

## **The Ethiopian Electoral and Political Parties Proclamation No.../2019**

WHEREAS, it has become necessary to enable all Ethiopians to exercise their right to self-administration, without any discrimination, through their representatives elected in a direct and free election;

WHEREAS, it has become necessary to establish an electoral institution that conducts free, fair and peaceful elections at every level in an impartial manner in which Ethiopians freely express their will on the basis of equal popular suffrage and secret ballot system;

WHEREAS, it has become necessary that any electoral activity shall be guided by an electoral law that meets international standards;

WHEREAS, the National Electoral Board of Ethiopia has been re-established by Proclamation No.... to administer elections impartially;

WHEREAS, it has become necessary to establish an electoral system that enables political parties with different views to participate in the election and introduce their objectives to the electorate in a peaceful and legal manner, and that enables the people to elect their representatives based on informed decisions and free expression of their will;

WHEREAS, it is necessary to lay down the rights and duties of citizens to establish and become members of political parties in exercising their freedom of association and, the basic principles that political parties must abide by;

WHEREAS, it is necessary to regulate the manner in which political parties can merge, form alliances or build coalitions;

WHEREAS, it has become necessary to put in place an instrument that enables political parties and independent candidates running for elections to play a constructive role in ensuring fair, peaceful, free and democratic elections;

WHEREAS, it is necessary to issue a code of conduct for political parties, candidates and members of political parties to promote elections that are guided by ethical behavior, and that are transparent, free, fair, peaceful, legitimate, democratic and credible;

WHEREAS, it has become necessary to establish a joint political parties' forum and other bodies that give administrative decisions to resolve disputes that occur in the election process, and to put in place a clear and effective system of looking into complaints and appeals;

NOW, THEREFORE, in accordance with Article 55 (1) and Article 102 of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

## **PART ONE GENERAL PROVISIONS**

### **1. Short Title**

This Proclamation may be cited as proclamation on The Electoral and Political Parties Law of Ethiopia Proclamation No...

Unless the context otherwise requires, in this proclamation:

1. **"FDRE"** means the Federal Democratic Republic of Ethiopia;
2. **"Constitution"** means the Constitution of the FDRE;
3. **"Region"** means one of the regions established in accordance with Article 47 of the Constitution and, for the purposes of this Proclamation, shall include the two chartered cities of Addis Ababa and Dire Dawa;
4. **"Board"** shall mean the Ethiopian National Electoral Board re-established by Proclamation No 1133/2011
5. **"Election"** means general elections, local elections, by elections and re-elections conducted in accordance with the FDRE and regional constitutions, and other relevant laws.
6. **"General elections"** means the elections held every five years to elect members of the House of Peoples' Representatives and Regional State councils;
7. **"Local Elections"** means the elections held to elect representative to zonal, woreda, city municipality and sub-city or Kebele councils conducted in accordance with relevant laws;
8. **"By-election"** means an election held in a single political constituency to fill a vacancy arising during a government's term of office.;
9. **"Re-Election"** means a rerun of an election on the order of Ethiopian National Electoral Board as per the authority given to it by Proclamation No 1133/2011; on the order of the Federal Supreme Court; or when the election candidates received equal number of votes and were tied for the seat.
10. **"Referendum"** means voting by the electorate on a particular proposal presented to it in accordance with the FDRE Constitution or other relevant laws.
11. **"Electoral Register"** means a record wherein voters are registered at polling stations as voters for elections at all levels;
12. **"Voter Identification Card"** means a certificate issued to voters upon registration at polling stations;
13. **"Political Party or Political Organization"** means an entity with a political program created by an organized group of people in accordance with this Proclamation to hold power by contesting in elections at the national, regional or local levels.

14. **“Political Party Leaders”** means members of the executive committee -or equivalent- of a political party.
15. **“Constituency”** means 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;
16. **“Polling Station”** means a place where voter registration, the casting of votes and vote counting take place during elections.
17. **“Election Executive”** means a person, including the Board, in charge of executing elections.
18. **“Candidate”** means any person nominated by a political party or registered independently to compete in an election;
19. **“Observer”** means both local and international organizations observers.
20. **“Local Election Observer”** means a legally registered, independent and not for profit domestic organization which the Board has authorized to observe elections through its representatives.
21. **“International Election Observer”** means foreign governments or international, regional or sub regional organizations, or governmental and nongovernmental agencies operating in or out of the country which the Board has invited to observe elections in observance of international treaties to which Ethiopia is a party.
22. **“On-site Representative”** means a person assigned by a political party or an independent candidate to a specific constituency or polling station to observe the election process on-site and ensure that the rights of the candidate he represents are respected.
23. **“Mobile Observer”** means a person assigned by a political party or an independent candidate to observe the election process on-site and ensure that the rights of the candidate he represents are respected by moving from one polling station to another
24. **“Grievance Hearing Committee”** means a committee established in accordance with this Proclamation during elections to give administrative decisions to complaints lodged at a regional electoral office, a constituency and a polling station level;
25. **“Merger”** means the formation of a new party by two or more legally registered parties which have dissolved themselves.
26. **“Front”** means an alliance formed by two or more political parties that have distinct legal status following their agreement to have common name, political agenda and rules;
27. **“Coalition”** means an alliance between two or more political parties who agree to work together for a common objective while maintaining respective legal personalities.
28. **“Substitution”** means the replacement by a political party of its old name and program by a new one and its registration under a new name when the request made to the Board is accepted following the submission of the required information to the Board.
29. **“Person”** means natural or legal person.
30. Words used in the masculine include the feminine.

### **3. Scope of Application**

This proclamation shall be applicable to;

1. All general elections conducted in Ethiopia as well as local elections, by-elections, re-elections, and referendums.
2. citizens who have formed a political party to contest in elections; political parties along with their leaders, chairpersons, members, supporters, representatives, party or individual candidates; fronts, coalitions, alliances and mergers

## **SECTION TWO**

### **Election and Election Administrative Bodies**

#### **Chapter 1**

#### **Electoral Systems, Principles and Types**

#### **4. Electoral System**

1. In the election of members of the House of People's Representatives and state/regional councils candidates who got the biggest number shall be declared the winner. Where, in accordance with State constitutions, a constituency elects more than one candidate to regional/state councils, the candidates shall be elected in the order of the total votes they won.
2. State/regional elections laws shall not contradict relevant provisions of the FDRE Constitution as well as this Proclamation.

#### **5. Electoral Principles**

1. Any election shall be conducted on the basis of universal suffrage and by direct and secret ballot through which the voters express their consent freely without discrimination with equal participation.
2. Any Ethiopian shall be eligible to elect or to be elected, unless he is deprived of his rights by law or a court decision.
3. Each vote shall carry equal weight.
4. No Ethiopian shall be compelled to elect or be elected.

#### **6. Types of Elections**

The following are the elections conducted in Ethiopia:

1. General elections
2. Local elections
3. By-election
4. Reelection
5. Referendum

#### **7. General Elections**

1. General elections are held every five years to elect members of the House of Peoples' Representatives and of Regional State Councils.
2. General elections shall be conducted simultaneously throughout the country, unless the Board, for good reason, determined otherwise and the House of Peoples' Representatives endorsed the decision; in which case, a constituency may hold elections at a different time.
3. Each constituency shall elect only one representative to the Federal House of Peoples' Representatives.
4. State constitutions shall determine the number of the members of respective councils; and a constituency may be allowed to elect more than one representative to the State Council. If State Councils decide to change the number of their house members, they shall inform political parties of the decision at least six months before the next general elections.
5. Where, a State Council decides, in accordance with Article 61 (3) of the Constitution, to elect by direct popular vote its representatives to the House of Federation, it shall notify the Board of its decision six month prior to the election period; and election shall be held simultaneously with the general election.

#### **8. Local elections**

1. Local elections are held to elect representative to zonal, woreda, city municipality and sub-city or Kebele councils.
2. The number of representatives to be elected in a constituency for a local election and the time to hold such election shall be determined by laws of Regional States on the basis of the type of election and the number of seats in each council.
3. Without prejudice to sub-article 2, the House of People's Representatives may, in accordance with Article 55, sub-article 2 (d) and Article 55, sub-article 15 of the FDRE Constitution, pass a legislation relating to local elections that sets similar standards.
4. Local elections shall be conducted based on regulations and directives issued by the Board in accordance with this Proclamation.
5. Whereas the provisions of this Proclamation on general election shall, where appropriate, apply to local elections; the Board shall issue a directive to determine establishment of constituencies and polling stations, assignment of electoral officers and observers to locations, place and process of registration of voters and candidates, the required number of endorsement signatures and other matters.

#### **9. By-election**

1. By-election shall be conducted:
  - a. where councils at different levels request the Board to fill vacancies created for various reasons;
  - b. Where a properly lodged request for the recall is accepted;
2. The Board shall hold by-election in three months from the receipt of a request.

3. Without prejudice to sub-articles (1) and (2) of this provision, no by-election shall be carried out to fill a vacancy of a council whose tenure terminates after six months or less.

## **10. Re-Elections**

1. Re-elections may be conducted for one of the following reasons:
  - a. When the Board decides to cancel an election result and order a re-election on the basis of the powers conferred on it by Article 7 (16) of Proclamation No. 1133/2011; or when an appeal was submitted to the Federal Supreme Court, as per Article // of this proclamation, against the decision of the Board and the Court confirmed the Boards decision to cancel the election result and conduct a re-election.
  - b. In accordance with Article 61 (3) of this proclamation, where both candidates got equal number of votes and there was no winner.
2. In the event of a re-election:
  - a. Without any need to conduct voters anew, the election shall be held by the same registered voters in the constituency or the polling stations where the problem happened;
  - b. where it has been decided to conduct a re-election in accordance with the provision of Article I (a), only those candidates who had been registered earlier shall be eligible to contest in the re-election without having to conduct candidate registration anew;
  - c. campaigning shall be prohibited.
3. The Board shall in a directive determine the particulars on re-elections.

## **11. Referendum**

1. The Board shall organize a referendum to get the popular decision on a particular political question referred to the electorate by a decision in accordance with the FDRE Constitution or other relevant laws.
2. The Board, on the instruction of the body authorizing the referendum, shall hold the referendum by organizing polling stations in a way convenient to execute the referendum.
3. The Board shall, in consultation with the constitutionally mandated body, determine polling date, the questions to be put on the ballot paper and campaigns relating to a referendum.
4. The Board shall determine the particulars in a directive.

## **Chapter Two** **Institutions of Elections Execution**

### **12. General**

In accordance with the powers conferred on it by Article 7 of Proclamation No 1133/2011, The Board, shall:

1. Establish branch secretariats at regional and sub-regional levels. Branch secretariats to be established, depending on the regional state, at zonal or electoral district level, shall provide civic and voters education; provide support to prepare permanent voters' register, update or revise the same; support assessments to determine electoral districts; and coordinate the performance of other duties necessary for election administration.
2. Establish nationwide constituency and polling stations required to conduct elections

### **13. Constituencies**

1. Constituencies for general elections shall be organized as follows:
  - a. For the purpose of holding elections, the territory of the country shall be divided into permanent constituencies that may be re-arranged in accordance with census results by taking the Woreda as a basis and without affecting State boundaries;
  - b. Whereas the number of constituencies shall not be more than 550 each receiving one representative to the House of People's Representatives, the determination shall be based on the population size of Ethiopia and the number of minority Nationalities and Peoples that are given special representation. With the exception of constituencies for minority Nationalities and Peoples, the population size of the constituencies shall be similar and the difference in size shall not be more than 15 percent.
  - c. There shall be constituencies, where in accordance with Article 54 of the Constitution minority nationalities and peoples whose number is not less than 20 and are believed to require special representation, shall be represented;
  - d. Minority nationalities believed to require special representation shall be determined in advance by the House of Federation based on clear criteria. The Board shall determine the details of the voting procedure for these constituencies by a directive.
  - e. The list of constituencies shall be decided and announced to the public by the House of Federation upon the study and report of the Board submitted to the House of Federation 180 days before the election day.
  - f. Political parties, independent candidates or other interested bodies shall submit their petitions or disputes concerning the demarcation of constituencies to the House of Federation within 30 days of the publication of the list of constituencies, and the House will make its decision within 30 days of receiving the same. Parties aggrieved by the decision of the House of Federation may appeal to the Federal Supreme Court within 15 days of the decision. The Court shall give judgement within 30 days.
3. Local elections at different levels shall be conducted by establishing proportional constituencies by taking into consideration the size and the number of deputies to be elected and the voters in accordance with the laws of State governments.

4. Each constituency shall, as appropriate, have a three-member Election Execution Committee that fulfills the criteria provided in Article 6 sub-article (1) of Proclamation No 1133/211.... for membership of the Management Board
5. The Board shall endeavor to ensure that each constituency has stationary representatives of local or international observers allocated to it.
6. The selection of election officials and election of observers as per sub-articles (3) and (4) of this Article shall be transparent and participatory to political parties and independent candidates in the relevant constituency, and ensure that the officers are not selected from one gender only.
7. Each constituency shall have a Grievance Hearing Committee chaired by the Chief Electoral Officer of the constituency with two of the members who are competent and of good ethics and character and, are not members of any political party. Particulars shall be determined by the guideline to be issued by the Board.

#### **14. Powers and Duties of Constituency office**

Each constituency shall have the following powers and duties:

1. in accordance with the timetable issued by the Board
  - a) distribute election materials to polling stations
  - b) register candidates and issue 10 cards to candidates who fulfill the criteria.
2. ascertain that documents and election materials that come from polling stations are properly filled; receive and keep them safely;
3. Supervise the proper functioning of polling stations.
4. decide on grievances and complaints submitted in accordance with the law;
5. determine winners by adding up results sent by polling stations, announce the results to the public and dispatch same to the Board by filling the necessary forms;
6. dispatch the list of representatives of candidates to election officers;
7. cause two members of the Grievance Hearing Committee to be elected in accordance with a directive to be issued by the Board;
8. Coordinate the joint consultation of political parties contesting in the constituency;
9. grant quick response or decisions on complaints related to electoral procedures or results at polling station level;
10. Issue ID cards to winners of the election in accordance with a directive to be issued by the Board; and
11. perform other duties assigned to it by the Board, the Regional State Electoral Office or the constituency.

