



CECOE

Coalition of Ethiopian Civil
Society Organizations for
Elections

Final Observation Report

Sixth National and Regional Elections of Ethiopia



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List of Acronyms

ADP	Amhara Democratic Party
ANDP	Afar National Democratic Party
BGPDUF	Benishangul-Gumuz People’s Democratic Unity Front
CDHRA	Council for Democracy and Human Rights Association
CECOE	Coalition of Ethiopian Civil Society Organizations for Election
CETU	Confederation of Ethiopian Trade Unions
CSOs	Civil society organizations
CVEA	Civic and Voter Education Association
EHRCO	Ethiopian Human Rights Council
EPRDF	Ethiopian Peoples Revolutionary Democratic Front
ESPDP	Ethiopian Somali People’s Democratic Party
EWLA	Ethiopian Women Lawyers Association
EZEMA	Ethiopian Citizens for Social Justice Party
FDRE	Federal Democratic Republic of Ethiopia
FEAPD	Federation of Ethiopian Associations of Persons with Disabilities
GHCs	Grievance Hearing Committees
GPDM	Gambella People’s Democratic Movement
HNL	Harari National League
LTO’s	Long-Term Observers
NAMA	National Movement of Amhara Party
NEBE	National Election Board of Ethiopia
ODF	Oromo Democratic Front
ODP	Oromo Democratic Party
OFC	Oromo Federalist Congress
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front
PP	Prosperity Party
RFPs	Regional Focal Persons
SEPDM	Southern Ethiopian People’s Democratic Movement
TPLF	Tigray People Liberation Front

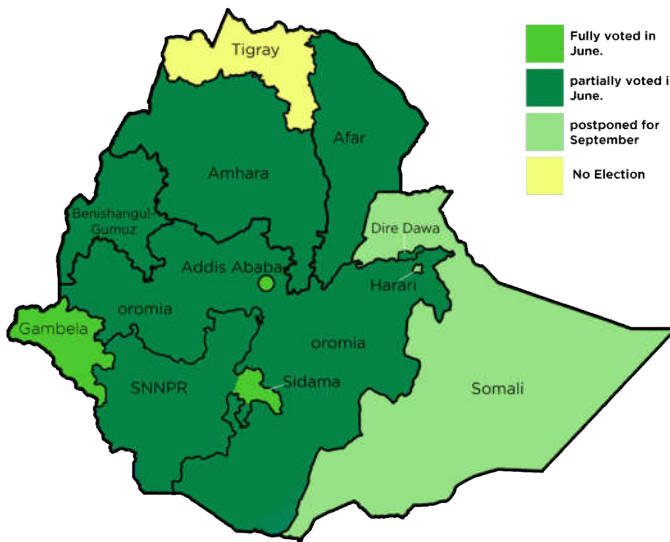


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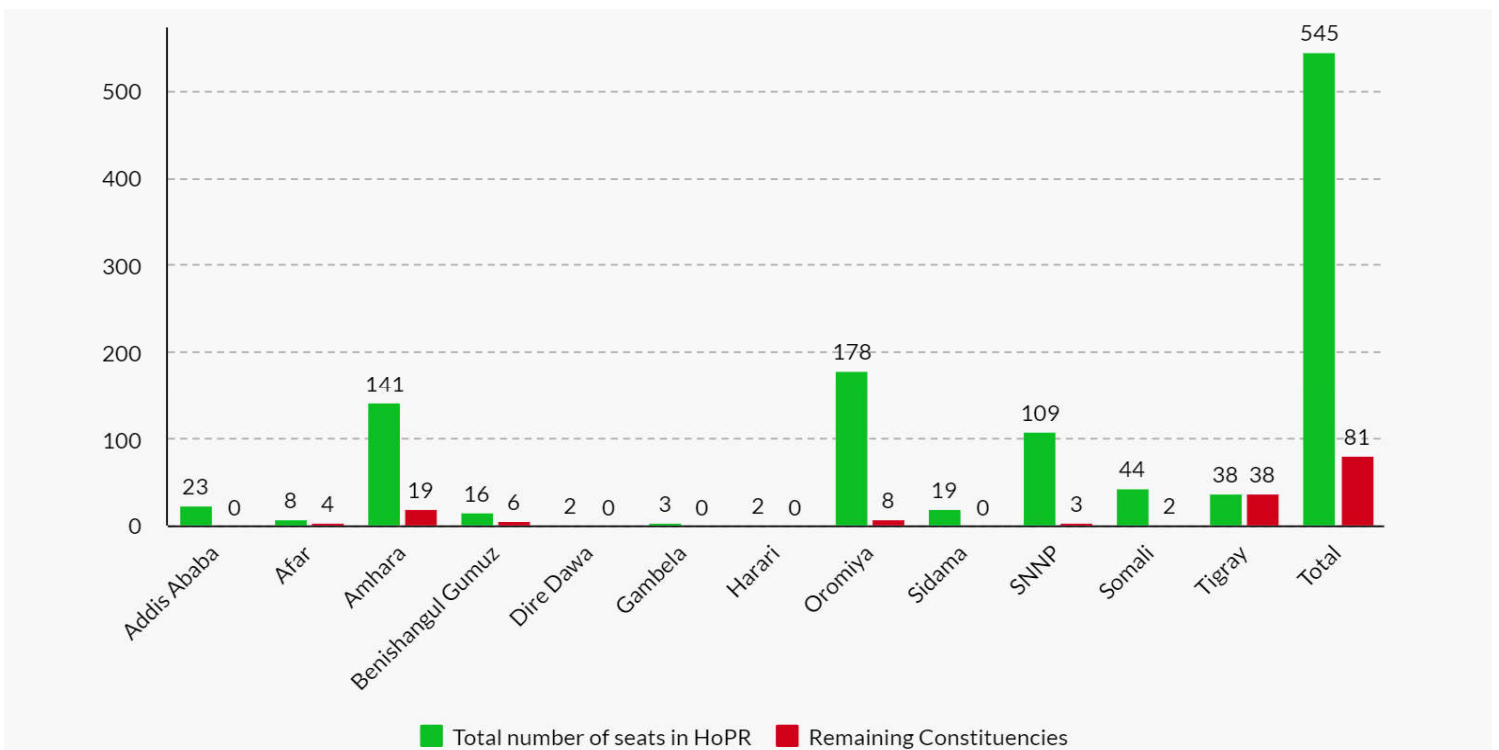
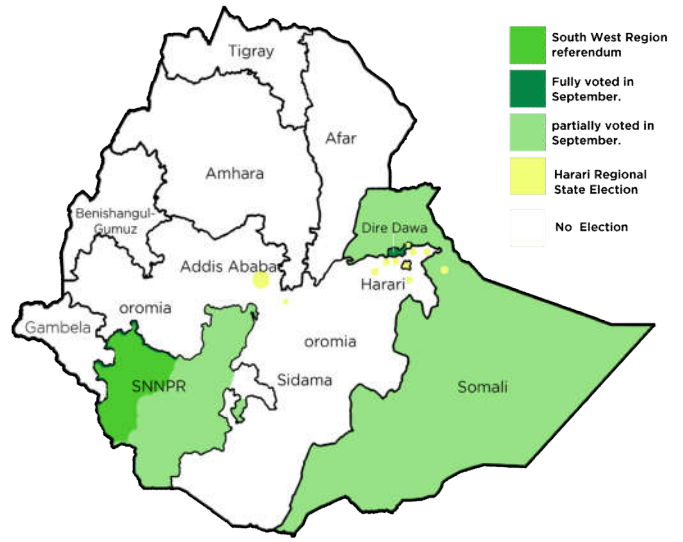
Workitu Molla, CECOE’s Election Day Observer from Mekane Selam, South Wollo Zone of the Amhara Regional State, with her 2-year-old daughter Kidist Woubalem.

Summary of Observation Findings and Recommendations

June Election



September Election



Background

Ethiopia's Sixth National and Regional Elections, conducted in 2021, were important milestones in furthering the democratic opening that started in 2018. A new legal and regulatory framework resulted in a more inclusive and transparent election process, enabling more vibrant political competition, a more assertive judiciary, and greater space for civic engagement. The 2021 general elections were also the first, since 2005, that guaranteed civil society independence to observe and make meaningful comments on the electoral process. In line with this, key electoral stakeholders including political parties, civil society, and most importantly, Ethiopian citizens set their expectations for more inclusive, accountable, and transparent elections than those held in the past. While there were notable shortcomings during the pre-election, election day, and post-election processes, meaningful improvements provided a foundation for future elections marked by greater inclusion, transparency, and accountability.

However, the emergence of the coronavirus pandemic, compounded by administrative and logistical issues, rising political tensions, and armed conflict resulted in significant delays and a challenging environment to hold the elections. While the elections were scheduled to be conducted concurrently throughout the country on 21 June 2021 because of these challenges voting was postponed to 30 September 2021 in Harari, the Somali Regional States, and parts of the Southern Nations, Nationalities, and People's (SNNP) region. Furthermore, the Coalition of Ethiopian Civil Society Organizations for Elections (CECOE) recognizes that the election cycle has not concluded, given that citizens in the entirety of the Tigray Regional State, most parts of the Benishangul Gumuz Regional State, and parts of the Afar, Amhara, and the Oromia Regional States are still disenfranchised and have no representation in the House of People's Representatives (HoPR) or regional state councils.

Established in 2019, CECOIE, a coalition of over 175 civil society organizations, deployed thousands of volunteer Ethiopian citizens to observe elections

across the country and assess the quality of the process. With the opening of civic space and new regulatory frameworks, CECOIE observed aspects of the pre-election, election day, and post-election process in all regions and administrative zones which held elections. In conducting election observation, CECOIE sought to empower citizens to be active participants and monitor the inclusiveness, transparency, accountability, and overall integrity of the process. Citizen observation provides independent non-partisan information that citizens, political contestants, journalists, and election and government officials can use to determine for themselves if an election meets their expectations of a credible and inclusive election.

CECOIE's observation project focused on deploying trained and accredited observers across the country to assess the quality of key electoral activities in parallel to the election timeline set by the National Election Board of Ethiopia (NEBE). According to the reports collected from its observers between March 2021 and October 2021, CECOIE found that the elections generally followed the procedural requirements enshrined in Ethiopia's Electoral Law in all their phases. There were, however, clear limitations on its competitiveness, security concerns in different parts of the country, and immense logistical challenges in the execution of the election, resulting in significant delays and the continued disenfranchisement of a significant number of voters. In spite of these challenges, the elections outside of security hotspots were generally peaceful with no major incidents of election-related violence transpiring during the pre-election, election day, and post-election phases of the process.

Major Findings

Voter Registration and Pre-Election Environment

During the pre-election period, CECOIE observed the voter registration process that the NEBE carried out between March and May 2021. Over the course of this period, CECOIE deployed 117 observers who

monitored the registration process at each assigned location for a full day, from opening to closing. In total, CECOIE received observation reports from 1,190 different voter registration locations. Continuous delays and suspensions of the voter registration process proved to be one of the greatest challenges to the integrity of this exercise. The lack of advance communication on timeline shifts by the NEBE resulted in widespread confusion of citizens, political parties, and civil society on where and when they would be able to register to vote and/or monitor the process. However, once the voter registration commenced CECOIE observers reported that in general, the voter registration process occurred in accordance with the Electoral Law and NEBE directives. CECOIE observers also assessed how well the process was administered at registration centers and if it was done in an inclusive, accountable, and transparent manner. Observers reported that most centers were easy to reach; however, there were some instances where voter registration took place in forbidden locations, including police stations and political party offices. They also reported that in most registration centers essential materials were present, but there were also some occurrences where fingerprint pads, polling station journals, and testimony forms were missing. CECOIE observers highlighted limited challenges related to the number of women serving as registration center officials and the level of accessibility of the voter registration locations for persons with disabilities.

At the beginning of August 2021, CECOIE also deployed 51 Long-Term Observers (LTO's) to the Harari, Somali, and SNNP regional states where elections were postponed in June for reasons owing to procedural irregularities in the Voter registration process, logistical and/or security challenges. CECOIE was able to collect a total of 283 reports from the 51 Long-Term Observers (LTO's). CECOIE observers collected information related to the campaigning process, preparatory actions by the NEBE, voter education, the security environment, and civic space in the period leading up to the 30, September 2021 elections. CECOIE observers reported that there was limited campaigning by political parties in the

locations they observed, although where campaigning occurred it was done in a peaceful manner. A majority of observers also reported that there was minimal intervention by security forces during campaigning activities whenever campaigning took place. Finally, the observers noted that precautionary measures to mitigate the transmission of COVID-19 were not observed in areas that conducted campaigning or voter education, a common theme of the entire election period.

Election Day

CECOIE deployed 2,050 observers on June 21 and 941 on September 30 to monitor the election day processes. Observers covered all cities and regions where elections for Ethiopia's House of People's Representatives (HoPR) and regional councils took place, as well as communities in the SNNP Region participating in the South West People referendum, polling stations in Addis Ababa and Dire Dawa conducting elections for the Harari National Assembly, and the Qoloji IDP Settlement Camp in Somali region. Almost all CECOIE observers were allowed to observe all aspects of the process. CECOIE commends the NEBE for providing accreditation badges to observers, and polling station officials for generally respecting the right of accredited observers to access polling stations, albeit challenges related to lack of timely accreditation and some incidents of denying access to accredited observers on election day. Each observer submitted periodic reports throughout election day with information on the installation and opening, voting, and the closing and vote counting processes at their assigned polling stations.

In both June and September, CECOIE observers reported that for the most part the election day processes were conducted in accordance with NEBE directives. Only in a few cases polling stations were located in facilities forbidden by the NEBE, such as a police station, military camp, or political party office. For the most part, observers reported that polling stations opened on time and ballot boxes were placed in a visible place. For the most part, during voting, the secrecy of the vote was respected and ballots



were marked with the official NEBE stamp. In most observed stations, ballots were counted immediately after the polling stations closed, in most cases without interruption. However, in some of the observed polling stations, voters' fingers were not marked with indelible ink, or reconciliation and results forms were not posted for public view.

In addition, during the June elections, there were significant shortcomings that were primarily improved for the September elections. The most evident of these was the absence or insufficient electoral materials – including ballot papers, ballot boxes, voter rolls, and indelible ink – which in some cases resulted in a delayed opening of the polling station or the extension of the voting and counting processes, in some cases into the following day. During the June elections, observers also reported the presence of campaign materials in a significant number of polling stations, and the lack of accommodations for voters with disabilities.

Observer reports also reflected NEBE's efforts to increase the level of inclusion in the election day process. A significant majority of polling stations where voting was held during both elections were accessible to persons with disabilities. Most observers reported that persons with disabilities or mobility challenges were given priority access in the queue, and in most cases when they required assistance they were able to receive it from a person of their choice. In about a quarter of polling stations, electoral materials were available in languages other than Amharic. While more than a third of polling station officials were women, only a quarter of polling stations had women polling station chairs and there were some polling stations where all officials were men. However, more could be done to ensure equal representation of women as election officials.

The NEBE also took steps to mitigate risks related to the COVID-19 pandemic. Most observed polling stations were set up in such a way that allowed for social distancing inside the polling station. However, this proved more challenging in the space where voters queued to enter the stations. In addition, while polling

station officials wore masks at least some of the time during election day, voters were less compliant with the mask mandate. Contrary to NEBE directives, in some cases, voters were turned away for not wearing proper masks, even if they wore other face coverings.

Post-Election

In the immediate post-election period following both the June and September election, CECOE deployed 97 and 49 observers from which CECOE collected 568 and 282 reports respectively to monitor the political environment, including responses to announced results, limitations or restrictions placed on civic space and the process of managing electoral disputes. In general, observers reported that the post-election environment in the communities where they observed did not have occurrences related to violence, riots, demonstration, or restrictions on the freedom of movement.

There were, however, some instances where voters and political parties raised distrust in the announced results. CECOE also found that the complaints handling procedures did not follow the process set out in the election proclamation and NEBE directives and the election proclamation, where complaints were to be handled by grievance hearing committees at the polling stations and appealed to the constituency level only if unresolved. However, the NEBE decided to bypass this process and instead reviewed all outstanding grievances at the federal level in Addis Ababa.

Complaints raised during the post-election phase of the 2021 Ethiopian Elections included those related to counting and tabulation irregularities, denial of access to party agents at different polling stations, dismissal of party agents from observing the counting process, targeted voter intimidation, interference by the ruling party, and inability to conduct mobile observation/monitoring due to formal and informal limitations imposed by government authorities. Information collected from the NEBE legal department shows that 31 political parties and Six individual candidates raised complaints in 212 constituencies for the June



elections, whereas for the September elections six parties and 24 independent candidates raised complaints in 25 constituencies. Most of these complaints, however, were dismissed by the NEBE based on insufficient evidence. Some political parties and independent candidates that were dissatisfied by NEBE's dismissal lodged an appeal to the courts. Most of the appeals to the courts were, however, dismissed by the courts due to the inability of the complainants to comply with the statute of limitation provided under the electoral law.

Key Recommendations

As noted in the finding section above, the Sixth National and Regional Elections of Ethiopia were administered by the NEBE in two phases under tasking and continually changing circumstances. The Coalition, therefore, takes this opportunity to commend the NEBE for its ability to overcome logistics, security, and other challenges and hold the 2021 Ethiopian Elections at a time when the country was going through a political transition and several reforms initiatives. Based on the data collected during the pre-election, election day, and post-election phases of the elections, CECOIE forwards the following recommendations to different stakeholders who played notable roles in the 2021 Ethiopian Elections.

Recommendations to the NEBE

The NEBE demonstrated dynamism and a commitment to make sure the Sixth National and Regional Elections of Ethiopia took place in June and September. However, the Coalition has observed that there were numerous areas and opportunities for the newly restructured electoral Board. To begin with the general administration of elections - taking into account the circumstances behind it - the Board to the best of its abilities should avoid piecemeal elections and hold elections at the earliest whenever it is unable to hold elections nationwide. The Board should also have issued clear timelines for electoral activities as well as making necessary electoral regulations available well ahead of the elections to allow voters, candidates, and other stakeholders enough time for preparation and participation. The following are additional recommendations for the NEBE's consideration, based on CECOIE's election observation of the 2021 Ethiopian Elections.



The Board should set up registration locations and polling stations as early as possible in areas accessible to all members of the community such as women, persons with disabilities, and citizens with mobility challenges (women carrying children, the elderly etc.). The Board should also coordinate with local authorities to guarantee the safety of citizens, electoral officers, observers, political party agents, and electoral contestants whenever setting up locations for registration and voting.



Logistics coordination is an area of improvement for the NEBE following the recent Ethiopian elections. The Coalition strongly believes that the Board should design better plans of action for the dissemination of electoral materials in an accurate and timely manner in future elections.




The Coalition also strongly believes that the NEBE should continue to seek ways to enfranchise all eligible Ethiopian citizens, including those who have been displaced by conflict and those living in areas that did not participate in the elections held in June and September.


While encouraging, the participation of women in the recent elections still offers room for improvement.




The Coalition believes the NEBE should make sure such groups are represented in the registration and voting processes and play a pivotal role to increase the participation of women. The Board


should also seek to include more persons with disabilities in the electoral process specifically and the overall democratic processes generally.


