

## **Directive on the Registration of Candidates**

**Number 1/2009**

**(as amended)**

### **Article 1. Issuing Authority**

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

### **Article 2. Short Title**

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

### **Article 3. Definitions**

In this Directive unless the context requires otherwise:

1. “Board” shall mean the National Electoral Board of Ethiopia.
2. “Constituency” shall mean an electoral district established by dividing the nation’s territories in accordance with the law and in a manner conducive for the execution of elections and for the people to elect their representatives.
3. “Political Organization or Political Party” shall mean a grouping legally registered to promote its political programme in a lawful manner.

4. “Candidature Identity Card” shall mean an identity card issued by the constituency to a candidate after he has been registered as such pursuant to the Electoral Law.
5. “Public Observer” shall mean an impartial resident of each constituency or polling station elected by the people to observe elections.
6. “Electoral Law” shall mean The Electoral Law of Ethiopia Proclamation No. 532/2007 (as amended).
7. “Person” shall mean any natural or juridical person.

### **Article 4. Scope of Application**

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

### **Article 5. Objective**

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

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

## **Article 6. Gender Reference**

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

## **Article 7. Preparations for the Registration of Candidates**

Preparations shall comprise of the following activities:

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

## **Article 8. Organization of Constituencies**

1. The number of constituencies for general elections shall be determined on the basis of the population of the country, and special representation of minority nationalities and peoples shall not exceed 550 and shall contain proportional number of people except in the case of constituencies where minority nationalities and peoples are represented.
2. Without prejudice to the provisions Article 20 Sub - Article 2 of the Electoral Law:
  - a. Those constituencies that are used for the election of members of the House of Peoples Representatives, and those of Regional Councils shall also serve as constituencies for the election of members of Zonal Councils.
  - b. Urban and rural Kebeles shall serve as constituencies for the election of members of Woreda Councils.
  - c. The constituencies for City and Sub - City Councils shall be those Kebeles that are found in the city or sub - city where the election is to be held.
  - d. The constituencies for the election of Kebele Councils shall be the electoral area or kebele constituency or district or locality that will be organized within the kebele pursuant to regional laws.
  - e. The locality or village covered by each polling station shall be self - contained and shall not overlap with those of another polling station.

## **Article 9. Election Officials**

1. The members of Constituency Election Officials Committees shall:
  - a. be loyal to the constitution;
  - b. be free from partisanship to a political organization;
  - c. have professional competence;
  - d. be known for their good conduct.
2. Without prejudice to the provisions of Sub-Article 1, the Board could organize constituency election offices by recruiting, on a permanent or temporary contractual basis, competent and non-partisan electoral officers. It could also recruit and deploy electoral officers seconded from other institutions.
3. Election Officials shall be recruited pursuant to The Code of Conduct for Constituency Election Officials Directive Number 4/2009 issued by the Board.

## **Article 10. Powers and Duties of the Constituency**

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

- directives to be issued by the Secretariat of the Board or the Board.
  - o. make polling station election officials commence their activities in accordance with the election timetable.
  - p. perform other activities assigned to it by the Board or its regional branch secretariat.
2. Concerned electoral officials at all levels shall carefully handle and properly utilize the documents and materials listed hereunder that are sent to them:
    - a. candidate endorsement and screening forms
    - b. forms for registering candidates
    - c. forms for notifying the election board for publicizing registered candidates and
    - d. identity cards for candidates, election officials, public observers and election wardens and other electoral documents and materials.
  3. Shall carefully record on the candidate registration form by categorizing the candidates according to the council for which they are running and shall transmit the same to the Board and other relevant bodies within the timeframe laid down by the timetable.

#### **Article 11. Place and Time for Registering Candidates**

1. The registration of candidates shall be conducted by the Election Execution Committee that will be established in each constituency according to the provisions of Article 20 Sub- Article 3 of the Election Law .
2. Registration of candidates for the election of members of The House of Peoples' Representatives of the FDRE, Regional and Zonal Councils shall be conducted in the respective constituencies.

