

Directive on Allocation; Distribution; Use; Handover and Disposal of Election Materials and Documents No. 8/2021

CHAPTER ONE

GENERAL PROVISIONS

Article 1. Issuing authority

The National Election Board of Ethiopia, by virtue of the power vested in it under article 8(1) of the National Electoral Board of Ethiopia establishment proclamation No. 1133/2019 and article 23(2), article 56 (6), article 61 (7) and article 163 (2) of the Ethiopian Electoral, Political Parties Registration and Election's Code of Conduct Proclamation No. 1162/2019, has issued this directive.

Article 2. Short Title

This directive may be cited as ***“Distribution and Handover of Election Materials and Documents Directive No. 8/2021”***

Article 3. Definitions

1. **“Proclamation”** means the Ethiopian Electoral, Political Parties Registration, and Election's Code of Conduct Proclamation No. 1162/2019.
2. **“Board”** means the National Electoral Board of Ethiopia.
3. **“Election Administration Body”** means regional branch office, zonal coordinating office, constituency and polling station found at various level.
4. **“Election process”** means the process of voter registration, candidate registration, electoral campaign, mass media accessibility, voting, vote counting and tabulation of provisional result, election dispute resolution and final announcement of election result.
5. **“Board's employee”** means a person employed by the Board for a definite or an indefinite period of time.
6. **“Document”** means any publication that is necessary for the election process and recognized by the Board.
7. **“Handover document”** means a document prepared by the Board to verify the location, proper transfer and quantity of election materials and documents as well as ensure the accountability of election officers.
8. **“Election Material”** means any movable property that is necessary for the election process.
9. **“Chain of Custody”** means a procedure whereby election materials and documents are transferred from the relevant delivering body to the recipient based on the Board's handover procedure.

10. Unless the context otherwise requires, definitions provided in the proclamation, as appropriate, shall be applicable to this directive.

Article 4. Scope of Application

This directive shall be applicable on election administration bodies at various levels and those responsible for handling election materials and documents during general election, local election, by election, re-election and referendum processes. It shall also apply on those persons that allocate, distribute, use, handover and dispose of election documents and materials.

Article 5. Gender Reference

Provisions set out in one gender shall also apply to the other.

Article 6. Objective

The objective of this directive is to establish a transparent and appropriate procedure regarding transportation, handover, distribution and usage of election materials and documents by election administration bodies including their retrieval to and proper disposal by the Board.

CHAPTER TWO

DISTRIBUTION AND HANDOVER OF ELECTION MATERIAL AND DOCUMENTS

Article 7. Duties and Responsibilities of the Board and Election Administration Organs at Various Levels

1. The Board shall, in accordance with procedures of this directive and the electoral calendar monitor the preparation, in sufficient quantity, of election materials and documents as well as their distribution to election administration organs at various levels of engagement.
2. Each constituency, in accordance with this directive and timetable issued by the Board, distributes election materials and documents to polling stations; ensures that election materials and documents returned from the polling stations have been properly filled out; receives, makes sure they are handled carefully; and, as appropriate, fills forms and make sure they properly reach to the Board and election administration organs at different levels.
3. Each polling station shall receive and safely keep election material sent from the constituency and ensures that used materials having been properly filled out are returned securely to the appropriate election office in accordance with procedures prescribed by the Board.
4. During handover of any election materials and documents a description of the item, a serial number or identification number where applicable, and the exact quantity shall be recorded.
5. The responsibility of handling each election materials and documents lies with the election officer or Board's employee possessing it.
6. Any election officer or Board employee, while undertaking their responsibility, has the duty to sign the necessary handover forms and ensure a fully documented chain of handover.