#### **15. Establishment of Polling Stations**

1. Polling stations shall be established at places that take into consideration proximity to the disabled and under conditions to be determined by the Board and officially announced to the public.

2. Without prejudice to the provision of sub article (1) above, the Board may establish mobile polling stations in consideration of the way of life in pastoral communities.
3. Polling stations shall serve as places for voters registration, casting and counting of votes.
4. The Board may, as necessary, change the location of polling stations. It shall, in accordance with sub article (1), notify the change to the public.
5. Military camps, police stations, churches, mosques, hospitals, premises where alcoholic drinks are sold, buildings occupied by political or religious organizations and residence premises shall not be made to serve as polling stations.
6. The number of voters assigned to each polling station shall not exceed 1,000.
7. There shall not be more than one polling station at a place.
8. Each polling station shall, as appropriate, have a committee comprising three electoral officers who fulfill the requirements provided in Article 6 (1) of Proclamation No. 1133/2011. The Chief Electoral Officer chairs the committee.
9. The Board shall endeavor to ensure that each polling station has stationary local or international observers.
10. The selection of election officials and election of public observers as per sub-articles (8) and (9) of this Article, shall be transparent and participatory to political parties and independent candidates in the relevant electoral districts and ensure that the officers are not representatives of one gender only.
11. Each constituency shall have a Grievance Hearing Committee chaired by head of the polling station and having two public observers as members who are competent, of good ethics and character and are not members of any political party. Particulars shall be determined by a directive to be issued by the Board.

## **16. Powers and Duties of Polling Stations**

Each polling station shall have the following powers and duties that it discharges in accordance with regulation and timetable issued by the Board;

1. register voters;
2. keep election materials dispatched from constituencies properly;
3. conduct confidential elections in accordance with this Proclamation;
4. receive complaints submitted in accordance with the law;
5. conduct vote counting and announce results to the public by posting the results on a notice board;
6. ensure election documents and materials are filled in properly, kept safely and dispatched to the constituency;
7. cause the two members of the polling station Grievance Hearing Committee to be elected in accordance with this Proclamation and the directive to be issued by the Board;
8. take quick rectifying measures and response to grievances and petitions relating to electoral processes.

9. perform other duties assigned to it by the Board, the Regional State Electoral Office or the constituency.

### **17. Special Polling Stations**

1. The Board may, for the purpose of enabling military and civil personnel and their family members, who live in camps far from their constituency, as well as students of higher learning institutions, internally displaced citizens; incarcerated citizens who have not been deprived of their right to vote to participate in elections, establish polling stations at or near the place where the voters are to be found. Concerning these voters, the place where they vote, the constituency where their votes are to be counted and other related issues will be determined by the directive to be issued by the Board.
2. The Board may decide for the voters mentioned in sub article (1) above to register and vote earlier than the election day and incorporate the same in the election schedule.
3. The Board may lay down special procedures for citizens resident abroad or citizens who for other reasons, cannot vote in their residence.
4. Particulars shall be determined by the directive to be issued by the Board.

## **Part Three**

### **Elections Administration**

#### **Registration of Voters**

### **18. Conditions for registration**

1. Any person who:
  - a. is an Ethiopian;
  - b. is 18 years old and above at the time of registration;
  - c. has been residing within the constituency for at least 6 months may be registered as a voter.
2. The conditions listed under sub-article 1 above, shall be verified through the means listed under Article 21 of this Proclamation. .
3. Without prejudice to the provision of sub article (1) above, the following shall not be eligible for registration:
  - a. a person who is proved to be incapable of making decision due to mental disorder as confirmed by the relevant authority or sufficient evidence.
  - b. a person whose electoral rights abridged by the decision of a court of law based on the applicable law;

### **19. Registration Timetable**

1. Registration for general elections shall begin and end across the nation 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 indicate the starting date of registration in its election timetable and continually announce the date through mass media and advertisements 15 days before the start of the registration.
3. The Board may, under special circumstances, decide a special registration date.
4. Any person who fulfills the voter registration requirements under this proclamation but was unable to register because of force majeure may register in accordance with the directive to be issued by the Board.
5. The Board shall issue registration timetable for local elections on the basis of the regional constitution and other relevant laws. It shall consult with political parties on the timetabling.

## **20. Place of Registration**

1. Registration shall be conducted only at the polling stations to be established in each Kebele to which voters shall and register. Therefore, it is prohibited to do registrations outside the polling station, by going door to door or on the roads.
2. Without prejudice to sub-article (1) herein above, the Board may find it necessary to authorize voter registration in pastoralist areas to be conducted in mobile registration stations set up for the purpose or by going door-to-door.
3. Each polling station shall have its own register of voters.

## **21. The Registration Process**

1. The voter shall be registered in a polling station where he resides by producing an identification card or passport.
2. The identification card or passport may, irrespective of its validity, serve for the purpose of registration.
3. In the absence of an I.D. card, evidence of identity such as a driving license residence permit, a military discharge document, student ID card bearing a recent photograph of the voter, shall be deemed to be sufficient document for registration purposes.
4. In the absence of the aforementioned documents, registration may be carried out upon recognition of the voter's identity by the electoral officials or through traditional or customary means in the case of rural areas and after a record has been entered to that effect.
5. Registration may be carried out where it is possible to recognize the voter based on the testimony of public observers, which shall be recorded in minutes.
6. Without prejudice to Article 20 sub-article (2), the disabled and the blind who are eligible shall be registered in person accompanied by their assistants.
7. The name of a person who is eligible to elect shall be entered into the electoral register.
8. Any person duly registered shall be issued with a voter's card bearing his full name including grandfather's, the Regional State where he resides, zone, Woreda, Kebele, designated polling station, house number, village or locality, registration number, serial

number, electoral register page, voter's signature, registrar's signature and date of registration.

9. Registration of voters can be conducted where a minimum of three of the election officers are present.

## **22. Particulars of the Electoral Register**

The electoral register shall have columns for entering the following particulars:

1. serial number of registration
2. date of registration
3. full name, including grand father's
4. Date and year of birth
5. Age
6. Gender
7. Disability: Yes/No; required support: Human/wheelchair
8. duration of the residence within constituency
9. signature or finger print at the time of registration
10. signature or finger print during voting
11. House number /village or locality/specific name of the area
12. A column to enter remarks
13. For special polling stations, besides the foregoing, columns to enter the special conditions of the voters.

## **23. Distribution and Transfer of Documents**

1. The Board shall ensure the delivery of necessary registration documents to polling stations in time, in accordance with the election timetable;
2. The Board shall issue a directive determining the time and procedure for the handover of electoral registers and documents used in registration including minutes.

## **24. Registration should be only once and at one place**

1. No voter shall be registered more than once in a polling station or in more than one polling station.
2. A voter shall have only one voter's card.
3. Any voter whose voter's card is 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 and, up on making a record of the same, may give the voter a replacement or after verifying the identity of the voter against the voters register and be allowed to vote.

## **25. Closure of the Electoral Roll**

1. Upon conclusion of each day's registration, the last voter's serial number and date shall be filled in the form prepared for this purpose and signed by electoral officials.
2. Registration shall continue until the conclusion of the voters' registration following the procedures provided in sub article (1) above. On the final day of the registration the officials and observers mentioned here in above shall sign in the open space provided immediately after the last registered voter.
3. Unless otherwise determined by the Board, no voter shall be registered or nothing shall be entered or written on the electoral register subsequent to its closure.

## **26. Opening the Electoral Register to the Public**

1. Upon conclusion of voters' registration, the electoral register shall be officially opened for the public within the premises of the polling station for fifteen consecutive days.
2. Representative of the political parties or the independent candidates running in the polling station may review the electoral register upon filing a request to the chief officer of a polling station.
3. At the end of the elections, the electoral register shall be deposited in the Board's regional office secretariat or a lower echelon elections office close to the polling station.
4. The Board may give a copy of the electoral register to the candidates once registration is concluded and related pleadings decided, Particulars shall be determined by a directive to be issued by the Board.

## **27. Complaints on Registration**

1. Any person or political organization with any reservations on registration may lodge their complaint along with the evidence with the Polling Station Grievance Hearing Committee.
2. The Polling Station Grievance Hearing Committee shall look into the complaint lodged in accordance with Sub Article (1) herein above, and after hearing the response from the person against whom the complaint was lodged, give its written decision within five days.

## **28. Cancellation of Registration**

1. No person shall be removed from the electoral register because of a complaint lodged against him, except when a person's insanity is verified by an authorized body or by sufficient evidence, or unless he was registered fraudulently or more than once or was; or unless his voting right was curtailed by judicial decision.
2. In the event of one of the reasons listed our under sub-article 1 herein above, courts, hospitals, Idirs or other members of the community knowledgeable of the matter are obligated to immediately report the matter to the Board's regional branch office, the constituency or the polling station

3. The Board's regional branch office, the constituency or polling station shall, upon getting information in accordance with sub article (2) herein above, remove the name of the person from the register

### **29. Permanent Electoral Register**

1. The Board may set the procedures for the preparation of the electoral register for every electoral district, and the regular updating and revision of the same.
2. The electoral register shall be prepared and regularly revised by the Board's regional branch office and lower echelon offices under the leadership of an expert appointed by the Board and in consultation with regional states and in collaboration with the Central Statistic Authority and other relevant institutions.
3. Particulars of the preparation, keeping and revisions of the electoral register shall be determined by a directive to be issued by the Board.

## **Chapter Two Registration of Candidates**

### **30. Location of Candidates' Registration**

Registration of candidates shall be carried out in constituencies at least 90 days prior to the election day and in accordance with the timetable for candidates' registration to be issued by the Board.

### **31. Criteria for Candidature**

1. Any person shall be eligible for candidature, where he:
  - a. is an Ethiopian and registered to vote;
  - b. is aged 21 years or above on the date of registration;
  - c. has resided in the constituency of his intended candidature continuously for one year before the date set for elections, or was born in the constituency of his intended candidature, or where the city or woreda has more than one constituency, has worked in the city or words continuously for two years, may run in the city or the constituency chosen by the wereda;
  - d. Whose electoral rights are not revoked by law or by the court;
  - e. Who is not declared by an authorized body incapable of making effective decisions due to insanity;
  - f. has accepted and signed the election code of conduct to be issued by the Board in accordance with this proclamation;  
May become a candidate.
2. The criteria provided under sub-article 1(d) herein above shall not apply to a person:
  - a. who has been outside of the constituency on a duty or study leave;
  - b. who is already in office, having been previously elected in the constituency.

3. In addition to the criteria herein above, an independent candidate shall produce endorsement signatures of not less than 5000 residents of the constituency with verified age of 18 years or above whose voting rights are not revoked by law or court decision.
4. The authenticity of the endorsement signatures submitted by independent candidates shall be verified by a process similar to that of the signatures of founding members, which political parties applying for registration submit according to Article 64 and 65 of this Proclamation.
5. Besides the criminal punishment the Board may impose on an independent candidate, who on anyone's report or the investigation of the Board itself, was found guilty of submitting fraudulent signatures from persons who did not express their support, preparing false names and signatures, using fictitious name and signature, or doing any other act of fraud, his application for candidature shall be rejected or his registration revoked and shall be barred for three years from becoming an independent candidate and a member of a political party leadership.

### **32. Nomination of Candidates**

1. Any legally registered political party may compete in elections conducted in accordance with this proclamation by nominating candidates who fulfill the criteria.
2. Without prejudice to sub-article (1) of this provision, candidates competing for a seat in the House of Representative shall bring 3000 endorsement signatures and those competing for regional council shall bring 1000 signatures of endorsement from their intended constituencies.
3. The leader of the political party, front or coalition or his representative shall present to the Board the list of the candidates nominated to compete in the name of the political party.
4. A document certifying the candidacy and consent of a candidate nominated by a political organization shall be presented together with the certificate of candidature.
5. A front or coalition of political parties competing in a constituency may nominate only one candidate for one seat of a council
6. Any candidate shall register in person. Where the candidate is unable to register in person, the political party nominating him may have him registered provided that it presented documentary evidences and, where necessary, witnesses to ascertain that candidate's meeting of the criteria for candidature.
7. Registration of candidates shall be conducted in the presence of at least two of the election executives in the constituency.

### **33. Rights of Government Employees Who Run for Elections**

1. Any government employee:
  - a. may run for election as an independent candidate or a member of a political organization;

- b. Running for elections should temporarily resign from his job starting from his registration as a candidate until the completion of the election.
  - c. In the event of temporary resignation of a candidate from his job according to sub-article “b” herein above, he shall not get any salary or benefits, nor is he allowed to use any property of the government office in which he is employed, until the end of the elections.
  - d. Without prejudice to the foregoing, a government employee who run as a candidate and did not win has the right to return to his job without any preconditions and to get promotion and benefits on the basis of his performance.
2. Without prejudice to the provision in sub-article (1) herein above, judges, soldiers, members of the police and other law enforcement forces, security agency workers and employees of the Board shall resign from their positions in the event of their nomination as independent or political party candidates
  3. Judges, soldiers, members of the police and other law enforcement forces, security agency workers and employees of the Board may not participate during the election period in a political campaign through speeches, writings and the like in support of any candidate.
  4. A member of the armed force or police force may not participate in uniform in party meetings or in election activities.

### **34. Endorsement of Independent Candidates**

The number of times a voter signs in support of political candidates shall not be more than double the number of seats available for the electoral district where he resides.

### **35. Issuance of Candidature Certificate**

1. A candidate screened in accordance with Article 32 herein above shall be entered into the candidates' registration form and issued with a candidature certificate.
2. Candidature certificates of political party candidates may be given to the candidates themselves or to the nominating political party.

### **36. Announcement of Candidates**

**Once** the candidates are identified in accordance with this proclamation the Election office of the constituency shall, as of the end of candidates registration, publicize the list of candidates to the public.

### **37. Candidature Symbols**

1. Any candidate may submit a running symbol or choose one from those prepared by the Board.
2. Candidates of a political organization may use the same symbol in all levels of election.

