

**Directive on Rules of Procedure and Code of Conduct for Security Personnel Assigned to
Electoral Facilities and Activities No 12/2021**

**SECTION ONE
General Provisions**

Article 1: Issuing Authority

The National Election Board of Ethiopia issued this directive pursuant to powers vested upon it under Article 7 sub-article 11 and Article 8 sub-article 1 of its establishment Proclamation No 1133/2019 as well as Article 163 sub-Article 2 of the Ethiopian Electoral, Political Parties Registration and Election Code of Conduct Proclamation No 1162/2019

Article 2: Short Title

This directive may be cited as “Electoral Security Organs Directive No.12/2020”

Article 3: Definitions

Unless the context otherwise requires, in this directive

- 1) **“Proclamation”** means the Ethiopian Electoral, Political Parties Registration and Election Code of Conduct Proclamation No 1162/2019
- 2) **“Board”** means the National Election Board of Ethiopia established under Proclamation No 1133/2019
- 3) **“Electoral Facilities (institutions)”** means places where registration of voters, registration of candidates, voting and vote counting in respect of elections conducted at different levels takes place. It also refers Board’s Regional Branch Office, Constituency offices, Polling Stations, Zonal Coordination Offices, as well as electoral materials warehouses and distribution centers and all places where Board’s regular activities are carried out.
- 4) **“Security Organs”** means members of Security Agencies of Federal, Regional and City Administration that are established by relevant Federal, Regional or City Administration laws and assigned to Electoral Facilities including polling stations for the purpose of ensuring peace and security during registration of voters, voting day and other electoral activities.

- 5) **“Health Guidance”** means National Election Board of Ethiopia’s Directive No 9/2021 *“Mitigation of COVID 19 during Elections”*.
- 6) **“Electoral Activities”** means political parties registration and regulation, voter’s registration, candidate’s registration, election campaign media accessibility, allocation of government finance to political parties, usage of media by political parties and independent candidates, determination of number of polling stations necessary for election, voting and vote counting, tabulation and announcement of results, election of grievance hearing committee members and procedures for handling of grievances, preparation, distribution and safety of election materials and documents, recruitment, training and deployment of election officers, accreditation and monitoring of election observers, accreditation and monitoring of agents of political parties and independent candidates as well as media, voter education and development of systems for accreditation and monitoring of voter education providers, preparation and official announcement of electoral calendar, organizing training on electoral issues for stakeholders including electoral activities implemented by electoral stakeholders having recognition from the board as well as all activities falling under the legal mandates of the Board
- 7) **“Region”** means a region established in accordance with article 47/1/ of the constitution and for the purpose of this directive it includes Addis Ababa and Dire Dawa City Administrations.
- 8) Unless the context otherwise requires, definitions provided in the proclamation will also apply to this directive.

Article 4: Scope of Application

This directive shall apply to security personnel assigned by legally mandated security organs to ensure peace and security in electoral facilities conducting day to day electoral operations as well as places where other electoral activities are carried out.

Article 5: Gender References

References made in one gender shall apply to the other.

Article 6: Objective

The objective of this directive is to determine working procedures and code of conduct of security personnel assigned to all electoral facilities and electoral activities for the purpose of ensuring peace and security.

SECTION TWO

Responsibilities of Security Personnel Assigned to Electoral Facilities and Activities

Article 7: Major Responsibilities

Security Personnel assigned to ensure peace and security of electoral facilities and activities shall perform the following major tasks: -

