Consolidated Version of the Election Laws of FDR Ethiopia[1]

PROCLAMATION NO. 111/1995

PROCLAMATION TO ENSURE THE CONFORMITY OF THE ELECTORAL LAW OF ETHIOPIA PROCLAMATION WITH THE CONSTITUTION OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

With amendments made by

PROCLAMATION NO. 438/2005

PROCLAMATION TO PROVIDE FOR THE AMENDMENT OF THE PROCLAMATION TO MAKE ELECTORAL LAW OF ETHIOPIA CONFORM WITH THE CONSTITUTION OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

CHAPTER ONE: GENERAL PROVISIONS

1. Short Title

This Proclamation may be cited as the "Proclamation to make the Electoral Law of Ethiopia Conform with the Constitution of the Federal Democratic Republic of Ethiopia No. 11/1995."

2. Definitions

Unless the context otherwise requires, in this Proclamation:

1. "Region" means a region established in accordance with Article 47 of the Constitution including Addis Ababa and Dire Dawa.

2. "Election" means popular elections hold at representative levels for the formation of national and regional organs of state power and their corresponding substitutes;

3. "Constitution Assembly" means the body referred to under Article 11 of the Transitional Period Charter of Ethiopia;

4. "Constitution" means the Constitution of the Federal Democratic Republic of Ethiopia;

5. "Minority Nationality" means a community determined, by the House of People's Representatives or its successor, to be of a comparatively smaller size of population than that of other nations/nationalities;

6. "Electoral Roll" means a record wherein voters are registered at polling stations subsequent to the effective date of this Proclamation;

7. "Electors Card" means an identification card issued to an elector upon registration at a polling station;

8. "Political Organizations" means groupings legally promoting their respective Political programme.

[1] This consolidated version of election legislation is an unofficial composite consisting of the 1995 Election Law (**Proclamation No 111/1995** "Proclamation to ensure the Conformity of the Electoral Law of Ethiopia Proclamation with the Constitution of the Federal Democratic Republic of Ethiopia") and amendments introduced by the 2005 Amendments to the Election Law (**Proclamation No 438/2005** "A Proclamation to Provide for the Amendment of the Proclamation To Make Electoral Law of Ethiopia Conform with the Constitution of the Federal Democratic Republic of Ethiopia"). This is based on translations produced by the National Election Board of Ethiopia and, in respect of the 2005 Law, as published in the *Federal Negarit Gazeta No.23 pp3041-3050* (18 January 2005). The preambles to both Proclamations have been removed. For emphasis, all 2005 amendments are underlined.

CHAPTER TWO: THE NATIONAL ELECTORAL BOARD

3. Establishment

The National Electoral Board, (hereinafter referred to as "the Board"), accountable to the House of People's Representatives of the Federal Democratic Republic of Ethiopia, is hereby established as an organ for conducting elections and having juridical personality.

4. Members of the Board

1. The Board shall have seven members who shall be appointed by the House of People's Representatives upon the recommendation of the Prime Minister on account of their allegiance to the Constitution, non-partisanship of any political organisation and professional competence by taking into account their national contribution. The term of office of the members shall be six years. Provided, however, a member of the Board may serve for a second term.

2. The Chairman of the Board shall be designated by the House of People's Representatives or its successor.

3. The Chief Executive of the Secretariat of the Board shall be a non-voting member and secretary of the Board.

5. Powers and Duties of the Board

1. The Board shall have the following powers and duties:

a) to conduct any election carried out in accordance with the supreme law of the country and this Proclamation;

b) to issue regulations and directives necessary for conducting elections as under this Proclamation and ascertain the implementation thereof;

c) to prepare and distribute documents and provisions necessary for conducting elections;

d) to widely provide to the public civic education relating to elections;

e) to organise electoral offices necessary for conducting election with independent professional manpower and trained its electoral officers;

f) to analyze the conduct of elections held from time to time, cause studies to be carried out, collect and compile statistical data;