3. Candidates of a political party shall use the same symbol in all constituencies astray compete for seats in each of the councils.
4. A political party or independent candidate shall be given priority to choose the symbol they used during the previous election.
5. The Management Board shall decide disputes over election symbols brought to it.
6. Any election symbol shall:
  - a) Not be similar to that of other candidates;
  - b) Not be in anyway related to anything that may trigger tribal, racial or religious hatred and conflict;
  - c) Not convey a message of war or any unlawful act;
  - d) Not have resemblance to the flags or emblems of Federal and State Governments, emblems of political organizations or flags or emblems of international organizations or signs of religious organizations;
  - e) Not violate public morals and ethics.
7. The Board shall in a directive determine the layout of the images and symbols to be printed on the ballots, their sequencing and related matters in a manner that is clear to political parties and independent candidates.

### **38. Change and Replacement of Candidature Symbols**

1. The Board may, in accordance with Article 37 herein above, order a political party or an independent candidate to change their candidature symbol.
2. In the event Board decides for a change of a candidature symbol, it shall within 15 days after the closing of candidates registration communicate its decision to the political party or the independent candidate and have them submit or choose a replacement symbol.
3. In the event a political party or an independent candidate wishes to change a symbol chosen earlier, they shall notify the change to the Board in writing within 10 days after the closing of candidates' registration.

### **39. Withdrawals and Replacement of Candidates**

1. A candidate of a political party or an independent candidate may withdraw from an election.
2. A political party candidate who has withdrawn from the election in accordance with sub-article (1) herein above shall notify his decision in writing to the political party that nominated him.
3. A political party may change or replace a candidate only within a week from the date when the candidate drops out of the race or, where the candidate drops out of the race after the end of candidates' registration only during the month prior to to polling day.

### **40. Death of a Candidate**

1. Where a candidate of a political party dies after the end of the candidates' registration time, the political organization may replace the candidate within a period of one month before the voting date.
2. Where a political organization running for election has not submitted a replacement in accordance with sub-article (I) herein above, the election shall continue with the remaining candidates in accordance with the timetable.
3. Without prejudice to the provision in sub article (1) above, where a 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.

#### **41. On Running Only in a One Constituency**

1. A person shall can become a candidate only in one constituency, for a single seat in the House of Representatives or a regional council;
2. A candidate may be transferred from one constituency to another during the period of candidates' registration and register and contest there, in accordance with the law. Particulars shall be determined by the Board.

#### **42. Immunities of Candidates**

1. Except when caught red handed candidates shall not be apprehended on suspicions of committing a crime until the end of the election period.
2. Legal measures may be taken against a candidate, who committed an offense but was not caught red-handed as stated under sub-article 1 herein above, only after the electoral results are officially revealed to the public by the Board.
3. Without prejudice to the provision in sub-article (2) herein above, a winner shall be held liable for the alleged crime during the election only after his immunity is lifted by a concerned council.

### **Chapter Three**

#### **Election Campaigning**

##### **43. Conducting an Election Campaign**

1. In the period from day a candidate received a candidature certificate until four days to election day, he has the right to call rallies and hold peaceful demonstrations on his own or through his supporters being respectful of the laws and notifying the administration or municipality in writing and without requesting for their permission. He shall also have the right to receive from the Board and other relevant government organs information which he may deem useful for the election campaign.
2. Election campaigns carried out by candidates and their supporters in accordance with the directive to be issued by the Board shall be completed four days before election day.

3. Election campaigns shall be conducted peacefully and democratically by respectful of the constitution and other relevant laws as well as the rights of voters and that of other candidates.
4. The rights stated under sub-article (1) of this Article may not be exercised in contravention of the law.
5. The Board shall issue election campaign code of conduct to ensure the peacefulness and fairness of the election process.

#### **44. Use of the Mass Media**

1. Political parties and their supporters are entitled to equal access to state-owned mass media including radio, TV and newspapers.
2. Candidates shall be entitled to get access to free airtime on the state-owned media.
3. The use of the mass media shall be carried out in accordance with the allocation directive to be developed by the Board in collaboration with the Ethiopian Broadcasting Authority and the participation of the contesting political parties.
4. the code of conduct and implementation guidelines dealing with mass media use, journalists' coverage of elections and related matters shall be determined by the directive to be issued by the Board.

#### **45. Obligation of Government Organs**

To ensure the success of election contests government organs and officials at all levels are obligated to prepare the ground to provide both for candidates and their supporters, equal access to such facilities as radio and television stations, meeting halls and newspapers under their respective managerial authority. The Board shall issue a directive to determine the particulars.

#### **46. Places Where Election Campaigns Shall Not be Staged**

1. No elections campaigning shall be conducted in the following places:
  - a. churches;
  - b. mosques;
  - c. military camps and police stations;
  - d. within 200 meter radius of educational institutions during the conduct of classes;
  - e. within 200 meter radius of a permanent or periodic market in a rural or urban area while trading is in progress;
  - f. governmental and public institutions during working hours;
  - g. places and areas where public meetings is in progress.
2. The Board shall issue a directive detailing the particulars.

## **Chapter Four**

### **Voting**

#### **47. The Launching of Polling Stations**

1. Voting shall commence in all polling stations simultaneously on a date to be fixed by the Board.
2. Without prejudice to sub-article (1) herein above, in case of compelling circumstances, the Board may fix different dates for polling station in which circumstances warranting such change of schedule have happened.
3. In accordance with the directive to be issued by the Board, voting shall begin:
  - a. In the presence of representatives of political parties and independent candidates, members of the Grievance Hearing Committee, observers and electoral officers;
  - b. After the executive of the polling station shows to the bodies stated in (a) of this sub-article that the ballot box is empty, and after it is sealed by the seal prepared for the purpose and put in an open place and within close distance to observers, and after minutes are recorded and filled in a form, which the Board prepared for the purpose, that is when it shall begin.

#### **48. Security of Polling Stations**

1. Prior to election day polling stations shall be kept reliably protected and safe and be ready for the day. prior to election.
2. Except for election executives, representatives of political parties and independent candidates; members of the Grievance Hearing Committee and accredited election observers, anyone who is not voting and has already voted shall stay away from a polling station.
3. No person may be within a radius of five hundred meters of the polling station in a state of drunkenness, carrying a weapon or in any other condition that disrupts peace. In the event a person is found in such state the election executive should call for the support of security forces and take necessary measures.
4. The responsibility of ensuring the security of polling stations rests primarily on the chief electoral officers. Where the chief electoral officers or members of the Grievance Hearing Committee or observers of the polling station believe that a police force is needed to defend the security of the polling station, they may make a request to the concerned body. However, members of the Grievance Hearing Committee, political parties and independent candidate and observers shall present their request through the polling station officials.
5. The chief electoral officer may order the expulsion of anyone who should not be in the polling station or has attempted to disturb the electoral process. Where the person disobeyed the order, the chief electoral officer may call upon a policeman to take the person out of the polling station. The policeman shall leave the polling station and return to his assigned place as soon as he executes the order.

6. A unit of the police or security force or a person to whom a request has been made by the chief Election executive of a polling station or an electoral district to ensure the security of elections, has the duty to cooperate, respond quickly and enforce the request in line with Article 27 of Proclamation No, 1113.
7. Anyone who got to a polling station possessing suspicious documents, according to credible reports may be searched in the presence of the chief electoral executive, representatives of all political organizations and independent candidates and observers. In the event the suspicion proved to be true, he shall ensure that appropriate measures are taken.

#### **49. Voting hours**

1. Unless the Board decides otherwise, voting hours shall run from 6:00 a.m. to 6:00 p.m.
2. Where the Board decides otherwise under special circumstances, it shall officially announce this to the public at least two days prior to the voting day.
3. Where the final voting hour is completed, the polling station shall be closed; however, voters in the process of voting and within the premises of the polling station shall be allowed to vote.
4. Without prejudice to the provision of sub article (1) of this Article, where the Board is convinced that it helps to the conduct of free and fair elections, it may extend the voting hours.
5. No person, except electoral officers, members of the Grievance Hearing Committee elected by the public, representatives of candidates and authorized election observers, may be allowed to enter polling stations before the opening and after the closing of polling stations.

#### **50. Casting Vote**

1. Any voter may cast his vote freely where he appears in person.
2. Each voter shall cast his vote only once.
3. Any voter shall cast his vote at a polling station where he has been registered and where:
  - a. he carries his voter's card;
  - b. his name is listed in the electoral register;
  - c. it has been ascertained that he has not voted yet.
4. Unless the Board determines otherwise, all voters shall cast their votes in a similar time frame.

#### **51. The Voting Process**

1. The voter shall hand his voter's card to the electoral officers of the polling station, whereupon they shall proceed to verify his identity by examining the card.

2. After verification of his identity and that he has not voted in accordance with sub article (1) above, the voter shall be made to sign in the column of the electoral register designated for the purpose.
3. After the voter signed on the electoral register, his thumb, if he doesn't have a thumb, any of his other fingers, shall be marked with indelible ink after which he shall be handed with a ballot paper and directed to the voting booth. If he doesn't have fingers, the electoral executives shall ascertain that he has not voted already before they allow him to vote, making a visible part of his body with indelible ink. .
4. In the booth, the voter shall put on the ballot paper an "X" or an unequivocal or a thumb mark in the square corresponding to the symbol of the candidate for whom he wants to vote, after which he shall fold the ballot paper and insert it in the ballot box placed in front of and in close sight to observers.
5. Illiterate voters shall vote by pressing one of their fingers in the square corresponding to the symbol of the candidate for whom they want to vote after dipping it in the ink made available for this purpose.
6. Where the voter fails to properly make use of the ballot paper, he may return it and cast his vote upon receipt of another.
7. The electoral officer shall put a special mark or 'invalid' at the back of the ballot paper returned in accordance with sub article (6) above and dispose it into the box provided for this purpose.
8. The Board may deploy technology to assist with the voting and in accordance with Article 58 of this Proclamation, the vote counting processes. The Board shall, in consultation with contesting political parties, issue a directive to determine the specifics of technology deployment.

## **52. Voters Who Need Assistance**

1. **Priority shall be given to the** disabled, the elderly and pregnant women during registration as well as voting.
2. Any voter who needs assistance to put a mark on his ballot paper and insert it into the ballot box has the right to select his assistant. The election executive shall explain the right to voter so that the voter may be aware of and benefit from it .
3. Without prejudice to the provision in sub article (1) above, the assistant shall be 18 years old and above, and shall not be a candidate or representative of a candidate.

## **53. Non-interruption of the Voting Process**

1. Voting shall not be interrupted or stopped.
2. Without prejudice to sub article (1) herein above:
  - a. where voting had been interrupted for any compelling reason, even for a short period of time, and the electoral officers are convinced that the situation has been restored to normalcy, voting may resume immediately after the incident has been minuted.

b. where voting cannot be resumed due to reasons beyond control, it shall be discontinued; and the matter shall be minuted and immediately reported to a higher electoral official. A voting process discontinued in accordance with sub article 2(b) shall be conducted at another time as per the decision of the Board .

#### **54. Disputing the Right to Vote**

1. A representative of a candidate may, before the issuance of ballot papers to any voter, challenge a person who is in the process of voting on the grounds that he is not eligible to vote or has not been registered to vote in that particular r polling station.
2. Where a voter is denied of a ballot paper, a complaint may be submitted by the voter himself or a representative of a candidate.
3. A representative of a candidate or a voter may oppose any irregular action, other than on the grounds of opposition provided for under sub articles (1) and (2) above, of an electoral officer, representative of a candidate or any other person present in the polling station.
4. The Polling Station Grievance Hearing Committee, after assessing the opposition made in accordance with the provisions above, notify the opposing person or body of its decision in writing. .
5. The chief electoral officer of the polling station shall keep a written record of the complaints submitted in accordance with this Article and the decisions thereto.

#### **55. Voting on a Provisional Ballot**

1. Where the Grievance Hearing Committee of a polling station is of the opinion that a person whose right to vote has been challenged as per Article 54 above should be allowed to vote, such a person shall vote on a provisional ballot.
2. A vote cast in accordance with sub article (1) above may be counted or rejected based on a decision made in accordance with Article 153.

#### **56. The Ballot Paper**

1. The ballot papers to be prepared by the Board for any type of election shall be user friendly and secure against fraud.
2. The ballot paper to be prepared by the Board shall contain the candidates' photographs, candidates symbols, full names of candidates and names of their political organizations.
3. The number of ballot papers to be sent by the Board to each polling station shall be equal to that of voters registered in each polling station, with a few extra ballot papers for contingency.
4. The Board and electoral officers at every level shall handle the ballot papers with high standard of care and security.
5. Any transfer of election documents from one person to another shall follow the legal procedures for such transfers. Particulars shall be determined by the Board's directive.

## **Chapter Five**

### **Vote Counting and Announcement of Results**

#### **57. Location of Vote Counting**

1. Vote counting of any election shall take place at the polling station.
2. Notwithstanding the provisions of sub article (1) above, the vote counting shall take place at the secretariat of the constituency, where due to disruption of security or other similar compelling reason, such a request is made to the constituency by the electoral officer of the polling station and the request is granted by the constituency or its electoral officer.
3. The vote counting to be conducted at the secretariat of a constituency in accordance with sub article (2) above, shall be made in the presence of representatives of candidates of the polling station, members of the Grievance Hearing Committee elected by the public and observers.
4. The Board may issue a directive to determine the implementation of this Article.

#### **58. Procedures for Vote Counting**

1. Upon the closure of polls the chief electoral officer of the polling stations shall, in the presence of candidates' representatives, members of the Grievance Hearing Committee elected by the public and observers:
2. record the number of voters who have cast their votes on that day; and
3. count and record the number of invalid and unused ballot papers.
4. After the bodies indicated in sub article (1) above have ascertained that the ballot box has not been opened, the seals are in the same condition as they were prior to voting started that the ballot box has not been broken, damaged or tampered with , and the same has been minuted be the seal shall be broken and the ballot box shall be opened; and the contents emptied. It shall be ascertained that the ballot box is empty.
5. Where the election is to different councils, after the votes given to each council are sorted, the votes for one council shall be counted and those for each candidate registered; and therefrom, the same procedure shall be followed for the other council.
6. If an election officer, a political party or representative of an independent candidate submits a complaint alleging flawed counting process, the Polling Station Grievance Hearing Committee has to investigate and decide on the matter immediately or no later than twelve hours. Based on the decision of the Grievance Hearing Committee of the polling station or the constituency, the voting process may be discontinued or stopped or where necessary, re-counted, until the investigation of the counting process is completed.
- 7.

