



EUROPEAN PARLIAMENT

DELEGATION TO OBSERVE FEDERAL AND REGIONAL PARLIAMENTARY ELECTIONS IN ETHIOPIA

(12- 17 May 2005)

**Report by
Mr Anders WIJLMAN,
Chairman of the delegation**

- Annexes:**
- A. List of participants**
 - B. Programme**
 - C. First preliminary statement of the EU Election Observation Mission (17 May 2005)**
 - D. Second post-election statement of the EU Election Observation Mission (8 June 2005)**
 - E. European Parliament resolution on the human rights situation in Ethiopia (7 July 2005)**
 - F. Preliminary statement on the election appeals' process, the re-run of elections and the Somali region elections (25 August 2005)**
 - G. EP resolution on the situation in Ethiopia (13 October 2005)**
 - H. EP resolution on the situation in Ethiopia and the new border conflict (15 December 2005)**
 - I. Final report of the EU Election Observation Mission (March 2006)**

Introduction

By letter of 1 December 2004, Dr Seyoum MESFIN, Minister of Foreign Affairs of the Federal Democratic Republic of Ethiopia, forwarded an invitation to the European Union - addressed to Commissioner FERRERO-WALDNER - to send an observation delegation to observe the federal and regional parliamentary elections scheduled for 15 May 2005.

The Conference of Presidents of the Political Groups decided on 10 March 2005, to send a delegation of ten Members to Ethiopia for election observation on the basis of the d'Hondt System. The following Groups sent representatives: 4 Members from the EPP-ED, 2 Members from the PSE, 1 Member from the ALDE, 1 member from Verts/ALE, 1 Member from UEN and 1 Member from GUE/NGL.

The appointed Members were the following: Mr Anders WIJLMAN (EPP-ED), Mr Rainer WIELAND (EPP-ED), Mr Valdis DOMBROVSKIS (EPP-ED), Mr Mario MANTOVANI (EPP-ED), Mr Mauro ZANI (PSE), Ms Fiona HALL (ALDE), Ms Margrete AUKEN (Verts/ALE), Ms Luisa MORGANTINI (GUE/NGL), Mr Girts Valdis KRISTOVSKIS (UEN) (annex A). Ms Glenys KINNOCK (PES) was also appointed, but was unable to attend.

The secretariat worked in cooperation with the Commission's delegation in Addis Ababa and with the EU Election Observation Mission on all issues related to political briefings, observation on election day itself and issuing the post-election statement.

Constitutive meeting

On 12 April 2005, the delegation held its constitutive and preparatory meeting in Strasbourg. Mr Anders WIJLMAN was elected by acclamation chairman of the delegation. The draft programme of the delegation was presented and, following some suggestions from Members, approved (see final programme in annex B).

Concerning the polling day, the decision was made to split members of the delegation into four teams, with the intention of visiting four different regions of the country. The towns and boundaries chosen for this purpose were the capital, Addis Ababa, Aksum, Dire Dawa and Arba Minch, to be observed by one team each. Arba Minch was later changed to Awasa, based on security updates, and on the advice of the Core Team of the EU mission.

A first draft of the deployment plan was formulated on the basis of preferences expressed by Members, of spoken languages and of experience in election observation. It was decided to provide observer teams with interpretation from Italian to English and from Latvian to English and vice-versa.

Programme of the election observation mission

Members of the delegation arrived to Addis Ababa on the afternoon of Thursday, 12 May 2005. Next morning, on 13 May 2005 the delegation began at 07.30 with an initial series of meetings in the meeting rooms of the Hotel Sheraton Addis Ababa.

Members were first briefed at a breakfast meeting by **Ms Ana GOMES, Chief Observer of the EUEOM, the Core Team** (Mr Raphaël Lopez Pintor, Mr Tony Reis, Mr Xabier Meilan, Ms Delphine Skowron) **and Mr Tim CLARKE, Head of the Ethiopian Delegation of the European Commission**, on the present political situation in Ethiopia, focusing particularly on the forthcoming elections and their expected outcome.

Ms GOMES underlined the importance of the presence of EUEOM, as it was the first time that international observers had been invited to Ethiopia to observe the elections. She emphasised the high expectations and trust of the Ethiopian voters in the EUEOM. Members' comments concerned the expected results and how the political forces would react to it. Members had the opportunity to discuss points concerning the access given to the observers at all stages of the electoral process and security and media-related issues.

At 08.30 the delegation met **Mr Beyene PETROS, leader of the UEDF opposition party**, who talked about intimidation of campaigning opposition supporters and candidates. He let Members know about the UEDF request, tabled to the Supreme Court, to elect community observers independently, instead of appointing them.

At 09.00 the delegation met **Mr Hailu SHAWEL, leader of the CUD opposition party**, who informed Members that, based on reports of fraud and imprisonment of opposition candidates, the coalition requested the National Election Board (NEB) to postpone the elections in twelve constituencies. He admitted that the elections represent a step forward compared to those of 2000, as this time access to mass media was guaranteed to the opposition. Members discussed the possible reaction of CUD on the different voting result scenarios, and asked questions on the party's programme, with a special focus on relations with Eritrea and the issue of land reform.

These meetings were subsequently followed by another at 10.00 with **Mr Ato Kemal BEDRU, chair of the National Election Board**, who explained the composition of the NEB, the constituencies and polling stations as well as the staff appointed to conduct the elections. Mr BEDRU listed the different kinds of complaints the NEB received. He mentioned almost 4000 officials had been removed as their impartiality had been questioned. The ruling of the Supreme Court against the disputed NEB statement -in which accreditation of NGO observers was authorised even if the NGO in question did not have election observation as its core activity- was also mentioned.

Members concentrated in their questions on the numbering, stamping and processing of ballot papers and on anti-fraud measures in a broader sense.

The delegation was thereafter received in the **Ethiopian House of Representatives by its speaker, Mr Ato Dawit YOHANNES**, who made a presentation on the Ethiopian Electoral Law followed by an in-depth exchange of views with Members of the European Parliament on the electoral process.

Shortly after, the delegation went to the Prime Minister's office where **Prime Minister Ato Meles ZELAWI**. During his presentation, Prime Minister focused on the background preparation for elections and the possible scenarios according to the results to be expected. He criticized the attitude of the opposition coalition claiming that it was unfair and pointed out that, even in the unlikely case of an opposition victory, the coalition would not be able to rule the country. Finally, he underlined that the government had made serious efforts towards democracy and that the presence of international observers for the elections was a clear indication of this.

At the Hotel Sheraton, Members convened at 16.30 for a second meeting with **Ms Ana GOMES** and with the Core Team in order to discuss operative and practical matters of the election observation. In the evening the Head of Delegation of the European Commission offered a dinner at his residence for Members of the European Parliament and political authorities.

On the following day, 14 May, the delegation split into four teams. One team stayed in Addis Ababa, one team travelled to Aksum, another to Dire Dawa and one to Awasa, in order to observe polling stations in those areas on the day of the elections.

Election Day

The federal and regional parliamentary elections were carried out on Sunday, 15 May 2005. All teams of the delegation began the observation at 06.00 to see the preparation for the opening of the polling station. At all locations, despite the early hour, voters were queuing, a feature which remained constant throughout the day. The observed turnout appeared to be relatively high.

1. Addis Ababa

The part of the delegation that stayed in Addis Ababa was composed of Mr Mauro ZANI, Mr Mario MANTOVANI and Mr Rainer WIELAND, accompanied by one member of staff and two interpreters. On the afternoon of 14 May, the delegation had received a useful briefing from Long Term Observers of the EUEOM who provided information on the location of polling stations, drew attention to the details that were to be observed and explained the means of reporting the results.

The team concentrated its observation on urban areas of Addis Ababa, observing the opening and then the voting process in several polling stations. The closing operation was observed at the same polling station chosen for the opening.

2. Aksum

The Long Term Observers of the EUEOM, responsible for Aksum, received the Members who travelled by air- Ms Luisa MORGANTINI, Mr Girts Valdis KRISTOVSKIS, one staff member and one interpreter - upon their arrival. As with their colleagues in Addis Ababa, they provided the delegation with information on the political situation in the area and other useful elements for observation. They organised a meeting with the constituency chief responsible for one constituency in the region. Aksum, which is the centre of Tigray region, on the northern part of the Ethiopia, was interesting for election observation, as disputed border regions with Eritrea belong to this territory, and 30.000 government troops were present at the border.

The team visited 11 polling stations throughout the day, focusing on urban and rural areas of Adwa city. Members met Prime Minister MELES ZENAWI at his hometown Adwa and observed him voting. In most of the polling stations in Tigray there were no opposition candidates running - or they had withdrawn at the last moment. In some polling stations ballot boxes were not closed properly and most of the polling station officials were apparently not aware of the correct voting procedure. In spite of these difficulties, voting was conducted in a calm and organised manner, despite many voters having to queue for long periods in order to cast their ballots.

3. Dire Dawa

The composition of the team for the observation of the elections in the East was the following: Ms Fiona HALL and Mr Valdis DOMBROVSKIS, assisted by one staff member.

Following previous contacts with the EU Core Team, it was decided to observe opening and voting in some polling stations in Dire Dawa in the morning, and to go afterwards for the voting and counting to Harar, a small Muslim town one hour drive from Dire Dawa.

As far as the opening and the voting in Dire Dawa are concerned, no particular problem occurred. From 5.30 a.m., people began to queue in front of the polling stations where they received a briefing by the head of the polling station. All voting formalities were fulfilled correctly. In total, the team observed 9 polling stations in Dire Dawa.

On its way to Harar, the team decided to stop in some villages along the road, to observe how the elections were carried out in the rural areas. In the village of Abele Keke, some serious irregularities were noticed in the voting process such as unsealed ballot boxes, campaign material of the ruling party on the wall, missing ink marking and missing destruction of voting cards. Furthermore, young people reported that representatives of the ruling party had tried to buy votes. A special report on this incident was drawn up by the team.

In Harar, the team observed five polling stations and the counting in two of them. Here also, the voting process ran smoothly without any particular remark, except the huge queue in front of the polling stations due to the high turnout. As far as counting is concerned, the team decided to observe this operation in two polling stations. Counting took place with some delay because officers were told not to start it before the arrival of the representatives of the regional electoral board who were supposed to control whether the ballot box had been properly sealed. As nobody arrived, it was decided to start the counting which was made in a very friendly atmosphere, public officers being helped by representatives of the political parties.

At 00.30 a.m., as the counting went too slowly, the team decided to leave the polling station and to come back on the following morning at 7.00 to finish the observation of the counting. Unfortunately, at 6.00 a.m. the officers decided to suspend the counting for some hours in order to rest and to restart it at 2.00 p.m. The team present in Harar was able to control that the ballot papers had been moved into a locked room guarded by three policemen.

4. Awasa

The chair of the delegation, Mr Anders WIJMAN, together with Ms Margrete AUKEN, one staff member and the EPP-ED group representative, travelled by car to Awasa in the afternoon of 14 May.

In the evening of 14 May, members of the delegation had a dinner with local Long Term Observers of the EU mission. The situation of the town of Awasa and surroundings was discussed and deployment plan agreed.

On Election day, early in the morning, Members started their observation before opening in a polling station close to the hotel. Then, first voting operations were monitored and from the very beginning and Members were impressed by the very high turnout and the calm and peaceful atmosphere in which voting was taking place.

During the whole morning Members observed various polling stations in town, according to the agreed deployment plan.

In the afternoon, in order to have an idea of the ongoing voting operation outside town, Members went to observe polling stations in rural areas.

Shortly before closing, Members went again to a polling station already visited during the day in order to monitor closing and counting operations.

Closing was conducted in a fairly professional, efficient and rapid way. However,, the same could unfortunately not be said for counting, which was conducted with huge difficulties, slowly and with many uncertainties.

* * * *

Members of the delegation had the overall impression that operations on polling day were conducted in a generally commendable way, without violence, intimidation or rigging. However, some problems were observed at the counting process, mainly due to the lack of training of polling officials and technical capacity of

When meeting at the hotel next day, Members underlined the high level of efficiency of polling station committees, the general calm environment in which the process was conducted and the high level of voter participation. No significant problematic incidents were observed, the most curious example being a large number of votes declared invalid because of double voting, due to a problem with the ink marks.

On the evening of 16 May the delegation met for a debriefing dinner at the Hotel Sheraton Addis Ababa, to which Ms GOMES, the Core Team, Mr CLARKE, the UK ambassador and other Commission officials were invited. That informal meeting gave the delegation a chance to exchange views on the outcome of the elections and to share their impressions. A common thread of the delegation's position was clearly highlighted and shared with the EUEOM.

On the morning of 17 May Ms HALL and Ms GOMES addressed a press conference where the Preliminary Statement of the EU Election Observation Mission (annex C) was presented. Members of the EP delegation participated as well. As stated by Ms HALL during the conference, the European Parliament's position on the elections in Ethiopia was in line with the findings of the Preliminary Statement, as the EP delegation had worked in close cooperation with and under the umbrella of the EUEOM.

Conclusions

The delegation of the European Parliament that observed the federal and regional parliamentary elections in Ethiopia on 15 May 2005 fully endorsed the Preliminary Statement of the European Union Election Observation Mission.

Furthermore the delegation wished to stress that the following main issues were possible to underline at that stage:

- ✓ The European Parliament election observation delegation conducted its work in the framework of the European Union-Election Observation Mission. The nine Members of Parliament came for a short period to observe on election day itself a limited number of polling stations throughout the country.
- ✓ Members of the European Parliament were very pleased with the warm welcome received during their mission by the Ethiopian people.
- ✓ The general impression was positive, in that these elections, conducted in a peaceful manner, represented an important step forward in the democratisation process of Ethiopia and in raising respect and awareness of Human Rights.
- ✓ The delegation praised the high level commitment of polling station committees and all those present in the polling stations throughout the day (and night).

- ✓ In the polling stations visited, some technical problems and irregularities could be observed, but the overall impression was that they were not intentional but rather due to a certain lack of resources, knowledge and experience of such an electoral process.
- ✓ Drawing lessons from these elections, the delegation of the European Parliament would recommend that for future elections, voting procedures on election day be improved, for instance concerning the number of voters per polling station, the number of booths, the secrecy of vote and the design of ballot boxes.

Follow-up after the end of the EP mission

1. As the general situation worsened after the return of the delegation, - violent atrocities occurred in Addis on 7 June 2005 - and the EUEOM issued its second post-election statement (annex D), the Committee on Development decided to extend its usual reporting debate to a mini-hearing on Ethiopia. The exchange of views on the Ethiopian elections was organised as part of the meeting of the Committee on Development on 21 June 2005.
2. As a conclusion of this debate, the European Parliament decided to deal with Ethiopia at its plenary level as a human rights urgency issue, and dedicated its regular human rights urgency plenary debate to the Ethiopian situation on 7 July 2005 in Strasbourg. As its result, the same day Parliament adopted a motion for resolution on the situation (Annex E) in which - among other issues - calls on the Ethiopian government to establish an inquiry commission and release political prisoners immediately (mainly opposition leaders and human rights defenders).
3. Furthermore, on 25 August 2005, following the election appeals' process, the re-run of elections and the Somali regional elections, the EU Election Observation Mission issued a critical statement (annex F) on the way these processes had been carried out.
4. Unfortunately Members of the EP delegation kept on receiving worrying alerts regarding the general post-election situation in Ethiopia. They were informed that several people were forced into exile and others were detained, furthermore in inhuman prison conditions. The establishment of a democratically elected and functioning legislative assembly seemed far from a reality. Therefore due to these concerns Members regularly consulted the EUEOM Chief Observer, as well as opposition leaders, the Ethiopian Embassy in Brussels and followed the political situation closely.
5. On 5 October 2005 and 15 December 2005 the European Parliament dealt with the issue again and adopted resolutions on Ethiopia, repeatedly calling for - among other issues - the respect of fundamental freedoms and human rights as well as the release of political prisoners (annex G and annex H).
6. On 15 March 2006, the EU Election Observation Mission issued its final report (Annex I) which was fully endorsed by the delegation.
7. In February 2006 Commissioner Luis Michel conducted negotiations and visited some prisons in Addis Ababa. Members found it important to have an opportunity to be briefed about the results of his visit. Therefore Members of the EP delegation decided to organise a joint meeting of the Committee on Development, Committee on Foreign Affairs and the Sub-committee on Human Rights on 15 May 2006 in Strasbourg on the one year anniversary of the elections. The main objective of this event is to conduct an exchange of views with the Commissioner, with the Ambassador and some opposition figures in order

to get a clear picture of the situation, to raise awareness of the human rights problems and to find the best ways of how the EP delegation could contribute to the democratisation of Ethiopia.

EUROPEAN PARLIAMENT

LEGISLATIVE ELECTIONS ETHIOPIA

ELECTION OBSERVATION DELEGATION

12-17 May 2005

List of participants

Members

Mr Anders WIJLMAN (<i>chairman</i>)	EPP-ED, Sweden
Mr Mario MANTOVANI	EPP-ED, Italy
Mr Rainer WIELAND	EPP-ED, Germany
Mr Valdis DOMBROVSKIS	EPP-ED, Latvia
Mr Mauro ZANI	PSE, Italy
Ms Fiona HALL	ALDE, United Kingdom
Ms Margrete AUKEN	Verts/ALE, Denmark
Ms Luisa MORGANTINI	GUE/NGL, Italy
Mr Girts Valdis KRISTOVSKIS	UEN, Latvia

Political Group Staff

Mr Jesper HAGLUND, EPP-ED

Secretariat

Mr Pietro DUCCI, Administrator
Ms Zsuzsanna KISS, Administrator
Ms Danielle JACQUES, Secretary
Ms Claudine STAUB, Secretary

Interpreters

Ms Elspeth SMITHSON (team leader)
Mr Finotto FEDERICO
Ms Dina SILE

Abbreviations :

EPP-ED	European People's Party/European Democrats
PSE	Party of European Socialists
ALDE	Alliance of Liberal and Democrats for Europe
Verts/ALE	Greens/European Free Alliance

GUE/NGL	European United Left/Nordic Green Left ID
UEN	Union for Europe of the Nations Group
I-D	Independence/Democracy
NI	Non-attached

EUROPEAN PARLIAMENT

DELEGATION FOR OBSERVATION OF ELECTIONS IN ETHIOPIA

12-17 May 2005

Draft Programme

Members of the delegation

Mr Anders WIJLMAN (EPP-ED, Sweden) (*chairman*)
Mr Mario MANTOVANI (EPP-ED, Italy)
Mr Rainer WIELAND (EPP-ED, Germany)
Mr Valdis DOMBROVSKIS (EPP-ED, Latvia)
Mr Mauro ZANI (PSE, Italy)
Ms Fiona HALL (ALDE, United Kingdom)
Ms Margrete AUKEN (Verts/ALE, Denmark)
Ms Luisa MORGANTINI (GUE/NGL, Italy)
Mr Girts Valdis KRISTOVSKIS (UEN, Latvia)

Secretariat

Mr Pietro DUCCI
Ms Zsuzsanna KISS
Ms Danièle JACQUES
Ms Claudine STAUB

Political Groups

Mr Jesper HAGLUND (EPP-ED)

Interpreters

Ms Elspeth SMITHSON
Mr Federico FINOTTO
Ms Dina SILE

Thursday, 12 May

Afternoon

Arrival of MEP'S and staff in Addis-Ababa

Transfer to the hotel

SHERATON ADDIS

Taitu Street

Addis Ababa

Tel. (251) (1) 171717

Fax (251) (1) 172727

Friday, 13 May

- 8.30 Meeting with Dr Beyene Petros, UEDF (opposition)
Venue: Hotel Sheraton
- 9.00 Meeting with Dr Hailu Shawel, CUD (opposition)
Venue: Hotel Sheraton
- 10.00 Meeting with Mr Ato Kemal Bedru, Chair of the National Election Board
Venue: Hotel Sheraton
- 11.30 Meeting with Mr Ato Dawit Yohannes, Speaker of the House of Representatives
Venue: House of Representatives
- 12.30-13.30 Informal lunch with EOM Chief Observer, Ms Ana Gomes
(to be confirmed)
- 15.00 Meeting with Prime Minister Ato Meles Zelawi
Venue: Prime Minister's Office
- 16.30 Meeting with the Core Team (to be confirmed)
Venue: Hotel Sheraton
- 19.30 Dinner hosted by H.E. Mr Tim Clarke, EC Head of Delegation
Venue: HoD's Residence

Saturday, 14 May

- Deployment of the delegation in various parts of the country (to be finalized)
- ✓ 1 group of three Members in Addis -Ababa
 - ✓ 3 groups of two Members each AKSUM, DIRE DAWA and AWASA
- 10.00 Departure for **Axum** by plane (Arrival 13.10)
Transfer to the hotel **HOTEL RAMHAI**
Tel. (251) (4) 751501
Fax (251) (4) 752894
- 13.15 Departure for **Dire Dawa** by plane (Arrival 14.15)
Transfer to the hotel **THE DIL HOTEL**
Tel. (251) (5) 114181
- Departure for **Awasa** by car
Transfer to the hotel **PINNA HOTEL**
Tel. (251) (6) 202412
Fax (251) (6) 202343

Sunday, 15 May, election day

Election observation

Monday, 16 May

Return of Members from different parts of the country

10.00 Flight **Axum**-Addis (Arrival 12.25)

14.35 Flight **Dire Dawa**-Addis (Arrival 15.35)

Car **Awasa**-Addis

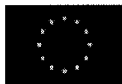
Afternoon Meeting of the EP delegation to discuss the results of the election observation

Evening Dinner hosted by the EP delegation with the EU-EOM and the EC delegation to discuss the preliminary results of the election observation and a draft preliminary statement

Tuesday, 17 May

Joint press conference with the EU-EOM, issue of the preliminary statement on the Election observation

End of the delegation work



**EUROPEAN UNION
ELECTION OBSERVATION MISSION
ETHIOPIA 2005**

PRELIMINARY STATEMENT

Hilton Hotel, Addis Ababa, 17 May 2005, 11:00 AM

ON SUNDAY 15 MAY ETHIOPIAN CITIZENS TURNED OUT IN MASSIVE NUMBERS TO VOTE IN THE MOST GENUINELY COMPETITIVE ELECTIONS THE COUNTRY HAS EXPERIENCED IN SPITE OF A NUMBER OF RESTRICTIONS ON THE FULL EXERCISE OF POLITICAL RIGHTS AND SOME VIOLATIONS OF HUMAN RIGHTS IN THE PRE-ELECTORAL PERIOD. THE ATMOSPHERE ON POLLING DAY WAS PEACEFUL. THE VOTER AND COUNTING OPERATION AT THE POLLING STATIONS WAS COMPLETED DESPITE A SHORTAGE OF MATERIAL AND ORGANISATION RESOURCES, PARTICULARLY IN URBAN AREAS, THE EFFECT OF WHICH WAS PARTLY MITIGATED BY AN EXTENSION OF POLLING HOURS.

Mission background

The European Union Election Observation Mission (EU EOM), under the leadership of Ana Gomes, Member of the European Parliament (MEP), has been present in Ethiopia since March 18, 2005. The EU EOM came to Ethiopia at the invitation of the Government of Ethiopia and the National Electoral Board (NEB) and following Memoranda of Understanding with THE Government and NEB. Since its arrival in country, the EU EOM has been following campaign developments both from its headquarters in Addis Ababa and through its 26 regional 2-member teams of long term observers. Most constituencies have been visited on at least one occasion. On election day, more than 200 observers were deployed, including a Delegation of 9 members of the European Parliament led by Anders Wijkman, MEP, 2 members of the Parliament of Ireland, and 4 observers from Norway. In total the EU observers visited 1034 polling stations in all regions of the country except the Somali region, where elections are scheduled for August 21. On election day, Ambassadors of EU Member States and the Head of the Delegation of the European Commission in Ethiopia joined the Chief Observer in visiting a number of polling stations. The content of this report is based on the information collected by the EU observers.

Overall assessment in view of international democratic standards

The EU EOM's assessment of these elections is made against international standards notable among which is Article 25 of the International Covenant for Civil and Political Rights (ICCPR) of 1966, ratified by the Federal Democratic Republic of Ethiopia, where eight democratic principles are established: **periodic** elections; **universal** and **equal** suffrage; **right to stand** for public office; **right to vote**; **secret** ballot; **genuine** elections allowing for the **free expression of the will of the people**.

The Mission congratulates the entire Ethiopian citizenry for the high voter turnout as well as the over 350,000 electoral officials of different ranks who have made materially possible the overall conduct of elections. The fact should be highlighted that the elections were generally held in a peaceful and orderly manner. Moreover, and in spite of organizational shortcomings, both the electoral officers and the public at large showed an example of patience and dedication.

On the organizational side, the elections of May 15 were generally well prepared and effectively conducted, albeit with certain shortcomings set out below. Indeed, the administrative procedures and the overall conduct of polling by the NEB and sub-national electoral authorities were more transparent and efficient than ever before. Moreover, it should be recognized that, by comparison with previous elections, those of May 15 were characterized by greater political inclusiveness. In particular, conditions existed for the exercise of certain rights and freedoms including: freedom of association with the participation of all relevant political parties, freedom of expression and assembly, and an equal right to a secret vote.

Nevertheless, the overall political environment in which the elections took place contained a number of elements which limited the full exercise of suffrage and the free expression of the will of the people. In particular the EU EOM expresses its serious concern regarding threats and intimidation against supporters of opposition parties including isolated cases of murder. Moreover, new restrictions were introduced into the overall legal framework. Examples were the amendments to the Penal Code on matters affecting the media, which came into force on May 8; and the ban affecting the majority of civil society organizations wanting to act as domestic electoral observers. Such measures could be questioned in ordinary circumstances, but even more so having been introduced just days before the election. Nevertheless, a positive development resulted by ruling twice of the Federal High Court and the Supreme Court overturning the NEB directive, which asserted the role of the judiciary. National observers did participate albeit the ruling of the Court came for many too late to allow widespread mobilization.

The pre-electoral period

Having followed the electoral process closely over two months the EU EOM reached the following conclusions prior to election day:

On the positive side, the current electoral process can be characterized by:

1. Participation of all relevant political forces in the electoral race.
2. Fair access to publicly owned media by all parties.
3. The creation of a public space as a result of unprecedented debates broadcast on radio and television between opposition and government allowing a genuine exchange of views on issues of public concern.
4. Increasing voter registration estimated at no less than 85% of all eligible population. Voter lists contained 25,605,851 people registered in 2005, 48% of which were women. These figures compare with 21,834,806 and 21,337,379 in 2000 and 1995 respectively. Two points should be noted here. First, the registration increase rate between 2000 and 2005 is close to that of the estimated growth of the population (3% per annum), and is much higher than the increase in registered voters in the two previous elections. Second, that 48% of the registered were women both in 2005 and 2000 may reflect the fact that there still exists a certain degree of female under-registration since the female population is generally 1-2% higher than the male population in most societies around the world.
5. Although final accurate statistics are still being compiled, voter turnout as a percentage of registered voters should be very high.
6. Increased number of candidates and of women candidates with respect to previous elections. The total number of candidates for the House of Peoples' Representatives increased between 2000 and 2005 from 1080 to 1847 (71% increase). As for Regional Councils, the total number of candidates increased from 2,164 to 3,762 (74% increase). As regards women candidates, the increase was still more spectacular. The total number of women candidates to the House of Peoples' Representatives rose from 91 to 253 (178% increase); and from 278 to 700 to the Regional Councils (152% increase). Also as a proportion of all candidates, women's share amounted to 14 % in 2005 as opposed to a mere 1% in 2000 for the House of Peoples' Representatives. As for the Regional Councils, the share of women candidates amounted to 19 % in 2005 by comparison with 13% in 2000. This reflects initiatives undertaken by some parties, mainly by EPRDF to boost women's participation through candidate quotas.
7. Establishment of a Joint Political Party Forum at national and constituency levels, meeting regularly with the electoral authorities with the purpose of discussing and, as appropriate, solving current campaign and election-administration problems.
8. The adoption of EPRDF of a Code of Conduct for its membership, and the agreement within the Joint Political Party Forum of a Code of Conduct binding all competing parties.

9. Special training on electoral issues for the police and the judiciary.
10. The signature by EPRDF, main opposition coalition CUD, and some other parties of a non-violence pact on the eve of Election Day.
11. Invitation of international observers by the Government of Ethiopia for the first time.
12. The peaceful character of massive rallies of EPRDF and CUD at the closure of the campaign in Addis Ababa.