- 1) Ensure peace and security of electoral facilities and their surroundings during the conduct of electoral activities
- 2) Ensure peace and security of registrants and voters
- 3) Prevent sexual violence against women during the conduct of electoral activities; if committed report same to the relevant institution as well as arrest the perpetrator
- 4) In case of security problems provide protection for election officers, grievance hearing committee members, observers, agents of political parties and independent candidates, journalists and other stakeholders while at the same time give the required attention to women and people in vulnerable situations.
- 5) Ensure the safety of election materials and other relevant documents at all stages of the election process while in transport, in storage, or in use.
- 6) Upon request from Board's staff or election officers provide support in preventing entry of persons into electoral facilities in contravention of Board's directives
- 7) At the request of the head of the electoral facility, expel from work places or premises those individuals that refuse to comply with legitimate orders of election officers;
- 8) Up on the request of the head of the electoral facilities expel from electoral facilities a person who, in accordance with relevant laws, is not eligible to register as a voter or to vote as well as an assistant of such person.
- 9) Upon request of the head prevent entry into electoral facility of a person who is not an accredited agent, observer or journalist.

- 10) Upon the request of the head of electoral facilities accredited agents, observers, journalists as well as complainants that refuse to comply with the health guidance of the Board.
- 11) Lawfully arrest a person who commits or attempts to commit a crime while in electoral facilities and their surroundings as well as handover same to the responsible organ;
- 12) Upon request for cooperation from election officials, make sure registrants and voters' queue and enter into electoral facilities with strict compliance to social distancing rules and their order of arrival. In collaboration with head of electoral facility or election officials and taking due note of convenience of the place where the electoral facility is situated ensure availability of a separate queue for women, elderly and people in vulnerable situations;
- 13) Provide the necessary protection to election officers as well as election materials and documents whenever there arise a need to move them from one place to another whether planned or not.
- 14) Provide the necessary protection and escort for election materials and documents carried from polling station to constituency office or to regional branch office or to the head quarter
- 15) Upon the request of the Board made in accordance with relevant directives perform other peace and security responsibilities. board.

Article 8: Failure to carry out responsibilities by a security personnel

1. While performing duties under article 7 of this directive, if a security personnel suddenly becomes sick or feels sickness that makes it impossible to perform assigned responsibilities, the person has to comply with the appropriate health guidance and shall forthwith report the illness in accordance with the relevant Agency's Standard Operating Procedure.
2. The head of the Electoral Facility shall immediately inform to the local commander of security forces when there is any breach of this code of conduct or failure to perform a duty by a security personnel. S/he shall also immediately inform the situation to the relevant NEBE electoral office.
3. Upon receiving notification in accordance with sub-article 2 of this article the appropriate security organ shall immediately take the necessary measure warranted under its working procedures and if deemed necessarily make a replacement

SECTION THREE

Working Procedures and Use of Force for Security officers assigned to electoral facilities and activities

Article 9: Working procedures and duties of security personnel

- 1) Security personnel shall be deployed to Electoral Facilities and activities solely on the basis of discussions between the Board and the relevant Security Agency as well as assignment by the latter. Every endeavor shall be made by the security Agency to ensure gender representation during deployment
- 2) The number of security personnel to be assigned for electoral facilities and activities shall be determined by the prevailing security context of the locality; and based upon deployment plan agreed between the Board and the relevant security organ.
- 3) Security personnel assigned to polling stations shall conduct the necessary searches and put in place the necessary safety measures at least one day before commencement of voter registration or polling.
- 4) The Security organ that assigns the security personnel or as appropriate the board may give the necessary explanation regarding detailed activities they are expected to perform as per this and other directives of the board while in electoral facilities
- 5) Any security personnel shall wear uniform of the security organ that assigns him while in electoral facilities;
- 6) Security personnel may only be transferred from one electoral facility to another in accordance with their Agency's standard operating procedures. A record of the transfer or change is to be made in the appropriate Board's record book, or minutes, as well as the operational records of the relevant security agency.
- 7) Any Security personnel unless called upon by the head in accordance with Article 10(1) of this directive shall not enter the electoral facility.
- 8) Heads of the security unit assigned to an Electoral Facility, its surroundings and electoral activities shall make a written record, in accordance with their Agency's Standard Operating Procedure, of all important and/or significant events that occur within their area of responsibility.
- 9) Security personnel shall bring their first aid kit/equipment, in accordance with their Agency's Standard Operating Procedure.

