PROCLAMATION NO. 573/2008

POLITICAL PARTIES REGISTRATION PROCLAMATION

Whereas, it is necessary to regulate by law the conditions by which citizens using their freedom of association in accordance with the Constitution for participating in peaceful and lawful political activities to assume political power;

Whereas, it is necessary, to provide the right and duty of citizens when forming political parties and acting as members of political parties, and also by providing basic principles to be followed by political parties to enable the political parties to act upon having legal personality;

Whereas, it is necessary to provide the manner by which political parties able to act by forming union or front or coalition;

Now, therefore, in accordance with Article - 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE
GENERAL PROVISIONS

1. Short Title

This Proclamation may be cited as “The Revised Political Parties Registration Proclamation No. 573/2008.”
2. Definitions

Unless the context requires otherwise, in this Proclamation:

1) “Board” means the Ethiopian National Election Board;

2) “Political Party” or “Political Organization” means a social institution registered in accordance with this Proclamation organizing under which part of the society and having its own political program reflecting its own belief and purpose with a view to hold political power by participating in national or regional political activities in a democratic way;

3) “Constitution” means the Constitution of the Federal Democratic Republic of Ethiopia;

4) “Commercial and Industrial Activities” means an activity taking place for the purpose of profit making and includes production, service rendering and distribution;

5) “Regional State” means a regional state established by Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia and includes for the purpose of this Proclamation Addis Ababa and Dire Dawa administrations;

6) “Resident” means a person residing regularly in a place as provided in the 1960 Ethiopian Civil Code.

7) “Political Party Leaders” means members of the executive of a political party or political leaders at similar level of authority;

8) “Union” means a political party established as a result of a union effected between two or more parties registered in accordance with the appropriate law;
9) “Front” means an organization formed by two or more political parties, with out prejudicing each constituent party individual legal existence, decided to have a common name, political program and by law;

10) “Coalition” means when two or more political parties for temporary objective decided to act jointly and received temporary certificate for being coalition with each constituent party individual legal existence;

11) “Substitution” means that by which a political party changes its name and program and after presenting to the Board a new program and name with other necessary information is registered and act as a new political party;

12) “Auditor of Political Party” means a person, having a certified professional competency, designated by a political party as auditor without any relation of whatever to the designating party;

13) “Person” means a natural or juridical person;

3. Scope of Application

This Proclamation shall be applicable all over Ethiopia.

PART TWO

FORMATION, REGISTRATION AND
DOCUMENTS OF POLITICAL PARTIES

CHAPTER ONE

FORMATION OF POLITICAL PARTY

4. Political Party Formation

1) Without prejudice to Article 58 of this Proclamation, every Ethiopian shall have the right to form a political party or to be a member of a political party.

2) Without prejudice to Article 58 of this Proclamation, any Ethiopian aged 18 or above shall have the right to membership, in accordance with this Proclamation, of country-wide or regional political party.
5. **Formation of a Country – Wide Political Party**

1) A political party shall be formed as country-wide political party where:

   a) it has at least 1,500 founding members:

   b) at least forty percent (40%) of its founding members are residents of the same regional state;

   c) its remaining founding members are residents of at least four of the Ethiopia regional states; and

   d) the number of members registered as founders in each region as laid down in paragraph (c) of this sub - article constitutes at least fifteen percent (15%) of the total founding members.

2) The founding members provided under sub article (1) of this Article shall have to be eligible to vote and their consent to be members of the political party shall be expressed by their signature.

3) The document signed by the founding members in accordance with the preceding sub article (2) shall be a document open to public.

6. **Formation of a Regional Political Party**

1) A political party shall be formed as a regional political party where:

   a) it has at least 750 founding members;

   b) more than sixty percent (60%) of the founding members are residents of the same regional state.

2) The founding members provided under sub – article 1 of this Article shall have to be eligible to vote and their consent to be members of the political party shall be expressed by their signature.

3) The document signed by the founding members in accordance with the preceding sub–article (2) shall be a document open to public.
CHAPTER TWO
REGISTRATION OF POLITICAL PARTY

7. Registration

1) A political party shall have to operate in Ethiopia only upon registration by the Board and upon receipt of a certificate of legal personality in accordance with this Proclamation.