 The registration of voters presented considerable challenges to the NEBE. In addition to logistical challenges, the sixth general elections brought to light problems with the existing manner of registering, verifying and cleaning the voters roll. The Board should ensure adequate time and transparency, so that both the NEBE and independent non-partisan actors can access and review the voters roll before it is finalized. The NEBE may also consider avenues to new manners of registration so as to increase public confidence in the electoral roll.


 In relation to following procedures on election day, CECOIE's observation report suggests that the Sixth National and Regional Elections of Ethiopia were held in accordance with the law. However, there were instances where indelible ink was not applied to voters on election day, as well as incidents in which voters whose names appeared on the electoral roll were not allowed to vote and citizens that were not on the roll were allowed to cast ballots. This should be a focus area of improvement for the NEBE.


 The review and adjudication of complaints and grievances are one of the main duties of the NEBE. The Board was unable to utilize the Grievance Hearing Committees it established at the polling stations, constituencies, and regional levels during the most recent elections. The NEBE should ensure GHCs are established and functional at all levels to deal with electoral complaints and disputes in an effective manner. Furthermore, it should also consider reviewing and revising the current complaint hearing procedures due to the practical challenges of the GHC in its current form.

Recommendations to other Stakeholders

 The 2021 elections exposed opportunities for further electoral reform. CECOIE urges the appropriate parliamentary committees and government ministries to engage in inclusive and open dialogue with political parties, electoral officials, civic activists, observers, academics and experts, and ordinary citizens on a wide range of legal problems in the current electoral legislation.

 CECOIE urges political parties to contest and participate in elections throughout an electoral phase despite the apparent challenges they face. This helps to build on the ongoing bid to build a democratic society and process in Ethiopia. Furthermore, political parties should make efforts to increase the participation of women as political candidates in future elections. Finally, the Coalition calls on parties to deploy party agents to registration and voting locations so as to contribute to the transparent and accountable administration of elections.

 Civil society organizations played an increased role in different manners of engagement during the Sixth National and Regional elections of Ethiopia. Civil society should continue to play an active role in upcoming elections using the opening civic space in the country. Concurrently, partners and donors should seek to support the efforts of local civil society organizations in recognition of the financial and technical challenges they continue to face.

 The Coalition also calls on the media to play a more active role during elections in addition to serving as a crucial platform for voter education, campaigning, and debate events between parties. In doing so, CECOIE believes the media should familiarize itself with, and apply, ethical considerations whenever reporting on elections and other areas of public interest.

Chapter 1: Political and Historical Context

The Post 2018 Political Landscape

Unprecedented in the recent political history and landscape of the country, Ethiopia experienced immense changes to its political landscape in 2018 following mass protests which led to the introduction of the Prime Minister Abiy Ahmed administration in April 2018. Ending an era of political dominance by the Tigray People Liberation Front (TPLF) led Ethiopian Peoples Revolutionary Democratic Front (EPRDF) administration, the Abiy administration has introduced political and economic reform agendas which have had significant contributions to setting up the tone for the sixth national and regional elections of the country. The release of political prisoners, the invitation to exiled political parties, and opposition leaders suggested a more contested election would take place in comparison to the 2005 elections. Political parties such as Ginbot 7, the Oromo Liberation Front (OLF), and the Oromo Democratic Front (ODF) are some examples of exiled political parties which returned to Ethiopia following the introduction of the Abiy Ahmed administration.

The dissolution of the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) on 01 December 2021 was another important political development ahead of the administration of the Sixth National Elections of Ethiopia. The once-dominant coalition of ethnic parties was dissolved on 01 December 2021 to form the Prosperity Party. However, the Tigray Peoples' Liberation Front - the once-dominant member of Ethiopia's longest-ruling political party - did not continue with its fellow members of the EPRDF, leaving it out of the newly formed ruling party and joining the opposition camp while still maintaining its control over the Tigray

Regional State. The prosperity party was registered by the NEBE following the merger of the *Amhara Democratic Party (ADP)*, the *Oromo Democratic Party (ODP)*, and the *Southern Ethiopian People's Democratic Movement (SEPDM)*. In addition to these parties, the *Afar National Democratic Party (ANDP)*, the *Benishangul-Gumuz People's Democratic Unity Front (BGPDUF)*, the *Ethiopian Somali People's Democratic Party (ESPDP)*, the *Gambella People's Democratic Movement (GPDM)*, and the *Harari National League (HNL)* also joined the merger forming the country's biggest political party. However, it is important to note that the newly formed Prosperity Party has inherited a definition along ethnic lines like its predecessor - granted in much looser circumstances than its predecessor.

Previous Elections

Since the adoption of the Federal Democratic Republic of Ethiopia (FDRE) Constitution in 1995, Ethiopia has held five consecutive national and regional council elections (1995, 2000, 2005, 2010, and 2015). But then all these phases of elections hardly contributed to genuine multiparty competition as none of them "were recognized as free and fair by opposition political groups and in a number of instances by international observers."¹ The May 2005 election was remarkable in terms of the high level of competition among political parties, the relatively active role of CSOs in election observation, and the media. Despite these achievements, the 2005 election was concluded with post-election conflict and a crackdown of civic space consequent to the election. Following the 2005 election, legislation that narrowed down civic space

¹ Getahun Kassa (2018) Contribution to the 3rd Cycle Universal Periodic Review (UPR) A Joint UPR Submission on The Federal Democratic Republic of Ethiopia's implementation of recommendations from UPR second cycle on Civil and Political Rights pp.15-17

was enacted. Journalists, CSOs, political parties, and rights groups were weakened. As a result, the consequent elections that occurred in 2010 and 2015 were not as competitive and participatory. In conjunction, the then ruling party EPRDF won with 99% seats in 2010 and 100% seats in the 2015 elections. It was months later from the 2015 election that protests started to occur in the Oromia region. These protests were met with violent crackdowns from government forces. Following these mass protests engulfing the streets of the Oromia and Amhara regions, the ruling party was forced to engage in a reform process in 2018. In 2018, Abiy Ahmed was elected chairman of EPRDF by members of the ruling party and later on Prime minister of Ethiopia by the HoPR. With a new administration introduced in 2018 - just two years before the originally slated elections - much hope was placed on the sixth consecutive elections of the Federal Democratic Republic of Ethiopia (FDRE). The reform process made promises and important steps to broaden the civic space by engaging in a series of legal and institutional restructuring.

Postponements of the May 2020 General Elections

In the past three years Ethiopia has been experiencing multiple political and security crises “related to long standing ethnic tensions resulting in instability or open conflict[s)”² The pervasive political and security crises have also been exacerbated even more by the controversy surrounding the postponement of the May 2020 General Elections. The latter were postponed twice by the NEBE to 29 August 2020 due to lack of robust preparation. Later NEBE announced that it cannot conduct the general elections as scheduled on 29 August 2020 on account of the outbreak of COVID-19 pandemic and referred its recommendation for the extension of the date of general elections to the House of Peoples Representatives (HoPRs). The latter decided the constitutionality of extending the terms

² Joint IRI-NDI Virtual Pre-Election Assessment Delegation Report Summary of Findings and Priority Recommendations MAY 13, 2021 p.3)

of the upper and lower houses of parliament, and regional councils, the federal and regional executives up until COVID-19 was pronounced as no more a threat to public health and new scheduled elections were announced.

The decision for the indefinite suspension of the general election was met by opposition from parties, notably, the *Oromo Liberation Front (OLF)*, the *Oromo Federalist Congress (OFC)*, *Tigray People Liberation Front (TPLF)* and *Ogaden National Liberation Front (ONLF)*. Despite NEBE’s outright rejection of TPLF and the Tigray regional council decision to establish a separate election commission and hold elections in the Tigray regional state, elections were held on 9 September 2020. The September regional elections held autonomously in Tigray worsened the already fraught relation between the ruling Prosperity Party (PP) and TPLF and the Federal Government and the Tigray Regional state respectively.

Security Concerns amid the Sixth National and Regional Elections

Compared to previous elections, the sixth national and regional elections of Ethiopia were held amid concerns about levels of insecurity in different parts of the country. According to a speech by the Prime Minister of Ethiopia on 03 December 2020, there had been 113 incidents of violence since the introduction of the new administration until the date of the parliamentary address by the prime minister.³ These deteriorating security situations had a direct impact on the administration and universal suffrage of the 2021 Ethiopian elections.

The conflict in the Tigray regional state which erupted in November 2020 following an attack by TPLF forces on the Northern Command of the

³ Prime Minister Address to the Parliament (bit.ly/3AB6SKZ)

Ethiopian National Defense Forces has affected the administration of elections in the region. Since it started, the conflict has in effect detached the Tigray Regional State from the rest of the country leading to the NEBE's early decision to not include the region in its preparatory endeavors to hold the sixth national elections. However, since then the conflict has spilled over to other parts of the country, namely the Amhara and Afar regional states of Ethiopia. Concurrently, the OLF-Shene has also been a consistent security threat in the Western Oromia and the Guji parts of the Oromia regional state since a faction of the Oromo Liberation Front declared armed struggle against the central government.

These conflicts have directly affected the proper administration of elections in some constituencies located in the Amhara and Oromia regional states where the NEBE was not able to register voters and hold elections on both the June and September voting dates. Furthermore, the board was also not able to register voters and conduct other electoral activities in the Metekel and Kamashi zones of the Benishangul Gumuz regional state as well as parts of the Afar regional state contested by the Somali regional state.

Civil Society participation in Ethiopian Elections

Citizen electoral observation is an activity carried out by non-governmental organizations (NGOs) or civil society organizations (CSOs). The rights of citizens to observe electoral processes are derived from **the right to participation**(article 21 of UDHR and article 25 of ICCPR).⁴ CSOs in Ethiopia have been engaged in election observation, civic and voter education activities in previous elections. Ad-Net/E95, which was a consortium of five Ethiopian - NGOs organized to conduct monitoring and voter education in connection with the 1995 elections. Members of the consortium were IAG, ABUGIDA,

APAP, the Ad Hoc Committee for Peace and Development, and the Ethiopian Women Lawyers' Association. The goal was to mobilize human rights activists and educate citizens on their rights and responsibilities in a democratic system.⁵ Similarly, organizations such as Civic and Voter Education Association (CVEA), Council for Democracy, and Human Rights Association (CDHRA) took part in election-related work in previous elections.⁶ Although their efforts were frustrated by the decision of the former NEBE and the subsequent litigation "some 30 domestic organizations planned to field well over 3,000 observers prior to the May 15 election date."⁷

In the sixth national election, a total of 36⁸ CSOs have been accredited by the NEBE to engage in election observation while 155⁹ CSOs were given accreditation for the provision of Civic and Voter education. Despite this, a limited number of CSOs were actively engaged in election observation owing to various challenges related to lack of capacity, funds, and other reasons. In addition to CECO, the Ethiopian Women Lawyers Association (EWLA), Federation of Ethiopian Associations of Persons with Disabilities (FEAPD), Ethiopian Human Rights Council (EHRCO), and Confederation of Ethiopian Trade Unions (CETU) were actively engaged in election observation activities by deploying observers¹⁰ in the June 2021 General Elections. In addition to local observer groups, the international observation mission of the AU has also observed the election. Limited observation groups such as the IRI - NDI were also present in terms of observing the election.¹¹

5 Jeffrey Clark (2000) Civil Society, NGOs, and Development in Ethiopia A Snapshot View P.10

6 UPDATED MAPPING STUDY OF NON STATE ACTORS IN ETHIOPIA bit.ly/3r2nSXz, P.135

7 OBSERVING THE 2005 ETHIOPIA NATIONAL ELECTIONS CARTER CENTER FINAL REPORT December 2009. bit.ly/3H5ZidR P.19

8 NEBE list of accredited CSOs for observation bit.ly/348W5Me

9 NEBE List of civil society organizations (CSOs) licensed by the Board to provide civic and voter education bit.ly/3r2odJP

10 ETHIOPIA JUNE 21, 2021 NATIONAL ELECTIONS REPORT bit.ly/3AB7qAx

11 Joint NDI/IRI Limited Election Observation Mission for Ethiopia Report on the June 21, 2021 National Elections bit.ly/3fVgWFO

4 ACE Election Observation www.aceproject.org/ace-en/topics/co/co1/what-is-citizen-observation/default



“ H.E. Chief Olusegun Obasanjo, the head of the African Union’s election observation mission, had paid a visit to the CECO’s election day situation room

Chapter 2: The Sixth National Elections in Ethiopia: Overview of the Electoral Regulations

The legal instruments in place to govern elections are strong determinants of the quality of elections in any context. This section of the report outlines the legal framework for elections in Ethiopia within which the Sixth National and Regional Elections and the South West Ethiopian People Referendum of Ethiopia took place. The section also highlights key legal reform activities undertaken by the government in the period leading up to the elections such as the restructuring of the National Electoral Board of Ethiopia and the reform in the legislation that governed the activity of Civil Society Organizations in Ethiopia.

The 1995 FDRE Constitution

The fourth constitution of the country, *the 1995 FDRE constitution* came into force on 21 August 1995. Since its adoption, there have been six national and regional elections (including the 2021 Ethiopian Elections), two local elections, and seven referendums in Ethiopia. Article 38 of the constitution guarantees the right to vote and be elected of all Ethiopians “*without any discrimination based on color, race, nation, nationality, sex, language, religion, political or other opinion or another status*”.¹² The same provision also recognizes the right of all Ethiopians to be part of political parties, labor unions, trade organizations, and other groups. The constitution also sets out instructions for the establishment of the National

Election Board¹³ which will be accountable to the House of Peoples’ Representatives. The constitution also provides guarantees for other key political rights relevant to the electoral process in the country.¹⁴

Identifying nine regional states at the time of conception¹⁵, the FDRE Constitution recognizes the rights of *Nations, Nationalities, and Peoples of Ethiopia* within the enumerated Regional States to form an independent state at any time after the adoption of the constitution.¹⁶ The provision as well as *Article 19 of the Proclamation No. 251/2001*¹⁷ stipulates that for this to take place a two-thirds majority vote in the Council of the Nation, Nationality, or Peoples’ in question is necessary. Whenever this requirement is met, a referendum shall be organized within one year following the submission of the request to the House of Federation. If the referendum receives majority support, the request to form a new state shall be accepted. In 2019, this constitutional provision was invoked leading to the most recent example of this procedure within the constitution being the Sidama referendum, in 2019 and the most recent is the South West Ethiopia People referendum held on 30 September 2021 both of which resulted in the formation of new regional states.

¹³ FDRE Constitution, Article 102

¹⁴ FDRE Constitution, Article 29 (Right of Thought, Opinion and Expression), Article 30 (The Right of Assembly, Demonstration and petition) and Article 31 (Freedom of Association)

¹⁵ FDRE Constitution, Article 47

¹⁶ FDRE Constitution, Article 47 (2)

¹⁷ 6 Proclamation No. 251/2001 Consolidation of the House of the Federation and the Definition of its Powers and Responsibilities Proclamation, Article 19(1)

¹² The FDRE Constitution, Proclamation no. 1 1995, adopted December 1994 and came into force on the 21st day of August 1995, Article 38



Electoral Legislations in Ethiopia

Proclamation 1133/2019

One of the unique features of the Sixth National and Regional Elections of Ethiopia was the reform process that preceded it. These reform processes resulted from the coming into the political scene of Prime Minister Abiy Ahmed's administration in March 2018. In the period that followed, Ethiopia experienced landmark changes to its political landscape with the mass release of political prisoners and the return of political leaders previously exiled by the preceding administration. The establishment of the Legal and Justice Affairs Advisory Council of Ethiopia (LJAAC) in 2018 under the auspices of the Office of the Attorney General (OAG) led to the reform of key electoral legislation and the Civil Society and Charities proclamation which had immense implications on the Sixth National and Regional Elections of Ethiopia.

In the context of previous elections in Ethiopia, the political and institutional independence of the National Electoral Board of Ethiopia was questionable. First established in 1992, the proclamation establishing the election management body was revised under the current administration of Prime Minister Abiy which led to the adoption of Proclamation 1133/2019. The proclamation provided the institution with more financial and institutional independence by revising the structure, mandate, and composition of the Electoral Board. It should be noted here that, while the rules establishing the NEBE were part of the electoral proclamation, the establishment of the board as a separate entity under this proclamation is a significant development in the legal framework governing elections in Ethiopia. Furthermore, the proclamation clearly stipulates that the accountability of the board is to the House of Peoples' Representatives as opposed to its strong dependence on the executive under the previous legal framework.

The legislative reform further made NEBE an autonomous and compact institution with a sharper mandate. That includes control of the budget allowing it to directly present budget requests to the parliament thereby limiting the powers of the Executive compared to the previous proclamation. The Board also enjoys better autonomy with regards to staffing, which enables it to attract and employ sufficient human resources with minimal government involvement. Furthermore, the NEBE is also autonomous with regards to accrediting CSOs which participate in providing observation as well as civic and voter education activities

Proclamation No.1162/19

The Ethiopian Electoral, Political Parties Registration and Elections' Code of Conduct Proclamation is another important outcome of the legal reform process in the context of the 2021 Ethiopian Elections. This proclamation sets out important rules with regards to the administration of different types of elections in Ethiopia raising a wide range of issues related to the electoral system, the electoral code of conduct, the election administration levels, voter and candidate registration, rules of electoral campaigning, grievance hearing procedures the voting and counting process as well as the announcement of results. The proclamation also sets forth rules on the formation, merger, substitution, registration documentation, and dissolution of political parties as well as the rights and duties of political parties and their members. Under Part Five, the proclamation also stipulates rules of engagement for observation groups, journalists, and political party agents who seek to partake in the monitoring of the electoral process. The proclamation came into force on 16 October 2020.

Other Electoral Legislation

In addition to the NEBE establishment proclamation and the comprehensive Electoral, Political Parties Registration and Elections Code of Conduct proclamations, the Electoral Board also used numerous legislations to administer the Sixth National



and Regional Elections of Ethiopia. The National Electoral Board has made use of 22 directives which are related to several aspects of the election including the composition of the regional offices of the electoral board, the accreditation of local and international observers as well as journalists and political party agents, procedural rules of Grievance Hearing Committees, procedural rules regarding special registration and voting, the allocation of airtime and newspaper column for campaigning activities as well as directives addressing covid19 and security concerns within the electoral process.

The Civil Society Proclamation

A legacy of the 2005 elections, *the Charities and Civil Societies Proclamation No. 621/09* had limited the engagement of civil society organizations in elections for over nearly a decade. Civil Society organizations faced financial and administrative limitations compounded by the overreaching power of the supervisory agency established by the above proclamation. Adopted on 12 March 2019, *The Organization of Civil Societies Proclamation No. 1113/2019* and introduced numerous changes to its predecessor. The proclamation categorizes CSOs only into indigenous (local) and foreign CSOs. It also explicitly provides that all organizations have the right to engage in any lawful activity to accomplish their objectives. In other words, foreign and foreign-funded CSOs are no longer prohibited from engaging in advocacy and human rights work. In fact, the new law specifically encourages CSOs to engage in advocacy and lobbying in regard to laws and policies **“which have a relationship with the activities they are performing”**. CECOIE is one of the beneficiaries of this proclamation, because had it not been for the revised financial, operational, and monitoring rules neither would have been formed nor would it have been able to implement its pioneer observation project parallel to the sixth national and regional elections.