On the negative side the following issues should be highlighted:

1. The use of administrative obstacles to gatherings or rallies of the opposition by some local authorities.
2. Intimidation of political opponents by public officials, most often by some kebele administrators and militias (e.g. making peasants to sign a commitment to vote EPRDF, threats of land dispossession or deprivation of free ration, dismissal of students).
3. Disruption of rallies of opposition parties by militia and people allegedly related to the EPRDF; with shots fired and people beaten. More than 300 cases have been reported of opposition activists being beaten, by comparison with only a few relating to EPRDF activists.
4. Detention, often for short time, of opposition activists on several grounds, usually related to campaign activities (e.g. the tearing down of posters, campaigning in prohibited places). The week before election day, spot reports from our observers –based on complaints filed mainly by CUD, UEDF, ONC (member of UEDF), and OFDM as well as on direct account from our observers- showed that violent threats and actions as well as imprisonment against opposition members and supporters had increased in particular in East and West Wolega (Oromiya region); East Gojam, South and North Welo (Amhara Region); Afar region; North and West Shewa and Jima (Oromiya); Konzo special zone, Sidama and Hadiya (SNNPR); and the city of Addis Ababa. Several hundreds of opposition supporters arrested or missing (80 reported in Ankober constituency) on alleged public disturbances at the occasion of rallies and other campaign activities.
5. Several young political activists from the opposition have been killed. Four of them were members of the Oromo National Congress (one allegedly killed by two police officers in West Shewa/Chelelya, and three in Ambo). Another was a CUD member, Anyley Melesse, allegedly killed in St.Johannes kebele, in Degotsion. The fact that the political motivation of such crimes might take some time to clarify in court does not make them less regrettable.
6. Changes in the legal framework made only a few weeks before elections (amendments to the Penal Code on media issues; NEB directive banning electoral observation to most NGOs, later reversed by court decision). Any change in the rules of the game in the middle of the game, unless it is

agreed upon by the major stakeholders, is presumed to create uncertainty and scope for manipulation.

7. Unfair Radio and TV campaigning using images and messages designed to intimidate by associating the genocide in Rwanda with the political aspirations /programmes of certain parties. Such negative campaigning was initiated by the EPRDF against the opposition (first recorded from Deputy Prime Minister at a televised debate on April 15), and was later taken up by the UDEF against the government (for example, showing images of the movie "Hotel Rwanda"). A few days before voting day, a banner from the governing EPRDF was deployed with the slogan in Amharic "*Let us not give a chance to Interhamwe*".
8. Use of state assets (i.e. cars, buildings) by EPRDF in election campaigning.
9. Perceived lack of impartiality of the electoral authorities by most opposition parties, regarding both the NEB and constituency authorities particularly at the lower level. The overlap intermingling of governmental officials and the electoral administration was particularly evident in rural areas.
10. As tension rose in the last weeks of the electoral campaign, serious allegations were made by all political contenders against rival parties (e.g. illegal campaigning in places such as churches, schools and markets; tearing down posters and other graphic campaign materials; as alleged by EPRDF, CUD passing false messages to the peasant population to the effect that the government in Addis Ababa no longer exists, and that a transition government has been installed).

The electoral campaign in the media

There has been a notable opening-up of the state-owned media to the parties contending the elections. The distribution of print space and airtime for the main coalitions challenging the ruling party was generously applied; going on occasions even beyond the time allotted by the Broadcasting Authority.

The successful live broadcast of debates with the main political actors through the public radio and television outreach was another sign of what should be considered an effort on the side of the Government to establish a mechanism for genuine political debate.

As for the editorial coverage, the state-owned media devoted a similar amount of attention to the party in power and to the two main coalitions contesting the elections. On average, the tone of the information was slightly more favourable when referring to the EPRDF. By contrast, some private media, more specifically print publications, covered the campaign in a fairly partisan manner.

However, the Mission deplores some verbal excesses in which the parties engaged during the campaign, such as the comparison of some political contenders with the Rwandan Interhamwe militia and “Hotel Rwanda”. Although heated discussion form part of election campaigns everywhere, such blatantly abusive comparisons did not contribute to a peaceful electoral atmosphere.

The electoral administration

The National Electoral Board, as a central body, has performed, with some exceptions, in an efficient manner. Voter and candidate registration as well as further preparations for the polling operation were generally efficient and within the deadlines of the electoral calendar. Cascade training of electoral officers was conducted all over the country both for voter registration and for the polling and counting operations. Nevertheless, there were clear deficiencies at voter education. Most importantly, the voting operation was made difficult by deficient planning and management of the polling stations. In urban areas in particular, the negative effect of a shortage of organizational and material resources could only partly be mitigated by an extension of polling hours.

A major asset to the process was the establishment and functioning of the Joint Political Party Forum, which provided a transparent mechanism to discuss and resolve issues of contention regarding the elections between the parties. Political party representatives were not allowed to observe the printing of voting materials as a guarantee against uncertainty and manipulation, a fact which is to be regretted. The more participatory involvement of political parties might have helped to diminish, although not entirely remove, mistrust of the NEB and local electoral authorities among opposition parties and activists. The discovery of a small number of previously sealed and marked ballot papers in favour of the EPRDF on election day in a number of polling stations, turned out to be due to a printing error rather than fraud.

The polling day

Regarding polling and counting, the Mission congratulates the entire Ethiopian citizenry for the high voter turnout as well as the over 350,000 electoral officials of different ranks who have made materially possible the overall conduct of elections. The EU EOM would also like to congratulate all participants in the electoral process on the fact that the elections were generally held in a peaceful and orderly manner, with the exception of some isolated incidents.

The opening of polling stations generally occurred on time or within a reasonable band of between 6 and 8 in the morning (96% of cases). There were still a number of polling stations which only opened by noon, especially in woreda Mila and Ketema in Amhara. Polling stations were most frequently located in kebele

and other public offices (43%), but also in schools (21%), and private houses and other facilities (36%).

The full complement of polling station staff was generally present at polling stations (93%) including the 5 observers from the community (93%). On average, female polling station officials were 2 per polling station in Addis Ababa, Amhara, and Harer; and 1 in Afar, Bebeshangul-Gumuz, Dire Dawa, Oromiya, and Tigray. Political party observers were generally present: EPRDF in 93% of cases, 73% CUD, 40 UEDF, 23% independent candidates, and other parties (25%). The Mission received complaints from the CUD that its observers had been expelled, and often harassed in the course of their work in all polling stations of the woredas Asayta, Semera and Logiya in Afar, and in a few polling stations in the woredas Gideo (SNNPR) and Jimma (Oromiya). Domestic observers different from community and party observers were visible in around half of the polling stations (47%).

The supply of polling materials was generally adequate, although a shortage of ballot papers for students vote was detected in Jimma. The NEB took corrective measures and the ballot papers were to be sent later on voting day, and the polling completed in the next few days. Indelible ink was generally effectively applied (95%), although the ink supply was delayed or insufficient in a number of polling stations in cities like Addis Ababa and at a number of polling stations of Gedeo in SNNPR.

As for the atmosphere in the polling station, campaign materials were very infrequently observed in or around the polling stations (5%). There were not many incidents of intimidation observed (4%), nor evidence of multiple voting (3%) and ballot stuffing (2%). Secrecy of the vote was generally preserved by improvised voting booths, set with curtains and other simple materials (89%). Moreover, the ballot box was observed as properly zipped and sealed in 96% of cases. There were complaints lodged by voters or observers in around 17% of polling stations, which were normally resolved on the spot by the Complaints Committee. Overall, the voting process was considered "very good" or "good" in 77% of the polling stations observed, 17% "poor" and 5% unsatisfactory.

Concluding remarks

Yesterday, the EPRDF Electoral Executive Committee announced that the governing party had won the elections, although counting and tabulation of votes was still ongoing, and in the absence of any announcement of results by the National Electoral Board. The EU Election Observation Mission will continue to follow the counting and tabulation closely, and may make a further statement once results are announced by the National Electoral Board.

The Mission will also observe the elections in the Somali region, which have been scheduled for August 21. A comprehensive final report, including recommendations for improving the electoral process, will be presented to the electoral authorities and the public by the Chief Observer shortly.

ANNEX D



EUROPEAN UNION ELECTION OBSERVATION MISSION ETHIOPIA 2005

Mission Statement June 8, 2005

The European Union Election Observation Mission expresses its deep concern about the dangerous situation Ethiopia is now facing.

The Mission deplores the deaths of citizens in Addis Ababa in clashes with the security forces over the last days and today. At least 14 people were reported as having been killed this morning, and over a hundred are injured, crowding the hospitals, with medical and nursing staff badly able to assist them. Many of the injured, mostly by gunshot wounds and including women and children, claim they were shot at random by security forces while waiting for public transportation. Some witnesses however, also report that appeals to civil disobedience which started the most serious incidents this morning in the Mercato area of Addis Ababa, actually lead to violent acts against passers-by and looting of shops, which prompted the intervention of the security forces. The Mission expects the Government to order an enquiry on what indeed happened and to identify all those eventually responsible for any excessive behavior on the part of security forces.

The Mission regrets the confrontation and massive arrests of students, including high school children, and other citizens taking place in several cities across Ethiopia. The incidents of tension and repression reported brake away from the restraint and peaceful atmosphere which generally dominated the electoral process so far. In this respect, the Mission calls on the Government of Ethiopia to ensure that the security forces refrain from excessive or unnecessary violence and reminds them that looking after the wellbeing of their co-nationals is their paramount duty.

The Mission has conveyed to the Government its condemnation of the home arrests and other harassment and threatening measures imposed on the opposition coalition CUD leaders in the last days, severely curtailing their political activities and personal movements. The Mission emphasizes that it is Government's responsibility to ensure their safety, as elected future parliament members. Any harm or harassment of political opponents will not contribute in any way to the appeasement of the security situation.

The Mission manifests its apprehension with the withdrawal by the Government of accreditation from journalists of Voice of America and the Deutsche Welle. Any attempts to limit further freedom of expression or curtail the rights of gathering and transmitting information could lead to further social unrest. The Mission therefore calls again on the Government to stop restricting reporting of opposition activities and messages in the official media, and urges all parties to use them in a non-inflammatory and responsible way in communicating with their supporters and the country in general.

The Mission expects all parties to promptly agree to electoral complaints' and arbitration procedures, so as to guarantee the integrity, transparency and acceptability of the electoral results when they will be published by the NEBE.

The Mission appeals to the responsibility of the Government, the ruling Party and all of the opposition Parties to call on their supporters and the citizens in general to exercise maximum restraint for an immediate calming down of the security situation, in order to allow the process of arbitration of complaints to be completed safeguarding peace, and order throughout the country.

ANNEX E

P6_TA-PROV(2005)0305

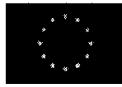
Human rights in Ethiopia

European Parliament resolution on the human rights situation in Ethiopia

The European Parliament,

- having regard to its previous resolutions on Ethiopia,
- having regard to Rule 115(5) of its Rules of Procedure,
- A. having regard to the violent repression of protest demonstrations on 8 June 2005 following the postponement of the announcement of the final results of the general elections on 15 May 2005, which left 36 dead, more than 100 injured and led to thousands of arrests,
- B. whereas, under Ethiopian law, any arrested person must be brought before a court within 48 hours,
- C. whereas up until then the electoral process had not seen any major incidents, and the Ethiopian population's faith in democracy had been demonstrated by the participation of around 90% of the electorate in the vote on 15 May 2005,
- D. whereas 299 complaints of fraud were lodged with the electoral commission, which decided to open an inquiry in 135 constituencies,
- E. whereas, following these inquiries, a recount or even new elections may be ordered in some constituencies,
- F. whereas the announcement of the final results, scheduled first for 8 June 2005, then for 8 July 2005, will have to be postponed again pending the outcome of the hearing of the complaints,
- G. whereas voting in the election of 23 MPs for the Somali region is scheduled for August 2005,
- H. whereas the government and the opposition parties, in a joint statement issued on 10 June 2005, undertook to 'seek for a resolution to all the problems by legal and peaceful means',
- I. whereas the political stability of Ethiopia is crucial to all the countries in the Horn of Africa,

1. Condemns the violent repression of civilians, opposition leaders and supporters and the killing of at least 36 persons;
2. Expresses its fullest sympathy and solidarity to the people of Ethiopia and presents its condolences to the victims' families;
3. Hopes that an impartial commission of inquiry will determine who was responsible for the tragic turn of events on 8 June 2005 and that the persons in question will be brought to justice;
4. Calls for the freeing of journalists and others who are held without charge, and for those arrested to be treated in strict conformity with Ethiopian law and the Ethiopian Constitution, in accordance with international law on human rights;
5. Welcomes the recent release of some 4 000 detainees and the government's announcement that the detainees at the Ziway military camp will now have access to their families and to the International Committee of the Red Cross; in this context, underlines the key role that can and must be played by the Committee in assisting detainees and investigating human rights conditions in prisons;
6. Welcomes the fact that opposition groups and international observers are able to be present when the electoral complaints are examined, with a view to arriving at uncontested results;
7. Insists that the agreement of 10 June 2005 between the government and opposition parties be scrupulously respected, and hopes that the European Union will continue to contribute to a peaceful and democratic solution to the Ethiopian political crisis, in particular by supplying observers to the examination of the electoral complaints;
8. Calls on the Union and the international community to stay vigilant and to do their utmost to contribute to a peaceful solution to the current tensions and not to allow the Ethiopian democratisation process to come to a halt;
9. Calls on the Ethiopian government to put an immediate end to the restriction of reporting of opposition activities and messages in public media and calls for a code of conduct for the press to be put in place rapidly in consultation with the media;
10. Instructs its President to forward this resolution to the Council, the Commission and the government of Ethiopia.



**EUROPEAN UNION
ELECTION OBSERVATION MISSION
ETHIOPIA 2005**

**PRELIMINARY STATEMENT
ON THE ELECTION APPEALS' PROCESS, THE RE-RUN OF ELECTIONS
AND THE SOMALI REGION ELECTIONS**

Sheraton Hotel, Addis Ababa, 25 August 2005, 11:00 AM

Despite significant efforts by the election administration to establish a complex system to deal with complaints, overall the process failed to provide an effective remedy to the parties. Re-runs of elections went peacefully and orderly, albeit without opposition representation and with militia and security forces present around and inside polling stations of some sensitive constituencies. Somali Region elections, despite the high turnout, can be summarised as poorly organized and marred by serious irregularities.

EU EOM will present final report with recommendations for the future on 23 September.

Mission background

The European Union Election Observation Mission (EU EOM), under the leadership of Ana Gomes, Member of the European Parliament (MEP), has been present in Ethiopia since March 18, 2005.

The EU EOM came to Ethiopia upon a letter of the Government of Ethiopia of December 1, 2004, stating that the invitation extended to observe the upcoming national Ethiopian elections was made in the light of the «consultation and co-operation in the political and human rights fields». The EU EOM operated on the basis and with a mandate established by a Memorandum of Understanding agreed between the European Commission and the National Electoral Board of Ethiopia (NEBE). The EU EOM has no mandate to certify election results.

The EU EOM followed campaign developments both from its headquarters in Addis Ababa and through its 26 regional 2-member teams of long term observers.

On Election Day, May 15th, more than 200 observers were deployed, including a Delegation of 9 members of the European Parliament. In total the EU observers visited 1034 polling stations in all regions of the country.

The EU EOM observed the complaint investigation process with 15 observers and the re-runs of elections, on August 21, with 2 member teams in 7 constituencies.

The EU EOM also observed the elections in the Somali region on August 21, deploying 6 observers in 3 constituencies.

The content of this report is based on the information collected by the EU observers.

The EU EOM's assessment is made against international standards notable among which is Article 25 of the International Covenant for Civil and Political Rights (ICCPR) of 1966, ratified by the Federal Democratic Republic of Ethiopia, where **eight democratic principles** are established: **periodic** elections; **universal** and **equal** suffrage; **right to stand** for public office; **right to vote**; **secret** ballot; **genuine** elections allowing for the **free expression of the will of the people**.

Introduction

On **17 May** the EU EOM commended the massive turnout in **“the most competitive elections the country has experienced”** and pointed out that on Election Day atmosphere was peaceful.

On **24 May** the EU EOM regretted the way in which votes were counted at constituency levels and the way the publication of results was being handled by the electoral administration, the government and political parties, especially the EPRDF. It noted that **«these practices, taken as a whole, are seriously undermining the transparency and fairness of the elections. They also risk increasing the scope for manipulation and consequently putting in doubt public confidence in the process»**.

On **8 June** the EU EOM deplored the killings, wide-spread arrests of citizens and harassment of opposition leaders and activists by security forces.

(The full text of all EU EOM statements can be found on the EU EOM website: **www.et-eueom.org**)

I. Preliminary Assessment of the Complaints Investigation Process

After the political Agreement signed among three main actors: EPRDF, CUD and UEDF on June 10th, and at the request of all parties, the EUEOM to Ethiopia observed the complaints investigation process since its beginning, on June 30th. A total number of 15 observers were assigned to this task, sharing its deployment plan with other international observations missions so that they would not overlap and cover a maximum of Complaints Investigation Panels (CIPs).

The EU observers have followed 26 different CIPs out of the 42 deployed by the NEBE and have observed their job in 38 different constituencies, which accounts for more than 20% of the total number of constituencies under investigation.

Summary of preliminary findings

The election administration has set-up a complex system to investigate and address election complaints in a tense political environment, thus offering the political parties a mechanism to sort out disputes by peaceful means. **That mechanism in itself is a very positive development**, which should be improved in the future taking stock of lessons learned with the practice this time. But it encompassed another and **most significant political progress**, by providing the parties with a forum where they were forced to interact as it is necessary in democracy.

In procedural terms, the work of many, though not all, Complaint Investigation Panels (CIPs) observed went according to the Terms of Reference, at least as long as observers were present. However, **the overall process has not satisfied the state's obligation to provide an effective remedy for complaints, for two main reasons:**

1- The complaints investigation process took place in the context of serious violations of human rights and freedoms, namely of opposition leaders and suspected supporters. This undermined the opposition's ability to participate effectively in the process, independently of their competence to argue their case: material evidence was unobtainable because detained or fearful witnesses were unable to testify and, in one case, an important witness was killed. The climate of threats and intimidation was maintained throughout the complaints investigation process. EU EOM observers reported cases, where militia, police or armed forces were present around the location of the hearings. Also opposition witnesses were arrested before or after they testified in front of the panel, and many witnesses or opposition supporters reported to the observers that they were threatened in various ways, as it happened in Albuko and Eteya constituencies.

2) Questionable CIP's impartial arbitration. While the composition of the CIPs seemed adequate (one member of the election administration, one of the complainant party and one of the defendant party), **de facto there was no level-playing field:** the ruling party was generally represented on the panels by important members of the local society, including state officials, such as judges. This increased confusion between the roles of the state and EPRDF and exacerbated the atmosphere of intimidation, including of members of the election administration, often called as witnesses by all parties (for EPRDF in 42% of the cases observed by the EU EOM). Although the CIPs worked in general in accordance with the Terms of Reference, the trend emerged of a 2:1 majority for the ruling party.

The opposition may appeal NEBE decisions on the CIPs conclusions to the Courts. Nevertheless, the chairman of the National Election Board, Ato Kemal Bedri, is the

same person who chairs the Supreme Court. Despite his efforts to uphold an independent and legally grounded arbitration within the NEBE, that coincidence of offices **does not encourage public trust in an independent review by the NEBE or, actually, the Courts**. The opposition parties and other observers, who charged since the electoral campaign that NEBE was not independent, perceived it worsening at the appeals stage, also pointing out that there is no clear separation of power between the Judiciary and the Executive.

1. Quantitative findings about the CIPs' recommendations:

1.1. Most CIPs' recommendations and final decisions by NEBE upheld EPRDF requests.

- EPRDF was involved, either as complainant or respondent, in complaints filed in 36 constituencies out of the 38 observed. The recommendations issued by the CIPs in 35 out of the 38 of the observed constituencies have upheld the ruling party's claims. That accounts for almost 92% of the observed recommendations.
- CIPs recommended re-elections in five out of the seven observed constituencies, where the ruling party filed a complaint, which accounts for 71% of EPRDF complaints. Four of these constituencies were initially won by CUD (Albuko, Bati, Chilga 2 and Gonji) and 1 (Iteya) by UEDF. The NEBE decided to re-run elections in 31 constituencies, with the EPRDF as complainant in 62% of those cases.
- 27 out the 28 recommendations affecting the EPRDF as respondent have upheld the ruling party requests. This means that 96% of the complaints filed against EPRDF have been rejected.

1.2. Most complaints filed by opposition parties have been rejected.

- CUD was involved in 27 complaints, either as complainant or respondent. In 24 cases, the recommendations issued by the CIPs have gone against CUD demands. This accounts for almost 89% of their complaints.
- UEDF was involved in 11 complaints, either as complainant or respondent. In 8 cases, the recommendations issued by the CIPs have gone against their requests, accounting for 72% of their complaints.
- On the whole, the CIPs made recommendations against the opposition parties in 80% of the complaints in which they were involved. On the other hand, CIPs made recommendations for EPRDF in 87% of the cases. As far as the NEBE considered these cases, it followed all CIPs recommendations, except for one.

2. Presentation of complaints by the ruling party and opposition parties

In many occasions, the EU observers reported that opposition parties presented their cases based on poor evidence, inconsistent testimonies or weak arguing. The fact that in some constituencies opposition parties withdrew from the CIPs without presenting

their case or before the end of the examination of the case was detrimental to the final recommendation given by the CIPs to the NEBE. However, there were cases where opposition had strong evidence, namely result certificates of May 15th, and that was dismissed against unconvincing elements, namely statements from NEBE or Police officials. This was, for example, the case in Shashemene 1.

On the contrary, in most cases, EPRDF evidence was better substantiated; their CIPs representatives were better prepared and their witnesses (often members of the local administration) more impressive.

3. Opposition hindered by intimidation and arrests of their witnesses

Significant numbers of opposition members and activists were arrested in early June and remained in prison during the complaints process. And additional arrests took place in the meantime. Also, EU EOM observers received reports of many cases of intimidation of opposition supporters. A CUD witness, Ato Wudu Amelegn, in Meragna constituency, North Shewa zone, was assassinated on July 16th, 5 days after testifying in front of the CIP. Authorities indicated that the murder was the result of a family feud.

This context undermined the opposition's ability to participate in the process freely and effectively.

4. Inconsistencies in the application of the rules of procedures

EU observers noted several cases in which the original complaint, as recommended by NEBE, was not the main source of investigation. Also, in a number of cases, procedures were followed accordingly to the Terms of Reference, only as long as international observers were present. This was the case in East Shewa, in Ada 1, Ada 2 and Adama 2, where EU EOM observers noted that three complaints had been considered in just 4 days before their arrival, while afterwards each complaint took at least three days to debrief all witnesses.

5. Questionable impartiality in the evaluation of complaints

The complaints were adjudicated by three CIP members (one from NEBE, one from the complainant party and one from the respondent) either by majority vote or unanimity. Out of the 35 cases in which CIP vote was observed by EU EOM, the NEBE and EPRDF members voted the same way in 74% of the cases (this percentage excludes decisions taken by unanimity, which only accounts for 11% of the total number of recommendations). The trend in this sample is consistent with the pattern emerging from the list of recommendations provided to the EU EOM by the NEBE at the end of process.

While that trend may result from the merits of the cases argued by the ruling party or the baseless of opposition cases - and therefore not mean necessarily collusion with EPRDF on the part of the CIPs or NEBE - the EU EOM observers noted highly sensitive cases where solid and tangible evidence – such as certificates of results of May 15 – provided by the opposition parties was too easily and unconvincingly dismissed.

One such case occurred in **Shashemene 1 constituency**, where the complainant (UEDF) presented certificates of results for 64 Polling Stations (out of 67 in the constituency) duly completed, signed and stamped by the relevant election officers, declaring the UEDF candidate as winner. This evidence was rejected by the CIP on the allegation that the documents were forged. The complaint was dismissed, so the EPRDF candidate retains the seat. This decision was based on the testimony of a local police officer, who certified in front of the panel that some copies of the mentioned form had been stolen prior to the election, thus the documents presented to the panel could be fake.

Another case occurred in **Hagere-Selam, Sidama**, where the EPRDF was also the complainant and the CIP recommended re-elections. Re-run of the election allowed the current Minister of Justice, Mr Harka Haroyu to regain his seat, lost in May 15. During the hearing and, as stated in the Summary of Facts and Recommendations of the CIP, it became clear that the Police conducted an investigation against the chairman of Wirama 01 Polling Station, Mr. Werku Dulecha, on charges of taking registration cards from voters on Polling Day. However dubious the charges could be, Mr Dulecha was sentenced to jail for that, and despite the legal provisions to allow witnesses in prison to testify in the CIPs, he was not heard. Moreover, other three election officers testified against him, paving the way for a recommendation in favour of the ruling party. The fact that NEBE election officers testified for one of the competing parties (EPRDF) and that the main witness could not defend himself does not attest to the independence neither of the CIP nor the National Election Board. Even more so since this case could have been remedied, as it was brought to the attention of the NEBE

6. Context of complaints process did not meet international democratic standards for elections

The context of the complaints process was marked by on-going high tension in the country and stalemate between the government party and the opposition. This was aggravated by the handling of the June disturbances by governmental forces, in violation of human rights and the citizen's rights enshrined in the Ethiopian Constitution.

Tension was exacerbated by the fact that, since polling day, public demonstrations were banned and media openness ceased, with the official media back under the tight control and spinning of the ruling party and opposition parties denied access to them. Also journalists were intimidated and arrested. The Government, in the meantime, rejected to agree on a code of conduct for the free and responsible operation of the media. The governmental control of state media compromises the credibility of the electoral process since May 15, in light of international standards for free and fair democratic elections and impacts negatively in the public confidence in the electoral process.

Furthermore, the ruling party passed after May 15th new regulations affecting the conduct of Parliament business and the role of opposition parties in it, and also impacting in the governance of the municipalities throughout the country, namely in the capital. Those regulations, adopted without consultation with other parties which have gained seats in Parliament in the current electoral process, do not help promote the

minimal confidence that democratic parties must build in a functioning democratic system.

II – Preliminary report on the re-runs of elections, occurred on August 21

The re-runs were held in 31 constituencies in the 3 following regions: Amhara, Oromiya, SNNP. The EU EOM deployed 14 observers in the following 7 constituencies: **Bugna, Chilga 2, Bati, Kuyou, Meki, Hagere Selam and Wonago 1. Addis Alem 1** was also visited by EU EOM.

EU observers could not be present during the registration that took place again in those constituencies prior to the re-runs and were limited in their observation on election-Day by the difficult accessibility of numerous of the Polling Stations concerned by the re-runs.

Their findings about the **polling process were generally positive**. Their overall assessment of the process has been rated as *good* in 64% of the cases and *very good* in 24 %. The rules were implemented according to the electoral law and the re-runs took place in a peaceful and orderly manner.

However, **negative elements** have to be underlined:

1. Many voters lacked information about the re-run in their constituencies;
2. Registration did not involve all the people who voted in May 15th, as the number of voters registered for the re-run was generally lower.
3. The turn-out, as well, was much lower;
4. A very limited number of domestic observers were present in the Polling Stations;
5. Opposition parties' representatives were often not present in the polling stations (CUD showed up at 4% of the polling stations, 20% for UEDF).
6. In most of the polling stations visited the chairperson did not provide sufficient information to the voters about the process and/or not in the appropriate regional language;
7. Although extremely limited cases of intimidation have been directly observed (3% of the cases), the presence, in some constituencies, of police, military forces or armed militia, even inside the polling stations, could have been perceived by voters as intimidating and was, anyhow, against the rules. This was the case namely in **Kuyou, Bugna and Hagere-Selam**, the last two constituencies where two top EPRDF candidates, Ministers in the current government, regained seats they had lost according to the May 15 polling.

III - Preliminary report on elections in the Region of Somalia, 21 August

The 6 EU EOM observers were based in Dire Dawa (Shinile), Jigiga and Gode, and were deployed since early August.

1. Registration process and the election campaign

The registration period lasted from July 25th to August 13th. Special registration was conducted between August 14th and 15th. **The process was poorly organized**, with actors such as representatives of the local administrative authorities interfering in it in various ways. EU observers have reported that multiple registrations have taken place in several parts of the region, especially in areas where the process was conducted by mobile teams, due to undue pressure by the clan leaders and the local authorities. The fact that blank voter registration cards could be found on sale in the region's markets sufficiently explains that the process was not completely under the control of the NEBE, the entity entitled by law to handle it.

On the eve of the beginning of the registration process, three different explosive devices blasted in Jijiga, the Region's capital, aiming at different candidates and officials from the ruling party, the SPDP, killing at least 4 people and injuring other 54. Other two ordnances were de-activated by the security forces on the same night. Episodes of violence are common in the Region as clans tend to solve their differences through confrontation.

Three Somali opposition parties (WSDP, SDAF and DWPDM) announced on August 16th their boycott to the electoral process on the basis of alleged irregularities during the registration of voters. However, due to the clan structure of the Somali society as well as the weakness and the internal fragmentation of the parties, the boycott was not completely followed. Some of the candidates did not inform the NEBE about their withdrawal and, therefore, they officially competed. Moreover, representatives of the boycotting parties were present in some Polling Stations on Election Day.