7. Election materials and documents shall, at all times without any gaps in chain of custody and in accordance with the appropriate handover documents and procedures, be under the custody of Board employees and officers of election administration at different levels of engagement
8. The chain of custody of election materials and documents should be uninterrupted. However, if interrupted due to a force majeure, it shall be recorded in a minute and on the basis of the notification by, as appropriate, the election officer or Board's employee addressed to the constituency or a higher-level election administration the necessary investigation will be conducted.
9. Once the election officer or Board's employee notifies the interruption of the chain of custody of election materials or documents, in addition to investigation by the Board itself regarding violation of any disciplinary or ethical rules and measures to be taken thereof, it may refer the matter to the appropriate body for further investigation.
10. Any election officer or Board's employee in possession or custody of election materials and documents shall monitor and ensure that the materials and documents are being used for the intended purpose.
11. Without prejudice to the general stipulations of this directive, in case the Board or election administration organs at all levels borrow any property or material from governmental organs, the handover shall be undertaken in accordance with government's handover procedure. But, if it is impossible to use the government's handover procedure, the Board's handover procedures indicated herein apply.
12. The Board or election administration organs at all levels shall make sure number of stamps that are used during the distribution and handover of election materials and documents are registered. Political parties and accredited observers may observe the process.
13. The Board shall give the necessary training about handover, keeping and use of Election material and documents to the election administration organs at various levels.

Article 8. Various Types of Election Materials and Documents

1. The following documents and materials are among those materials and documents of the Board that are sensitive and needs special protection and care
 - a) Electoral roll;
 - b) Voter's Identification Card;
 - c) Ballot boxes;
 - d) Ballot papers;
 - e) Ballot box seals or locks;
 - f) Stamps and ink pads;
 - g) Indelible ink;
 - h) Any filled out, signed and stamped forms
 - i) Results and tabulation forms;
 - j) Tamper-Evident Bags.

2. Materials and documents that are used at different election processes shall be identified by the Board as “sensitive”.
3. Including those listed hereunder other election materials and documents are considered to be sensitive
 - a) Documents for provision of civic and voter’s education;
 - b) Identification cards or badges prepared by the Board for election officers, agents of candidates, election observer, interpreter’s and journalists;
 - c) Candidates’ registration certificates
 - d) List of agents of candidates;
 - e) Election advertisement;
 - f) Tape recorders, radio, or any other electronic equipment that will be used for civic and voters’ education.
 - g) Books of account and receipt for recording election related expenses.
 - h) Election material and documents handover receipts or forms.
 - i) Oath taking form to be signed by political parties and candidate agents that they commit themselves to comply and ensure compliance by others with election code of conduct.
 - j) Candidates’ poster advertising their election symbols
 - k) Forms for receiving complaints and for rendering decisions of Grievance Hearing Committee at various levels that have not been filled in, stamped and signed;
 - l) Posters and flyers for advertisement of the electoral process;
 - m) Pens and pencils;
 - n) Provisional ballot envelopes;
 - o) Information and communication technology equipment;
4. The security and administration of materials and documents provided under sub-article 1 and 2 of this article shall be as provided under this directive.
5. The Board and election administration organs at various levels may buy, borrow or put to use through other means the following properties.
 - a) Vehicles or other means of transportations;
 - b) Computers, printers or scanners;
 - c) Tables and chairs;
 - d) Other necessary office equipment and materials.

Article 9. Time and Manner of Distribution of Election Materials and Documents

1. The Board’s fixed and expendable election materials and documents shall be distributed to the election administration bodies at various levels in accordance with the Board’s operational plan and electoral timeline.

2. The Board, election officer or Board employee, when distributing election materials and documents, must strictly follow the Board's instructions as to usage of reliable transportation and escort service.
3. The election officer or Board's employee must ensure that vehicles transporting election materials and documents is parked, stay overnight in a safe place as well as move safely.
4. The election officer or Board's employee must ensure that any vehicle transporting election materials and documents is escorted and securely moved according to the Board's security plan.
5. While distributing election materials and documents, the Board must:
 - a) Put in use appropriate handover documents.
 - b) Prepare a register for intake and outgoing fixed and expendable election materials and documents.

