the provisions of the code of conduct and put them in practice;
    B/ affirm by taking an oath that he has accepted the provisions of the code of conduct and that he is ready to strictly respect them himself and assure that others respect them too.
**Article 10. Impartial Conduct**

An election official at any level shall:

1/ have the responsibility to serve political parties and private candidates that take part in an election in an impartial and lawful manner only, and to impartially conduct the election;

2/ conduct his electoral activities free from bias of desiring a particular side to win or lose;

3/ not put on, carry or display any symbol or color showing partisanship;

4/ withstand any pressure from any quarter and conduct the election only according to the electoral law and the directives and regulations issued by the Board;

5/ work diligently to assure that all participants get the services rendered in the course of an election appropriately and on time according to the law;

6/ serve political parties, candidates, voters and members of the media in a manner strictly free from partisanship;

7/ refrain from performing any act showing support or a tendency to support any political party, candidate, a political actor or political view;

8/ render every time an irreproachable decision which is permeated with humanness to the highest degree and which is also competent and fair;

9/ oppose taking orders concerning his activities from anyone otherwise than according to the law, and he shall also oppose any activity aimed at exerting undue pressure;

10/ refrain from participating in any activity including that concerning his private affair which could be perceived as giving support to a candidate, political party, a political actor or a political view;

11/ refrain from expressing an opinion on matters that could have political significance in the course of an election;

12/ refrain from establishing contact with any voter in a matter that could compromise his impartiality;

13/ assure that the directive on the code of conduct for election officials is applicable to the institution or the individual concerned.
Article 11. Respect for the Rule of Law (Accountability)

Every election official shall:

1/ properly discharge his duty to respect the law and to have it respected by others;
2/ make an unrelenting effort to see to it that the election is conducted according to the law by first properly understanding the electoral law, directives and regulations issued by the Board;
3/ assure that an elector, a candidate, a journalist, a public observer and a representative gets adequate awareness with a view to enabling him to perform his task by respecting the law;
4/ provide service only for requests made in accordance with the law or resist and stop illegal activities;
5/ exercise only legally the authority given to him by law;
6/ refrain absolutely from utilizing for own benefit or the benefit of a particular body the authority given to him by law;
7/ not utilize the law to the detriment or to the benefit of others or in any way other than for what it is intended for and shall utilize it only for the purpose of executing elections;
8/ respect and implement any lawful order and instruction given by the Board or a superior election official;
9/ refrain from any act that would in any manner endanger the free, impartial and fair conduct of the election and guard against a similar act from being committed by others;
10/ provide fair service to parties, candidates and other relevant bodies that are participating in an election.

Article 12. Maintain Confidentiality

Any election official shall:

1/ not disclose to a third party any confidential matter or information that came to his knowledge or fell in his hands because of his responsibilities or his job;
2/ maintain confidentially any information, decision or any other matter concerning an election until it is made public by the Board;
3/ not give any form or document of the Board to an unauthorized person;
4/ create an environment conducive for the electorate to secretly vote for a candidate of their choice, and also ensure that voting is carried out in secret;

**Article 13. Transparency**

Election officials shall:

1/ politely and appropriately receive and attend to lawful and proper requests for information and services concerning the election;

2/ provide information about their decisions to those who are participating in the election;

3/ provide the information which is the basis for their decision and explain the appropriateness thereof in cases where it is not possible to give election information because of the scope and magnitude of the information;

4/ make accessible appropriate information in accordance with the electoral, the freedom of information and mass media proclamations;

5/ decide complaints submitted to them in a transparent manner and provide sufficient reasons to justify their decision;

6/ give appropriate answer and explanation to reasonable questions pertaining to a decision they gave in the course of the electoral process;

7/ make appropriately and clearly known the conditions which need to be fulfilled for registering as an elector and voting, for registering as a candidate and for submitting a complaint or other matters that might come up in the course of an election;

8/ put in place a procedure whereby an interested party could be able to promptly get the appropriate information as regards the electoral process;

9/ rectify any irregularity which may occur in the electoral process.