g) to submit, to the House of People's Representatives or its successor, recommendations concerning improvements on electoral conduct where it finds it necessary;

h) to investigate, cancel election results and order re-election and to create conducive environment for bringing perpetrators before the court of law, where it has received information about violation of implementing directives, fraudulent act or disturbance of peace and order of such magnitude and type which would create irregularities in the process of conducting election in accordance with the Proclamation from political organisations campaigning for election, observers or electoral officers and has verified its tangibility or has been convinvinced that an offence has been committed;

i) to rectify electoral irregularities and decide on complaints submitted to it in accordance with stipulation made under this Proclamation;

j) to confirm electoral results and officially announce same;

k) to prepare and submit its budget and utilize same upon approval;

l) to submit, to the House of People's Representatives or its successor, periodic reports on its activities;

m) to perform such other duties as help enhance the execution of this Proclamation.

2. The Board shall elect its Vice Chairman from among its members.

6. Rules of Procedure of the Board

1. The Board shall meet, at least, once in a month.

2. There shall be a quorum where more than half of the members of the Board are present at its meetings.

3. Decisions of the Board shall be made by majority vote; in case of a tie, however, the Chairman shall have a casting vote.

4. The Board may draw up its own rules of procedure.

7. Powers and Duties of the Chairman

1. The Chairman of the Board shall:

a) call and preside over the meetings of the Board;

b) ensure the implementation of the decisions of the Board.

c) be responsible for the overall supervision of the activities of the Secretariat of the Board.

2. The Vice Chairman of the Board shall:

a) discharge the duties of the Chairman in the absence of the latter;

b) take over the Chairmanship, until such time as another Chairman is designated in accordance with this Proclamation, in case where the Chairman is unable to discharge his duties for any person whatsoever.

8. Officials of the Secretariat of the Board

1. The Board shall have a Secretariat headed by Chief Executive and a Deputy Chief Executive.

2. The Chief Executive and Deputy Chief Executive shall be appointed by the House of People's Representatives up on recommendation of the Prime Minister in consideration of their experience and competence.

3. The Head Office of the Board shall be in Addis Ababa, and it shall have hierarchically organized branch offices as necessary.

9. Powers and Duties of the Secretariat of the Board

1. The Secretary of the Board shall:

a) direct the Secretariat as its Chief Executive;

b) Prepare the agenda for the meetings of the Board, in consultation with the Chairman;

c) properly keep the minutes of the Board;

d) cause the decisions of the Board to be transmitted to parties concerned;

e) employ and administer personnel in accordance with the general directives of the Board and in line with basic principles embodied in public service laws;

f) prepare, and submit to the Board, the short and long-term work programme and budget of the Secretariat and utilize same upon approval;

g) represent the Secretariat of the Board in dealings made with third parties;

h) do all acts as are necessary for conducting elections in accordance with this Proclamation and directives issued hereunder;

i) where it is necessary, it may consult political parties the execution of election affairs;

j) perform day to day electoral functions vested in the Board under this Proclamation.

k) forward to the Board matters for its necessary consideration together with his recommendations thereon;

l) perform such other duties as the Board may assign to him;

m) prepare, and submit to the Board, periodic reports on the activities of the Secretariat.

2. The Chief Executive of the Secretariat of the Board may delegate part of his powers and duties, to other employees of the Board, to the extent necessary for efficient performance.

10. Powers and Duties of the Deputy Chief Executive of the Secretariat

The Deputy Chief Executive, being accountable to the Chief Executive, shall:

1. discharge such duties as are specifically assigned to him by the Chief Executive;

2. exercise all the powers and duties of the Chief Executive, in the absence of the latter;

11. Duties and Responsibilities of Regional Electoral Office Every Regional electoral office shall have the following duties and responsibilities:

1. to direct, coordinate and supervise elections conducted at the regional level;

2. to organize and direct electoral offices subordinate to it;

3. to follow-up and ensure that documents and provisions necessary for conducting elections are distributed, in due time, to electoral offices concerned;

4. to supervise and ensure that advance preparations on instruction and training required for conducting elections are made at the level of the Region.

