

INTERIM STATEMENT

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ETHIOPIAN CONGRESS FOR DEMOCRACY

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**JUNE 5, 1994 CONSTITUTIONAL ASSEMBLY ELECTION
 MONITORING MISSION
 SUMMARY REPORT**

**BY
 A-BU-GI-DA
 ETHIOPIAN CONGRESS FOR DEMOCRACY**

22 June, 1994
 Addis Ababa, Ethiopia

I. BACKGROUND TO THE MISSION

A-Bu-Gi-Da, the Ethiopian Congress for Democracy conducted a monitoring mission of the June 5, 1994 Constitutional Assembly elections. A-Bu-Gi-Da is a non-partisan civic organization that conducts a range of activities in support of the democratic process, such as civic education, monitoring, and public policy analysis. A-Bu-Gi-Da was created on June 24, 1991.

Because election monitoring falls under A-Bu-Gi-Da's mandate, the organization decided to monitor the Constitutional Assembly elections and established the following goals to govern the mission:

- to develop A-Bu-Gi-Da's capacity to monitor elections;
- to strengthen A-Bu-Gi-Da's local level democracy clubs through including them in the monitoring mission;
- to evaluate in selected localities the extent to which the election was free, fair, competitive and inclusive; and
- to issue a report of the findings of the mission outlining strengths and weaknesses of the June 5 election, and including suggested recommendations

At this juncture, A-Bu-Gi-Da would like to take this opportunity to emphasize the fact that like all non-partisan NGOs, it too is interested only in assessing to what degree an election system is practiced in the direction of democracy and not in finding faults and fixing blames to the day's government or its opposition.



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To implement its mission, A-Bu-Gi-Da organized a team of 69 monitors, including 10 staff members, 25 volunteers from Addis Ababa, and 34 members of local democracy clubs. The volunteer monitors, who had been given training in election monitoring by national and international resource people, had to sign a statement of non-partisanship before their assignment to the various monitoring stations. These monitors followed a coordinated system of information gathering including questionnaires for election officials, candidates, members of the public, as well as a monitoring checklist for election day. The mission covered a total of 35 constituencies in the following areas:

- 22 constituencies in Addis Ababa
- 4 constituencies in Northern Shoa
- 1 constituency in Mojo
- 2 constituencies in and around Debre Zeit
- 1 constituency in Awasa
- 2 constituencies in and around Dessie
- 1 constituency in Dire Dawa (pre-election monitoring only)
- 1 constituency in Bahir Dar
- 1 constituency in Jimma

In these areas A-Bu-Gi-Da monitors conducted 1,232 interviews and observed the voting in 668 polling stations. Based on these observations, A-Bu-Gi-Da has developed an assessment of the election in these areas. The following statement provides a summary of A-Bu-Gi-Da's findings, which will be followed by a more detailed report subsequently.

II. SUMMARY OF OBSERVATIONS

A. Introduction

Elections are at the same time a technical exercise and a political process. The technical aspect incorporates the election administration, the logistical preparations, and the material processes used for registration and voting. The political component incorporates issues surrounding the level of competition, the level of voter involvement and interest in the election process, and the level of inclusiveness of all parties concerned. Election observers must evaluate the process from both the political and the technical angle. In accordance with this statement, A-Bu-Gi-Da has grouped its findings under two headings: "Administrative and Procedural Aspects" and "Political Aspects."

B. Administrative and Procedural Aspects of the Election

In general, A-Bu-Gi-Da concludes that, in the areas where it observed, the National Election Board did a satisfactory job in organizing and conducting the elections. In particular, A-Bu-Gi-Da found that:

1. The process was largely successful in providing citizens an opportunity to register and

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vote.