#### **59. Invalid Votes**

1. A vote shall be deemed invalid for one of the following reasons:

- a. if it identifies the voter by name;
  - b. if it contains marking for more candidates to the council than the voter is allowed to makes ;
  - c. if it is blank;
  - d. it does not clearly indicate the choice of the voter;
  - e. where, the ballot paper is not legal or issued by the polling station.
2. Ballot papers invalidated in accordance with sub-article (1) above shall be marked "INVALID" on back, counted separately and sealed.

## **60. Conclusion of Vote Counting**

Upon conclusion of vote counting at a polling station:

1. electoral officers, election observers and representatives of candidates present shall ascertain that the voting and counting process and the results thereof are valid by signing on the minutes and form designated for this purpose. However, any representative of a candidate who has complaints regarding the process and results may register his complaints on the form and affix his signature thereto.
2. The votes counted shall be sealed and immediately sent to the constituency together with the results confirmation form, minutes and the form for announcing election results that have been signed in accordance with sub-article (1).
3. A copy of the form confirming the election results shall be issued immediately to the representative of a candidate who has signed the form.

## **61. Announcement of Results**

1. Results of the vote counting conducted at a polling station shall be posted on a notice board of the polling station within an hour after the conclusion of ballot indicating the number of voters registered in the polling station and of those who cast their vote; the number of used, unused and spoiled ballot papers; and the number of votes received by each candidate.
2. Upon receiving the results of the elections to the House of peoples Representatives and regional councils from each polling station, constituency electoral officers of constituencies shall, in the presence of candidates or their representatives, add up and announce the elections results to the public within five of the conclusion of ballots unless prevented by circumstances that are evidently beyond their control.
3. Where two candidates receive equal number of votes and the constituency electoral secretariat is unable to determine the winner, a runoff shall be conducted only between the candidates who have received equal number of votes at a later date to be determined by the Board.
4. The electoral officers of a constituency, concerning the results they announced in accordance with sub article (2) above shall:
  - a. issue a copy of result confirmation form to candidates or their representatives;

- b. fill in the result in the form provided for the purpose and send a copy to the Secretariat of the Board and to electoral branch offices at every level.
5. The Board, until it receives all results from each constituency, may announce provisional results from constituencies for elections to House of Peoples' Representatives and state councils, at its Secretariat. The Board shall announce the provisional election results where the final official results have not been determined within 10 days as per Article 62 of this Proclamation.
6. The ballot papers cast in each constituencies should be sealed and transported to and stored at the nearest Board office or regional board secretariat. The Board shall issue a directive regarding the storage and destruction of ballot papers after elections.

## **62. Official Declaration**

1. Upon the conclusion of election and collection of the necessary information, the Board , in accordance with the timetable it fixed, issue within 10 days after the election day and unless prevented by circumstances that are evidently beyond its control, shall make an official declaration containing the following particulars:
  - a. The number of registered voters;
  - b. The number of voters that have cast their vote;
  - c. The percentage of registered voters that have cast their votes and of those that have not;
  - d. The list of elected candidates and their respective constituency;
  - e. The list of winner political organizations and independent candidates as well as the number of seats they won for each council; and
  - f. The number of used, unused and invalid ballot papers and the total votes each candidate received in each polling station and other relevant information.
2. Notwithstanding the provisions of sub-article (1) above, where there are complaints regarding election results announced at constituency level that compel the delay in announcing the final results, such announcement may be delayed for 20 days.

**Part Four**  
**General Political Parties**  
**CHAPTER ONE**  
**FORMATION OF POLITICAL PARTY**

**63. Political Party Formation**

1. Every Ethiopian has the right to form a political party or be a member of a political party.
2. Any Ethiopian aged 18 or above has the right to be a member of a national or regional party in accordance with this Proclamation.
3. Notwithstanding sub-articles (1) and (2) above, the following persons shall not engage in partisan activities as members of a political party:
  - a. Judges
  - b. Members of the armed forces
  - c. Employees of the police force, intelligence units and security forces; and
  - d. Employees and management of the Board.
4. If the persons listed in sub-article (3) intend to be members of a political party, they shall resign from office or government service.
5. A person who violates sub-article (3) of this Article shall be deemed to have willingly resigned from service.
6. A person who has been deprived of his right to vote and be elected by a judicial decision shall not become a member of a political party for the duration of his ban.

**64. Formation of a Nation – Wide Political Party**

1. A political party shall be formed as a nation- wide political party where:
  - a. it has at least 10,000 founding members:
  - b. not more than 40% of its founding members are residents of a single state ;
  - c. the remaining founding members are permanent residents of at least four other states of Ethiopia;
  - d. the founding members shall be registered as founding members in accordance with sub-article 1(c) above, if for each of the four states there are 15% of the remaining members who are permanent residents.
2. The founding members specified under sub article (1) of this Article: must be at least 18 years old; not deprived of the right to vote by law or a court's decision based on the applicable law; their consent to be members of the political party expressed by their signature affixed next to their full name; and must have submitted to the party evidence of their residence in the place of their registration.
3. The document signed by the founding members in accordance with sub article (2) above, shall specify the member's full name, sex, age, place of residence (specific name of place, kebele or woreda), type of proof of residence, number of proof of residence if

available, signature and the date of registration as well as the name and signature of the person who took down these particulars.

4. The party or the person who presents the party's document to have the party registered shall attach a statement of oath confirming that the particulars of the founding members are correct. The Board may, in collaboration with the body mandated to grant proof of residence in the founding members' place of residence, investigate suspicious circumstances.
5. Without prejudice to the sanctions to be imposed in accordance with the relevant criminal law, where a fraudulent registration of a person as a member using fictitious name and signature or fraudulent impersonation or other presentation of fraudulent information by a party has been established following complaint by any person or investigation by the Board:
  - a. if such party is in the process of being registered, its application for registration shall be rejected and it shall be barred from registering as a political party for the next three years. A leader or member of the party's management or any other person who have been implicated in the fraud will be barred from membership or leadership of a party for the next three years.
  - b. if such a party has been registered, the registration shall be cancelled and it shall be barred from registering as a political party for the next three years. A leader or member of the party's management or any other person who have been implicated in the fraud will be barred from membership or leadership of a party for the next three years.
6. The recruitment of founding members in accordance with sub-article 1 of this Article shall reflect gender considerations and the contribution of members of the local community.

#### **65. Formation of a Regional Political Party**

1. A political party shall be formed as a regional political party where:
  - a. it has 4000 founding members;
  - b. more than sixty percent (60%) of the founding members are permanent residents of the same regional state.
2. The founding members provided under sub – article 1 of this Article: must be at least 18 years old; not deprived of the right to vote by law or a court's decision based on the applicable law; must have expressed their consent to be members of the political party; and must have submitted to the party proof of their residence in the place of their registration.
3. The document signed by the founding members in accordance with the sub article (2) above shall specify the member's full name, sex, age, place of residence (specific name of place, kebele or woreda), type of proof of residence, number of proof of residence if

available, signature and the date of registration as well as the name and signature of the person who took down these particulars.

4. The verification of the information about the founding members that the party presents in line with sub articles (2) and (3) above and the sanctions to be imposed if fraud is established, shall be in accordance with Article 64 (4) and (5).
5. The recruitment of founding members in accordance with sub-article 1 of this Article shall reflect gender considerations and the contribution of members of the local community.
6. The Board shall verify that a registered nation-wide political party has the requisite minimum number of members specified under sub-article (1) above, based on a members' list that the party will present every two years.
7. The document signed by the founding members in accordance with the sub-article (2) above shall be a document open to public.
8. Where a request for registration for an election to be conducted at any level has been presented in any election year, 90 days before the start of voters' registration, it should be finalized prior to the start of candidates' registration and the announcement of the timetable for the election.
9. The Board shall issue a directive to determine the particulars required to implement Article 64 and this Article.

## **CHAPTER TWO**

### **REGISTRATION OF POLITICAL PARTY**

#### **66. Registration**

1. Any political party can operate as a political party in Ethiopia only upon registration by the Board and receipt of a certificate of legal personality in accordance with this Proclamation.
2. A political party that has obtained legal personality in accordance with sub-article (1) of this Article may enter into a contract with third parties; sue and be sued; own property or enter a lease; exchange, sell or transfer assets in any other way or execute any other act that is in line with its purpose.
3. Without prejudice to sub-article (1) above, citizens intending to establish a political party may apply to the Board to be granted a certificate of provisional registration.
4. The application in accordance with sub-article (2) above should be presented with: a written request for registration; minutes of a meeting with 200 signatures for a nationwide party or 100 signatures for a regional party; the provisional name of the party; a confirmation to abide by the election law and other relevant laws; and receipt showing the service fee of the Board.
5. The Board shall, upon verifying that the documents specified under sub-article (3) above have been received, issue a certificate of provisional registration. The certificate of provisional registration is valid for three months only. However, the validity of the

certificate of provisional registration may be extended for additional three months upon the presentation of a satisfactory reason by the applicants.

6. A political party that has obtained a certificate of provisional registration can use the certificate only for the purpose of conducting activities required by this Proclamation towards the registration of the party.

#### **67. Application of Registration**

1. Application for registration of a political party shall be signed by the party leader and submitted to the Board.
2. The application submitted in accordance with sub-article (1) of this Article shall be accompanied by the following documents:
  - a. the memorandum of association of the party done in accordance with Article 72 of this Proclamation;
  - b. the political program of the party done in accordance with Article 73 of this Proclamation;
  - c. the by – laws of the party prepared in accordance with Article 15 of this Proclamation;
  - d. the names and addresses of the party leaders, and a document showing their consent to be leaders and endorsed by their signature;
  - e. the document signed by founding members which will be made publicly available,
  - f. the document showing the political party leaders are elected in accordance with the rules of the party and in a free and democratic process.
3. Each documents provided under the preceding sub article (2) shall be accompanied by five copies and submitted together with the application for registration.
4. A party applying for registration shall pay:
  - a. registration fee, and
  - b. fee for revision of basic documents when required. .
5. Receipt for payment made in accordance with sub article (4) (a) of this Article shall be submitted together with the application for registration.
6. The amount payable under sub article (4) of this Article shall be determined by the Board.
7. The documents of the political party registered in accordance with this proclamation shall be made publicly available.

#### **68. Responsibilities of the Board**

1. The Board shall examine the application for registration made based on Article 67 within 21 days; and where a political party has failed to fulfill the requirements, it shall give the party a written notice of 30 days to fulfill the requirements.
2. Where the Board’s examination of the application as per sub-article (1) shows that the requirements are fulfilled, it shall, within 15 days, make a public announcement on the

appropriate mass media and its website, enquiring of any opposition to the use of the name or symbol by the party or other related issues.

3. Any person opposing the registration in accordance with sub article (2) of this Article, shall present such opposition to the Board within 14 days from the date of the public announcement. The Board shall not issue permission for registration within this period.
4. The Board may request for supporting information and documents that are necessary for the registration process.
5. The Board shall, upon receiving the application and supporting documents in accordance with Article 67 of this Proclamation, examine and ascertain the submission of the requisite documents and their authenticity. It shall, after causing the party to submit a confirmation to abide by the Constitution, this Proclamation, other relevant laws and codes of conduct and inspecting its head office, process the formalities of registration within 45 days and issue to the applicant a certificate of legal personality.
6. The Board, using the appropriate mass media, shall notify the public of the political party registered pursuant to sub article (5) of this Article.
7. The Board shall, in accordance with Chapter 7 of this section monitor the income source, expenditure list and assets of a political party; where illegal acts are found the Board shall take the necessary measures in accordance with this Proclamation.
8. The Board shall submit periodical and yearly reports to the House of Peoples Representatives on:
  - a. government's funding of political parties based on Article 80 of this Proclamation and the utilization of the fund; and
  - b. the overall activity of political parties.
9. The Board shall, upon receiving the audit report as per Article 105 of this Proclamation, publicize it; and where it deems necessary it may order inspection.

#### **69. Political Party Barred from Registration**

1. The political party shall not be registered if:
  - a. Its name; abbreviation of its name; emblem; or symbol is culturally and ethically unacceptable in the country;
  - b. Its name; abbreviation of its name; emblem; or symbol is in use by another party or is similar to that of another party that it is likely to result in confusing voters; or
  - c. Its name; abbreviation of its name; emblem; symbol; founding document or rules aim to foment conflict and violence by spreading hatred and enmity among nations, nationalities and peoples on grounds such as ethnicity and religion; or exclude people from being members or supporters on the basis of ethnicity, religion or identity;
  - d. aims to fulfill its purpose through armed struggle;
  - e. it has members with international nationality;
  - f. formed for the purpose of pursuing unlawful activities.

2. A party that objects the decision of the Board made in accordance with sub-article (1) above may appeal to the Federal High Court within 30 days of receiving such decision . The party that has filed the petition shall be considered as having a legal personality, and the person elected to lead it according to its by-laws and indicated as such in the register shall be deemed to be its lawful representative.

#### **70. Organization or Associations Bared from Registration as Political Party**

The following organizations or associations may not be registered as political parties under this Proclamation:

1. associations or organizations formed for the purpose of carrying on commercial and industrial activities pursuant to the Commercial Code or the Civil Code or other relevant laws;
2. not for profit or welfare associations or organizations;
3. communal associations, trade unions and professional associations;
4. mutual help associations;
5. religious organizations;
6. social associations such as idir, equb, and the like.

### **CHAPTER THREE DOCUMENTS OF POLITICAL PARTIES**

#### **71. Document of a Political Party**

1. A political party shall have the following basic documents:
  - a. memorandum of association;
  - b. political program;
  - c. by – laws,
  - d. documents related to ownership, property and revenue and expenditure.
2. A political party that intends to amend the documents listed under sub-article 1 (a) (b) (c) above, shall first notify the Board of its intention. The Board shall, as appropriate, accept and process the request for amendment in accordance with the provisions of Article 68.

#### **72. Memorandum of Association of a Political Party**

1. Individuals who desire to establish a political party must have a memorandum of association in which they declare the establishment of the type of political party they want to organize.
2. A memorandum of association shall include the following particulars:
  - a. the full name of the party and its abbreviation;
  - b. the emblem of the party;
  - c. the objectives of the party;
  - d. the party's assets and source of income;

- e. the day and year of establishment of the party;
  - f. the addresses of the head office and branch offices of the party;
  - g. the procedures of issuing the by – laws.
3. The memorandum of association of a political party must have been adopted at the general meeting held to establish the party.