**Article 14. Delivering Efficient Service**

Any election official shall:

1/ give efficient service by taking into account the timetable for the election;

2/ ensure that the appropriate procedure for the resolution of disputes is put in place and that an efficient service is delivered, and shall also make the service seekers
aware of the time, and procedure for processing complaints;
3/ give efficient service by being punctually present in the electoral office as indicated by the election timetable and the directives for its execution;
4/ respond promptly to complaints submitted to him by political organizations, candidates and other relevant bodies according to the electoral law and regulations, and directives issued by the Board;

Article 15. Evenhandedness

Any election official shall:

1/ serve at all times in an evenhanded and non discriminatory manner political parties, candidates, voters, representatives, observers and other stakeholders who are participating in the election;
2/ transmit promptly and without discrimination the information that ought to be transmitted to all candidates and the information or document requested by them;

Article 16. Honesty

Any election official shall:

1/ be honest when giving anyone instructions, information, education, decision and similar matters;
2/ not give anyone unverified or false information; it is strictly forbidden to misrepresent the fact;
3/
   A/ gather clear and reliable information and keep it in a properly organized manner;
   B/ ensure that the information he gathers for the purpose of the election is true and well-founded.

Article 17. Setting a Good Example

Every election official shall:

1/ set a good example to others by first having a good grasp of the electoral law, directives and regulations, building his capacity and then putting these into practice;
2/ perform his job with confidence and set an example to others by striving for the
realization of democratic rights while discharging his duties as an election official.

Article 18. Politeness or Sincerity

Every election official shall:

1/ serve the electorate, candidates, competing political parties, representatives, observers, journalists and wardens with politeness and sincerity;

2/ provide appropriate service to the electors so that they are able to exercise their legal right;

3/ perform the following tasks within the framework of the laws of the country:
   A/ create a conducive condition to enable electors to participate in the election as far as possible;
   B/ assure that electors have enough understanding of the electoral process;
   C/ do everything necessary to ensure that people who need special assistance such as the disabled, the illiterate and people in similar situations are able to participate in the election.

Article 19. Faithfulness

Every election official shall:

1/ properly utilize the election documents and materials he took delivery of by safeguarding them carefully and faithfully;

2/ faithfully discharge his responsibilities while participating in committees at various levels by accepting national responsibility and observing the principle of joint decision making;

Article 20. Incorruptibility

Every election official shall:

1/ be free from corruption and other corrupt practices;

2/ resolutely struggle against corruption and other corrupt practices;

3/ not accept any kind of gift or favors from any political party or person that is participating in an election.

Article 21. Conflict of Interest

1/ Every election official shall disclose any relationship that could give rise to a
conflict of interest with his position as an election official.

2/ Where an election official finds out that an election activity he is performing, or a case brought before him for his decision conflicts with his financial or any other interest or that of a close family member or where this conflict of interest is raised by others and is verified after being investigated by an election execution committee, he shall have the activity performed and the decision given by another election official.

3/ An election official shall not participate in any activity including a personal one that does not come under his authority.

Chapter Four
Rules of Conduct Relating to Constituency and Polling Station Election Officials

Article 22. Rules of Conduct for Constituency Election Officials

In addition to the general principles of ethical conduct listed in chapter 3 above constituency election officials shall themselves respect the following rules of conduct and have others do so. They shall:

1/ serve every political organization, candidate, representative, observer and journalist in accordance with the law without any discrimination, equally, impartially and politely;

2/ not register candidates who do not fulfill the criteria set down by the electoral law and shall register those who fulfill the criteria equally and without any hassle;

3/ ensure that the election office is open during working hours in accordance with the election timetable and that appropriate service is given therein;

4/ not give electoral information to those who are not concerned, but ensure that those who should get the information have it delivered to them equally within the appropriate time;

5/ promptly give the appropriate response or decision to any relevant question, suggestion or complaint submitted from any quarter within the framework of the election timetable;

6/ not give to unauthorized persons forms and documents wherein election results
are entered and signed by all those who are concerned;
7/ make the form for announcing election results and other forms to be properly filled and ensure that they are promptly delivered to the relevant body;
8/ take appropriate care for and safeguard election materials and documents and carry out their transfer according to the law.

Article 23. Rules of Conduct for Polling Station Election Officials

In addition to the general principles of ethical conduct listed in chapter 3 above, polling station election officials shall themselves respect the following rules of conduct and have others do so. They shall:

