



Preliminary Report by the Coalition of Ethiopian Civil Society Organisations for Elections (CECOE) on the conduct of the referendum rerun day registration and voting processes in the Wolaita Zone

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I. Introduction

The Coalition of Ethiopian Civil Society Organizations for Elections (CECOE) is a network of over 175 local civil society organisations. CECOIE is a nonpartisan and independent citizen observer group that contributes to ensuring inclusive, transparent, and accountable elections in Ethiopia.

Since 2018, more than 10 Zones in the Southern Nations, Nationalities and Peoples Regional State (SNNPR) have submitted their claims for a separate regional statehood.¹ The Sidama and Southwest Ethiopia Peoples' regions secured regional statehoods status following the November 2019 and September 2021 referendums respectively.

On August 18, 2022, six zones and five special woredas in the SNNPR received approval from their respective councils to form a region. The House of Federation (HoF) then instructed the National Election Board of Ethiopia (NEBE) to prepare for a referendum in the named zones and special woredas listed below. On February 6, 2023, NEBE held a referendum in the six zones (*Konso, South Omo, Wolayta, Gamo, Gedeo, and Gofa*) and the five special woredas (*Burji, Basketo, Ale, Amaro, and Derashe*) of the SNNPR. CECOIE observed the referendum by recruiting, training, and deploying 434 stationary and 76 mobile observers in the Six zones and five special woredas. The NEBE, however, annulled the referendum results in the Wolaita zone, citing breaches of the electoral law. Consequently, the NEBE had announced its decision and informed key stakeholders that a referendum rerun was scheduled to take place on June 19, 2023. CECOIE started to prepare for observing the rerun of the referendum by coordinating with six member organisations² that recruited about 190 observers from nearby zones. However, CECOIE trained and deployed 118 stationary and 28 mobile observers on the day of the referendum.

This preliminary report covers the referendum rerun of voter registration and voting day and is based on the information gathered from 117 stationary observers, in 117 polling stations, who reported on the entire referendum rerun day. Additionally, CECOIE has used the data collected by 28 mobile observers it has deployed to mainly capture critical incidents. This preliminary report captures data on the arrival of observers at polling stations, the opening and setup of polling stations, registration of voters, voting, closing, counting, and aggregation of results.

¹ Policy Research Institute, Grassroots Approach to Understanding the Growing Demand for Statehood In SNNPR, Ethiopia (A Short Research Report), October 1, 2020, p. 8

² *Ethiopian Teachers Association - SNNP region, Shiny Day, Resurrection Life Development Organizations, Consortium of Ethiopian Human Rights Organizations, Federation of Ethiopian Association of Persons with Disabilities, and Hadya Youth Association*



II. Key Findings

The primary goal of observing the referendum rerun was to contribute to increased transparency and accountability in the conduct of the referendum rerun in the Wolaita Zone by providing systematic and factual objective information on the conduct of the electoral processes in the referendum rerun. Accordingly, CECOIE's stationary observers arrived at their assigned polling stations by 5:30 a.m. and observed and reported all voting processes at their assigned polling stations until the results were announced, while mobile observers observed multiple polling stations and reported critical incidents to CECOIE's data centre. The following are the major findings based on this observation:

Arrival at Polling Stations

1. NEBE officials should arrive at polling stations before the opening time to ensure that they set up the polling stations ready for voting to begin at 6:00AM. In 97% of the polling stations observed, an average of 5 polling officials were present when observers arrived at polling stations by 5:30 A.M.
2. In all polling stations observed by CECOIE, observers were allowed to enter and observe the registration and voting processes.

Opening of polling stations

3. According to the Ethiopian electoral law, polling stations must be open at 6:00 A.M. Reports that came from all polling stations where CECOIE deployed its observers indicated that the registration and voting processes commenced between 6:00AM and 7:00AM.
4. The electoral law prohibits the establishment of polling stations in some locations such as military camps, private residence, police stations, religious buildings, health facilities, recreational centres and political party offices. Accordingly, 99% of polling stations where CECOIE observed were set up in locations that are not prohibited under the electoral law. However, one polling station situated in Offa woreda, Gesuba -1 Kebele 07 was established in a health centre contrary to the electoral law.
5. With regards to campaigning activities during voting day, the electoral law strictly prohibits any kind of campaign activity inside or near 200 metres from polling stations. No campaign activities or materials were observed within a 200-metres radius of the polling stations where CECOIE observers were deployed.

