

**Directive on the Code of Conduct for the Mass Media and Journalists on
Reporting Elections: Directive No.02/2020**

CHAPTER ONE

GENERAL

Article 1. Issuing Authority

This directive has been issued by the National Election Board of Ethiopia by the power vested to it as per article 8(1) of the Board's Establishment Proclamation No. 1133/2019 and article 44(4), article 123 and article 126 of the Ethiopian Electoral, Political Parties Registration and Election's Code of Conduct Proclamation No. 1162/2019.

Article 2. Short Title

This directive can be cited as “the code of conduct for the mass media and journalists on reporting elections directive number 02/2020”

Article 3. Definition

In this directive unless the context requires otherwise

1. “**Proclamation**” means Proclamation No 1133/2019 and 1162/2019. The definitions under proclamation no 1133/2019 that are related to the definition under this directive shall be applicable where appropriate.
2. “**Mass Media**” means excluding books, social medias, blogs, and pictures drawings and cartoons on non-periodical publications while including periodical publications, broadcast services and parties established to provide news, programs or news and programs through the internet including news agencies.
3. “**Periodical publications**” shall mean a publication having a permanent name with an intention of consecutive publication with in a specific time gap without interruption for at

least twice a year which includes magazines and newspapers which address either the general public or one specific part of the public.

4. “**Broad cast service**” shall mean, excluding data and SMS message, private or governmental body internal communications, transmission through ground to ground, radio wave, cable, satellite or through these combined means delivered by radio, television or radio and television to the general public or to a particular part of the public to educate, inform or entertain by audio or visual or audiovisual with payment or freely.
5. “**Online mass media**” means a media whereby the decision-making responsibility of the content is under the mass media service provider in which the main task is gathering of news and programs, writing, directing, editing and broadcasting by using picture, audio, video and online articles or these combined; transmitting information through the internet.
6. “**Election related messages**” shall mean a campaign message presented by a party or an independent candidate competing in an election which includes introduction of objective and program, election campaign, comments/analysis or opinion and any campaign message.
7. “**Political advertisement**” shall mean a radio, television or newspaper message conveyed by a political party or an independent candidate registered for an election by paying or promising to pay for the announcement.
8. “**Election period**” shall mean the one-month period starting from the time the board issues the electoral timetable up until the final results of the election are officially announced by the board.
9. “**Reasons of Force Majeure**” shall mean an unforeseeable circumstance that cannot be anticipated in normal course of action and that is beyond the controlling power and reasonable assumption of the applicant and that is irresistible and cannot be prevented.
10. “**Conflict of interest**” means relationship of affinity or consanguinity between the journalist and the candidate, such as, his father, his mother, child, grand parent, sister, brother, aunt, uncle, spouse, brother in law, sister in law, mother in law, father in law, and any other benefit-based relation and conflict of business interest.
11. “**Board**” shall mean the national electoral board of Ethiopia.

Article 4. Gender Reference

In this directive, provisions set out in one gender shall also apply to the other gender.

Article 5. Objective

This Directive is issued being cognizant of the significant role of the mass media in ensuring the fairness, balanced and credible election, and realizing the need to regulate the rights, ethical standards, and responsibilities of journalists so as to ensure the success of the electoral process.

Article 6. Scope of Application

This code of conduct shall be applicable to any journalist or media house engaged in the production, transmission or dissemination of election-related news, reportage or information concerning election.

CHAPTER TWO

APPLICATION FOR PERMIT

Article 7. Application for Permit to Report the Election

- 1) Any local or foreign media licensed by the law of the country in which they are registered may apply to the Board for permission to monitor and report the conduct of elections in the country through their representatives.
- 2) Any media journalist covering the election may be able to report his / her work by hanging the ID given by the Board on his or her chest or neck, outside the polling station 200 meters away during the election.

Article 8. Procedure of Application for Permit

- 1) Any media outlet that intends to report the election from the polling station may submit a written request to the Board for permission.
- 2) Any application for a permit to report the election process must be submitted to the Board within a specified period of time. The deadline for submissions is 15 days before voting day.
- 3) The Board shall respond in writing to the request for permit within five days after receipt of the application.