### **73. Program of Political Party**

Every political party must have a program in which the political belief it pursues as its objective is formulated and adopted at the party's general meeting.

### **74. By – Laws of Political Party**

1. Every political party must have its own by laws. Such by – laws shall include the following particulars:
  - a. conditions for admission and expulsion of members;
  - b. details of the rights and duties of member;
  - c. details of the various organs of the party, the procedure for their election, their tenure and description of their respective functions;
  - d. types of membership fees and payment structure as well as the members' participation level in the party's activities;
  - e. the party's procedures of convening meetings and passing decisions;
  - f. details of measures of procedure and code of conduct applicable to members;
  - g. a stipulation that the quorum for the party's general meeting shall be constituted by at least 5 percent of the minimum number of founding members required in this Proclamation;
  - h. a stipulation that the party's general meeting shall be held at least once every three years;
  - i. organizational structure of the party and positions within the party including the establishment and functions of the party's branch offices,
  - j. list of matters that require the decision of the party's general meeting;
  - k. the course of action and decision making process for forming a merger, coalition, or front with other political parties, as well as for the dissolution of the political party;
  - l. The procedure for the nomination of party members for national and other various level elections;
  - m. The party's human resource, financial and audit process;
  - n. The party's asset administration policy, income mobilization process as well as an explanation of the person or section of the party mandated to decide on such matters;
  - o. The procedure for resolving political party's internal disputes; and
  - p. details as to the equality of votes between every member of the political party.

2. Any by-law of political party shall not have the effect of abridging the rights of a member of the political party guaranteed to him as citizen or of releasing him from duties imposed up on him as a citizen.
3. The by-law of every political party shall stipulate that the election of its leadership and other officials at all levels must be conducted in a transparent, free and fair manner, where secrecy of the ballot is protected.
4. Every political party when conducting election for leadership position shall ensure gender balance consideration.
5. The by – law of every political party shall be drawn consistently with the provisions of Article 75 and from Article 86 to Article 90 of this Proclamation.
6. When dispute occurs between members of a political party around the party by-law implementation and other related issues, the Board is notified of this complaint; the Board shall establish a panel of experts that would investigate and provide a decision on the matter. Particulars shall be determined by a directive issued by the Board.

## **CHAPTER FOUR RIGHT OF POLITICAL PARTY**

### **75. Independence of a Political Party with Respect to Its Own Affairs**

Every political party:

1. shall determine in its by – laws the procedures of adopting and amending its political program and by – laws as well as holding meetings;
2. in accordance with its by – laws, shall have leading organs to direct, decide and implement its political activities.

### **76. Establishing Branch Offices**

1. Every political party may establish branch offices anywhere within the country for the purpose of carrying out its political activities.
2. A political party that has branch offices at the national, regional and sub-regional level shall stipulate in its by-law, the relationship between various branches and their power structure.

### **77. Exemption from Income Tax**

1. Any political party shall not be liable to pay any kind of income tax on income collected from its members and supporters.
2. Political party does not have the obligation to collect and transfer to the government income tax payable in accordance with the law in respect to its employees' salaries.

### **78. Duty to Submit Report**

1. A political party registered in accordance with this Proclamation shall:

- a. Submit an annual report on the number of its members, their gender and age distribution and their place of abode;
  - b. At the request of the Board, submit a document confirming compliance with the minimum number of members required and other standards set under this Proclamation;
  - c. Where it intends to convene a meeting to form a front, merger, or coalition, notify the Board to attend the meeting 30 days in advance;
  - d. submit a written report annually or within a timeline determined by the Board, on the party's assets and liabilities certified, as appropriate, by an auditor or a financial advisor and signed by the leader;
  - e. the report provided under sub – article 1(d) of this Article shall include the income and property sources of the political party.
2. The Board shall give a one month warning for a political party that does not comply with the obligations under sub – article 1 to fulfill such conditions within such period, then after the Board may take necessary measures pursuant to Article 98 of this Proclamation.
  3. Where a political party or a leader of political party informed in writing to the Board as to the property and debt in accordance with this Article has been found untrue, without prejudice to the provisions of Article 98 of this Proclamation it shall be liable under the appropriate provisions of the Criminal Code.
  4. Where a political party has not given information and explanations as are required by the provision of Article 68 (4) of this Proclamation, it shall be liable in accordance with Article 98 of this Proclamation.
  5. A political party that established branch office in accordance with Article 76 of this Proclamation shall notify in writing the branch office address and leaders or representatives of the office to the Board within one month of establishing the branch office.

#### **79. Duty to Provide Information**

1. A political party has an obligation under this Proclamation to give a written information certified documents when requested by Board.
2. A political party convenes a general assembly, it has to notify 30 days in advance for the Board to attend the assembly.
3. Where a political party required to give information pursuant to sub article (1) of this Article is unwilling to provide such information or gives intentionally untrue information, the Board shall take measures under Article 98(1) (d) of this Proclamation.

#### **80. Notification of Members of Leadership**

1. Every political party shall notify the Board within one month, when it elects new leading members.

2. When a political party loses members of leadership for various reasons and such number is below 50%+1, the party shall elect in their place another members within 30 days. The party shall inform this incident within a month to the Board.

### **81. Keeping Documents of Political Parties**

1. Every political party shall have the duty to keep proper record of the matters provided under chapter 8 sub-section 2 of this Proclamation such as, books of account, certificates of donation, ownership evidence documents.
2. Notwithstanding the provision of sub article (1) of this Article, based on the reasons of lack of space and manpower, books of accounts aged over 10 years may be disposed.
3. Without prejudice to sub article (1) and (2) of this Article, every political party shall keep other documents properly.

### **82. Auditor of Political Party**

1. Every political party must keep properly its income, expenditure and assets and liabilities records and documents. The Board will issue a directive to determine the titles and details that these documents must contain.
2. Unless stated otherwise in this Proclamation, every political party shall commission within three months of the end of the budget year, an external auditor whose professional competency approved by the mandated body, a financial expert who has taken a professional oath, or board appointed auditor to conduct a review of its finances and submit to the Board an audit report .
3. Where its financial position for the budget year preceding the one to be audited is less than ETB 300,000 (three hundred thousand) the political party can assign a financial expert who has taken a professional oath to conduct the annual audit and submit the report to the Board.
4. Where its financial position for the budget year preceding the one to be audited is more than 200,000 (two hundred thousand) ETB, the political party can engage a certified external auditor or an auditor assigned by the Board to conduct the annual audit and submit the report to the Board.
5. The external auditor, provided in sub – article 2 and 3 of this Article, shall be appointed by the political party executive organ.
6. As appropriate, the Board can assign the chief auditor to investigate financial documents of any political party.

### **83. Right of Auditor or Financial Advisor**

The auditor or finance expert examining a political party's finances has the right to request for, and examine any document related to the assets and properties of the political party.

### **84. A Person who can't be appointed as Political Party Auditor or Serve as Accountant**

Whosoever served or is serving a political party in the capacity of a lawyer, an employee, a board member, or in any manner that may cause conflict of interest, shall not be engaged as the political party auditor or financial expert.

#### **85. Organization of Work of Appointed Auditor of Political Party**

1. A political party's auditor or financial expert and the professionals engaged in the work shall perform their respective work ethically, honestly and independently.
2. The audit report of the auditor or the financial expert investigation report shall be submitted to the political party leaders in writing.
3. The certificate of professional competence of the auditor or financial expert shall be attached to the audit report to be submitted by a political party.

#### **86. Designation and Emblem of Political Party**

1. The designation of any political party shall not be similar to or create confusion with the designation of another political party and shall be the sole designation of the party.
2. The emblem and flag of the party:
  - a. Shall not be similar with the emblems and flags of other political parties;
  - b. Shall not create hatred and conflict among nation, nationalities, race, religion;
  - c. Shall not convey messages of war and other unlawful activities;
  - d. Shall not be similar with the flag or emblem of Ethiopia or with those of the various international organizations or with the symbols of religion organizations;
  - e. Shall not be against ethics or public morality or other similar public interests.

### **CHAPTER FIVE**

#### **RIGHTS AND OBLIGATIONS OF MEMBERS OF A POLITICAL PARTY**

#### **87. Right of Participation**

Any member of a political party shall have, in accordance with the by-laws of the party, the right to participate in the meetings of the party, to express freely his views and comments, to vote and to elect or to be elected.

#### **88. Membership Dues**

A member of a political party may pay membership dues periodically to the political party in accordance with the by-laws or decisions of the political party.

#### **89. Expulsion from Membership**

1. A member of a political party may be expelled from membership to be determined in accordance with the by-law of the political party.

2. A member aggrieved by the party's decision to expel him, may file a petition to the Federal First Instance Court that has the jurisdiction or to Regional High Court within three months from the date of the notification of such decision.

## **90. Membership**

1. Any political party shall have members including the founders and members admitted after the formation of the party.
2. Membership of a political party may not be devolved by succession or by any other manner to another person, and shall be limited to its members.
3. A member of a political party may at any time withdraw membership.
4. The by-laws of a political party may not contradict the provisions of this Chapter.

## **CHAPTER SIX MERGER, FRONT, COALITION, SUBSTITUTION AND CANCELLATION OF POLITICAL PARTIES**

## **91. Merger of Political Parties**

1. Two or more political parties registered in accordance with this Proclamation may merge and form a political party.
2. Political parties wished to merge pursuant to sub article (1) of this Article shall submit their proposition in writing to the Board two months prior to the issuance of time schedule for local or general elections; the registration shall be effected in accordance with the provisions of this Proclamation.
3. The application for merger shall consist the following:
  - a. each political party, according to its by-laws, should provide a decision demonstrating the party' assembly expressing acceptance of the merger;
  - b. The parties written agreement outlining the merger details; and
  - c. the new designation resulted by the merger of the political parties, and the documents listed under Article 67 of this Proclamation.
4. When the Board accepts the application for merger is in accordance with this Proclamation, then the Board shall:
  - a. Cancel the registration certificate of each constituent political parties of the union and register in accordance with this Proclamation the new party within one month;
  - b. order the transfer of each political party's property, money and other necessary documents to the party created by the merger within 6 months.
5. The political party created by the merger shall fulfill the requirements of Article 64 or Article 65 of this Proclamation.
6. If a political party is charged with crime that can potentially deregister or dissolve the party, the party may not merge before a decision is given on charge or the case is closed.

## **92. Effects Resulted by Merger of Political Parties**

1. Without prejudice to Article 91(4) of this Proclamation, the new political party resulted from merger:
  - a. shall be successor of the merged political parties;
  - b. rights and duties of the merged political parties shall be transferred to it;
  - c. shall submit report on the past financial activity of the merged political parties, when requested by the Board;
  - d. shall execute or cause the execution of decision or right or disputes of civil or administrative body pending at court previously concerned with each or either constituent political parties of the merger, excluding Article 91(6) .
2. The new political party resulted from the merger and registered in accordance with this Proclamation shall submit to the Board within 6 months of its registration, a financial report according to Article 112 and 114 of this Proclamation showing the asset, property and debt generated by the merger.
3. Members of the merged political parties as well as those serving in elected offices at any council levels who do not want to continue as members of the new merged party shall be deemed as independent candidate for the rest of electoral period.

## **93. Formation of Front**

1. Two or more political parties that have their own programs, by-laws and members may form a common front.
2. The application to form a front shall consist the following:
  - a. a decision expressing acceptance of the front formation by the assembly of each constituent parties of the front;
  - b. a document containing details of the agreement of the parties to form a front; and
  - c. the designation of the front, and where appropriate, the documents listed under Article 67 of this Proclamation.
3. Political parties wished to form a front pursuant to sub article (1) of this Article shall submit their request in writing to the Board; the registration shall be effected in accordance with the provisions of this Proclamation by the Board.
4. If the Board accepts, in accordance with this Proclamation, the application for the formation of front:
  - a. without canceling the certificate of registration of member parties of the front, the Board shall give another certificate of registration to the front within one month;
  - b. without prejudice to the assets and properties of each constituent political parties of the front, the front shall have its own asset and property.

## **94. Coalition of Political Parties**

1. Two or more political parties registered in accordance with this Proclamation may, for a limited period and specified objectives, form coalition to act at country- wide or regional level up.
2. Political parties wanting to work in a coalition shall submit to the Board a written application attached with a document expressing the agreement of each political party's respective top leaders. When the Board accepts the application in accordance with this Proclamation, it may give temporary certificate.
3. Political parties wanting to work in a coalition shall submit to the Board a document consisting the points of agreement concerning their common activity.
4. Notwithstanding the provision of this Article, each political party of the coalition shall continue to exist with its legal personality.

#### **95. Substitution of Political Party**

1. Any political party may be registered as a new political party by changing its name and program upon the decision of the party assembly.
2. The asset and property of the dissolved political party shall be transferred to the new political party established in accordance with sub article (1) of this Article.
3. The new substituted political party shall have to be registered in accordance with this Proclamation.

### **CHAPTER SEVEN**

#### **CANCELLATION AND DISSOLUTION OF POLITICAL PARTY**

#### **96. Canceling the Registration of Political Party**

A political party may be cancelled for one of the following reasons:

1. when the party, according to its by-laws, request to be canceled upon its own initiative;
2. when the Board decides on basis of law; or
3. the cancellation the registration of the political party is ordered by a court based on appropriate law.

#### **97. Canceling Registration up on the Request of the Political Party**

1. A political party may, according to its by- laws, request in writing for the Board to cancel its registration.
2. The statement of application for cancellation presented as according to sub – article (1) of this Article shall be signed by the party leader.
3. The political party shall attach the following particulars with its application to the Board as referred in sub article (1) of this Article and
  - a. the political party's audit, asset and property report; and

- b. the document in which the assembly of the political party decided to dissolve the party.
4. The Board shall make a public announcement of the application it received for the cancellation of a political party, through various means, to enable any person who has a claim or objection to such application, to present his objection.
5. A person who has an objection pursuant to sub article (4) of this Article, shall present the objection to the Board with in 15 days from the date of announcement; the Board shall not cancel the political party within this period.
6. In accordance with this Article, and within 30 days after conclusion of the time period outlined in sub article (5), the Board shall notify to the requestor party the cancellation of the party; the Board shall also notify the public the dissolution of the party.

