EISA PRE-ELECTION ASSESSMENT MISSION REPORT

FEDERAL REPUBLIC OF ETHIOPIA
MAY 2020 - AUGUST 2O20

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List of Abbreviations

AU	African Union
Covid-19	Coronavirus disease of 2019
CSOs	Civil Society Organisations
EISA	Electoral Institute for Sustainable Democracy in Africa
EPRDF	Ethiopian People's Revolutionary Democratic Front
FPTP	First-Past-The -Post
NEBE	National Electoral Board of Ethiopia
OFC	Oromo Federalist Congress
OMN	Oromo Media Network
PAM	Pre-Election Assessment Mission
PEMMO	Principles for Election Management, Monitoring and Observation (PEMMO)
PM	Prime Minister
SNNPR	Southern Nations, Nationalities and Peoples Region
TCC	The Carter Center
TPLF	Tigray Peoples Liberation Front

1. EXECUTIVE SUMMARY

The Electoral Institute for Sustainable Democracy in Africa (EISA) seeks to contribute to improved electoral processes on the African continent. In line with its objective, it deployed a virtual pre-election assessment mission (PAM) to Ethiopia from May 2020 to August 2020. The PAM sought to ascertain whether the pre-election environment was conducive for the conduct of democratic parliamentary elections that were scheduled to take place in August 2020. The elections have been indefinitely postponed due to the impact of covid-19. Due to global travel restrictions imposed by Covid-19, the EISA PAM conducted online consultations with various electoral stakeholders operating in Ethiopia to assess their state of preparedness and gather their perspectives about the 2020 parliamentary elections and a political expert on the prevailing political environment. The consultations, however, coincided with the two-week internet shutdown in Ethiopia and unrest following the murder of a popular musician Hachalu Hundessa, who was a respected political voice for the Oromo ethnic group. These events caused a climate of political instability in the country and contributed to a climate of censorship as online modes of communication were disabled.

The EISA PAM's assessment is based on international benchmarks for democratic elections provided in the African Charter for Democracy, Elections and Governance; the AU/OAU Declaration on the Principles Governing Democratic Elections in Africa; the Declaration of Principles for International Election Observation, the Principles for Election Management, Monitoring and Observation (PEMMO) and the Ethiopian legal framework for elections. The EISA PAM to Ethiopia was conducted by Professor Raphaël Ouattara, the EISA Country Director in the the Democratic Republic of Congo field office and Ms Noxolo Gwala, Assistant Programme Officer of the Governance Institutions and Political Processes (GIPPS) department, EISA Johannesburg.

. The 6th parliamentary elections are highly anticipated owing to the charged political developments in the country due to nationwide anti-government protests that led to the unprecedented resignation of Prime Minister Haile Mariam Desalegn, on 15 February 2018. This led to a narrow window of opportunity for meaningful reforms that would pave the path for credible elections as many opposition groups were subsequently unbanned and the new Prime Minister, Abiy Ahmed, promised to deliver credible elections. The indefinite postponement of the August 2020 parliamentary elections formed part of the government's response to the risk of Covid-19. The postponement, and the five-month state of emergency, anti-government protests and unhappiness with the indefinite extension parliamentary term limits that would have expired in October 2020, have since exacerbated tensions. Several opposition politicians, in particular from the Oromo ethnic group, the largest ethnic group in Ethiopia, have been arrested following violence that left 166 people dead on June 29, 2020. The largest opposition party leader, Oromo Liberation Front (OLF) president, Dawud Ibsa, said five party officials, including two political advisers, Chaltu Takkele and Gemmechu Ayana, and central committee member Kennesa Ayana, had been arrested.

The EISA PAM is of the view that Ethiopia is at a critical juncture and that many positive developments have improved the likelihood of a credible electoral process. It is important for all stakeholders to protect the positive gains made from 2018 up until now to avoid a regression into a more closed political space. Therefore, open communication amongst stakeholders, a respect for human rights and access to information is vital at a time where social distancing is mandatory.

In February 2021, after three months of conflict in the Tigray region, UN agencies described the situation as "dramatic". Mr Jens Laerke, spokesperson for the UN Office for the Coordination of Humanitarian Affairs (OCHA), declared that "the humanitarian response remains very limited and inadequate." Therefore, there is no certainty

on how the highly contested upcoming national election, scheduled to take place in June 2021 will unfold amidst an ongoing pandemic and a continuing state of emergency.