Setup of Polling Stations

6. On the location of the polling stations observed by CECOIE's observers, 22% were established in urban areas, whereas 9% were set up in semi-urban areas. On the other hand, 69% of the polling stations were established in rural areas.
7. The availability of shades outside of polling stations that provide shelter to voters from rain and sun is an important element in the setup of polling stations. CECOIE observers reported that 33% of polling stations observed had shelters that protected voters from direct sunlight and rain.
8. Availability of electoral materials in polling stations is a requirement under the electoral law for the appropriate setup of polling stations. Observers were asked whether electoral materials such as *ballot papers, electoral rolls, the official NEBE stamp, results and reconciliation forms,*



indelible ink, ballot boxes, ballot box seals, and grievance submission forms were available in polling stations. Except in 2% of the polling stations where grievance submission forms were missing, all electoral materials were available in all polling stations CECOIE observed.

9. In all polling stations observed by CECOIE observers, the polling station head demonstrated that the voter rolls were empty before the registration and voting processes began.
10. The electoral law requires the polling station head to show that the ballot boxes are empty prior to the commencement of the registration and voting process. In all the polling stations observed by CECOIE observers, the polling station head demonstrated that ballot boxes were empty before the registration and voting processes began.
11. As per the electoral law, a minimum of 3 polling station officials must be present in polling stations. For the referendum rerun in Wolaita Zone, the NEBE increased the number of polling station officials from 3 to 5 per polling station. According to observers' reports, only 3 polling stations, which were situated in Sodo Zuria woredas had less than five polling station officials. These were: ***Humbo Larena Polling station Humbo Larena - 3; Kera Polling station- 1 and Weshi Gale polling station Weshi Gale 'A'***.
12. The electoral law establishes grievance hearing committees in polling stations. Accordingly, in 20% of the polling stations where CECOIE observers were deployed, grievance hearing committees were established, whereas the committees were not established in 80% of polling stations.
13. In relation to the presence of observers in polling stations, in 8% of the polling stations observers other than those deployed by CECOIE were present, while in 92% of the polling stations observed, there were no other observers.

Participation of women in electoral processes

14. An average of 5 officials were present in polling stations CECOIE observed, of which on average, 2 were women.
15. 31% of polling stations observed had a woman polling station chairperson. Notably in one polling station situated in Sodo Ketema, Kera Kebele polling station 09, all five polling station officials were female.
16. Reports from CECOIE observers show that 30% of stations had women security officials.

Accessibility of polling stations for People with disabilities, elderly, nursing mothers and pregnant women

17. Another crucial matter in setting up polling stations is its accessibility to voters with mobility challenges, such as the elderly, voters carrying children and persons with disabilities. 90% of the polling stations observed were accessible, while 10% of them were not accessible.
18. Related to this is the accessibility of polling stations to both genders (male and female). 99% of polling stations observed were easily accessible to both male and female voters.