2. Election Day and Counting

The 3 EU EOM observer teams visited 27 polling stations on Election Day. 63% of them were located in urban areas, whereas the remaining 37% were in rural settlements. The process was troubled with some isolated clan-related incidents in Jijiga that led to the intervention of the Army to settle down the situation.

The assessment of the EU EOM observers, acknowledging the limits of the sample due to fragile and insecure situation in the area, **can be summarised as poorly organized and marred by serious irregularities.**

Although most of the Polling Stations opened on time (in 67 % of the observed cases), **the overall polling process has been rated as “Poor” to “Totally Unsatisfactory”**

in 74 % of the cases. Only in 26% of the polling stations observed, the process could be considered as “Good”. Observers reported a **high turnout**.

Some of the **rules were not followed**: Public observers were not all present at the Polling Stations in 41 % of the observed cases and, in 33 % of the observed cases, the chairperson of the polling station did not brief the voters on the voting procedures, as stipulated.

Moreover, **serious irregularities** concerning key elements to genuine elections have been reported by the observers: in 30% of the cases, the secrecy of the vote was not ensured by the way the polling booth was set up; in 26%, the EU observers reported evidence of multiple voting; in 17 %, the EU observers reported evidence of ballot stuffing.

The EU Observers were also present at the early stages of the counting in polling stations located in urban areas and noted **a high percentage of invalid ballots**, almost 30% in some stations (an appalling percentage, however similar to what was reported in May 15th in many constituencies throughout the country). In some cases, the polling station staff showed a very limited knowledge of the counting procedures: forms were not properly filled in and the criteria to determine the validity of ballot, was inconsistent.

The EU EOM regrets that although the majority of the Somali population cannot speak and read Amharic, ballot papers were printed in this language only.

EU EOM observers also noted that, despite the efforts, **the holding of the elections three months later** in the Region of Somalia than in the rest of the country, **has not contributed to a better performance** by the election administration. On the contrary, EU EOM observed extreme cases of poor management, especially in large polling centres

Final Remarks

The EU EOM regrets that the 15th of May post-polling day irregularities, delays and opacity of the counting and aggregation of data, plus the subsequent flawed handling of complaints and re-runs of elections in some constituencies, and the poorly organized electoral process conducted in Somali Region, did not live up to international standards and to the aspirations of Ethiopians for democracy, clearly manifested by the record number showing up to cast their votes on 15 May.

The EU EOM commends the extraordinary patience, restraint and sense of political responsibility in general displayed by the people of Ethiopia since polling day, despite the normal anxiety to see the integrity of their choice respected, the electoral process closed and the country political institutions democratically reinforced to move on and face the challenges of good governance and development.

The decision by the Government of Ethiopia and EPRDF to launch this electoral process with international observation and unprecedented openness was a courageous and bold move, which is already bringing measurable political change in Ethiopia. Over 90% of Ethiopian electors casting their vote expressed a faith in democracy and a confidence in asserting their choice which cannot be suppressed any long. Ethiopia is not the same as before May 15 and cannot be run in the same way as before May 15, namely in the enjoyment of human rights and democratic freedoms, also enshrined in the Ethiopian Constitution. Freedom of expression and of the media and respect for the independence of the Judiciary are essential to a democratic framework.

The EU EOM expresses its gratitude to the NEBE, through Ato Kemal Bedri, Ato Tesfaye Mengesha and Ato Mekonnen Wendimu, for the exceptional access and frank cooperation it afforded the EU EOM at all stages throughout the process. The EU EOM admired the achievements of NEBE in organizing such a complex and politically sensitive operation, despite shortcomings, especially in the Somali region. At the same time, it is crucial for the authority and credibility of NEBE to ensure that the structure of its direction is genuinely independent of the Executive and that its officials at all levels are not to be perceived as agents of the Administration or the ruling party by the people.

The EU EOM will provide NEBE, the Government of Ethiopia and all political Parties with a final detailed report of its evaluation on the process and recommendations for the future. That final report will be delivered to the NEBE and published by September 23rd.

ANNEX G

Texts adopted by Parliament

**Thursday 13 October 2005 -
Brussels**

Provisional edition

Situation in Ethiopia

P6_TA-PROV(2005)0383

B6-0540, 0541, 0542, 0544 and 0545/2005

►European Parliament resolution on the situation in Ethiopia

The European Parliament,

- having regard to its previous resolutions, in particular that of 7 July 2005 on the human rights situation in Ethiopia⁽¹⁾,
 - having regard to the preliminary statements of 17 May and 25 August 2005 by the European Union Election Observation Mission (EU EOM) in Ethiopia,
 - having regard to the final statement of 15 September 2005 by the Carter Center Observation of the Ethiopia 2005 National Elections,
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. recalling that the first properly contested election in Ethiopia took place on 15 May 2005, and noting that the period prior to this date was characterised by a peaceful atmosphere and that, despite some irregularities, the election went ahead without major confrontation between the government and opposition parties,
- B. whereas over 90% of Ethiopian electors casting their vote expressed their faith in democracy and their strong will to exercise their fundamental rights,
- C. whereas the abovementioned preliminary statements by the EU EOM in Ethiopia, despite an extraordinary turnout by the Ethiopian electorate, revealed serious irregularities and a failure in many fundamental ways to respect democratic standards governing the organisation of elections,
- D. whereas, in a statement by the UK Presidency of 29 August 2005, the European Union endorsed the EU EOM's comments,
- E. whereas the abovementioned final statement by the Carter Center reached the same conclusions as the EU EOM,
- F. whereas the opposition is continuing to challenge the results of the elections held on 15 May 2005,
- G. whereas the ruling party used the outgoing parliament to introduce an amendment under which an absolute majority is required to put forward an agenda, thereby depriving the opposition of their right to submit an agenda or a bill for discussion in the forthcoming parliament,
- H. concerned by the anti-democratic conduct witnessed during the first regular session of the new parliament where opposition MPs who decided to take their seats were denied the right to express their views,
- I. I worried by the first bill of the new parliament which stripped of their parliamentary immunity elected MPs who decided not to participate in the assembly before their preconditions were met, and by the passing of another bill which extends the terms of office of the Addis Ababa city administration, thus ignoring the vote of the city's residents who voted unanimously in favour of the opposition,
- J. whereas the negotiations opened on 2 October 2005 between the government and the two main opposition parties have broken down because of the ruling party's refusal to agree on minimum rules of conduct of multiparty democracy and respect for the opposition,
- K. whereas the opposition parties have said they are willing to work in the framework of the constitution, without resorting to violence,
- L. whereas the government has accused the opposition of fomenting a coup d'état and has arrested a

large number of opposition leaders,

M. whereas the opposition has dropped its call for a general strike and a mass demonstration, which has been banned by the government, because of the risk of violent clashes, thus showing its sense of responsibility,

N. whereas, during the June 2005 demonstrations challenging the election results, the security forces' actions led to the deaths of at least 42 people and the arrests of thousands,

O. whereas the climate of threats and intimidation has continued throughout the inquiry into and the challenging of certain election results,

P. whereas Ethiopia is a signatory to the Cotonou Agreement, Article 9 of which stipulates that respect for all human rights and fundamental freedoms is an essential element of ACP-EU cooperation,

1. Expresses its serious concern that the political dialogue between the government and the opposition, opened on 2 October 2005, was broken by the ruling party, and urges all parties to resume such dialogue without delay and to work to allow multiparty democracy to start functioning with the rights of the opposition fully respected by the government and the ruling party;

2. Welcomes the key role played by the head of the Commission's delegation in Ethiopia and the Council Presidency through its British Ambassador, in cooperation with other international diplomats, in realising the political talks;

3. Would welcome an invitation from the Ethiopian Parliament for a Parliament mission to visit Ethiopia to explore how to build the capacity of the new parliament and respond to the challenges of multiparty democracy;

4. Welcomes the opposition's commitment to working within the constitutional framework without resorting to violence;

5. Calls on the government also to respect the fundamental principles of the constitution, especially fundamental freedoms and human rights;

6. Calls on the government to guarantee opposition access to the media, as was made available in the run-up to the 15 May 2005 election;

7. Expresses its serious concern at the government's attempts to reverse the democratic process, including the introduction of an absolute majority requirement for the submission of agendas in the forthcoming parliament, which render the opposition's gains meaningless;

8. Welcomes the fact that, because of the government ban, the opposition withdrew its call for a mass demonstration on 2 October 2005 that could have given rise to serious clashes;

9. Calls on all political parties to work towards a political solution that will secure the Ethiopian Parliament's democratic prerogatives;

10. Calls for an end to the persecution and intimidation of representatives of the opposition political parties and the immediate release of those still detained;

11. Calls on the Ethiopian Government to guarantee that detainees will not be subjected to ill-treatment and will have access to their families and medical care;

12. Calls on the Ethiopian authorities to bring all political prisoners before the courts within 48 hours of their initial apprehension, as prescribed under Ethiopian law, or to release them without further delay;

13. Calls on the government and political party representatives to reach agreement on the content of a code of conduct enabling the media to operate freely and independently;

14. Calls on the EU and the international community to remain vigilant, in particular with regard to respect for international human rights principles, and to continue supporting the Ethiopian democratisation process;

15. Calls on the Commission to pursue and, if necessary, to step up the European Union's humanitarian policy with regard to Ethiopia and to adjust its non-humanitarian aid in accordance with progress in the democratic process;

16. Instructs its President to write to the Speaker of the Ethiopian Parliament expressing the Parliament's strong concern about the denial to opposition members of the right to take the floor, about

the bill passed stripping parliamentary immunity from all elected opposition members who did not take their seats and about the bill to extend the previous administration of municipalities in disregard of electoral results, and urging the prompt reversal of such measures, since they are incompatible with minimum democratic standards and further exacerbate political tensions and mistrust;

17. Instructs its President to forward this resolution to the Council, the Commission, the Ethiopian Government, the President of the Ethiopian Parliament, the President of the Pan-African Parliament, opposition parties and the African Union.

(1) *Texts Adopted*, P6_TA(2005)0305.

ANNEX H

Texts adopted by Parliament

**Thursday 15 December 2005 -
Strasbourg
Ethiopia**

Provisional edition

P6_TA-PROV(2005)0535

B6-0643/2005

► European Parliament resolution on the situation in Ethiopia and the new border conflict

The European Parliament,

- having regard to its resolutions of 7 July 2005 on the human rights situation in Ethiopia⁽¹⁾ and 13 October 2005 on the situation in Ethiopia⁽²⁾,

- having regard to the preliminary report of the European Union Election Observation Mission of 25 August 2005,

- having regard to Rule 115(5) of its Rules of Procedure,

A. disturbed by recent news of large-scale human rights abuses following a massive and unprecedented crackdown, in which political leaders, human rights defenders, independent journalists, NGO workers and young people were arrested in Addis Ababa and in various other parts of the country,

B. whereas the demonstrations called by the Coalition for Unity and Democracy to protest against electoral fraud were severely repressed, with the use of live ammunition and armoured vehicles amongst other things,

C. whereas the political detainees include Hailu Shawel, President of the Coalition for Unity and Democracy, Professor Mesfin Woldemariam, former Chair of the Ethiopian Human Rights Council, Dr Yacob Hailemariam, former UN Special Envoy and former Prosecutor of the International Criminal Tribunal for Rwanda, Ms Birtukan Mideksa, former judge, Dr Birhanu Nega, Mayor-elect of Addis Ababa, Netsanet Demissie, Director of the Organisation for Social Justice in Ethiopia, and Daniel Bekele, of Action Aid Ethiopia,

D. whereas many of the above-mentioned prisoners have been on hunger strike since 28 November 2005,

E. alarmed by the information that thousands of youths arrested in Addis Ababa were taken to the Dedessa River (south-west of Ethiopia) and are being held in inhumane conditions,

F. welcoming the release of about 8 000 people, but worried at the massive scale of detention which this figure itself shows and by the fact that the government has not so far disclosed the total number of people actually in detention and still less their whereabouts,

G. disturbed by unsubstantiated allegations of treason made against members of parliament, journalists, civil servants, lawyers, aid workers and members of NGOs,

H. worried by the crackdown on the independent press,

I. having regard to the joint statement of 6 November 2005 by the EU and US Ambassadors in Addis Ababa, calling on the government to release all political detainees, to immediately put a stop to the use of brute force and to reopen the political dialogue, and calling for an independent investigation into the events of June and November,

J. whereas the European Union Election Observation Mission commented that the picture was mixed, with some positive aspects up to 15 May and some negative aspects thereafter,

K. whereas Ethiopia receives the equivalent of USD 1 billion in international aid each year (including 490 million from the European Union), which represents one quarter of its GDP,

L. whereas Ethiopia is a signatory to the Partnership Agreement between the Members of the African,

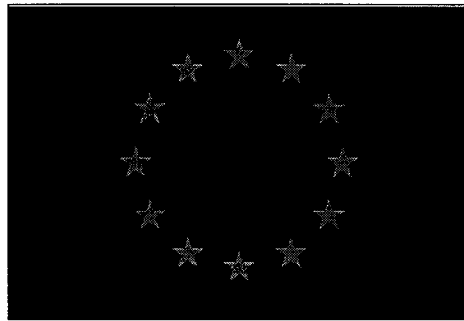
Caribbean and Pacific Group of States of the one Part, and the European Community and its Member States, of the other Part (Cotonou Agreement), Article 96 of which stipulates that respect for human rights and fundamental freedoms is an essential element of ACP-EU cooperation,

M. whereas troop movements have been observed on both the Ethiopian and Eritrean sides of the border and a ban has been imposed by the Eritrean Government on UN helicopters,

N. whereas relations between Ethiopia and Eritrea are poor amid fears of a new war and UN Secretary-General Kofi Annan has warned that the tense situation on the Eritrean-Ethiopian border could lead to another round of 'devastating hostilities',

1. Condemns the violence, the use of disproportionate means of repression by the armed forces and the mass arrests;
2. Calls on the Ethiopian Government to immediately and unconditionally release all political prisoners and journalists and fulfil its obligations with respect to human rights, democratic principles and the rule of law;
3. Calls on the Ethiopian Government to disclose the total number of persons detained throughout the country, to allow visits by the International Committee of the Red Cross and to allow all detainees access to their families, legal counsel and any medical care that their health situation may require;
4. Calls on the Ethiopian Government to fully respect the fundamental principles of press freedom, put an end to the state media monopoly and allow the independent press to function by returning confiscated property;
5. Calls for the immediate establishment of an independent international commission of inquiry, ideally under UN responsibility, to investigate the human rights abuses and to identify and bring to justice those responsible;
6. Considers that, despite the political dialogue between the EU and the Ethiopian Government under Article 8 of the Cotonou Agreement, the latter has failed to fulfil its obligations with respect to human rights, democratic principles and the rule of law;
7. Calls on the Commission and the Council to take a coordinated stance consistent with Article 96 of the Cotonou Agreement;
8. Calls on the Council and the Commission to consider targeted sanctions against members of the Ethiopian Government if the current human rights situation is not significantly improved;
9. Calls on the Council and the Commission to channel humanitarian aid for the population of Ethiopia primarily through NGOs and UN specialised agencies in order to provide direct assistance to the population;
10. Calls for the resumption of the process of reform and improvement of democratic institutions, including a serious and international examination of the results of the parliamentary elections held in May 2005;
11. Expresses its full support for UN Security Council Resolution 1640(2005), which calls on Eritrea to immediately reverse its decision to ban United Nations Mission in Ethiopia and Eritrea (UNMEE) helicopter flights and all other restrictions imposed on UNMEE, demands that both parties return to the 16 December 2004 levels of deployment of their troops, and calls on Ethiopia to fully accept the final and binding decision of the Eritrea-Ethiopia Boundary Commission;
12. Welcomes the 7 December 2005 statement by the President of the UN Security Council condemning the decision of the Government of Eritrea to request some members of the UNMEE to leave the country within 10 days;
13. Welcomes the decision of the Ethiopian Government to move its forces from its borders with Eritrea in compliance with a UN order aimed at averting fresh conflict;
14. Calls on the African Union, whose head office is in Ethiopia, to take a clear stance, proving its determination to bring democracy forward in Africa, especially in Ethiopia;
15. Instructs its President to forward this resolution to the Council, the Commission, the Ethiopian Government, the Ethiopian Parliament, the Pan-African Parliament, the two main opposition parties, the Coalition for Unity and Democracy and the United Ethiopian Democratic Forces, and the African Union.

- (1) *Texts adopted* , P6_TA(2005)0305.
- (2) *Texts adopted*, P6_TA(2005)0383 .



ETHIOPIA

LEGISLATIVE ELECTIONS

2005

EUROPEAN UNION

ELECTION OBSERVATION MISSION

FINAL REPORT

TABLE OF CONTENT

I. EXECUTIVE SUMMARY	1
II. RECOMMENDATIONS	3
Legal Framework	3
Election Administration	4
Complaints and Appeals	4
Media	5
Participation of Women	5
Domestic Observation	5
III. INTRODUCTION AND ACKNOWLEDGMENTS	5
IV. STRUCTURE OF GOVERNMENT	7
V. POLITICAL CONTEXT	7
VI. LEGAL FRAMEWORK	8
Human Rights Protection	9
The Election System	9
Apportionment of Constituencies	9
Election Observation	10
Criminal Legislation	10
Eligibility, Voter Registration	10
Candidate Registration	11
Provisions on Voting and Counting	12
Complaints and Appeals	12
VII. ELECTION ADMINISTRATION	13
Performance of the NEBE	14
Campaign	15
Media	16
VIII. VOTING	18
IX. COUNTING, AGGREGATION AND PUBLICATION OF RESULTS	19
X. HUMAN RIGHTS CONTEXT IN THE POST-ELECTION PERIOD	21
XI. COMPLAINTS AND APPEALS	25
Repeat Elections and Elections in the Somali Region on 21 August 2005	29
Media Coverage	31
ANNEXES	32
Annex 1 : List of Political Parties Forming the Different Coalitions	33
Annex 2 : Invitation Letter by the Government of Ethiopia	34
Annex 3 : Memorandum of Understanding between the National Electoral Board of the Federal Democratic Republic of Ethiopia and the European Union concerning Election	35
Annex 4 : Letter to the Chairman of the NEBE (May 3, 2005)	37
Annex 5 : Letter by the Chief Observer to Prime Minister Meles (May 13, 2005)	39
Annex 6 : Letter by the Chief Observer to the Minister of Information, S. Berekat, 10 June 2005	41
Annex 7 : Complaints in Shasheme	43
Annex 8 : Letter to the Chairman of the NEBE (July 17, 2005)	44
Annex 9 : Media monitoring statistics	46
1. Print Publications	46
2. Radio	49
3. Television	51
4. The last campaign week: Increase of EPRDF share in info and opinion, and percentage of positive items, during last week of campaign (May 6-12)	53

This report was produced by the EU Election Observation Mission and presents the EU EOM's findings on the Legislative elections in Ethiopia. These views have not been adopted or in any way approved by the European Commission and should not be relied upon as a statement of the European Commission. The European Commission does not guarantee the accuracy of the data included in this report, nor does it accept responsibility for any use made thereof.

I. EXECUTIVE SUMMARY

The 2005 parliamentary elections were the most competitive elections Ethiopia has experienced, with an unprecedented high voter turnout. However, while the pre-election period saw a number of positive developments and voting on 15 May was conducted in a peaceful and largely orderly manner, the counting and aggregation processes were marred by irregular practices, confusion and a lack of transparency. Subsequent complaints and appeals mechanisms did not provide an effective remedy. The human rights situation rapidly deteriorated in the post-election day period when dozens of citizens were killed by the police and thousands were arrested. Overall, therefore, the elections fell short of international principles for genuine democratic elections.

The 2005 parliamentary elections were the third since the introduction of nominal multi-party elections in 1995. As such, they were an important test of the progress Ethiopia has made towards democracy. The decision by the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) government to open up the elections to unprecedented competition and international observation was a bold move.

The legal framework for elections guarantees basic freedoms and is generally adequate for the conduct of democratic elections. However, a number of areas of concern need to be addressed, including the size of constituencies and restrictions on the number of candidates that can stand in a constituency. Moreover, the election law is not very detailed on some key aspects of elections, such as counting, aggregation and publication of results. Criminal legislation related to media conduct raises serious concerns.

The National Electoral Board of Ethiopia (NEBE) did not enjoy the confidence of opposition parties. Nevertheless, it made efforts to reach out by convening regular meetings with political parties to try to address problems that arose. While the NEBE generally organised the process efficiently until election day, it contributed to the significant delays in counting and aggregation after election day. The NEBE barred a considerable number of domestic observer groups from monitoring the elections. Although this decision was later revoked by the courts, the judgement came too late to allow effective observation by these groups.

Lower level election commissions showed insufficient training, particularly in regard to counting and aggregation procedures. Reports were received from a significant number of election officials of pressure from government officials or ruling party representatives. An overlap between government officials and the electoral administration was evident, particularly in rural areas, which is problematic in a country where the state and the ruling party are not properly separated.

Voters were registered in large numbers, but women, representing only 48% of registered voters, appear to have been under-registered. Allowing students the right to vote was important in order to guarantee universal suffrage, but the inclusion of their votes in the constituencies where their families are resident led to significant problems during the counting and aggregation of results. Candidate registration generally went well and a higher number of candidates than ever before participated in the elections. There was a significant number of women candidates, due mainly to efforts by the EPRDF to boost women's participation through candidate quotas.

The campaign was freer than previous elections and, in contrast to previous elections, the opposition campaigned not only in cities, but increasingly also in rural areas. There was no large-scale unrest and large demonstrations in Addis Ababa were held peacefully. Nevertheless, opposition candidates and supporters experienced intimidation and arrests. In addition, many EU observers reported examples of state institutions supporting the EPRDF campaign. The end of the campaign became more heated and government representatives compared the opposition to the perpetrators of the 1994 genocide in Rwanda. One opposition party responded by making the same comparison in relation to the government.

The media in Ethiopia is dominated by the state. Prior to election day, state and private media provided generally balanced coverage. During this period, there was a notable opening of the state media to the political parties contesting the elections, and print space and airtime was afforded to the main coalitions challenging the ruling party. Live broadcast of debates between the main political actors permitted genuine democratic discussion and raised public interest in the electoral process throughout the country.

On 15 May, voting was conducted peacefully and was generally well administered, despite some shortages of material resources. Political party representatives were present in most of the polling stations visited by EU observers, and domestic observers were present in around half of the polling stations visited. Turn-out was very high and voters often waited for many hours to cast their vote. Procedures were generally well followed in 80 per cent of polling stations visited by EU observers.

EU observers assessed the closing and counting processes negatively in almost half of urban polling stations observed, a very high figure for international observers to record, and even worse in rural polling stations observed. Counting was very slow in most areas. Very significant numbers of ballot papers were considered to be invalid during counting, in many cases due to over restrictive interpretation by election officials. Delays also occurred with re-counting and aggregation at the constituency level. There was also a lack of transparency in the publication of results. Result sheets were only displayed at 29 per cent of rural polling stations observed and 36 per cent of urban polling stations observed at the completion of counting. In 25 per cent of polling stations observed, political party representatives were not provided with a copy of the results. Additionally, a number of constituency offices observed did not publicly post results and in most cases observed did not send the results of re-counts back to polling stations for public posting, as required by election legislation. EU observers witnessed cases that suggested serious irregularities with election results, including figures that were implausible.

In the post election day period, the human rights situation deteriorated, starting with a blanket ban, issued immediately after the end of voting, on freedom of assembly in the capital. Media coverage also worsened. State media published statements by government/EPRDF personnel claiming victory in the elections, despite the fact that counting was still underway, but refused to publish opposition statements. Incidents involving students started on the night of 5 June and extended on 6 and 7 June with hundreds being arrested. During a demonstration in Addis Ababa on 8 June, security forces killed at least 36 citizens and in the aftermath arrested thousands of persons, mostly linked to the opposition, who were accused of spreading 'political unrest'. Leaders of the opposition were harassed and threatened, and some were kept under house arrest. Opposition offices were raided and staff was arrested.

Despite efforts by the NEBE to establish a system to deal with complaints, overall the process failed to provide an effective remedy to contestants, given that it took place in the context of serious violations of human rights and freedoms, namely of opposition leaders and suspected supporters, which undermined the opposition's ability to participate effectively in the process. In addition, there were serious concerns about whether the set up of the Complaints Investigation Panels (CIP) provided a level playing field. While appeals against NEBE decisions could be made to the Supreme Court, both institutions were headed by the same person, raising questions as to whether the judiciary offered an effective remedy for such cases.

The repeat elections in 31 constituencies on 21 August were generally well-administered, but with much lower turnout and considerably reduced presence of party observers from the opposition. The election process in the delayed Somalia region elections on the same day was marred by serious irregularities.

Despite the shortcomings in these elections, the high level of participation by the Ethiopian people and the opening of public debate prior to election day marked a significant development towards democracy in Ethiopia, showing the eagerness of citizens to make use of new political freedoms, which should serve as an inspiration for the future.

II. RECOMMENDATIONS

LEGAL FRAMEWORK

1. The composition of the NEBE should be reviewed. Continuing lack of trust by opposition parties in an election commission which is effectively appointed by one party will always be a serious liability to an election process. In transitional democracies election commission sometimes include party representatives. This model could be considered.
2. Electoral legislation should be more detailed, in particular in relation to important issues such as counting and aggregation, which should be stipulated in the election law.
3. The election law should stipulate that all competing parties, candidates and observers are given official copies of all result sheets.
4. The NEBE should be required by law to publish detailed results down to the polling station level.
5. NEBE working procedures should be formalised in an NEBE regulation.
6. The election law should provide deadlines for counting of votes in polling stations, as well as for counting and aggregation in constituency election offices.
7. Provisions on election complaints should be streamlined and broadened to allow stakeholders to complain against any acts or decisions which may impact on their rights. There should be deadlines stipulating when complaints must be decided by the election administration. The *ad-hoc* model of stakeholders being involved in the investigation of complaints may be usefully integrated in some form into the election law.

8. The system of community observers should be reviewed. The presence of five community observers can lead to overcrowding in polling stations and in close-knit local societies they can be perceived as a form of social control, without adding much transparency.

ELECTION ADMINISTRATION

1. The working procedures of the NEBE should be reviewed. The NEBE should have full authority over its secretariat, including appointment of its Chief and Deputy Chief Executive. Deliberation and decision-making by the NEBE should be public, or at least in the presence of stakeholders, such as all political parties participating in an election, which could be consulted on decisions before adoption.
2. The NEBE should publish detailed results of the 2005 elections, including a breakdown of results down to the polling station level.
3. The system of counting, aggregation and publication of votes should be faster, more rigorous and more transparent. This will be a key measure to avoid post-election conflict and controversy. To this end the following measures are recommended:
 - (i) Training of election officials in counting, aggregation, publication, completion of forms etc., should be increased.
 - (ii) Constituency election offices should immediately publish results received from polling stations. Subsequently votes should be re-counted to verify accuracy. Where results are not posted at polling stations, or not properly published at constituency levels, re-polling should be considered.
4. Ahead of the next Parliamentary elections, constituency boundaries should be re-drawn by an independent and transparent body, such as a Boundaries Commission, in order to ensure that constituencies have similar sizes.
5. Elections should be held on the same day in all parts of the country.
6. Consideration should be given to reducing the size of polling stations, which currently each cater for some 1,500 voters. Although this would increase costs, it would improve management of polling stations, reduce queues and provide for faster counting.
7. Students should be allowed to participate in elections in a way that does not impede the swift counting and aggregation of results.
8. Election material should be provided in languages other than Amharic where necessary.

COMPLAINTS AND APPEALS

1. The NEBE and the Supreme Court, which is entitled to review NEBE decisions, should not be headed by the same person.
2. The NEBE should use its legal power to start investigations out of its own initiative, where it has serious doubts about the process.

MEDIA

1. Freedom of the media needs to be established. State media, which are paid from public funds, should provide equitable access to all political contestants.
2. There should be a self-regulatory mechanism for media, or, if a press council is established, it should be set up in a way that guarantees its political independence. Reform of the media should be based on broad and inclusive discussion between all stakeholders.
3. The pre-election amendments of the criminal law regarding media issues should be taken off the books.

PARTICIPATION OF WOMEN

1. The Ethiopian authorities and all political parties should take steps to encourage greater participation of women in elections, including in the election administration and as candidate. Special efforts should be made to ensure increased registration of women as voters.
2. The NEBE should take steps to prevent family or clan voting, in particular in the Somali region.

DOMESTIC OBSERVATION

Legislation on domestic election observation should be more detailed. The NEBE should interpret the election law in a liberal spirit, in line with constitutional provisions, and should not add restrictions that are not foreseen in law.