Nevertheless, the EISA PAM mission recommends some avenues to explore so that the elections are an opportunity for peace and democracy.

- Before the forthcoming elections, the National Elections Board of Ethiopia (NEBE) should keep channels of communication open to ease any concerns that stakeholders may have.
- Political parties should conduct training of party agents to ensure that they are able to effectively utilise the available legal avenues at polling station level and upwards in case of disputes.
- The government, the EMB and the courts should ensure that newly introduced legal provisions should be widely publicised and disseminated so that any concerns can be addressed ahead of the elections.
- There should be close collaboration between the NEBE and security forces regarding hotspots for violence/conflict to ensure that prospective voters are not unduly disenfranchised.
- The state of emergency must be lifted to facilitate political parties' activities: fundamental freedom principles shall be guaranteed as by the Constitution.
- The federal government must take strong actions that reassure the populations and guarantee the safety of all citizens, including, for example, access to humanitarian assistance for internally displaced persons (IDPs) in the Tigray region.
- Civil society must support and implement campaigns that promote forgiveness, reconciliation and awareness.
- Peace and security should be established for inclusive and credible elections.

2. HISTORICAL BACKGROUND AND CONTEXT OF THE 2020 PARLIAMENTARY ELECTIONS

Ethiopia is Africa's second most populous country with an estimated population of 115 million people, with a growth rate of 3,02%, projected to double in the next 30 years[1]. Located in East Africa, Ethiopia is landlocked and shares borders with Djibouti, Eritrea, Kenya, Somalia, South Sudan, and Sudan. There are over 80 ethnic groups in Ethiopia with the Oromo, Amhara, Tigrayans and Sidamo constituting over 62% of the population[2]. Ethiopia is a nascent democracy that has struggled to create multiparty democracy for nearly two decades. The recurrent violence that Ethiopia has experienced calls for an inclusive electoral system that is representative and fair for all, including minorities. Although the Ethiopian electoral system, first-past-the-post, is strong in creating cohesive government and ensuring accountability of members at constituency level, among others, it is blamed for misrepresenting smaller parties, failing to create interethnic or intercultural conciliation, and affecting multiparty democracy. This, together with federalism, remains a major challenge of the next elections to consolidate Ethiopia federalism system.

Ethiopia has followed a trajectory that is unique from other African countries as it is the oldest independent country. Notwithstanding, the country has experienced much political instability due to decades of military rule challenged by rebel groups, ethnic and religious tensions. Compared to other countries in Africa, Ethiopia has also recorded several territorial conflicts over Eritrea, Ogaden, Afar, Oromia and Sidama. After 17 years of civil war, the Ethiopian People's Revolutionary Democratic Front (EPRDF) made up of a coalition of Ethiopian rebellion forces, successfully ended the Mengistu Haile Mariam military regime in May 1991. The country adopted a third Constitution that established Ethiopia as a federal democracy in 1994. The constitution cemented ethnicity as the cornerstone for its two-tiered federal system. In 1995, the EPDRF secured an outright victory in the country's first multi-party elections. Most opposition parties boycotted the elections, citing exclusion from the

[1] Population as at 2020; see https://worldpopulationreview.com/countries/ethiopia-population
[2] https://www.cia.gov/library/publications/the-world-factbook/geos/print_et.html

process of adopting the Constitution. Forming a coalition government, the EPRDF promised that it would uphold and restore democratic rights and the rule of law, in contrast to the Mengistu regime that ruled through state sponsored violence.

The EPDRF, under Prime Mister Meles Zenawi, introduced ethnic federalism with nine ethnic regional states and two federally administered city-states. In 2019, Sidama became the 10th ethnic regional state following a long-awaited referendum. Ethnic federalism largely succeeded in realising strong economic growth averaging 9.9% a year from 2007-2018. This had a positive impact on livelihoods through the reduction of the poverty rate from 30% in 2011 to 24% in 2016[3]. However, there were growing tensions over the government's repressive policies and marginalisation of the Oromo and Amhara ethnic groups. Although the EPRDF is made up of four parties[4], the Tigray Peoples Liberation Front (TPLF) has held political power since 1991. Following the death of Meles Zenawi in 2012, Haile Mariam Desalegn, then Deputy Prime Minister, took over and held the position of Prime Minister up until 2018 when he resigned amid growing pressure arising from the Oromo protests which had morphed into nationwide protests against the 'government's curtailment of civil liberties and brutal repression against political opponents. Abiy Ahmed was then elected by the EPDRF and became the 16th Prime Minister of Ethiopia and the first Oromo to hold the position. He inherited a highly fragmented Ethiopia and promised to bring about much needed political reforms. His first 100 days in power saw the release of key political activists, the unbanning of opposition groups, lifting of the state of emergency, achieving 50% women representation in parliament, and notably signed a peace agreement with Eritrea putting an end to almost two decades of conflict. Citing his efforts, the Norwegian Nobel Committee awarded Abiy Ahmed the 2019 Nobel Peace Prize[5].