5. to supervise that the registration of elections, the nomination of candidates and voting are carried out in accordance with the law;

6. to examine, at the regional level, grievances and complaints arising in connection with the particulars specific under sub-article (5) of this Article and decide on same, in the form of a committee, in accordance with directives to be issued by the Board;

7. to submit reports, to be Secretariat of the Board on the regional electoral process and the results thereof;

8. to collect, and undertake studies on, data relevant to effectively conduct elections and submit periodic reports to the Secretariat of the Board;

9. to perform such other duties as the Board may assign to it.

12. Other Electoral Offices

1. Electoral offices at levels lower than the Regional shall be established as necessary;

2. Electoral offices established at levels lower than the Regional shall have, within their respective jurisdiction, the duties and responsibilities specified under Article 11 hereinabove.

CHAPTER THREE: THE ELECTORAL SYSTEM, ELECTORAL PRINCIPLES AND CONSTITUENCIES

13. Electoral System

1. Any election shall be based on free, direct and equal popular suffrage.

2. A candidate with more votes received than that by other competitors within the constituency shall be declared the winner.

14. Electoral Principles

1. Voting in any election shall be carried out in secret.

2. Any Ethiopian whose electoral rights are not legally restricted shall be eligible to elect or to be elected.

3. No Ethiopian shall be compelled to elect or to be elected.

4. Each vote shall carry equal weight.

15. Constituencies

1. Without prejudice to boundaries of Regions for the purpose of holding elections, the country shall be divided into permanent constituencies by taking the Woreda as a basis, and which may be readjusted on the basis of population census.

2. Each constituency shall incorporate the nearest average of the Ethiopian population divided by 550 at a given election time;

3. Notwithstanding Sub-Articles (1) and (2) of this Article, the House of People's Representatives may cause minority nationalities that are entitled to special representation to send their representatives; prepare criteria for determining such nationalities;

4. The House of Federation may designate constituencies otherwise than what is stipulated under Sub-Articles (1) and (2) of this Article on the basis of pre-determined procedure;

5. The list of constituencies shall, on the basis of study to be submitted by the Board, be fixed by the Council of Representatives and announced to the public.

6. Only a single representative shall be elected to the Council of Peoples' Representatives from a constituency.

7. Notwithstanding the provision of Sub-Article (6) of this Article, for the purpose of conducting election for Regional Council and Councils below the Regional Council, the number of Represnetatives to be elected from a constituency shall be determined on a permanent basis by the regional law.

16. Universality of Registration

Any Ethiopian who is 18 or more years old on the date of registration shall be eligible for registration as an elector, provided, however, where suspicion arises as to whether the age of the registered elector has attained 18 years of age, it shall be determined by the testimony of a senior member of the family or relative or in the absence of a senior member of a family or a relative, by any other person who has a knowledge about it.

17. Single Registration

Any person shall be registered once and at one place only.

18. Territorial scope

Registration shall be carried out throughout the territorial space of Ethiopia.

19. Conditions for Registration

1. Any person who:

   a) is an Ethiopian; and
   b) has been residing within the constituency for at least six months; may be registered as an elector.

2. The condition specified under sub-article (1) (b) of this Article shall not be applicable to a person who has been outside of the constituency for fear of political persecution, while waging armed struggle against the previous regime or on a duty or study leave.

20. Restrictions on Registration

The following shall not be eligible for registration:

1. Notoriously insane persons;

2. persons serving a term of imprisonment as under a sentence;

21. Process of Registration

1. Registration shall be carried out at the polling station within the Kebele of the elector's residence, provided however registration from house to house or in similar places outside the polling station is prohibited.

2. The elector shall be registered in the electoral roll prepared in accordance with Article 29 hereunder.

3. The elector shall be issued with an elector's card in accordance with Article 32 hereunder.

4. The disabled, other than those specified under Article 20 (1) hereinabove, and the blind may be registered accompanied by their assistants.