1/ honor and be present when summoned for training and properly follow the training; shall also take delivery of election documents and materials on time;
2/ serve public observers, candidates or their representatives, mobile observers and the electorate equally and politely;
3/ receive and implement as appropriate suggestions made by public observers;
4/ receive and examine the complaint made by candidates or their representatives in the course of the election and shall give a reasoned decision;
5/ not open sealed documents that serve for elector registration before the scheduled time for their utilization and in the absence of observers;
6/ receive and directly implement the decision given by the Board, a court, a regional branch office or a constituency office concerning cases submitted to them on appeal;
7/ not register a person who does not fulfill the criteria to qualify as an elector nor shall they issue him with an elector identity card;
8/ not refuse to register or to issue an elector's identity card to a person who fulfills the criteria to qualify as an elector;
9/ not register an elector more than once nor shall he issue him with more than one elector's identity card;
10/ not conduct voter registration outside the place designated for the purpose unless it is permitted by law;
11/ during special registration of voters, register only those whose request is deemed acceptable;
12/ not issue elector’s identity cards to those who do not come in person to the polling station;
13/ upon completion of the regular as well as the special registration of electors, close the register in accordance with the law, promptly enter the number of people registered on the form designed for this purpose and transmit it to the constituency office;
14/ display the electors register to the public for 5 days; accept and process complaints submitted to them concerning the registration;
15/ open the seal of the ballot papers only in the presence of public observers and representatives of candidates;
16/ not prevent to vote an elector who is registered to vote and who holds an elector’s identity card;
17/ not allow people who are not registered to vote;
18/ not allow an elector to vote more than once;
19/ not give more than one ballot to each elector for an election to one council and an elector shall not be issued with only one ballot paper for an election for two councils;
20/ equally display to the public the photographs and symbols of all candidates; they shall not display the photographs of only some of the candidates;
21/ enable the representatives of all the candidates to follow the voting process and, in general, to perform their activities as representatives equally and without discrimination;
22/ not make suggestive utterances or gestures like winking or pointing a finger while making an explanation to the voters in an effort to benefit one candidate to the detriment of another;
23/ not indulge in discriminatory practices such as putting the symbol of a candidate they support on top of the ballot paper, or indicating the symbol while handing out ballot papers; he shall not themselves engage in such an activity nor shall they allow others to do so;
24/ not give the voters a ballot paper which has any mark that might favor a candidate they support;
25/ not enter into the secret booth or an area secluded for this purpose while voters are in there nor shall they allow others to do so;
26/ not ask voters who they are going to vote for, or for whom they have voted; they shall not also persuade or intimidate voters to vote for a certain candidate;
27/ not move the ballot box containing ballot papers to another location before the counting is conducted without the knowledge of public observers and candidates or their representatives;
28/ not unlock the ballot box in the absence of the public observers and candidates, or their representatives;
29/ shall equally allow the public observers and all the representatives of the candidates to follow the process of counting ballots.

Chapter Five
Miscellaneous Provisions

Article 24. Penalty

1/ Every election official who contravenes the provisions of the code of conduct:

A/ shall be removed from his position as an election official or have further disciplinary measures taken against him by the Board or superior election execution bodies according to the circumstances of his offense;
B/ disciplinary measures shall be taken against him pursuant to the Federal or Regional Civil Service Laws, or the Labor Law Proclamation.

2/ In addition to the removal or disciplinary measures, an election official who violates the code of conduct shall be held responsible according to the electoral or the penal law as the case maybe.

Article 25. Repealed Directives and Practices

Any directive or practice that is inconsistent with matters covered in this directive shall not be applicable to them.

Article 26. Effective Date

This directive shall come into force on August 19, 2009.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia
Regulation Concerning the Procedure for Determining the Apportionment of Government Financial Support to Political Parties Regulation Number 5/2009

Chapter 1
General Provisions

Article 1. Issuing Authority

The National Electoral Board of Ethiopia has issued this Regulation pursuant to the powers vested upon it by Article 61 of the Revised Political Parties Registration Proclamation No. 573/2008.

Article 2. Short Title

This Regulation may be cited as the “Directive Concerning the Procedure to Determine the Apportionment of Financial Support to Political Parties No. 5/2009”

Article 3. Definition

1. “Registration Proclamation” shall mean The Revised Political Parties Registration Proclamation No. 573/2008.

2. “Board” shall mean the National Electoral Board of Ethiopia.

3. “Political Party” or “Political Organization” shall mean an institution registered in accordance with the Registration Proclamation, organizing under it part of the society and having its own political program reflecting its own beliefs and objectives, with a view to taking political power through participating in national or regional political activities in a democratic way.

4. “Government Financial Support” shall mean the support given to political parties by the government in cash, in kind and/or in services during elections or for day to day activities in pursuant to the Registration Proclamation.

5. “Seats held by Political Parties in a Council” shall mean seats held by political parties in state or federal houses to which they had previously been elected.

6. “Election” shall mean a general election.

7. “General Election” shall mean an election to the House of Peoples’ Representatives and to Regional Councils conducted according to the relevant law.

8. “Auditor” shall mean a person who has a professional competence who is appointed by a political party and who is not connected with that political party.