#### **98. Canceling Registration of Political Party upon the Decision of the Board**

1. The Board may cancel the registration of a political party for one of the following reasons:
  - a. the political party has not notified the Board for appropriate reason and according to the provisions of this Proclamation when it changes its name, emblem, document, leadership, auditor, head office and other similar change and when it has not responded within two months the Board's request to correct such actions.
  - b. Where the political party failed to submit to the Board annual performance, audit, or other periodical reports required as per this Proclamation within the stipulated timeframe and having been granted a 30 days extension by the Board, failed to submit the same without sufficient reason;
  - c. Where a political party has delayed in holding a members' general meeting by three months from the time stipulated in its by-law or this Proclamation and fails to meet the subsequent deadline granted by the Board;
  - d. the political party fails for two successive election terms to participate at general or local elections;
  - e. the political party has been registered by fraud, knowingly or when it should know presents deceitful document or when requested pursuant to this Proclamation submits a false document to the Board.
  - f. Without prejudice to the provisions of other relevant laws, if the party has been engaged in violent rebellion or crimes involving corruption or fraud.
2. Where the Board is of the opinion that a political party has contravened the provisions of this Proclamation to the same degree as those listed under sub-article (1) above, it may issue the party a written warning requesting it to rectify the situation within one month. If the political party fails to conform in according with the warning, the Board may, where appropriate, cancel the registration of the party.

3. The Board shall, before taking a decision against a political party according to this Article, give such party the opportunity to present its defense. The Board may decide to suspend such political party before taking the decision to cancel its registration.
4. A political party that objects the decision of the Board according to this Article may appeal within 30 days to the Federal High Court.

#### **100. Effect of Cancellation or Dissolution of Political Party**

1. Where a decision has been made by the political party itself, the Board or a court ruling, to dissolve a political party, the property of the party shall be expended to cover its debt.
2. Where the political party has no liabilities or there remains an amount after covering the debt as referred in sub article – (1) of this Article, the property or the remaining amount shall be expended to civic and voter education upon the order of the Board.

### **SECTION EIGHT**

#### **SOURCE OF INCOME AND PROPERTY AFFAIRS OF POLITICAL PARTIES**

##### **CHAPTER - ONE**

#### **SUPPORT GRANTED FROM GOVERNMENT**

#### **100. Government Funding: Amount and Eligibility Criteria**

1. The government shall grant annual financial support for political parties to enable them conduct legal operations and meet their obligations, based on the vote they win at Federal and State Council elections, the support and donations they receive from members and supporters, the number of female and disabled candidates they nominate as candidates, and other relevant criteria.
2. The amount of financial support that a political party receives, in accordance with sub-article (1) above, shall be determined by a directive to be issued by the Board based on the following criteria:
  - a. the number of votes it wins at Federal and State Council elections;
  - b. the support and donations it receives from members and supporters;
  - c. the number of female candidates it nominates;
  - d. the number of female members of the party and number of female at leadership positions; and
  - e. the number of disabled candidates that it nominates.
3. Notwithstanding the provisions of sub-article 3(a) of this Article, a party shall not receive government funding if it receives less than 0.5% of the total number of votes for the House of Peoples Representatives or less than one percent (1%) of the total votes for the State Council that it contested for. However, this minimum percentage requirement shall not be applicable to parties representing minority nations or nationalities.

4. The amount of funding to be granted based on the criteria listed under sub-article (2) above shall be applicable to the general election to be conducted following the adoption of this Proclamation.
5. In addition to the financial support stated above, the government may provide support to political parties in kind or through services.

### **101. Source of Government Support**

The support granted by the government has its sources from:

1. government allocation;
2. foreign or domestic support or aid; and
3. any other body.

### **102. Principle**

1. The government support for political parties shall be rendered equitably and without discrimination in accordance with this Proclamation.
2. The political parties shall follow transparent and accountable principle in order to demonstrate that the support granted by the government has been utilized properly and for the intended purpose.

### **103. The Management and Distribution of Government**

1. The financial support to be provided by the government based on Article 100 (2) shall be managed and distributed by the Board. The Board shall keep information necessary for this purpose.
2. The payment of the government's annual financial support shall be made in two installments.
3. Political parties shall submit their request for financial support before Meskerem 30, so that the amount they will receive for the financial year can be calculated and allocated according to Article 100 (2). The Board shall determine the amount to be allocated to political parties by Nehase 30.
4. The Board shall determine the amount to be allocated to a party that has submitted a request as per sub-article (3) based on the timetable submitted by the party. The Board shall, before granting the party the financial support for the coming financial year, examine the financial statements for state funding for the previous year and ascertain that there are no anomalies. The Board shall extend by one month the timeframe the party has to submit the financial investigation report.
5. The support granted to political party in accordance with this Proclamation:
  - a. shall be terminated when the political party fails to meet the requirements for eligibility for government funding;
  - b. shall not be utilized by the political party from the date it failed to meet the eligibility requirements;

- c. shall be refunded from the date the political party failed to meet the requirements;
- d. notwithstanding the provisions of sub-article 4 (b) and (c), the Board may allow the party to withhold part of the fund it requires to meet contractual obligations entered prior to the time its eligibility for state funding ended.

#### **104. The Rule Applicable to the Support Granted to Political Parties**

1. Political parties shall submit a report certified by an auditor or a financial expert with details of government funding utilized listed under expenditures.
2. The Board shall issue a directive to political parties on the utilization of government funding.

#### **105. Books of Account of Political Party**

- 1) Any political party:
  - a. shall deposit the support granted by government with a local bank using a separate account;
  - b. may not expend outside the allowed expenditure and shall transact the account according to the law;
  - c. shall keep the granted support in specific books of account by listing under every expenditure heading;
  - d. shall submit audit report certified by auditor or financial expert, according to finance law, specifying the amount granted by the government in the budget year and the particulars for which the money has been expended.
2. The auditor or financial expert shall forward his comment in the audit report as to whether the account audited by him has been expended outside the scope of the law and directive.
3. The Federal Auditor General may at any time inspect political parties concerning the utilization of the government support funds.

#### **106. Responsibility and Penalty**

1. Where a political party utilizes the government grant outside the purpose of the support, or not submits report on the required time, or submits a false financial document, or is in default of the obligation in relation with the grant:
  - a. the support for the party may decline or be terminated;
  - b. the party may, according to this Proclamation and any appropriate law, be fined;
  - c. the sanctions stated under sub-article 1 (b) may be imposed on the leader or leaders of the political party.
2. The Board may request a political party to return that amount of expenditure not utilized properly through court case or through mediation.

#### **107. Submission of Audit Report to the House of Peoples' Representatives**

1. The Board shall, within a short time after the end of the budget year, submit report to the House of Peoples' Representatives concerning the support granted to political parties. The report shall include:
  - a. the total amount of support allocated from government and from any other sources to the parties in the budget year;
  - b. the amount of support allocated to each political party in the budget year;
  - c. the amount of expenditure in the budget year by each political party as permitted by law;
  - d. the balance of account resulted in the budget year.
2. The Board shall send the report outlined in above sub-article 1 to the Auditor General as well.
1. The Auditor General, within 30 days upon receiving the report, shall send the audit report to the House of Peoples' Representatives by attaching his financial statement.

## **CHAPTER - TWO**

### **SOURCE OF INCOME**

#### **108. Income Source of Political Party**

1. The income source of a political party may be:
  - a. membership dues collected from members;
  - b. donations or grants by Ethiopian nationals and companies controlled by Ethiopians in accordance with the limit to be set by the Board on basis of its study;
  - c. the grant and support to be given by the government as provided under Article 100 of this Proclamation.
2. Without prejudice to the provision of this Article, a political party may organize fundraising event to enhance its financial position.
3. Notwithstanding the provision of Article 66 (2) of this Proclamation, a political party which has attained legal personality may not directly or indirectly engage in commercial and industrial activities.
4. The Board shall issue detailed directive on matters provided for in this Article.

#### **109. Prohibited Donation or Grant**

1. Every political party is prohibited to accept donation or grant from the following persons or bodies:
  - a. foreign nationals or corporation;
  - b. foreign government or foreign political party;
  - c. welfare organization or non-governmental organization;
  - d. religious organization;

- e. prisoners of law;
  - f. an organized group or person assuming state power in a manner other than that provided under the Constitution;
  - g. designated as terrorist;
  - h. Notwithstanding the provision of Article 111 (2), donation or grant from unknown source;
  - i. Full or partial government developmental organizations;
  - j. donation or grant from anybody or person for the execution of any future object conferred inappropriate benefit or for receiving unlawful benefit.
2. Where a political party happened to get in any way the donation or grant prohibited under sub article (1) of this Article, the party shall return the donation or grant to the Board together with related documents within 21 days from the date it received the donation or grant.

#### **110. Unlawfully Acquired Asset and Property**

Where a political party is found to have received, in a manner otherwise than permitted by this Proclamation, money or any property in the form of donation, gratuity, inheritance or proceeds from commercial and industrial activity, or in any other way, it shall be fined three times more than the money it received. Additionally, it may be held liable under the appropriate law.

### **CHAPTER THREE RECORD, BOOK KEEPING AND AUDITING**

#### **111. Record and Audit of Political Party**

Every political party shall have to keep appropriately at its head office an accurate and permanent record which includes the following matters:

1. any in kind or monetary contribution or donation, and pledged contribution or donation;
2. financial statement consisting the following:
  - a. income statement indicating the different sources of income of the political party;
  - b. the name of the person who made a contribution, donation or pledge of more than ETB 5000;
  - c. the time by which the pledge contribution or donation is to be submitted; and
  - d. the general financial activity of the political party.
3. list of the fixed assets of the political party, and when and how the political party came to own these assets;
4. The party's detailed debt; and
5. other relevant matters required by the Board.

### **112. Books of Account**

1. Every political party shall have accounting procedure relating to its income and expenditure.
2. The procedure of account of income and expenditure of every political party shall be in accordance with the generally accepted practice of accounting.
3. Every member of a political party shall have a right to seek at any time, without hindering the activity, information concerning the income and expenditure accounts of the political party of which he is a member.
4. Every political party shall have the responsibility to prove to the Board that its expenditures are spent for its political objective.

### **113. Annual Audit Report**

1. Every political party shall undertake financial investigation annually by its auditor. Starting from 6 months of its registration, the political party shall submit its audit report to the Board on the third month after the end of each budget year.
2. Every political party submitting the annual audit report to the Board shall include:
  - a. a list of the source and amount of income;
  - b. a list of expenditure under the expenditures title;
  - c. a list of liabilities on movable and immovable properties;
  - d. a document signed the political party leader signed and containing the party seal to authenticate the content of the document; and
  - e. the political party should submit the list of incomes, expenditures, assets and liabilities together with the supporting documents
3. The party shall submit to the Board the abovementioned income, expenditure, asset and debt details with corresponding analysis.
4. Notwithstanding the provisions of this Proclamation, every political party shall prepare and officially issue annual audit report. Such annual audit report shall have to be inspected and accepted according to this Proclamation.
5. Where a political party fails to submit the report as referred in sub article 1 of this Article, or if it submits, the Board finds uncertainty; the Board may cause the inspection of the account by sending an external auditor.

## **Chapter Five**

### **Election Observers, Representatives of Candidates, Agents of the Media and Voter Education**

### **114. Election Observers**

1. Interested local election observers may do so by submitting their request to and securing the Board, which on accepting the request shall give them a certificate of observers.

2. International observers may observe elections on the invitation of the government, according to international treaties the country has signed.
3. An international observers group observing elections according to sub-Article (2) herein above, shall take an observers' certificate from the Board.
4. Observers to whom certificates are issued must demonstrate their acceptance of the Board's election observers' code of conduct through signature of the organizations and their respective representatives.
5. The Board shall assign observers groups in in consultation with certified observers.

#### **115. Accreditation of Local and International Observers**

1. The Board, when presented with a request to observe elections observation shall ensure that the requesting organization:
  - a. is a local organization with a legal personality;
  - b. is non-partisan, a not-for-profit, and not a part of any government body;
  - c. is leaders and board members are not members of any political party.
  - d. can deploy individuals capable of independently observing elections; up on verifying this and the organization's capacity as well as ensuring by the signatures of the organizations and their representatives their acceptance of the election observers code of conduct it prepared the Board shall issue them observers' certificate.
  - e. The Board shall issue a directive to implement sub-articles "a" to "d" above.
2. Where the Board denies a request to observe elections in accordance with sub article (1) above, it shall notify this to the applicant in writing within 30 days of receiving the request. An applicant dissatisfied by the Board's decision may appeal within 14 days to the Federal High Court. decision of the Board
3. Where an election observer is engaged in activities in violation of the code of conduct and the commitments it made, the Board may, according to the circumstance of the case, issue warning to the organization and its representative, pointing out the error and telling them to make amends; or may suspend the individual or the organization from elections observation.

#### **116. Right of an Election Observers**

1. A representative of an organization who is issued with an election observation accreditation has the right to monitor the election process and request and obtain appropriate information. The observers have the right to look at elections material and observer the voting and counting process.
2. Election observers may report to the secretariat of the Board any irregularities they observed or encountered related to the election process.

#### **117. Duty of Election Observers**

Any election observer which has received a certificate form the Board shall:

1. Carry his Observer's Certificate and display it on request;
2. Abide by the instructions of electoral executives;
3. Refrain from any act which may obstruct the proper and efficient conduct of the election process;
4. Respect the code of conduct for observers issued by the Board; and
5. Be obligated to prepare and submit a detailed report to the Board.

Without prejudice to sub-article (1), an international observer may, in accordance with the directive to be issued by the Board, observe the election process impartially and abiding by the laws of the country, international agreements and the Board's directive.

### **118. Representatives of Political Party and Independent Candidates**

1. Any political party which has fielded candidates in an election may:
  - a. assign to the election office of his constituency two onsite representatives who shall work in turns;
  - b. assign to each of the polling station in his constituency onsite representatives who shall work in turns in the polling stations;
2. Any independent candidate may assign:
  - a. two onsite representatives who shall work in turns in the election office of his constituency;
  - b. two onsite representatives who shall work in turns in each of the polling station in his constituency.
3. Each political party or independent candidate may assign not more than seven mobile observers to a constituency.