III. INTRODUCTION AND ACKNOWLEDGMENTS

The Government of the Federal Democratic Republic of Ethiopia and the National Election Board of Ethiopia invited the European Union to observe the 15 May elections to the House of Peoples' Representatives and Regional Councils. The invitation by the Government, expressed by letter on 1 December 2004, stated that the invitation was made in light of the "consultation and co-operation in the political and human rights fields."¹

In response, the EU deployed an Election Observation Mission (EOM), between 18 March to 5 September 2005, headed by Ms. Ana Gomes, Member of the European Parliament (MEP), as Chief Observer. Around election day the EU EOM was joined by a delegation of nine members of the European Parliament, led by Mr. Anders Wijkman MEP, two members of the Irish parliament, and four observers from Norway. The respective rights and responsibilities of the mission and the Ethiopian authorities had been agreed upon in Memoranda of Understanding between the European Commission (EC) and the Government, and the EC and the National Election Board of Ethiopia (NEBE).²

The main objectives of the EU EOM were to enhance public confidence in the electoral process, serve through its presence as a deterrent against fraud, strengthen respect for human rights, enhance the confidence of voters and provide an informed and comprehensive

¹ A copy of this letter can be found in Annex 2.

² The MoUs can be found in Annex 3.

assessment of the election process. In this framework, the EU EOM also observed the complaints investigation process, the re-run elections and elections in the Somali region held on 21 August 2005. The EU EOM was politically independent and the Chief Observer carries the responsibility for the contents of this report.

The Implementing Partner (IP), responsible for the logistical and administrative support to the mission, was the *Deutsche Gesellschaft für Technische Zusammenarbeit* (GTZ), a German development agency.

The deployment of a Core Team of experts, Long-Term-Observers (LTOs) and Short-Term-Observers (STOs) enabled an in-depth analysis and thorough assessment of the electoral process against international principles for genuine democratic elections, notably Article 25 of the UN International Covenant for Civil and Political Rights (ICCPR) of 1966, to which the Federal Democratic Republic of Ethiopia acceded in 1993, in which eight democratic principles are established: **periodic** elections; **universal** and **equal** suffrage; **right to stand** for public office; **right to vote**; **secret** ballot; **genuine** elections allowing for the **free expression of the will of the people**. Other relevant standards are found in the African Charter on Human and Peoples' Rights of 1981 and the OAU/AU 'Declaration on Principles Governing Democratic Elections' from 2002.

The EU EOM maintained regular contact with the NEBE at all levels, as well as with candidates, non-governmental organizations (NGOs), other international observers, and Ethiopian citizens in general. The Chief Observer and the Deputy Chief Observer met the President, the Prime Minister and the Ministers of Foreign Relations and kept in regular contact with the Minister of Information, the Chairman and Chief Executive of the NEBE and with the main leaders of the competing political parties.

The EU EOM followed the election process both from its headquarters in Addis Ababa and through its 26 regional two-member teams of LTOs. Most constituencies were visited on at least one occasion. After the 15 May elections, the EU EOM was represented by one member of the Core Team (LTO Coordinator) and six LTOs. Three additional Core Team members joined the LTO Coordinator in late June (legal/electoral expert, security expert and media expert). The Chief Observer returned to Ethiopia in June, July and August.

On the two election days (15 May and re-runs/Somali Region elections on 21 August), EU observers visited more than 1,150 polling stations in all regions of the country. Ambassadors of EU Member States and the Head of the Delegation of the European Commission in Ethiopia joined the Chief Observer in visiting a number of polling stations. On the main election day (15 May), more than 200 European observers were deployed in total.

Fifteen observers were deployed in three regions (Amhara, Oromia, SNNPR) during the complaints investigation process and re-run elections (in 31 constituencies). They included eight LTOs who each observed the work of one or two Complaints Investigation Panels (CIPs). Six observers stayed until the end of the process and were deployed in the Somali region at the end of July to observe the election process there. During the complaints process the EOM was strengthened by two additional Swedish observers. Five observers from EU Member State embassies complemented the EU EOM until 15 July. The EOM left Ethiopia on 5 September 2005.

The EU EOM expresses its sincere thanks to the NEBE, the government of Ethiopia, political parties, candidates, civil society organisations, the media, the security forces, as well as the

EC Delegation, EU Member State embassies, and other international organisations, especially UNDP and other UN agencies, the Carter Center and Election Reform International Services (ERIS), for their cooperation and assistance. The mission is especially grateful to the people of Ethiopia for the hospitality and warmth offered to all observers throughout the process.

IV. STRUCTURE OF GOVERNMENT

The Federal Republic of Ethiopia comprises nine states “delimited on the basis of settlement patterns, language, identity and consent of the peoples concerned” (Art.46 of the 1994 constitution). These are: Tigray, Afar, Amhara, Oromia, Somalia, Benshangul/Gumuz, the State of the Southern Nations, Nationalities and Peoples (abbreviated as SSNNP), the State of the Gambela Peoples and the State of the Harari People. There are two self-governing administrations: Addis Ababa and Dire Dawa.

Federal and state institutions have legislative, executive and judicial powers (Art. 50). The President of the Federation is the Head of State, elected in a joint session by the two chambers. He has mainly honorary rather than executive powers. The incumbent President, Girma Woldegiorgis, was elected in 2001.

The Parliament is composed of two chambers: the House of Federation, or upper chamber, with 108 seats (members are elected by regional assemblies to serve five-year terms), and the House of Peoples’ Representatives, or lower chamber, with up to 550 seats (currently 547). Members are directly elected by popular vote from single-member constituencies to serve five-year terms. There are 22 seats reserved for the representatives of minority nationalities and peoples. The Prime Minister is elected from among members of the House of Peoples’ Representatives (Art.73). The incumbent, Meles Zenawi, was elected in August 1995 and re-elected in 2000.

The elections on 15 May 2005 also covered regional councils. Administratively, Ethiopia’s nine States are further divided into 600 districts (*Woreda*), which are divided into approximately 28,000 communities (*Kebele*).³ Councils at the *Woreda* and *Kebele* (villages) levels are scheduled to be elected in 2006.

The judiciary has both a federal and a regional structure. The federal court structure is organised into three levels: first instance Courts, High Courts and the Supreme Federal Court. Regional courts also exist at three levels: *Woreda* Courts, Zonal Courts and the Regional Supreme Court. The regional courts are regulated by their own state laws. The judiciary has competence, both at federal and regional level, as regards electoral complaints and appeals.

V. POLITICAL CONTEXT

The 2005 elections were significant in a context of transition. Hitherto the political scene had been dominated by the Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF), a coalition of four regionally based parties, led by the Tigrayan People’s Liberation Front (PLF). The EPRDF established a countrywide organisation. The EPRDF emerged from the war against the Derg regime and has been in power since 1991. Originally an agrarian-based

³ Translations of the Ethiopian constitution refer the federal entities variously as “states” or “regions”. In this report the term “region” will be generally used.

Marxist-Leninist party with very dense networks in most parts of the country, the EPRDF campaigned on its achievements in opening up the economy, although it remains predominantly a command economy.

The opposition was mainly focused around two separate broad coalitions: the United Ethiopian Democratic Forces (UEDF) and the Coalition for Unity and Democracy (CUD). The UEDF consists of five parties based in Ethiopia and nine in the Diaspora. The UEDF is not satisfied with the existing system of ethnic federalism and campaigned for more power to be shifted to the various ethnic groups. The Coalition for Unity and Democracy (CUD) consists of four main parties (themselves coalitions of smaller parties). Unlike the UEDF, the CUD is composed entirely of parties based in Ethiopia, but has links to the diaspora. The coalition contains parties with differing views regarding economic and political management ranging from social democrats to economic liberals. The CUD has emphasised the risks involved in the system of ethnic federalism which, in its view, could lead to a disintegration of Ethiopia, and therefore is campaigning for recentralisation (see also ANNEX 1 for an overview of the different coalitions). Another coalition of opposition Oromo parties that participated in the elections was the Oromo Federalist Democratic Movement (OFDM).

While the 1995 Parliamentary elections were boycotted by the opposition, there was some opposition participation in the 2000 elections, resulting in their gaining 12 out of 547 seats. However, the EPRDF acknowledges that the elections of 1995 and 2000 were not genuinely democratic.⁴

The 2005 elections were intended to make a more decisive step towards pluralistic democracy. The Prime Minister repeatedly stated that his government and party were keen to ensure a “flawless” democratic process. The elections were preceded by long negotiations between the government party and the main opposition coalitions about the framework in which they were held. The opposition eventually agreed to participate when its requests for changes of the election law were met, international observers invited and media guidelines adopted.

Nevertheless, from the outset, many opposition politicians questioned the fairness of the election process and the impartiality of the state bodies involved in it, notably the NEBE. They argued that the EPRDF was opening up the political environment to enhance its legitimacy and international standing, without contemplating any real democratic challenge to its powers. The EPRDF, on the other hand, was dismayed by widely-publicised doubts about a process which was held in a significantly improved framework in comparison to previous elections. This fundamental lack of trust and controversy about the rules of the elections overshadowed the process from the beginning.

VI. LEGAL FRAMEWORK

The main legal instruments governing the holding of elections are the 1994 constitution, the 1995 election law, which was amended before the 2005 elections, and regulation no.1 issued by the NEBE.⁵ While the legal framework is overall adequate for the holding of democratic

⁴ EPRDF Election Committee Office Announcement on results of 2005 elections: “(this) can be described as our country’s first free, fair and democratic elections (...)”, Transcript from ETV 16 May, 9 p.m.

⁵ These documents and other relevant documents are published on the NEBE homepage: <http://www.electionsethiopia.org/Index.html>

elections, a number of concerns need to be addressed. The apportionment of constituencies for the House of Peoples' Representatives violates the principle of equality of votes and there is an unreasonable restriction on the number of candidatures, which can discriminate against independent candidates. There are also concerns regarding the legal set-up of the NEBE and its secretariat. In general, the election law should provide more detailed norms on how to conduct the election process.

HUMAN RIGHTS PROTECTION

Essential political rights are enshrined in chapter three of the Constitution, notably the rights of freedom of expression, association, assembly and movement. The right to vote and to stand in elections is laid out in Article 38, which largely uses the language of Article 25 of the UN International Covenant of Civil and Political Rights (ICCPR). Art. 9 IV of the constitution foresees that "all international agreements ratified by Ethiopia are an integral part of the law of the land" and Art. 12 I stipulates that "the conduct of affairs of government shall be transparent." Art. 102 also foresees the creation of an independent election commission. Concerns regarding the implementation of these provisions are described in the chapter on the human rights context.

THE ELECTION SYSTEM

Federal elections to the House of Peoples' Representatives are based on a simple majority rule for 547 single member constituencies: the candidate with the largest number of votes wins the seat ('first past the post'). There are 22 "Special Constituencies" that correspond to the 22 minorities, which are represented with one seat each in the House of Peoples' Representatives. However, these groups are spread across different constituencies considered as a geographical entity. Elections in the Somali region for 23 seats of the House of Peoples' Representative and regional councils were scheduled for 21 August, reportedly for logistical reasons, instead of being held on 15 May as in the other regions. These elections had to be held in time for the beginning of the term of the new federal legislature on 8 September 2005.

Elections for the Councils of the nine regions and the Addis Ababa and Dire Dawa city administration are also conducted under a majority system. However, the constituencies are multi-mandate and voters cast their votes for as many candidates as there are seats. The candidates who obtain the largest number of votes in a constituency receive one of the seats in the Council. The number of seats per constituency is determined by the NEBE, based on states' constitutions or laws.

APPORTIONMENT OF CONSTITUENCIES

The apportionment of constituencies for the House of Peoples' Representatives elections violates the principles of equality of the vote as it is highly unequal. As an extreme example from within one state: the Deputy for the constituency in Arigoba Liyu constituency represents 6,592 registered voters, while the Deputy for the constituency of Debark represents almost twenty times that number of voters (124,684). Less extreme, but nevertheless very significant, variations can be found across the country.

While it is impossible to have constituencies with exactly the same number of voters they should be relatively similar to respect the equality of each vote as stipulated in Art. 38 of the Constitution of Ethiopia (equal suffrage), Art. 25 of the ICCPR and elsewhere. As the UN Human Rights Committee notes: "The principle of one person, one vote, must apply, and

within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters (...).⁶ Before the next parliamentary elections boundaries should be re-drawn, to bring them in line with international obligations and stipulations of the constitution of Ethiopia.

ELECTION OBSERVATION

Elections may be observed by “political organisations campaigning for elections, the public, various forms of public organisations”, and the government may invite foreign observers. (Art. 23 election law). However, the NEBE added more restrictive conditions for observation by domestic NGOs (see chapter on election administration).

CRIMINAL LEGISLATION

Title V of the penal code of 1957 contains an extensive list of electoral offences, such as disturbance of meetings or assemblies, impersonation, falsification of results, breach of the secrecy of voting, breaches of official secrecy, etc.

Shortly before election day, criminal legislation related to media conduct was adopted, to become effective on 8 May 2005. The legislation was taken from a contentious draft media law. The rushed adoption of the text shortly before election day, without any consultation, raised concerns from a procedural view and may be a violation of the right of citizens to take part in public affairs under Art. 25 of the ICCPR.⁷ Beyond procedure, the legislation raised serious concerns in terms of substance, for example, the law establishes that anybody in the media production/distribution chain down to sellers, importers or distributors can become criminally liable if the author or editor of an article cannot be identified. Liability in this case is not based on particular personal responsibility, but simply on the fact that no other perpetrators can be found. Criminal liability thus becomes a reflex of prosecutorial efficiency rather than personal wrongdoing. The adoption of this legislation may have had an intimidating effect on the media.

The introduction of such significant risks of criminal liability, e.g. for crimes against the honour of somebody, seemed curious at a moment when the Prime Minister and other government personalities, and in response the opposition, made derogatory remarks against each other (see chapter on campaign) with impunity.

ELIGIBILITY, VOTER REGISTRATION

According to the election law, any citizen who is 18 or more years on the date of registration shall be eligible for registration as a voter. In addition he/she needs to be residing in the constituency in question for at least six months. The right to vote is excluded for “notoriously insane” persons and “persons serving a term of imprisonment as under a sentence” (Art. 16, 19, 20 election law).

⁶ Point 21, General Comment of the Human Rights Committee on Art.25 (1996).

⁷ The UN Human Rights Committee notes: “Citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.”, *supra*.

Voter registration is carried out by the NEBE. In the absence of a permanent voter register, a new voter register is assembled before each election. Voters are registered at their place of residence. In addition to being 18 years or more on the date of registration, prospective voters have to produce an ID/passport or other documents to prove their identity, age and residence. In the absence of such documents, election officials can register a voter whom they recognise or in rural areas establish the identity through “traditional means” (Art. 32. 4 election law).

In an estimated population of 72 million, according to NEBE some 25,600,000 voters were registered for the 15 May elections, of which some 13,300,000 were men and some 12,340,000 were women. The regions with the highest registration figures were Oromia (9,200,000), Amhara (7,300,000) and SSNNP (5,100,000). Registration closed on 13 February 2005, but the NEBE later allowed the registration of some 30,000 students on campuses and military personnel, who were registered as ordinary citizens in the constituencies where their family resided.

According to official estimates 85 per cent of the eligible population was registered. The number of persons registered has increased significantly since the 2000 elections (for which 21,800,000 were registered), in line with the population growth of 3 per cent per year. However, there appears to have been an under-registration of women: 48 per cent of the registered voters were women, but it is estimated that women are 1-2 per cent more numerous than men.

CANDIDATE REGISTRATION

To be registered as a candidate in a constituency, a voter has to be resident in that constituency for a minimum of two years, or must have been born or worked there regularly in the two years before election day (Art.38. 1. d.). When standing for the House of Peoples’ Representatives, a candidate must be presented by a political party or produce endorsing signatures by 1,000 persons (Art. 38. 1 e). While this means that potential candidates are treated unequally, the requirement to gather signatures is legitimate in order to avoid frivolous candidatures. It is likewise reasonable to exempt political parties from this requirement, as they have already gone through specific requirements when registering as a political party.

The number of candidates for each seat is limited to 12. If there are more than 12 candidates, priority is given to those proposed by political parties. This is an unreasonable restriction of the equal right to stand as a candidate. It discriminates, in particular, against independent candidates and may have the effect of pressuring them to join political parties.⁸ Indeed, it could even lead to an independent candidate who has won earlier elections being prevented from participating simply because political parties have filled the list with twelve candidates.

The 2005 elections saw an increase of candidatures in comparison to previous elections. A total of 1,847 persons ran for the House of Peoples’ Representatives (compared to 1,080 in 2000), 3,762 ran for the regional councils (compared to 2,164 in 2000). A total of 70 political organisations and independent candidates (36 at the federal level and 34 at the regional level) took part in the 2005 electoral process.

⁸ The UN Human Rights Committee notes: “The right of persons to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties.” General Comment on Art. 25 ICCPR, *supra*.

PROVISIONS ON VOTING AND COUNTING

Voting should take place between 06:00 and 18:00. A voter has to show his/her voter card, which should correspond to the voter roll in the given polling station, in order to be allowed to vote. The choice of candidates is made by marking a cross or with a finger-print. Voters can ask for assistance. A finger is marked with indelible ink in order to avoid double voting. Ballots are considered invalid for a variety of reasons, including those which “do not enable to determine the intention of the elector” (Art.39. 7, NEBE Regulation No.1).

Persons carrying a weapon should not be present within a radius of five hundred meters of a polling station. Electoral offices are responsible for maintaining security in polling stations. If necessary, they can request the presence of police. Observers can also request the presence of police, but only through electoral offices.

Counting of ballots is undertaken in polling station “soon after closure of the polls” (Art.65 Election Law). The results are recorded in three copies, one to be forwarded with ballots and other documentation to the constituency (*Woreda*) election offices, one to be kept by the Chairman of the polling station, and one to be publicly posted within the premises of the polling station. Ballots are counted again in the *Woreda* election offices and detailed, aggregated results are publicly posted. The *Woreda* level sends copies of the results back to polling stations where they should be posted publicly. The *Woreda* election offices transmit the results to zonal/regional election offices which pass them on to the NEBE HQ. There is no provision in the election legislation that requires election officials in polling stations to give official copies of results to representatives of political parties. However, in a positive move, the NEBE issued instructions that this should happen; the instruction was included in its handbooks distributed to polling stations and amongst political parties and observer groups.

The details of counting and aggregation can become very sensitive in election processes as was shown in these elections. It is therefore important that they are spelled out in legislative acts, at least in NEBE regulations. The NEBE regulation is, however, silent about a number of important aspects, such as the types of forms to be filled and forwarded, how to deal with discrepancies in results, passing result copies to party representatives (the latter is addressed in the NEBE handbook), etc.

COMPLAINTS AND APPEALS

Chapter four of the election law deals with election complaints and appeals. It outlines procedures to respond to complaints about voter and candidate registration, voting and counting. Complaints are decided by the election office responsible for the subject matter, whose decisions can then be appealed to the competent court. In the 2005 elections, complaints against counting were the most frequent.

Complaints against counting are first made with the respective *Woreda* election officer, against whose decision a complaint can be lodged with the NEBE, whose decision can in turn be appealed to the Federal High Court. There is also a provision to allow lodging a petition against any ‘determination’ by the NEBE with the Federal Supreme Court (Art.73). The NEBE regulation No. 1 (chapter Eight) provides further details on how complaints should be handled. The only deadline for complaints against counting is that they have to be lodged

‘immediately’.⁹ There are no deadlines in the election legislation stipulating when these complaints have to be resolved by the election administration.

Independent of the complaint avenue outlined above, the NEBE is entitled by Art. 5 b of the election law to investigate and cancel election results and to order re-elections “where it has received information about violation of implementing directives, fraudulent acts or disturbances of peace and order of such magnitude and type which would create irregularities in the process (...)”. This provision has not been operationalised in NEBE regulations. Given that most complaints by parties in these elections were directly lodged with the NEBE, rather than through lower level electoral offices, the NEBE relied predominantly on the remedy of Art.5 b.

The various complaint avenues are cumbersome on the one hand, and on the other hand too restrictive, focusing on voter and candidate registration, voting and counting, but not covering complaints against violations of other electoral rules, such as those related to the right to campaign freely or equitable media access. Legislation should be streamlined to provide a standard complaint avenue against any possible violation of election rules.

VII. ELECTION ADMINISTRATION

The NEBE is responsible for administering elections at national and state levels, as well as for Zonal/Special *Woreda* (District) Councils, *Woreda* Councils, *Kebele* (neighbourhood) Councils, municipal elections, by-elections, recall elections and referenda.¹⁰ According to the Constitution, the NEBE is independent of any influence and tasked to “conduct in an impartial manner free and fair election in Federal and State constituencies.” (Art. 102).

The NEBE is composed of seven members appointed by the House of Peoples’ Representatives, to which it is accountable, upon the recommendation of the Prime Minister.¹¹ Members must have no political party affiliation and be selected on the basis of their professional competence. The term of office is six years. Board decisions are made by majority vote. In the case of a tie, the Chairman has a casting vote. The Vice-Chairman of the Board is elected from among its members and discharges the duties of the Chairman in his absence. The Board can issue regulations and directives and is responsible for appointing and training electoral officers, providing the public with civic education relating to the elections and announcing official results. It has the power to rectify electoral irregularities and investigate complaints that are submitted to it.

The NEBE has a secretariat headed by a Chief Executive and a Deputy Chief Executive, who are both appointed by the House of Peoples representatives upon recommendation by the Prime Minister. The Chief Executive is a non-voting member of the NEBE. Given that in elections technical details can have significant political implications, the direct appointment of the Chief and Deputy Chief Executive by Parliament dilutes the political authority of the NEBE and creates mixed accountability for the secretariat. Since the NEBE carries full

⁹ Art. 72 I of the election law. This is concretised in the NEBE regulation no.1, Art. 64, to mean until 48 hours after completion of counting.

¹⁰ The NEBE’s mandate, authority, etc., is described in greater detail in chapter two of the election law. The consolidated election law and other legislation relevant to the election process are published on the NEBE’s website: <http://www.electionsethiopia.org/Legal%20Framework.html>

¹¹ This modus of appointment is determined by constitution (article 102, 2).

responsibility for the election process and should be completely independent, it should enjoy full authority over the secretariat, including the appointment of its head.

The election administration is staffed with 170 permanent officials at the federal level, 12 of whom are Regional Electoral Coordinators for the different states and regions. Constituency Electoral Offices recruit more than 120,000 election officials to administer polling stations during elections. Constituencies can follow the delimitation of one *Woreda* or can include several *Woredas*, depending on their population. There are 22 “Special Constituencies” that correspond to the 22 minorities, which each are represented with one seat in the House of Peoples’ Representatives. However, these groups are spread across different constituencies considered as a geographical entity.

At election time, Constituency Electoral Committees are established in each of the 547 constituencies for the federal legislature. These are composed of three civil servants on secondment. Polling Station Committees in each of the more than 33,000 polling stations are composed of five persons, most of whom are civil servants. Polling stations also include a three member Grievance and Complaint Committee, chaired by the Chairperson of the Polling Station Committee, five electoral observers elected by the local community, and up to two observer representatives per candidate.¹² In addition, the polling operation can be observed by domestic and international observers.

PERFORMANCE OF THE NEBE

The NEBE’s overall performance was mixed. Generally it organised the election process efficiently until election day, but contributed to the significant delays in counting and aggregation after election day. Some decisions of the NEBE also raised concerns and contributed to the opposition’s perception that NEBE was not impartial. Nevertheless, election officials at all levels generally showed great dedication and worked to the best of their abilities.

On the positive side, electoral preparations were generally efficient, given the geographical distances and infrastructural challenges facing Ethiopia, as well as a small election budget. It was widely acknowledged that the organisation of these elections was more transparent than before.¹³ Voter and candidate registration, as well as preparations for polling, were generally within the deadlines established by the electoral calendar. Cascade training of election officials was conducted throughout the country, both for voter registration and for polling and counting operations. In urban areas, the negative effects of a shortage of organisational and material resources were partly mitigated by an extension of polling hours. In a positive development, the NEBE initiated joint political parties’ fora to reach consultative solutions for possible problems (see chapter on the election campaign).

However, on the negative side, it became clear during the process that election officials should have been better trained to prepare for the counting and aggregation procedures. EU observers also came across a high number of invalid votes in many areas, which may have been due to lack of training of election officials on rules regarding the validity of votes (see chapter on counting) and a lack of voter education in some areas. It is also of concern that the

¹² NEBE Regulation 1.5.: “The Chief Officer of the Polling Station shall conduct an election of five (5) persons among the residents of the Polling Station who shall observe the process of the election.”

¹³ The EU did not observe previous elections in Ethiopia.

NEBE accepted implausible results from the Somali region (see chapter on re-runs and Somali region elections).

Serious concerns were raised by a NEBE decision to ban the majority of civil society organizations intending to act as domestic electoral observers.¹⁴ The NEBE argued that these organisations' statutes should include election observation as one of the organisations' purposes in order to be admitted. This restriction was, however, not foreseen in law and by being more restrictive than the election law, the NEBE appears to have overstepped its mandate and constitutional provisions.¹⁵ The NEBE decision was eventually overturned by Federal High Court and the Supreme Court, but these judicial decisions were made so late that the banned organisations were not able to organise effective observation.

From the outset, the NEBE did not enjoy the confidence of the opposition parties. While the appointment of an election commission by Parliament is not unusual, in the political context of Ethiopia, where Parliament was dominated by one party, this appointment procedure was not likely to inspire full confidence of all stakeholders. There may be ways to increase stakeholders' confidence, e.g. by discussing and deciding in public, or at least in meetings where stakeholders (notably participating parties) can be present and take the floor. In other countries undergoing transition from one-party rule, election commissions are often set up as multi-party bodies, giving each stakeholder a voice and increasing the transparency of the process.¹⁶ It would be worth considering and discussing various options for election commission composition before the next elections.

The election administration at lower levels in most cases performed to the best of its abilities, but often struggled to adequately respond to the political controversies that developed during the election process. However, more extensive training of election officials should have been provided, given the technical and political complexity of election procedures. Lower level election officials sometimes became subject to pressure themselves (see chapter on counting and aggregation).

CAMPAIGN

The election campaign was marked by significantly enlarged freedoms for political campaigning in comparison to previous elections. Political Parties campaigned actively and opposition parties appeared to become increasingly active in the countryside. There were no major clashes between supporters and the overall atmosphere during the campaign was calm, culminating in two massive, peaceful rallies in Addis Ababa, one by the EPRDF and one by the opposition.

Nevertheless the opposition alleged widespread intimidation and arrests of its supporters. Often, intimidation in the rural areas included threats with land dispossession and deprivation of fertilizers or food assistance. The EU EOM was not able, for logistical reasons, to verify all these allegations, but could confirm most cases that it looked into. For example, observers confirmed arrests and imprisonment of CUD candidates in Debre Tabor/Gonder, in Betucha Angalo/Oromia and in Addis Ababa. In Gambela, 52 supporters of independent candidates

¹⁴ This affected an informal network of 35 Ethiopian civil society organizations planning to undertake election observation, represented by the Organization for Social Justice (OSJ).

¹⁵ The UN Human Rights' Committee noted: "There should be independent scrutiny of the voting and counting process and access to judicial review or other equivalent process so that electors have confidence in the security of the ballot and the counting of the votes.", General Comment on Art. 25 (1996).

¹⁶ For example, the election commission of Mozambique.

were arrested under the charge of ‘hooliganism’. In Gebre Guracha/Oromia 12 supporters of the opposition ONC were imprisoned. The EU EOM recorded no arrests of EPRDF supporters for campaign offences. As far as intimidation or violent acts were concerned, the EU EOM could confirm the occurrence of some of these incidents, without, however, being able to ascertain the responsibility.¹⁷ International human rights groups were overall critical about the campaign and listed a number of cases of human rights violations.¹⁸

Many EU observers reported examples of state institutions supporting the EPRDF campaign. For example, ruling party posters were seen in offices of the administration in numerous regions, including Afar, Addis, Oromia, Ahmara, SNNP and Harari. Police and armed militia were also seen acting in support of the EPRDF, for example by wearing EPRDF symbols and instructing citizens to attend an EPRDF rally in Dessie Town (Amhara) on 5 May and in Gambela town on 7 May. In the latter case, police also distributed anti-CUD banners. In Debre Birhan the EU EOM Chief Observer witnessed Police and armed militia chasing children and youngsters.¹⁹

The end of the campaign became more heated, with parties accusing each other of numerous violations of campaign rules. Campaign rhetoric became insulting. The most extreme example of this came from the Deputy Prime Minister, Addisu Legesse, who, in a public debate on 15 April, compared the opposition parties with the *Interhamwe* militia, which perpetrated the 1994 Rwandan genocide. The Prime Minister made the same comparison on 5 May in relation to the CUD.²⁰ The EPRDF made the same associations during its free slots on radio and TV. The opposition coalition UEDF then used the comparison against the government in a TV spot showing footage of the movie “Hotel Rwanda”. Such rhetoric is unacceptable in a democratic election.

The NEBE-sponsored establishment of joint political party fora at national and constituency levels was a positive feature as it allowed the election administration and political parties to become accustomed to jointly discuss problems related to the campaign and the election administration. However, the experience was too brief, with parties’ positions often too rigid for a compromise or consensus to be reached. Nevertheless, in this context a code of conduct was signed by all political parties. The EPRDF had earlier adopted a specific code of conduct for its members. The EPRDF, CUD and other parties also signed a non-violence pact on the eve of the elections.