CECOIE Observations related to Electoral Regulations for the Sixth Elections

While the Coalition recognizes the immense relevance of the reform process to the administration of free and fair elections in Ethiopia and the increased engagement of civil society in the electoral process, there were several practical shortcomings it noted which are areas of improvement going forward for the NEBE and other stakeholders. The inability of the NEBE to roll out most electoral directives in time for all stakeholders to grasp the rules of the election is one important remark that must be noted in the context of the Sixth National and Regional Elections of Ethiopia. Because most of the directives of the newly formed NEBE were made scarcely available to the public, electoral stakeholders faced challenges with regards to understanding the rules of the electoral processes.

The impracticality of certain rules incorporated in the proclamations and directives discussed above is another important issue. Even though the newly reformed legislation introduced new rules on the registration of voters, political parties, political party candidates, and independent candidates, the electoral board struggled to apply these rules on the ground. The lack of clarity on using witnesses to register voters; the requirement on public servants to step down if they are candidates; and the signatures required to register as a party and candidate were areas of concern during implementation. For instance, even though 10,000 signatures for national parties and 4,000 for regional parties were part of the electoral proclamation, the NEBE lowered the standards to 35% of this because of complaints from parties related to COVID 19 and other restrictions on movement limiting their ability to meet these requirements. The lack of procedural clarity on the rule stipulating public servants should take temporary unpaid leave from office to be registered as candidates is another inconsistency that can be noted as well.



“ CEOCE’s election day observers observing
polling station Qoloji IDP camp

Chapter 3: Electoral Complaints and Dispute Resolution

NEBE Complaints Procedures

As clearly stipulated under *Article 7 (11) of the Ethiopian Electoral, Political Parties Registration and Elections' Code of Conduct Proclamation 1162/19*, the electoral board has the power to establish grievance hearing committees (GHCs) at the polling station, constituency, regional and national levels to address electoral complaints in different stages of the electoral process. The composition of GHCs established at the polling station, constituency, and regional levels are also outlined in Articles 7 to 11 of the Directive on the Organization and Procedural Framework for Election Grievance Hearing Committees.

The above directive also provides for procedural and jurisdiction rules regarding the appropriate GHCs to approach depending on the subject of the electoral complaint being lodged. For instance, the directive dictates that complaints on voter registration must be lodged at the polling stations level after which appeal may go up until the constituency and regional GHC levels while for candidate registration any appeal by political parties and candidates must start at the constituency level with upwards appeal avenues available should decision not be satisfactory for the complainant. As per the electoral legislations GHCs are also established at polling station levels on election day where voters and candidates can record their complaints related to the voting and counting process in the particular polling station.

Complaints during Voter Registration

The voter registration process in the Somali region has recorded the highest complaints filed during the 6th general election. Political parties in the region (ONLF, Freedom and Equality, EZEMA, and an individual candidate) filed complaints with the Board using imagery and audio-visual images related to the inconsistency in the registration process which were circulated on social media. The board also received this information circulating on social media through its media monitoring unit which prompted it to launch an investigation into the registration conducted in most of the constituencies in the region.

Most of the allegations related to the involvement of ruling party officials in the wrongful registration of voters, circulation of empty registration cards to Kebele level officials, disenfranchisement of citizens registering voters believed to be supporters of the opposition party, as well as the lack of impartiality of electoral officials who were mostly believed to be employees within the government structure. The board ended up deciding to suspend elections in the Somali regional state of the country after its investigation citing irregularities during voter registration as the main issue behind its decision.



Election Day Complaints

Due to the sensitive and deciding nature of the voting and counting processes of a particular election, in most elections across the world voting day is when a higher number of electoral complaints are lodged. In accordance with this, several complaints were made following the June and September election dates of the Sixth National and Regional Elections of Ethiopia. According to information collected from the NEBE Legal Department, following the June elections 31 political parties and 6 private candidates lodged joint or individual complaints in six constituencies while after the September elections, six parties and 24 private candidates lodged complaints in 25 constituencies across regions where the elections took place. However, it must be recalled that the NEBE made the decision to consider all complaints at the National GHC level - disregarding GHCs at lower levels - which will be discussed in the Finding section dealing with post election observation. Albeit this, the following paragraph provides a brief summary of the joint complaint made following the June elections in the Wolaita Zone by parties who contested for federal and regional seats in the zone has been provided below.

For the Sixth General Elections - on 21 June 2021 - the NEBE held elections in the Wolaita Zone using 476 polling stations across six constituencies. Quoting procedural serious irregularities in the voting and counting process on election day, parties which contested the election in the zone issued a complaint to the electoral board which eventually resulted in the suspension of the elections held in the zone. As a result, the election was held on September 30, 2021 along with the Somali, Harari and SNNR elections and the South West Ethiopian peoples' referendum making the complaint stand out during the Sixth General Elections.

Electoral Disputes at Federal and Regional Courts

The Grievance Hearing committees of the NEBE are not the final stage in the resolution of disputes related to the electoral process. Federal and regional courts also serve as appellate avenues, should complainants not accept the decision rendered by the NEBE grievance hearing committee at the relevant level. Depending on the type of complaint under discussion, different tiers of courts at regional and federal levels have jurisdiction to receive appeals on electoral matters with benches especially established to consider electoral disputes. Federal and Regional high courts have second appeal jurisdictions on complaints related to voter registration and complaints about the voting process on election day, whereas the regional or federal supreme courts take second appeal jurisdiction on complaints about candidate registration should the decision of the Regional GHC not suffice in the opinion of the complainant. The Federal supreme court has exclusive jurisdiction over appeals to the decision of the NEBE (central board) on matters related to the counting process and the results of the election.

In the context of the Sixth Ethiopian elections, regional states and parties utilized the country system during the pre-election and post-election periods resulting in seminal decisions by the Federal supreme court. However, the inability of parties to observe the period of appeal following the decision of the electoral board rendered most post-election complaints obsolete. Keeping this in mind, two seminal electoral cases involving the Harari Regional State and the Balderas Party are discussed below to give a sense of the relatively active and independent role played by the judiciary in the most recent electoral cycle.



A) Harari Regional State vs. National Electoral Board of Ethiopia

Going into the sixth national and regional elections of the country, the Harari regional state had two chambers to its regional council. The two chambers are the Harari People's Representative Assembly (HPRA) which has 22 seats and the Harari National Assembly which has 14 seats exclusive to Harari nationals. The region conducted its elections in this manner with ethnic Hararis living out of Harar after a decision by the parliament in 1995 to allow this procedure despite electoral laws requiring voters to live in a particular area for over six months in order to vote in that constituency. Article 50 of the Harari Regional Constitution cemented this process tasking the Assembly with the duty of preserving the Harari culture and identity.

On 8 April 2021, the NEBE announced that it would not allow for this process to continue, stating that Harari's living out of Harar cannot elect members of the Assembly in the context of the sixth national and regional elections of Ethiopia. The regional state filed a complaint against the NEBE at the Federal Supreme Court - which is tasked with rendering final decisions in relation to electoral irregularities and complaints. On 27 April 2021, the Federal Supreme Court reversed the decision by the NEBE upholding the right of ethnic Hararis living out of Harar to vote for Assembly seats. The electoral board took the case to the Cassation Bench of the Supreme Court alleging that there is a serious misinterpretation of the law in the decision by the Supreme Court. The bench upheld the decision of the Supreme court on 26 May 2021 with the particular procedure of non-resident Harari's voting for the 14 seats of the Harari National Assembly. The Harari Region lodged a judgment enforcement file before the Federal Supreme Court, and it was adjourned for June 7, 2021, to verify whether the decision of the court is enforced and the NEBE has accepted the ruling of the court and conducted the voting in Harar, Dire Dawa, Adama and Addis Ababa on September 30, 2021.

Speaking to the relevance of this case, CECOIE believes the fact that regional states utilizing the court structure was an encouraging sign attesting to the role of the judiciary in the check and balance system. Even so, the dispute between the NEBE and the regional state contributed to elections not taking place in the region which would have been avoided had the NEBE sorted this procedural issue earlier in the electoral cycle. The NEBE held voter registration in the region even though it decided to not hold elections because of the pending litigation between the region and itself at the time the announcement was made. Similarly, the NEBE postponed elections in the conflict-prone woredas near the Afar-Somali border because of a complaint made by the Afar region on the media regarding the assignment of 8 woredas to the Somali regional state despite the areas being contested.

B) Balderas Party vs. National Electoral Board of Ethiopia¹⁸

It was not only regional states that utilized judicial bodies during the elections. Political parties also lodged several successful complaints against the NEBE whenever they believed there were procedural irregularities in the board's action or inaction. While there were several complaints by political parties against or to the NEBE, CECOIE will discuss some of the cases involving the Balderas for Democracy Party.

Possibly one of the most interesting legal issues in the context of the current elections, the Balderas party successfully arraigned the NEBE at the Federal High Court Lideta Branch, Election Hearing Bench, the Federal Supreme Court, and the Federal Supreme Court Cassation Bench. This particular case involves four senior members of the party under detention including the chairperson of the party Eskindir Nega and their participation in the voting. The NEBE had decided to not register these individuals as candidates, at which point the party took the case to the Federal

¹⁸ Federal Supreme court of Ethiopia, cassation bench, FSC File Number 207000

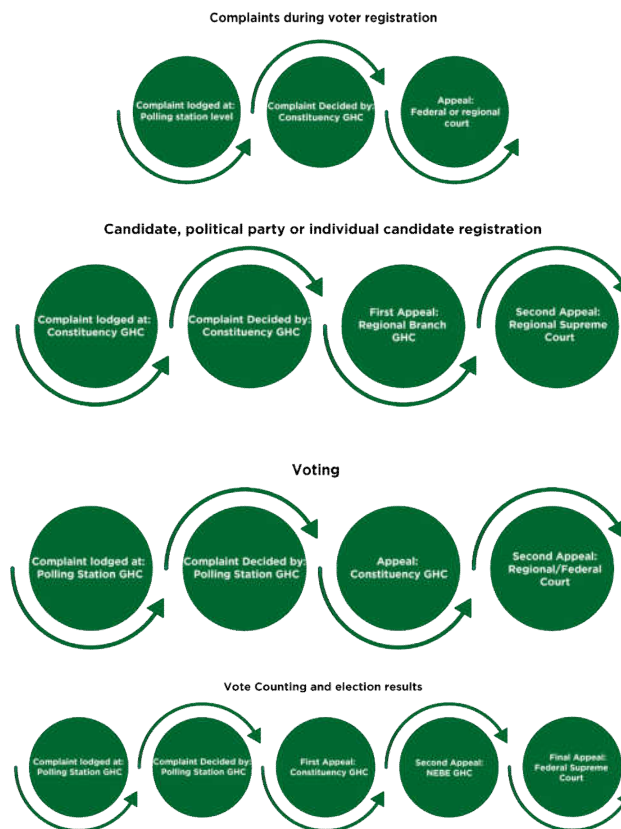
courts. The other party members currently detained under terrorism and other charges are Sintayehu Chekol, Aster Siyum as well as Askale Demile.¹⁹

The party’s claim against the board - filed on 12 March 2021 - was initially rejected by the Federal High Court which ruled in favor of the electoral board on 6 April 2021. At this point, the party appealed the decision taking the case to the Cassation Bench of the Federal Supreme Court which passed a decision on 24 May 2021 overturning the decision of the board and the high court and allowing the four individuals’ registration as candidates for the June elections. The board noted on several occasions that implementing the decision would be immensely costly (citing the 3.5 million ETB it would require to reprint ballot papers with the information of new candidates) and procedurally difficult. However, following the enforcement application by the party, the NEBE registered the four-party representatives as candidates on 4 June 2021.

This decision by the court and the inclusion of party members detained on serious charges in the election as candidates was one of the peculiar and seminal instances in the electoral cycle with questions posed on what would follow election day should one of these candidates win in their respective constituencies. In addition to this case, other parties such as the Ethiopian Citizens for Social Justice Party (EZEMA), the National Movement of Amhara Party (NAMA), and a faction of the Oromo Liberation Front (OLF) took several cases to the court system seeking deliberation on different issues in the pre-election and post-election periods.

¹⁹ On January 07, 2022 the Ministry of Justice announced the discontinuation of charges brought against founders and leaders of the Balderas Party and other prominent opposition leaders of the Oromo Federalist Congress (OFC) citing the necessity of taking this measure in pursuit of a successful national dialogue.

Complaint types and where to make them (Electoral Law, Articles 152-155)





Chapter 4: Methodology of Observation and Limitations

Election Observation Methodology

In the Sixth national election of Ethiopia, CECOIE deployed over 3000 observers in all Ethiopian regions except the Tigray region. CECOIE employed a pre-election observation, short-term observation, and post-election observation methodology in order to assess the election process against NEBE standards and practices for genuine democratic elections. This stems from the Coalition's strong belief that elections are a process as opposed to a one-time event on voting day.

Citizen observation groups use different methodologies to implement election observation activities. CECOIE employed three complementary observation methodologies for the election: proportional monitoring, convenient observers, and mobile observing. Each observing methodology has its own strengths and serves to complement the others.

Proportional Stationary Observation

Focuses on deploying a limited number of its trained and accredited observers in the regions and administrative cities proportional to the distribution of polling stations across different regions and city administrations. According to this type of sampling, the observation group (in this case CECOIE) would deploy more observers to the region with the highest number of polling stations (i.e. in the Ethiopian

context a proportional deployment model would take Oromia as its point of reference). Based on the number of observers deployed to the region containing the highest number of polling stations, the proportional model determines the amount of observers deployed in other parts of the country. This observation model allows observation groups to make strong conclusions about the voting and counting process across the country, allowing for a highly reliable data set on the nationwide electoral process.

Convenient Stationary Observation

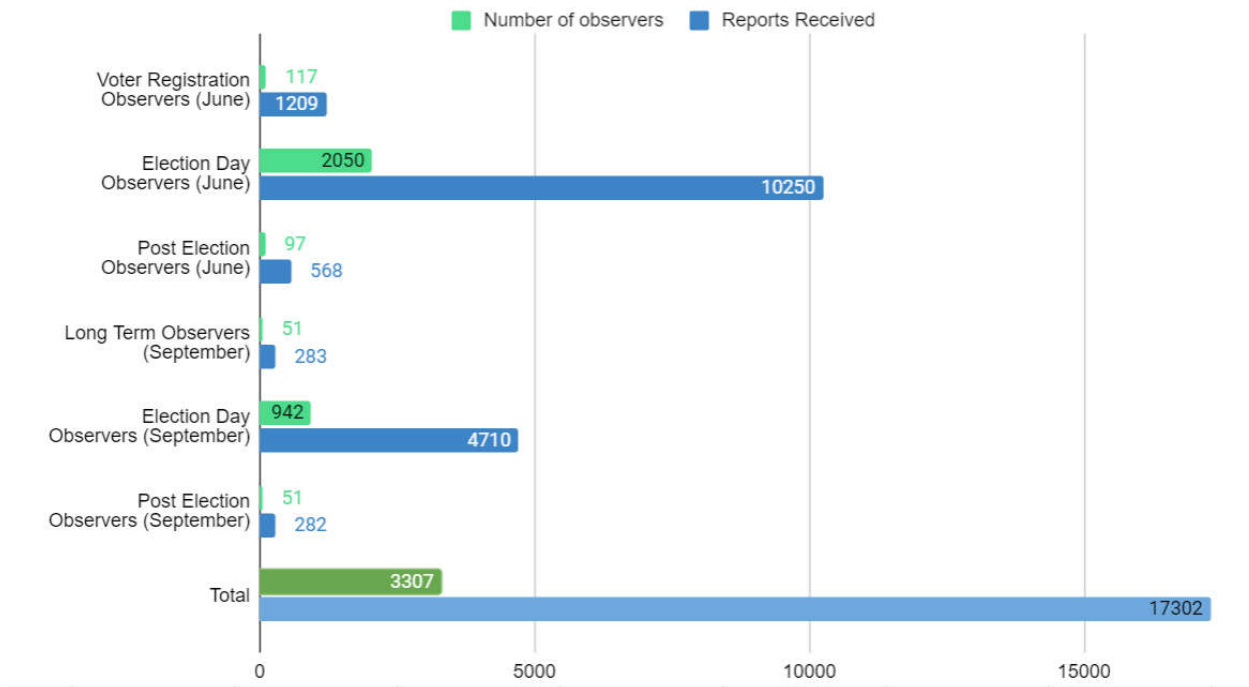
Unlike the proportional model, the Convenient stationary observation mainly focuses on deploying as many observers to as many polling stations holding elections on election day. Remaining in one polling station throughout the day like proportionally deployed stationary observers, these randomly deployed observers will report on the voting and counting process at the polling station closest to their residence. As the title given to these observers indicates, observers are deployed in a polling station convenient to their area of residence or work, mainly focusing on the presence of observers in as many polling stations to give voters a sense of confidence in the electoral process and general legitimacy to the electoral process administered by the Electoral Management Body. While convenient observation also provides information on the conduct of the election, this is typically anecdotal and not necessarily representative.

Mobile Observation

Mobile observers on the other hand may be deployed as proportional or convenient observers with their distinctive feature being their roaming observation as opposed to remaining in one polling station throughout the day. While the particulars of their movement may be determined by each observer group implementing citizen observation, in the context of CECOE observers visited between five (5) and eight (8) polling stations on election day, assessing the opening and counting process in one polling station. Mobile observers also provide anecdotal information on the conduct of the election but, unlike stationary observers, can also provide information on the Election Day environment outside of the polling stations. The Coalition deployed mobile observers both in the June and September phase of elections.

The table below summarizes the amount and type of observers deployed during the Coalition's observation exercise implemented for the June and September phases of voting for the Sixth National and Regional Elections of Ethiopia. The table after that breaks the amount and type of observers by region and city administration of deployment.

CECOE observers by type, deployment period and amount of reports



At the time CECOE designed its election observation exercise, it had selected the proportional deployment methodology for its pre-election, election day, and post-election observations in order to allow it to make reliable and national conclusions regarding different aspects of the election. For its pre-election observation CECOE intended to use 144 long-term observers, deploying two observers per zone in the 72²⁰ zones said to participate in the Sixth National and Regional Elections of Ethiopia. In addition to this, CECOE also set out to deploy between 1,500 to 2,500 election day observers taking the Oromia regional state as its point of reference due to the high number of polling stations in the region. Finally, for its post-election observation

²⁰ CECOE's pre-election methodology did not include the Tigray Regional State due to the region being ruled out of the elections because of the pending conflict in the region.



CECOE intended to increase the number of long-term observers from 144 to 250 increasing the number of long-term observers by 106. However, the Coalition was not able to implement this sampling model due to several internal and external issues which are captured for each electoral phase below.

Limitations to CECOE's Observation Methodologies

Pre-Election Observation

For both the June and September phases of voting, CECOE deployed pre-election observers to monitor the electoral environment in the days leading up to the election. A total of 117 voter registration observers were deployed by the Coalition for the June elections while 51 observers from six regional states monitored the pre-election phase for the September phases of voting. The Coalition faced numerous challenges that hampered it from fully implementing its intended methodology during the observation.