9. “Person” shall mean a natural or juridical person.
10. “Term” shall mean the five year period at the end of which elections are conducted to the House of Peoples’ Representatives or to Regional Councils according to the Electoral Law.

11. “Fulfilling the criteria” shall mean being legally registered, nominating one or more candidates, striving for free and fair elections, signing the electoral code of conduct and resolving disputes by lawful means.

Article 4. Scope

This Regulation shall be applicable to political parties that receive support from the government for the purposes of general elections and for the conduct of their day to day activities.

Article 5. Gender Reference

In this Regulation, provisions set out in the masculine gender shall also apply to the feminine gender.

Article 6. Objective

The objective of this Regulation is to lay down a transparent procedure for determining the criteria for the distribution of government support to political parties as well as for its utilization and administration so that political parties could play their part in building a democratic system.

Article 7. Principle for the Distribution of Government Support

1. The support granted to political parties by the government according to Article 44 Sub-Article 1 of the Registration Proclamation shall be rendered equitably and without discrimination.

2. Political parties shall properly and exclusively utilize the financial support granted them by the government pursuant to Article 44 Sub-Article 2 of the Registration Proclamation for the purpose it is intended to.

3. No government financial support shall be requested to cover the expenses incurred for an election that had already been concluded.

4. No political party shall be obliged to be a beneficiary of governmental financial support.

5. Every political party shall operate its accounts according to the law. It shall not expend otherwise than for what is permitted.

Chapter Two

Source and Type of Financial Support

Article 8. Source of Financial Support

The support given to political parties according to Article 43 of the Registration Proclamation or
according to this Regulation maybe from the following sources:

1. Government allocation
2. Domestic or foreign support or aid and
3. Any other source.

**Article 9. Type of Financial Support**

The Financial support given to political parties by the government according to Article 42 Sub-Article 3 of the Registration Proclamation or according to this Regulation maybe:

1. In cash
2. In kind and/or
3. In services.

**Article 10. Authority to Distribute Financial Support**

1. The type and amount of any financial support given to political parties by the government according to this regulation shall be determined and administered by the Board.
2. The support to be given by the government shall be allocated according to the formula issued by the Board.
3. The Board shall make known to the political parties the formula by which it allocates governmental support according to sub-article 2 above.

**Article 11. Monetary Support**

Where the support given to political parties by the government is in cash, it shall then be directly deposited in the lawful account of the political party and utilized solely for the lawful purpose it is intended to.

**Article 12. Financial Support by the Government Given in Kind**

Based on the choice of the party, the financial support given to it in kind by the government may include the purchase or the printing, as the case may be, of posters, T-shirts, caps, billboard, banner, candidates’ symbols, candidates’ photographs, computers, printers, photocopy machines, facsimile machines or scanners, fliers, microphones, badges, stickers and flags.

**Article 13. Financial Support Rendered in the Form of Services**

1. The financial support given to political parties by the government comprises of availing the parties the free use of government meeting halls, rendering mass media services according to the law and rendering of other similar services.
2. According to Article 18 of the Registration Proclamation, any political party:

A. shall not pay any kind of income tax on revenue it gets from its members and supporters.

B. shall not have the obligation of collecting and transferring to the government income tax payable in accordance with the law in respect of the salaries of its employees.

3. The Board shall compute in terms of money, the share of air time given to a political party as part of the total financial support allocated to it according to this Regulation, and inform it thereof.

Chapter Three

Rules Governing the Support Granted by the Government to Political Parties for Purpose of Elections

Article 14. Conditions for Granting Support for the Purpose of Elections

1. According to Article 47 Sub-Article 1 of the Registration Proclamation the government shall grant support to political parties that participate in elections for federal and state councils.

2. For the purpose of this Regulation, expenses for the purpose of elections shall include those expenses incurred for:

   A. the nomination of candidates
   
   B. for conducting a campaign to publicize its political program to the whole people
   
   C. conducting civic education widely with a view of making the election free, fair, peaceful, lawful and democratic
   
   D. training and deploying party agents, and other similar expenses.

3. Financial support granted by the government according to the Registration Proclamation or this Regulation for the purpose of elections shall only be for general elections and for re-elections to the federal and regional councils.

Article 15. Criteria for Granting Support for the Purpose of Elections

According to Article 45 of the Registration

1. Proclamation support granted to political parties during elections shall be apportioned according to:

   A. the number of seats won a party in the Federal Council during the preceding election where the support relates to an election thereto.