III. Registration of voters and Voting process

19. No observer of CECOIE was asked to leave polling stations during the registration and voting processes.
20. Officials gave priority to persons with disabilities, the elderly, the frail, pregnant women, and parents with young children in 99% of the polling stations observed.
21. Persons with disabilities were allowed to receive assistance from a personal assistant of their choice in 92% of the polling stations observed, while no one needed assistance in 8% of the polling stations.
22. The electoral law requires voters to show proof of their residence or identity in order to register and/or cast their votes. Voters who fail to bring proof of their identity or residence should not be allowed to take part in the registration and voting processes. In accordance with this, CECOIE observers reported the following information:
 - In 35% of polling stations observed, 1-10 voters were not allowed to register and vote for failing to bring proof of their identity or residence
 - In 6% of polling stations observed, 11-20 voters were not allowed to register and vote for failing to bring proof of their identity or residence
23. While the registration and voting were in progress, NEBE instructed its poll workers not to accept kebele ID cards issued in less than 6 months preceding the registration and voting day of the referendum rerun. Also, in polling stations CECOIE observed, NEBE denied registering persons who appear to be underage voters although they possess kebele ID cards.
 - In 13% of polling stations, 1-10 voters were not allowed to register and vote despite bringing proof of their identity or residence
 - In 1% of polling stations, 11-20 voters were not allowed to register and vote despite bringing proof of their identity or residence
 - In 1% of polling stations, more than 20 voters were not allowed to register and vote despite bringing proof of their identity or residence
24. The electoral law requires indelible ink to be applied on voters' fingers before he/she is allowed to vote. In 98% polling stations, indelible ink was marked on voters, while between 1 and 10 voters were not marked with indelible ink in 2% polling stations.
25. Since NEBE conducted the voter registration and polling on the same day, no voter was allowed to vote without registering in all polling stations CECOIE observed.
26. The electoral law requires polling station officials to stamp all ballot papers before handing them over to voters. Only in one isolated incident (in Sodo city Tome Gerara polling station 4) where one person voted without a ballot paper being stamped. However, the poll workers, contrary to the electoral law, later validated the ballot paper by stamping on it during the ballot counting.
27. The secrecy of the vote was respected throughout the day at 96 % of polling stations.
28. Ballot boxes were visible all the time in all of the polling stations that CECOIE observed.



29. At some point during voting, there was the presence of an unauthorised person(s) in 1% of the polling stations CECOIE observed. The incident is described in detail in the critical incidents section.
30. At 1% of the polling stations CECOIE observed, at some point during the day, registration and voting processes were suspended. This was reported in one polling station following the instruction given to polling station officials by NEBE not to register voters whose identification cards were issued in less than six months preceding the day of referendum rerun. This caused brief interruptions in registration and voting processes.
31. In one polling station (1% of the polling stations), there was a case of intimidation and harassment. The incident is described in detail in the critical incidents section.
32. CECOIE did not receive any reports where women participating in the referendum as voters, polling station officials, political party agents and observers faced any form of intimidation and harassment.
33. In 82% of the polling stations observed, security personnel were present outside the polling stations at all times during voting. In 9% of polling stations, security personnel were present outside the polling stations at some point, whereas there were no security personnel at all in 9% of the polling stations.
34. The official closing time for the polling stations is at 6:00 PM. However, NEBE extended the closing of polling stations until 7:00 P.M. Of the polling stations CECOIE observed, 7.7% were closed before 6:00 P.M 71.8% were closed between 6:00 P.M.and 7:00 P.M., while 20.5% of the polling stations were closed after 7:00 P.M.
35. All voters who were in line at the polling stations at the closing time of the polling station at 7:00 PM (as per the decision of NEBE) were permitted to cast a ballot in 39% of the polling stations, whereas in 61% of them there was no line at 7:00 PM

IV. Counting

36. Observers were not asked to leave the polling station during the counting time in all the polling stations CECOIE observed.
37. The electoral law states that counting of votes must occur in polling stations. In all polling stations CECOIE observed, counting was conducted at the polling stations.
38. The counting process was not interrupted in all polling stations observed.
39. There was interference, harassment and/or intimidation during the counting process in 1% of the polling stations.
40. The polling station chairperson clearly displayed the ballot papers during the counting in all polling stations observed.
41. The polling station chairperson consistently used the same criteria to determine whether ballot papers were valid or invalid in all polling stations observed.
42. Except for 4% of the polling stations (5 polling stations), copies of the reconciliation and results forms were posted outside the polling stations. The name of the polling stations where copies of



the results and reconciliation forms were not posted are: *Gido polling station 02, Tadissa polling station 05, kodo polling station kodo, Gido polling station 01, Werbira Suke polling station Suke* “A”2

V. Critical Incidents

Critical incidents are serious irregularities that could have an impact on the referendum processes and outcomes. Observers were instructed to immediately report critical incidents to the CECOIE Referendum Situation Room. CECOIE staff in the Situation Room would conduct additional follow-up and verification. CECOIE observers reported a total of 8 incidents from stationary observers and mobile observers, which are detailed below:

1. Polling stations established in prohibited locations

Offa Gesuba Woreda 01, Kebele polling station 07 was set up in a medical facility (a health station), contrary to the electoral law.