22. Personnel for Registration

Registration shall be carried out at a polling station by competent and independent electoral officers assigned pursuant to Sub-Article 1(e) of Article 5.

23. Observers

Political organisations campaigning for election, the public, vartious forms of public organisations may, through their respective representatives observe the electoral process. The Government may invite foreign observers whenever it finds necessary.

24. Right of Observers

Observers shall have the right to go about within polling stations and to request and obtain appropriate information relating to the electoral process.

25. Duty of Observers

Observers shall have the duty to refrain from practices that obstruct the proper and efficient carrying out of electoral operations.

26. Period of Registration

Registration shall, through out the national territory, begin and end on dates to be fixed by the Board. The Board may consult with political organisations before deciding the dates.

27. Announcement of the Registration Period

The Board and electoral branch offices shall, ten days in advance, announce the registration period through the mass media and posted notices.

28. New Registration Period

1. Where special circumstances so justify, the Board may fix a new registration period.

2. In case of force majeure, any eligible elector, as under the terms of this Proclamation, may register in accordance with directives to be issued by the Board.

29. Particulars of the Electoral Roll

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

1. serial number of registration;
2. date of registration;
3. full name, including grandfather's;
4. age;
5. sex;
6. Place of birth, Woreda and Region;
7. duration of residence within the constituency;
8. habitual place of residence;
9. registration number;
10. signature or thumbmark during registration;
11. signature or thumbmark during voting;
12. two additional columns for other necessary entries.

30. Requirement of Identity card

1. Registration shall be made upon presentation of an identity card or a passport.

2. An identity card or a passport shall, irrespective of invalidity, serve for purposes of registration.

3. In the absence of an identity card, any document, containing a recent photograph, such as a driving licence, a residence certificate, a military discharge document and a refugee's card issued by the UNHCR shall be taken to be sufficient for registration purposes.

4. In the absence of the aforementioned documents, registration shall be carried out upon recognition of the elector's identity by the electoral officials or through traditional means, in the case of rural areas.

31. Provision of Electoral Roll

Every polling station shall be provided with its own electoral roll.

32. Elector's Card

Any person duly registered shall be issued with an elector's card bearing his name place of birth, designated polling station, registration number and his signature or thumb mark.

33. Closure of the Electoral Roll

1. Upon conclusion of registration, the electoral roll shall be marked with closing indications and signed by the electoral officials.

2. Unless otherwise determined by the Board, nothing shall be entered or written in the electoral roll subsequent to its closure.

3. Upon conclusion of registration, the electoral roll shall, within the premises of the polling station, be officially displaced to the public, in accordance with directives to be issued by the Board.

34. Transfer of Documents

1. Subsequent to closure of the electoral roll, each polling station shall transfer same, or a copy of it, and other necessary documents to the respective Woreda electoral office, in accordance with directives to be issued by the Board.

2. The Board shall have the necessary documents transferred to it from electoral offices at every level.

3. The mode and time of the transfer shall be in accordance with directives to be issued by the Board.

35. Displaying of the Roll

Upon fulfillment of stipulations under Article 34 (1) hereinabove, every Woreda electoral office shall, within its premises officially display the electoral roll to the public, in accordance with directives to be issued by the Board.

36. Non-Cancellation of Registration

Except for persons who are not registered in accordance with Article 29 hereinabove, subject to cancellation following a complaint, notoriously insane or deceased, no registration shall be deleted from the electoral roll.

37. Cancellation of Registration

1. Where electors are convicted rendered insane or deceased courts, hospitals and polling stations, respectively, shall have the duty to forthwith report the incident to Woreda electoral offices.

2. In order for incorrect registrations to be dully cancelled, electoral offices at every level shall have the duty to periodically transmit relevant information to the Board.

