

Directive No. 3/2020 on the Obligations of Registered National and Regional Political Parties (under Proclamation 1162/2019)

The Ethiopian Electoral, Political Parties Registration and Election's Code of Conduct Proclamation No. 1162/2019 provides under sub-article (2) of Article 160 that any political party registered before the adoption of the Proclamation shall be required to fulfill the requirements set out in the Proclamation according to the time table established by the Board. The Board has issued this directive to implement the aforementioned provision of the Proclamation.

Chapter One
General Provisions

Article 1. Short title

This directive may be cited as "Directive to Ensure Fulfillment of Registered National and Regional Political Parties' Obligations No. 003/2019"

Article 2. Definitions

Unless the context requires otherwise, in this directive:

- 1) "**The Proclamation**" or "**Proclamation**" means the Ethiopian Electoral, Political Parties Registration and Election Code of Conduct Proclamation 1162/2019.
- 2) "**Board**" means the National Electoral Board of Ethiopia established under Proclamation No. 1133/2019.
- 3) "**Region**" means regions established in accordance with Article 47 of the Constitution and, for the purposes of this Proclamation, shall include Addis Ababa and Dire Dawa City Administrations.

Chapter Two
Requirements that need to be fulfilled by political parties

Article 3. Number of founding members of nationwide political parties

- 1) In accordance with Article 64 of the Proclamation, a political party shall be formed as a nationwide political party where it has at least 10,000 founding members and when it provides a document containing the endorsement signatures of these founding members.
- 2) Not more than 40% (meaning not more than four thousand) of the founding members indicated under sub article (1) of this article shall be residents of the same region. The remaining founding members shall be residents of at least four other regions, with the number of founding members that are residents in each region constituting not less than 15% of the total number of founding members.
- 3) The party shall have the power to determine the regional composition of founding members besides those that make up the above-mentioned list and signatures.

- 4) Where a nationwide political party registered prior to the coming into effect of this Proclamation had fulfilled the requirement on number of founders indicated under sub-article (1) of this article at the time of its registration, the party shall not be required to submit the same again; in such a situation, the Board shall issue a certificate to the party.
- 5) Where a political party registered prior to the coming into effect of this Proclamation had, at the time of its registration, failed to submit the number of founding members required under sub-article (1) of this article, the requirement may be fulfilled by adding newly gathered signatures to the number submitted in the previous registration.
- 6) The Board shall provide the necessary support to the political party by facilitating the gathering of members' signatures. It shall ensure that the concerned administrative and executive organs provide the necessary support as well.
- 7) Subject to the minimum regional distribution of members of political party indicated under sub-article (1) of this article, in the party's preceding working years, the region accounting for the highest number of its members may vary.
- 8) Once a nationwide political party has fulfilled the minimum number of members according to the Proclamation indicated under sub article (1) of this article, it shall not be allowed to have a lesser number of members.

Article 4. Persons eligible to be founding members of a nationwide political party

- 1) The founding members of nationwide political parties must be at least 18 years of age; not be deprived of the right to vote by law or a court's decision; have expressed their consent to be a member of the political party through the affixation of their signature next to their full name; and have submitted documentary or testimonial evidence to the party proving their residence in their place of registration.
- 2) The document containing the list of founding members in accordance with article 3 of this directive and sub-article (1) of this article shall include each founding member's full name, sex, age, Kebele or Woreda, special name of residence area or house number, as appropriate; documentary or other proof of residence; if s/he has provided documentary proof of evidence and if the document has an identification number, the identification number of the proof of residence; signature of the founding member, the date of registration as well as the name of the person who recorded these particulars and his/her signature attesting that he recorded the particulars correctly.
- 3) A political party's founders registry shall have sufficient columns to register founders' particulars indicated under sub-articles (1) and (2) of this article, and shall include an additional column captioned "remarks" therein.
- 4) A person who collects/secures the signatures of founding party members in accordance with the Proclamation and this directive is obliged to provide adequate explanation about the issue to the persons whom he solicits to be members.