2) A political party that received legal personality in accordance with sub article (1) of this Article shall be capable to enter in to contractual relations with third parties in its own name, sue and be sued, own or possess property, exchange or sale property or transfer property in any other way, or perform any other legal activities following its purpose. In addition it shall have responsibility to comply with its obligation.

8. Application of Registration

1) Application for registration of a political party shall be signed by the party leader and submitted to the Board.

2) The application submitted in accordance with sub-article (1) of this Article shall be accompanied by the following documents:

   a) the memorandum of association of the party in accordance with Article 13 of this Proclamation;

   b) the political programme of the party in accordance with Article 14 of this Proclamation;

   c) the by – laws of the party in accordance with Article 15 of this Proclamation;

   d) the names and addresses of the party leaders including the consents of the leaders to act as leaders expressed by their signature in the document;

   e) the document signed by founding members and opened to public,

   f) the document showing the political party leaders are elected by the general assembly;
3) Each document provided under the preceding sub article (2) shall be accompanied by five copies and submitted together with the application for registration.

4) A party requesting for registration by application shall pay:
   a) registration fee, and
   b) fee for revision of basic documents made from time to time.

5) Payment made in accordance with sub article (4) (a) of this Article ascertained in a document shall be submitted together with the application for registration.

6) The amount payable under sub article (4) of this Article shall be determined by the Board.

7) The documents of the political party registered in accordance with this proclamation shall be open to the public.

9. Responsibilities of the Board

1) The registration of political parties in accordance with this Proclamation shall be the authority of the Board.

2) In order to enable persons having opposition to present such opposition against a political party requesting for registration, the Board shall notify the public as to submission of the application for registration.

3) Any person having opposition pursuant to sub article (2) of this Article shall present such opposition to the Board with in 14 days from the date of notification to the public. Within such period the Board shall not issue permission to the applicant for registration.

4) The Board may require necessary and relevant information for registration including explanation and information from any political party for activities carry out pursuant to this Proclamation.
5) The Board upon receiving the application and documents enclosed therewith submitted to it in accordance with Article 8 of this Proclamation shall examine the documents as are required under this Proclamation that the documents are complete and accurate, that the party respects and cause the respect of the Constitution and this Proclamation, and observing the political party’s head office, shall process the formalities of registration and issue to the applicant a certificate of legal personality within three months from the date it received the application.

6) The Board shall notify to the public, by appropriate mass media, the political party registered pursuant to sub article (5) of this Article.

7) Where the Board gives no answer with in the period provided under sub article (5) of this Article, the Board shall be deemed to register the applicant political party in accordance with the provisions of this Proclamation.

8) Where the Board rejects the application because of the unfulfilment of certain conditions by the political party, the Board shall inform the applicant with a written notice to fulfill those conditions within thirty days.

9) Where the Board rejects the application for registration by the political party, the Board shall inform its refusal by a written notice.

10) Where a body finds the decisions of the Board in accordance with sub article (9) of this Article unacceptable, it may petition to the Federal High Court within 14 days it received the notice of such refusal; the body which has petitioned shall be deemed to have legal personality for such purpose and the official elected in accordance with the by-laws of the party and signed on the application for registration shall be deemed the lawful representative of the party.

11) The Board after examining the amended document submitted to it by a political party in accordance with Article 12(2) of this Proclamation shall notify its acceptance or refusal to the party with in 30 days.
Where the Board, upon examination in accordance with sub article (11) of this Article, finds the amended document acceptable it shall publicize the acceptance.

13) Where the Board rejects the amendment, it shall order the applicant party to take necessary corrections and where appropriate, the Board may take measures in accordance with this Proclamation.

14) The Board shall follow up the activity of political parties and record the resulting information.

15) The Board shall, in accordance with the provisions of Part Five of this Proclamation, follow up and oversight the income source, expenditure list and property of a political party; where illegal acts are found the Board shall take the necessary measures.

16) The Board shall present annual and regular report to the House of Peoples’ Representatives of the Federal Democratic Republic of Ethiopia on:

a) grants of government, in accordance with Article 50 of this Proclamation, to political parties and lists of utilization of such grants; and

b) overall activity of political parties.

