

**The Amended Directive on the Code of
Conduct of Election Officials to be
Recruited at various Levels
Directive Number 4/2009**

**Chapter One
General Provisions**

Article 1. Issuing Authority

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

Article 2. Short Title

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

Article 3. Definitions

Unless the context otherwise requires, in this Directive:

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

- 2/ “Electoral Law” shall mean the Electoral Law of Ethiopia Amendment Proclamation 532/2007;
- 3/ “Constituency” shall mean an electoral district established by dividing the Nation’s territories in accordance with the law and in a manner conducive for the execution of elections and for the people to elect their representatives;
- 4/ “Polling Station” shall mean a location where voter registration, voting, and counting is carried out for elections conducted at every level;
- 5/ “General Elections” shall mean elections to the House of Peoples’ Representatives and Regional State Councils;
- 6/ “Local Elections” shall mean elections to Zonal, Woreda, City, Municipality, Sub - City or Kebele Councils conducted in accordance with relevant laws;
- 7/ “Election Official” shall mean a person who executes elections on a permanent, contractual or temporary basis in the secretariat of the Board and in the offices established for elections to be conducted at various levels;
- 8/ “Political Organization or Political Party” shall mean a grouping legally

registered to promote its political program in a lawful manner;

- 9/ "Person" shall mean a natural or juridical person.

Article 4. Scope of Application

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

Article 5. Objective

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

Article 6. Gender Reference

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

Chapter Two **Organization of Electoral Offices** **and Recruitment of** **Election Officials**

Article 7. Organization of Electoral Offices

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

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

Article 8. Recruitment of Election Officials

- 1/ Election officials who will serve in election offices at all levels shall be recruited in the following manner:
 - A/ the secretariat of the Board shall recruit/hire the election officials of the regional branch office;

- B/ the regional branch office shall recruit election officials of the coordinating offices to be established as needed and those of the constituency;
- C/ the constituency electoral office shall recruit the election officials of the polling station.

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

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

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

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

Article 9. General

- 1/ An election official at any level is expected to observe the general principles of the code of conduct listed under this chapter.
- 2/ Every election official shall:
 - A/ be given the necessary training to enable him to understand the provisions of the code of conduct and put them in practice;
 - B/ affirm by taking an oath that he has accepted the provisions of the code of conduct and that he is ready to strictly respect them himself and assure that others respect them too.

Article 10. Impartial Conduct

An election official at any level shall:

- 1/ have the responsibility to serve political parties and private candidates that take part in an election in an impartial and lawful manner only, and to impartially conduct the election;
- 2/ conduct his electoral activities free from bias of desiring a particular side to win or lose;
- 3/ not put on, carry or display any symbol or color showing partisanship;
- 4/ withstand any pressure from any quarter and conduct the election only according to the electoral law and the directives and regulations issued by the Board;
- 5/ work diligently to assure that all participants get the services rendered in the course of an election appropriately and on time according to the law;
- 6/ serve political parties, candidates, voters and members of the media in a manner strictly free from partisanship;
- 7/ refrain from performing any act showing support or a tendency to support any political party, candidate, a political actor or political view;
- 8/ render every time an irreproachable decision which is permeated with humanness to the highest degree and which is also competent and fair;
- 9/ oppose taking orders concerning his activities from anyone otherwise than according to the law, and he shall also oppose any activity aimed at exerting undue pressure;
- 10/ refrain from participating in any activity including that concerning his private affair which could be perceived as giving support to a candidate, political party, a political actor or a political view;
- 11/ refrain from expressing an opinion on matters that could have political significance in the course of an election;
- 12/ refrain from establishing contact with any voter in a matter that could compromise his impartiality;
- 13/ assure that the directive on the code of conduct for election officials is applicable to the institution or the individual concerned.

Article 11. Respect for the Rule of Law (Accountability)

Every election official shall:

- 1/ properly discharge his duty to respect the law and to have it respected by others;
- 2/ make an unrelenting effort to see to it that the election is conducted according to the law by first properly understanding the electoral law, directives and regulations issued by the Board;
- 3/ assure that an elector, a candidate, a journalist, a public observer and a representative gets adequate awareness with a view to enabling him to perform his task by respecting the law;
- 4/ provide service only for requests made in accordance with the law or resist and stop illegal activities;
- 5/ exercise only legally the authority given to him by law;
- 6/ refrain absolutely from utilizing for own benefit or the benefit of a particular body the authority given to him by law;
- 7/ not utilize the law to the detriment or to the benefit of others or in any way other than for what it is intended for and shall

utilize it only for the purpose of executing elections;

- 8/ respect and implement any lawful order and instruction given by the Board or a superior election official;
- 9/ refrain from any act that would in any manner endanger the free, impartial and fair conduct of the election and guard against a similar act from being committed by others;
- 10/ provide fair service to parties, candidates and other relevant bodies that are participating in an election.