Although Ethiopia is admired for being the oldest independent country in Africa, it has remained conservative

in consolidating democracy. Past elections have been highly controversial with many accusing the EPDRF of closing the political space, stifling opposition through violence, intimidation, and curbing media freedoms. The 2005 parliamentary elections were hailed as a historic moment in Ethiopia which saw many opposition parties being allowed to contest openly. However, in the post-election period, allegations of widespread vote rigging surfaced and led to deadly protests. International observer groups were vocal in condemning violent repression that ensued. The Carter Center (TCC) in its final report noted that: "In spite of the positive pre-election developments, …the 2005 electoral process did not fulfil Ethiopia's obligations to ensure the exercise of political rights and freedoms necessary for genuinely democratic elections.[6]"

In the 2010 parliamentary elections, the EPRDF won 99.6% of seats in parliament. In the 24 May 2015 parliamentary elections, the EPDRF won an unprecedented 100% of the seats in parliament. The 2020 parliamentary elections stand to be the most anticipated elections in the history of Ethiopia. When Abiy Ahmed assumed power, he promised to deliver free and fair elections. Initially the elections were to be held in August 2020 but have since been indefinitely postponed. The NEBE announced the postponement in March 2020 citing the negative impact of covid-19 on important electoral calendar activities[7]. The postponement was followed by an indefinite extension of parliament members term limits which were due to expire on 5 October 2020. At the time of writing this report, the EISA PAM noted that the political environment is tense as it remains unclear as to when the parliamentary elections will be held. Following the longest internet shutdown in the history of Ethiopia, the EISA PAM found it difficult to engage stakeholders through online platforms, many were reluctant to engage and the space for open discussion is closing. The timeline below highlights key political developments in the lead up to what would have been the August 2020 parliamentary elections.

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[3] https://www.worldbank.org/en/country/ethiopia/overview
[4] The other three parties are: Amhara National Democratic Movement (AMND), Oromo People's Democratic Organisation (OPDO) and the South Ethiopian People's Democratic Front (SEPDF)
[5] See the Nobel Committee press release: https://www.nobelprize.org/prizes/peace/2019/press-release/
[6] https://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/Ethiopia-2005-Finalrpt.pdf
[7] NEBE statement response to Tigray Regional State Councils request for NEBE to conduct regional council elections: https://drive.google.com/file/d/1zvUjOAkplVpbbsU6dtUtRSxLl0lmmGA6/view

Timeline of key developments ahead of the 6th parliamentary elections of Ethiopia

- **30 June 2020:** Jawar Ahmed, founder of the OMN and Bekele Gabre leader of the Oromo Federalist Congress (OFC) opposition party, are arrested.
- **30 June 2020:** Amid the protests the government imposes Ethiopia's longest internet shutdown which lasts for 23 days.
- **29 June 2020:** Hachulu Hundessa a popular musician who sang against marginalisation of the Oromo ethnic group is shot dead in Addis Ababa, leading to violent protests throughout the Oromia region, ordinary citizens and police losing their lives and over 2000 arrests made.
- **June 2020:** The NEBE denies a request from the Tigray region to provide logistical support for the conduct of elections in its region.
- **12 June 2020:** The Tigray State Council, led by the Tigray People's Liberation Front (TPLF), votes in favour of holding regional elections on time, going against the decision of the government to postpone general elections due to Covid-19.
- **10 June 2020:** Members of Parliament vote to extend their term limits that would have expired in October, up until the threat posed by coronavirus does not pose a risk to the country's health system.
- **8 April 2020:** Due to Covid-19, a five-month state of emergency is declared; regulations include a limit on public gathering to a maximum of 4 people.
- **March 2020:** The NEBE postpones the general election date of August 2020 citing the impact of covid-19 on its operational capacity as it had not been able to proceed with the conduct of crucial pre-election activities.
- **20 November 2020:** The Sidama referendum is held, and Sidama becomes Ethiopia's 10th regional state with 98,5% of the Sidama people voting in favour of autonomy.
- **October 2019:** Abiy Ahmed is awarded the 2019 Nobel peace prize for his role in ending years of conflict between Ethiopia and Eritrea.