3. Registration of candidates for City and Sub -City Councils shall be conducted in one of the polling stations in a Kebele which had previously served as the Kebele Election Office. The registration will be conducted by polling station officials thereof.
4. For the election of members of the Kebele Council:
  - a. candidate registration shall be conducted in a Kebele constituency, locality or village apportioned according to the laws of the Regions. The registration shall be conducted by election officials of the polling station.
  - b. There could be one or more Kebele constituencies, districts or villages under one polling station
  - c. Electors who live in a Kebele constituency /locality/ shall, without being divided, be included under one polling station and be made to vote therein.
  - d. Polling Station officials shall register candidates for one or more localities found under them in the respective Kebele constituency /locality / by separating them accordingly.
5. Candidate registration shall be conducted according to the timetable issued by the Board ,every day including weekends and public holidays, during working hours of government offices.
6. Without prejudice to the provisions of Sub -Article 5 above, if the Board deems it necessary, it could extend the candidate registration period or arrange special registration hours.

## **Article 12. Criteria for Candidature**

1. Any person who wants to register as a candidate shall meet the criteria listed hereunder:
  - a. is an Ethiopian;
  - b. is versed in the working language of the Regional State of the area of his intended candidature;
  - c. is 21 years old or above on the date of the registration;
  - d. has been regularly residing in the constituency of his intended candidature for two years immediately preceding the date of the election, or his birth place is within the constituency of his intended candidature, or where the city or Woreda has more than one constituency or he has been regularly working in the city or wereda for two years, in the woreda or city he chooses.
2. In addition to the criteria set out under Article 1, a political party or a private candidate who wants to register to compete in an election, must accept and sign the election code of conduct to be issued by the Board in accordance with the electoral law.
3. A political party that nominated a candidate must itself be a party duly registered with the Board.
4. Sub -Article 1 /d/ of this article shall not apply to the following:
  - a. A person who has been outside the constituency because of work or education, or
  - b. who, having previously been elected in the constituency, is on duty.
5. In addition to the criteria enumerated above, a private candidate shall produce no less than one thousand endorsement signatures.

6. Without prejudice to the provisions of Sub- Article 5 above, the number of endorsement signatures to be produced by a private candidate for Woreda or City Administration or Kebele Council shall be as follows:
  - a. for Woreda Council, no less than 200 signatures;
  - b. for City Administration Council, no less than 200 endorsement signatures;
  - c. for Kebele Councils, no less than 50 endorsement signatures.
7. Without prejudice to the provisions of Article 6, the Board can reduce the number of endorsement signatures a private candidate must produce in certain constituencies if it deems it necessary.

## **Article 13. Persons eligible to give Endorsement Signatures**

1. A person who is eligible to give an endorsement signature:
  - a. shall be an Ethiopian national;
  - b. has been residing in the constituency at least for six months;
  - c. is 18 years old and above;
  - d. has not been deprived of his right to vote by law ;
  - e. is not insane;
  - f. is not serving a prison sentence.
2. A person cannot sign for endorsing more candidates than there are seats available in the constituency.
3. Every candidate shall present the endorsement signatures he gathered to the constituency he is running in according to the timetable after having the endorsement signatures verified by the Kebele administration they were gathered in.

4. Endorsement signatures shall be gathered and presented according to the following procedure:

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

#### **Article 14. Persons who are ineligible to register as candidates**

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

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

#### **Article 15 Nomination of Candidates**

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

attested by the seal of the organization. If it appears that there is disagreement on the nomination of candidates, the list submitted by the top leadership shall prevail.

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

#### **Article 16. Candidate Registration**

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

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

1. Any government employee can become a candidate either privately or through a political organization.
2. A judge, soldier or policeman shall resign from his post if he runs for election as a private candidate, or a candidate of a political party.

3. Any government employee who runs for election may not lose any benefits as a result of his running for election as long as he has achieved the required performance to entitle him thereto.