2. Materials were delivered on time and in sufficient quantities.
3. The polling station officials generally conducted their work fairly competently.
4. The Election Board developed a new and inexpensive training system. Although A-Bu-Gi-Da observers noted some areas where officials were not fully trained, in general, most officials appeared familiar with the procedures. 89.7% of the election officials polled by A-Bu-Gi-Da monitors said that the training was sufficient.
5. Most administrators were open and responsive to comments from A-Bu-Gi-Da monitors. For example, in response to comments by A-Bu-Gi-Da monitors, election officials in several cases ordered armed individuals to leave polling stations.
6. The National Election Board showed commendable flexibility when it agreed to modify a regulation barring public statements of their findings by observers until after the official declaration of results. Members of A-Bu-Gi-Da and other organizations had criticized this regulation as inconsistent with the freedom of speech provision in the Transitional Charter and international norms regarding election monitoring.

In addition, A-Bu-Gi-Da notes that the institution of the National Election Board as an independent body is a commendable development.

Notwithstanding A-Bu-Gi-Da's generally positive evaluation of the administrative aspect of the election, A-Bu-Gi-Da monitors did observe certain irregularities and procedural problems. These include:

1. The ballot was unnecessarily confusing. Many ballots had more symbols than candidates, and consequently election officials had to provide explanations to the voters on which symbols could be selected. This opened up a possibility of influencing the voter's choice. In a number of instances, A-Bu-Gi-Da monitors saw officials appearing to indicate with their hands and facial expressions which candidate should be selected. In one polling station an official had actually entered the voting booth where he was helping voters mark the ballot. Although possibly well intentioned, this guidance represents a serious infringement on the most important element of elections: the secrecy of the vote.
2. The second count of the ballots at the Woreda level provided ample opportunities for fraud. The election law indicates that all ballot boxes will be counted once at the polling station at the end of the day and once at the Woreda office a number of days later. The ballot box is under careful scrutiny throughout election day, so one can be reasonably certain of the accuracy of the election day count. However, it would not be difficult to change or stuff the boxes, which are not labeled, after they have left the scrutiny of observers in the polling station. In addition, the second count is time consuming and unusual by international

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standards. Although A-Bu-Gi-Da did not detect fraud during the Woreda counts it observed, the mission is concerned that the current system makes fraud possible.

3. There was insufficient voter education. In 70% (91 out of 131) of the polling stations covered outside Addis Ababa, A-Bu-Gi-Da monitors observed some confusion on the part of voters. In Addis Ababa, A-Bu-Gi-Da observed a rate of spoilt ballots of roughly 20%. In many cases voters asked for guidance on every step of the voting process. In addition, some voters also appeared ignorant of the basic idea of choosing a candidate. For example, some voters told A-Bu-Gi-Da monitors that they had chosen a particular symbol because it appealed to them, even though they could not say which candidate was represented by that symbol.

4. In at least one instance, the electorate was threatened with repercussions if they failed to vote. In the town of Armania, Northern Shoa Zone, A-Bu-Gi-Da observers heard local officials announcing on a megaphone "If you don't come out to vote, we will take some measures." Although this may have been an isolated incident, A-Bu-Gi-Da is concerned about the possibility that citizens were coerced to vote. In addition, A-Bu-Gi-Da is aware of allegations that some citizens were coerced to register. The Election Board should investigate these claims, and if they prove correct, should take corrective measures.

5. Armed individuals were allowed in or near many polling stations. For the most part, A-Bu-Gi-Da monitors did not observe these armed individuals acting in an aggressive or intimidating manner, but their presence may have had an effect on voters.

6. In one instance, the candidacy qualification signatures of one candidate looked similar to A-Bu-Gi-Da observers, and this similarity caused doubts as to the authenticity of the signatures.

7. In three cases A-Bu-Gi-Da monitors were restricted from doing their work. In one case, officials would not allow monitors to watch the vote count; in two cases monitors were briefly detained by police officials. Although these may have been isolated incidents, they represent a dangerous transgression of the election law provisions regarding observers.

8. The National Election Board was not sufficiently forthcoming to the Ethiopian public about its reasons for postponing elections in Region 5 and Dire Dawa.