### **119. Presenting the Representatives**

1. Any political party that has fielded candidates or any independent candidate shall submit to the electoral office of his constituency the written list of the names of the onsite and mobile representatives including the substitutes seven days before the voting day. The chief electoral constituency executive shall within two days after receipt of the list give a letter containing the list of the observers to the political party.
2. The constituency electoral office shall duly publicize the list of fixed and mobile agents assigned to each polling station.

### **120. Rights of Representatives**

1. Any onsite representatives of a candidate has the right to monitor the election process, to submit complaints at every level and to obtain information.
2. He has the right to record his observations and request explanations from the election executives;

3. Any representative of a political party candidate or of an independent candidate has the right to get appropriate information regarding the electoral process of his assigned station;
4. Any representative of a political party candidate or of an independent candidate shall carry out his legal responsibility of a representation free of any influence.
5. A Candidate's representative shall abide by the instructions given by the chief executive of the polling station and refrain from any act which may obstruct the election process. The Board shall issue a directive detailing the implementation.

### **121. Obligations of Representatives**

Any onsite or mobile representative shall:

1. Abide by the orders given by the Chief Electoral Officer;
2. Present his credentials when asked by an authorized body;
3. Respect the Electoral Law;
4. Not attempt to advise voters on whom to elect or to otherwise influence them;
5. Not touch, pick or tamper with election materials or do anything that may damage them;
6. refrain from acts that intimidate the polling station chief or other workers or disrupt their work;
7. Not enter the ballot casting compartment;
8. sign and abide by the code of ethics for representatives issued by the Board.

### **122. Absence of a Representative**

1. No candidate or his representative may request for the annulment of the electoral activities conducted during his absence on his own account from his assigned place.
2. Notwithstanding sub-article (1) above, where it is established that the representative's absence was a result of an obstacle deliberately designed to hinder his presence, the activities carried in his absence may, on his request, reviewed and decided on, as appropriate, by Grievance Committee of the Constituency or Polling Station.

### **123. Issuance of Certificates**

The Board shall issue or cause to be issued certificates to election observers, onsite and mobile representatives, journalists and election observers.

### **124. Civic and Voter Education**

1. The Board shall devise a strategy to help voters acquire adequate election related awareness through civic and voter education with the help of the mass media;
2. The Board shall license registered civic society and schools to conduct civic and voter education. The details will be determined by a directive to be issued by the Board.

3. Education and training provided by the Board or institutions licensed by the Board, in accordance with this Proclamation, shall be conducted on the basis of the educational materials to be developed by the Board.

### **125. Issuance of License**

When an institution submits a request to the Board for a license to educate voters, the Board shall: examine whether

1. The requesting body:
  - a. is a legally registered and operating domestic civil society organization or an accredited higher education institution;
  - b. fulfills the Board's criteria relevant to voter education;
  - c. Has the capacity to discharge its responsibilities efficiently; and
  - d. is independent of any political activity.

And the Board shall ensure that the requesting organization and its representatives have accepted and signed the code of conduct for voter and civic education and then issue a license to educate as well as a certificate.

2. The Board may not issue license to any organ that does not fulfill the criteria in sub-article (1) above and shall notify the applicant in writing its decision to deny license along with the reasons. Any organization, higher education institution that applied to conduct voter and civic education and denied by the Board can appeal the decision to the Federal Higher Court.
3. Where any licensed institution violates the code of conduct and the commitments it made, the Board may, according to the circumstance of the case, issue warning to the organization and its representative pointing out the error and telling them to make amends; or may take such other measures as the cancellation of the license.

### **126. Responsibilities of Journalists**

1. A journalist covering elections must have an ID card indicating his profession and a support letter from the media institution for which he works. Any journalist who wishes to report from within 200 meter of a polling station must obtain authorization of the Board before election day.
2. Any journalist, engaged in the activities as per sub-article (1) above shall refrain from any act interfering with the decision of voters and elections executives duties;
3. Any journalist, shall respect the code of conduct for election coverage that will be issued by the Board.

**Part Six**  
**General Principles of Election**  
**Chapter Ten**  
**Code of Conduct**

**127. Principle**

1. The legitimacy of a government elected in a multiparty democratic shall rest on the following principles;
  - a. When voters are offered through the election campaigns adequate information about the policies of the political parties and the character of the candidates, and when they could make their own informed decisions emanating from individual interest;
  - b. The ability of voters to vote freely, without any interference, fear, pressure, undue influence as well as free of bribery and other incentives.
2. All parties, shall in good faith work to ensure that,
  - a. The principles of the electoral code of conduct are respected;
  - b. Elections are recognized as expressions of the free and legitimate decision of the people;
  - c. The decision of the electorate is respected by all.
3. In any matter relating to the election process, parties and independent candidates shall conduct their activities in conformity with the provisions of this Proclamation.

**128. Abiding by the Ethical Provisions of the Proclamation**

1. Any political party or independent candidate:
  - a. Shall conduct its activities in accordance with the provisions of this Proclamation.
  - b. Shall take appropriate measures to ensure that its leaders, officials, candidates and members do not infringe this Proclamation.
  - c. Shall take appropriate measures to prevent party officials, candidates and members from committing any acts in contravention of this Proclamation; and to restrain supporters from getting involved in activities that are prohibited by this Proclamation.
  - d. Shall fairly implement the provisions of this proclamation when communicating their objectives and programs to the public.
2. To ensure that its members or supporters abide by the provisions of this proclamation, a party shall educate in accordance with the plan to be developed by the Board as well as take other appropriate measures.
3. The Board shall issue a directive detailing how political parties should teach ethical conduct and communicate their positions as well as how they should use social media.

**129. Rules of Election Campaigning**

1. Any Political party shall;

- a. Respect the rights and freedoms of all other parties to stage election campaigns, and to disseminate their political views and principles without fear;
  - b. Conduct itself in a manner that respects the rights of other parties, of the electorate and other members of the community;
  - c. Respect the freedom of the mass media;
  - d. Respect the activities of competing parties in their interaction with the electorate; ’
  - e. Contribute its share to help all citizens who wish to participate in political activities to do so freely;
2. No political party may;
- a. Harass or obstruct private or government journalists who are engaged in their professional activities; engage in activities that in any way disrupt, destroy or frustrate the election campaign of other parties or cooperate in such acts;
  - b. Hinder the smooth distribution of election handbills, leaflets, or posters, of other parties and candidates;
  - c. Deface or destroy or otherwise prevent the visibility or legibility of the posters of other political parties or candidates;
  - d. Have its leadership, members or supporters, stop or disturb or agitate against or otherwise hamper, other political party’s from staging a public demonstration, meeting, rally, march;
  - e. Prevent any person from attending the political rallies of another party; or
  - f. Incite and agitate its supporters to commit any of the acts prohibited under this section.

### **130. The Election Process**

Any political party shall,

1. In cooperation with election officials ensure the conduct of free and fair, p
  - a. Peaceful and orderly polling without any
  - b. interference in the right of voters;
2. Play its part to ensure the safety and security of electoral officials before and on election day as well as the day after.
3. Respect and cooperate with accredited election observers and officials.
4. Uphold and support the maintenance of the secrecy of the ballot.
5. Not make a move to occupy a polling station by force or to otherwise illegally secure votes;
6. Not disturb or unduly interfere with the work of election executives or the voting or vote counting processes;
7. Not give voters false information which implies lack of secrecy in the voting process.

### **131. Accepting the Election Outcome**

1. Any political party or independent candidate shall accept the outcome of an election that has been certified by the appropriate authorities.
2. Notwithstanding sub-article 1, any political party or independent candidate may present any grievances the appropriate body, as indicate by law.
3. Any political party or independent candidate may give an official statement to the media sharing their comments and/or complaints on the election process and result after 48 hours following the conclusion of the voting.
4. The statement shared according to sub-article 3 above shall focus on the points on which one has reservations and limit itself to the existing conditions at the time the statement is given; in particular, it shall not discredit the election as a whole.
5. Any statement on election results given by a political party or independent candidate shall be free from expressions that incite conflict or disparage a competing party or individual.

### **132. The Language to Be Used in Election Campaigns**

1. Any political party shall;
  - a. Organize and conduct its election campaign in manner that contributes to the peacefulness and success of overall campaign, voting, vote counting and post-electoral processes;
  - b. Conduct itself in a manner becoming of its the responsibility given it, its reputation as well as status;
2. Any one delivering a speech at a rally may not use language that,
  - a. Triggers conflict or is directed at attacking an individual person;
  - b. in anyway incites revolt /violence or is threatening to individuals or groups.
3. No political party may issue, or distribute any pamphlets, newsletters or posters containing language or material that officially or covertly incites or encourages violence.

### **133. Inappropriate Use of Symbols**

Any political party may not:-

1. Imitate the emblems or candidature symbols of other parties;
2. Steal, remove, disfigure or destroy political or campaign materials of other parties; or
3. Instigate its supporters to commit any of the acts prohibited under this section;

### **134. Prohibition of Intimidation and Violence**

1. Any political party shall accept the prohibition of any form of intimidation or hassling, and shall;
  - a. Issue instructions that expressly prohibit any act of intimidation, harassment, or hassling by party officials, candidates, members and supporters against any person at any time;
  - b. Denounce all violence and acts that incites violence and educate its members;

- c. Condone destructive or violent acts committed or threats that invite violence voiced by their officials, candidates, members or supporters;
  - d. Respect the rights and propriety interests of other individuals as well as parties.
- 2. The leader of any political party shall instruct the party's officials, candidates, members and supporters not to bring along any traditional or modern to any political rally, meeting, march or demonstration.
- 3. Any political party:
  - a. may not engage in or permit any act of violence aimed to prove its strength or superiority;
  - b. Shall do everything under its power to prevent the destruction of any public or private property;
  - c. May not encourage its supporters to commit any of the acts prohibited under this section;

### **135. Abuse of Power**

- 1. Any political party may not:-
  - a. Use its position of power, opportunity or its ability to influence others, or such illegal acts as offering bribes or hinting at threats to further its political interest;
  - b. Use Federal, Regional, Municipal or other public resources for campaign purposes in any manner other than those allowed by election laws.
- 2. In this section," a position of power, opportunity or ability to influence" includes of parental, familial, governmental power, police, local armed militia, traditional or customary authority.

### **136. Corrupt practices**

Any political party shall not:-

- 1. With coercion or by offering financial or other inducement direct the electorate to vote for or against a particular party or candidate, or to abstain from voting;
- 2. Coerce or offer monetary or other kind of inducement to persons to stand or not to stand as candidates, or to withdraw or not to withdraw their candidacies; or
- 3. Introduce a candidate or hinder the introduction of other candidates using the inappropriate support one may have as a civil servant from the office he leads or works.

### **137. Continued Communications**

- 1. Any political party may work to forge an enduring relationship with other parties.
- 2. Political parties may, without infringing the provisions of this proclamation, form a joint forum they may use to discuss issues of mutual interest during elections campaigns or any other time.

## **Chapter Two**

### **Responsibilities of Stakeholders**

#### **138. Duties of Political Parties and Candidates**

1. Every political party and candidate shall except its effort to popularize this proclamation among the electorate; in particular, it shall educate the contents of this proclamation to its candidates, members and supporters and ensure that it is known and respected by all.
2. Every political party shall promote and support efforts made in the course of the election to educate the provisions of this proclamation to voters.
3. Any political party and candidate shall
  - a. Abide by this Proclamation;
  - b. Provide leadership to its candidates, officials, representatives, members and supporters, to work in compliance with this Proclamation, and take appropriate measures that assist in their compliance.
4. Every political party and candidate shall have the duty to publicly declare that everyone has the right:
  - a. To freely express his political views and opinions;
  - b. To challenge and debate the political views and opinions of others;
  - c. To publish and distribute his own election and campaign materials;
  - d. To lawfully display banners, billboards and posters.
  - e. To canvass financial, material and other support for a party or candidate, in accordance with the law.
  - f. To recruit members for a party;
  - g. To hold public meetings
  - h. To attend public meetings.
5. Political parties and candidates shall publicly declare their commitment to abide by the proclamation and the codes of conduct therein.
6. Political parties and candidates shall publicly condemn any action that may harm or undermine the conduct of free and fair elections.

1.

#### **139. Responsibilities of the board and other Election Officials**

1. The board shall take necessary measures to introduce and popularize this proclamation among governmental and other institutions that have direct or indirect roles to play in the election process.
2. The Board has the responsibility to disseminate the Proclamation to all concerned bodies.
3. Election officials at all levels shall offer training on the contents of this proclamation to ensure that everyone concerned has adequate knowledge of the law.

#### **140. Role of Other Stakeholders**

1. The Board shall support the media in their effort to educate and popularize this proclamation among the public.
2. Institutions licensed to give civic and voter education in accordance with the directive to be issued by the Board shall be made to teach the contents of this proclamation as well.

**141. The establishment of Joint Council**

1. Political parties running for elections may establish a joint council which will help them enforce this proclamation and other common issues, amicably resolve issues of implementation, democracy, human rights that may arise during the election process, as well as to dwell on issues that help strengthen the reign of the rule of law in Ethiopia.
2. Political parties shall determine the details of the organization/establishment and procedures of the joint council. However, the political parties should ensure that the organization and procedures of the joint council do not contradict the provisions of this proclamation.

**Chapter 3**

**Acts of Ethical Misconduct and Penalties**

**Sub- Section one**

**Acts of Ethical Misconduct**

**142. Bribery and Abuse of Force or Power**

Any political party, independent candidate, coalition, front, alliance or movement, as well as any political party leader, official, candidate, member, agent or representative who,

1. offers or receives monetary or any kind of inducement or bribe.
2. interferes or disturbs the voting process or counting of votes.
3. coerces or offers monetary or any kind of inducement to persons to vote for or against a particular party or candidate, or to abstain from voting.
4. controls polling stations by force or tries to get votes illegally.
5. Abuses power by offering a reward, threatening a penalty or by any other means.
6. coerces or offers monetary or any other kind of inducement to person to become a candidate or not to become a candidate, to withdraw or not to withdraw from an election
7. As a public servant, uses official time, responsibilities and resources to promote candidates or discourage other candidates from promoting themselves through legal means;
8. Uses public property for election campaigns shall be deemed to have committed an act of ethical violation.