- 4) The Board shall, after examining the application for a permit, issue a certificate or identification card to the media outlet and journalist who has met the criteria within fifteen days.
- 5) When the Board deems it necessary, it may delegate the responsibility of granting permit to the regional branches.

Article 9. Information to be Filled on the Application Form

The Board shall prepare an application form and the media outlets requesting to report within 200 meters of the polling station and the form should include the following information

- 1) The legally registered name and address of the institution;
- 2) The electoral process or activity that the media wants to cover and the area it covers;
- 3) List of journalists to follow the election,
- 4) The name and address of the journalist leading the group and,
- 5) If they are foreign journalists, the date of entry into Ethiopia must be stated.

Article 10. Documents to be Attached with the Application for a Permit

The media shall attach the following documents along with the application for permit:

- 1) A copy of the media license from the concerned authority;
- 2) A letter signed by the head of the media and where seal of the media is affixed stating that the journalists, they are sending to cover the election are not nominated by any political party or are not running as independent candidates and are ready to abide by this code of conduct and other relevant laws of the country.
- 3) The full name of each journalist on the list of journalists, the latest passport size photograph of the journalist, and any copy of the journalist's ID card must be attached.
- 4) If the applicant is a foreign media journalist, in addition to the above documents, he/she must submit a license given by the Ethiopian Broadcasting Authority to report from Ethiopia.
- 5) Every journalist shall sign and swear allegiance to this Code of Conduct and other laws of the country in the form to be provided by the Board.

Article 11. Causes for Rejection of Application for Permit

A mass media or a journalist's application can be rejected for the following reasons:

1. If the criteria under article 10 are not fulfilled.
2. The journalist who is going to cover the electoral process is either member of a political party or registered for independent candidacy.
3. If the application is submitted after the deadline.
4. If the application is submitted by unauthorized person.
5. If the media that submitted the application has no legal personality.

Article 12. Complaint on Rejected Applications

1. A media outlet whose application is rejected by the Board may present its complaint to the board within 5 days after rejection.
2. The media whose application has been rejected in accordance with Article 11(3) shall be granted the permit if the deadline has expired due to force majeure and if the Board has accepted that.
3. Notwithstanding the provisions of sub-article (2) above, a request for permission shall not be accepted in any form within five days from date of voting.
4. The Board shall decide on the complaint within five days after it has received the complaint on the basis of relevant evidence.
5. If the Board does not decide within five days or if the media is dissatisfied with the Board's decision, it may file a complaint with the Federal High Court within ten days from the date of the decision or date the Board was due to respond.

Article 13. Regarding Reporters ID cards

1. The board shall give ID cards for the licensed journalists. This shall be sent to the media represented by the journalist or the journalist himself if he is present in person or to the authorized agent of the institution.
2. The ID card shall include the followings information:
 - a. The logo of the Board
 - b. A colored writing of the term "Journalist" in a visible manner
 - c. Name of the represented media.
 - d. Name and photograph of the journalist.
 - e. Seal of the Board.

- f. Validity date of the ID card.
- g. ID Number
- h. Signature of the official that grants the ID
- i. Signature of the journalist.

3) The Board shall determine the number of ID cards to be issued to each media outlet, taking in to account the number of applicants, the scope of the media coverage, their reporting language and other factors related to the conduct and security of the election.

CHAPTER THREE

RIGHTS AND DUTIES OF THE MEDIA AND JOURNALISTS

Article 14. Rights of licensed Journalists

Every journalist who has got a permit to cover report and the electoral process shall have the following rights

1. To cover and report electoral process on the requested site without prior notice by the journalist.
2. To cover and report any electoral process including voters registration, candidate registration, election campaign, voting, vote counting and announcement of results.
3. To carry out their work without any influence of the Board, government and any other parties.
4. To access information and get cooperation from the board, other election officials, and local officials,
5. To be present and move in the polling station, unless they obstruct the tasks of voters, registration of voters and electoral executives.
6. To interview registering voters, voters, candidate and agents of candidates or observers or polling station officers outside the polling station.