Internally, CECOE was unable to recruit observers in key regions such as the Oromia and Somali regional states which amounted to a significant portion of the intended pre-election observers with Oromia having 22 zones and Somalia containing 11 zones within its administrative structure. Because the Coalition is a relatively new organization it strongly relied on its member organizations to recruit observers which were challenging in the Oromia and Somali regional states.

The late accreditation of observers in the June cycle of voting was another challenge the Coalition faced when implementing its voter registration observation with the NEBE delivering accreditation badges to the Coalition after registration had already begun. The Coalition faced significant challenges getting badges to observers in some circumstances due to

the remoteness of some of the areas observers were recruited from.

Finally, the irregular administration of voter registration was another key challenge that affected the methodology of the Coalition. For instance, in the Benishangul Gumuz regional state voter registration was conducted partially making four of the eight Voter Registration Observers who were deployed in the region ineffective. In addition to communication gaps with regard to the pre-election phase on the part of the NEBE, CECOE was unable to observe the candidate registration process because the NEBE held it prior to voter registration despite common practice and the Coalition's expectations.

Furthermore, during the pre-election observation communication gaps significantly affected the quality of data collected by the Coalition because observers were deployed at the beginning of August 2021 under the understanding that voting would take place on 6 September 2021. The Coalition also deployed observers to six regions believing that elections would take place in all areas that did not participate in the elections. However, the NEBE announced well into August that voting would take place on 30 September 2021 and that it would only take place in the Harari and Somali regions as well as parts of the SNNP region partaking in general elections, re-elections, and the South West Ethiopia People's referendum. This affected the work of the Coalition because of the quality of the questions in the assessment materials given to observers because of early deployment and deployment in an area where there were no elections.

Election Day Observation

For the CECOE's election observation sampling model to work, the number of observers deployed in the Oromia region was immensely important because the region had the highest number of polling stations in the country, therefore, requiring the most observers compared to other regions. Based on the distribution of polling stations in the country, 37% of the election day observers had to be from the Oromia

region. However, due to several internal and external reasons, CECOIE was unable to recruit and deploy as many observers as necessary in the Oromia regional state to meet its proportional sample. In addition to the Oromia region, the Coalition also faced strong recruitment problems in the Somali Regional state for its observation exercise in September.

To begin with, the internal issues the Coalition faced - especially during June- due to the fact that the Coalition had only recently established its base in the Oromia regional state was not strong enough to recruit the required number of observers from the region. Furthermore, even when the Coalition was able to recruit observers in certain parts of the country due to the lack of phone numbers when member organizations shared names of observers, the Coalition was not able to communicate, train and deploy observers on several occasions.

However, despite internal issues, the main impediment to CECOIE's election observation project was not being able to deploy as many observers as planned in the Oromia region - therefore allowing it to have a reliable proportional sample set - was the late and inaccurate accreditation of observers by the NEBE which significantly decreased the number of observers in the Oromia region and other parts of the country. Though significantly better during the September rounds of the Sixth National and Regional Elections of Ethiopia, in June the NEBE gave the Coalition inaccurate accreditation badges as well as delivered badges as late as a day before the election. Even though the Coalition did its best to get badges to observers until the eve of the June voting date, the number of trained but unaccredited observers was immense due to the challenges related to faulty and late accreditation of observers with CECOIE only deploying 2,050 observers out of the over 3,000 observers it recruited and trained.

Post-Election Observation

In the context of post-election observation, the Coalition did not face significant challenges as it did during the pre-election and election day observation

exercises it implemented. This is because the Coalition deployed already accredited observers it used during the pre-election and post-election observations. However, the Coalition was unable to meet the target number of observers (250) because of the unconventional administration of the election with parts of the country not voting after election day. Because a proportional distribution of observers is not feasible without the entire country partaking in the elections, CECOIE only deployed 97 observers for the post-election observation following the June elections, whereas in September it deployed 50 observers from the Harari, Somali, and SNNP regional states.

Before concluding this section, however, it must be noted that because the NEBE announced that complaints would only be heard at the National level, the Coalition was not able to collect as much information about the complaints procedures following the election which is an integral part of the post-election environment. To mitigate this gap, in addition to assessing the hearings in Addis Ababa using observers from the capital, the Coalition has worked with the NEBE to understand the content of complaints made to the board and the decision rendered following the complaints hearing procedures.



80 Data Clerks

were working on election day situation room in June.

40 Data Clerks

were working on election day situation room in September.



CECOE's data clerks at work in the situation room



Chapter 5: CECOIE Election Observation Findings

Pre-Election Observation

Introduction

The pre-election period is of paramount importance in the context of any electoral process. The efficiency and legality of the activities carried out during the months leading up to the election (i.e. the pre-election period) determines the quality and fairness of proceedings on election day. Some key activities during the pre-election period are the announcement of the electoral timeline by the managing body, the registration of candidates and voters, campaigning and debate activities, voter education, and the engagement of relevant stakeholders including civil society organizations. This is not an exhaustive list because there are several issues to assess in the months leading up to election day. Complementing findings already issued by other local and international observation groups, the Coalition's findings regarding the pre-election period will be limited to the registration of parties and candidates, the registration of voters, the media and civic space status in the pre-election period as well as security and other concerns which were included in CECOIE's pre-election observation checklist used by long term observers.

The NEBE Timeline for Elections

For the June and September cycles of the election, the NEBE announced the electoral timeline on 25 December 2020 and 17 August 2021 respectively. The NEBE set out dates for the registration of candidates and voters as well as the time in which activities such as voter education for voter registration, the ballot lottery ceremony, and the printing of ballot papers ahead of election day as well as the announcement and verification of results by the NEBE.

Regarding the timeline adopted by the NEBE ahead of both electoral cycles, a lack of clarity was an issue throughout the pre-election period both voting days in June and September. The decision to unconventionally hold candidate registration before voter registration did not allow for the Coalition and other observer groups to observe the election due to the lack of time and information to design an observation exercise to see how this process was conducted. Furthermore, the recurrent postponement of the voter registration period in the context of the June elections possibly created confusion amongst voters on when voter registration was ought to be conducted. In addition to this, the NEBE also postponed the dates for both elections from 5 June 2021 to 21 June 2021 and from 06 September 2021 to 30 September 2021 respectively speaking to the lack of preparedness with the NEBE as well as the tasking nature of the work conducted by the board in the context of the Sixth National and Regional Elections of Ethiopia.



While the Coalition understands the magnitude of the work conducted by the NEBE to make sure the Sixth National and Regional Elections of Ethiopia took place as smoothly as possible, it is important to note here that such inconsistencies with an electoral timeline and the lack of communication with relevant stakeholders such as voters, candidates, political parties, CSOs and other partners strongly affects the quality of the preparations for the conduct of elections.

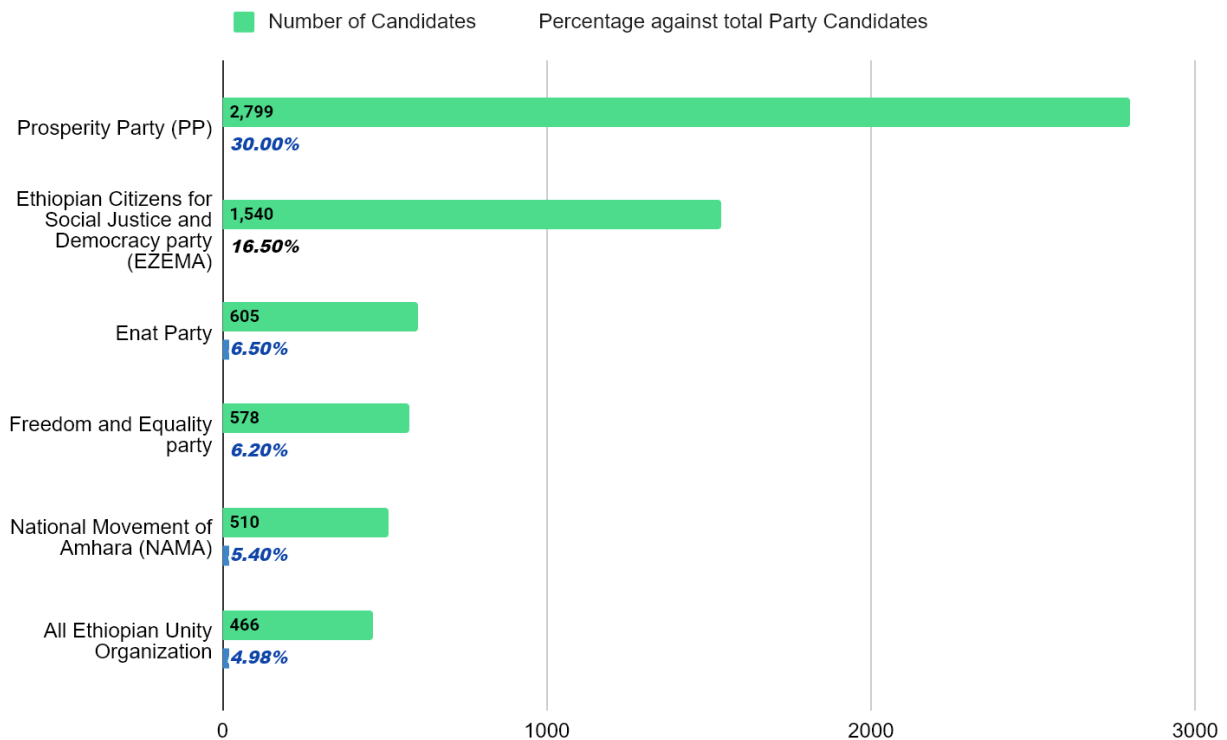
Political Party and Candidate Registration

The registration of candidates for the Sixth National and Regional Elections of Ethiopia took place between 15 February 2021 and 28 February 2021 for both the June and September cycles of voting. At the request of political parties, the registration of candidates was extended to 04 March 2021. Even though elections did not take place in the entirety of the country, the registration of candidates for both the June and September election days was conducted in February minus political parties and candidates in the Tigray Regional State where the NEBE had not intended to hold elections in June at the time it started its preparation to hold elections and political parties that boycotted the election in Somali and the Oromia Regional States.

The registration of parties and candidates was held under new procedural requirements, introducing new thresholds that must be met to allow political parties as well as independent or party-nominated candidates to register for the election. With the new regulations requiring political parties to register again with the Electoral Board increasing the number of members for National parties from 1,500 to 10,000 members residing in at least four regional states and 750 to 4,000 members for regional parties which were restricted to the one regional state or city administration. The NEBE registered 53 political parties of which 20 national and 26 regional parties took part in the June and September installments of the Sixth National and Regional Elections of Ethiopia. Furthermore, the NEBE required at least 5,000 endorsements for independent candidates and 3,000 endorsements for party-nominated candidates who sought to run for a seat in the House of Peoples' Representatives which was also a higher number of signatures compared to previous elections.

As noted earlier, the Coalition did not manage to participate in the observation of candidate registration because of the lack of time to adequately prepare for observation as the NEBE announced the timeline promptly and decided to hold candidate registration before voter registration. However, based on statements by the NEBE and reports of other observer groups, a total of 9,505 candidates were registered in the candidate registration period with 98% (9,357 candidates) registering as party nominees and less than 2% (148 candidates) registering as independent candidates. The NDI/IRI limited observation report also suggests that around 60% (86 candidates) of the independent candidates were registered in the Somali Regional State where the Prosperity Party eventually ran as the only party during the 30 September voting. The table below summarizes the registration of candidates for the Sixth National and Regional Elections by the political party that nominated candidates based on the announcement made by the NEBE on 16 June 2021.²¹

²¹ National Electoral Board of Ethiopia, List of Registered Candidates for Sixth National and Regional Elections of Ethiopia (Published on 16 June 2021) www.nebe.org.et/en/candidate-list [Last Accessed 24 August 2021]



In addition, 12 parties registered between 100 and 250 candidates for the election including but not limited to parties such as the Balderas for True Democracy, the Wolaita People’s Democratic Front, the Gambella People’s Liberation Movement, the Sidama People’s Unity Democratic Organization, the Afar Peoples’ Party and the Ethiopian Social Democratic Party. Additionally, 28 parties registered less than 100 candidates for the Sixth National and Regional Elections of Ethiopia.

Even though there were expectations of a multi-partisan and contested election attached to the Sixth National and Regional Elections, the boycotting of the biggest Coalition in the Oromia Regional State (the Oromo Federalist Congress (the OFC)), the Oromo Liberation Front (the OLF) and the decision by the Ogaden National Liberation Front (ONLF) in the Somali Regional State in September has significantly affected the quality and competitiveness of the election. For instance, the Prosperity Party contested 104 HoPR seats alone in the Oromia Regional State out of the total 170 seats available in the region while the race in the Somali region was also contested without the presence of one of the biggest parties operating in the region. Furthermore, lack of legal clarity led the NEBE to spend enormous resources following the decision by the Supreme Court against the position of the NEBE to not register four candidates from the Balderas Party detained in relation to the riots that erupted in June 2020 following the death of famous Oromo singer: Hachalu Hundessa.

While the deeper political realities and problems contributed to the aforementioned issues related to the registration of candidates, the Coalition strongly believes more work is necessary to create an environment conducive to all political parties and independent candidates. This in turn contributes to further bolster the competitiveness of upcoming elections and avoid instances where sole candidates run for seats unopposed.



The Registration of Voters

The National Electoral Board of Ethiopia scheduled the registration of eligible voters in polling stations across the country between 25 March 2021 and 23 April 2021 for the June phases of voting. Due to security and logistics concerns, however, the NEBE extended the timeline for the voter registration period by two weeks in most of the country to 07 May 2021, and by three weeks in the Somali and Afar Regional States to 14 May 2021. For the September phases, voters were registered between 01 September 2021 and 10 September 2021 for new registrations and between 06 September 2021 and 10 September 2021 for areas where registration started in March but was interrupted ahead of the September elections.

During this second cycle, the NEBE did not extend the timeline for voter registration. This is a testament to the fact that consistency in the registration of voters across the country was a major issue in the context of the Sixth National and Regional Elections of Ethiopia, with polling stations across the Afar Regional State, the Somali Regional State as well as the Metekel and Kamashi zones of the Benishangul Gumuz Region failing to be operational well into the registration period. In fact, half of the polling stations across the country were not operational well into April, as publicly announced by the NEBE and reported by other observer groups. Furthermore, there were several complaints related to voter registration, with complaints from the Somali regional state eventually leading to the deployment of an investigative team to the region and the eventual decision to postpone the elections in the region to September until the outcomes of the investigation team were public.

According to the NEBE, close to 31 million Ethiopians were registered prior to the June elections. Approximately 7.8 million additional voters were registered to vote in September, with 1.3 million voters solely participating in the South West Ethiopia Referendum.

The Coalition deployed 117 observers to 1,209 polling stations for the registration that took place between March 2021 and May 2021, collecting data on several indicators associated with the registration of voters. However, due to practical challenges it faced related to the changing of the electoral timeline by the NEBE, CECOIE was not able to observe the registration of voters for the September elections. As a result, it is important to note that the findings mentioned here on voter registration are only limited to the Voter Registration Observation that CECOIE conducted for the June election. Bearing in mind these operational difficulties highlighted with the performance of the NEBE and the Coalition's ability to observe the registration of voters, the following are findings from reports collected between March and May 2021 by observers deployed to polling stations that registered voters for the Sixth National and Regional Elections of Ethiopia, including in areas where the elections were eventually postponed to September.

The Coalition observed 1,209 polling stations of which 860 (71.2%) were urban polling stations and the remaining 348 polling stations visited were in rural areas (28.8%). The collected data also shows that CECOIE volunteers were observed predominantly in regular polling stations (1,196). The Coalition used Voter Registration Observation Checklists and Critical Incident Forms to help observers assess the registration process in the polling stations located in the respective zones they were recruited from. The checklists included several questions which were designed to evaluate the setup of polling stations, such as the availability of officials and electoral materials, process questions evaluating the conformity with legal requirements during the registration process, questions assessing the participation of vulnerable groups (women, persons with disabilities, persons with mobility challenges, etc) and indicators associated with COVID-19 protocols during the registration process.



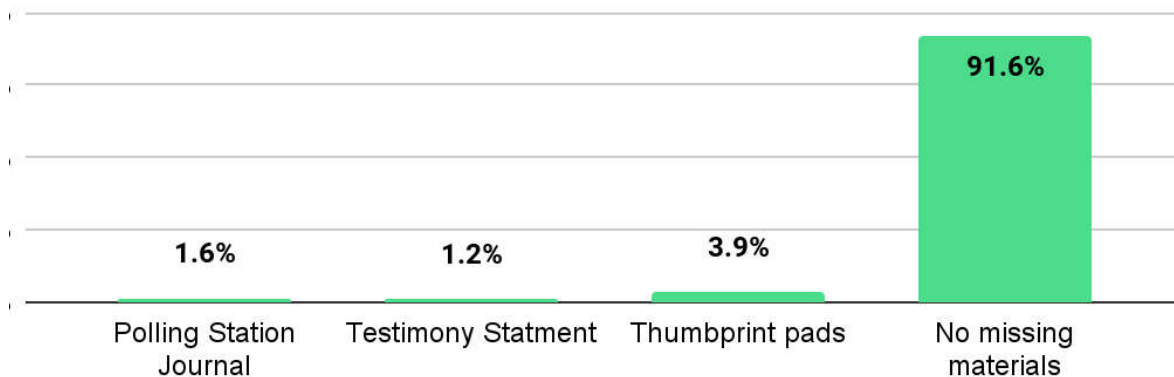
j) Setup of Registration Locations

The setup of registration locations is a key determinant of any conclusion regarding a voter registration exercise. CECOE’s observers reported on different indicators related to the setup of voter registration locations in different parts of the country. Of the 1209 reports collected and analyzed by CECOE, observers reported that over a majority of polling stations were either very easy (22.7%) or somewhat easy (72.6%) to travel and reach for voters respectively. According to observers, registration of voters took place in different structures including buildings (75.2%), tents (9.2%), outside (12.7%), and other locations (3%). Another important finding is that polling stations were mostly located in legally permitted registration locations despite registration taking place in private homes (21 visited locations), political party buildings (10 visited locations), police stations (3 visited locations), and military camps (3 visited locations).

Other findings related to the registration of voters for the June 2021 elections are outlined below:

- ✔ In 12% of observed polling stations, persons with disabilities or mobility challenges (elderly, persons carrying small children, etc.) would not be able to enter the polling station without assistance.
- ✔ According to the NEBE, all polling stations should require some form of protection from the sun and rain. However, 57% did not have this protection of persons trying to register. The percentage of registration locations without protection elements is higher in rural areas (63%) as compared to urban areas (54%).
- ✔ Concurrent to NEBE regulations, in over 71% of polling stations, at least three officers were present. In addition, reports from CECOE’s observers show that there was at least one woman electoral official present in 930 registration locations, representing 77% of the coalition’s sample.
- ✔ When it comes to persons with disabilities, on the other hand, their participation in the registration process as electoral officials in the polling stations visited by the Coalition was low as observers reported that persons with disabilities did not serve as electoral officers on 95.4% of locations visited by CECOE.
- ✔ In most of the polling stations visited by the CECOE observers, electoral materials were mostly present. However, on 40 occasions observers reported that fingerprint pads were missing. Observers also reported missing polling station journals and testimony forms on 16 and 12 occasions respectively.