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

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

- e. If there are places left after the implementation of the procedure laid down above in Sub -Article 2, private candidates will be allowed to register after lots have been drawn.
3. Pursuant to Article 49 Sub -Article 6 wherein it is provided that the number candidates nominated to state councils, or to other electoral levels shall be determined by the Board, it is decided that:
  - a. In a constituency, up to 24 candidates can take part in elections for members of a regional council.
  - b. In a constituency, up to 24 candidates can take part in elections for members of zonal council;
  - c. In a constituency, up to 24 candidates can take part in elections for members of a woreda council;
  - d. In an urban kebele, up to 24 candidates can take part in elections for members of city and Sub- City Councils.
  - e. In a kebele constituency or district or locality, up to 100 candidates can take part for elections for kebele councils.
4. If there are more candidates than is determined by the Board in sub article 3 above, the provisions of sub article 2 shall apply accordingly.
5. Lots to determine candidates shall be drawn in the presence of the candidates concerned or their representatives.
6. Election officials of the constituency shall first group the candidates based on the type of council seat they are running for and then undertake the task of

screening the candidates in the presence of public observers according to the law .

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

1. After it has been determined who the candidates are according to the electoral law , their names shall be entered on the candidates' registration form and they will each be issued a candidature I.D. card;
2. I.D. Cards will be issued only after the candidate is made to present a passport size photograph and after it is affixed to the card.
3. I.D. Cards issued to candidates for the House of Peoples' Representatives as well as regional and zonal councils shall be attested by the signature of the head of the constituency office and the seal thereof.
4. I.D. Cards issued to candidates for woreda, city and sub- city councils shall be attested only by the signature of the kebele constituency office.
5. Without prejudice to the provisions of this article, candidates for a kebele council may not be issued with I.D. cards.
6. Candidature I.D. cards for candidates of political organizations may be given to the candidates in person or to the political party that nominated them.
7. Candidates or representatives of political parties shall each be made to sign a receipt acknowledging the fact that he has received his candidature I.D. card on time, and this shall be kept as evidence in the constituency office.
8. I.D. Cards are valid only until the Board announces the official results of the election concerned.



9. Candidates shall give back the candidature I.D. cards to the constituency office or the secretariat of the Board immediately after they have expired.

#### **Article 20. Announcement of Candidates**

1. The list of candidates which will be drawn according to the council the candidates are running for shall be publicized in the constituencies concerned in line with the election timetable issued by the Board.
2. The constituency office shall fill out the particulars listed herein under concerning candidates who are issued with candidature I.D. cards on the form for publicizing candidates sent to it from the secretariat of the Board. It shall post these forms in public places where people congregate and circulate; it shall also post it in the compound of the constituency office, and in every polling station. The particulars concerned are:
  - a. Full name, including grand father's name
  - b. Age
  - c. Gender
  - d. Educational level
  - e. Profession
  - f. The name of the party that nominated the candidate or mention the fact that he is a private candidate as the case may be;
  - g. The appellation of the candidate's logo and
  - h. Other relevant information.
3. The head of the constituency office shall visibly write his name, sign and affix the seal of the constituency at the foot of every poster for publicizing candidates

who run for the House of Peoples' Representatives as well as regional and zonal councils.

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

#### **Article 21. Right to Change and Replace Candidates**

1. Any political party can change or replace the candidate it nominated, according to the law .
2. Unless otherwise provided, a political organization can change or replace its candidate only during the period for registering candidates.

#### **Article 22. Withdrawal and Replacement of Candidates**

1. A political organization or a private candidate can withdraw from being a candidate.
2. A candidate nominated by a political party who withdrew from being a candidate shall notify the same in writing, that must be signed by him, to the party that nominated him, and he shall return his candidature I.D.
3. A political organization whose candidate has withdrawn may replace him by nominating another candidate within the period allotted to the registration of candidates in the timetable.
4. The political organization shall immediately notify the constituency office in writing signed by the concerned leadership and verified by the stamp of the organization, it shall also annex thereto a copy

of the letter of withdrawal, the candidature I.D. card that has been returned, the name of the replacement candidate and other material pertaining to the qualification of the candidate.

5. The constituency office shall examine the case presented to it according to the law and promptly register the candidate; it shall also issue a candidature I.D. card to him.
6. If the candidate of a political organization has withdrawn on the final date of the timetable, it shall be made to replace the candidate within one week starting on the date of his withdrawal.
7. If a political organization whose candidate has withdrawn does not replace him by another candidate within the time indicated in sub article 6 above, the election shall continue with the remaining candidates in accordance with the timetable.