38. Criteria for Candidature

1. Any person registered as an elector shall be eligible for candidature, where he:

   a) is an Ethiopian;

   b) is versed in the vernacular of the National Regional of his intended candidature;

   c) is 21 or more years old on the date of the election;

   d) has been regularly residing in the constituency of his intended candidature for two years preceding the date of election or where his birth place is in the constituency of his intended candidature or where the town comprises more than one constituency if he has been regularly working in the town for two years, in his intended constituency;

   e) may campaign directly for membership of the Council without producing endorsement signatures of supporters if presented by a political organisation in his constituency or, if a private candidate, he may register by producing endorsement signatures of not less than 1,000 people who are certified by the local administration to be residents of the constituency of his candidature, 18 years old or above and not barred by law from voting.

2. Person who have been outside of the constituency for fear of political persecution, while waging armed struggle against the previous regime or on a duty or study leave shall be presumed to have fulfilled the residence criteria under sub-article (1) (c) of this Article.

39. Single Candidature

Any person shall stand as a candidate only in one constituency.

40. Nomination of Candidates

Candidates may be nominated by political organizations or the concerned individuals may present themselves as private candidates.

41. Endorsement of Candidature

1. A political organisation may nominate only one candidate in one constituency for a seat in a Council.

2. A resident may give endorsement signature equal to the number of candidates in accordance with Article 38(1)(e) of this Proclomation.

42. Symbols for Candidates

1. Candidates of a political organisation shall have one symbol at all levels and constituencies. Provided, however, if political organisations want to use different symbols for the different candidates they present for different levels of election, their choices shall be respected. The ownership of the identifying symbols of party organisations shall be certified by the Board. Private candidates may present symbols of their own choice.

2. Any identifying symbol shall not
   a) be similar with the identifying symbol of other candidates.
   b) cause animosity and conflict amongst Nations, Nationalities, race and religions.
   c) convey a message of war or any other illegal act.
   d) be similar to the flag or emblem of the Federal or Regional governments or to the flag or emblem of different international organisations or the symbol of religious organisations
   e) violate public moral and ethics

43. Number of Candidates

1. The number of candidates in a constituency running in an election for the House of People's Representatives shall not be more than twelve.

2. Where the number of candidates is more than twelve, priority shallbe given to political parties to be registered as candidates.

3. Where the number of candidates nominated by political parties is more than twelve priority shall be given to political parties not exceeding six that obtained the highest vote in the previous election. The rest shall be identified by lot.

4. Where the number of candidates nominated by political parties is less than twelve the remaining spaces shall be filled by private candidates who obtained the highest vote in the previous election. If there is any other space, it shall be identified by drawing a lot.

5. In case candidates have equal number of votes, they will be identified by drawing a lot.

6. The number of candidates running in an election for state council or other levels of elections shall be determined by the Board. Where the number of candidates exceeds the number determined by the Board, it shall be governed on the basis of Sub-articles 3 and 4 of this Article.

7. Accordingly the lot shall be drawn in the presence of the concerned candidates or their representatives.

44. Registration of Candidates

Any person who meets the candidature criteria specified under Article 38 hereinabove shall, upon presentation of the necessary proof to the Woreda electoral office, have his name entered in the roll for candidates and be issued with a certificate thereof.

45. Publication of Candidates

Subsequent to settlement of disputes on matters of registration for candidature and ascertainment of those confirmed, the list of candidates shall be publicized by the Woreda electoral office, in accordance with directives to be issued by the Board.

46. Rights and Duties of Government Employees who Run for Election

1. Any government employee may run for election as private candidate or as a candidate of a political organisation provided however that any judge, soldier or policeman shall resign from his post if he runs for election as a private candidate or as a candidate of a political organisation.

2. Government employees referred to in sub-article 1 of this Article may not, without prejudice to their right to be members of political parties, hold positions of responsibility in the leadership organs of political parties while they are in Government service; and they may not participate in political campaigning through speeches, writings and the like in support of any candidate.

3. Any Government employee in uniform may not participate in party meetings or in election activities with his uniform on.

47. Immunities of Candidates

1. No candidate shall, during the course of the election, be arrested except when having committed, or caught in flagrant delicto for, a serious offence.