Article 15. Obligations of a Journalist Licensed to Cover the Election Process

The media or journalist who is licensed to cover the election must comply with the following duties:

- 1) To respect the human rights and fundamental freedoms of the people;
- 2) To respect the role and authority of the Board, election officials, security and other organs of government.
- 3) To refrain from giving advice or guidance to election officials about their responsibilities;
- 4) Not to ask the voter who he voted for;
- 5) Not to interpret legal issues by themselves and to refrain from broadcasting information which is not legally backed
- 6) Not to use a camera or other audio or video recorder at the secret ballot room where voters give their vote.
- 7) To carry out their duties impartially and neutrally.
- 8) To show respect for the culture and values of the country and community
- 9) To display the ID card issued by the Board openly.
- 10) Not to film or record the voter registration information on the document or when the voter signs on the ballot paper;
11. Not to photograph or interview the voter, observers, members of the grievance hearing committee and the candidates of any political party or individual candidate in a polling station or constituency office, while the individual openly opposing him or her.
- 12) Not to film, photograph or copy the voter register, voter registration ID or any similar document in a manner that affects the privacy of voters.

Article 16. Responsibilities of the Media

1. The public media institutions shall avail fair opportunities to all political parties to present their programs and policy options to voters
2. The news, reports documentaries or current affairs related to the election broadcasted or covered by the media shall not favor or disfavor any party or candidate and shall be free from the personal political belief of the editors, and shall be generally free from an editorial opinion.

3. The media should not portray the role of women or men in the election process based on social and cultural prejudices.
4. Any election related reports must be based on accurate information.
5. The media and journalists should avoid direct or indirect pressure from the following bodies:
 - A) From the owner of the media,
 - B / From the government,
 - C) From advertising agency
 - D / From the sponsor of the media
 - E) From any other organization or person.
6. The public media should provide appropriate news coverage for election discussions and debates as well as interviews.

Article 17. Duty of the Media and Journalists to Covering and Reporting Electoral Process

- 1) All media outlets and journalists, while carrying out their functions, shall refrain from interfering in the election process.
- 2) The cost of journalists shall be borne by themselves or by the media they represent. They do not have the right to use the Board's vehicle or other property or assets.
- 3) Journalists representing any media outlet shall, before they start their functions, be properly trained and acquainted with:
 - A. The election processes
 - B. The election laws and procedures and
 - C. The provisions of this Code of Conduct
- 4) Any journalist may report any incident or omission he/she has to the election officials at all levels.
- 5) Any licensed media or journalists must exhibit high professional integrity.
- 6) The media shall ensure that their journalists comply with this code of conduct.

Article 18. Revocation or Suspension of License

If the media or journalist have violated the duties and responsibilities stated under the electoral proclamation and this directive, the Board may suspend the license or revoke when it has proved the violations.

- 1) The Board shall notify the relevant journalist and media in writing of the reason for its decision to cancel or suspend the license of the media or journalist.
- 2) If the license of the media or the journalist to report on the election is revoked by the Board, the registration card shall be returned to the Board immediately.
- 3) The Board may disclose to the public and to election officials a list of licensed media outlets or journalists, as required.

Article 19. Election-Related Messages and Political Advertisement

- 1) No media or journalist may make any change to the message provided by political parties before or after the broadcast without consulting the party.
- 2) If the media is asked by the party not to re-broadcast suspend the broadcast of the election-related message that was disseminated with the prior permission of the party, it shall immediately stop broadcasting.
- 3) No political advertisement shall be broadcasted between programs.
- 4) The content of any political advertisement shall state that the party or its delegate has certified the content and validity of it.
- 5) The media must provide a fair, balanced and impartial and accurate report.
- 6) The media should report the views of the parties and candidates as directly as possible in their own words.
- 7) The media shall not deliberately distort, conceal, or misrepresent the information of a political party or a candidate.
- 8) The media should not carry out their work using the logo or any other symbol any political party or candidate.
- 9) When the media or journalists report on the disputes between different competing parties during the election campaign, they should be presented in a fair and inclusive manner, based on evidence without partisanship.

Article 20: Delivering Voters' Education on the Election Process

1. Based on the information provided by the board mass medias shall broadcast voter's education in an impartial manner on the following issues concerning voter's education:
 - a. The starting date of voters' education;
 - b. How, when and where to vote;
 - c. The secrecy of voting;
 - d. The guarantee for voters against any influence in the conduct of the election;
 - e. The importance of voting;
 - f. The role of different actors in the election and
 - g. Other similar matters provided under the electoral law.