- **October 2018:** Anti-Abiy protests are sparked by Jawar Mohammed's social media post that his security detail is being compromised after police tried to remove his security detail.
- **April 2018:** Abiy Ahmed becomes the country's 16th Prime Minister and the first Oromo to hold the position.
- **February 2018:** Ethiopia's Prime Minister Haile Mariam Desalegn resigns citing the protracted protests and the need for reforms.
- **9 October 2016:** A six-month national state of emergency is declared, restricting civil liberties, it is further extended for four months being lifted in August 2017.
- **2 October 2016:** A stampede results in 50 deaths at Irreecha, an important cultural festival for the Oromo. Security forces are blamed for their use of disproportionate force.
- **6 August 2016:** Oromo protests grow into a nationwide protest as thousands march against the governments repression and increasing authoritarianism, over 100 people are killed.
- **2015**: Oromo protests ensue over government plans to extend territorial and administrative limits of Ethiopia into neighbouring Oromia region, the government responds by violence, over 400 people are killed, and thousands are injured, arrested or forced to disappear.

3. ELECTORAL FRAMEWORK

3.1.   The constitutional and legal framework

On 8 December 1994, Ethiopia passed a constitution through representatives duly elected for this purpose as an instrument that binds the people in a mutual commitment to fulfil the objectives and the principles set forth therein. This Constitution establishes a Federal and Democratic State structure. Accordingly, the Ethiopian state shall be known as the **Federal Democratic Republic of Ethiopia** (article 1). Article 8 states that "all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia" (art.8.1) and Article 9.2 firmly indicates that "It is prohibited to assume state power in any manner other than that provided under the Constitution".

Guarantee of Fundamental Rights and Freedoms

Chapter 3 of the Constitution is devoted to fundamental rights and freedoms in two parts. The Part 1 is devoted to Human Rights: Article 10.1 states that "Human rights and freedoms, emanating from the nature of mankind, are inviolable and inalienable". This is reinforced by Article 10.2 which states: "Human and democratic rights of citizens and peoples shall be respected". The other provisions incorporate international standards for the promotion and protection of the rights and freedoms of persons.

The Part 2 is devoted to democratic rights, including Right of Thought, Opinion and Expression (art.29), Right of Assembly, Demonstration and Petition (art.30), Freedom of Association (art.31), Freedom of Movement (art.32), Equal rights between women and men (art.35), Right to Vote and to be Elected (art.38), etc.

Inclusion provision

As a federal state, Ethiopia paid special attention to inclusiveness. The political and economic objectives include the "respect of the identity of Nations, Nationalities and Peoples and the Government has the duty to strengthen ties of equality, unity and fraternity among them" (art. 88.2), to formulate policies which ensure that all Ethiopians can benefit from the country's legacy of intellectual and material resources (art.89.1), to ensure that all Ethiopians get equal opportunity to improve their economic condition and to promote equitable distribution of wealth among them (art.89.2), provide special assistance to Nations, Nationalities, and Peoples least advantaged in economic and social development (art.89.4), etc.

The judicial power

Chapter nine of the Constitution addresses the matter of justice. Article 79.2 states that "Courts of any level – at state or federal level – shall be free from any interference of influence of any governmental body, government official or from any other source", Article 79.3 states that

"Judges shall exercise their functions in full independence and shall be directed solely by the law", and Article 79.4 states that "No judge shall be removed from his duties before he reaches the retirement age determined by law The Ethiopian legal framework has provisions which comply with the major sub-regional, regional and international principles regarding human and democratic rights.

3.2.   The electoral system

Ethiopia uses the first-past-the-post (FPTF) electoral system as stated in the electoral law: "in the election of members of the House of People's Representatives and state/regional councils candidates who got the biggest number shall be declared the winner... and accordance with State constitutions, a constituency elects more than one candidate to regional/state councils, the candidates shall be elected in the order of the total votes won" (art.4.1 of the Electoral Law). Democratic elections principles are observed, including universal suffrage and by direct and secret ballot through which the voters express their consent freely without discrimination with equal participation (art.5.1); and any Ethiopian shall be eligible to elect or to be elected, unless he is deprived of his rights by law or a court decision (art.5.2).