Article 10. Placement and Security of Election Materials and Documents

1. Every election officer or Board's employee must prepare adequate storage space for the election materials and documents s/he receives.
2. The storage space must be free from moisture, fire, animals and similar hazards.
3. The storage space must be a lockable room accessible only to election officers or Board's employees and if a place different from the one indicated here is prepared entrance by any person shall be recorded in a minute
4. The election officer or Board's employee must ensure that election materials and documents s/he receives are within sight and supervision throughout the election process.
5. While ensuring the chain of custody of election materials and documents shall be the responsibility of election officers and Board's employees, members of the police or other security personnel assigned to protect them shall also be responsible for election materials and documents they are safeguarding.

Article 11. Handover of Election Materials and Documents

1. Any election officer or Board's employee transporting election documents and materials distributed by the Board shall deliver it to the concerned election administration body by taking all the necessary precaution and protection.
2. Any election officer or Board's employee receiving election material and documents from the Board for handing over to the relevant constituency must carefully check the type, amount and condition of the document or material against the handover form.
3. Any election officer or Board employee who receives and transports any sealed election document or material shall hand it over to the concerned election officer or Board's employee in the same condition and ascertain that the necessary information is filled in the handover document.
4. Any election officer or Board's employee receiving a sealed election materials and documents must ascertain that the seal is intact.

5. Any election officer or Board's employee who, in accordance with this directive, took responsibility from the Board for delivering election materials and documents to the concerned election administration body and shall receive as well as hand them over by a lawful handover form prepared for this purpose by the Board.
6. Any fixed election material or document having the Board's logo or known to belong to the Board shall not be transferred to third parties without the permission of the Board and no person other than the Board could claim ownership of it.

Article 12. Recipient of Election Materials and Documents

1. An election officer or a Board's employee receiving election materials and documents from a concerned election administration organ, as appropriate, may be appointed by the head of the Secretariat of the Board, head of regional branch office, head of zonal, constituency or polling station.
2. The election administration bodies at various levels shall receive the election material and documents through election officers or Board's employees.
3. Each election administration body must immediately notify in writing the Board and other higher-level election administration bodies of the election officer or Board's employee it has appointed to receive election materials and documents sent by the Board.
4. Unless it is due to force majeure, an election administration body at any level shall not change the election officer or Board's employee who, in addition to his/her duties of election administration, has been appointed to receive election material and documents.
5. Without prejudice to sub article 4 of this article, an election officer or Board's employee appointed to receive election material and documents shall, due to force majeure, be replaced by another election officer or Board employee.
6. If, due to force majeure, an election officer or Board's employee who in addition to his/her duties is appointed to receive election materials and documents is replaced by another election officer or Board's employee the chairperson of the concerned election administration body at various levels:
 - a) Must immediately notify, in writing, the Board and higher-level election administration bodies about the replaced election officer or Board's employee.
 - b) Oversee the handover of election materials and documents from the substituted election officer or Board employee to the new election officer or Board's employee, in accordance with the handover document prepared by the Board.

Article 13. Handover Documents

1. The Board shall prepare and put in use official documents for the handover of election materials and documents. The handover document shall be prepared in such a way that it enables the identification and registration of the handing over chain from the beginning to the end.
2. The handover document the Board prepares as per this article must clearly specify

- a) Description of election materials and documents that are being transported or handed over and their quantities.
 - b) As appropriate, the time, place and price of production or purchase of the election materials and documents.
 - c) The status and condition of the election materials and documents.
 - d) The name and serial number, where applicable, of the election material and document.
 - e) Space marked "remarks" left open to fill other relevant information.
 - f) The name, designation/ role, ID number and signature of the person handing over the material.
 - g) The name, designation/ role, ID number and signature of the person receiving the material.
 - h) A notice entailing the total number of copies of the handover document to be made and which copy will be with the deliverer, the receiver, and the pad.
 - i) The date on which the handover took place.
 - j) The name of the election administration body to which the materials are sent; and
 - k) The name of the election officer or Board employee who is to receive the materials at the recipient election administration body.
 - l) Name of driver who transported the document or material.
 - m) The type and plate number of the vehicle transporting the election material.
 - n) Full name of the security officer who is assigned to escort the transportation of the election material and the ID number issued by the body that assigned him.
3. The Board, when transferring a sealed election materials and documents, must clearly write on it the address of the receiving body, the type and quantity of the object and the date of production. There should be a space on the handover form to indicate this information.