2. Voters prohibited to register and vote

In Damot Gale district, Buge Kebele Buge “V” polling station, 29 voters (20 males and 9 females) who went to the polling stations to vote were prevented from voting on the ground that they carried IDs which were issued in less than six months time from the date of the referendum rerun as well as they look like under the age of 18. However, on further scrutiny, although the IDs showed that they were issued in 2021 and 2022, in reality they had new photographs and handwriting.

In Okoto Sere polling station in Boroda Wocha 22 voters were prevented from voting because their IDs were issued in May 2023. Moreover, the birth date indicated in some of these voters' ID cards, when deducted from the date of the referendum day, reveals that they are under 18 years of age.

3. Unauthorised persons in polling stations

In Boditi town Checha B polling station, a female Kebele official brought three young men without ID into the polling station and attempted to put pressure on the poll workers to allow her and the three young men to register and vote.

An unidentified person (later who turned out to be a municipal employee) put pressure on CECOIE's observer deployed in the same polling station. This individual entered into the polling station and tried to unduly influence CECOIE's observer by saying, “*Haven't you yet heard that the result is already known? You guys have turned back many voters. Allow them to vote.*” However, the poll officials did not take any corrective measures against him.

In the same polling station, a young man attempted to cause a disturbance by exploiting a disagreement between Kebele staff and election officials. Aside from the fact that there were no security officials in the area at the time, the CECOIE's observer reported that the security officials did not respond well to the poll workers' report.



4. Suspension on voter registration and voting processes

In Boloso Sore Woreda, Warmuma Kebele, Betalo “v” 7 Polling Station, the voting process was suspended for a few minutes after citizens, who possessed IDs issued in less than six months, were prevented from voting.

In Kindo Koysa District, Tulcha Kebele, “v” 2 Polling Station, the election process was interrupted because of rain for about 40 minutes as there was no shelter to protect voters against rain and sun.

5. Non availability of electoral materials

In Damot Gale woreda, Buge Kebele, Buge ‘v’ polling station observers reported that complaint forms were not available.

VI. Conclusion and Recommendations

Conclusion

The Coalition of Ethiopian Civil Society Organizations for Elections (CECOE) observed the registration and voting processes of the referendum rerun in the Wolaita zone on June 19, 2023, with 117 stationary and 28 mobile observers. CECOE identified several noteworthy improvements regarding the general conduct of the referendum rerun, NEBE’s preparations as well as compliance to the electoral laws, and creating an enabling environment for the peaceful conduct of the referendum rerun. In addition, CECOE observed the below:

1. NEBE’s preparation in terms of security and logistics, and recruitment of majority of polling station officials from outside Wolaita zone is recognizable
2. The fact that NEBE deployed five (5) polling station officials in almost all polling stations is seen by CECOE as a strength.
3. The registration and voting processes started within the timeframe provided by the electoral law ; as well as NEBE’s decision to extend the closing time by one hour to provide voters the chance to cast their votes is commendable.

Recommendations

Notwithstanding the above, however, CECOE also noticed some gaps that NEBE should consider addressing. Drawing lessons from the referendum rerun in Wolaita Zone CECOE recommends the following:

Issues related with conducting voter registration and voting simultaneously, problems related with proof of identity, i.e ID cards issued in less than six months of the date of the referendum rerun and underage voting were the main challenges election officers faced in the Wolaita zone referendum rerun. The increasing number of these incidents prompted NEBE to issue an instruction to poll workers that prohibit voters carrying ID cards issued in less than six months of the date of the referendum rerun pursuant to Article 18 (1) (c) of Proclamation No.1162/19, which entails a person can be legible to get registered as a voter if she/he “has been residing within the constituency for at least 6 months.”