MEDIA

During the election campaign, there was an unprecedented opening of the state media to pluralistic reporting, giving coverage to all parties contesting the elections. After election day, however, state media only covered government/EPRDF positions, providing no access for opposition or other dissenting opinions.

¹⁷ See Annexes 4 and 5.

¹⁸ Amnesty International, 29 April 2005: “Ethiopia: The 15 May elections and human rights – recommendations to the government, election observers and political parties”; Human Rights Watch, 10 May 2005, “Ethiopia : Political Dissent Quashed” (announcing publication of a report on the Oromia region).

¹⁹ See letter of EU EOM Chief Observer to the Prime Minister dated May 13, 2005 in Annex 5.

²⁰ Source: AFP, “At least 600,000 Ethiopians attend ruling party rally in capital”, 7 May. After the elections the Prime Minister defended the comparison and indicated that the problem was rather to get the message across (Walta Information Centre website, 25 May 2005).

The media in Ethiopia is dominated by the state, which manages the only TV station (Ethiopia TV), a radio station (Radio Ethiopia), a national news agency (Ethiopia News Agency, ENA), which feeds the two former with most of their information, and three out of the four daily newspapers (*Addis Zemen*, *Baarisa* and *The Ethiopian Herald*). Further, the ruling party has strong ties with the only other news agency (Walta Information Center) and radio station with nationwide coverage (Radio Fana).

The private press, made up of one daily newspaper in English (*The Daily Monitor*) and various periodical publications, is the only outlet for dissenting voices, but has a much more limited reach than the electronic media controlled by the state and ruling party. *The Reporter*, with two weekly editions in Amharic and one in English, and the *Addis Admas*, published in Amharic, which has the largest print-run (circa 40,000), are the two most significant representatives of the privately-owned press. The Ethiopian private press represents a varied assortment of political views and professional standards. In general terms, it covered the campaign in a more passionate manner than the state media, sometimes showing political preferences openly, which is admissible for private media.²¹

Political parties and independent candidates have a right to equal access to the state media and are also entitled to free airtime (Art. 50 election law). During the campaign state media generally provided fair access to all competing parties. The Ethiopian Broadcasting Agency's formula to allocate free space and airtime to the contending parties in the state-owned media, resulting in 44 per cent of the slots for the ruling party and 56 per cent for the opposition parties, was generally observed. Sometimes the opposition parties received a larger share than foreseen.²² The allotted free spaces were not always filled by the parties, especially those slots reserved for regional languages. Independent candidates filed complaints against lack of access to state media.

On the positive side, two developments deserve special attention. First, unprecedented debate among the main political parties, broadcast live through the state radio and television from the beginning of 2005, allowed a genuine exchange of views and were followed with great interest by a mostly urban audience not previously used to such a free exchange of points of view in the public domain. Second, the signing, by the main private and state-owned media outlets (with the only prominent exception of *The Reporter*), of a code of conduct for the campaign was welcome in an environment in which consensus is not the rule.

However, on the negative side, the Media Commission, which should have regulated media issues during the campaign, was ultimately not established. Also, other long-awaited developments, such as the granting of two new private radio licenses, did not materialise before election day, although the authorities had already short-listed three companies from the 12 applicants and a decision was expected soon. Further, the passing of the provisions of the draft Press Law on 8 May as amendments to the new Penal Code raised serious concerns (see chapter on legal framework).

In changes of procedure, on 9 May, the NEBE transferred the authority to accredit journalists reporting on the elections to the Ministry of Information. On 11 May, a number of international journalists (BBC, AP, AFP) were summoned by the Minister of

²¹ For more details on free access and editorial content, see Annex 9.

²² According to the official formula, state-owned media had to allocate 10 per cent of their free space/airtime to political parties without representation in Parliament, 27 per cent based on parliamentary seats, and 63 per cent for political parties belonging to one of the three main coalitions (EPRDF, UEDF and CUD).

Information/EPRDF campaign manager, who expressed dismay at their reporting and threatened at least one of the journalists with a revocation of his accreditation. After election day, accreditation by the Ministry of Information was withdrawn from some journalists of international media with the explanation that their reporting was biased (see section on human rights context).

During the last week of the campaign (from May 6 to 12), the amount and positive tone of coverage devoted to the ruling party significantly increased in the state-owned media monitored by the EOM.²³ After election day, there was a drastic reversal of state media policy. While EPRDF victory statements and other EPRDF/government positions were widely and repeatedly covered (see section on voting and counting), opposition parties did not receive any coverage, and only positive elements of statements by international election observers were broadcast.

On 20 May, the EU EOM Chief Observer expressed strong concerns to the Prime Minister about the severe restrictions on freedom of media, and the overtly biased reporting by state media since election day in favour of the ruling party. On 24 May, the EU EOM published a statement expressing its serious concern with the selective coverage of international observers' statements by the state media and the widespread and repeated publicising of results by the state media which were not official results published by the NEBE. After this statement, media policy was shifted to some degree and opposition parties' statements received some coverage. However, state media never returned to giving proper access to all opinions. Throughout the complaints phase, the government/ruling party refused to agree to a "Media Code of Conduct", drafted with the assistance of Ambassadors of the Donor Group, which was accepted by the opposition parties.

VIII. VOTING

On 15 May, Ethiopian citizens turned out in massive numbers to vote. The atmosphere on election day was generally calm and peaceful. Towards the end of official polling hours it became clear that polling could not be finished by the established time, because of the large turnout and partly as a result of lack of material and organisational resources. The NEBE addressed this by extending voting by two hours.

The opening of polling stations observed by EU observers generally occurred on time or within a reasonable timeframe (96 per cent of polling stations observed opened between 0600-08:00). In some areas significant delays were reported, for example in the *Woreda* of Mila and Ketema in Amhara.

Polling station staff were generally present at polling stations visited by EU observers (93 per cent), including the five community observers (93 per cent). Political party observers were present during voting in polling stations visited as follows: EPRDF 93 per cent, CUD 73 per cent, UEDF 40 per cent, other parties 25 per cent and independent candidate observers 23 per cent. Domestic non-partisan observers (excluding community observers) were present in 47 per cent of polling stations visited. These were often local groups, such as public associations or church groups.

²³ See Annex 9 - a blatant example of bias by *The Ethiopian Herald* on 12 May is also shown there.

The supply of voting material was generally adequate in the countryside, while in some cities there were shortages due to the very high voter turnout. The student vote in Jimme was only completed in the days following election day. Indelible ink was generally effectively applied in polling stations visited (95 per cent), although the ink supply was delayed or insufficient in a number of polling stations in cities such as Addis Ababa, or in some areas of SNNPR.

Campaign material was rarely seen in polling stations (5 per cent). Observers witnessed intimidation in 4 per cent of polling stations visited, multiple voting 3 per cent of polling stations visited and ballot stuffing 2 per cent of polling stations visited. The secrecy of the vote was preserved by improvised voting booths. Ballot boxes were properly zipped and sealed in 96 per cent of polling stations visited.

Given the high turnout and slow processing, there were long queues and voters had to wait for many hours. In some cases where people were required to queue for more than half the day in the sun, unrest broke out. The slow processing of voters was often due to poor lay-out of polling stations, lack of consideration as to how voters would flow inside the station and slow work by good-willing, but often poorly trained election officials.

Overall observers judged the process as “very good” or “good” in 77 per cent of polling stations, “poor” in 17 per cent and “totally unsatisfactory” in 5 per cent. The 22 per cent negative evaluations were due mainly to inappropriate polling locations (e.g. places which were too small for the task), underage voting and lack of secrecy.

IX. COUNTING, AGGREGATION AND PUBLICATION OF RESULTS

The process of counting in polling stations, re-counting at the constituency level and the publication of detailed results was very slow and flawed in many constituencies. Reports were received from a significant number of election officials of pressure from government officials or ruling party representatives.

The slow counting of votes in most areas was often due to insufficient training and sometimes to adverse material conditions. EU observers assessed the overall counting and closing process negatively in almost half the urban polling stations observed (10 per cent totally unsatisfactory, 37 per cent poor), a very high figure for international observers to register. The statistics for rural areas was even worse. In many cases this was due to disorganisation and a lack of transparency.

EU observers witnessed cases, in which circumstances suggested serious irregularities. For example: (1) In the constituency Adame 3/Oromia observers found election results in the constituency election office favouring the EPRFD (OPDO) candidate, that differed significantly from those registered in polling stations. In the case of Polling Station No.10 the figure in favour of the CUD had dropped from 1,702 to 907, although the figure of 1,702 was still on display at the polling station. Other polling station results were implausible, e.g. showing turnout of 100 per cent in some cases, as well as, in one case, a turnout of 7 per cent and no vote at all for the CUD (Polling Station No.5). According to official results the EPRDF (OPDO) candidate won with 10,840 votes against 10,627 votes for the CUD candidate. The CUD lost its complaint against these results. (2) In the constituency of Agarfa Gasera/Oromia, observers came across implausible results, such as exactly the same figures in a number of polling stations for the ruling party and none for other parties in some polling stations and in others 100 per cent turnout and 100 per cent vote for the ruling party.

According to official results the EPRDF (OPDO) candidate won with 74.8 per cent. (3) In the constituency of Gambela Medebegna/Gambela, EU observers witnessed significant support in a number of polling stations for an independent candidate. EU observers then received information that the ruling coalition there, GPDM, was not satisfied with the results and insisted on a change. On the NEBE website the GPDM candidate is listed as the only candidate, receiving 100 per cent of the votes cast, but no indication about the number of voters registered there.²⁴

At the constituency level numerous delays occurred, mostly because constituency election offices waited for all polling station results to arrive before starting to re-count. A number of constituency election offices were also under the impression that results would have to be accepted by the NEBE before publication. Often constituencies sent materials back to polling stations for corrections, e.g. where signatures and forms were missing. Additional delays resulted from complaints being filed by all parties involved. The net result was that some two weeks after election day many constituencies did not have consolidated results.

After counting in the polling stations result sheets were only displayed at 29 per cent of rural polling stations observed and in 36 per cent of urban polling stations observed. Likewise a number of constituency offices observed did not post results and in most cases observed did not send the results of the re-counts back to the polling station for posting, as required by election legislation. At constituency levels the EU observers reported a few cases of obstruction and breach of rules.²⁵

The NEBE contributed to the problem of non-publication by announcing before the elections that there should be no immediate publication of results at the constituency level, because the votes of students (who vote in universities, but whose votes are included in the constituencies where their families are resident) would first have to be counted in Addis Ababa and then integrated into the respective constituency results.²⁶ While this policy was later reversed, many polling station officials were left with the impression that they should not post any results.

In 25 per cent of polling stations observed, the representatives of political parties did not receive a copy of the results. Given that party representatives were only present in less than half the polling stations observed during closing and counting, this meant that parties received a limited number of result copies. Political parties and other interested stakeholders, who are not present during counting for whatever reason, should have the possibility to verify results by checking results sheets displayed at polling stations. However, as indicated above, in the majority of cases results were not displayed in this way. For the opposition, this meant that in

²⁴ In the other two constituencies of Gambela the NEBE website shows one additional 100 per cent result for a GPDM candidate, while it shows no results for the third constituency.

²⁵ For example, EU LTOs reported that in the Dhera and Asela constituencies (Oromia) the constituency election co-ordinators worked without the presence of any public, international or party observers as officials did not inform nor allow any witness to follow the process. They passed results to the NEBE HQ without their having been made public at constituency levels. In Asela, the CUD candidate won with a wide margin, in Dera the EPRDF candidate won with a margin of 0.02 per cent. In another case, the Chairman of the Regional Election Commission of Harar (two constituencies) did not inform observers of the location for the counting of results (which did not take place in the NEBE premises), despite repeated requests. No results were displayed at the polling station level for these constituencies. In one of the two constituencies (Jegol Zuria and Hundene) the EDRDF candidate won with a lead of 1.46 per cent, according to official results.

²⁶ "NEBE Says Election Results Will Not Be Disclosed First In Constituencies", Ethiopian News Agency 25 April 2005.

many cases it had no access to vital information for verifying results and substantiating complaints.

Very significant shares of ballots were considered 'invalid' during counting (10 per cent in many polling stations observed, in some cases between 20-30 per cent). In many cases, EU observers reported that officials were too restrictive, invalidating ballots which appeared to show clear voter intention in line with Art. 39.7 of NEBE Regulation No.1.

The process of counting and aggregation was overshadowed by considerable uncertainty resulting from early announcements of results by political parties. The opposition was the first to make an announcement of results, claiming, on 16 May, that it had won at least 185 seats. In the evening of the same day, the campaign manager of the EPRDF stated that his party had won the elections and gained more than 300 seats. Ethiopian TV aired an official statement by the EPRDF's 'election office committee' stating that counting showed that the EPRDF had won a majority of seats and the party formally thanked everybody involved for the process and the fresh mandate received. All state media (TV, radio, newspapers), which have far wider reach than private media, provided widespread and repeated coverage to the EPRDF's statements.

Given that opposition statements were not covered by the state media during this period, the wider public was left with the impression that the elections had been decided, particularly in view of the fact that the EPRDF campaign manager was also the Minister of Information. Election officials were, in many cases, uncertain what this meant for their work and opposition supporters, embittered by what they saw as a pre-emption of the completion of the counting process, which was manifestly still on-going in most constituencies. By 24 May, the NEBE had only published results in 121 constituencies. By 2 June it had published preliminary results from 513 constituencies, but then decided to postpone publication of complete final official results until after the completion of the complaints process.²⁷

Across the country, almost all EU observers received reports from opposition party representatives alleging intimidation of their supporters and candidates by government or EPRDF representatives, including threats against their lives, beatings, presence of militia, arrests, etc. In some cases observers were given detailed accounts by persons who alleged that they were victims of intimidation, including violence. Some 20 per cent of EU LTOs spoke to election officials who reported that they were fearful of negative reactions against them if the EPRDF did not win in their area. As many of the officials held government jobs, they were particularly concerned about their professional future. In a few cases, in areas where opposition won, they expressed fear for their lives, because they felt they would be held responsible for the results.

X. HUMAN RIGHTS CONTEXT IN THE POST-ELECTION PERIOD

In response to the EU EOM's statement of 25 August 2005 on the complaints process, Prime Minister Meles Zenawi published a letter criticising the EU EOM for raising serious concerns related to human rights violations after election day, which, in his view, were not related to

²⁷ On 24 May, the EU EOM prepared an internal report indicating, inter alia, that based on results collected by EU observers in polling stations across the country, representing more than 500,000 votes, the vote distribution appeared to show a different overall trend in comparison with officially published results. This report was leaked to the media by an unknown person.

the election process.²⁸ However, the enjoyment of political rights, such as freedoms of expression, association and assembly is a key component of any election process. This has been widely recognised, e.g. by the UN Human Rights Committee.²⁹ The Ethiopian government endorsed this understanding in the OAU/AU 'Declaration on Principles Governing Democratic Elections', which states "We commit our governments to (...) d) safeguard the human and civil liberties of all citizens including the freedom of movement, assembly, association, expression, and campaigning as well as access to the media on the part of all stakeholders, during electoral processes (...)"³⁰

It is an integral part of election observation missions to consider these elements. This understanding has recently been formally endorsed by the UN, AU, EU, Inter Parliamentary Union, Carter Center and other organisations in the International Declaration of Principles for Election Observation, which notes *inter alia*: "International election observation is the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment;" and "Genuine democratic elections cannot be achieved unless a wide range of other human rights and fundamental freedoms can be exercised on an ongoing basis without discrimination (...)"³¹

Human rights continue to play a vital role after election day. In order that political parties, the public and the electorate can properly follow the counting and aggregation of votes as well as complaints and appeals procedures, there is a need for human rights to be respected and protected. However, the post election-day process was marred by intimidation, mass-arrests, killings of demonstrators and opposition personnel and intimidation.³²

On election day evening, the Prime Minister announced a ban on demonstrations in Addis Ababa. The legality of this measure was questioned by experts on the ground that the Ethiopian Constitution does not foresee a blanket prohibition of the right to freedom of assembly, except possibly in a state of emergency, which has to be declared however by the Council of Ministers and ratified by Parliament (Art.76).³³ This measure was accompanied by a significant shift in media coverage of the election process. While before the elections state media had been largely balanced, it now reported exclusively government/EPRDF positions

²⁸ See letter of PM Meles to the Ethiopian Herald, 31 August 2005, published on <http://www.ethioembassy.org.uk/Facts%20About%20Ethiopia/Elections/Letter%20by%20Prime%20Minister%20Meles%20Zenawi%20to%20the%20Editor%20of%20the%20Ethiopian%20Herald.htm> In the letter, the Prime Minister also accuses the EU EOM of not distinguishing between the government and the EPRDF. The letter is entitled 'Letter by Prime Minister Meles Zenawi to the Ethiopian Herald' and was distributed through Ethiopian embassies. The letter states in its final paragraph: "We in the EPRDF have faced off many more serious challenges. We must face this one with the same unflinching commitment to principles and justice."

²⁹ Enjoyment of rights under Art. 25 "requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom to engage in political activity individually or through political parties and other organizations, freedom to debate public affairs, to hold peaceful demonstrations and meetings, to criticize and oppose, to publish political material, to campaign for election and to advertise political ideas;" UN Human Rights Committee, General Comments, 1996.

³⁰ OAU/AU Declaration by Heads of State and Government, Durban 2002.

³¹ See: http://www.accessdemocracy.org/library/1923_declaration_102705.pdf The EU EOM methodology reflects this understanding, see "Handbook for European Union Election Observation Missions".

³² As the EU EOM explained in its interim statement of 25 August 2005, the widespread violation of human rights "undermined the opposition's ability to participate effectively in the process, independently of their competence to argue their case: material evidence was unobtainable because detained or fearful witnesses were unable to testify and, in one case, an important witness was killed."

³³ See All Africa, "Scholar says State of Emergency Violates Constitution", 17 June 2005.

(see media monitoring section). On 2 June, eight journalists of newspapers linked to the opposition were detained for one day and asked to release the sources of some of their recent reports. At the same time the Ministry of Information withdrew the accreditation of five local correspondents of international media (including Deutsche Welle and Voice of America). According to the Ministry's Head of Public Relations Department, this was due to their unbalanced and biased reporting.³⁴

The government and EPRDF thus took full control of the public sphere in a context where the counting and aggregation of results became difficult and required maximum transparency and scrutiny to create confidence in the outcome.

On 5 June, incidents started at the University of Addis Ababa and spread, the next day, to other parts of town. According to the Police, on 6 June, 520 students were arrested in the campus and more than 50 "vagrants" were arrested elsewhere. On 7 June, army, police and armed militia trucks patrolled the city streets day and night. On 8 June, demonstrations took place in Addis Ababa in which the security forces killed at least 36 persons. On that day, the EU EOM Chief Observer issued a statement condemning the violence, urging an enquiry and the release of all persons arrested and not charged. According to the government, the incident had to be seen in connection with spreading lawlessness in the capital. Most analysts however, considered that the security forces had used excessive force.

Following the demonstration and killing of demonstrators, the government conducted a wave of arrests, some directly connected to the demonstration, others without any obvious connection. The exact numbers are controversial and cannot be ascertained in absence of official figures, but were in the thousands. In late June, Federal Police stated that 3,132 people were held at one prison (Ziway, near Addis Ababa), of which 2,665 would be released.³⁵ High school children were among those detained, some of whom informed the EU EOM Chief Observer that they had been picked up at their homes late at night.

While Prime Minister Meles Zenawi told the public that all persons arrested were guilty in one way or another, but those with lesser involvement would be released,³⁶ Police Commissioner Workenhe Gebeyohe indicated that 690 detainees were released because they had nothing to do with clashes,³⁷ and government spokesman Zemedkun Teckle was quoted, in connection with releases, as saying: "Anyone found not to have been involved in political unrest will be freed."³⁸ Given these contradictory statements regarding the nature of the accusations and the vagueness of the term 'political unrest', it was difficult not to interpret these arrests as politically motivated. In light of the events in Addis Ababa, opposition supporters were likely to have assumed that using their right to demonstrate or to otherwise support the opposition would be considered as unrest. The Minister of Information, Simon Bereket, who was also the EPRDF's campaign manager, accused the opposition of

³⁴ Information received by EU EOM LTOs, who visited the Ministry on 8 June.

³⁵ All Africa, 26 June 2005, quoting news by the Ethiopian News Agency (ENA). The ENA's internet archive does not cover this period.

³⁶ "With exception of very few wanted people, the majority are being released after investigating their cases. Those released were not set free because they had not committed any crime but their crime was not that serious.", Interview in Ethiopian TV 1700GMT, 1 July. This statement violated the constitution of Ethiopia (Art. 20.3 stipulating the presumption of innocence until proven guilty in court).

³⁷ Agence France Press, "Police to let Red Cross, families visit detention centres", 18 June.

³⁸ Associated Press, 17 June.

“orchestrating this violence”,³⁹ although it was not disputed that the 36 or more victims had been shot by the police.

On 12 June, the newly elected opposition politician, Tesfaye Adane Jara, was killed, allegedly by police. At the time, the Information Minister announced that six police officers were held and investigated in connection with the incident.⁴⁰

Opposition representatives, including candidates who had been elected, were harassed, put under house arrest without legal authorisation and prosecuted. The EU EOM directly observed cases involving Mr. Hailu Shawel and Mr. Lidetu Ayalew (CUD leaders), Mr. Berhanu Nega (CUD) and Mr. Mohamed Ali Mohamed (MP-elect for CUD in Dessie constituency), where this occurred. CUD offices were also raided and staffers arrested. This was observed directly by EU observers near to the EU EOM office at Urael Church Road, during the morning of 9 June. In addition, human rights activists, such as members of the NGO Ethiopian Human Rights Council (EHRCO), were arrested. The EU EOM Chief Observer sent a letter to the Minister of Information on 10 June raising specific concerns about violations of human rights.⁴¹

Journalists from the private media outlets *Statenav*, *Addis Zena*, *Ethiop*, *Asqual*, *Tomar*, *Menelik*, *Netsanet*, *Moged* and *The Reporter*⁴² were again temporarily arrested in early July, before being released on bail or summoned for court hearings. According to private newspaper journalists the government printing house in *Berhane-na-Shalam* reported a shortage of paper, during this period, forcing it to reduce circulation by 50 per cent. However; this reduction did not affect the state newspapers, which continued to have the same numbers of copies printed.

The political situation in the post-election period further deteriorated when the EPRDF majority in the House of Peoples’ Representatives revised the ‘Provisions of Parliament Procedure’, to reduce the role of opposition in the house. This was understood by the opposition as a measure to minimise the impact it would have in Parliament and thus change the content of the electoral process. The changes allow only the majority party to introduce bills pertaining to financial issues (Art.39.3). They also empower the Speaker to undertake ‘technical editing’ of bills (Art. 11. b) before promulgation. In addition, the revised provisions enable the Speaker to schedule legislative activity. They also require that items for Parliamentary discussion are be determined by the Speaker and the leader of the majority party. Opposition leaders are consulted, but the leader of the majority party decides on which agenda items proposed by the opposition are to be debated and the time needed for debate (Art.12). The leader of the majority party is appointed by the Prime Minister and accountable to him (Art.37.2), which is a reversal of a Parliament’s role to hold the executive to account. New provisions on ethical conduct were also introduced, which prohibit members from making statements lacking “good faith and are false, and which endanger the peace and security of the country and its members”(Art.9 c and 9 d). It is not stipulated who would

³⁹ UN Integrated Regional Information Network, Nairobi, 10 June 2005.

⁴⁰ Africa News, "US condemns use of force as MP is killed", 14 June.

⁴¹ See Annex 6.

⁴² On 7 July, the Editor-in-Chief of *Satenaw*, Talrat Serbesa, was detained and imprisoned after refusing to disclose the source of a statement criticising the NEBE for releasing unofficial election results. After a night in prison, the journalist was released on bail (1,000 Birr). On 11 July, Fasil Yenealem, Editor-in-Chief of *Addis Zena*, was detained and charged with having published an article on the Prime Minister’s ban on public demonstrations, which at the time was subject to a case in court brought by the opposition. After a night in prison Mr. Yenealem was released but required to return to court at a later date.

identify violations of these provisions. After it became clear that the opposition had won in Addis Ababa, changes were made to the legal and tax arrangements of municipality, possibly hindering the governance of the city, in particular by affecting its financial resources.

XI. COMPLAINTS AND APPEALS

A total of 426 complaints were made against results in 299 constituencies. Most of these complaints were submitted directly with NEBE HQ rather than through *Woreda* election offices. The NEBE addressed these complaints on the basis of Art. 5.1 of the election law (see chapter on legal framework).

As the NEBE had no standard procedures to deal with complaints, an agreement on ad hoc procedures was signed on 10 June between all political parties, despite the extremely tense political atmosphere. The signing was witnessed by foreign Ambassadors and the EU EOM.

The NEBE developed the ad hoc procedures with the assistance of foreign election consultants.⁴³ Two bodies were established to deal with complaints: A Complaints Review Body and Complaints Investigation Panels (CIPs). The composition of CIPs took the political sensitivity of the situation into account, by allowing political party representatives to be present on the panels. The announcement of official results, originally foreseen for 8 June, was postponed until the adjudication of complaints had been completed.

The Complaints Review Body (CRB) was a three-member body of the NEBE tasked to review all complaints lodged and recommend to the NEBE whether further investigation was necessary or not. If further investigation was not recommended, the complainant was invited to clarify evidence or provide further evidence for a second review. If this was not done the complaint was dismissed automatically. A summary of complaints was shared with all interested parties and international election observers.

The summary of CRB recommendations as of 18 June 2005 was as follows.⁴⁴

Complaints	Status
150	Recommended
234	Not Recommended
29	Further evidence needed
8	Provisional results not published
5	Non-art 52 appeals
426	TOTAL

The cases for which the NEBE confirmed the recommendation to carry out an investigation were taken up by the Complaints Investigation Panels (CIPs). The CIPs were responsible to “determine the facts so as to establish whether the alleged irregularity or irregularities occurred or not, and to record such facts.”⁴⁵ The CIPs investigated evidence submitted by the

⁴³ The Donor community tasked the UNDP to provide an election technical assistance programme to support the NEBE and the 2005 Elections. This assistance was implemented by ERIS.

⁴⁴ Source: Summary of the Provisional Recommendations of the NEBE Complaints Review Body.

⁴⁵ Paragraph 3 (ii) of the Terms of Reference for the Operation of a Complaints Investigation Panel to be established by the National Election Board of Ethiopia.

complainant and heard from witnesses of the alleged complaints. With these elements, the CIPs had to decide whether the violation alleged in the complaint occurred and, if it did, whether it would have an impact on the results. Accordingly, they recommended five different types of action to the NEBE.⁴⁶ Complainants could appeal the eventual NEBE decision in the courts.⁴⁷

The CIPs had a mixed NEBE/political party composition. Two members were appointed by the NEBE (one acting as CIP Chairperson), one member was appointed from the complainant party, and another member was appointed by the party affected by the complaint who “according to the provisional results declared by the constituency, appeared to have won the election in that constituency.”⁴⁸ If more than one party submitted complaints in the same constituency, the CIP included representatives of each of the complainants. However, the number of CIP voting members was reduced to achieve an odd number of panellists in order to avoid draws. Panels were supposed to operate by consensus. However, when consensus was not possible, a majority vote was binding, which had to be indicated in the CIP records.⁴⁹

The NEBE initially appointed 26 CIPs to investigate complaints in 141 constituencies in Amhara, Oromia and SNNPR.⁵⁰ Each of the CIPs was allocated an average of five election districts. Three days of investigation, hearings and case presentation per constituency were envisaged. However, in many cases the hearings took much longer due to the high number of witnesses to be heard. In a second phase, an additional 18 CIPs were sent to investigate complaints in 41 additional constituencies, mostly in the Amhara Regional State.

Distribution of constituencies under investigation by Regional States and Cities was as follows:⁵¹

Regional Status	Constituencies
SNNPR	70
Amhara	63
Oromiya	48
Harar	1
Total	182

CIPs heard witnesses and examined documentary evidence identified by the NEBE. The investigation process at the CIPs was witnessed by international observers (EU EOM, Carter Center and African Union) at the request of the NEBE, and especially the UEDF and CUD

⁴⁶ The five different types of recommendation were: “(a) that an irregularity has not shown to have occurred and that the complaint should be rejected; (b) that an irregularity has been shown to have occurred but it was not bound to have determined the outcome of the results in that constituency and that the NEBE should allow the complaint but not take further action; (c) that an irregularity has been shown to have occurred and that it was bound to have determined the outcome of the results in that constituency and that the NEBE should allow the complaint and order new elections in specific polling stations; (d) that an irregularity has been shown to have occurred and that it was bound to have determined the outcome of the results in that constituency and that the NEBE should allow the complaint and order new constituency elections; and (e) that the NEBE should take other forms of action relevant to addressing the complaint”. Paragraph 27 of the Rules of Procedure for the Operation of Complaint Investigation Panels.