Article 12. Maintain Confidentiality

Any election official shall:

- 1/ not disclose to a third party any confidential matter or information that came to his knowledge or fell in his hands because of his responsibilities or his job;
- 2/ maintain confidentially any information, decision or any other matter concerning an election until it is made public by the Board;
- 3/ not give any form or document of the Board to an unauthorized person;

- 4/ create an environment conducive for the electorate to secretly vote for a candidate of their choice, and also ensure that voting is carried out in secret;

Article 13. Transparency

Election officials shall:

- 1/ politely and appropriately receive and attend to lawful and proper requests for information and services concerning the election;
- 2/ provide information about their decisions to those who are participating in the election;
- 3/ provide the information which is the basis for their decision and explain the appropriateness thereof in cases where it is not possible to give election information because of the scope and magnitude of the information;
- 4/ make accessible appropriate information in accordance with the electoral, the freedom of information and mass media proclamations;
- 5/ decide complaints submitted to them in a transparent manner and provide sufficient reasons to justify their decision;

- 6/ give appropriate answer and explanation to reasonable questions pertaining to a decision they gave in the course of the electoral process;
- 7/ make appropriately and clearly known the conditions which need to be fulfilled for registering as an elector and voting, for registering as a candidate and for submitting a complaint or other matters that might come up in the course of an election;
- 8/ put in place a procedure whereby an interested party could be able to promptly get the appropriate information as regards the electoral process;
- 9/ rectify any irregularity which may occur in the electoral process.

Article 14. Delivering Efficient Service

Any election official shall:

- 1/ give efficient service by taking into account the timetable for the election;
- 2/ ensure that the appropriate procedure for the resolution of disputes is put in place and that an efficient service is delivered, and shall also make the service seekers

aware of the time, and procedure for processing complaints;

- 3/ give efficient service by being punctually present in the electoral office as indicated by the election timetable and the directives for its execution;
- 4/ respond promptly to complaints submitted to him by political organizations, candidates and other relevant bodies according to the electoral law and regulations , and directives issued by the Board;

Article 15. Evenhandedness

Any election official shall:

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

Article 16. Honesty

Any election official shall:

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

Article 17. Setting a Good Example

Every election official shall:

- 1/ set a good example to others by first having a good grasp of the electoral law, directives and regulations, building his capacity and then putting these into practice;
- 2/ perform his job with confidence and set an example to others by striving for the

realization of democratic rights while discharging his duties as an election official.

Article 18. Politeness or Sincerity

Every election official shall:

- 1/ serve the electorate, candidates, competing political parties, representatives, observers, journalists and wardens with politeness and sincerity;
- 2/ provide appropriate service to the electors so that they are able to exercise their legal right;
- 3/ perform the following tasks within the framework of the laws of the country:
 - A/ create a conducive condition to enable electors to participate in the election as far as possible;
 - B/ assure that electors have enough understanding of the electoral process;
 - C/ do everything necessary to ensure that people who need special assistance such as the disabled, the illiterate and people in similar situations are able to participate in the election.

Article 19. Faithfulness

Every election official shall:

- 1/ properly utilize the election documents and materials he took delivery of by safeguarding them carefully and faithfully;
- 2/ faithfully discharge his responsibilities while participating in committees at various levels by accepting national responsibility and observing the principle of joint decision making;

Article 20. Incorruptibility

Every election official shall:

- 1/ be free from corruption and other corrupt practices;
- 2/ resolutely struggle against corruption and other corrupt practices;
- 3/ not accept any kind of gift or favors from any political party or person that is participating in an election.

Article 21. Conflict of Interest

- 1/ Every election official shall disclose any relationship that could give rise to a

conflict of interest with his position as an election official.

- 2/ Where an election official finds out that an election activity he is performing, or a case brought before him for his decision conflicts with his financial or any other interest or that of a close family member or where this conflict of interest is raised by others and is verified after being investigated by an election execution committee, he shall have the activity performed and the decision given by another election official.
- 3/ An election official shall not participate in any activity including a personal one that does not come under his authority.