Article 5. Verifying the authenticity of founding members' particulars submitted by a party

- 1) The particulars of founding members indicated under articles 3 and 4 of this directive shall be verified by the heads or leaders of the political party, or the person applying for the registration of the political party. The documents shall be verified by the statement of oath of the person applying for registration.
- 2) Where a political party submits the required number of founding members supported with a statement of oath as indicated under sub-article (1) of this article, the Board shall, upon examining the documents submitted and verifying that they are comprehensive, issue the relevant certification to the party.
- 3) Notwithstanding the provisions of sub-article (1) of this article, where doubtful circumstances arise and where the Board believes that, were the particulars found to be doubtful/suspicious to be excluded, the party would not fulfill the required number of founding members, the Board may, in collaboration with the body mandated to grant proof of residence in the founding members' place of residence, investigate/ascertain the authenticity of the particulars.

Article 6. The gender and societal composition of the founding members

The political party shall recruit founding members in accordance with article 64(6) of the Proclamation in a manner that reflects gender considerations and the contribution/composition of different members of the local community in the area.

Article 7. Report submitted to the Board on the number of founding members

Every two years, nationwide political parties shall submit to the Board a report which shows that they have the requisite minimum number of members specified under the Proclamation and this directive. Where the number of members indicated in the report is found to be less than the minimum required by the Proclamation, the Board shall order the party to fulfill the missing number of members.

Article 8. Number of founding members required to form a regional political party

- 1) In accordance with article 65 of the Proclamation, a political party shall be formed as a regional political party where it has at least 4,000 founding members.
- 2) More than 60% (meaning two thousand four hundred) of the founding members indicated under sub-article (1) of this article shall be permanent residents of the regional state for which the party is registering.

Article 9. Applicability of relevant provisions governing nationwide political parties

The criteria and obligations stipulated from articles 3 to 7 of this directive regarding nationwide political parties shall similarly apply to regional political parties.

Article 10. Persons barred from political party membership

- 1) In accordance with article 63 of the Proclamation, the following persons shall not be members of a political party:
 - a) Judge;
 - b) Prosecutor;
 - c) Member of the defense forces;
 - d) Employee of the police force, intelligence units and security forces;
 - e) An officials and employees of the Board.
- 2) If the persons listed under sub-article (1) of this article intend to become members of a political party, they shall resign from their government service.
- 3) A person who violates the provisions of sub-article (2) of this article shall be deemed to have willingly resigned from his government service and the necessary measures shall be taken by the relevant body.
- 4) A person who assembles founding members of the party in accordance with the Proclamation and this directive shall indicate to them the mandatory provisions incorporated under sub-article (1)-(3) of this article.

Article 11. Duty to submit documents signed by founding members of a political party

- 1) The document signed by founding members of a nationwide or a regional political in line with the provisions of this directive shall be made publicly available.
- 2) When the Board publicizes the document containing party members' signatures, it may, by taking into consideration privacy rights of the founding party members, withhold their addresses.

Article 12. Time limit for the fulfillment of the minimum number of members required in the Proclamation

- 1) Where the members of a previously registered nationwide political party are found to be less than ten thousand (10,000) in number, the party shall, within two months from the date of adoption of this directive, submit to the Board a document containing additional signatures of members it collected to attain the minimum of ten thousand members required under the Proclamation and this directive.
- 2) Where the members of a previously registered regional political party are found to be less than four thousand (4,000) in number, the party shall, within two months from the date of adoption of this directive, submit to the Board a document containing additional signatures of members it collected to attain the minimum of four thousand members required under the Proclamation and this directive.

Article 13. Notifying election of party leaders

- 1) The heads of the political parties must, in accordance with Article 67(2)(f) of the Proclamation, submit a document indicating that the leaders of the party are elected in accordance with the party's by-law and in a free and democratic process.
- 2) For political parties that have prior registration, the Board shall determine the timeframe for the fulfillment by each part of the requirements stipulated under sub-article (1) of this article by considering the circumstances of the party.

Article 14. Political Party's Program

- 1) In accordance with article 73 of the Proclamation, the adoption as well as amendment of the program of a political party shall be conducted by the party's general assembly.
- 2) For a political party that has prior registration, the Board shall determine the timeframe for the adoption by the party's general assembly of its program in accordance with the Proclamation by considering the circumstances of the party.