   B. the number of seats won by a party in the Regional Council during the preceding election where the support relates to an election thereto.
3. Without prejudice to the provisions of sub- article 1 above, the financial support granted by the government shall be apportioned according to the following criteria:

A. number of candidates nominated by the party

B. number of female candidates nominated by the party

4. The financial support granted by the government to political parties shall be governed by the formula to be prepared periodically and issued by the Board. The Board shall make this formula known to the political parties and shall solicit their opinion on it.


1. Within 15 days of issuing the election timetable, the Board shall announce to the political parties registered to run for an election, through any form of announcement it deems fit the detailed allocation of financial support granted to political parties during elections.

2. Any party that fulfills the criteria to qualify for financial support for the purpose of elections according the Registration Proclamation and this Regulation, shall present detailed information in support of its qualification thereto and submit its claim pursuant to Article 17 of this Regulation and other relevant articles.

Article 17. Timetable for the Distribution of Financial Support Given to Political Parties by the Government during Elections

1. The financial support granted to political parties by the government during elections shall be distributed according to the following timetable:

A. Any government support given to a political party in kind, shall be distributed within one month of the end of candidates’ registration.

B. Any support given to a political party in the form of money based on the number of seats in a council previously held by it shall be distributed within the timeframe laid down under sub article 1 of this article.

C. Any support given to a political party in the form of money based on the number of candidate and that of female candidates, shall distributed within 15 days of the end of candidates’ registration.

D. Any support given to a political party in services, shall be given only from the beginning to the end of the campaign period according to the election timetable issued by the Board.
E. Without prejudice to the provisions of sub-article 1 (d) of this article, the exemption from income tax granted to a political party pursuant to article 13 sub-article 2 of this Regulation shall not be curtailed.

2. The number of seats in a council indicated in sub-article 1 above shall be verified by a letter issued by the Speaker of the Federal House of Representatives or that of a Regional Council which shall be based on the number of seats obtaining at the time.

3. No political party shall submit a request for financial support outside the time limit laid down under sub-article 1 of this article.

4. The request by a political party for the services of government mass media shall be done according to the electoral law and the Directive concerning the Use of Government Mass Media during Elections.

5. The Board may change the timetable for the distribution of government financial support for the purpose of elections. It shall announce the amended timetable only to those parties that qualify for receiving this support.

6. Every political party shall have the duty to reimburse the unutilized part of the financial support given to it.

7. Where a political party withdraws from an election, it shall be made to reimburse the financial support given to it in cash and non-consumable goods.

Chapter Four

Rules Governing the Granting of Government Financial Support to Political Parties for Day to Day Activities

Article 18. Financial Support for Day to Day Activities

1. The financial support given by the government to political parties for their day to day activities may be in the form of money, in kind and/or services as the case maybe.

2. Any government financial support given to a political party according to article 45 sub-article 1 of the Registration Proclamation, as specified by this Regulation, for the conduct of its day to day activities shall be based only on the number of seats it holds in federal or state houses.

Article 19. Day to Day Activities of a Political Party

According to article 46 sub-article 2 of the Registration Proclamation, the day to day activities of a political party includes the following:

1. developing the political consciousness of the public,

2. agitating to enable the citizens to have active participation in the political activity of the country,

3. acquainting the public with the aims of the party,
4. strengthening the harmonious relationship between the public and government institutions.

**Article 20. Criteria for Granting Financial Support for Day to Day Activities**

1. It shall be those political parties that have seats in the federal or regional councils who are eligible to receive government financial support for the conduct of their day to day activities.

2. The support granted pursuant to sub-article 1 of this article to political parties shall be based on the number of seats they hold in the federal or state councils.

3. The support granted by the government for the conduct of the day to day activities of the parties shall be governed by the formula to be prepared and presented by the Board from time to time. The Board shall disclose to the political parties the formula it prepares and solicit their views on it.

**Article 21. Timetable for the Distribution of Government Financial Support and Submission of Request thereof**

1. Any financial support given by the government to political parties for the conduct of their day to day activities shall be submitted to the Board within a month of the official opening of the sessions of the House of Peoples Representatives and Regional Councils, respectively. It shall be distributed at similar times every year.

2. Without prejudice to sub article 1 of this article, financial support for the conduct of day to day activities shall not be granted where government financial support is granted for the purpose of elections.

3. Based on the request submitted to it pursuant to sub-article 1 of this article, the Board shall give financial support to the party that has made the request within a month of receiving the request.

4. The number of seats indicated under sub-articles 1 and 2 above shall be verified by a letter issued by the Speaker of the Federal or a State Council respectively based on the number of seats obtaining at the time.