- 10) Any security personnel shall comply with, including wearing of face masks or other face coverings, the health guidance while on duty in electoral facilities.
- 11) Any security personnel shall carry identity card or badge while on duty at electoral facilities; when necessary and requested by an election official present same for review.
- 12) Any security personnel undertaking searches in assigned polling stations shall comply with the Health Guidance. Searches shall be made by a person of same sex.
- 13) Whenever an abrupt security crisis is encountered in the electoral facility or its surroundings performance of duties by security personnel shall give special attention to women, children, persons with disability and other persons in vulnerable situations.

Article 10: Rules Governing Use of Force

Security personnel assigned to ensure peace and security of electoral facilities and activities: -

- 1) Shall not enter into working places of electoral facilities unless requested to give support by a member or head of the relevant electoral facility. However, security personnel may enter working place of an electoral facility without permission if there is a clear and present risk or threat to any persons' life or body or clear and present risk of serious damage or destruction to Board's or personal property and resources.
- 2) Shall, in the event they encounter any compelling circumstances, forthwith inform their immediate supervisor and head of the electoral facility.
- 3) The supervising officer shall immediately address any compelling circumstances communicated by security personnel.
- 4) Use of force or firearms is possible provided there are no other option than usage of firearms or force to effectively prevent or do away with the attack or danger. Proportionate force shall always be used.
- 5) Whenever situation indicated in sub-article 4 are encountered the immediate supervisor or the head of the security organ as appropriate taking due note of the prevailing crisis may allow usage of force or firearms by security personnel. In the absence of any order or permission from a commanding officer it is prohibited to use force or firearms.
- 6) Use of disproportionate or excessive force within the premises of electoral facilities and their surroundings is prohibited.

- 7) Security personnel shall understand and be fully informed of the fact that unreasonable and disproportionate use of force will entail liability as per the relevant law.
- 8) Upon cessation of measures, taken by security personnel to control the security crisis indicated under sub-article 4 above,
 - a. In the event of bodily injury to persons immediately seek medical assistance or provide aid in line with the gravity of the injury
 - b. Detailed information about the occurrence and general information regarding the extent of the event shall be recorded in accordance with their Agency's Standard Operating Procedures.
 - c. Shall immediately inform the incident to the nearby security organ. It shall also be recorded in minutes or other records
 - d. The extent of damage to property or other resources as well as security personnel held hostage by the person responsible for the crisis shall also be recorded
- 9) In accordance with sub-articles 5 and 6 of this provision use of force is possible:
 - a. When there is a clear and imminent threat to life or physical integrity of any person within the premises of the electoral facility and its surroundings or in places where electoral activities are undertaken such as the security personnel themselves, a colleague, an election worker, agent, observer, journalist, member of a grievance hearing committee, registrant or voter, or a member of the public and to avert such danger or threat;
 - b. To prevent loss of, damage to or destruction of electoral materials and documents;
 - c. To protect properties of the Board or other government organs from theft or destruction;
- 10) Any Security personnel assigned to electoral facilities or activities shall not use force as a punitive measure.

Article 11. Arrest of a person suspected of crime

1. Any security personnel assigned to electoral facilities or activities and their surroundings while arresting a suspect shall do so in accordance with the relevant law as well as their Agency's Standard Operating Procedures.
2. A report of the situation within an electoral facility, its surroundings or places where electoral activities are carried out as well as detailed information in relation

to the measures taken, the reason and appropriateness of same, shall be submitted to the relevant authority and the board.

SECTION FOUR

Code of Conduct for Security Personnel Assigned to Electoral Facilities and Activities

Article 12: Respecting Orders

1. Security personnel assigned to electoral facility or activity shall whenever necessary respond for request for security assistance by the head of the electoral facility or other election worker.
2. Security personnel assigned to electoral facility shall respect and ensure others comply with legitimate orders of immediate supervisor of the security personnel.
3. Security personnel assigned to electoral facility shall work in cooperation and collaboration with other colleagues and stakeholders.