Ethiopia has a bicameral parliamentary system: a lower house (House of People's Representatives with up to 547 seats) and an upper house (House of the Federation with 108 seats). Members of House of People's Representatives are elected by the majority vote cast in single member constituencies (source: Constitution, chap. 6, part one, art. 54 & 55). While members of the House of the Federation are directly elected through a secret ballot, including the Prime Minister, who heads the government and the army. The House of the Federation is composed of representatives of the units of the country's federal system, the "nations". Every nation is represented by one member, who is either nominated by the Regional Council or directly elected. The President is elected by both houses of the federal system, for six years as the head of state performing ceremonial duties.[8]

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[8] See, ACE-Project (no date). Elections in Ethiopia. Retrieved November 18, 2019 from http://aceproject.org/ace-en/topics/vo/annex/voy/voy_et/mobile_browsing/onePag.
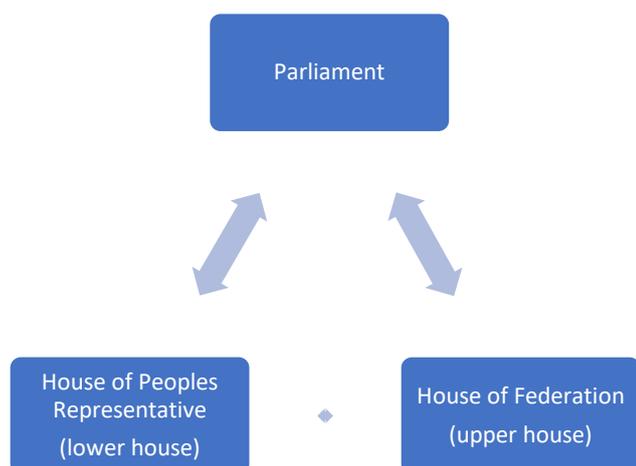
3.3.   Party and campaign finance:

Political parties in Ethiopia can receive government funding and additional funds from Ethiopian nationals and companies. They can also receive funds through membership fees and fundraising initiatives. Article 100 of Proclamation 1162/2019 sets out the terms and conditions for party funding. To be eligible to receive government funding, political parties need to secure not less than 0,25% of votes for House of Peoples Representative and 5% of votes for state council elections. The NEBE manages and disburses the funds.

In addition, parties also need to show support of women inclusion and persons living with disabilities by having them as nominees and as party leaders. Funding of independent candidates is based on directives issued by the NEBE. There are transparency and accountability measures in place as political parties are required to submit audited statements of their income and expenditure on an annual basis. The money received from government is to be kept in a separate bank account. In addition, parties are required to keep financial records of: income received, pledge donations, names of people that donated more than 5000 birr and assets acquired.

The EISA PAM notes that provisions are more focused on regulating income received by political parties and silent on expenditure ceilings, thereby running the risk of political parties with more money being able to spend

as much as they want to the detriment of less resourced parties. The law prohibits the use of state resources for campaign purposes and discourages bribery or coercion of voters. These are listed under article 135 (abuse of power) and 136 (corrupt practices) of proclamation 1162/2019 respectively. Parties are entitled to free access to state owned media during election campaign period[9].

3.4.   Election management: Overview: Structure and functions of the NEBE

Elections are conducted by the NEBE - which is an autonomous government agency appointed to conduct all elections and referendums in the federal and state constituencies. The NEBE is established by Proclamation 1133/2019 and accounts to the House of Peoples' Representatives. Article 7 of Proclamation 1133/2019 provides an exhaustive list of powers of the Board such as the power to accredit and supervise civil society groups conducting voter education, accredit election observers and supervise their activities, register and supervise political parties, provide guidelines on party finance contributions and allocation of such funds, decide on how political parties should use the media during elections, advise the House of Federations on boundary delimitation and coordinate political parties joint forums.

The NEBE prepares its own budget on an annual basis for the approval of the House of Peoples Representatives. Based on the approved budget, the Ministry of Finance allocates funds required directly into NEBE's bank account. NEBE is sufficiently funded as there is flexibility to request funds to cover up to three years in advance. NEBE is also allowed to accept gifts and monetary aid from third parties in accordance with the laws.

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[8] See, ACE-Project (no date). Elections in Ethiopia. Retrieved November 18, 2019 from http://aceproject.org/ace-en/topics/vo/annex/voy/voy_et/mobile_browsing/onePag.