Missing materials at Voter Registration Locations visited





ii) Process and Participation during Voter Registration

The observance of electoral procedures and rules laid out in electoral proclamation and subsidiary legislations is a key indicator in measuring the quality of any voter registration exercise. Key procedural requirements such as verification of voter identity, disruption of the electoral process, the availability of sufficient electoral materials and officials, the proper registration of voter information on voter rolls and the procedures of issuing voter cards to potential e-day voters, and the complaints procedures during voter registration were included in CECOIE's observation checklist. Overall, the registration process was in line with the requirements in NEBE legislations whenever elections occurred albeit shortcomings associated with the lack of registration (Example: Metekel Zone, Benishangul Region), interrupted voter registration (Example: the Somali Regional State), and the lack of information (throughout the country). The following are some findings related to the process of registration based on the observation of the Coalition in 1,209 polling stations that held voter registration.

iii) Access to registration Stations

Access to registration stations - to those with proper accreditation - is one of the key indicators of an electoral process' integrity and transparency. Ninety-six percent (96%) of registration locations visited by CECOIE observers did not limit the number of observers, journalists, or party agents. However, on 44 occasions - representing 3.6% of CECOIE's sample - access was limited to either observers, journalists, or party agents. CECOIE observers were allowed to fully observe the registration process 96% of the time (1163 out of 1209 registration locations) while on 42 occasions they were allowed to observe partially and in 3 instances accredited observers were denied access to the registration location. Other observer groups were present at 41% of registration locations (498 registration locations) whereas in 710 locations (59%) CECOIE was the only group that observed the elections. An interesting finding in terms of access and participation relates to party agents because in a majority of registration locations (967 out of 1209 (80.0%)) party agents were not present to observe the process. In 94 registration locations, there was one party agent, whereas two or more were present in 147 registration locations.

iv) Registration Timeline

In most registration locations, registration started early. Reports from observers suggest that out of the 12,098 polling stations 1,160 started registration before 9:30 AM. Out of this large number of registration locations, 582 were opened for registration before 8:30 AM which is in line with requirements in the NEBE regulation whereas 578 started registering voters between 8:30 AM and 9:30 AM. On five occasions, registration of voters did not start until 12:00 PM which has been registered, as CECOIE, to be critical incidents affecting the ability of voters to register. Registration was not interrupted for more than 30 minutes in 928 registration locations (75.1%), whereas the process was interrupted in 36 locations because of rain, in 6 locations because of lack of materials, in 5 locations because of intimidation of voters or officers, and in 16 locations due to unconfirmed reasons. In 96% of registration locations, observers reported that registration centers were closed either before 5:30 or until 6:00 PM. However, in 54 locations registration continued after 6:00 PM. to do so despite being on the queue before the time of closure.

v) The Proper Registration of Voters

In over 98% of registration locations - meaning in 1190 out of 1209 polling stations visited - CECOIE's observers reported that voters information was properly recorded on the Voters Roll whereas an equally high amount of polling stations (1200 out of 1209 (99%)) voters were given voters cards after completing the registration process. However, a voter registration process is not about registering people. It is about registering eligible people in line with electoral rules and procedures. In locations visited by CECOIE observers at least

one female voter was not allowed to register because of not proving residence or identity in 132 polling stations whereas at least one male voter was not allowed to register for failure to meet the above criteria in 143 polling stations. This is an example of the NEBE properly applying electoral procedures. However, on 47 occasions, eligible voters have turned away despite proving either or both of the above criteria (i.e. residence and identity). Additionally, in 35 locations voters were registered without proving identity or residence.

vi) Security Personnel at Voter Registration Locations

Another area CECOIE observed in terms of the process was the presence of security officials at polling stations and the extent and manner of their engagement. The electoral regulation clearly states that two security personnel are supposed to be stationed outside each registration location. This is related to guaranteeing the safety of both voters, electoral officials as well as registration materials. However, reports collected from observers show that in 61% of registration locations (733 out of 1208 locations) security personnel was not present outside the polling station during the registration process. Additionally, reports also show that whenever present, 93% of the time security personnel either did not enter the registration location or entered following the invitation of the chairperson of the registration location. However, on 31 occasions contrary to the electoral law, security officials entered registration locations without invitation.

vii) COVID-19 Compliance

The sixth national election was held in a period when a global pandemic happened. For this reason, the NEBE has provided directions that need to be taken in registration stations. Taking these directions into consideration, CECOIE observed the level of compliance for COVID-19 protocols. The direction given by NEBE stipulates that all COVID-19 protection equipment should be available at the registration station. Though the provision of COVID-19 protection materials such as face masks and sanitizers was sufficient in most of the registration stations, CECOIE has observed that 52% of the registration stations didn't have hand washing equipment. In 60% of the registration stations, CECOIE has observed that the Voter Registration officials didn't have gloves for covering their hands. With regards to the wearing of face masks by voter registration officials, CECOIE has observed that 13% of voter registration officials didn't wear face masks. In relation to the wearing of face masks by citizens coming to Voter registration stations, citizens did not wear any face coverings in 23% of the voter registration stations while citizens partially wore face coverings in 48% of the voter registration stations.

The Pre-Election Environment

Divided into four subsections, the following is the assessment of the Coalition regarding the pre-election environment leading up to both the June and September voting dates for the Sixth National and Regional Elections of Ethiopia. However, even though the Coalition has included findings from reports sent by observers deployed to assess the pre-election environment in the September elections, it must be noted that because CECOIE only deployed Voter Registration Observers for the June cycle it has complemented this section with findings from its Media Monitoring Unit and desk-based research regarding major happenings in the pre-election period.

Campaigning and Media Coverage

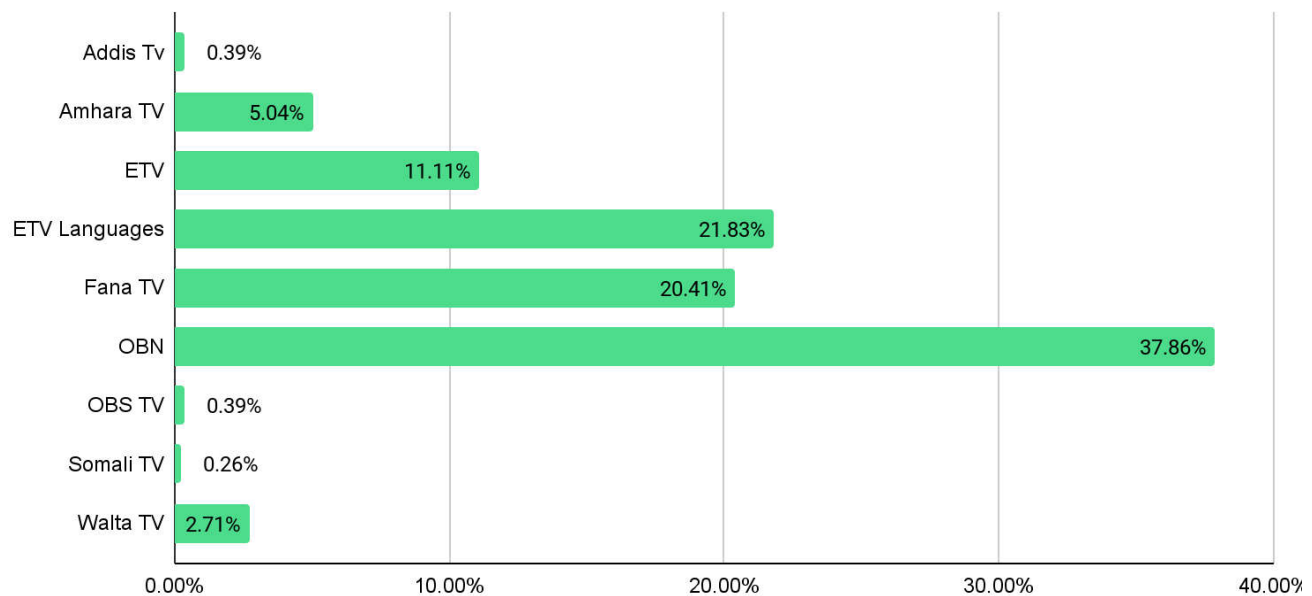
In addition to the election observation, CECOIE established a Media Monitoring Unit, which monitored the media coverage within the context of the June and September 2021 elections. This report summarizes the findings from the unit's work. With a view to enhancing the rights of voters to receive information, the right of



candidates to disseminate information, and the right to freedom of expression of the media, CECOE engaged a team of media experts that monitored the playing field in the media among political parties, the provision of voter education and the overall campaign and debate activities.

The Media Monitoring Unit used a monitoring sample that took into consideration factors such as the audience, legal status, and linguistic diversity in public and private television stations. A total of seven (7) television broadcast media were monitored. The monitoring of the coverage that the selected TV stations had given to election campaigns shows that Oromo Broadcast Network TV (OBN) allotted wider time for election campaigns while Fana TV provided the second-largest coverage for the election campaign.

TV stations Coverage of Election Campaigns

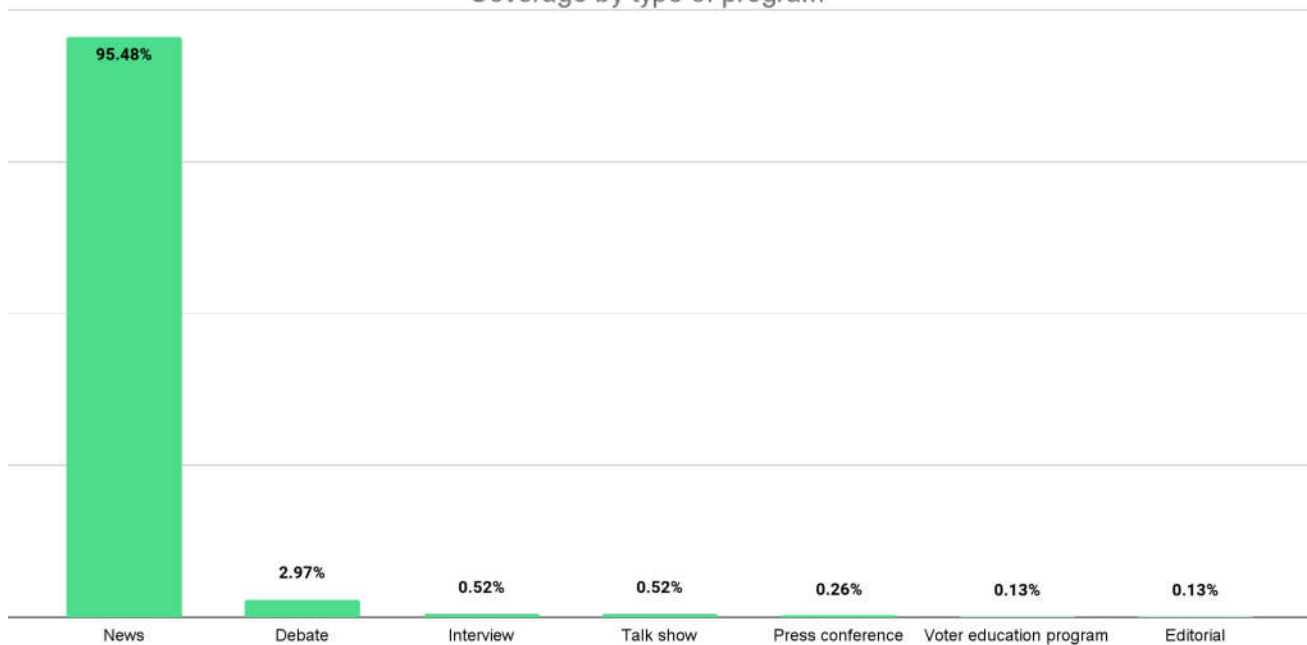


The monitoring used both qualitative and quantitative methodologies of analysis with the aim of quantifying and qualifying the time dedicated to candidates and political parties. This is a synthesized version of the Final CECOE Media Monitoring Unit Report that the MMU prepared and published.²²

The MMU looked into the coverage of programs in the monitored media. This, as presented in the below paragraph, provides how the media covered, not in relation to the election, but the general program coverage that they had during the monitoring period. We see that News programs had the largest coverage by the media that were monitored while the program coverage for debates by political parties was the second in the ranking of coverage for programs.

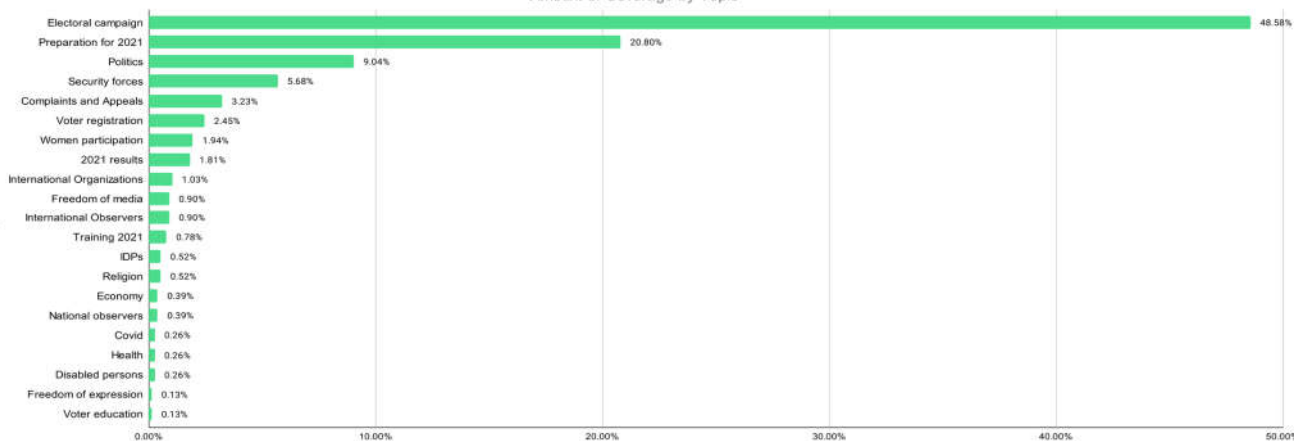
²² Readers seeking detailed information about the Media Monitoring Units findings are advised to refer to the report, which can be accessed at bit.ly/3KL75jx

Coverage by type of program



During the monitoring periods, CECOE’s MMU monitored the amount of coverage that was given by the media on different issues, including those related to the economy, IDPs, politics, international observers, etc. The findings of the monitoring show that the electoral campaign was given coverage more than other issues covered while coverage for preparation of the elections stands second.

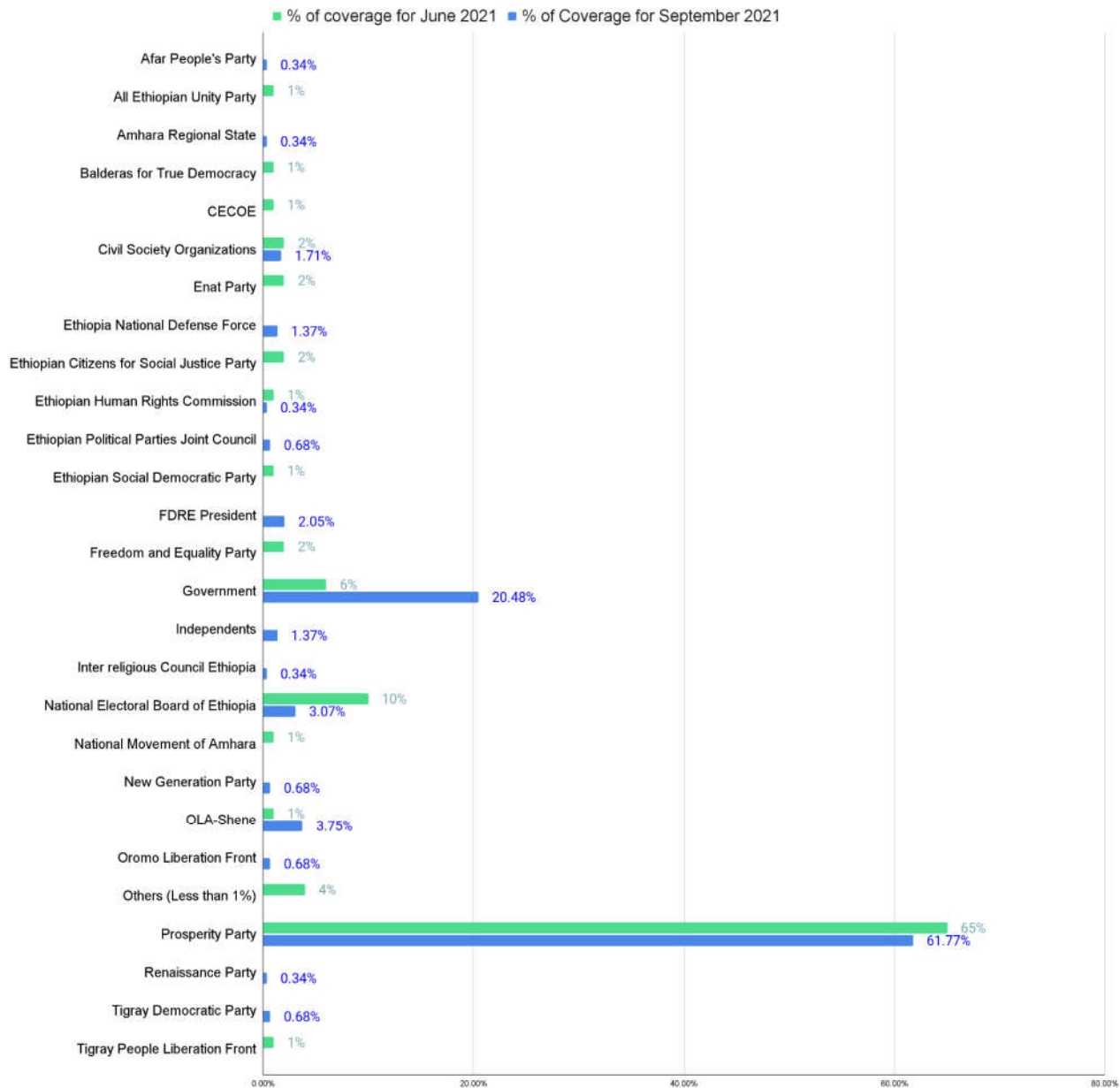
Amount of Coverage by Topic



With regards to debates, 11 media outlets broadcast 27 debates between political parties. These debates were conducted with a minimum of twelve parties represented throughout the debates (27 in total). The parties in the debates were selected based on the number of candidates the parties had nominated for the election. The campaigning period saw the broadcast of a few programs related to the broadcasting of reports, interviews, and talk shows.