C. Political Aspects of the Election

The administrative and procedural issues discussed in section B. are largely the domain of the National and Regional Election Boards, who deserve credit for the election's administrative successes and who should try to improve upon the election's shortcomings. Section C. covering the political aspects of the election, is addressed to a wider audience. A successful political process, one which is competitive and inclusive and stimulates citizen participation, is the responsibility of various government agencies as well as political parties,

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civic groups, churches, unions, and other organizations. It is to this larger group of political and civic leaders that the following comments are addressed.

As part of Ethiopia's transition to democracy, the Constitutional Assembly election was intended to resolve a political issue: who should determine the constitution, and what should be contained in that constitution. It is A-Bu-Gi-Da's belief that a complete monitoring mission must ask the question how successful was the election in resolving this political issue.

To arrive at a sound answer to the question, A-Bu-Gi-Da embarked upon gathering information in a number of ways. First, A-Bu-Gi-Da wrote to political parties to determine their reasons for participating or not participating in the elections. Second, A-Bu-Gi-Da interviewed candidates to determine if they offered alternative policies on the draft constitution. Third, A-Bu-Gi-Da interviewed citizens to determine their views on the process. Fourth, A-Bu-Gi-Da interviewed election officials to determine if the training they had received was sufficient to conduct the elections. Fifth, A-Bu-Gi-Da monitored the election on June 5, 1994. Through these and other sources A-Bu-Gi-Da made the following observations:

1. Opposition parties, such as the Gurage People's Democratic Front and the Southern Ethiopia People's Democratic Coalition, indicated in letters to A-Bu-Gi-Da that among the many reasons for their boycott were 1) that they have been prevented from operating freely and 2) that they did not want to be a party to a predetermined EPRDF victory.
2. Because of the opposition boycott, no alternative view on the draft constitution was presented in an organized and systematic manner. In 28 out of 34 constituencies that A-Bu-Gi-Da monitored only one political party was competing. The absence of organizational structures of a variety of political parties has limited the intensity of campaigning. For example, candidates interviewed by A-Bu-Gi-Da conducted on the average only 3 or 4 meetings and posted only 100 to 150 posters.
3. In many constituencies monitored by A-Bu-Gi-Da, voters did not have a choice among different views of the constitution. Outside of Addis Ababa, in 75% of constituencies monitored there was no candidate who offered a different view on the constitution. In 25% of the constituencies only one candidate was running.
4. As the table on the following page illustrates, a high percentage of citizens expressed dissatisfaction with the competitiveness of the election and with the choice of candidates, particularly outside of Addis Ababa. The table summarizes the findings of A-Bu-Gi-Da's poll of public opinion about the election.

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CONSTITUTIONAL ASSEMBLY ELECTION PUBLIC OPINION POLL

Place	Inter-views	Number plan-ning to vote	Is the election competitive?			Are you satis-fied with the Candidates?		
			YES	SOME-WHAT	NO	YES	SOME-WHAT	NO
Mejo	29	20	17	6	6	16	3	7
D/Zeit Town	24	12	8	7	9	7	6	11
D/Zeit Rural	30	21	17	4	8	17	2	9
Jimma	123	53	48	22	53	41	26	56
N. Shoa	202	107	61	30	80	48	31	94
Dessie	76	37	19	8	46	18	10	47
Kombo-lcha	48	37	41	2	1	38	7	1
Bahir Dar	104	74	43	23	38	33	34	37
Awasa	154	101	60	34	52	54	34	61
Total	790	462	314	136	293	272	153	323
Percent		68%	42%	18%	40%	36%	21%	43%
A. Ababa	442	292	218	72	141	205	78	141
Percent		66%	50%	17%	32%	46%	19%	33%

Note: Some people did not answer all questions.