Article 13. Demonstrating Professional Ethics and Good Behaviors

Any Security Personnel assigned to electoral facility or activity shall;

- 1) Respect and maintain professional ethics.
- 2) Act impartially as set out in Article 15 below.
- 3) Demonstrate good character while in electoral facilities and places where electoral activities are conducted. Communicate with people patiently and in good faith and depart from the electoral facility immediately after accomplishment of assigned tasks.
- 4) Refrain from discriminatory practices on the basis of race, sex, religion, color, ethnicity, language or any other status.
- 5) Respect and protect human and democratic rights of persons while on duty in assigned places
- 6) Refrain from acts that captivate the attention of or cause any influence upon people coming to the electoral facility to register as voters, cast their ballots, or perform other electoral activities.

Article 14. Duty not to provide advice

Any Security Personnel assigned to an electoral facility or activity shall

1. Not provide any advice or direction for election officers in connection with their responsibilities.

2. Refrain from giving advice to voters on how and for whom to cast their ballots.

Article 15. Impartiality

Any Security personnel assigned to serve in an Electoral Facility shall

1. Perform duties impartially and refrain from collaborating with any organ or person in performing acts that in any manner adversely affects his impartiality.
2. Refrain from supporting or criticizing political parties or candidates; showing or expressing an opinion regarding controversial election issue or issues connected with government authorities, political parties, candidates or media.
3. Not display, carry, put, hang, affix or wear etc. of symbols and election campaign materials of political parties or candidates implementing electoral activities while on duty in electoral facilities or in places where other election activities are being undertaken.

Article 16. Respect rights of Voters and Secrecy of Votes

Any security personnel assigned to an electoral facility or activity shall

- 1) Not ask voters whom to vote for or for who they are going to cast their vote.
- 2) Not enter into the secret voting booth or place prepared for this purpose or places entry to which is prohibited by other electoral laws.

Article 17. Duty not to accept or give benefits

- 1) Any security personnel assigned to an electoral facility or activity shall not enter into any agreement to accept or give, offers to give or receive or promises to do or not to do any activity related to election or act on behalf political parties, candidates or their supporters.
- 2) Security personnel assigned to an electoral facility or activity shall, unless encountered with compelling situations not use cars of, other than the one assigned by the security organ, another organization, political parties, supporters, candidates or individuals.

Article 18. Sincerity

- 1) Security personnel assigned to an electoral facility shall perform his duties and responsibilities with sincerity and the required ethical standards.

- 2) Shall forthwith notify their superior, in accordance with their Agency's Standard Operating Procedures, any compelling reasons that prevents them performing their responsibilities.

Article 19. Prohibition on comment regarding Election results

Any Security personnel assigned to an electoral facility or activity shall refrain from giving any comment in relation to election results.

SECTION FIVE

Miscellaneous Provisions

Article 20. Liability and Penalty

- 1) All security personnel shall be aware of their duty to cooperate as stipulated under the proclamation and this directive.
- 2) Any security personnel assigned to electoral facilities or activities that takes disproportionate or unreasonable measures, or uses firearms without there being a legitimate order from a supervisor, or act as opposed to such an order given by a supervisor shall be aware of his liability to lawful punishment by the appropriate organ and the relevant law.
- 3) All security personnel that contravenes provisions of this directive or other relevant laws shall be liable in accordance with pertinent laws.

Article 21. Inapplicable Directives or Procedures

Any directive or procedure inconsistent with this directive shall not apply to issues covered under this directive.

Article 22. Effective Date

This directive shall come into force from March 9, 2021

Addis Ababa

Birtukan Mideksa

Chairperson of the National Election Board of Ethiopia