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

Article 22. Rules of Conduct for Constituency Election Officials

In addition to the general principles of ethical conduct listed in chapter 3 above constituency election officials shall themselves respect the

following rules of conduct and have others do so. They shall:

- 1/ serve every political organization, candidate, representative, observer and journalist in accordance with the law without any discrimination, equally, impartially and politely;
- 2/ not register candidates who do not fulfill the criteria set down by the electoral law and shall register those who fulfill the criteria equally and without any hassle;
- 3/ ensure that the election office is open during working hours in accordance with the election timetable and that appropriate service is given therein;
- 4/ not give electoral information to those who are not concerned, but ensure that those who should get the information have it delivered to them equally within the appropriate time;
- 5/ promptly give the appropriate response or decision to any relevant question, suggestion or complaint submitted from any quarter within the framework of the election timetable;
- 6/ not give to unauthorized persons forms and documents wherein election results

- are entered and are signed by all those who are concerned;
- 7/ make the form for announcing election results and other forms to be properly filled and ensure that they are promptly delivered to the relevant body;
- 8/ take appropriate care for and safeguard election materials and documents and carry out their transfer according to the law.

Article 23. Rules of Conduct for Polling Station Election Officials

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

- 1/ honor and be present when summoned for training and properly follow the training; shall also take delivery of election documents and materials on time;
- 2/ serve public observers, candidates or their representatives, mobile observers and the electorate equally and politely;
- 3/ receive and implement as appropriate suggestions made by public observers;
- 4/ receive and examine the complaint made by candidates or their representatives in the course of the election and shall give a reasoned decision;
- 5/ not open sealed documents that serve for elector registration before the scheduled time for their utilization and in the absence of observers;
- 6/ receive and directly implement the decision given by the Board, a court, a regional branch office or a constituency office concerning cases submitted to them on appeal;
- 7/ not register a person who does not fulfill the criteria to qualify as an elector nor shall they issue him with an elector identity card;
- 8/ not refuse to register or to issue an elector's identity card to a person who fulfills the criteria to qualify as an elector;
- 9/ not register an elector more than once nor shall he issue him with more than one elector's identity card;
- 10/ not conduct voter registration outside the place designated for the purpose unless it is permitted by law;
- 11/ during special registration of voters, register only those whose request is deemed acceptable;

- 12/ not issue elector's identity cards to those who do not come in person to the polling station;
- 13/ upon completion of the regular as well as the special registration of electors, close the register in accordance with the law, promptly enter the number of people registered on the form designed for this purpose and transmit it to the constituency office;
- 14/ display the electors register to the public for 5 days; accept and process complaints submitted to them concerning the registration;
- 15/ open the seal of the ballot papers only in the presence of public observers and representatives of candidates;
- 16/ not prevent to vote an elector who is registered to vote and who holds an elector's identity card;
- 17/ not allow people who are not registered to vote;
- 18/ not allow an elector to vote more than once;
- 19/ not give more than one ballot to each elector for an election to one council and an elector shall not be issued with only one ballot paper for an election for two councils;
- 20/ equally display to the public the photographs and symbols of all candidates; they shall not display the photographs of only some of the candidates;
- 21/ enable the representatives of all the candidates to follow the voting process and, in general, to perform their activities as representatives equally and without discrimination;
- 22/ not make suggestive utterances or gestures like winking or pointing a finger while making an explanation to the voters in an effort to benefit one candidate to the detriment of another;
- 23/ not indulge in discriminatory practices such as putting the symbol of a candidate they support on top of the ballot paper , or indicating the symbol while handing out ballot papers; he shall not themselves engage in such an activity nor shall they allow others to do so;
- 24/ not give the voters a ballot paper which has any mark that might favor a candidate they support;
- 25/ not enter into the secret booth or an area secluded for this purpose while voters are in there nor shall they allow others to do so;

- 26/ not ask voters who they are going to vote for, or for whom they have voted; they shall not also persuade or intimidate voters to vote for a certain candidate;
- 27/ not move the ballot box containing ballot papers to another location before the counting is conducted without the knowledge of public observers and candidates or their representatives;
- 28/ not unlock the ballot box in the absence of the public observers and candidates, or their representatives;
- 29/ shall equally allow the public observers and all the representatives of the candidates to follow the process of counting ballots.

Chapter Five
Miscellaneous Provisions

Article 24. Penalty

- 1/ Every election official who contravenes the provisions of the code of conduct:
 - A/ shall be removed from his position as an election official or have further disciplinary measures taken against him by the Board or superior

election execution bodies according to the circumstances of his offense;
B/ disciplinary measures shall be taken against him pursuant to the Federal or Regional Civil Service Laws, or the Labor Law Proclamation.

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

Article 25. Repealed Directives and Practices

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

Article 26. Effective Date

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

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