2. Where candidates allegedly commit an offence in situations other than those specified under sub-article (1) of this Article, prosecution may be taken against them only after the electoral results are officially announced by the Board.

48. Operation of Campaigning Activities

1. Except for promotion of a wider turnout of the electorate, campaigning activities carried out by candidates and their supporters, in accordance with regulations to be issued by the Board, shall wind-up two days before voting begins.

2. Campaigning activities shall be conformity with relevant provisions hereunder and carried out peacefully and democratically.

49. Freedom of Campaigning

1. Any candidate shall, without requesting for permission, have the right to call a meeting of his supporters or to organise peaceful demonstrations by himself or through his supporters from the date of acquisition of his identity up until the end of the election by only notifying the administration or municipality. He shall also have the right to obtain information from the Board.

2. Freedoms under sub-article (1) of this Article may not be exercised in contravention of the law.

3. In case of liability incurred in the course of campaigning activities, a candidate shall only be held answerable in accordance with the provisions of Article 47 hereinabove.

50. The Mass Media

1. Political organizations and sections of the community that are in support of a candidate shall be entitled to equal access to state-owned mass media, including the radio, the television and the press.

2. Candidates shall be entitled to free of air time on the mass media.

3. The mode of utilization shall be in accordance with the allocation made by the Ministry of Information jointly with the Board. The allocation oshall be notified to the political organisations campaigning for election.

51. Obligation of Government Organs

With a view to the effectiveness of campaigning activities, government organs and officials at any level shall have the obligation to promote, both for candidates and their supporters, equal access to such facilities as radio station meeting-halls and newspapers that are under their respective authority.

52. Injunction to Restrain Unlawful Acts

1. Where the Board, as a result of its own investigation or complaints submitted to it by private candidates or political parties which have presented candidates, finds sufficient evidence to believe that an act which violates this Proclamation has been committed in the course of elections, it may issue an order of injuction restraining such unlawful act.

2. Where the Board, as a result of its own investigation or complaints submitted to it by candidates or political parties which have presented candidates finds sufficient evidence to believe that the scope and nature of any fraudulent practice is such that it is bound to determine the out-come of the election, it may freeze the election process, invalidate the results of the election and order re-election.

3. For the purpose of implementing the powers vested in the Board under sub-articles 1 and 2 of this Article, the Board shall have power to supoena any person who is in possession of evidence to appear before it as well as to order the concerned individual or government organ to produce before it any written evidence or any other evidence.

4. Any party may appeal to the competent court against the orders of the Board given under this Article provided, however, that the orders of the Board shall remain valid until they are set aside or quashed by the competent court.

5. The Board may refer to the competent authority for legal action where it knows or has received complaint supported by evidence that an offence which would disrupt the process of election has been committed or is being committed and follow up same.

53. Places Forbidden to campaigning Activities

Campaigning activities shall not be carried out in military camps, places of worship, educational institutions during the period of classes and in government or public institutions during working hours.

54. Establishment of Polling Stations

1. Polling stations shall be established at locations and under conditions to be determined by the Board and officially announced to the public.

2. Military camps, police stations places of worship, hospitals, premises where alcoholic drinks are sold, buildings occupied by political or religious organizations and residence premises may not be made to serve as polling stations.

55. Beginning of Operation of Polling Stations

1. Polling stations shall begin to operate simultaneously, on a date to be fixed by the Board.

2. In case of compelling circumstances, the Board may fix a different date for the beginning of operation by polling stations concerned.

56. Voting

1. Every elector shall vote by appearing in person.

2. Each elector shall only vote once.

3. Unless otherwise determined by the Board voting shall be exercised within a similar time frame.

57. Freedom of the Vote

1. The vote shall be free.

2. No one may force elector to reveal, inside or outside the polling station, for which candidate he will vote or has voted.

58. Requirements for Voting

Any elector may cast his vote only upon confirmation that he is carrying the elector's card referred to under Article 32 hereinabove and that has not yet voted.