5. Although complete figures are not yet available, a significant percentage of the population did not vote. The National Election Board announced a registration rate of 66%. If 80% of those registered voted, the percentage of eligible Ethiopians participating is only 53%.

6. The election law prohibited some former soldiers and WPE members from voting. In addition, the two-year residence requirement barred a sizeable number of eligible voters from voting. Also, there was no provision regarding eligible voters obliged to travel on election day.

7. A-Bu-Gi-Da heard an allegation from Ambo that an independent candidate named, Dejene Bellihu, and his supporters were harassed and detained for a given number of days. A-Bu-Gi-Da sent a group of monitors, who interviewed the candidate, officials and citizens in Ambo, and found the allegation convincing. Although this too may have been an isolated incident, it may contribute to the perception that the current government is not quite permissive of competition.

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From the observations cited above, A-Bu-Gi-Da concludes that the level of competitiveness and inclusiveness in the election are low. For this reason A-Bu-Gi-Da finds it doubtful whether the elected members of the assembly would satisfactorily represent the range of Ethiopian opinions on the constitution.

III. RECOMMENDATIONS

A. Technical Recommendations

1. The ballots should have the same number of symbols as there are candidates. In addition the candidate's name or picture should appear on the ballot.
2. Ballots should be counted only once, in the polling station, in the presence of observers and candidate representatives, who should each receive a signed and stamped copy of the record of the counting.
3. Armed individuals should not be allowed in the voting area.
4. Polling station procedures should be clearly established and strictly enforced. In particular, these procedures should insure that voters can vote in a completely secret place and free from any undue suggestions or influence from officials, observers, police or others.
5. The right not to vote should be respected. No government official or party representative should coerce citizens to vote.
6. Greater security should be exercised over the ballots. Extra ballots should be accounted for, ballots should be printed with serial numbers and on paper that can not be easily reproduced.
7. The number of signatures required for candidates should be reduced substantially.

B. Political Recommendations

1. The TGE and the boycotting parties should enter into a good faith negotiating forum. First and foremost they should be committed to creating a more inclusive, democratic process. South Africa provides valuable lessons of the importance of good faith negotiations and an emphasis on inclusiveness.
2. Citizens and political leaders should realize that they have a role to play in bringing about free and fair elections. Fairness in the process has been greatly increased in other countries by the actions of organizations outside of the government. Political parties have, for example, deployed observers who have confirmed that the ballot box was empty at the beginning of the day, watched the voting and then observed the count. Such scrutiny throughout the process can greatly reduce the possibility of fraud. Concern about fraud may

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have figured in the opposition parties' decision to boycott. In decisions about future elections, A-Bu-Gi-Da recommends that political parties not underestimate the steps they themselves can take to help create a transparent process.

3. A-Bu-Gi-Da believes that allegations about parties being unable to freely operate and other forms of harassment need to be taken seriously. A-Bu-Gi-Da intends to investigate specific allegations that it receives from parties, and encourages other independent, non-partisan organizations to do likewise. In addition, A-Bu-Gi-Da encourages the Transitional Government to actively promote pluralistic political activity throughout the country. It can do so by assuring all registered parties that their rights to organize will be respected and by ensuring that all officials and all security personnel understand and respect the inviolability of the freedom of assembly provision in the Transitional Charter.

4. Governmental and non-governmental organizations should conduct voter education programs to familiarize voters with the voting process.

5. Foreign governments, international NGOs and civic organizations should help facilitate the consolidation of the democratic process in Ethiopia.

For its part, A-Bu-Gi-Da is prepared to exert substantial efforts to contribute to more competitive and inclusive elections for the parliament. These efforts would include widespread voter education programs, training of party officials and functionaries and intensive monitoring of the entire election process.

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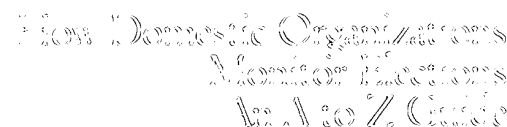
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