#### **Article 23. Replacing a Dead Candidate**

1. A political organization whose candidate has died may replace him with another candidate before the end of the period allotted to candidate registration according to the timetable.
2. Where the candidate of a political organization has died after the end of candidates' registration, the political organization may replace the candidate within 15 days before the voting day.
3. Where a political organization has not submitted a replacement within the said time, the election shall continue with the remaining candidates.
4. Where the candidate of a political party has died in less than 15 days preceding the voting day, the

election process in the constituency shall be discontinued and another election shall be conducted in accordance with the decision of the Board after the replacement of the deceased candidate.

5. Without prejudice to the provisions of sub article 4 above, where the political organization informs the Board in writing that it cannot replace the deceased candidate, the election shall continue with the remaining candidates in accordance with the timetable.
6. Where the date of election is changed in accordance with sub article 4 above, the election shall be conducted by replacing the deceased candidate only while the voters and other candidates registered earlier remain unchanged.
7. For the election to be conducted in accordance with the provisions of sub article 4 above, only the candidate that has replaced the deceased candidate may campaign to introduce himself up to two days preceding the voting day.

#### **Article 24. To Run In Only One Constituency**

1. A person can become a candidate in only one constituency;
2. If a person becomes a candidate in more than one constituency, he shall be cancelled in both constituencies.
3. If it is found out that a candidate who has been declared a winner had also been registered as a candidate in another constituency, the result shall be annulled and a new election shall be held.

## **Article 25. Transferring from One Constituency to Another**

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

1. The political organization shall submit a written request for transfer to the constituency in which the candidate was registered. This should bear the signature of the leadership of the organization and its stamp.
2. The political organization or the private candidate shall inform in writing the constituency to which he wants to be transferred that a request to this effect has been made.
3. A private candidate shall submit a written transfer request that is signed by him to the constituency in which he has been registered.
4. The candidate shall return the former registration documents, and the candidature I.D. to the constituency in which he was registered and these shall be cancelled; and he will be issued by the said constituency with a certificate attesting this fact.
5. The candidate who is to be transferred shall submit the documents given to him by the constituency he was registered in, to the constituency that he wants to run in. The latter shall register the candidate and issue him a candidature I.D. and other registration documents after ascertaining that he fulfills the criteria.

## **Article 26. Choosing Candidature Symbols**

1. The Board shall prepare an album containing a variety of candidature symbols.
2. Any candidate may submit his own symbol or choose one from the album prepared by the Board.
3. Each political organization shall be made to submit its symbol or to come to the Secretariat of the Board and choose one from those prepared by the Board according to the election timetable issued by the Board.
4. The Secretariat of the Board shall inform the constituencies the symbols that are selected and those that are not.
5. Private candidates may submit their own symbols or they may come to the constituency in which they are running and choose from the albums with different symbols for different types of elections, sent by the Board to the constituencies.
6. Candidates shall utilize the symbols they chose only after the symbols have been approved by the Secretariat of the Board or constituency offices.
7. Candidates of a political organization may use the same symbol at all levels of election.
8. Candidates of a political organization shall use the same symbol to elections for each council in all constituencies.
9. No party or private candidate shall have copyright of symbols. However, a political organization or private candidate may be given priority to choose a symbol it had used during the previous election.

10. The Board shall give the necessary decision regarding disputes arising out of the selection of symbols.
11. Any symbol of candidature shall not:
  - a. be similar to that of other candidates;
  - b. be a cause for hatred and conflict among nations, nationalities, race or religion;
  - c. be one that propagates war or any other unlawful act;
  - d. be similar to flags or emblems of Federal and State Governments, emblems of other political organizations or flags or emblems of international organizations or signs of religious organizations;
  - e. violate public morals and ethics.

#### **Article 27. Change and Replacement of Candidature Symbols**

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

notify the change to the Board in writing within ten days after the closing of candidates' registration.

#### **Article 28. Immunities of Candidates**

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

#### **Article 29. Lodging of Complaints**

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

#### **Article 30. Duty to Cooperate**

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

**Article 31. Penalty**

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

**Article 32. Repealed Practices and Directives**

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

**Article 33. Effective Date**

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

Merga Bekana (Professor)  
Chairman  
National Electoral Board of Ethiopia