- The EISA PAM notes that provisions are more focused on regulating income received by political parties and are silent on expenditure ceilings.
- The power to cancel election results and order re-election owing to its contentious nature may be open to abuse if there are no adequate checks and balances in place.
- The timelines provided for the relevant authorities to decide on appeals appear to be reasonable, however it may become difficult for them to adhere to the timelines in situations where there is a high volume of complaints lodged especially at the polling station/constituency level. This may further raise tensions if the board announces results of such constituencies whilst the cases are ongoing.

The NEBE consists of two components: The Board and the Secretariat.

The management **Board** of the NEBE consists of five members nominated by the Prime Minister and appointed by the House of Peoples' Representatives. The Board was reduced from nine to five members due to ongoing reforms undertaken by the NEBE. These members are selected based on national diversity, and gender representation. Members of the Board serve on a full-time basis for a term of six years, renewable once. The Prime Minister can directly recommend members for reappointment within a month after termination. Four new board members (Bizuwork Ketete, Dr. Getahun Kassa, Abera Degefu and Wubshet Ayele) were appointed by the House of Peoples Representatives in June 2019 to join the Chairperson of NEBE which is currently led by Ms Birtukan Mideksa, a former judge and opposition party leader. Ms Birtukan will remain in her position as Chairperson of the board while Mr Wubshet will act as deputy chairperson. The four members were nominated by PM Abiy Ahmed from a list of 200 nominees forwarded by the selection committee[10].

The **Secretariat** is the operational branch of NEBE. The Secretariat is headed by a Chief Executive and a Deputy Chief Executive. The Secretariat has the responsibility for the preparation and conduct of the electoral process. The Chief Executive, currently Mr. Wubshet Ayele. directs the supporting activities of the Board, ensures that the Board is able to execute its powers and functions, keeps minutes of Management Board meetings, (does not have voting rights at those meetings) and regularly updates the Management Board about activities undertaken by the office. The NEBE should have branch offices in all regions of Ethiopia. The regional branch offices have the power to direct, coordinate and control elections at state level, advise the office of the Board on ways of organizing electoral coordinating offices, ensure timeous delivery of electoral materials to electoral coordinating offices, investigate and decide on grievances and complaints lodged at regional state level[11].

Conflict resolution mechanisms

The NEBE plays an active role in dealing with disputes and conflicts that arise. In accordance with provision 20(7), the Board has the power to:

"...cancel election results and order re-election where it has been convinced that violation of law has occurred which would undermine the outcome of the election. In addition, hold individuals accountable for violations of law, fraudulent acts or disturbance of peace in relation to an election."

The EISA PAM notes with concern that the power to cancel election results and order a re-election, owing to its contentious nature, may be open to abuse if there are no adequate checks and balances in place. The provision as it stands suggests that the Board can exercise this power without necessarily consulting with other relevant authorities such as the Federal Supreme Court which has the power to make such decisions.

Avenues available for complaints and appeals include: a polling station grievance committee, constituency grievance hearing committee, regional electoral office grievance committee, national electoral board. The Federal High Court and the Federal Supreme Court are key

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[10] See Addis Standard , 13 June 2019 "Parliament approves New Electoral Board Members, Federal Judges" https://addisstandard.com/news-parliament-approves-new-electoral-board-members-federal-judges/
[11] See provision 24: Powers and Duties of Regional Branch Offices of the Board of Proclamation 1133/2019

institutions in the Ethiopia judiciary architecture, whose mandate includes addressing election related disputes arising.

The polling station grievance committee is responsible for resolving complaints arising at the polling station level and must make a ruling on all case made within 24 hours. If dissatisfied with the polling station grievance hearing committee, the constituency grievance hearing committee can be approached for complaints related to vote counting/results to decide on complaints within 2 days. If dissatisfied with the decision made by the constituency grievance hearing committee, the complainant can appeal to the Board which has to decide within 10 days. The Federal Supreme is the last court of appeal, that must decide within a month. According to sub-article 6 (155) the Board or the Federal Supreme Court can still announce results of the constituencies in question. However, any decision of the NEBE can be appealed to the relevant competent court which pronounces the final decision. The timelines provided for the relevant authorities to decide on appeals appears to be reasonable. However, it may become difficult for them to adhere to the timelines in situations where there is a high volume of complaints lodged, especially at the polling station/constituency level. This may further raise tensions if the Board announces results of such constituencies whilst the cases are ongoing.