⁴⁷ Art 72.4 and 73 of the Proclamation 111/1995.

⁴⁸ Paragraph 5 (iii) of the Terms of Reference for the Operation of a Complaints Investigation Panel to be established by the National Election Board of Ethiopia.

⁴⁹ Paragraph 9. Op. cit

⁵⁰ Source: NEBE documentation.

⁵¹ Source: NEBE documentation.

opposition parties. Domestic observer groups, however, were not invited by the NEBE to observe the process, reflecting mistrust in those groups, especially by the government.⁵² The international observer missions co-ordinated their deployment to the CIPs in order to cover as many panels as possible.

The results of the process were as follows:⁵³

Political Party	Complainant	Accepted	As % of filed complaints	Rejected	as % of filed complaints
EPRDF	23	16	70%	7	30%
CUD	95	3	3%	91	96%
UEDF	45	4	9%	41	91%
OFDM	6	1	17%	5	83%
SHPDO	3	1	33%	2	66%

Complaints received by political parties and CIP decision:⁵⁴

Political Party	Complaints received	in favour of respondent	as % of received complaints
EPRDF	145	137	94%
CUD	18	7	39%
UEDF	6	3	50%
SLM	3	1	33%

Votes at the CIPs:

Type	Cases observed	As % of cases
Unanimity	5	13%
NEB-EPRDF	28	74%
NEB-CUD	2	5%
NEB-UEDF	2	5%
UEDF-CUD-NEB	1	3%
Total	38	

At the end of the investigations, the NEBE decided to hold re-elections in 31 of the investigated constituencies, upholding the recommendations issued by the panels.

⁵² Paragraph 6 of the CIP Rules of Procedures states that “all hearings will be opened to the members of a CIP, the agents of the interested parties and international observers”. There is no specific mention of domestic observers, in contrast to international observers who are specifically mentioned. However, the same paragraph provides room for the presence of other persons, “but only when there is unanimity amongst the CIP voting members to do so”, except for the media representatives who in any case were not allowed at the hearings. Op. cit

⁵³ Source: NEBE final decisions on the CIPs’ recommendations.

⁵⁴ Source: NEBE final decisions on the CIPs’ recommendations.

The EU EOM published a detailed assessment of the complaints process on 25 August 2005, concluding that:⁵⁵

- (1) The complaints investigation process took place in the context of serious violations of human rights and freedoms, namely of opposition leaders and suspected supporters. This undermined the opposition's ability to participate effectively in the process, independently of their competence to argue their case: material evidence was unobtainable because detained or fearful witnesses were unable to testify and, in one case, an important witness was killed. The climate of threats and intimidation was maintained throughout the complaints investigation process. EU EOM observers reported cases, where militia, police or armed forces were present around the location of the hearings. Also opposition witnesses were arrested before or after they testified in front of the panel, and many witnesses or opposition supporters reported to the observers that they were threatened in various ways, as it happened in Albuko and Eteya constituencies.
- (2) Questionable CIP's impartial arbitration. While the composition of the CIPs seemed adequate (one member of the election administration, one of the complainant party and one of the defendant party), *de facto* there was no level-playing field: the ruling party was generally represented on the panels by important members of the local society, including state officials, such as judges. This increased confusion between the roles of the state and the EPRDF and exacerbated the atmosphere of intimidation, including of members of the election administration, often called as witnesses by all parties (for EPRDF in 42 per cent of the cases observed by the EU EOM). Although the CIPs worked in general in accordance with the Terms of Reference, the trend emerged of a 2:1 majority for the ruling party. The opposition may appeal NEBE decisions on the CIPs conclusions to the Courts. Nevertheless, the Chairman of the National Election Board, Ato Kemal Bedri, is the same person who chairs the Supreme Court. Despite his efforts to uphold an independent and legally grounded arbitration within the NEBE, that coincidence of offices does not encourage public trust in an independent review by the NEBE or, actually, the Courts. The opposition parties and other observers, who charged since the electoral campaign that NEBE was not independent, perceived it worsening at the appeals stage, also pointing out that there is no clear separation of power between the Judiciary and the Executive."

Prime Minister Meles in his letter to the *Ethiopian Herald*, on 31 August 2005, challenged these findings, but did not respond to the key point that the opposition was prevented from properly playing its role in the proceedings. It appears that the Prime Minister may not have been correctly informed about the individual cases raised by the EU EOM that were mentioned in his letter. As an illustration of how facts observed by the EU EOM differed significantly from the way they were presented by the Prime Minister, the EU EOM's detailed observations of one case are outlined in Annexes 7 and 8.

The Prime Minister took issue with the EU EOM questioning the possibility of an "effective remedy" (an obligation under Art. 2 of the ICCPR), because appeals against NEBE decisions are decided by the Supreme Court, which is headed by the same person as the NEBE. The

⁵⁵

This can be found on:

http://europa.eu.int/comm/external_relations/human_rights/eu_election_ass_observ/ethiopia/pre_stat_25-08-05.pdf

Prime Minister cites the example of old democracies in which government Ministers manage elections. However, in these cases there is recourse to the judiciary, which is staffed with independent judges not involved in the election process. Further, institutional arrangements in old democracies often reflect the fact that there is confidence of stakeholders in the institutions and that the rules of the process are not themselves contested (thus, for example, in old democracies political parties do not generally sign code of conducts against election violence). In Ethiopia, at present, the rules of the process are highly contested.

In addition, under the Ethiopian election law, decisions of an independent election commission can be appealed to the Supreme Court. If both institutions include the same person(s), the idea of an effective remedy is undermined. While it is true that judges can excuse themselves from cases in which they have been otherwise involved, this is done in unforeseen cases (such as involvement of family in a specific case). A conflict of interest is institutionalised by appointing the same person to both institutions. Even if the President of the Supreme Court were not deal with election cases, there would be a clear risk that other judges would want to avoid reversing cases that have been decided in one way by the President of the Court in his capacity as NEBE Chairman.

REPEAT ELECTIONS AND ELECTIONS IN THE SOMALI REGION ON 21 AUGUST 2005

Repeat Elections in 31 Constituencies

The outcome of the complaints process led to a decision to re-run elections in 31 constituencies in the states of Amhara, Oromia and SNNP. The EU EOM deployed 14 observers to seven constituencies: Bugna, Chilga 2, Bati, Kuyou, Meki, Hagere Selam and Wonago 1.

The overall assessment of voting was positive with 64 per cent of polling stations observed rated “good” and 24 per cent “very good”. Procedures were generally implemented in line with the election legislation and the re-runs were peaceful and orderly.

However, it appeared that many voters were not aware of the re-runs and the number of persons registered to vote was lower than on 15 May. The turnout was also much lower. Very few domestic observers were present in polling stations visited by EU observers. In 4 per cent of polling stations visited CUD representatives were present, in 20 per cent UEDF representatives were present and in 69 per cent EPRDF representatives were present.

Intimidation was observed in 3 per cent of polling stations visited, notably in Bugna and Hagere Selam. Police, the army or militia were seen inside some polling stations. By the time of the re-runs, the overall human rights context had drastically deteriorated (see section on human rights context) and fair media access to all contestants was no longer being provided by the state media (see below).

Elections in the Somali Region

The elections for the House of Peoples’ Representatives and the State Council in the Somali state had been scheduled by for 21 August instead of 15 May as the rest of the country. This was reportedly for logistical reasons, as the Somalia state has a very poor infrastructure and access to many areas is difficult. The EU EOM deployed three observer teams to the state (to Shinile, Jijiga and Gode) at the beginning of August.

The political context in the region is characterised by the dominance of the Somali People's Democratic Party (SPDP), which is allied to the EPRDF. Other contesting parties were the Western Somali Democratic Party (WSDP), the Somali Democratic Alliance Forces (SDAF), Dil Wabi People's Democratic Movement (DWPDM). The CUD presented candidates in ten of the 23 constituencies for the House of Peoples' Representatives and in four constituencies for the Regional Council. Clan structures play a significant role in the Somali region.

The security situation was precarious. At the beginning of the candidate registration period three explosive devices were triggered in Jiga, the state capital, targeting different candidates and officials from the ruling party, SPDP. At least four people were killed and more than 50 people were injured.

The registration of voters was completed well before election day. The NEBE estimated that there were around two million registered voters, but had no precise figures. Opposition parties alleged serious deficiencies with the process of voter registration. While the EU EOM could not carry out an in-depth assessment, the fact that EU observers saw blank registration cards being sold in large quantities in local markets suggests that the process was not properly controlled.

On 16 August, three opposition parties (WSDP, SDAF and DWPDM) announced a boycott of the electoral process, alleging serious irregularities in the process of voter registration. However, given the dominance of clan structures and internal weakness of political parties, the boycott was only partly implemented. The names of the boycotting parties remained on the ballot papers and their votes were counted.

On election day, EU observers visited 27 polling stations (63 per cent urban locations, 37 per cent rural). Election day was marked by insecurity and in some areas of Jijiga the army intervened in response to violent incidents. The overall voting process was rated as 'poor' or 'totally unsatisfactory' in 74 per cent of polling stations visited. In 26 per cent of polling stations visited, there was evidence of multiple voting, and in 17 per cent evidence of ballot stuffing. In a number of polling stations visited, group voting was observed. Public observers were not present in 41 per cent of polling stations visited. In one case (in Shinile) a polling station official briefed voters that they ought to vote for the ruling party. Ballot papers were in Amharic, although most people in Somali state do not understand Amahric.

According to official results the ruling party, SPDP, won all 23 seats for the House of Peoples' Representatives and 161 out of 182 seats in the regional councils. In 16 constituencies, the ruling party gained more than 95 per cent of the vote. In five constituencies, the ruling party won with 100 per cent of the vote, which is not plausible. This would have required, for example, that in the constituency of Kebrebieyah all 244,374 voters supported one candidate without a single exception.⁵⁶ While it must be acknowledged that the situation in the state of Somalia makes the holding of proper elections very difficult, the fact that obviously implausible results were accepted by the NEBE suggests a lack of will to at least attempt to carry out a credible process in the Somali region.

⁵⁶ In an additional constituency, Shinelei, the ruling party won with 100 per cent, because its candidate was not opposed.

MEDIA COVERAGE⁵⁷

The Ethiopian Broadcasting Agency established a distribution programme of free airtime for the Somali elections, which was similar to that before the 15 May election day (44 per cent for the ruling party, 56 per cent for the opposition). The parties made use of this to different degrees: The WSDP used all its time, the SPDP only its time on ETV, not on the radio, and the CUD used none of its time.

The national media devoted little specific attention to the Somali elections and gave almost no coverage to parties running there. Political reporting instead focused on the controversy around the national elections, which may have had an influence on voting in Somali state, as parties were either aligned to the EPRDF or seen as opposition.

Media coverage in the state media in advance of election day was relevant for both the re-runs and the Somali regional elections. In news and current affairs programmes, ETV covered the CUD with 39 per cent and the UEDF with 27 per cent, but this coverage was largely negative in tone. The EPRDF received 27 per cent airtime, which was mostly positive. Coverage in Radio Ethiopia was similar. With the exception of the CUD, no party contesting the Somali elections received more than 2 per cent coverage in the public electronic media.

Coverage by private radio *Fana* was similar to that provided by state media. A lot of airtime was devoted to the opposition but most of this was negative in tone. Less coverage was provided to EPRDF, but the tone of all coverage the party received was positive.

In government newspapers, the parties received a similar share of coverage. However, the coverage provided to opposition parties was mostly negative in tone, while the EPRDF was covered in a positive tone. In private newspapers the opposition received the largest amount of coverage, which was mostly positive or neutral in tone, while the EPRDF was mainly covered in negative terms.

⁵⁷ The EU EOM monitored local media during the campaign period (18 July – 18 August), covering Ethiopian TV, Radio Ethiopia, Radio Fana and the newspapers *The Ethiopian Herald*, *Addis Zemen*, *The Daily Monitor*, *The Reporter*, *Addis Admas*, and *Ethiop*.

ANNEXES

List of Annexes

Annex 1: List of Political Parties Forming the Different Coalitions

Annex 2: Invitation Letter by the Government of Ethiopia

Annex 3: Memorandum of Understanding Between the National Electoral Board of the Federal Democratic Republic of Ethiopia and the European Union Concerning Election Observation

Annex 4: Letter to the Chairman of the NEBE (May 3, 2005)

Annex 5: Letter of CO to PM Meles (May 13, 2005)

Annex 6: Letter of CO to Minister Bereket (June 10, 2005)

Annex 7: Complaints in Shasheme

Annex 8: Letter to the Chairman of the NEBE (July 17, 2005)

Annex 9: Media monitoring statistics

ANNEX 1 : LIST OF POLITICAL PARTIES FORMING THE DIFFERENT COALITIONS

Coalition for Unity and Democracy

- All Ethiopia Unity Party
- Ethiopian Democratic League
- Rainbow Ethiopia: Movement for Democracy and Social Justice (Rainbow Ethiopia)
- UEDP – MEDHIN

Ethiopian Peoples' Revolutionary Democratic Front

- Amhara People's Democratic Movement
- Oromo Democratic Organization
- Southern Ethiopia People's Democratic Movement
- Tigrayan People's Liberation Front

Southern Ethiopia Peoples' Democratic Coalition

- Burji People's Democratic Organization
- Dawro People's Democratic Movement
- Gedio People's Democratic Organization
- Gurage People's Democratic Front
- Hadiya Nation Democratic Organization
- Kefa Administrative Region People's Democratic Union
- Kembeta People's Congress
- Omo People's Democratic Front
- Omo People's Democratic Union
- Sidama Liberation Movement
- Sodo Gordeni People's Democratic Organization
- Tembaro People's Democratic Union
- Wolayita People's Democratic Front
- Yem Nationality Democratic Movement

United Ethiopian Democratic Forces

- All Amhara People's Organization
- Ethiopian Democratic Unity
- Ethiopian Social Democratic Federal Party
- Oromo National Congress
- Southern Ethiopia People's Democratic Coalition

Unity of Southern Ethiopian Democratic Forces

- Dawro People's Democratic Movement
- Gamo Democratic Union
- Gamo-Gofa People's Democratic Unity
- Wolayata People's Democratic Front

LTO Working Manual – Ethiopia 2005

PART 1: Observation Framework Annex 2

64 12 64 17:12 FAX

2490



የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ሪፖርት
የውጭ ጉዳይ ሚኒስቴር

Federal Democratic Republic of Ethiopia
MINISTRY OF FOREIGN AFFAIRS

01 DEC 2004

Date _____

4-PC IG-24416104

...

Excellency,

I wish to acknowledge receipt of your letter dated 28 October, 2004 addressed to me in connection with possible observation by the EU of the upcoming general election in Ethiopia and, related to that, with the invitation that was promised by our side would be sent out to the EU.


Allow me first of all to extend my apologies to you for not having responded to your letter promptly. I wish to assure you that I attach great importance to our partnership with the EU in all areas, including to our consultation and co-operation in the political and human rights fields.

It is in light of this that I am pleased, on behalf of the Government of the Federal Democratic Republic of Ethiopia, to extend to the EU an invitation to observe the upcoming general election in Ethiopia scheduled to take place in May 2005.

With respect to procedural matters concerning EU observation of the election such as code of conduct referred to in Your Excellency's letter, it is my understanding that discussion will need to be undertaken in the near future.

Please accept, Excellency, the assurances of my highest consideration.

H.E. Ambassador T. Clark
Head of the Delegation of the
European Commission to Ethiopia
Addis Ababa



Seymour Mestlin
Foreign Minister

Chia-Feng \$1.83.90
Feng-Ng

22 302

Adonis Ababa, Ethiopia

E-Mail: Alisa.Anders@unicon.net

**ANNEX 3 : MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL
ELECTORAL BOARD OF THE FEDERAL DEMOCRATIC REPUBLIC OF
ETHIOPIA AND THE EUROPEAN UNION CONCERNING ELECTION
OBSERVATION**

The National Electoral Board of the Federal Democratic Republic of Ethiopia and the European Union (hereinafter referred to as "Parties");

Taking into account the existing excellent relations between the two parties and desiring to further strengthen these ties;

Affirming the importance in Ethiopia's democratization effort of the upcoming national election scheduled to be held in May, 2005;

Recognizing further the importance of creating a conducive environment for the observers of the election; and
Recalling that the Government of the Federal Democratic Republic of Ethiopia has invited the European Union to observe the conduct of the national election process, which invitation the European Union has accepted;
Have agreed as follows:

Article 1

The objective of this Memorandum of Understanding is to establish the conditions governing cooperation between the parties in the conduct of the upcoming election with particular emphasis on election observation.

Article 2

The term "election" under this Memorandum of Understanding shall cover elections both at the federal and state level taking place in May, 2005, including in the Somali region later in the year.

Article 3

1. The National Electoral Board Government of the Federal Democratic Republic of Ethiopia agrees to accredit observers nominated by the European Union in accordance with the National Electoral Board Directive on the Accreditation procedure for International Election Observers. This shall be applicable as well to European Union election observers that will be deployed prior to the Election Day.
2. All members of the European Union Observer Mission shall be issued with identification cards prepared for this purpose.
3. The European Union shall inform the National Electoral Board of the Federal Democratic Republic of Ethiopia the number of observers deemed necessary to guarantee a credible observation of the entire electoral process and the names of all European Union Observers.

Article 4

1. The Parties agree that members of the European Union Observer Mission shall enjoy freedom of movement without prior notification throughout the country and shall have free access to all polling stations, counting/tabulation/aggregation centres, the media, political parties, candidates, voters and civil society representatives.
2. The Parties also agree that European Union election observers shall have access to all election officials and relevant information until the completion of the election process.

Article 5

1. The European Union agrees to nominate election observers with high-level of competence, professionalism, impartiality and objectivity, who will respect Ethiopia's sovereignty, its national laws and regulations, its people and tradition, and who will abide by the National Electoral Board Code of Conduct for International Election Observers without prejudice to the Code of Conduct of the European Union for Election Observers.
2. The European Union agrees to nominate the Chief Observer and Deputy Chief Observer who will represent its Mission. The Chief Observer or, in his absence, the Deputy Chief Observer, shall be the only representative authorized to make public statements or comments on the electoral process on behalf of the European Union throughout the election process.
3. The European Union agrees to ensure that its election Observer Mission respects the country's sovereignty, and laws and regulations including the code of conduct for the election process. It also agrees that it will ensure that its observers will not interfere in the electoral process.
4. Should its election Observer Mission or a member(s) thereof fail to comply with what is stated in 5 (3)

above, the Parties agree that Ethiopia reserve the right to withdraw the accreditation of the observer(s) and expel him/her from Ethiopia.

Article 6

The European Union agrees to submit to the National Electoral Board of the Federal Democratic Republic of Ethiopia a copy of the European Union Election Observer Mission's preliminary findings and conclusions, which will be issued after the Election Day, and a copy of the final report, which will be issued a few weeks after the declaration of the final results.

Article 7

The Parties may amend this Memorandum of Understanding by mutual consent through exchange of notes.

Article 8

1. This Memorandum of Understanding may be terminated at any time by either Party by giving short prior notice in writing.
2. This Memorandum of Understanding shall be terminated upon completion of the Observation Mission.

Article 9

Any difference in interpretation that might arise during implementation of this agreement shall be settled amicably between the Parties themselves.

Article 10

This Memorandum of Understanding shall enter into force upon signature.

Done at Addis Ababa, this 12th day of March 2005 in two original copies in the English language, both texts being equally authentic.

For the National Electoral Board

For the European Union

H.E. Ato Kemal Bedri Kelo

H.E. Amb. Timothy Clarke

ANNEX 4 : LETTER TO THE CHAIRMAN OF THE NEBE (MAY 3, 2005)

UEEC	Union of Ethiopian Evangelical Churches
UNDP	United Nations development Program
UNMEE	United Nations Mission for Ethiopia and Eritrea
WFP	World Food Program

ANNEX 1

LETTER TO CHAIRMAN OF THE NEB

May 3, 2005

*His Excellency
Mr. Kemal Bedri Kelo
Chairman
National Electoral Board of Ethiopia
Addis Ababa*

Dear Mr. Chairman,

This is to bring to your attention our Mission's current assessment of the electoral process both in terms of achievements as well as of areas for improvements. The European Union Election Observation Mission (EU EOM) has now been in the country for more than a month and has deployed 52 Long Term Observers all over the nine regions and two administrative cities of the country. During this time, EUEOM has gathered substantial information about the electoral process which has allowed, two weeks before Election Day, for this assessment, which I submit with a constructive spirit to your consideration.

EU EOM recognizes the progress and achievements at the current electoral process, in search of conditions for genuine democratic elections. In this context, it should be particularly noted:

- The participation by all relevant political forces in the electoral race.
- Quite fair access to publicly owned media by all parties, and the holding of live debates between government and opposition.
- Establishment of a Joint Political Forum at national and constituency levels, meeting regularly with the electoral authorities with the purpose of discussing and eventually solve current campaign and election administration problems.
- Increasing voter registration.
- Increasing number of women candidates with respect to previous elections.
- Special training on electoral issues to Police and Judiciary.
- Relatively peaceful process, although it is becoming bitter as the campaign proceeds towards its end.
- Opening and invitation to international observers.

However, there are still several areas of concerns which, if not properly addressed, could have a negative impact on the entire electoral process, mainly on the said efforts to promote genuine democratic elections:

- Some isolated actions of extreme violence including murder of political activists. Although the political motivations might be hard to establish, the CUD contends that one of its activists and head of the party's local chapter at Awii/Banja woreda, East Gojam zone, Mr. Ashebir Aemero, was allegedly killed by an EPRDF militia commander for political reasons. It also complains of "inhuman harassment, imprisonment, abduction, cruel beating, extra-judicial killing and other serious violations" against its members and supporters.

- Disruption of rallies of opposition parties by militia and people allegedly related to EPRDF. Among others, the Oromo Federalist Democratic Movement (OFDM) expressed profound concern over the abuses, threats, stone throwing of houses and shots fired during open-air meetings, and the lack of a strong response by the public officials.

- Administrative obstacles to meetings or rallies of the opposition by local authorities.

- Intimidation of political opponents by public officials or by allegedly EPRDF activists (i.e. dismissal of students, threats of land dispossession).

- Imprisonment of opposition activities on several grounds (i.e. posters' tearing down; campaigning in prohibited places). The CUD claimed 41 of its activists were jailed, and provided EUEOM with a list of names of supposed victims together with the names of the alleged responsible officials for a number of crimes and irregularities.

- Changes in the legal framework only a few weeks before elections (amendments to the Penal Code on media issues; NEB directive restricting participation of NGOs and CSOs in election observation).

- Perceived lack of impartiality of the electoral authorities by most opposition parties, regarding both the NEB and constituency authorities. The overlapping between governmental officers and electoral authorities is especially evident in the rural areas.

- Unfair Radio and TV campaigning with scaring images and messages associating past genocide experience in Rwanda with eventual similar developments in Ethiopia. This was started by the EPRDF against the opposition and now has been taken up by opposing UEDF against the government.

- Use of state assets (i.e. cars, buildings) for conducting EPRDF campaigning.

- Mutual accusations between EPRDF and opposition parties of illegal campaigning in places such as churches, schools and markets.

- Reports by EPRDF that opposing CUD keeps passing false messages to the peasants in the sense that there is no government in Addis Ababa any longer, and that a transition government has been installed and, therefore, that the EPRDF was not in power.

I would like to stress, Mr. Chairman, that it is with the most constructive intention that I express our Mission's concerns while taking the opportunity to thank you again for your and your staff cooperation with our Mission.

Sincerely,

Ana Gomes
Chief Observer

ANNEX 5 : LETTER BY THE CHIEF OBSERVER TO PRIME MINISTER MELES (MAY 13, 2005)



EUROPEAN COMMISSION

Electoral Observation Mission - Ethiopia 2005

Ethio-Chinese Friendship Avenue, Kebele 04 - House # 1190. P.O. Box 28127, Code 1000.

Phone: +251 -1 40 41 86, +251 -1 40 67 22/23. Fax: +251 -1 40 01 12.

Email: mail@et-eueom.org. Web: <http://www.et-eueom.org>

His Excellency Mr. Meles Zenawi
Prime Minister of Ethiopia
and Chairman of EPRDF

Addis Ababa, 13th May 2005

Following our meeting of 11th May, for which I thank you, and in which you suggested actions by EUEOM to clarify some areas of concern, I wish to report to you on our follow-up and findings:

1. Reports of serious cases of intimidation and violence against opposition candidates or supporters:

Following your recommendation, I gave instructions for all of EU observers deployed in the constituencies which I mentioned as most problematic (Ankobar, Debre Markos, Dumaramalo, South Gondar, Hosaina, among others) and I decided to visit and evaluate personally the situation in one of them. Therefore, yesterday I visited **Ankobar**, accompanied by our Long Term Observers team based in Debre Birhan. We met with local electoral officials and also the North Showa Administrator, his Deputy and a NEB regional representative, who happened to be there. Singularly, the local Administrator and Police Chief were not around. But we could meet a Deputy of the Police Chief. Out of the town, we also met with the candidate, observers and supporters of CUD from Ankobar, who have fled, alleging impossibility to campaign due to threats and violent acts against them and relatives – and I personally interviewed a person wounded by gunshots, another who had been arrested and beaten, another whose house suffered arson and several threatened with death, amputation of fingers, land dispossession, eviction from town, etc... I also talked to anonymous people in the streets and roads.

Despite the fact that the regional Administration and local electoral officials assured that everything was fine and dismissed or minimized some cases we took up with them (including acts of arson and shooting against people, which are under Police investigation), my conclusion is that the situation is extremely serious and there is a high potential for trouble there in the polling day and in the subsequent period. I could also sense that the image of EPRDF in the area is severely damaged and this has nothing to do with the national debates, ethnic problems or diverging programs among the competing parties, but actually with the questioning by local opposition candidates of local policies and the way in which the local authorities have been exercising power, seen by too many as oppressive, arbitrary and even brutal.

Of course not having investigative powers nor practical means for conducting them, I cannot establish criminal responsibilities of local authorities for particular cases under Police investigation, but I must inform you that the names that were too often mentioned as the most responsible individuals for the bad image of authorities and EPRDF locally are: the Ankobar Administrator, Mr. Birhane Selassie, the Chief of the Militia, Mr. Abate Shifera, the Police Chief, Mr. Tale Teshome.

2. Level playing field for competing parties

I must let you know that when I passed **Debre Birhan**, on my way to Ankobar, in the morning of yesterday, I came across a demonstration and rally of EPRDF. Three aspects stroke me:

- All schools and government offices were closed for people to attend the EPRDF event – and, I asked around, nothing similar had occurred for facilitating attendance at opposition events.
- I saw Police and armed militia chasing many youngsters and children who were around the stadium. Later I was told there had been arrests.

- Many people (as many as those passing in the EPRDF demonstration which was moving in the direction of the local stadium for the rally), were staying in the sidelines and daring to make to the demonstrators the two-fingers sign of one of the opposition parties. And oddly enough, many of the EPRDF demonstrators were answering back with the same sign.

I believe this last aspect illustrates the degree to what extent people feel confident to exhibit their electoral preferences (and that is quite a democratic achievement), but also, on the other hand, the negative impact of compulsive methods of requesting allegiance to the ruling party. And I mention this example to Your Excellency, because I have seen too many signs that lead me to believe that some of the methods EPRDF cadres have been using, in contradiction with the Code of Conduct and your own clear public guidance, actually backfire against EPRDF, alienating important segments of the population, in towns as much as in the countryside.

3. Opposition parties stand on national observers

I also followed on your recommendation to assert that the opposition parties had agreed with EPRDF, under the aegis of the NEBE, to drop **national observers of the polling day**, except for religious organizations. Both major opposition coalitions – CUD and UEDF - strongly denied it and actually the NEB confirmed to us their interpretation of the discussion on that issue. Actually, whoever has been telling Your Excellency that there is a record on tape of that agreement, is misleading you.

4. Non-violence Pact

I assure you that, following our conversation, I immediately called on CUD and UEDF leaders to sign the Non-Violence Pact. The first immediately showed readiness, but both emphasized the need that threats against their supporters and candidates would stop and that those arrested would be immediately released.

5. Further reports of intimidation and violence

I am sorry to let you know that in the last few days the EU Mission kept receiving extremely worrying reports by CUD, EUDF, ONC and OFDM on several incidents involving beatings of candidates, harassment and imprisonment of their members, as well as abductions and a number of people being killed. Reports from our observers indicate that tension, intimidation and arrests have particularly increased in East and West Wolega (Oromyia region); East Gojjam; South and North Welo (Amhara region); Afar region; North and West Showa and Jima (Oromya); Konso special zone; Sidama and Hadyia (SNNPR); and in the city of Addis Ababa. From reports from our observers deployed throughout the country, last week the following statistics were reached: over 250 people under arrest, over 100 abducted or disappeared, tens of people beaten and more than 5 people killed, most of them from Oromo National Congress.