Article 14. Need to Verify Handing over or Receipt

Any election officer or Board employee at any level shall:

1. Receive or handover election materials and documents sent by the Board after verifying that they are the right type and amount and have remained secure.
2. Carefully receive and safeguard election materials and documents sent by the Board. Sensitive election materials or documents shall, in particular, be handled with extra care.
3. Ensure that the materials are used for their intended purpose and are returned, with care, to the Board, except for items that are expendable by their nature such as civic and voters training manual, flyers and similar items.

CHAPTER THREE

HANDLING, RETRIEVAL AND DISPOSAL OF SENSITIVE ELECTION MATERIALS OR DOCUMENTS

Article 15. Handling and Retrieval

1. Without prejudice to relevant provisions of this directive pertaining to election materials and documents, including the electoral roll, ballot papers, forms or documents used during voting, vote counting and announcement of results and security seals, must be handled with special care due to their significance for the election process.
2. Documents necessary for the voting, counting and announcement of result process shall remain sealed in the same manner they were transferred from the constituency to the polling station until polling day. They shall remain sealed and carefully kept in a place that is secure, dry and out of the reach of animals.
3. In accordance with the Electoral Law, the Directive on Voting, Vote Counting and Announcement of Results and other pertinent directives of the Board upon completion of the electoral process and collection and filling out of the necessary information, all sensitive materials will be retrieved in tamper-evident bags to the relevant election administration office while at all times maintaining uninterrupted chain of handover.

Article 16. Disposal

1. Ballot papers, results handover forms, minutes and other documents used during the election process may be disposed of only after:
 - a) The election is over;
 - b) Any complaints relating to election results have been finally resolved administratively or through courts,
 - c) Any re-count is completed at its final stage, and
 - d) Official election results have been ascertained.
2. Until they are disposed of in accordance with sub-article 1 of this article, the electoral roll, ballot papers, result handover forms, minutes and other documents put to use during the election process shall, as appropriate, be kept in each constituency and as per the timetable issued by the Board, be transferred to and kept at the Board's central warehouse, and the chain of custody shall be maintained at all times.
3. Sensitive election materials or documents that are required by law enforcement bodies or the court as evidence to investigate crimes committed during the election process shall, based on notice given by such law enforcement bodies, be maintained until the court proceedings including appeals are finalized.
4. Any sensitive election material or document shall be disposed of at the later of the following:
 - a) When all of the processes and decisions provided under sub-article 1 of this article are executed
 - b) One year after election day.

5. As per the decision and strict supervision of the Board all material and documents indicated in this Article, shall either be recycled or disposed of in an environmentally friendly manner and, when considered necessary, in the presence of relevant observers.
6. Without prejudice to provisions of this article, the Board may decide a different timeline for disposal of the electoral roll.

CHAPTER FOUR

MISCELLANEOUS PROVISIONS

Article 17. Accountability

1. Unless due to force majeure, whoever receives and transports election materials or documents from the Board's Secretariat shall be responsible for any damage caused to the property during transportation.
2. Anyone who, due mainly to negligence destroys, wrecks or causes damage to any election documents or material s/he has received or is in charge of distributing shall be held responsible for in accordance with the relevant law.

Article 18. Inapplicable Directives

Any directive or practice which contradicts this directive shall not be applicable to matters covered herein.

Article 19. Duty to Cooperate

Everyone has the duty to cooperate to implement and ensure the implementation of this directive.

Article 20. Effective Date

This directive shall enter into force as of February 11,2021

Birtukan Midekssa

Chairperson of the National Election Board of Ethiopia