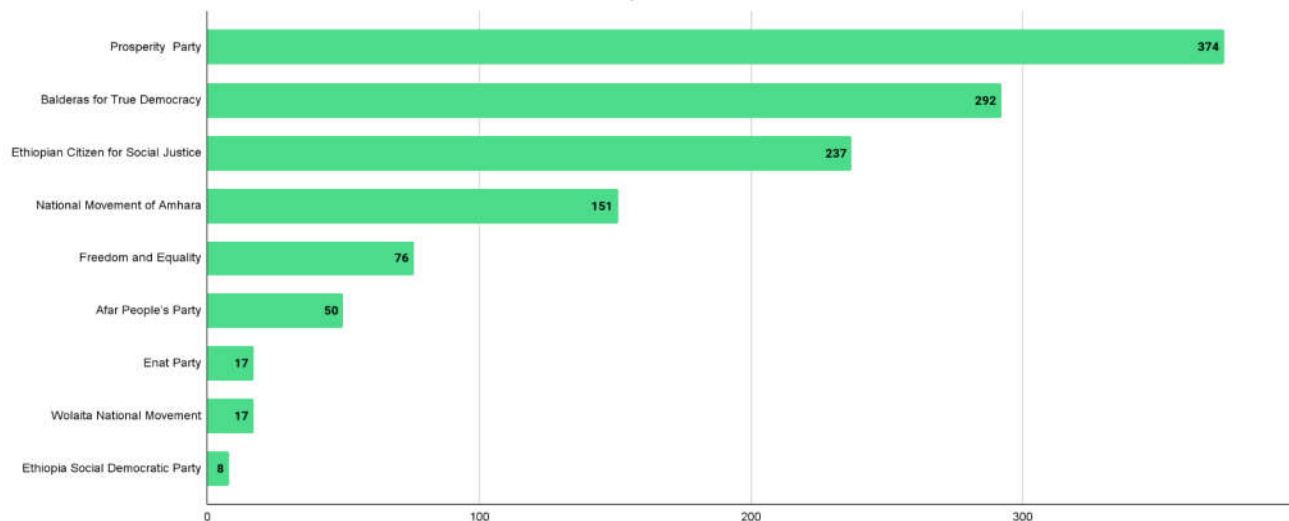


The coverage of institutions, which includes political parties, regional governments, and other government organizations, in TV station programs shows that the Prosperity Party was able to enjoy the most in terms of coverage by the media under the two votings that occurred in June and September.



Additionally, the MMU was engaged in monitoring the public Facebook pages of nine popular political parties during the campaigning period from 15 February 2021 until the 30 September 2021 election was held. This was done with the objective of assessing the importance of Facebook during the campaigns and determining topics and narratives that were presented by various institutions on their Facebook page. The MMU's data indicate that the nine parties published 1,222 Facebook posts during this period, equivalent to an average of 16 facebook posts per day.

Facebook Posts by Political Parties



Civic Space and Intimidation of voters, electoral officials and other stakeholders

During the pre-election period of an election, the level to which the civic space in the country is open to candidates, voters, the media, civil society actors and other relevant stakeholders has serious implications on the level of the election's transparency, inclusion and accountability. The level of duress and intimidation towards voters, electoral officers and other stakeholders is also very important to the legitimacy of a given electoral process. Recognizing this, the Coalition assessed the pre-election period with desk based research and the use of its Media Monitoring Unit (MMU) as well as deploying pre-election observers to the Harari, Somali and SNNP regional states for the September elections.

The data collected by observers during the September elections suggest that there were no instances of intimidation, threat or harm towards political parties, civil society organizations or journalists and media institutions in the regions where observers were deployed. Observers also reported no incidents of voter and electoral officer intimidation in the constituencies in which they were deployed.

However, information collected by the media monitoring unit and CECOE's desk-based research suggests that there were instances in which political party members and journalists faced challenges during the course of the Sixth National and Regional Elections of Ethiopia. Leading up to the June elections, numerous infringements on political party agents and journalists were reported in several parts of the country. The killing of the Chairman of EZEMA's Bishoftu Branch, on 14 February 2021, and the Chairman of the EZEMA Efrata and Gidim District Branch, on 21 April 2021 are notable instances of attacks targeted at active political candidates for the 2021 Ethiopian Elections. Furthermore, it was also reported that one member of the National Movement of Amhara (NAMA) was killed in Gondar on 22 April 2021, in addition to the killing of another regional council candidate of the same party on 9 April 2021 in the Metekel Zone of the Benishangul Gumuz Regional State. A candidate from the Boro Democratic Party was also killed in the Metekel Zone of the Benishangul Gumuz Regional State on 20 July 2021, reflecting the security concerns in the region.



The arrest of political party leaders, would-be candidates, and media professionals is also another issue that the Coalition observed in relation to the civic space in the period leading up to the election. For instance, it was reported by the Voice of America (VOA) that a regional leader of Ethiopia's Oromo Federal Democratic Movement was detained on a weapons possession charge and convicted to three months in prison in the days leading up to the NEBE deadline for the registration of candidates. This arrest was identified by the party as a move to make sure the individual was not registered as a parliamentary candidate for the Sixth National and Regional Elections. Furthermore, two independent candidates in the Meskan Mareko 2 Constituency in the SNNP Regional State were detained on unconfirmed grounds but were released later following efforts by the NEBE. It can be recalled that the detention of senior leadership of the Oromo Federalist Congress (OFC) prompted the decision by the party to boycott the June elections resulting in the Prosperity Party contesting the election alone in a considerable number of polling stations in the Oromia Regional State. The Coalition strongly believes that this and other incidents suggest there are areas of improvement with regards to the civic space that must be addressed in order to make sure future elections warrant more quality than the most recent elections.

Election Day Observation

Introduction

This section outlines the observation findings that resulted from CECOE's election day observation exercise for the two phases of voting which took place on June 21 and September 30, 2021. CECOE conducted the election day observation exercise by preparing observation checklists and critical incident forms to check the respect of election day procedures. This checklist contained a set of questions that covered various election day procedures. The procedures that were assessed through the checklists were: the arrival of observers to polling stations, the opening of polling stations, voting, setup, closing, and counting procedures. In addition to these, observers were given a critical incident form that they would fill out in cases where serious violations of election day procedures have the potential of changing the result of the elections. Throughout the day, observers deployed by the Coalition on election day reported on the arrival of polling station officials, the opening and set up of polling stations, and the voting and counting process. Between the two voting days in June and September, the Coalition also received numerous critical incident forms which point towards significant problems the election management body and other stakeholders should improve in the next electoral cycle.

The arrival of Observer's

Arrival of Polling Station Officials

The Ethiopian electoral legislations require polling stations to be open by 6:00 AM for voting. In order to meet this deadline, NEBE officials must be present at polling stations earlier than 6:00 AM.²³ To assess whether officials in fact arrived at polling stations early to prepare for the opening of polling stations on time, CECOE instructed its observers to be present at polling stations as early as 5:30 AM. Having arrived at polling stations at the said time, CECOE observers reported on the arrival of polling stations and gaining access to polling stations.

²³ Ethiopian Election proclamation no 1162/2019, Article 49

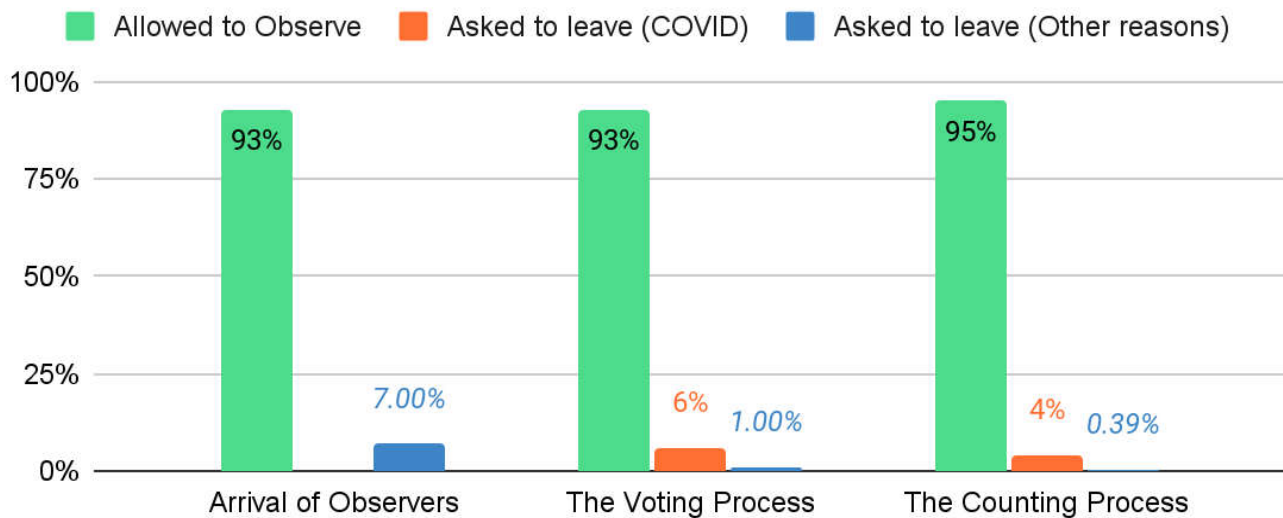


In both June and September, observers reported that in a majority of polling stations, officials arrived on time to prepare and open polling stations on time. In June, 93% of observers reported that when they arrived at polling stations, the NEBE officials were already at polling stations preparing for election day. Similarly, in the September phases of voting for the Sixth National and Regional Elections of Ethiopia in 98% of polling stations, officials were present at polling stations when CECOE observers arrived at polling stations.

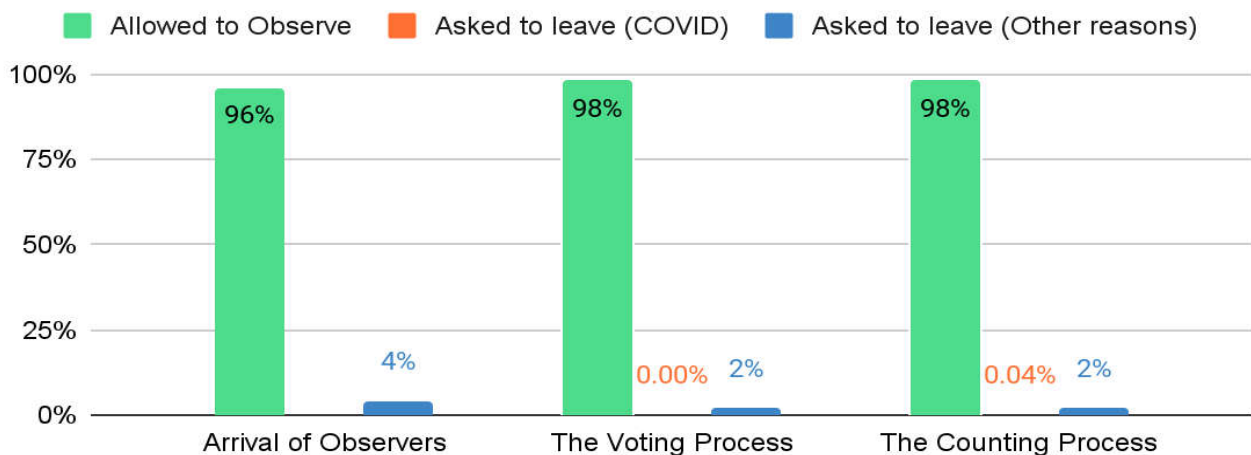
Access to Polling Stations

The second question observers were asked in this regard was related to access to polling stations following the presentation of proper accreditation badges. During both the June and September phases of voting, CECOE observers were allowed access to polling stations in 97% and 98% of polling stations respectively. These numbers also remained significantly high throughout the day with observers being asked to leave polling stations only for COVID19 related issues in most polling stations visited by the Coalition. The graph below summarizes the level of access according to CECOE observers from the opening to the closing of polling stations.

Access to polling stations (June 2021)



Access to polling stations (September 2021)





Generally, CECOIE commends both the NEBE for providing accreditation badges to observers allowing them to access polling stations, and polling station officials for generally respecting the accreditation badges issued by the board and allowing CECOIE observers to access polling stations and report on the voting and counting process. However, CECOIE notes serious shortcomings regarding the accreditation process of observers. Late accreditation - which is discussed under the limitations section of the current report - significantly decreased the number of observers deployed by the Coalition. However, even when observers had badges in certain instances they were denied access to polling stations during both the June and September phases of the election. For instance, during the September elections incidents of denial of access to accredited observers were reported by observers deployed in all three regional states which held elections.

The Opening of Polling stations

According to Ethiopian electoral legislation, polling stations are supposed to be open by 6:00 AM²⁴ in order to allow all voters the chance to cast their ballots before polling stations are closed at 6:00 PM. This is an important rule that has direct implications on the ability of polling stations to allow up to 1,500 voters throughout the day. In addition to this, any infringement on the opening and closing times of polling stations is directly related to the enfranchisement and disenfranchisement of eligible and registered voters which have the right to cast ballots at any point between 6:00 AM and 6:00 PM.

According to reports collected from observers 2,116 observers (amounting to 98% of reports) reported that polling stations were open by 7:00 AM²⁵ for voters, whereas in the September voting 927 observers (also 98% of observers deployed) confirmed that polling stations were open by 7:00 AM. While this is an encouraging sign in the context of both the June and September cycles of voting, CECOIE noticed a gap in the voting process at the Qoloji IDP Settlement Camp located in the Somali Regional State where preparation was taking place until 7:00 AM with polling stations not open for voting. According to the assessment of CECOIE's special observation team deployed to the IDP settlement, this was directly related to the lack of capacity of polling station officials who were assigned at the 41 polling stations established in the IDP settlement camp.

With regard to the location of the polling station, in June 4% (92) of polling stations observed were established in NEBE's prohibited areas, such as a police station, a military camp, and a political party office whereas in September only one observer from the SNNP region reported polling stations in forbidden areas. Additionally, while political parties are forbidden to campaign for 4 days prior to the election²⁶ and campaign materials are not allowed within 200 meters²⁷ of the polling stations, this was reported by some observers during the June and September elections. In June, 12% (256) of observers reported that there was campaigning and/or campaign materials in or around the polling station they visited whereas a majority of observers (98%) reported that campaigning and campaigning materials were not present inside or within 200 meters in compliance with the cooling off period in the electoral law.

The Setup of Polling Stations

The set-up of a polling station is also a key component to ensuring that the electoral process in each polling station is in line with the regulations of the NEBE. As such, CECOIE observers assessed and reported on the set-up of polling stations. CECOIE observers evaluated the accessibility of polling stations, the presence of polling stations materials as well as collecting information on observers, polling station officials and party

²⁴ *ibid*

²⁵ It must be noted here that due to translation problems in Afaan Oromo checklists used for observation, CECOIE analyzed three data responses (i.e. Before 6, Between 6 and 7 and Before 7) together. Therefore it should be noted that the Coalition does not mean to say polling stations were not open before 7.

²⁶ *Ethiopian Election proclamation no 1162/2019, Article 43 (1)*

²⁷ *ibid, Article 46 (1,e)*

agents involved in the process. Based on reports collected from observers, the following are the Coalition's findings with regards to the Setup of polling stations. In addition, the section dealing with findings related to the coronavirus pandemic is provided under the section dealing with the impact of the virus separately.

Accessibility of Polling stations

To guarantee that voters can access polling stations and cast their votes easily, it is essential for the NEBE to establish polling stations in areas accessible to all persons. In other words, the manner polling stations are organized should make sure that Persons with Disabilities, Pregnant women, and other persons with mobility challenges access polling stations. In the June (95%) and September elections (97%), the majority of observers reported that polling stations were accessible to both genders while there has been a significant improvement with regards to the reports gathered from observers in June and September in relation to accessibility of polling stations to persons with disabilities. It must be noted here that while findings related to the equal accessibility of polling stations to women and men voters is consistent with the June 2021 observation findings, there is a significant improvement when it comes to accessibility of polling stations for persons with disabilities, which stood only at 87% in the June elections as compared to the 96% reported in this phase of voting.

Presence of Polling Station officials

According to the electoral law, an average of three polling station officials need to be present at a specific polling station. CECOE's observers reported that an average of four polling station officials were present in polling stations in the June 21 election, while on September 30 CECOE observers reported on election day that an average of 4 officers were present at polling stations at the time voting started, of which 37% were women.

Availability of essential electoral materials

The availability of essential electoral materials throughout election day at polling stations is critical to the conduct of the elections. In the period leading up to the elections, the NEBE has the responsibility to make sure all essential materials in appropriate quantities are present in polling stations thus allowing all registered voters to cast their ballots. Furthermore, the board also has the responsibility to make sure materials distributed to all polling stations are accurate to that particular polling station because candidates running for election in each constituency differ from one to the other.

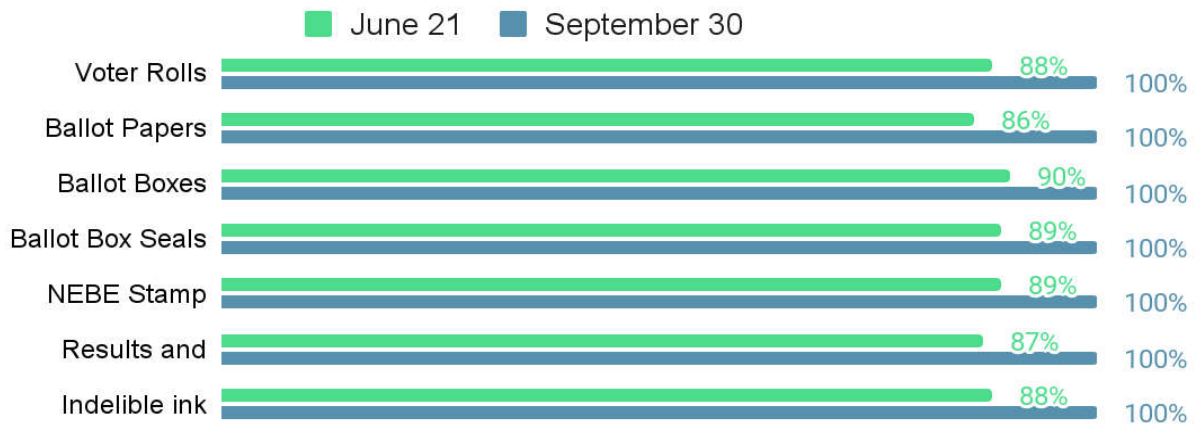
In the June 21 election, one of the most evident shortcomings on election day was different electoral materials being missing, inaccurate, or insufficient in several parts of the country.²⁸ This problem associated with the lack of electoral materials in June is both reflected in the reports collected from observers deployed on election day as well as the realities on the ground such as the suspension of voting due to lack of materials, the extension of the voting deadline past the 6:00 AM period until 9:00 across the country and the fact that regions such as

the Benishangul Gumuz Regional State, the Gambella Regional State, and Sidama Regional State voting were extending well into the next day. To give some examples, observers reported that in 14% of polling stations ballot papers were not available while ballot boxes and NEBE stamps were missing in 10% and 12% of polling stations respectively.