**143. Obstruction of Electoral activities by Intimidation or Violence**

Any political party, independent candidate, Ccoalitionn, Front, Aalliance, Movement; and party leader, official, candidate, member, agent or representative of a party who

1. Interferes in the election process through pressure and undue influence;
2. Intimidates or threatens other political parties not disseminate their views freely;
3. In any way prevents or hampers the activities of political parties or voters;
4. Create obstacles or chaos to prevent campaigns, meetings discussion or any training or education;
5. Disturbs or prevents the process of voting;
6. Prevents or disturbs stopes, weakens the campaign of other political parties or candidates.
7. Obstructs the conduct of rallies, meetings, marches or demonstrations or prevents others from participating in such activities;
8. Insults, belittles or hampers the rights of voters;
9. Fails to cooperate, despite being in a position to do so, in efforts during the election process to ensure the security of election officials and candidates;
10. In any manner prevents the voters from registering or voting;
11. Violates the secrecy of the voting process or fails to ensure its observance;
12. Abuses its right by lodging false and exaggerated complaints under the pretext of violation of this proclamation shall be deemed to have committed ethical violation and may face suspension from election or a fine of up to ETB 100,000 (one hundred thousand ETB).

#### **144. Disseminating Destabilize Messages During Elections**

Any political party or independent candidate, Ccoalition, Ffront, Aalliance, Movement; and any party leader, official, candidate, member, agent or representative of a party who,

1. Delivers a speech that destabilize the peaceful conduct of the election campaign, incites violence, incites clashes or triggers threats;
2. Distributes pamphlets, newsletters or posters containing language or material that officially or overtly threatens or incites violence;
3. Disseminates false information regarding the secrecy of voting shall be deemed to have committed an act of ethical violation.

#### **145. Disrupting the Election Campaign of Other Parties or Candidates**

Any political party, independent candidate, Ccoalition, Ffront, Aalliance, Movement; or any party leader, official, candidate, member, agent or representative of a party who

1. Prevents a political party from recruiting a member or opening offices, prevent open offices from operating freely by creating open or hidden chaos, or in any manner disrupts the election activity of a party or candidate;
2. Defaces or unlawfully removes, tears down or destroys or hinders the visibility or legibility of adverts, flyers or posters;
3. Imitates the logo or symbols of another party;
4. Steals, disfigures or destroys political or campaign materials of another party;

Shall be deemed to have committed ethical violation, which may result in the barring of the guilty party from contesting in the election or fine of up to ETB 100,000 (one hundred thousand ETB)

**146. Failure to Cooperate with Journalists and Election Observers**

Any political party, independent candidate, Coalition, Front, Alliance, Movement; or any party leader, official, candidate, member, agent or representative of a party who:

1. Encroaches the freedom of the press;
2. Harasses or obstructs journalists during an election;
3. Disrespects or fails to cooperate with accredited election observers Shall be deemed to have committed ethical violation

**147. Failure to Popularize the Code of Conduct and to Condemn Ilegal Acts**

Any political party, independent candidate, Coalition, Front, Alliance, Movement; or any party leader, official, candidate, member, agent or representative of a party who

1. Fails to publicly condemn any act of violence or acts which incite violence or acts perpetrated by members, candidates or leaders, which destabilize peace and security of the public;
2. Fails to issue directive that clearly restrains leaders, candidates, supporters, and members from intimidating others at any time shall be deemed to have committed acts of ethical violation.

**SUB-SECTION TWO**

**MEASURES TO BE TAKEN BY DIFFERENT ORGANS**

**148. Measures to be Taken by the Board**

Without prejudice to measures stated in other laws, the Board may take the following measures if it is proves the commission of ethical violations under this section:

1. Give official warning to the political party or person who committed the act.
2. Partially of fully suspend the candidate or party from using the media for a short period of time;
3. Prohibit the party from using the benefit of financial support provided by the government;
4. Cancel a party or independent candidate from candidacy, subject to the gravity of the act;
5. Suspend the political party from running for elections.

**149. Appealing the Decision of the Board**

A party aggrieved by the Board's decision following the ethical violations outlined above may appeal to the Federal High Court.

#### **150. Penalties to Be Imposed by the Court**

1. The court may impose the following measures in addition to the penalties or prohibitions the listed out under Article 148 of this proclamation:
2. Without prejudice other penalties provided by law, exercising or participating in any political activity during election day other than voting or doing other legitimate activity assigned to one, or printing or duplicating election results improperly or at a prohibited time or, committing the acts stated under Articles 142, 143 of this proclamation and/or those listed below shall be punishable with fine or up to 3 years of simple imprisonment:
  - a. Attempting interfere with the impartiality of the Board or the election executives; in particular, giving or attempting to give a bribe or a promise to bribe;
  - b. Disturbing elections or preventing its conduct or, in an attempt to influence the election process or result, publishing and distributing false information aimed at stirring fear or hatred or attempting to do so;
  - c. Violating the secrecy of the ballot box;
  - d. Contravening the prohibitions related to voting and election materials, or
  - e. Interfering with the activities of the Board and the election executives.
3. Any person who violates prohibitions related to the activities of political parties, announcement of election results, or the rights of voters or political parties, shall be punishable by fine or imprisonment of not more than one year.
4. Any person who
  - a. intentionally disrupts or stands a hinderance to the Board, election official executive, employee of the Board while exercising its responsibilities and duties;
  - b. intentionally interrupted the Board's meeting or committed inappropriate acts in the same places;
  - c. Intentionally commits any act of force in the office of the Board to unduly influence the decision or order of the Board on any pending matter before it; shall be punishable with fine or imprisonment not exceeding one year.

### **SECTION SEVEN**

#### **Grievances and Disputes Arising in the Electoral Process**

##### **151. Principles**

1. The Board shall establish, at every level, Political Parties' Joint Forum that enables to resolve disputes related to the election process through dialogue and understanding.
2. Political Parties Joint Forum shall be used to resolve any inter-party disputes.
3. Any political parties dispute resolution efforts is based on the consent of the affected parties. Members of the Joint Forum and their respective members have the right to lodge a

complaint to the Grievance Hearing Committee established under this Proclamation. The details on the Grievance Hearing Committee, including composition, responsibility and procedure will be determined by a directive issued by the Board.

4. According to this Article, to ensure the electoral process is free fair and peaceful, any decision-making body to whom complaints and grievances are presented, shall consider the elections timetable to provide speedy decision.
5. Any grievance or decision on the grievance shall be done in writing. The Grievance hearing committee shall provide evidence on receiving the grievance and the date and time the grievance was submitted to them.
6. The Board shall put in place a system in electoral offices at every level to give a timely decision on the complaints submitted.
7. The Board may, in making decisions on election related matters, establish an inquiry council comprised of professionals with the relevant expertise, to inquire into the fact in issue, evidence and law, and give recommendations
8. The Board or electoral officers at every level may subpoena or order to present written or other evidences a government body or any person who is able to provide evidence to decide on the complaints.
9. Where the Board is aware or received a complaint supported by an evidence that any criminal act that obstructs the election process has been committed or is being committed, it may refer the case to a concerned authority for a legal action and follow the matter.
10. Any person who has not submitted his complaint or appeal within the period specified in Articles 152 to 155, shall be barred from submitting his complaint or appeal.
11. Every regional first instance court and supreme court as well as the Federal first instance court and Federal Supreme Court shall establish as necessary an election bench one month prior to the start of voters registration.
12. The relevant federal and regional judges administration council should make available sufficient judges for the elections bench established under sub-article 11.
13. In accordance to this Proclamation, the Board in cooperation with the federal and regional supreme court should provide sufficient training to the judges assigned to the election bench.

#### **Article 152. Disputes Arising During Voter Registration**

1. Anyone prohibited from registering as a voter is entitled to present his grievance to the Grievance Committee in the polling station.
2. Anyone who protesting against the registration as a voter of a person, who is not entitled to or should not be registered has the right to submit his protest to the Grievance Committee in the polling station and get a decision.
3. Grievances under sub-articles 1 and 2 above should be presented from the beginning of the voter registration day until the end of the days when the electoral register remains open to the public.

4. The Grievance Committee of the polling station shall examine the complaint presented before it and hand over its decision in writing within five days.
5. In the event the Grievance Committee of the polling station fails to give its decision on the complaint presented to it in accordance with sub-articles 1 and 2 above, the complainant is entitled to submit the same to the Grievance Committee in the Constituency within five days and get a decision;
6. A complaint protesting the decision of the grievance committee of the polling station should be submitted to the Constituency Grievance Committee within five days after the decision is given.
7. The Constituency Grievance Committee shall examine the complaint presented to it and give its written decision within five days;
8. If the Constituency Grievance Committee did not give its decision within five days or if the complainant was not satisfied by the decision, he is entitled to present his case within five days to appropriate First Instance Court. And the court to which the complaint is submitted shall have necessary evidences brought to it, review and pass a decision.
9. The polling station electoral office shall conduct its work in accordance with Constituency Grievance Committee.

### **153. Complaints Relating to Candidates Registration**

1. Any person or political organization denied of registration for candidature shall have the right to lodge a complaint to 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 complaint to the Constituency Grievance Gearing Committee and seek a decision.
3. Complaints with regards to sub-article 1 and 2 can be lodged from the start of candidate registration until public announcement of registered candidates.
4. The Constituency Grievance Hearing Committee shall investigate and decide in writing on the complaint submitted to it within 5 days.
5. A political organization or private candidate denied of registration for candidature or objects to the registration of a candidate may reject the decision of the Constituency Grievance Hearing Committee and appeal to the Regional Electoral Office Grievance Hearing Committee with 7 days.
6. The Constituency Grievance Hearing Committee shall be convened by the secretariat executive and shall have two additional members that will be appointed based on the directives that the Board will issues.
7. Where the Constituency Grievance Hearing Committee shall give decision in writing within 7 days hours to the complaint submitted to it.
8. Where the Constituency Grievance Hearing Committee does not give decision in 7 days or the complainant is dissatisfied by the decision, the person can appeal to the Regional

Supreme Court. The court after requesting and examining evidences related to the complaint, shall render decision within 15 days.

9. The constituency will implement its activities based on the decision given by the Regional Electoral Office Grievance Hearing Committee.

#### **154. Complaints Related to Voting**

1. Where a voter is denied of voting, he shall have the right to lodge a complaint to the Polling Station Grievance Hearing Committee and get a decision.
2. The Polling Station Grievance Hearing Committee may
  - a. Investigate the matter and allow the voter to cast his vote; or
  - b. allow temporary voting and refer the case for the decision to the Constituency Electoral Office.
3. A vote casted in accordance with sub article 2 (b) above shall be made invalid unless the complainant presents before the adding up of votes an evidence from the Constituency Electoral Office. Constituency Grievance Hearing Committee or from the first instance court as appropriate stating that he has the right to vote.
4. A complaint about objection to a decision given in accordance with sub article 2 (b) above shall be lodged before the conclusion of the voting time. The polling station shall implement the decision.
5. Any person dissatisfied by the decision of the Constituency Grievance Hearing Committee and in accordance with sub article 2 (b) that was allowed temporary voting may immediately appeal to the first instance court that has jurisdiction. The court shall can order the delay of the vote count until the court renders a decision
6. Any person objecting to the voting right of a voter shall have the right to lodge his complaint and get decision in accordance with the procedures provided above.

#### **155. Complaints Relating to Vote Counting and Results**

1. Any political organization or independent candidate or representative who has complaints on the vote counting and results may immediately submit his complaint to the Polling Station Grievance Hearing Committee and get a decision. If there is objection to the decision, the complainant can appeal the decision to the Constituency Grievance Hearing Committee within 2 days.
2. The Constituency Grievance Hearing Committee shall investigate and give decision on the complaint submitted in accordance with sub article (1) above within 2 days.
3. Any complainant dissatisfied by the decision given in accordance with sub article (2) above may appeal to the Board in 5 days. The Board shall investigate the complaint and give decision within 10 days.
4. A complainant dissatisfied by the decision of the Board in accordance with sub article (3) may file complaint to the Federal Supreme Court within 10 days. The

Court will rule once it requests and investigates the evidence required to decide on the complaint filed.

5. The Federal Supreme Court shall give decision to the complaint submitted to it in accordance with sub article (4) above no later than one month.
6. According to sub article above, any grievance that arise during the counting process, results announcement or appeal process, the constituency grievance committee, the Board or the Federal Supreme can order the constituency that the complaint is filed against to publish the result.

## **Part Eight Prohibited Acts**

### **156. General**

Without prejudice to the provisions related to popular elections and vote casting in the FDRE Penal Code, committing acts prohibited in this Chapter is punishable by law.

### **157. Illegal Printing and Possession of Election Documents**

Whosoever has, without the consent of the Board, printed, duplicated, forged any election document and material or found to have possessed or distributed such document and material shall be punishable with imprisonment or a fine.

### **158. Removing of Election Advertisement**

Whosoever has, from the commencement of the election process up to the official announcement of results, damaged, removed or tore apart a poster or election advertisement of any candidate shall be punishable with imprisonment not exceeding one year or a fine.

### **159. Prohibition of Promoting Agenda through Illegal Means**

1. It is punishable by law to promote the agenda of a political party through force, intimidation; organizing and training people or groups, and involuntarily recruiting people.
2. Any person or group who assisted or cooperated to carry out the issues outlined in sub-article 1 of this Article shall be punished according to the appropriate law.

## **PART NINE MISCELLANEOUS PROVISIONS**

### **160. Transition**

1. Article 100(a) of this Proclamation will be effective during the budget year after the federal and regional legislature elections take place, following the adoption of this proclamation

2. Any political party previously registered must fulfill the requirements outlined in this Proclamation according to the timetable established by the Board.
3. Political parties that does not complete the requirement according to sub-article 2 within the timeline established by the Board faces registration cancellation.

#### **161. Duty to Cooperate**

Any individual shall have the duty to cooperate in implementing this Proclamation.

#### **162. Repealed Laws**

1. The following have been repealed by this Proclamation
  - a) Proclamation No 532/2007 The Amended Electoral Law of Ethiopia
  - b) Proclamation No 573/2008 The Revised Political Parties Registration
  - c) Proclamation No 662/2009 The Electoral Code of Conduct for Political Parties
2. Any law which is inconsistent with these proclamations shall not be applied on matters covered by these proclamations.

#### **163. Power to issue regulations and directives**

The Board may issue directives to implement this Proclamation.

#### **164. Effective Date**

This Proclamation shall come in to force up on the date the House of Peoples' Representatives adopts it.