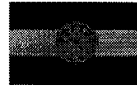
Actually, even in the last few hours we have been receiving very disturbing reports. A concrete example: Mr. Shambel Captein Dagulema, a driver of a minibus in Northern Showa, Oromyia, came to the EU EOM office in Addis Ababa this morning, very shaken, to report that after being arrested this week by the police for having a CUD symbol in his minibus, he and his mother have received death threats. He was released from prison after intervention of a Human Rights group and is now taking refuge in the capital fearing aggressions if he goes back to his home town. He also said the Police took away his minibus plates (07323 Oromya).

Your Excellency,

Please be assured that I am sharing with you these concerns in the most constructive spirit and with a view to ensure your awareness and intervention, so that the many outstanding achievements of your leadership in your Government and Party courageous decision to move forward with a genuinely democratic election process will not be put in jeopardy, at this late stage, by miscalculations, misguided or mischievous actions by lower level officials.

Ana Gomes, MEP
Chief Observer of the EU Electoral Observation Mission

**ANNEX 6 : LETTER BY THE CHIEF OBSERVER TO THE MINISTER OF INFORMATION,
S. BEREKAT, 10 JUNE 2005**



**EUROPEAN UNION
ELECTION OBSERVATION MISSION
ETHIOPIA 2005**

Addis Ababa, 10th June, 2005

Dear Minister, Excellency,

As I told you this afternoon, I wish to bring to your attention a number of worrying cases which were reported to the EU EOM:

1. Earlier in the day I was relieved that **Ato Lidetu, a CUD elected future MP**, was liberated last night after having been blocked, for three days, at his office, in the company of his collaborator **Ato Mesfin**. But in the meantime I heard he is now forcibly confined to his house. You must have been informed that I was barred from seeing him yesterday, around 1 p.m. I was earlier told that these persons had been detained and even prevented from receiving food at that office. In fact, when I was knocking at the door of the apartment where the office is located, some men in civilian clothes came from the adjacent apartment and prevented me and the person accompanying me, Ato Yissake Kefele, from entering the door. They told us in nasty terms to get out of there. I tried to show my identification and Ato Yissake told them who I was, but their reply was "Europeans or Americans, does not matter, all out of here". I witnessed that they prevented food and water bottles to be sent in.

2. Four collaborators of Ato Lidetu, who were taken by armed men from that office on the night of the 8th – **Azeb, a young woman** who was his secretary, **Ato Adenau, Ato Asseged Damtew and Ato Grum Fanto** (this one the son-in-law of Ato Yissake), were not yet released and their whereabouts are unknown to their families and friends.

I ask you to endeavor so that Ato Lidetu and all his assistants are promptly released or formally arrested and charged, if they are accused of any crime.

3. The EUEOM also confirmed that **Ato Mohamed Ali Mahamed**, a CUD elected MP for Dessie Constituency, was yesterday under house arrest in Ketchene neighbourhood in Addis Abeba. Police and Army forces surrounded his domicile since 7 June. I request **your intervention to stop this harassment** or have this person formally charged if he is accused of any crime.

4. **Mr. Chernet Tadesse**, a member of the NGO "Ethiopian Human Rights Council", was reported to EUEOM as forcible removed from his home on the night of the 8th of June and his relatives and colleagues have no knowledge of his whereabouts.

5. Other extremely worrying cases brought to the attention of EUEOM concern a number of **high school students who were arrested by people claiming to be state agents at their homes in the middle of the night of the 8th-9th and were taken away to somewhere unknown to their parents.**

One of them is **Sileshi Lakew**, male, 15 years old, a student of Kokebe-Tsebah Junior and Secondary School, 9th. His mother is Kuri, and the home address is Yeka sub-city, Kebele 08 (Old kefetegna 16, Kebele 01, near the British and Russian embassies). He was taken from his home at 3.a.m. on the night of June 8.

Other students arrested in the same way from the same area are: **Henok Tadesse, Mekonnen, Fitsum Assefa, Kale-Geta, Delelegn Assegid and Teddy Dessalegn.**

I am sure you will recognize that the forced disappearance of any individual, and even more so children, is incompatible with the rule of law, democracy and the most basic human rights. It is also incompatible with the Ethiopian Constitution of 1994, as per its articles 10,12,13,14,15,16,17,18,19,20,21,26,29,30,31,32,36 and 42, among others. Therefore, **I seek your urgent intervention so that these and other students or citizens,**

currently victims of such unlawful and unconstitutional actions, will be promptly located, released, returned back to their families.

Ana Gomes, MEP
Head of the EU Electoral Observation Mission

ANNEX 7 : COMPLAINTS IN SHASHEME

Two complaints were filed in Shasheme 1, one by the ONC (a party within the UEDF and a second one by the CUD. The ONC complaint alleged that agents of the ruling party had stolen ballots and that other party agents were forced to sign irregular election results. As evidence of its allegations, ONC submitted 64 copies of Form 07 (certificates of results at Polling Station) out of the 67 Polling Station in the constituency.

During the hearing of the ONC complaint (Ref. 056/O), the respondent party alleged that the forms submitted by the complainant were forged and that the original polling station forms had been stolen from the constituency offices. Polling staff members and public observers were called to support this allegation, as well as the chairman of the Constituency Electoral Board, Mr Mustafa Gueletu. The chairman initially claimed that documents had disappeared from his office, when he was in Addis Ababa on 20 May to submit the original results to the NEBE. This statement did not support the EPRDF allegations, as it meant that the original forms had been handed in to the NEBE. The chairman then changed his testimony to the effect that he was in Shasheme on 20 May and that the originals had been stolen from his office that day. Another election official then testified that he had been involved in copying the keys, allowing the thief, allegedly an ONC member, to enter the office without causing damage. A police agent testified that he had seen on 20 May four persons opening the door of the constituency election office, one being a member of the ONC and the other one the election official who had copied the key. The alleged ONC member was not named by the police and not called to testify. The chairman of the CIP interrupted representatives of the complainant repeatedly, not allowing them to complete their cross-examination of witnesses. He justified this with the right of witnesses not to answer the question.

The results of the elections were confirmed, although there were no original forms to sustain them. It is noteworthy that on 26 May the Deputy Chief Observer of the EU EOM had visited Shasheme 1. He observed that result forms posted on the election office had been scratched out. The building was heavily guarded and he was informed that he could not meet any election officials as they were in the city administration. In the city administration he was informed that no election officials were there.

ANNEX 8 : LETTER TO THE CHAIRMAN OF THE NEBE (JULY 17, 2005)



EUROPEAN COMMISSION

Electoral Observation Mission - Ethiopia 2005

Ethio-Chinese Friendship Avenue, Kebele 04 - House # 1190. P.O. Box 28127,
Code 1000.

Phone: +251 -1 40 41 86, +251 -1 40 67 22/23. Fax: +251 -1 40 01 12.

Email: mail@et-eueom.org. Web: <http://www.et-eueom.org>

Ato Kemal Bedri
Chairman of the National Election Board of Ethiopia

Addis Ababa, 17 July 2005

Dear Ato Kemal,

On the 16th July 2005 I visited an Investigation Panel working in Hagere Selam constituency, Sidama zone, subject to appeal by EPRDF. Ambassador Tim Clarke, of the EU Delegation, accompanied me. We met there Carter Centre and AU Observers who were following the Investigation Panel. We only managed to attend the testimony of the three last witnesses presented by EPRDF. The witnesses presented by the opposition party SLM were to be heard the following morning.

Although I was well impressed with the Panel proceedings, acting almost like a court, with all contributions taped, I must share with you my apprehensions concerning the merits of the case and the role played by NEBE local officials.

The opposition party claimed a 4000 majority (11,000 against 7,000) and their representatives showed me the signed certificates which were given to them on the spot, upon completion of the counting at the polling stations. However, many of those results were never posted on the Polling Station wall, they claimed.

In the proceedings I heard that an NEBE official, Mr. Werku Dulecha, who sent the original results to Addis, has already been put in prison, sentenced to four months of jail, under accusations of mishandling the ballot boxes and certificates. It seems just and logical that he would be tried only after the CIP would have established that elections were mishandled and that he indeed acted against elections procedures and the law. At least he should be heard by the CIP.

Two of the witnesses we heard, Mr Ayelle Legid and Mr. Kayesu Doka, were both elections coordinators. They did not seem very consistent in the description of events, their own behaviour and Mr. Werku Dulecha's behaviour, whom they were accusing of wrong doing with ballot boxes and certificates. The latter even had forgotten the name of the person he was accusing and tried to get from his pocket a paper where that name was written.

The third witness was Mr. Johannes, the woreda election board coordinator. His account of events did not fully coincide with those of the two other witnesses and his description of the many problems he said were encountered in election day and which he blamed on others, namely Mr Werku Dulecha, does not present in favourable light his own role as woreda coordinator. It came clear to me that all three witnesses were arguing a case to consider disastrous the whole conduct of the elections at the woreda level with a view to lead to repetition. And the fact that they were all NEBE coordinators testifying for one of the competing parties, actually the ruling party, does not put in a good light the independence they were supposed to keep as NEBE officials.

That constituency was lost, I was told, by the Justice Minister. It is therefore understandable the interest EPRDF has in annulling the results and repetition of elections. Since the opposition seems to have strong evidence – the certificates of results which were sent to NEBE – it is natural that this case will be seen as a test to the impartiality of the NEBE, both locally and nationally. That is why I decided to bring to your attention my apprehension in face of what I have seen, despite the fact that I could only observe part of the material to be considered by the CIP.

Best regards

Ana Gomes, MEP
Chief Observer of the EU Election Observation Mission

ANNEX 9 : MEDIA MONITORING STATISTICS

1. PRINT PUBLICATIONS

TECHNICAL DATA

Units of analysis

Electoral-related items (news articles, reportages, interviews, pictures, cartoons, op-eds, editorials, letters to the editor, ads or free access piece) in Amhara and English.

Period: April 3 to May 12

Publications analysed

Daily newspapers

Addis Zemen (state-owned)

The Ethiopian Herald (state-owned)

The Daily Monitor (private)

Periodicals (all of them private)

The Reporter (Amharic editions on Wednesday and Sunday)

Addis Admas (Saturday)

The Nation (Saturday)

Fortune (Saturday)

Addis Tribune (Saturday)

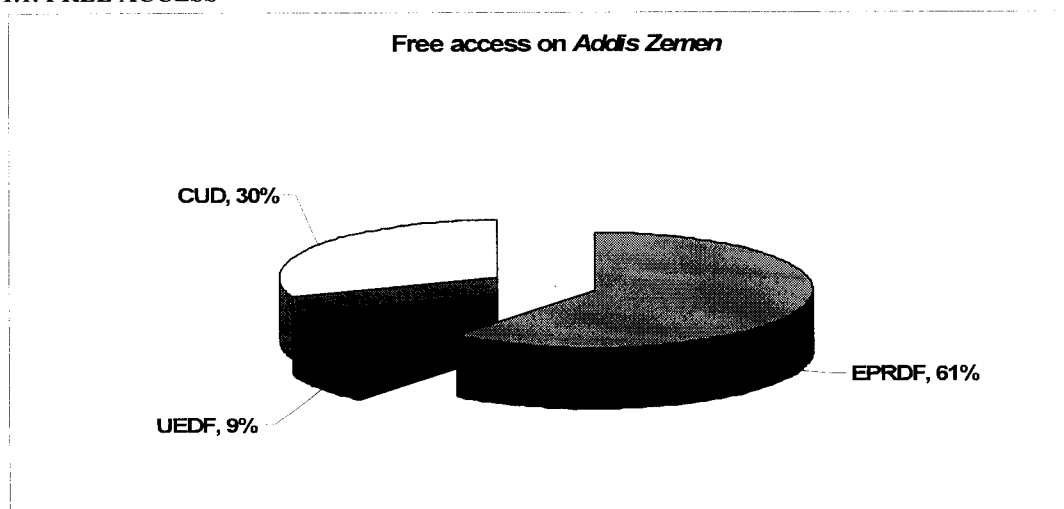
Seife Nebelbal (Friday)

Menelik (Friday)

Ethiop (Wednesday)

Tobia (Thursday)

1.1. FREE ACCESS



1.2. EDITORIAL CONTENT

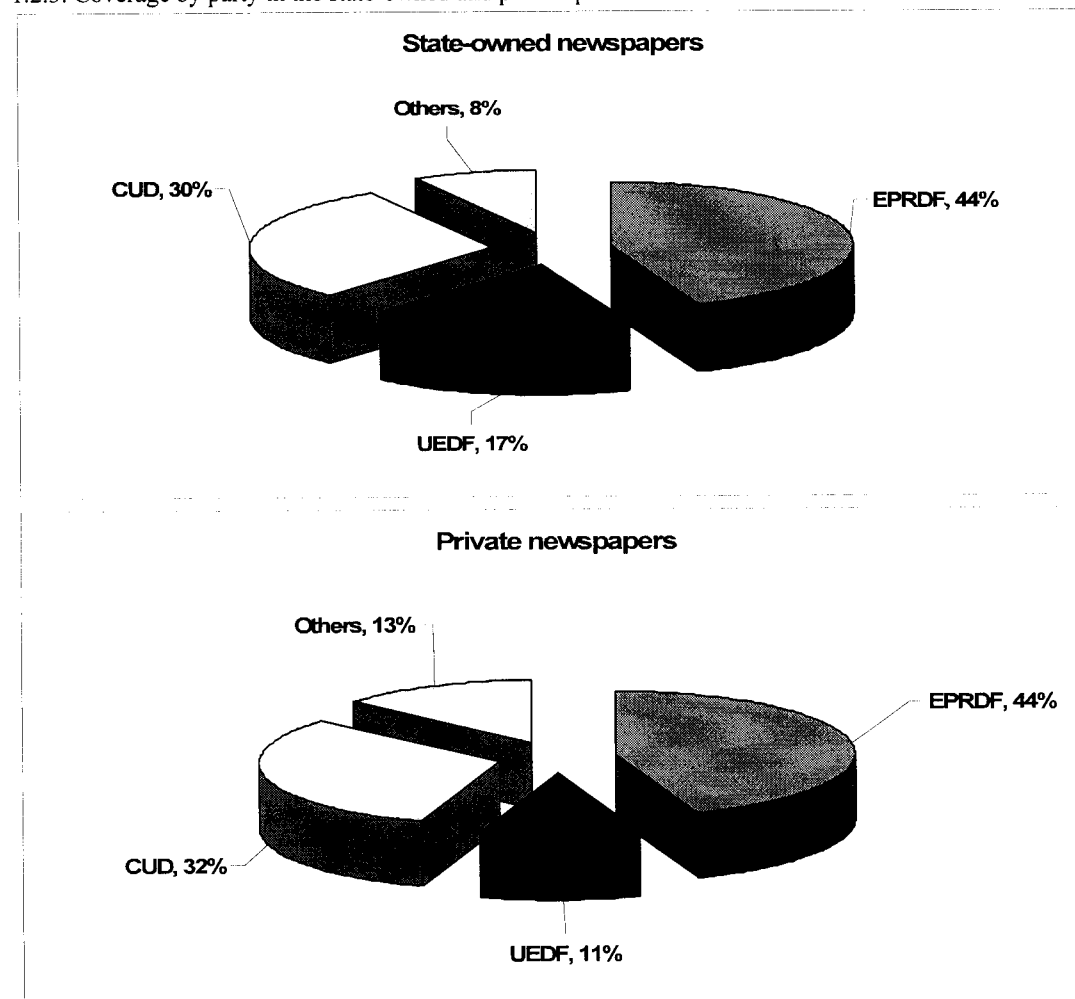
1.2.1. Sources

STATE-OWNED PAPERS		PRIVATE PAPERS	
Staff writer	16%	Staff writer	23%
Non staff writer	1%	Non staff writer	3%
ENA	68%	ENA-WIC	1%
WIC	11%	Others	4%
No source	4%	No byline	69%

1.2.2. The elections and the EU-EOM

	Negative	Neutral	Positive
Elections	7%	91%	2%
EU-EOM	16%	84%	0%

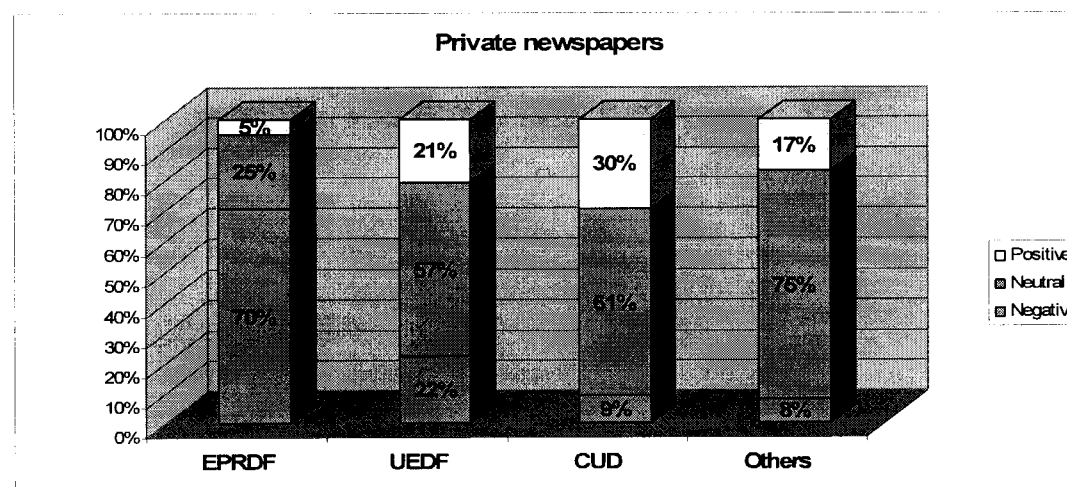
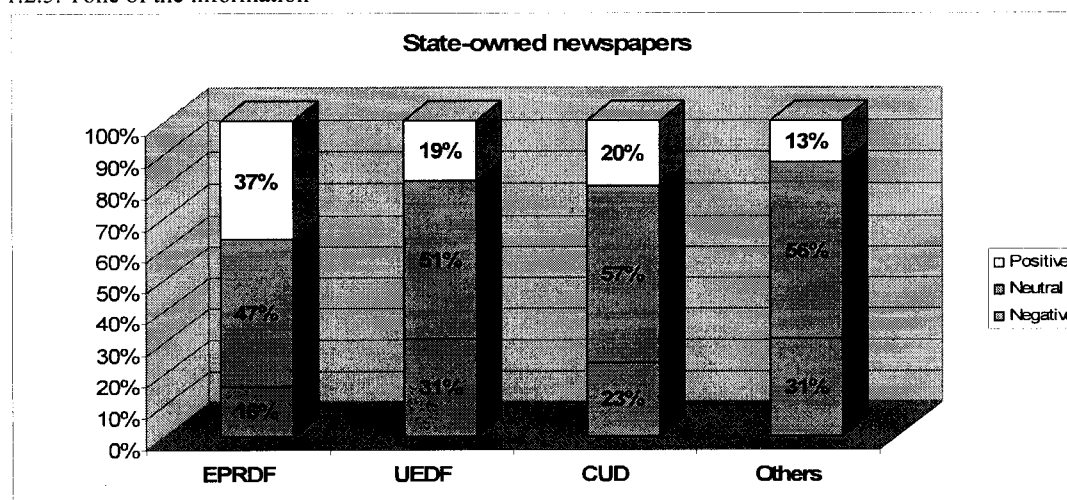
1.2.3. Coverage by party in the state-owned and private press



1.2.4. Headlines and pictures

	HEADLINES		PICTURES	
	State	Private	State	Private
EPRDF	42%	34%	48%	20%
UEDF	17%	23%	17%	37%
CUD	31%	30%	31%	31%
Others	10%	12%	3%	12%

1.2.5. Tone of the information



1.2.6. Information vs. Opinion

	INFORMATION					
	STATE-OWNED			PRIVATE		
	Negative	Neutral	Positive	Negative	Neutral	Positive
EPRDF	18%	40%	42%	68%	24%	8%
UEDF	34%	44%	21%	15%	62%	23%
CUD	25%	52%	24%	8%	52%	40%
Others	32%	54%	14%	7%	71%	21%

	OPINION					
	STATE-OWNED			PRIVATE		
	Negative	Neutral	Positive	Negative	Neutral	Positive
EPRDF	0%	25%	75%	89%	11%	0%
UEDF	100%	0%	0%	10%	66%	24%
CUD	67%	33%	0%	33%	47%	20%
Others	--	--	--	60%	40%	0%

2. RADIO

TECHNICAL DATA

Units of analysis

Electoral-related items (news, interviews, reportages, press conferences, opinion pieces, ads or free access slots) in Amhara, Tigrigna, and Oromifa.

Period

April 3 to May 12

Media analyzed

Radio Ethiopia (state-owned) and Radio Fana

Recording schedule

Monday to Sunday 6:30 AM- 8:30 AM
6:00 PM – 11:00 PM

2.1. FREE ACCESS

	RADIO ETHIOPIA		RADIO FANA	
	Time	Slots	Time	Slots
EPRDF	43%	27%	42%	35%
EUEDF	17%	30%	10%	12%
CUD	35%	31%	41%	41%
Others	5%	12%	7%	12%

2.2. EDITORIAL CONTENT

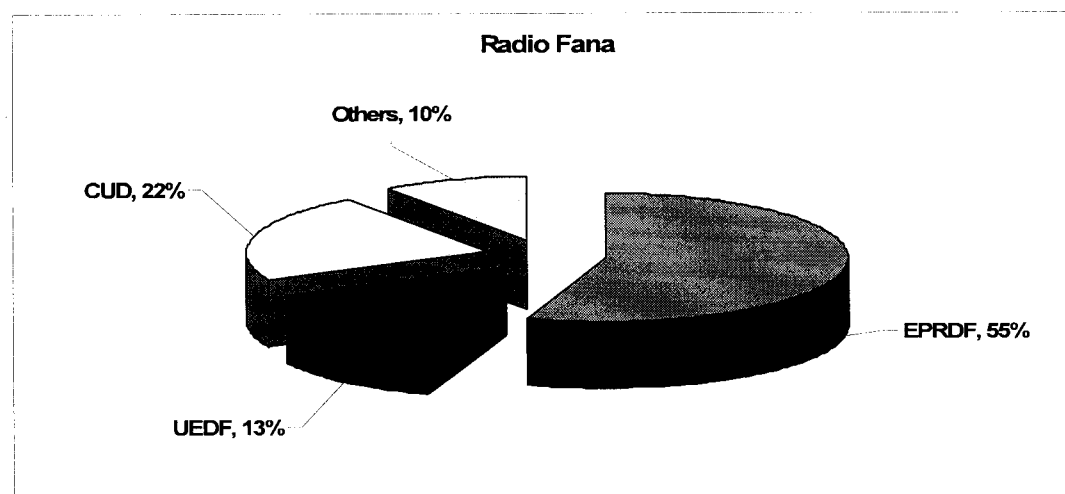
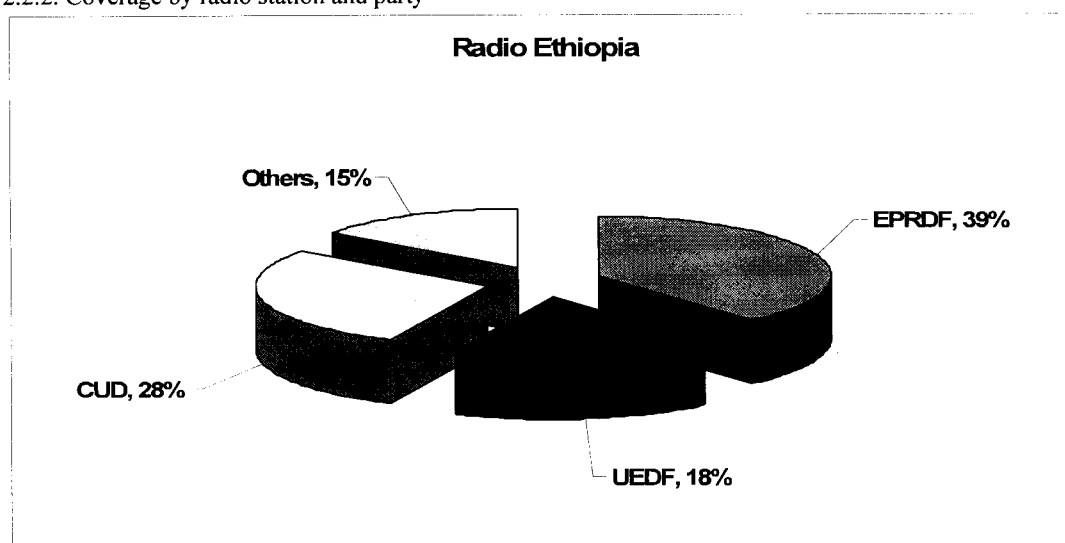
2.2.1. Sources

RADIO ETHIOPIA		RADIO FANA	
Self-produced	76%	Self-produced	83%
WIC	2%	WIC	5%
ENA	22%	ENA	11%
No source	1%	No source	1%

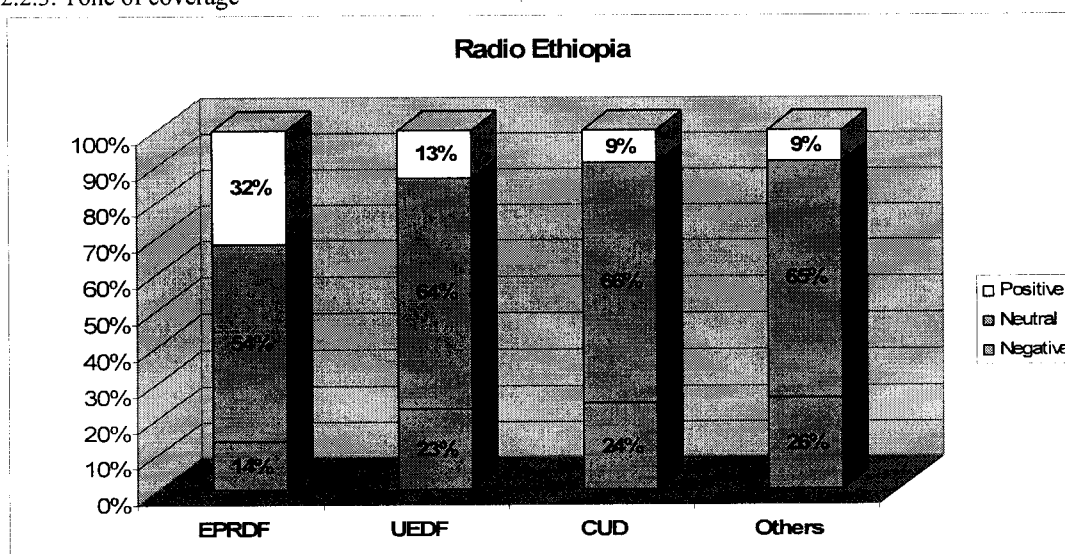
2.2.1. The elections and the EU-EOM by radio station

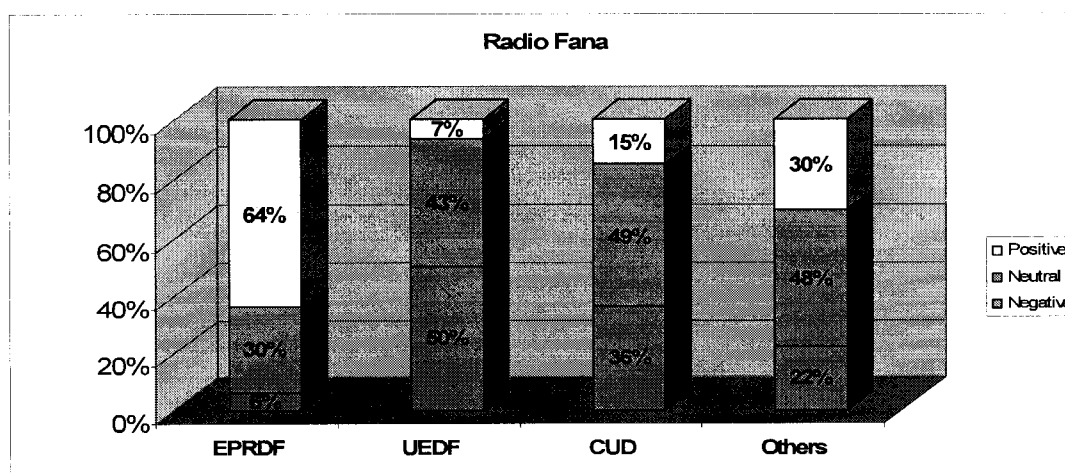
	RADIO ETHIOPIA		RADIO FANA	
	Elections	EU-EOM	Elections	EU-EOM
Negative	2%	0%	0%	0%
Neutral	91%	100%	91%	100%
Positive	8%	0%	9%	0%

2.2.2. Coverage by radio station and party



2.2.3. Tone of coverage





2.2.4. Amount of information and tone by language in Radio Ethiopia

	Amharic	Oromiffa	Tigrigna
EPRDF	35%	39%	53%
UEDF	18%	26%	11%
CUD	30%	22%	24%
Others	16%	12%	11%

	AMHARIC			OROMIFFA			TIGRIGNA		
	Negative	Neutral	Positive	Negative	Neutral	Positive	Negative	Neutral	Positive
EPRDF	17%	58%	24%	10%	50%	40%	5%	45%	50%
UEDF	21%	66%	13%	35%	45%	20%	11%	89%	0%
CUD	22%	68%	10%	41%	53%	6%	21%	68%	11%
Others	22%	68%	10%	33%	67%	0%	44%	44%	11%

3. TELEVISION

TECHNICAL DATA

Units of analysis

Electoral-related items (news, interviews, reportages, press conferences, opinion pieces, ads or free access slots) in Amhara and English.