59. Place of Voting

Any elector may cast his vote only at the polling station where he had registered.

60. Voting Hours

Unless the Board determines otherwise, voting hours shall run from 6:00 a.m. to 6:00 p.m.

61. Non-Interruption of Voting Operations

Voting operations may not be interrupted or concluded, otherwise than in conformity with conditions set or decisions made by the Board.

62. Security of Polling Stations

1. Persons who are not electors and electors who have already voted, other than those engaged in conducting electoral activities, shall keep out of the vicinity of the polling station.

2. No person may be present within a radius of five hundred meters of the polling station while drunk, carrying a weapon or in any other situation disturbing the peace.

3. The maintenance of security at polling stations shall be the responsibility of electoral offices; where the electoral offices or observers of a polling station believe that there is a need for a police force to maintain the security of the station, they may request the appropriate organ to assign them a police force, provided, however, observers shall submit their request through the electoral offices.

63. Agents of the Media

Agents of the media shall be allowed to enter polling stations on condition that they present their credentials and refrain from practices detrimental to voting operations.

64. Modalities of Voting

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

2. After verification of his identity, the elector shall be made to sign in the column of the electoral roll designated for the purpose;

3. Subsequently, the thumb of the elector shall be put into the ink provided for the purpose, after which he shall be handed with a ballot paper and pointed out to the voting booth;

4. The elector shall enter the booth and cast his ballot after marking with an “X” or affixing his finger print in the square corresponding to the symbol of the candidature for which he wants tto vote; fold the ballot paper into halves and put it into the ballot box which is located in front of, and at a close range to, the observers.

5. Any elector shall have the right to choose a person who can assist him to mark the ballot paper and put it in the ballot box during the voting process.

6. Electors who are blind or, otherwise, physically disabled may vote accompanied by assistants of their own choice.

7. Illiterate electors shall vote by pressing one of their fingers in the square corresponding to the symbol of the candidature for which they want to vote, after dipping it in the ink made available for this purpose.

8. Where the elector fails to properly make use of the ballot paper, he may return it and cast his vote upon receipt of another; the electoral official shall put a special mark on the returned ballot paper and dispose it into the box provided for this purpose.

65. Counting and Announcement of Results

1. soon after closure of the polls, counting of ballots shall be carried out at polling stations, in accordance with directives to be issued by the Board.

2. Upon completion of counting at the polling station, the ballots shall be sealed and sent to the Woreda electoral office.

3. The results of counting made at a polling station shall be publicized forthwith.

4. Upon receiving ballot papers, Woreda electoral offices shall forthwith carry out counting and publicize the results thereof.

66. Official Declaration

Upon the conclusion of election and collection of the necessary information, the Board shall forthwith issue an official declaration containing the following particulars:

1. the number of registered electors;
2. the number of electors having cast their vote;
3. the number of blank and null ballot papers;
4. the percentage of registered electors having and not having cast their vote;
5. the percentage unregistered electorate;
6. the list of elected candidates and their respective constituency.

67. Submission of a Report

The Board shall submit, to the House of People's Representatives or its successor, a detailed report on the process of the election, in general, and the results thereof.

68. By-Elections

Where the mandate of an elected representatives is terminated for whatever reason, by-elections on his replacement shall be held within a period of not more than three months of such termination, unless otherwise provided under the law.

CHAPTER FOUR: COMPLAINTS AND DISPUTES ARISING FROM THE ELECTORAL PROCESS

69. Complaints Relating to Elector Registration

1. Where a person is denied of registration as an elector, he shall have the right to lodge a complaint with the electoral office of the polling station, within twenty-four hours or such occurrence, and to receive a determination thereon.

2. Complaint made to the Woreda electoral office, against a determination under sub-article (1) of this Article, shall be decided upon within twenty-four hours.

3. Determination made by the Woreda electoral office shall be final and electoral offices of polling stations shall proceed with operations accordingly.

4. The individual way, upon dissatisfaction with the determination made by the Woreda electoral officers appeal to the Woreda Court.