4. KEY FINDINGS ON THE PRE-ELECTION PHASE

4.1. Preparedness of the EMB

As of November 2020, the NEBE indicated that they had revised the election calendar in anticipation that the election would be held in mid-May or June 2021. The NEBE advised that Covid-19 health regulations necessitated a revision of the electoral calendar as they were not able to proceed with key activities that require direct engagement such as voter registration, political party registration and polling staff trainings. The NEBE also stated that the revised electoral calendar could also be further revised depending on the political situation in the Tigray region especially after the region defied the government by holding regional elections. Based on the revised electoral calendar, the EISA PAM notes that bulk of the NEBE's activities will commence in 2021, meaning that the Commission has five months to prepare for the elections if they are to hold by June 2021. The EISA PAM is concerned that the short timeframe may impact negatively on the capacity of the NEBE to ensure quality control in the implementation of its activities. The situation may be further exacerbated by simmering tensions in the Tigray and Oromo regions especially.

Revised Electoral Calendar

Source: NEBE

Initial Electoral Calendar

National Election Board of Ethiopia

Key dates for General Elections 2020

Date	Activity
1 Jan – 30 Mar	Establishment of Constituency Offices
25 Jan – 30 Mar	Recruitment of poll workers
10 Mar	**Publishing Constituencies map**
6 Apr	**Publication of PS list**
6 Apr – 20 May	Voter Education Campaign for Voter Registration
22 Apr – 21 May	Voter registration period
22 May – 31 May	Display period
22 Apr – 30 Jun	Complaints period VR
24 Apr – 26 May	Voter Education campaign for candidate registration
24 Apr – 8 May	Submission and decision on Electoral Symbols
13 – 27 May	Candidate registration period
28 May – 24 Aug	Election campaign
13 May – 29 Jun	Complaints and appeals period for candidate registration
4 Jul	**Ballot Lottery**
5 – 7 Jul	Publication of final list of candidates
7 Jul – 15 Aug	Printing of ballot papers
15 Jul – 8 Sep	Voter Education Campaign polling and results
25 – 28 Aug	Silence period
29 Aug	**Election day**
29 -30 Aug	Posting of results at polling stations
30 Aug- 3 Sep	Announcement of Preliminary Results by Constituencies
30 Aug – 8 Sep	Announcement of Final Results Certified by the Board

Source: NEBE

5. ADVISORY NOTE TO INTERNATIONAL EOMs

5,1. Deployment advice

It will be important for International EOMs to expand coverage so that the newly formed region of Sidama is also covered. Observing in the Tigray region will also be important taking into consideration the tensions caused by the NEBE and Tigray state perspectives on the postponement of the elections. For safety considerations, female observers should be paired with a male observer where possible, guidelines for fieldwork should cover some local/cultural aspects of what is permissible or not so that observers are aware, and considerate of the country's cultural dress considerations etc. For instance, same sex sexual activity is a crime and punishable by law and taking pictures of government buildings is illegal.

5,2. Logistical considerations

Observer groups will need to take special precaution with regards to communications. It will be important for observer teams to be deployed with more than enough airtime for making calls and extra incidentals. It's advisable that each observer team should have at least two types of network sim cards or given networks in accordance with coverage quality in their region of deployment. In the case of an internet shutdown, as has been in the past, people may be limited to communicate through phone calls and text messages. It is also advisable for technical teams to prepare paper forms/questionnaires for observers as plan B in such a case.

5.3.   Security considerations

Due to the insecurity caused by regional conflicts, EOMs should consider extra security measures when deploying in the following regions: Somali, Southern Nations, Nationalities and Peoples Region (SNNPR) and Benishangul. The Oromia region also remains a highly contested area prone to protests and there have been complaints of security forces being heavy handed in dealing with protesters. Therefore, observers sent should practice extreme caution when attending public events such as campaign rallies. Ensure that all observers have contact list of emergency numbers applicable to their regions of deployment.

6. RECOMMENDATIONS

In February 2021, after three months of conflict in the Tigray region , UN agencies described the situation as "dramatic". Mr Jens Laerke, spokesperson for the UN Office for the Coordination of Humanitarian Affairs (OCHA), declared that "the humanitarian response remains very limited and inadequate." Therefore, there is no certainty on how the highly contested upcoming national election, scheduled to take place in June 2021 will unfold amidst an ongoing pandemic and a continuing state of emergency. Nevertheless, the EISA PAM mission recommends some avenues to explore so that the elections are an opportunity for peace and democracy.