Article 21. Inclusion

When the media and journalists cover and report about the election;

- 1) They should not entertain information and attitude that reflects prejudice, lack of trust, hate or bias against women, people with disabilities, the elderly and other vulnerable groups.
- 2) They should promote and encourage candidates who are representing the section of the society mentioned above under sub-article (1) by educating them on the importance of participating in elections and raising public awareness.

Article 22. Remuneration

1. Any information, education or advertisement and programs of the board may be broadcasted through Medias. The public media is obliged to broadcast these messages free of charge. If the message is transmitted through private media, it will be broadcasted free of charge or with payment, depending on the circumstances. The Board shall determine the free airtime or newspaper column in consultation with the Broadcasting Authority.
2. Medias shall have equal rate of payment for all political parties and candidates.
3. No media shall broadcast political advertisement without remuneration.
4. The payment for political advertisement shall not exceed the amount for commercial advertisement.

Article 23. Prohibited Time to Host or Broadcast an Election Campaign

No media or journalist shall publish, distribute or report on a candidate or political party election campaign four days before the voting date.

Article 24. Election Prediction and Results

No media outlet can predict the outcome of an election. However, they can report the results which are announced by the polling station and constituency level.

Articles 25. Prohibition of Accepting Gratitude

1. No journalist or mass media shall accept
 - a. Bribe
 - b. Gift
 - c. Benefit
 - d. Shall not in any way produce and report a report by inducement
 - e. No journalist or media should receive any bribes including transportation from political parties, politicians or candidates.

Article 26. Preventing Conflict of Interest

Any media outlet or journalist should avoid conflict of interest during an election report.

Article 27. Responsibilities of Political Parties and Candidates

Every political party and candidates

1. Shall respect the freedom of mass medias
2. Shall not harass and obstruct journalists who are engaged in their professional activities
3. Shall not abuse their official capacity to influence to gain unfair advantage in access to the media
4. Shall not offer bribe, gift or promises to mass medias and journalists
5. Shall not misrepresent the position or any other information about other political parties and candidates
6. Shall extend all the necessary cooperation, so that the media may discharge their role in the election process in an appropriate manner

7. To ensure that their supporters and delegates refrain from causing harassment, intimidation, or assault on journalist
8. Shall take necessary measures to ensure tolerance and free debate

Article 28. Responsibilities of Electoral Executives

1. The board
 - a. Shall respect the right to freedom of expression of the media, journalists, political parties and candidate, and makes its activities accessible to journalists according to appropriate laws
 - b. Should not discriminate or favor any media outlet in the process of giving, recognition certificate and information.
- 2- Election officers of polling stations shall decide the number of media and journalists that could attend at the polling station in a manner that doesn't disturb the election process.
- 3- The board to the extent possible and in accordance with the law shall cooperate and facilitate cooperation among electoral executives on different levels.
- 4- In his interview with Medias, a polling station officer may answer general questions. However, he shall not engage in analysis nor express his opinion.
- 5- Polling station officers may provide information on the following and other related general question. However, they are not allowed to engage in an interview.
 - a. Voter registration, voter registrar available for public and voting process.
 - b. The number of registered voter and who voted
 - c. The powers and responsibilities of electoral executives
 - d. Applicable Code of conducts
- 6- Polling station officials shall not give analysis or opinion on the following issues
 - a. Forecast the election result based on the result in polling station ,constituencies or regional level
 - b. The tendency from the voting process or the result expected from the voting process \
 - c. Make a political comment on political parties, candidate or election
 - d. On the observance of appropriate process or policy matter and assumptive opinions on debatable issues

e. Opinion on rumors

7- Election officers of constituencies or heads and officers of regional branch office shall respect the obligations listed under sub articles 4,5 and 6 above

CHAPTER FOUR

MISCELLANEOUS PROVISIONS

Article 29. Violation of rules

1. The board may take the necessary measures against the media or journalist found contravening the provisions of the directive and other laws and in collaboration with the concerned bodies.

Article 30. Repealed laws

Any directive or practice shall not apply to matters covered under this directive.

Article 31. Effective Date

This directive shall come into force since the approval by the Board on October 28/2020.

Birtukan Midekssa
Chairperson
National Electoral Board of Ethiopia