²⁸ Coalition of Ethiopian Civil Society for Election (CECOE), A Press Release Regarding the Commencement of Voting in Polling Stations bit.ly/3KL75jx (23 June 2021)

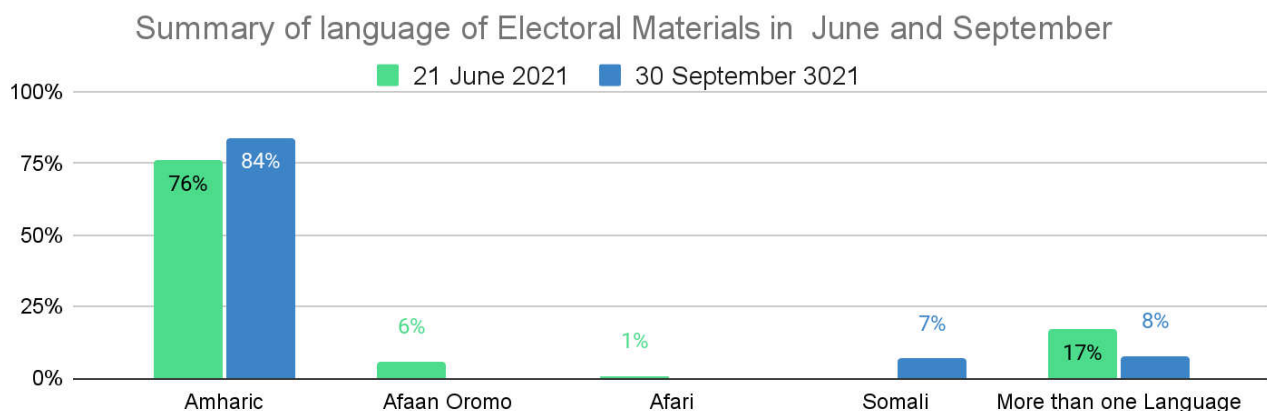
In the September elections, however, the NEBE made significant improvements in terms of making sure accurate and sufficient voting materials were present at polling stations throughout the day. On September 30, almost all (99%) of CECOE’s observers reported that electoral materials such as ballot papers, ballot boxes, ballot box seals, official NEBE stamps, indelible ink, and Reconciliation and Results forms were present at polling stations when voting commenced. However, in one isolated incident reported from the Wolaita Zone in the SNNP Regional State - which will be further discussed in the Critical Incidents section - CECOE observers reported that the Voter Roll was missing, directly affecting the ability of electoral officers to determine the eligibility of voters. The table below summarizes the data collected vis a vis the availability of materials in polling stations.

Material availability at polling stations on 21 June 2021 and 30 September 2021 when polling stations were opened



While the Coalition commends the NEBE for correcting the trend associated with the lack of materials in the September phase of elections, CECOE would like to note that the lack of or inaccuracy of materials reported from numerous regions and city administrations directly impacts the integrity of the elections because of the immense relevance of electoral materials to the overall voting and counting process in each polling station.

However, whenever ballot boxes were present at polling stations they were shown to be empty in nearly all cases in both the June and September phases of the election. As a key procedural rule associated with the integrity of the electoral process, the fact that ballot boxes were shown to be empty before voting commenced in almost all polling stations is an encouraging sign. In addition to this, observers also reported on the languages electoral materials were prepared which is summarized in the below graph.





Presence of Party Agents in Polling Stations

The presence of political party agents and observers at polling stations on election day is of paramount importance in guaranteeing the transparency of the voting and counting process. It also helps to avoid fraudulent activities from taking place in a given polling station on election day. According to reports collected by CECOE regarding this matter, during the June elections in 91% (1,937 PS) of polling stations visited by the Coalition's observers, other observer groups were present in addition to CECOE observers at polling stations. While this is an encouraging sign, during the September elections other observers were only present in 25% (231 PS) of the polling stations visited by the Coalition which is a significant and concerning drop compared to the June elections.

Regarding the presence of party agents on election day, in the June phase, 89% (1,910 PS) of observers reported that party agents were present at the polling station when the voting process commenced in the morning. Like the presence of other observer groups, this number also significantly dropped in the September elections to 77% (724 PS). Furthermore, it is also important to note that in polling stations that only held referendum voting the number of political party agents present at polling stations was significantly lower, dropping to 40%.

The Voting Process

After assessing the set-up and opening of polling stations, the next crucial area of observation is the voting process in each polling station, CECOE observers reported on their ability to witness the voting process, adherence to voting procedures, the observance of COVID-19 protocols during the voting process as well as assessing security concerns in and around polling stations.

Right of observers in observing the voting process

NEBE has provided that observers have the right to be in the polling station throughout the election process, with the exception of limitations placed due to COVID-19 restrictions. In June 94% (1,975) of CECOE observers reported that they were able to observe the entire voting process without limitations. Whereas, 1% (12) of CECOE's observers were not allowed to remain in their respective polling stations for the entirety of the voting process for reasons not related to COVID-19 protocols. An additional 6% (119) of CECOE's observers reported that they were asked to leave the polling station for some period of time because of COVID-19 protocols. While the coalition expects all accredited observers to partake in the electoral process, it would like to note that, it expected observers to be asked to leave the polling station for COVID-19 reasons due to the circumstances and set up of polling stations in Ethiopia.

In September, in line with NEBE rules on observation, CECOE observers were not asked to leave the polling station at any time in the day due to reasons unrelated to COVID19 with only 23 observers being asked to leave polling stations for COVID19 reasons. However, contrary to the June elections where 12 observers were asked to leave the polling station for reasons unrelated to COVID19, no observer was asked to leave in September for reasons other than the pandemic.

Regarding unauthorized persons in the polling station while a majority of observers deployed for June (96%) and September (more than 99%) voting days, 81 observers in June and 4 observers in September reported the presence of illegal personnel in polling stations. Assisted voting



Assisted Voting

To ensure the inclusion of all citizens in the election process, voters who cannot vote unaided are allowed to receive priority access to the polling station and assistance from a person of their choosing. Most (98%) observers reported that persons with disabilities or mobility challenges were given priority access in the queue, and in most cases when they required assistance (96%), they were able to receive it from a person of their choice. Other voters, including pregnant women or those unable to read the electoral materials, were allowed to receive assistance to move around the polling station or cast their votes at 9% of observed polling stations as well. Furthermore, the level of assisted voting was very high in the voting process which took place in the Qoloji IDP Settlement in the Somali Regional State as well, reflecting the high levels of illiteracy within the internally displaced community - especially in protracted situations.

Stamping on ballot papers

CECOIE's findings on the procedure on the June 21 election shows that 89% (1,879) of polling stations reported on by observers, electoral officers stamped on ballot papers before giving it to voters, whereas in the September 30 election a majority of polling stations (95%), ballot papers were being stamped by electoral officers before being given to voters. However, in 11% (226) of polling stations observed by CECOIE on the June 21 election, there was either partial or no compliance in stamping ballot papers before giving them to voters while this number stands at 5% for the September 30 election.

Marking voters with Indelible ink

Another notable finding is that in 17% (366) of polling stations observed by the Coalition on June 21, voters were not marked with indelible ink before voting while 20% of observers reported at least one incident in which indelible ink was not being applied to voters before voting on September 30.

Secrecy of the voting process

In 10% (198) of polling stations where voting occurred on June 21, CECOIE observers also reported that the secrecy of the voting process was not entirely respected. This same question was reported by observers on the September 30 election with the reports showing that in 90% of polling stations visited by CECOIE the secrecy of voting was maintained throughout the voting process. However, 98% (2,073) of the reports received from observers in the June 21 election and 99% of observers in the September 30 election reported that the ballot box was placed in a visible place during the entirety of voting.

Electoral roll

As stipulated in the NEBE directives and procedures, only voters on the electoral roll will be provided the opportunity to vote. CECOIE observers reported that in 39% (829) of polling stations they observed on June 21, there were instances where voters have been turned away for not being on the electoral roll. However, in 6% (114) of polling stations observed on June 21 citizens were not allowed to vote despite being on the electoral roll. On September 30, CECOIE observers reported that in 9% of polling stations at least one voter was allowed to vote even though they were not on the voter roll. CECOIE observers also reported that in 34% of polling stations at least one voter was turned away despite being on the voter roll. This is concerning given that this situation results in the denial of a citizen's political rights. Furthermore, CECOIE observation findings suggest that this problem was less prevalent in areas only conducting referendum voting, which recorded this situation in only 19% of polling stations observed by the Coalition.

The Closing of polling stations

As per the election law, polling stations are set to be closed at 6:00 PM on election day, unless a contrary direction is given by NEBE. In the election that took place on June 21, the NEBE announced that voting would be extended by three hours and that polling stations would close at 9:00 PM rather than 6:00 PM. This was a positive decision as it helped ensure voters would be able to cast their ballots on election day. In some parts of the country, voting was delayed until the following day or postponed entirely due to the lack of materials. The NEBE also extended the closing time of polling stations in the Harari Regional State and areas voting on the Referendum by two hours (from 6:00 PM to 8:00 PM) in an effort to allow the queue of people in these areas to cast their ballots during the September 30 polls. While these decisions have enhanced the ability of citizens to vote, they interrupted the voting and counting process in considerable polling stations and created challenges in receiving information on the counting process from CECOE observers.

The Counting Process

Counting is one of the crucial and sensitive components of any election. The Ethiopian election law also recognizes this and provides the manner in which counting is to be conducted. As per the election proclamation, the counting of votes will take place in publicly designated polling stations.²⁹ The law also provides that counting may take place at the constituency level upon the request of the polling station for compelling reasons.³⁰ The decision to grant counting at the constituency is given for the discretion of the constituency or the electoral officer of the constituency.³¹ The counting process regardless of the place where it takes place is supposed to take place with the presence of political party agents, electoral officials, and members of the grievance hearing committee.

Observing the counting process

In line with NEBE regulations, in 95% (1,983) of polling stations visited by observers on June 21, electoral officers did not ask observers to leave when counting started. In the September 30 election, 85% of the polling stations visited were closed between 6 PM and 7 PM, whereas 15% of polling stations were closed between 7 PM and 9 PM. In the September 30 election, about 19 observers (2%) reported that they were asked to leave polling stations due to reasons related to COVID19, whereas a majority of observers (98%) were able to stay in polling stations to observe and report on the counting process.

Counting of ballots in polling stations

Observers reported that in June 99% (2,043) of polling stations visited ballots for House of Peoples' Representatives seats were counted in the polling stations immediately following the voting process while in 93% (1,927) of polling stations regional council or city council ballots were counted in the polling station immediately following the voting process. Observers deployed for the September 30 elections also reported that in 95% of polling stations ballots were counted at the polling station immediately after the conclusion of the voting process.

²⁹ Ethiopian Election proclamation no 1162/ 2019, Article 57

³⁰ *ibid*

³¹ *ibid*



Interruption of counting

On June 21, there was interference or intervention in only 1% (20) of polling stations during the counting process. Similarly on September 30, whenever counting occurred, most observers (99%) also reported that there was no interruption to the counting process once it started. In one isolated incident counting was interrupted for an hour because an electoral official fainted during the counting process and another incident of interruption because of heavy rain. Interference, intimidation, or harassment at polling stations during the counting process was only reported by two CECOIE observers, with a majority of observers (99%) reporting that there was no form of interference, intimidation, or harassment at polling stations during counting.

Results and Reconciliation form

Reports from observers show that there were an average of 4 party agents present during the counting process while in 14% (297) of polling stations party agents refused to sign on the Reconciliation and Results Form (RRF). According to NEBE directives, following the conclusion of counting the RRF should be posted at a visible place at the polling station within an hour for voters and interested stakeholders to have access to the information. From CECOIE observers, in 27% (568) of polling stations, RRF forms were not posted outside of the polling stations after counting was concluded. However, some observers reported that when they returned to the polling station the next day, the RRF forms were present and available for the public to see.

Other Observation Findings

Women polling station officials

On June 21 an average of two electoral officials were female. On the other hand, in 20% (420) of the polling stations visited by reporting observers the chairpersons of the polling stations were females. Likewise, on September 30 CECOIE observers reported that an average of 4 officers were present at the polling stations at the time voting started, of which 37% were women.

In addition to this, data collected by the Coalition suggests that 11% of the polling stations visited by observers had no women serving as electoral officers despite the NEBE stipulating that there must be at least one female electoral officer in all polling stations. Finally, in 23% of polling stations, women served as polling stations chairpersons.

Voting during a Global pandemic (COVID-19)

COVID-19 is another important point of assessment for CECOIE in the context of an election conducted during a pandemic. As such it designed questions geared at measuring the level of compliance with COVID-19 protocols of both voters and electoral officers.

CECOIE's findings show that in 28% (601) of polling stations NEBE officials did not fully wear masks for the entirety of the voting process. This number significantly goes up in the context of voters, as 62% (1,312) of reports received by the CECOIE, voters did not fully wear facemasks in the process of voting. CECOIE observers reported that in 4% (84) of polling stations they observed, voters were turned away for not wearing conventional masks despite a clear position by the NEBE to allow voters to partake in the election so long as they covered their face in some manner.



Observers reported on both the outside and inside of polling stations, asking if these polling stations were set up in a manner that allowed for social distancing to be observed by voters in the process of casting their ballots. According to reports on these aspects of the elections, 89% of polling station queues were set up in a manner that allowed voters to social distance as they await their turn to vote. With regards to the inside of the polling station, 96% of polling stations were set up in a manner that ensured social distancing during the voting process.

For the September 30 polls, at 72% of polling stations visited by CECOE, electoral officers applied face masks during the entirety of the voting process, while 27% of voters applied face masks partially during voting. Similarly, CECOE also assessed the level of compliance by voters. About 34% of reports suggested that voters applied masks during the entirety of the voting process while 55% of the reports provided that voters applied masks in some of the times during the election day. On the other hand, 12% of the reports have shown that voters never wore masks within polling stations. Finally, regarding face masks, the NEBE has clearly stated that the lack of proper face masks cannot be used as a reason to turn voters away. In these circumstances, so long as voters can cover their mouths with some sort of cloth they can vote. According to reports collected by CECOE, however, in 7% of polling stations, voters were in fact turned away because they were not wearing proper (surgical) face masks, even though they were using other kinds of face coverings. CECOE believes this to be a very concerning matter.

Party agents and Complaints at Polling stations

An average of three-party agents were present at the polling stations CECOE observers visited on election day. CECOE observation reports show that on average there was about one complaint made at polling stations on election day on September 30, which is significantly low compared to June when the average of complaints made in each polling station visited was six. With regards to complaints, CECOE would like to note that further conversations with selected observers seem to suggest that there were Grievance Hearing Committees established in polling stations that resolved several complaints on election day.

Post-Election Observation

Introduction

The post-election environment of a particular election is an important and sensitive phase in a given election. The announcement of results and the reaction of the result thereto, the effective implementation of the complaints procedures and court structures following the election as well as security concerns, and the status of civic space following election day are immensely important issues associated with the post-election period. CECOE deployed a total of 147 post-election observers (97 in June and 50 in September) following the 21 June 2021 and 30 September 2021 elections which took place across the country in eight regions and two city administrations. The Coalition used post-election checklists and critical incident forms in the collection of post-election data, deploying observers in the respective constituencies they reside in. Observers responded to questions designed to assess security status following election day, the response of the public to the outcome of the elections, and the level of restriction imposed on civic space in the days following election day. The Coalition collected a total of 855 post-election reports with post-election observers deployed in June submitting

568 reports while observers deployed following the September elections sending 287 reports in a period of three weeks. The following findings are based on this data collected from observers and complemented by the Media Monitoring Unit's work and desk-based research on reports of other observer groups and other sources.



The Announcement of Results and Public Response

In line with the legal responsibility of the NEBE to announce results within 20 days of the election, the electoral board announced the results of the June elections on 10 July 2021 in the presence of the President of the Federal Democratic Republic of Ethiopia, Sahle-Work Zewde. Following the 30 September 2021 elections, the NEBE also published the results of the election held in the Harari, Somali, and SNNP regional states on 12 October 2021. According to the NEBE, all regions and city administrations registered over 90% voter turnout with the exception of the Benishangul Gumuz region which featured a 55% voter turnout. The ruling Prosperity Party registered an overwhelming victory. According to the announcement of the NEBE, the ruling party won 410 of the 425 HoPR seats available during the June elections as well as securing 44 out of 47 seats during the September elections. The National Movement of the Amhara (NAMA) and the Ethiopian Citizens Party for Social Justice (EZEMA) respectively won 5 and 4 HoPR seats in the June elections, whereas the Gedeo Democratic Organization secured two seats in the June elections. Independent candidates in Addis Ababa and the Oromia Regional State won the remaining four seats during the June elections.

According to data collected by the Coalition regarding the announcement of results and the response of the public to this announcement, 90% of post-election reports (509 reports) in June suggested that the results were in line with the expectations of citizens in the period leading up to the election, whereas only 92% of the 568 reports collected by CECOE suggested that citizens did not question the voting and counting process in their respective constituencies following the announcement of results. A similarly high rate of satisfaction with results was also reported by post-election observers deployed following the voting that took place on 30 September 2021.

Post-Election Environment

Security concerns are often heightened in the post-election period given this is the period in which results are finalized and winners and losers are announced. Coupled with the increasingly concerning security situation in the country, it might have been expected that there will be high-security risks following the conclusion of both voting days in June and September. However, the level of post-election violence observed in the post-election period was significantly low if not non-existent following both voting days.

According to 99% of the 568 post-election observation reports collected by CECOE following the June elections, there were no riots associated with the voting process; and the announcement of results in the constituencies observers was deployed to with 98% of reports also suggesting that no opposition riots or demonstrations were called by political parties or candidates following the announcement of results subsequent to the June elections. All observation reports collected following the September elections suggested that there were no riots associated with the voting and result announcements or incidents of political parties calling demonstrations following the 30 September 2021 elections in the Harari, Somali, and the SNNP Regional States. Furthermore, observers reported no incidents of election-related violence that led to the loss of life, bodily injury, property damage, or any other types of harm in the June and September polling. The Coalition, therefore, has not observed mass mobilizations, riots, or demonstrations that caused any sort of harm in the

constituencies observers were deployed to following both elections. However, CECOE would like to note that it is merely speaking to election-related violence which took place in limited areas as opposed to speaking to the general security condition of the country which is in concerning levels.

The expectation of the Public on the results of the Election

While there were some initial media reports indicating that with regards to the expectation of the public on the results of the election, reports by post-election observers have shown that the election results did not match citizens' expectations, and were not as expected by the public. The data reported by CECOE observers show that the results were in line with the expectation of the public. With regards to suspicion on the results of the election around 90% of the responses showed that citizens were not expressing their suspicion on the results of the election while 8% of the report showed that citizens were observed expressing their suspicion on the results of the election. With regards to dissemination of false, exaggerated or misguided reporting in the media while 95% of the reports provided that there was no false, exaggerated or misguided reporting in the media, 3% of the reports showed that false, exaggerated or misguided reporting was observed in the media. In relation to complaints by political parties 91% of observers reported that formal complaints were not lodged by political parties. On the other hand, 7% of post-election observation reports showed that there were formal complaints that were lodged by political parties.

In the September election, the reports received show that the expectation of the public regarding the results of the election, in general, was in line with the actual report. As such 87% of observers (249 reports) suggested that the expectation of the public was in line with the announced result. However, there were 7 reports (2% of post-election observers) that revealed citizens' expression of their suspicion over the announced results of the election. In conjunction with this 97% of post-election observers of the post-September 30 election environment have reported that citizens were not expressing that the election was not legitimate or unfair. On the contrary, the opposite of this was reported by 2 observers which constitutes 1 % of post-election observers.