5. The court receiving appeal, under sub-article (4) of this Article, shall summarily render a decision on the matter in consideration of the time-table of the election.

70. Complaints Relating to Candidate Registration

1. Where a person is denied of registration for candidature, he shall have the right to lodge a complaint with the Woreda electoral office, within twenty-four hours of such occurrence, and to receive a determination thereon.

2. Complaint made to the Zonal or Regional electoral office, as the case may be, against a determination under sub-article (1) of this Article, shall be decided upon within forty-eight hours.

3. Determination made by the Zonal or Regional Electoral office shall be final and Woreda electoral offices shall proceed with operations accordingly.

4. The individual may, upon dissatisfaction with the determination made by the Zonal or Regional electoral office, appeal to the Regional Supreme Court.

5. The court receiving appeal, under sub-article (4) of this Article, shall summarily render a decision on the matter in consideration of time-table of the election.

71. Complaints Relating to Voting

1. Where an elector is denied of voting, he shall have the right to lodge a complaint with the electoral office of the polling station, within five hours of such occurrence, and to receive a determination thereon.

2. Complaint made to the Woreda electoral office, against a determination under sub-article (1) of this Article, shall be decided upon within twenty-four hours.

3. Determination made by the Woreda electoral office shall be find and electoral offices of polling station shall proceed with operations accordingly.

4. The elector may, upon dissatisfaction with the determination made by the Woreda electoral office, appeal to the Woreda Court.

5. The court receiving appeal, under sub-article (4) of this Article, shall summarily render a decision on the matter in consideration of the time-table of the election.

72. Complaints Relating to Counting of Ballots

1. Any person with grievances on the counting of ballots, and the results thereof shall have the right to lodge a complaint with the Woreda electoral office, immediately upon the occurrence of such event, and to receive a replay thereon.

2. Complaint may be made to the Board upon objection to the replay given under sub-article (1) of this Article.

3. The Board shall examine and render final determination on the complaint.

4. Appeal may be taken to the Federal High Court, upon objection to the determination of the Board.

73. Serious Irregularities of Operation

Petition may be made to the Federal High Court against determinations made by the Board.

CHAPTER FIVE: MISCELLANEOUS PROVISIONS

74. Budget

1. The Federal Government shall, on the basis of a proposal submitted to it by the Board, make budgetary allocations necessary for conducting elections.

2. The Board shall utilize its budgetary allocations in conformity with financial regulations.

75. Transfer of Rights and Obligations

The rights and obligations as well as the assets and liabilities of the National/Regional and Woreda Council Members Electoral Commission, established under Proclamation No. 11/1992, are hereby transferred to the Board.

76. Conflict with Other Laws

1. The following are hereby repealed:

   a) The Electoral Law of Ethiopia Proclamation No. 64/1993;

   b) The Electoral Law of Ethiopia Amendment Proclamation No. 96/1994.

2. No law which is inconsistent with this Proclamation shall have force or effect in respect of matters provided for in this Proclamation.

77. Duty to Cooperate

Any government office, political organization, group, private organization or individual has the duty to cooperate in matters concerning the implementation of this Proclamation.

78. Penalty

Any natural of juridical person obstructing the implementation of this Proclamation shall be punishable in accordance with the relevant penal law.

79. Effective Date

This Proclamation shall come into force as of the date of its publication in the Negarit Gazeta.

Done at Addis Ababa, this 23rd day of February 1995,

Meles Zenawi, President of the Transitional Government of Ethiopia

Transitional Provisions of the 2005 Proclamation on Amendments to the Election Law

1. Notwithstanding the amended provision of Sub-Article (1) of Article 4, the existing Board members shall continue to carry out their functions until the completion of the up-coming election.

2. Notwithstanding the amended Sub-Articles of Article 15, the existing constituencies shall continue to apply foe the up-coming election until a population census is conducted.

3. This Proclamation shall enter into force on 18th of January 2005.

Girma W/Giorgis,
President of the Federal Democratic Republic of Ethiopia.