5. No political party that qualifies for financial support for the conduct of its day to day activities shall submit its request either before or after the time indicated in sub-article 1 of this article.

6. If it finds it necessary, the Board may change the timetable for the distribution of government financial assistance for the conduct of day to day activities laid down in this regulation. It shall disclose the amended timetable to all the parties that qualify for the support.
Article 22. Discontinuance of an Already Granted or Yet to be Granted Government Financial Support for the Purpose of Elections or the Conduct of Day to Day Activities

1. Financial support granted to political parties for the purpose of elections or for the day to day activities, shall be totally or partially discontinued where the party ceases to fulfill the criteria laid down under article 45 sub article 1 of the Registration Proclamation or by a decision of the Board rendered according to the law or by a decision of a court.

2. According to article 45 sub -article 3 (b) and (C) a political party:
   A. shall not utilize the support granted it from the date it ceases to fulfill the criteria
   B. shall reimburse the financial support within one month where it ceases to fulfill the criteria according to sub- article 2(A) above.

Chapter 5
Books of Account of a Political Party and Submission of Reports

Article 23. Books of Account
1. According to article 48 sub -article (A) of the Registration Proclamation a political party that receives a grant from the government for the purpose of an election or for the conduct of its day to day activities shall as the case maybe:
   A. enter the support it receives in specific books of account.
   B. deposit the money granted to it in a separate bank account.

2. A political party that receives government financial support for the purpose of an election or for the conduct of its day to day activities shall not utilize it otherwise than for its designated purpose, nor shall it expend it outside the permissible expenditure.

3. Where the financial support granted to a political party is money, according to article 48 sub-article (C) and (D) of the Registration Proclamation, it shall:
   A. enter its expenditures by listing them under every expenditure heading
   B. make the amount granted it and the particulars for which it has been expended to be audited in the financial year, according to the Registration Proclamation and in line with the financial laws of the country.

Article 24. Submission of Reports
1. According to article 55 sub -article 4 of the Registration Proclamation, every political party
shall have the duty to account to the Board that all its expenses are made for the designated lawful purpose and activity.

2. Every political party that receives government financial support shall:

A. submit an audited report to the Board concerning the government financial support in accordance with the Registration Proclamation on the third month after end of the budget year where the financial support relates to the conduct of its day to day activities;

B. submit an audited report to the Board concerning the government financial support within three months of the announcement of the result where the support is for the purpose of an election.

3. Without prejudice to the provisions of article 54 and 56 of the Registration Proclamation every political party auditor who, during his audit concerning the financial support given to a political party pursuant to this Regulation, finds that the support has been illegally spent or that it has not been utilized shall mention the fact in the audit report he submits to the party.

4. The report every political party submits under this article shall include a certified copy of the party auditor’s report and relevant comments thereon.

Article 25. Responsibility of the Federal Auditor General

1. The Federal Auditor General shall audit the utilization of any government financial support given to a political party on his own initiative, or when he is ordered or requested by a relevant body.

2. The Federal Auditor shall submit to the Board his findings and the necessary explanation thereon as regards the accounts he audited according to this article.

Chapter Six
Miscellaneous Provisions

Article 26. Report Submitted to the House of Peoples Representatives

1. The Board shall submit a report to the House of Peoples Representatives concerning the support granted to political parties shortly after the end of the fiscal year. The report shall include:

A. the total amount of funds allocated by the government for supporting the parties during the fiscal year including those funds obtained from other sources;

B. the amount of support allocated to each party during the fiscal year;
C. the amount of lawful expenses made by each party during the budget year;

D. the balance of accounts at the end of the budget year.

2. The Board shall transmit to the Audit General the audit report, the book of accounts and the financial statement.

3. Within thirty days of receiving the audit report, the accounts auditor shall send it to the House of Representatives after attaching the Auditor General’s report thereto.

**Article 27. Accountability**

Every political party or political party auditor is expected to implement the provisions of the Registration Proclamation, or the provisions of this Regulation. If he fails to implement it properly, he shall be held accountable according to the Registration Proclamation, this Regulation or other relevant legislation.

**Article 28. Penalty**

1. Any political party that utilizes the financial grant rendered to it by the government for the purposes and activities other than what it is intended for, or does not submit a report within the stipulated time or presents a false financial document, or is in default of his obligations in relation to the grant:

   A. the support granted to the party may be reduced or terminated;

   B. the party may be fined, suspended or dissolved according to the penal law;

   C. the party may be cancelled from registration, or

   D. the leader or leaders of the political party may be fined or sentenced.

2. The penalties provided in sub article 1 of this article may be executed concurrently or consecutively.

3. The political party may be compelled by the Board, through set-off or court suit, to reimburse the expenses it improperly made.