- Before the forthcoming elections, the NEBE should keep channels of communication open to ease any concerns that stakeholders may have.
- Political parties should conduct training of party agents to ensure that they are able to effectively utilise the available legal avenues at polling station level and upwards in case of disputes.
- The government, the EMB and the courts should ensure that newly introduced legal provisions should be widely publicised and disseminated so that any concerns can be addressed ahead of the elections.

- There should be close collaboration between the NEBE and security forces regarding hotspots for violence/conflict to ensure that prospective voters are not unduly disenfranchised.
- The state of emergency must be lifted to facilitate political parties' activities: fundamental freedom principles shall be guaranteed as by the Constitution.
- The federal government must take strong actions that reassure the populations and guarantee the safety of all citizens, including, for example, access to humanitarian assistance for internally displaced persons (IDPs) in the Tigray region.
- Civil society must support and implement campaigns that promote forgiveness, reconciliation and awareness.
- Peace and security should be established for inclusive and credible elections.

7. APPENDICES

Annexure A: Electoral legislation and regulations
Annexure B: Regions of Ethiopia
- Addis Ababa (city)
- Afar
- Ahmara
- Benishangul-Gumuz
- Dire Dawa (city)
- Gambela
- Harari
- Oromia
- Somali
- Southern Nations, Nationalities and Peoples Region
- Tigray
- Sidama

ABOUT EISA

INSTITUTIONAL BACKGROUND

EISA has since its inception in July 1996 established itself as a leading institution and influential player dealing with elections and democracy related issues in the African continent. It envisions an African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment. The Institute's vision is executed by striving for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa.

Having supported and/or observed over 70 electoral processes in Africa, EISA has extensive experience in formulating, structuring and implementing democratic and electoral initiatives. It has built an internationally recognised centre for policy, research and information and provides this service to electoral management bodies, political parties and civil society organisations in a variety of areas, such as voter and civic education and electoral assistance and observation. Besides its expanded geographical scope, the Institute has, for the past several years, been increasingly working in new in-between election areas along the electoral and parliamentary cycle, including constitution and law making processes, legislative strengthening, conflict management and transformation, political party development, the African Peer Review Mechanism (APRM) and local governance and decentralisation.

EISA provides assistance to inter-governmental institutions, like the African Union, and the Pan-African Parliament, to reinforce their capacity in the elections and democracy field. The Institute has signed an MOU with the Economic Community of Central African States (ECCAS); the Economic Community of West African States (ECOWAS); the East African Community (EAC); and the Common Market for East and Southern Africa (COMESA). Within the framework of these recently signed memoranda, the Institute will also provide similar assistance respectively these intergovernmental institutions. Its MoU with the African Union was also renewed in 2014.

With its headquarters in Johannesburg (South Africa), EISA has had field offices across the African continent and currently has offices in Democratic Republic of Congo, Madagascar, Mozambique, Somalia and Zimbabwe, and a regional liaison office at the secretariat of the ECCAS in Libreville, Gabon.

Election observation activities

EISA has deployed continental observer missions for the past ten years including missions to Angola (2008), Botswana (1999, 2004, 2009), Central African Republic (2010, 2011), Democratic Republic of Congo (2005 referendum, 2006 elections), Egypt (2011, 2012, 2014, 2015), Ghana (2008, 2012), Guinea Conakry (2010), Lesotho (1998, 2002, 2007, 2012, 2015, 2017), Liberia (2011,2017), Madagascar (2005, 2007, 2013), Malawi (1999, 2004,2009), Mauritius (2000, 2005, 2010, 2014), Mozambique (1999, 2004, 2009, 2013, 2014), Namibia (1999, 2004, 2009), Senegal (2012), Seychelles (2011), South Africa (1999, 2004, 2009, 2014, 2016), Tanzania (2005, 2010), Uganda (2011, 2016), Zanzibar (2005, 2010), Zambia (2005, 2008, 2011,2015, 2016), and Zimbabwe (2000, 2002, 2008), Reports on these missions can also be found on our website.

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About EISA

EISA is a not for profit organisation established in 1996 based in Johannesburg (South Africa) with field offices in Democratic Republic of Congo, Gabon, Madagascar, Mozambique, Somalia, and Zimbabwe.

Our vision

An African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment.

Mission statement

EISA strives for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa.

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