The Status of Civic Space

Noting the importance of a conducive civic space for the thriving of democratic processes in which elections are one, the post-election election observation exercise included questions that assessed the conduciveness of the post-election environment for political parties, journalists, election observers, citizens, media, and freedom of speech. Our findings in this regard show that the post-election environment did not have serious restrictions on civic space where political parties, the media, candidates, and civil societies faced challenges to conducting their work as a result of the election. Though this is a general remark, there were reports that CECOE received in relation to the occurrence of the arrest of candidates in 6 reports (1%). Similarly, there were also reports showing an occurrence of the arrest of journalists and citizens in the post-election period of the June election. 1% of the reports suggest that there were incidents of censors or attempts to censor broadcast and print media in the post-election period. When it comes to reports from post-election observers in the period that followed the September 30 election, the reports did not provide for incidents that posed limitations on the conduct of activities of civil societies, journalists, and political parties.

Complaints during Post-Election

One of the areas that CECO observed in the post-election period is whether political parties and candidates lodged formal complaints. In the post-June 21 election period, 91% of the reports (515 reports) provided that there were no formal complaints lodged by political parties and candidates while 7% of the reports (40 reports) have shown that political parties and candidates lodged formal complaints. On the September 30th election, generally, the majority of (92%) reports showed that there were no formal complaints made by political parties and candidates. Despite these reports, there were reports from 2% of the post-election observers who reported that there were formal complaints lodged.

In relation to complaints raised on election day and following the announcement of results, the Coalition received reports from observers - especially those deployed to observe the June elections - that proper Grievance Hearing Committees were not properly established at polling station levels. Furthermore, tiers of the Committee at the constituency and regional levels were also not functional with the NEBE hearing complaints at the national level at the Skylight Hotel in Addis Ababa, Ethiopia. Having observed these proceedings, CECO post-election observers reported serious language barriers as well as an inability to hear remote complaints and witnesses over the phone consistent with network barriers in the country. Following decisions made by the committee, another problem the Coalition observed was the inability of parties to lodge appeals within the ten-day timeline to court structures rendering their appeal inadmissible.



Observers from the Gedeo Zone of the SNNP Regional State after completing their training ahead of election day.



Top management members of Ethiopian Media Council (EMC) visiting CECOE's Media Monitoring Unit (MMU)

Conclusions and Recommendations

Conclusion

The Sixth National and Regional Elections of Ethiopia were held in two phases of voting. The voting process for HoPR and regional councils held on 21 June 2021 was conducted in the Afar, Amhara, Gambella, Oromia, Sidama, and SNNP regional states, as well as the Addis Ababa and Dire Dawa City Administrations. Over three months later on 30 September 2021, voting for HoPR and regional councils took place in the Harari and Somali regional states as well as parts of the SNNP region. The September elections also included voting for the Harar National Assembly (including in Addis Ababa and Dire Dawa), and areas of the SNNP regional state participating in the South West Ethiopia People Referendum.

The elections were generally peaceful and in line with the country's newly revised electoral legislations. However, lack of adequate preparation on the part of the NEBE, the concerning security problems in the country, and other region-specific and country-wide issues significantly affected the quality of the elections held in 2021. The NEBE reported that it registered 38,234,910³² voters following its voter registration exercise between March and May 2021. Additionally, the NEBE reported that 6,562,534³³ citizens participated in regular elections for the September elections while an additional 1,344,622 participated in the South West Ethiopia referendum held on the same date.

As a result of the elections, the Prosperity Party won a majority of seats in the House of Peoples' Representatives. It also registered victories in all regional and city administration councils. Furthermore, the South West Ethiopian People Regional State was established as the eleventh region in the Ethiopian federation following the results of the September referendum voting in the five zones and one special woreda formerly administered under the SNNP Regional State.

Recommendations

Throughout the pre-election, election day and post-election phases of the election, the Coalition of Ethiopian Civil Society Organizations for Elections (CECOE) trained and deployed citizen observers to registration locations, polling stations and constituencies across the country. Based on its findings in the pre-election, election day and post election phases of the election, CECOE forwards the following recommendations to stakeholders who participated in the Sixth National and Regional Elections of Ethiopia.

The National Electoral Board of Ethiopia (NEBE)


Commending the National Electoral Board of Ethiopia on the work it did in conducting the Sixth National and Regional Elections of Ethiopia, especially considering security and logistical challenges, the Coalition proposes the following recommendations to the NEBE to address some of the shortcomings identified through CECOE's observation before conducting future elections.


³² The National Electoral Board of Ethiopia, Sixth National and Regional Elections of Ethiopia Results (June Elections), bit.ly/32A1rkq (10 July 2021)


³³ The National Electoral Board of Ethiopia, Sixth National and Regional Elections of Ethiopia Results (September Elections), bit.ly/3r5ybtX (12 October 2021)





Administration of Elections

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While appreciating the security and logistics reasons behind the NEBE’s decision to postpone the election in some areas, the Coalition believes the NEBE should, to the best of its abilities, hold elections simultaneously across the country avoiding piecemeal elections, in order to ensure that all citizens of the country, living in different administrative regions and city administrations, can equally participate in the electoral processes simultaneously;
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The NEBE should issue and make public relevant electoral regulations with enough time prior to the election to allow all stakeholders (such as voters, candidates and political parties, relevant government bodies, citizen and international observers, civil society organizations etc.) sufficient time to acquaint themselves with electoral legislation and act accordingly;
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The NEBE should make public the timeline for the election with enough time prior to election day to guarantee the active participation of voters, candidates and political parties, CSOs conducting election observation and other electoral stakeholders in all aspects of the electoral cycle. Furthermore, the Board should also ensure the timelines for activities are respected once they are announced;
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The accreditation of civil society actors partaking in observation and voter education exercises is key to their full participation in the electoral process. Therefore, the NEBE should consider assigning additional staff to tasks related to accreditation as well as delegating to regional constituency levels for the process to be simpler and more efficient. CECOIE also calls on the NEBE to simplify the information it requires observer groups to provide for accreditation as well as issuing clear processes and timeline to accredit observers to make sure CSOs understand the requirements and timelines for accreditation, and
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CECOIE commends the NEBE for the initiative it took to enfranchise displaced citizens in the Qoloji IDP Settlement Camp in the Somali Regional State. The Coalition calls on the NEBE to maintain its efforts of inclusion towards internally displaced communities by continuing to enfranchise other displaced communities in upcoming elections. Gaps in the directive governing IDP voting and other special voting mechanisms must be revised following consultation with relevant stakeholders and applied in a consistent manner in upcoming elections.

Setup of registration locations and polling stations




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The NEBE should initiate the planning process with enough anticipation to ensure that polling stations and voter registration locations are set up on time in accordance with the NEBE’s electoral timeline and that all electoral materials are available on time;
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The NEBE should coordinate with the appropriate government agencies to ensure the safety of citizens, election officials, observers and electoral contestants, and the security of polling stations and electoral materials;
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The decision not to conduct elections in a given area should be made only on security grounds or due to a major emergency, based on previously identified criteria, and in a transparent manner. The NEBE should conduct the unheld elections as soon as the circumstances prompting the postponement are resolved;



-  The accessibility of polling stations to all members of the community is essential. CECOE notes that the NEBE should establish registration locations and polling stations in areas accessible to persons with disabilities, women with children and the elderly so as to guarantee and foster their political participation;
-  The Sixth National and Regional Elections of Ethiopia took place during the rainy season of the country. As such elements of protection were very important for the smooth administration of the registration, voting and counting processes. Working with local administrative bodies, the NEBE should establish polling stations in locations with elements of protection from rain, sun and heat in future elections; and
-  The recent Ethiopian elections took place amid unprecedented public health concerns following the outbreak of the coronavirus pandemic in the beginning of 2020. Despite statements by the Ministry of Health that it would be possible to hold elections by taking precautions in September 2020, the NEBE's execution of the election and other issues related to campaigning and voter education events did not fully adhere to the COVID19 prevention and mitigation protocols. While it is unlikely the virus will persist until the next elections, sufficient preparations to make sure voters, electoral officers and observers are safe from any public health concern in upcoming elections in collaboration with relevant governmental and non-governmental organizations working on the matter.

Electoral Materials and Officials

-  Logistics is an area the NEBE struggled with during the June elections. Commending the board for rectifying this problem during the September elections, the Coalition believes the NEBE should further strengthen its efforts to ensure the dissemination of accurate and sufficient electoral materials during all phases of the election process, including during voter registration and on election day;
-  During voter registration, the NEBE faced challenges in relation to the extension of the registration period and the payment of electoral officials which resulted in some officials refusing to continue registration before payment was effected. As this affects the continuity and quality of the registration process, the NEBE should design better means of payment to make sure electoral officials discharge their duties fully and in accordance with the election timeline;
-  Despite the general availability of polling station officials at registration locations and polling stations, the absence of key personnel such as security officials (the two security officers in the electoral law) and COVID-19 officers during voter registration and on election day should be corrected by the NEBE to increase the quality and safety of elections going forward;
-  Commending the success of the Board in increasing the participation of women as electoral officials, the Coalition believes the NEBE should build on this achievement and increase the number of women serving as chairpersons of registration locations and polling stations. Furthermore, while a commendable number of women served as polling station officers (39% average in June and 36% in September), the NEBE should build on this to include more women as polling station officers in future elections;
-  The professional capacity of electoral officials is key to the quality of the electoral process. Based on the lack of capacity the Coalition observed during different phases of the electoral process (voter registration



and election day), the NEBE should revisit the procedure and standards of recruitment for polling station officers and increase the quality of the training given to officers ahead of elections in the future, especially in the context of IDP voting as reflected by the lack of capacity of officers serving in the Qoloji IDP Settlement camp;

Procedural Recommendations

✓ Whereas according to observation findings, the elections were generally conducted in accordance with the electoral rules and procedures, consistency in applying indelible ink to avoid repetitive voting is an area of improvement for the Board in future elections;

✓ The NEBE should also make sure voters who appear on the voter roll at their polling station are not disenfranchised. The NEBE should also work to avoid practices of allowing ineligible voters from casting ballots despite not appearing on the voter roll for the polling station; and

✓ If the voter registry developed in 2021 is meant as a basis for future elections, the NEBE should provide mechanisms for the regular update of the list to avoid it becoming obsolete before the next election. If a new voter list is planned, the NEBE should ensure that the voter registration process occurs earlier in the process to ensure that no citizen is disenfranchised. In either case, the NEBE should ensure that enough time is allocated to the distribution of voter registration cards, including for citizens who voted in the 2021 elections.

Electoral Complaint Management

✓ The establishment of Grievance Hearing Committees at voter registration centers and polling stations is key to recording and correcting procedural irregularities at the earliest during voter registration and on election day. The NEBE should make sure GHCs are established at polling stations in accordance with the law for future elections it plans to undertake;

✓ The sixth general elections have revealed numerous shortcomings within the existing legal framework to adjudicate electoral complaints within current practice. The Board should revisit its practices of hearing electoral disputes in the future focusing on the effectiveness of establishing GHC's at the polling station level in a country with over 42,000 polling stations; and

✓ The NEBE should also review and revise the process to hear and adjudicate complaints, especially where the potential exists for language and/or technological barriers.

Engagement with Stakeholders

✓ The NEBE can play a vital role in improving the inclusion, transparency, and accountability of future election processes. The Board should establish regular and open communication with all stakeholders (political parties, civil society, members of Parliament, government officials) to generate trust, increase transparency, identify potential improvements to the legal framework and existing practices, and mitigate any perceptions of bias.



Parliament and Government Ministries

The 2021 elections exposed opportunities for further electoral reform. CECOE urges the appropriate parliamentary committees and government ministries to engage in inclusive and open dialogue with political parties, electoral officials, civic activists, observers, academics and experts, and ordinary citizens on the following areas of potential reform:

✓ In developed democracies, the media legal framework is aimed at creating an enabling environment in which the media can play a constructive role in elections. Despite a relative improvement in the media space of the country compared to previous elections, journalists reported that they had faced a number of challenges to cover the election processes. Journalists who were covering the elections raised concerns regarding their safety, mentioning that they had been harassed by different actors. Thus, the legal framework regulating the media should be revised so as to make the media sector one of the pillars of a democratic election by ensuring the safety and protection of journalists. Furthermore, the media regulatory body should properly enforce the rules and regulations stated under its establishment proclamation.

Political Parties

✓ Political parties should commit to participating in the electoral process throughout the election in order to build on the democratic environment being established in the country;

✓ Political parties should seek to deploy their agents to registration locations and polling stations to contribute to the administration of transparent and accountable elections in Ethiopia. The Coalition also calls on parties to use their rights and observe referendum voting processes in order to ensure transparency of the elections and ensure their political participation;

✓ Political parties should familiarize themselves with electoral legislation in order to play a constructive role in electoral processes going forward. Especially, in the context of complaints, political parties should be familiar with the timeline to lodge complaints and appeals;

✓ Parties should respect the period of electoral silence and abstain from campaigning or posting campaign materials at or near polling stations;

✓ The participation of women in the political process as candidates remains low following the Sixth National and Regional Elections of Ethiopia. Political parties should work to increase the participation of women, youth and persons with disabilities, and other minority groups in their respective institutions to foster the political participation of all Ethiopian citizens, and

Civil Society Actors

✓ While compared to other elections, CSOs played an increased role in the Sixth National and Regional Elections sustained, engagement in electoral activities such as voter education and observation exercises is necessary to cement the active role of Civil Society in elections;



Compared to previous elections, domestic observer groups actively engaged in the most recent elections of the country launching country-wide comprehensive and focused observations. However, for these initiatives to serve as alternative sources of information about the quality elections in Ethiopia, systematic and skillful implementation of electoral observation activities is necessary;

The NEBE accredited 136 CSOs to participate in voter education activities ahead of the 2021 Ethiopian elections.³⁴ However, only 49 actually conducted³⁵ activities of voter education after receiving accreditation. In future elections, CSOs should not squander these opportunities making sure they engage in activities once accreditation is secured. Donors should also be keen to finance and support these CSOs so as to guarantee the increased role of civil society in voter and civic education, and

The recent Ethiopian elections have demonstrated the need for voter education in the rural areas of the country. It has also showcased the lack of capacity of local civil society organizations in designing and implementing projects in rural areas. Civil Society organizations should work to create a strong presence in rural areas of the country implementing innovative approaches and creating partnerships with local communities.

The Media

During election reporting, journalists and media outlets should base their reporting on internationally accepted election reporting principles: truth, accuracy, and objectivity. To that end, all media houses should develop editorial policies and code of conduct based on professional election reporting guidelines;

As the country's media sector is nascent, several capacity limitations such as lack of diversity in formats and engaging content were observed. For instance, CECOE's MMU report shows that the majority of Ethiopians tend to prefer election-related content prepared in talk-show and debate formats. Therefore, media houses should create the capacity to understand the needs and preferences of the populace they serve. In a bid to achieve this goal, a series of capacity-building training sessions should be offered to all media outlets and journalists that have direct and indirect impacts on elections reporting and voter education. To that end, the NEBE, Ethiopian Broadcast Authority, Ethiopian Media Council, and other actors working in the sector should take the lead to oversee these professional capacity-building efforts.

All formally registered electoral stakeholders should recognize the paramount importance the media sector has in electoral processes and work in unison. Furthermore, all actors should give equal access to all accredited media representatives/ journalists regardless of their political affiliation and ownership.

³⁴ IRI-NDI joint Limited Election Observation Mission to Ethiopia (LEOME), Ethiopia June 21, 2021 National Elections Report, (5 August 2021)

³⁵ *ibid*



“ Election situation-room (ESR) is being visited by international diplomats and organization representatives.






Background of CECO

The Coalition of Ethiopian Civil Society Organizations for Elections (CECOE), which was established on May 20, 2019, to engage in voters and civic education, election monitoring, and observations so as to prevent, mitigate, and management of election-related conflicts as well as potential violence. CECOE started its organizational development journey ever since it came into existence some two years back. In its statute, CECOE has clearly articulated its operational area which covers all regions and city administrations across the country so as to enhance the institutional capacity that enables member organizations.

CECOE's Experience

The Coalition of Ethiopian Civil Society Organizations for Elections (CECOE) has been implementing several activities related to elections in Ethiopia since its establishment in 2019. Following the preparation of its comprehensive Elections Strategic Plan 2020-2022, CECOE has engaged in activities related to the voter and civic education, election observation and monitoring, advocacy, stakeholder engagement, research, and building the capacity of its members. Although CECOE celebrated its second anniversary a few months ago, it has accomplished huge tasks within this very short period of time. The following is a summary of activities implemented by the Coalition in addition to the Election observation exercise under consideration in the current report.

The Sidama Referendum

CECOE is the first Coalition from among civil society organizations that observed the Sidama referendum, which was conducted on 20 December 2019, upon the invitation of NEBE. With its experience on the Sidama referendum, CECOE became a pioneer in conducting comprehensive observation of election processes, including the pre-election/pre-referendum period and election/referendum day. The observation exercise availed CECOE to a unique opportunity for accumulating useful experiences that were used in the June 21 and September 30 2021 General Elections. The National Democratic Institute (NDI), apart from its financial support, provided technical assistance to CECOE in the development of training materials and observation checklists as well-conducted training to the Long Term and short-term observers.

Capacity Building for CECOE member organizations

CECOE in partnership with the European Center for Electoral Support (ECES) availed opportunities for its members for short-term and long-term capacity building training. CECOE jointly organized a three-day training workshop with ECES on Leadership and Conflict Management Skills for Electoral Stakeholders that familiarized members with the concept of the electoral cycle and enhanced their leadership skills in preventing and/or mitigating electoral violence and conflict throughout the respective electoral cycle. In the same vein, CECOE jointly with ECES arranged an online accredited course from Master on Electoral Policy and Administration (MEPA) for more than 100 CECOE members.

Webinars during the COVID-19 pandemic

Following the outbreak of the COVID-19 pandemic and the subsequent suspension of the August 2020 Ethiopian General Elections, CECOE conducted a series of online webinars with its members on themes such as the impact of COVID-19 on election-related work in Ethiopia.

Media monitoring

One more area of CECOE's election observation was the media landscape. CECOE, in cooperation with ECES, established a Media Monitoring Unit (MMU) based in Addis Ababa, composed of nine media experts versed in five local languages as well as English. The MMU assessed the pre-election, election day, and post-election media landscape for both the June and September phases of the election. Sample media platforms were selected by the unit based on criteria such as territorial reach, estimated audience or circulation, and registration status in Ethiopia. The MMU assessed the extent to which the media provided fair and balanced coverage of political parties and other stakeholders. During the election and post-election periods, the MMU monitored hate speech or inflammatory language, and assessed whether the media contributed to increasing any potential tensions related to the elections.

Voter education

With the financial support from IRI, CECOE also launched the I-Vote campaign, which served as a one-stop-shop for everything a voter needs to know by providing information on polling station locations, which documents a voter would need on election day, and how to vote peacefully and safely, through social and mainstream media advertisement. Through the I-Vote campaign CECOE managed to reach more than 40 million Ethiopians by airing 778 broadcast ads on 22 different television and radio stations, and various social media ads in four local languages.

Final Observation Report

Sixth National and Regional Elections of
Ethiopia



CECOE

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