This has caused a brief interruption in some of the polling stations where CECOIE observed. While some of the potential voters who carried ID cards less than six months after the date of the referendum went back home, others invoking Article 21(4) of Proclamation No.1162/19 got registered and voted “*based on the testimonies of three individuals.*” CECOIE’s observers found out in some instances those who were denied to get registered became witnesses of one another and managed to get registered and vote. While CECOIE appreciates NEBE’s efforts to enforce the electoral law and thereby prevent electoral fraud, there is still a legal loophole that can easily be exploited by culprits who are dogged to beat the law.

1. Conducting Voter Education and Voting Simultaneously

CECOIE found out that conducting voter registration and voting on the same day, which should have been carried out separately as per the electoral law, shrinks the constitutional rights of voters. This kind of practice should not be repeated again.

2. In relation to Kebele Identification cards

- NEBE, as much as possible, conducts registration separately from the activities to be performed on voting day so as to have adequate time to screen IDs and identify legal documents from the fake ones.
- While conducting training NEBE should constantly remind its poll workers the need for implementing Article 21(4) and (5) of Proclamation No.1162/19, which permits voters to get registered “based on the testimonies of three individuals”, in conjunction with Article 20(3) of Directive 6 to address challenges that may arise in the event voter registration and voting take place simultaneously and during the legally provided voters registration period.
- Investigate and prosecute actors involved in issuing kebele ID cards in contrary to the law.
- Lobby the executive to expedite the process of issuing National ID card that has been underway for years

3. In relation to underage voting

Even though the electoral law set the voting age to be 18 years and above, merely looking at an individual's physical appearance may not be the best way to determine the person’s age. CECOIE observers reported that voters have been barred from registering and voting based solely on their physical appearances. A person may look underage as a result of stunted growth. CECOIE’s observers reported that election officers prevented considerable numbers of voters who look underage from voting based on the physical appearances of these voters. This approach is not legally defensible, equally NEBE is also duty bound to ensure underage voters should not exercise the right which is not accorded to them by law. Accordingly, CECOIE recommends the following:

- Devise mechanism that minimises election officials from capricious decisions of denying voters based on the appearance of a person. One way of achieving this end is to request suspected underage voters to produce birth certificates or any other evidence to this effect before voting.
- Create awareness among the electorate as well as politicians through its voter education program the consequence of encouraging persons who are below the voting age to participate in the



electoral process. Educate politicians and political actors that participate in or encourage such an act, could lead to the cancellation of results collated from the affected polling.

4. *In relation to Grievance Hearing Mechanism (GHC)*

CECOE believes that the Grievance Hearing Committees (GHC) mechanism established under the electoral law is too ambitious to be achievable. As a result, CECOE had recommended in its previous observation reports the need for addressing problems impeding the establishment of GHC as envisioned in the electoral law. Since the right to be heard is the constitutional rights of voters, and candidates, creating the forum (GHCs) for exercising this right cannot be postponed indefinitely. As usual, in the Wolaita referendum rerun GHCs were missing for the most part in polling stations observed. CECOE's observation findings show GHCs were established only in 20% of the polling stations it observed. What's more, there is no information on how members of the GHCs established were selected and placed, whether they have received training on how to handle the complaints, among other functions of the GHCs. Once again CECOE would like to recommend the following:

- The NEBE should assess and identify challenges impeding the establishment of GHCs in all polling stations across the county; benchmarking countries with similar development stage and literacy levels and initiate legal reform on the existing GHC mechanism.

5. *The role of CSOs*

CSOs played limited roles in the February 2023 referendum held in the six zones and five special woredas, as well as in the June 2023 Wolaita referendum rerun. Aside from general elections, CSOs should actively participate in other electoral activities such as referendum observation and awareness-raising activities because referendums allow citizens to directly participate in democratic processes.

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