Article 15. The particulars of a political party's by-laws

In accordance with article 74 of the Proclamation, the by-laws of a political party shall include the following particulars:

- 1) Conditions for admission and expulsion of members;
- 2) Details of the various organs of the party, the procedure for their election, their tenure and description of their respective functions;
- 3) Types of membership fees; a stipulation that the quorum for the party's general meeting shall, as per the Proclamation and this directive and as appropriate, be constituted by at least 500 members for national parties and at least 200 members;
- 4) A stipulation that the party's general meeting shall be held at least once every three years;
- 5) Organizational structure of the party and positions within the party including the establishment and functions of party's branch offices;
- 6) List of matters that require the decision of the party's General Assembly;
- 7) The course of action and decision-making process for forming a merger, coalition, or front with other political parties, as well as for the party's dissolution;
- 8) The procedure for the nomination of party members for national and other various level elections;
- 9) The party's human resource, financial and audit administration process;
- 10) The party's financial and asset administration policy, income mobilization process as well as an explanation of the person or organ of the party mandated to decide on such matters;

- 11) The procedure for resolving political party's internal disputes; and
- 12) Stipulations that the election of its leadership and other officials at all levels must be conducted in a transparent, free and fair manner, where secrecy of the ballot is protected.

Article 16. Adoption of a political party's by-laws

A political party with prior registration shall, within the timeframe determined by the Board, adopt and present to the Board the by-laws it had been using until that point by fulfilling the requirements under article 74 of the Proclamation and article 14 of this directive. If a general assembly meeting is required to amend the by-laws, the Board shall determine the timeframe for such meeting by considering of the circumstances of the party.

Article 17. General assembly meeting

- 1) If the timeframe for holding a general assembly meeting provided in the by-laws of a political party that has prior registration lapses without the meeting taking place, the party shall hold the general assembly meeting within the timeframe determined by the Board. The Board shall send a notice for parties regarding this after reviewing the records/ file/ of the party.
- 2) For political parties whose by-law timeframe to hold a general assembly meeting has not lapsed, the Board shall, by taking the circumstances of each party, the election timetable and other similar circumstances into consideration, determine and announce to such parties a timeframe within which to hold a general assembly meeting, if the parties' last general assembly meeting did not meet the requirements of the Proclamation or when it is deemed necessary to hold a general assembly meeting to fulfill other requirements under the Proclamation.

Article 18. Party leadership positions

Any political party shall take into consideration gender representation when conducting elections for leadership positions. In the absence of this, the party shall provide proof of sufficient effort made in this regard by the party.

Article 19. Relations between political party branch offices

A political party that has branch offices at the national, regional and sub-regional levels shall stipulate in its by-law the hierarchical relationship between various branches and their power structure.

Article 20. Consequence of failing to hold a general assembly meeting on time

- 1) In accordance with article 98 of the Proclamation, where a political party has delayed in holding a members' general meeting by three months from the time it is stipulated in the Proclamation or its by-laws, the Board shall, by considering the circumstances of the party, notify the party to convene a general assembly meeting within a certain fixed period of time.
- 2) Where the party fails to convene a general assembly meeting within the time period prescribed as per sub-article (1) of this article, the Board may take measures which may go to the extent of cancelling the party's registration.

Chapter Three **Miscellaneous Provisions**

Article 21. Timetable for the fulfilment of requirements

In accordance with Article 160(3) of the Proclamation, a political party that fails to comply with the requirements stated in the Proclamation and this directive within the timeframe set by the Board may face the Board's measures, including cancellation of registration.

Article 22. Parties established to represent minorities

Provisions of this directive on obligations in respect of minimum number of founding members as well as members of general assembly shall not be applicable to parties established to represent minorities recognized by the House of Federation or nationalities ascertained to be between 10,000-100,000 in number during a public population census.

The Board shall determine the number of founding and general assembly members of parties with the aim of representing minorities by considering the population size and settlement pattern of the people they represent.

Article 23. Effective Date

This directive shall come into force from the date of its adoption by the Board on the 5th of January 2020.

Birtukan Mideksa
Chairperson of the National Election Board of Ethiopia