4. Any person who obstructs the implementation of this Regulation or contravenes its provisions shall be punished according to the relevant law.

**Article 29. Duty to cooperate**

Every person shall have the duty to cooperate with a political party, political party auditor, Auditor General or the Board when they are discharging their duties under this Regulation or any other law.

**Article 30. Repealed Regulations or Practices**

Any Regulation or practice shall not be applicable to matters covered by this Regulation.
Article 31. Effective Date

This Regulation shall come into force on July 20, 2009.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia
The Code of Conduct for the Mass Media and Journalists on the Manner of Reporting About Elections Regulation Number 6/2010

Whereas the need to ensure the upcoming elections is credible, transparent, free, fair, peaceful and democratic a code of conduct that guides the mass media and journalists is necessary

Understanding that mass media is indispensable to transmit to the public all election-related information that election administration bodies disclose

Convinced of the need to adopt a code of conduct that binds all mass media, political parties, candidates, and election administration bodies in such a way that no party encroach on the rights and freedoms of another,

Recognizing the crucial role that the mass media plays in a democratic election by providing information that enhances public knowledge about the electoral process so that voters may made informed choices.

Cognizant of the need to empower the media to function in a neutral fashion free from the influences of government, political parties or any candidate, and recognizing the desirability of a conducive environment that encourages citizens to actively participate in the election by providing voters with comprehensive information.

Convinced of the need to introduce a system that enables the mass media and journalists to carry out their election coverage that reflects high professional and ethical standards over which consensus has been reached among stakeholders through open consultative sessions.

Now, therefore, pursuant to article 50 (4) 91(4) and 110 of revised election proclamation number 532/1999, it is hereby proclaimed as follows

Article 1. Short Title

This Regulation maybe cited as “Code of Conduct for the Reporting of Elections Regulation Number 6/2010”
Article 2. Definitions

Unless the context requires otherwise:

1. “Mass Media” shall mean an activity that includes periodicals and broadcasts (electronics media).


3. “Board” shall mean the National Electoral Board of Ethiopia which has established pursuant the Electoral Law.

4. “Election-Related Message” shall mean a campaign message aimed at convincing voters, presented by a party competing in an election, and it includes any analysis or opinion forwarded by candidates.

5. “Political Advertisement” shall mean a radio, television or newspaper message conveyed by a political party registered for an election, by paying or promising to pay for the announcement.

6. “Political Party” or “Political Organization” shall mean a legally registered social entity formed by a group of persons with the purpose of seizing political power through democratic elections by participating at the national or regional political activities, and by developing a program that reflects its own political beliefs and objectives.

7. “Election period” shall mean the period starting from the time the Board issues the electoral timetable until the final result of the election is officially announced by the Board.

8. “Election news or current affairs report” shall mean news or report having national or international content, and connected to political, social or economic matters which focuses on election related matters. It shall also include analysis and opinions given on these matters.

9. “Person” shall mean a natural or juridical person.
Article 3. The objective

The objective of this code is to enable the media houses and journalists contribute their part to the electoral process by communicating political messages from parties and candidates; relaying important voter information from election administrators; and subjecting the whole election process to independent scrutiny and comment.

Article 4. Scope of application

This code of conduct shall be applicable to any journalist or media house that is engaged in the production, transmission or dissemination of news, reportage, or information concerning election.

Article 5. Respect for the law

Every journalist and media entities shall comply with the constitution and other laws and regulations including regulations issued by national electoral board of Ethiopia.

Article 6. The responsibility of journalists

Every journalist shall:

1. report accurately and without bias.
2. report only fact-based information that the journalist knows the origin. A journalist shall not suppress essential information.
3. observe professional secrecy regarding the source of information obtained in confidence.
4. report in a balanced manner. If a candidate makes an allegation against another candidate, the journalist should wherever possible seek comment from both sides.
5. do the utmost to correct any published information that is found to be harmfully inaccurate.
6. as far as possible, report the views of candidates and political parties directly and in their own words, rather than as they are interpreted by others.
7. avoid using language or expressing sentiments that may further discrimination or violence on any grounds, including race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.

8. when reporting the opinions of those who do advocate discrimination or violence, do the utmost to put such views in a clear context and to report the opinions of those against whom such sentiments are directed.