Period

April 3 to May 12

Media analyzed

Ethiopian TV (ETV)

Recording schedule

Monday to Sunday 6:00 PM – 12:00 PM

3.1. FREE ACCESS

3.1.1. Access in number of slots and duration

	Slots	Time
EPRDF	35%	46%
UEDF	24%	26%

CUD	22%	23%
Others	18%	5%

3.1.2. Language of free access slots

	Amharic	Tigrigna	Oromiffa
EPRDF	49%	26%	26%
UEDF	71%	21%	8%
CUD	86%	--	14%
Others	89%	0%	11%

3.2. EDITORIAL CONTENT

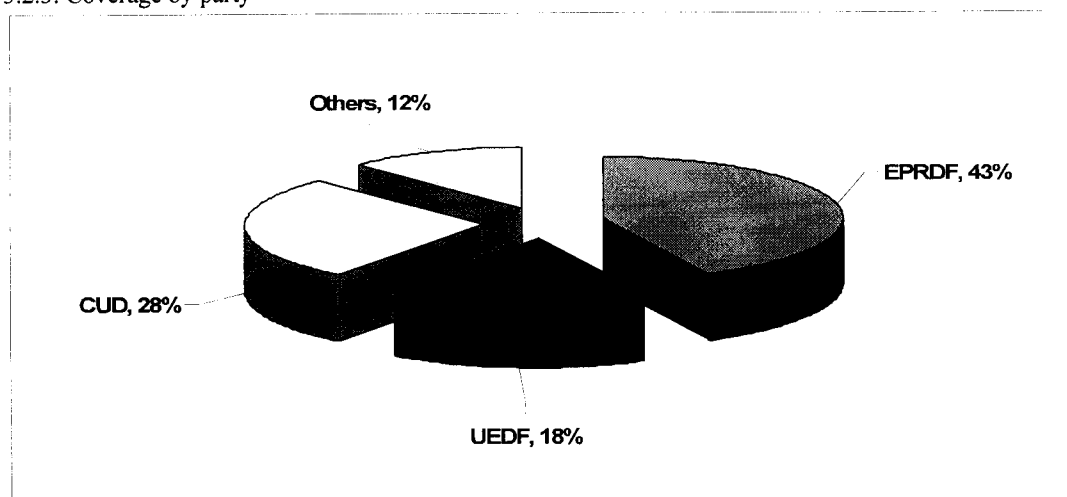
3.2.1. Sources

Self-produced	64%
WIC	5%
ENA	22%
Non-identified	9%

3.2.2. The elections and the EU-EOM

	Elections	EU-EOM
Negative	2%	0%
Neutral	91%	100%
Positive	8%	0%

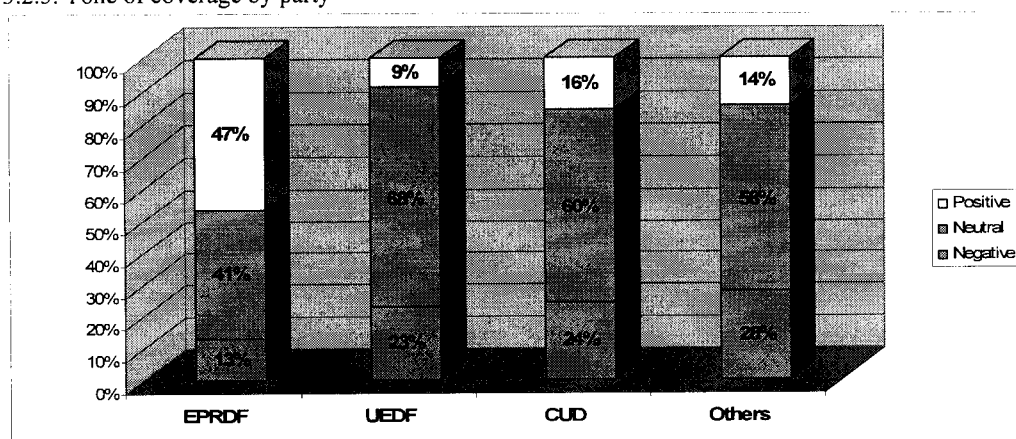
3.2.3. Coverage by party



3.2.4. Quality of coverage

	Voice	Image
EPRDF	45%	51%
UEDF	21%	16%
CUD	24%	26%
Others	10%	7%

3.2.5. Tone of coverage by party



3.2.6. Amount of information and tone by language in ETV

	Amharic	Oromiffa	Tigrigna	English
EPRDF	30%	45%	43%	43%
UEDF	23%	17%	17%	18%
CUD	31%	24%	27%	29%
Others	15%	14%	13%	10%

	AMHARIC			OROMIFFA		
	Negative	Neutral	Positive	Negative	Neutral	Positive
EPRDF	15%	70%	15%	16%	37%	47%
UEDF	17%	65%	17%	26%	60%	14%
CUD	22%	65%	13%	24%	57%	19%
Others	20%	61%	20%	26%	50%	24%

	TIGRIGNA			ENGLISH		
	Negative	Neutral	Positive	Negative	Neutral	Positive
EPRDF	11%	39%	51%	14%	39%	47%
UEDF	21%	71%	8%	26%	65%	9%
CUD	26%	57%	17%	25%	60%	15%
Others	36%	36%	28%	28%	69%	3%

4. THE LAST CAMPAIGN WEEK: INCREASE OF EPRDF SHARE IN INFO AND OPINION, AND PERCENTAGE OF POSITIVE ITEMS, DURING LAST WEEK OF CAMPAIGN (MAY 6-12)

	STATE-OWNED NEWSPAPERS ⁵⁸			RADIO ETHIOPIA			ETV		
	Campaign average	Final week	Change	Campaign average	Final week	Change	Campaign average	Final week	Change
EPRDF share of electoral news	44%	55%	+11%	39%	47%	+8%	43%	58%	+15%
Percentage of positive news over total	37%	48%	+11%	32%	48%	+16%	47%	72%	+25%

⁵⁸ Addis Zemen, The Ethiopian Herald.

The Ethiopian Herald's Home News pages on May 12 (last day of campaign)

Page 8

THE ETHIOPIAN HERALD

Thursday 12 May 2005

HOME NEWS



The Panel discussion in progress

Sustainable development in Africa possible only through free, democratic elections: Prof. Kinfe

ADDIS ABABA (ENA) - President of the Ethiopian International Institute for Peace and Development (EIPD) said sustainable development can be achieved in Africa only through conducting free and democratic elections.

Speaking at a panel discussion organized on the electoral history and best practices of electoral processes of different countries yesterday, EIPD President Professor Kinfe Abirha was conducting free and democratic elections.

Prof. Kinfe said 42 out of 48 African countries have made democratic reforms and held elections during the 1990s.

The president said that democratic culture encompasses open and constructive dialogue among opposition political groups with different views and programmes. It should not lead to hostilities and confrontations as democracy gives winners and losers in election another chance.

Ambassadors to Ethiopia from Ghana, Nigeria and representative of the Swedish Embassy in Ethiopia have presented the electoral history and electoral processes of their respective countries at the panel.

Over sixty senior government officials, members of parliament, diplomats, lecturers, members of civil society, the private sector and students attended the half-day panel discussion.

Makalle residents say aware of electoral law

MAKALLE (ENA) - Residents of the Makalle town said they have acquired adequate knowledge regarding them to which they are ready to vote after being provided a working orientation on bettering procedures.

Voters in Kebelle 18 and Kebelle 16 of the town said they have already identified the emblem as well as number of political candidates competing in the next Sunday elections because of the training offered to them since last Saturday.

The voters said they are able to understand the rules and procedures of elections and ready to vote in the coming Sunday.

According to the voters, they are ready to vote for those political candidates who are committed to work with the people to bring about sustainable peace and speedy economic development in the next five years.

Meanwhile, an awareness-raising orientation on the process of free and fair elections and other related issues was provided to 600 youths drawn from the various sub-cities of the Addis Ababa City Government.

Election experts from the Christian Relief and Development Association (CRDA) and the National Electoral Board of Ethiopia (NEBE) of

held the day-long orientation yesterday in the Hager Fikir Theatre Hall.

The experts call on the youth to actively participate toward the successful completion of the national elections and vote for responsible and dependable political candidates in the coming Sunday.

Participants of the orientation said on their part that they are ready to vote for their political candidates committed to bring about sustainable economic development, peace and democracy in the country.

Public in Gondar, East Hararghe vow to vote for EPRDF

ADDIS ABABA (ENA) - More than 202,000 people of Gondar town and its environs North Gondar Zone in Amhara State as well as residents of Kerna and Bedeno woredas in East Hararghe Zone of Oromia State vowed to vote for the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) in the national elections.

The public said they would vote for EPRDF in rallies they staged yesterday.

Factory workers, youth, members of women associations, government employees, university students, farmers and teachers, among others, took part in the rallies.

They held slogans that read,

among others, the only way to speed up development is voting for EPRDF. Representative of the North Gondar Zone Youth Association, Assefa Tesfaye said on the occasion that the youth are ready to vote for EPRDF in order to achieve the desired development goals and build democracy.

Zonal Women's Association Representative Mare Gole said on her part that the women in the zone would vote for EPRDF which ensured the rights of women.

Chief Administrator of the North Gondar Zone, Mulu Teregegn also called on the public to punish opposition parties by voting for EPRDF.

Participants of the rally said on the occasion that they became aware of the programmes and aims of the opposition parties and the ruling party. They said the struggle of EPRDF to strengthen peace, development and democracy is significant.

Representatives of the Kerna and Bedeno Woreda Administrations also said the Oromo Peoples Democratic Organisation (OPDO-EPRDF) enabled the Oromo people benefit from educational, health, potable water and other development activities.

Meanwhile, the inhabitants of Dabat town staged a similar rally in support of EPRDF.

Public stage rally in support of EPRDF

ADDIS ABABA (ENA) - Residents of four woredas in East Gojjam Zone of Amhara State as well as inhabitants of Kebele 9 in Somali State took to the streets Tuesday in support of EPRDF.

Inhabitants of Dilla town and its environs in Southern Nations, Nationalities and Peoples State staged a rally in support of the Coalition for Unity and Democracy (CUD) on the same day.

The public in Debre-Elias, Hulet-Ejrahar, Goncha-Sitene and Gostime woredas in East

Gojjam Zone said on the occasion EPRDF is the foundation of peace, democracy and development.

They said CUD follows the policy of the defunct Derg regime.

The public in Kebele 9 and its environs in Somali State also said on their part that the public in the area have become beneficiary of development, peace and democracy during the leadership of the EPRDF.

They said they support EPRDF to achieve the desired goals of the on going health, education, potable water and other economic development

sectors. Meanwhile, residents of Dilla and its environs have staged a rally in support of CUD.

They held slogans that read 'CUD will bring about peace and development', 'the young generation is unemployed, but not haggard', 'we will cooperate to build Ethiopia'.

Over 50,000 people took part in the rally staged in support of EPRDF while more than 3,000 in support of CUD.

Election materials distributed to constituencies, polling stations

ADDIS ABABA (ENA) - Election materials were distributed to constituencies and polling stations in Eastern and Northern, Galla, West Hararghe and East Gojjam zones of Tigray, Southern Nations, Nationalities and Peoples, Oromia and Amhara states respectively, coordinators said.

The respective zonal election coordinators said ENA that the materials were sent to some 1,777 polling stations.

The materials distributed include ballot papers, ballot boxes with their locks, various powers, voting guidelines, stamps identifying each station, ink and others.

TPLF calls on public to vote for EPRDF

MAKALLE (ENA) - The Tigray People's Liberation Front (TPLF) said the Ethiopian people will assume political power if the public rally behind the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) through voting for the ruling party in the next Sunday national elections.

In a briefing held at Makalle town, Central Committee Member of the Front Coalition, Nibek Angaw said journalists Tuesday that the public should vote for EPRDF in a bid to realize the rights of nation and region.

Collecting said the ruling party

has gained international recognition for establishing the public exercise their constitutional rights and for its commitment to make the elections democratic, free and fair.

TPLF-EPRDF is ready to make the elections democratic, free and fair, the official said, adding that he is confident that EPRDF will win the election.

According to the official, EPRDF will follow policies and strategies aimed toward alleviating poverty across the nation in the next five years.

University students support EPRDF

ADDIS ABABA (ENA) - Students of the Gondar University in Amhara State said the on going efforts to make the national elections free and democratic is the first phase which gives a historical place for the Ethiopian Peoples Revolutionary Democratic Front (EPRDF).

The students said EPRDF has practically shown in this year's elections that it laid the foundation for building democracy in the country.

The students made the remark at an election campaign organized by EPRDF.

They said the opportunity given to political parties to introduce their programmes through mass media has enabled the public to raise their awareness.

EPRDF had carried out various development activities that helped to improve the livelihood of the public.

As the students said adding that they would support the efforts of EPRDF to expand higher learning institutions.

The students said they would support EPRDF in the coming elections because if EPRDF is elected, it would play a significant role in the efforts to reduce poverty and backwardness in the next five years.

Executive Member of the Amhara National Democratic Movement (ANDM), Getachew Amher said on the occasion that EPRDF has carried out various development activities in the past years due to its commitment for peace, democracy and development.

Getachew called upon the students on the occasion to vote for EPRDF.

More than 1,000 students attended in the election campaign.

ANDM says set to win national elections

BAHIR DAR (ENA) - The Amhara National Democratic Movement (ANDM) said it has full confidence to win the third national elections scheduled for next Sunday.

ANDM Central Committee Office Head Hailu Ze-Mariam said Tuesday that the party had introduced its candidates to the public and launched nationwide election campaigns to win the elections.

The head said ANDM-EPRDF had introduced 431 capable candidates to the public that would compete for the seats in the House of Peoples Representatives and state councils.

Some 32 per cent of the candidates competing for the seats of the House of Peoples Representatives

as well as about 38 per cent of the candidates competing for the seats of state councils are female.

He said this shows how ANDM-EPRDF is dedicated to the empowerment of women.

ANDM had also introduced its policies at various debates while giving orientation in the public to vote for a political party which can represent the voice of the public.

He said the public is expressing its confidence in the on going efforts of building development and good governance.

Opposition parties are engaged in destructive activities to disrupt the elections and that ANDM-EPRDF resisted their provocative acts, he said.

Residents of Afar State rally supporting ANDP, EPRDF

ADDIS ABABA (ENA) - Residents of Afar state and Afar towns in Afar State condemned activities of opposition parties, which they said, are aimed at undermining the right of self-administration that was achieved through sacrifices paid by the Ethiopian Peoples Revolutionary Democratic Front (EPRDF).

In a rally they held yesterday residents of the two towns said as the Afar people are administering themselves and living in harmony with other nations and nationalities, and they would not allow this right to be violated by opposition forces.

The residents also said EPRDF's peace, democracy and development

activities would not be diverted with, what they called, the destructive campaigns of opposition parties.

Speaking at the rally, Afar State Chief Administrator, Ismael Ali, said the public should be vigilant against some political organizations which, he said, are bent on snatching the human and democratic rights of the nation by nullifying the Constitution.

Ismael urged the public to cast their votes for the Afar National Democratic Party (ANDP) on the Election Day. Meanwhile, over 60,000 residents of the Afar, Afar, Weytich, Laelay and Tabari Adi Abo

Farmers rally behind EPRDF

ADDIS ABABA (ENA) - Over 20,000 farmers in Dessie Zuria Woreda, South Wollo Zone of the Amhara State, expressed support for EPRDF in a rally staged Tuesday.

The farmers said on the occasion they became beneficiary of the rural development programme owing to the efforts of the ruling party.

They said they would vote for EPRDF in the coming Sunday elections since the party has brought about tangible achievements in the livelihood of the peasants.

They also called on opposition parties to accept the election results.

Speaking on the occasion, Chief of the Dessie Zuria Woreda Administration, Silas Fenta said farmers should rally behind EPRDF since the ruling party is committed to boost agricultural development in the country.

Similarly, over 4,500 residents in Shashida town of Chera Woreda, Keffa Zone of the Southern Nations, Nationalities and Peoples State, expressed readiness to vote for South Ethiopia Peoples Democratic Movement (SEPPDM-EPRDF).

In a rally they staged Tuesday, the residents said EPRDF has been struggling to safeguard the rights and equality of nations and nationalities.

They also said they would stand against opposition parties as they are trying to nullify constitutional rights of nations and nationalities of the country.

Public in Jimma rally behind OPDO/EPRDF

JIMMA (ENA) - Chairman of the Oromo Peoples Democratic Organisation (OPDO) said the efforts being exerted by the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) should be enhanced through the support of the public.

While addressing more than 20,000 people who rallied yesterday in Jimma town, Oromia State, favoring OPDO-EPRDF, Aba Dida Gemeda said his party would work fervently with the people for the peaceful conduct of the elections.

He said the public should do their level best to make all competing parties accept the outcome of the ballot box.

Aba Dida urged the public to remain vigilant to fight those elements that, he said, may work to disrupt the on-going peace, development and democracy.

Jimma Town Municipality Chief, Bogale Negash on his part called on the public to vote for OPDO-EPRDF and deny vote to those parties who, he said, were bent on to grab power through false propaganda.

He said the public should do their level best to make all competing parties accept the outcome of the ballot box.

He said the public is expressing its confidence in the on going efforts of building development and good governance.

Opposition parties are engaged in destructive activities to disrupt the elections and that ANDM-EPRDF resisted their provocative acts, he said.

He said the public is expressing its confidence in the on going efforts of building development and good governance.

He said the public is expressing its confidence in the on going efforts of building development and good governance.

Thursday 12 May 2005

THE ETHIOPIAN HERALD

PAGE 2

HOME NEWS

Election executives, observers dismissed

ENJIBARA (WIC) - Some 13 election executives and observers have been relieved of their responsibilities in 11 polling stations in Dangelle Woreda of Amhara Region.

Constituency Coordinator Chanelewa Ambelu said WEC yesterday the individuals were removed following the grievances of the public as they were not impartial in political parties.

Following investigation by the

coordination office, 15 election executives and three observers in 11 polling stations out of the 46 in the woreda were removed.

They are replaced by independent and impartial persons elected by the public, he said.

Some 16 of the election executives and observers removed are from the ruling party and the other two from the Coalition for Unity and Democracy (CUD) he stated.

Over 200,000 people rally in support of EPRDF

MAKALLE (WIC) - More than 200,000 inhabitants of Southern Zone of Tigray held mass rallies last Sunday in support of the EPRDF.

Some 212,000 inhabitants of Ambelgeh, Eshdethen, Alamatta, Hinalo Wajere and Seheri Sante woredas said that at their rallies they would wholeheartedly vote for EPRDF as it stands for the prevalence of peace, development, democracy and good governance.

The inhabitants, among others, chanted the slogans "We shall put the opposition which aims to undermine peace and democracy with our vote cards! We shall renew our victory by electing the EPRDF!"

Some inhabitants approached by WIC added that they will vote for

the EPRDF because it stands for equality of nations and nationalities as opposed to the opposition parties that dream of war, chaos and destruction.

In a related development, the residents of three woredas in Central Tigray Zone staged Monday demonstrations in support of the EPRDF.

Over 40,000 inhabitants of Lashay and Tahay Maichew and Wazirah woredas said they would also vote for the EPRDF as it is a symbol of development.

They commented the front for the prevailing peace and democracy striving to give it more time to attain further victories by voting for it.

More than 150,000 oncocerciasis patients receive treatment

MEZAN (ENA) - The Sheka Zone health desk said it has provided medical treatment for over 150,000 oncocerciasis patients.

Desk Representative Habtemu Beyene said recently that over 400,000 Mezeze patients have been given over 150,000 treatments over the year month.

Habtemu said oncocerciasis had been a major health problem in the zone.

According to the representative, the Ministry of Health has been jointly working with the World Health Organization and the Carter Center with a view to eradicating

the disease.

The four-round treatment given since 2001 has significantly reduced the number of people affected by the disease.

Some 250 volunteers drawn from the public have taken part in the fifth-round drug administration campaign, Habtemu said, adding that 500,000 tablets worth about 11 million birr would be distributed.

Habtemu said, MEDIC, drug company supplied 53 million birr worth tablets over the past five years and pledged to provide the drug for the coming five years.

Dwellers of Bishoftu town endorse re-election of OPDO/EPRDF

BISHOFTU (WIC) - Residents of Bishoftu town in East Shoa zone, Oromia State, held a huge rally in support of OPDO/EPRDF here yesterday.

Thousands of peaceful demonstrators from nine kebeles of the town expressed their readiness through slogans to vote for OPDO/EPRDF which they said has ensured sustainable peace and democracy in Oromia and the country as a whole.

The demonstrators chanted slogans saying "The Oromo people would no longer shoulder the hegemony system! OPDO/EPRDF lead us to peace!" and other slogans praising OPDO.

Addressing the public gathering,

Over 110,000 Bahir Dar town residents rally supporting EPRDF

BAHIR DAR (ENA) - Over 110,000 residents of Bahir Dar town, capital of the Amhara State, said they will vote for the Amhara National Democratic Movement (ANDM), a member of the ruling Ethiopian Peoples Revolutionary Democratic Front (EPRDF) for the continuation of sustainable peace, development and democracy.

At a rally the towns people staged in support of ANDM/EPRDF at the Tewodros II Stadium in Bahir Dar town yesterday, Chief of the Amhara State, Yosef Reta said the third national observation is an event of importance to the country as a new chapter and a new chapter of development through halting poverty.

The Amhara people are on their way to development, Yosef said, adding the public has affirmed that there is no ground for violence in the state other than peace.

Yosef urged the public in the state to vote for EPRDF and underscored the need to accept the results of the election.

He also said the state government is ready to control every illegal activity.

Speaking on behalf of the youth, Mengistu Bekele on the occasion called

Major of the Bishoftu town, Sileshi Gode said the public should vote for OPDO as it is to ensure the peace, development and democratic rights won by the Oromo people with its vanguard organization, the OPDO.

He, however, said the opposition parties are trying to confuse the public by making mountains out of moles and stressing the enormous achievements attained in development and good governance in the country, adding that the public should be vigilant in following these dirty tricks.

He said the oppositions who are from the very beginning vent on creating disturbances and hatred in a bid to undermine the credibility of the election have been trying to obstruct

the process by fabricating false accusations.

OPDO Executive Committee Member, Kuma Demekissa said on his part that the opposition parties have embarked on activities aimed at reversing the democratic system in place by looking out at the federal structure of the government and development works that are in progress. He said the Oromo people would vehemently oppose forces which blatantly say they will again subjugate it.

Meanwhile OPDO has introduced four of its candidates running for seats in the House of Peoples Representatives and the state council to the gathering.

on the demonstrators to vote for EPRDF which made the youth beneficiaries in various aspects.

Paulos Tadese, a student of the

Bahir Dar University, said he would vote for EPRDF citing the expansion of higher institutions in the state as a success registered by the party.

Residents in Konta Woreda rally in support of EPRDF

JIMMA (ENA) - Residents of Konta Special Woreda in the Southern Nations, Nationalities and Peoples State rallied Tuesday in support of the South Ethiopia People's Democratic Movement (SEPPDM), a member of the Ethiopian People's Revolutionary Democratic Front (EPRDF).

More than 15,000 residents from different walks of life came out in force of EPRDF by chanting pro-EPRDF slogans and condemning opposition parties.

The residents said EPRDF has enabled nations and nationalities to administer themselves as well as to promote their cultures and languages.

The youth particularly said EPRDF has facilitated conditions for the youth to organize themselves and provided technical and vocational training to enable them engage in various income generating activities.

Representatives of farmers who came out in support of EPRDF said several health and educational as well as infrastructure facilities have been

Authority maintains 247-km roads

GONDAR (ENA) - The Gondar rural road maintenance office with the Amhara State Rural Roads Authority says it has maintained 247-km roads over the past nine months.

Maintenance engineer with the office, Walewale Adane said Tuesday that the office has removed all weather roads in North and South Gondar zones which interlink more than 20 towns.

He said Seraye-Delgi, Ethio-Arba Tsegay, Adisa Zemen-Ethiart, Debarik-Mekane Berhan, Makagub-Dragoma and Sanya-Masara Demba were among the roads rehabilitated in the reported period.

The effect also involved 260-km roads in Metema, Quara, Tsegay and Tach Armachio woredas to facilitate settlement programmes, he said.

Walewale said the road fund administration had allocated 5.2 million birr for the maintenance of 449-km roads this Ethiopian budget year.

NATIONAL WEATHER REPORT

Weather summary for May 10, 2005

The general rainfall activity continued in a similar manner over various parts of the country. Hence, central Ethiopia, SNNPR, eastern & southern Oromia, eastern Amhara, Gambella, pocket areas of Benishangul-Gumuz, southern Tigray and northern Somali had light to moderate rain showers. Moreover, heavy falls, which can result in flash flooding, were recorded over places of the aforementioned areas. For instance, Abomea, K'Mengat, Nagfite and DeMena had 65.6, 47.2, 37.3, and 35.5 mm, respectively.

STATIONS	WEATHER	RAIN (mm)	TEMP (°C)
			Max. Min.
DeBesa	Rain	5.0	24.9 14.6
Makelle	Sunny	0.0	27.4 14.9
Ilfaya	Sunny	0.0	26.5 12.0
Daba Maikoo	Partly cloudy	0.0	26.4 13.0
Jimma	Rain	6.6	30.0 15.8
Adisa Ababa	Rain	11.0	23.0 12.5
Bahir	Rain	8.3	23.4 14.5
Nagfite	Heavy rain	77.3	22.3 15.0
Asokoa	Light rain	Tr.	11.5 16.9
A'Minch	Rain	10.4	27.9 17.8
Konso	Rain	2.7	26.0 16.0

Weather forecast for May 12, 2005

LEGEND

- Rain
- Thunderstorm
- Cloudy
- Partly cloudy
- Sunny
- Heavy cloudy

A relative strengthening of the low pressure systems are expected over western portions of the country. Therefore, scattered to heavy rain showers are anticipated over central Ethiopia, much of Oromia, SNNPR and Gambella regions. Besides, eastern Amhara, southern Afar, Benishangul-Gumuz, as well as northern Somali will have scattered to scattered rain showers. Partly cloudy conditions with a chance of isolated rains are expected over eastern Tigray & western Amhara. The remaining portions of the country will have patches of clouds.

MINISTRY OF WATER RESOURCES
NATIONAL METEOROLOGICAL SERVICES AGENCY

Jimma constructs 63 primary schools, 605 additional classrooms

JIMMA (ENA) - Some 63 primary schools and 605 additional classrooms constructed in various woredas of Jimma Zone, Oromia State, valued at 6.3 million birr during the last nine months roaded for services, the Zonal Education and Capacity Building office said.

Office Head Aberra Dillana said ENA recently that the local people had contributed money, free materials and labour for the

construction of the new educational facilities built in 13 woredas of the zone.

Aberra said the new educational facilities will open education access to 57,000 children in the coming academic year.

The head also said construction of 439 teachers' residential units and maintenance of more than 19,000 student benches were carried out during

the reported period.

The public in the zone had constructed 166 primary schools and 1,620 additional classrooms during the previous years, he said, adding primary school coverage of the zone is raised to 80 per cent as present from 60 per cent previously.

Women's primary school enrolment is also raised to 57 per cent owing to the construction of the above mentioned educational facilities.

Some residents of Dessie town vow to vote for EPRDF

DESSIE (WIC) - Some residents of Dessie town in South Amhara Zone, Amhara State, said they would vote for the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) as it is a development oriented and equipped with diplomatic finesse as proved by the return of Axum Obelisk.

Tadele Kebede, Alemayehu Tefera and Tesfaye Wondimu told

WIC recently that the return of the obelisk which was not made possible by the previous regimes was indicative of EPRDF's commitment in building a democratic system and benefiting the public from development works.

They said facilitation of live transmissions of the debates held among political parties in a country where democracy is in its infancy is the testimony for

EPRDF in holding free, fair and democratic election.

They added that the mass media campaign has helped them to be aware of the platforms of each parties and the extent of the authority of the people.

Some respondents said they are ready to elect EPRDF as it is to accomplish the democracy, development and peace initiatives in the making.