9. not accept any inducement from a political party, candidate or from any other source.

10. not make any promise to a political party, candidate or about the content of a news report.

11. take care in reporting the findings of opinion polls. Any report should wherever possible include the following information:

   a) who commissioned and carried out the poll and when
   b) how many people were interviewed, where and how were they interviewed and what is the margin of error
   c) what was the exact wording of the questions.

12. regard the following as grave professional offences:

   a) plagiarism
   b) malicious misrepresentation
   c) calumny, slander, libel or unfounded accusations
   d) acceptance of a bribe in any form in consideration of either
   e) publication or suppression.

Article 7. The responsibility of the media

1. Every media shall make a clear separation between fact and comment. News reporting should reflect the facts as honestly perceived by journalists. Comment may reflect the editorial line of the publication.

2. Every publicly owned media shall not express an editorial opinion in favour of or against any party or candidate.
3. Every publicly owned media have a duty to be balanced and impartial in their election reporting and not to discriminate against any party in granting access to air time.

4. If media houses accept paid political advertising, they shall do so on a non-discriminatory basis and at equal rates for all parties.

5. Every media shall cover news, interviews, information or current affairs programmes or articles. The public media shall not be biased in favour of or against any party or candidate.

6. Every media shall provide equitable and regular coverage to all political parties, their candidates and platforms.

7. Every media shall encourage and provide access to the voters to express their opinion and views.

8. Every media shall promote democratic values such as the rule of law, accountability and good governance.

9. Every media shall cover any candidate or party that makes a reasonable claim of having been defamed or otherwise injured by a broadcast or public publication shall either be granted the opportunity to reply or be entitled to a correction or retraction by the broadcaster or publisher or by the person who made the allegedly defamatory statement. The reply or correction shall be broadcast or published as soon as possible.

10. Every media shall provide news coverage of press conferences and public statements concerning matters of political controversy (as opposed to functions of state) called or made by the head of government, government ministers, or members of parliament shall be subject to a right of reply or equal time rules. This obligation acquires even greater force when the person making the statement is also standing for office.
11. Every publicly owned media shall publish or broadcast voter education material.

12. Every media shall give voter education that is accurate and impartial and must effectively inform voters about the voting process, including how, when and where to vote, to register to vote and to verify proper registration; the secrecy of the ballot (and thus safety from retaliation); the importance of voting; the functions of the offices that are under contention; and similar matters.

13. Every media shall give voter education that includes programmes in minority languages and programmes targeted for groups that traditionally may have been excluded from the political process, such as women and people with disabilities.

14. Every media shall monitor their own output to make sure that it conforms to the standards set out in this code of conduct.

Article 8 The responsibility of political parties

1. Every political party and candidates shall respect the freedom of the media.

2. Every political party and candidates shall not harass or obstruct journalists who are engaged in their professional activities.

3. Incumbent political party and candidates shall not abuse their office to gain unfair advantage in access to the media. This provision applies to all media, but is of particular relevance when publicly funded media are under direct control by the government of the day.

4. Every political party and candidates shall not offer bribes or inducements to journalists or media houses to encourage them to attend campaign events or to report favourably on the party or unfavourably on other parties or candidates.
5. Every political party and candidates should not misrepresent the stated positions or any other factual information about other parties and candidates.

6. Every political party and candidates should avoid using language that is inflammatory or defamatory, or that threatens or incites violence against any other person or group.

7. Party leaderships shall ensure that the standards of tolerance and free debate contained in this code of conduct are communicated and fully explained to campaign workers. Parties should take full responsibility for the words and actions of those campaigning on their behalf.

Article 7. The responsibility of electoral management bodies

Every electoral body shall:

1. respect the freedom of the media including their editorial independence and right to express political preferences.

2. respect the right to freedom of expression of parties and candidates.

3. conduct the election in an open and transparent manner.

4. endeavor to make sure that their activities are open to scrutiny by the media to the fullest extent possible.

5. not favor any media outlet in the distribution of either paid advertising or free information material.

6. should use the mass media, among other means, to convey timely and accurate information to enable the electorate to exercise their right to vote in an informed manner.

7. only impose such restrictions on reporting – for example, at the polling station and the count – as are strictly necessary to ensure the integrity of the electoral process.
Article 8. Inapplicable regulations and directives

Any regulation, directive or practice, shall not apply to matters covered under this code

Article 9. Effective Date

This Regulation shall come into force on April 15, 2010, the day of its approval by the Board.

Merga Bekana (Professor)
Chairman
National Electoral Board of Ethiopia