17) The Board upon receiving the audit report provided under Article 47 of this Proclamation shall make official to the public; and where it deems necessary it may order inspection.

10. Political Party Barred from Registration

A group or body which pursue any of the following objectives or acts shall not be registered as political party:

1) aims to foment conflict and war by preaching hatred and enmity among nations, nationalities and peoples on the basis of differences in race, religion and the like, in violation of the Constitution of the Federal Democratic Republic of Ethiopia;
2) organized to advance its political objectives by force of arms;

3) aims to take over political power by overthrowing the government by armed force;

4) having members of foreign nationals;

5) formed for the purpose of pursuing unlawful activities; and

6) formed to break down the Constitutional order by way of illegal means.

11. Organization or Association Bared from Registration as Political Party

The following organizations or associations may not be registered as political parties under this Proclamation:

1) associations or organizations formed for the purpose of carrying on commercial and industrial activities pursuant to the Commercial Code or the Civil Code or other relevant laws;

2) associations or organizations formed for non profit making or for welfare purposes;

3) communal associations, trade unions and professional associations;

4) mutual help associations;

5) religious organizations;

6) social formations such as idir, equb, and the like.

CHAPTER THREE
DOCUMENTS OF POLITICAL PARTIES

12. Document of Political Party

1) A political party shall have the following basic documents:
   a) memorandum of association,
   b) political programme,
   c) by – laws,
   d) documents related to ownership, property and revenue and expenditure.
2) A political party wished to amend the documents, provided under sub article (1) of this Article, shall first notify to the Board.

13. **Memorandum of Association of a Political Party**

1) Individuals who desire to establish a political party must have a memorandum of association in which they declare the establishment of the type of political party they want to organize.

2) A memorandum of association shall include the following particulars:

   a) the name (designation) of the party in whole and in abbreviation;
   b) the emblem of the party;
   c) the objectives of the party;
   d) the source of income of the party;
   e) the day and year of establishment of the party;
   f) the addresses of the head office and branch offices of the party;
   g) the procedures of issuing the by – laws and programme of the party.

3) The memorandum of association of a political party shall have to be signed by the founding members.

14. **Programme of Political Party**

1) Every political party must have a programme in which the political aims it pursues as its objectives are formulated.

2) The programme of political party shall be a directive of action which:

   a) describes the objectives for which it is formed; and
   b) specifies the tactics it adopts for achieving its objectives.

15. **By – Laws of Political Party**

1) Every political party must have its own by laws. Such by – laws shall include the following particulars:

   a) conditions for admission of members;
   b) details of the rights and duties of members;
   c) details of the various organs of the party and description of their respective functions;
   d) the manner of participation of members in the activities of the party;
e) the procedures of convening meetings and passing decisions;

f) details of measures of procedure and code of conduct applicable to members;

g) the time and condition of convening assembly of the political party;

h) conditions for dissolution of the political party;

i) details as to the equality of votes between every member of the political party.

2) Any by – laws of a political party shall not have the effect of abridging the rights of a member of the political party guaranteed to him or releasing him from duties imposed upon him as a citizen.

3) By – laws of every political party shall be drawn consistently with the provisions of Article 16 and from Article 27 to Article 31 of this Proclamation.

PART THREE

RIGHT AND DUTY OF POLITICAL PARTY AND MEMBERS

CHAPTER – ONE

RIGHT OF POLITICAL PARTY

16. Independence of a Political Party in Respect of Its Own Affairs

Every political party:

1) shall determine in its by – laws the procedures of adopting and amending its political programme and by – laws as well as holding meetings;

2) may have leading organs of the political party to direct, decide on and implement its political activities to be determined in accordance with its by – laws.

17. Establishing Branch Offices

Every political party may establish branch offices anywhere within the country for the purpose of carrying out its political activities.
CHAPTER TWO
OBLIGATION OF POLITICAL PARTY

18. Exemption From Income Tax

1) Any political party shall not be liable to pay any kind of income tax on income collected from its members and supporters.

2) No political party shall collect and transfer to the government income tax payable in accordance with the law in respect of the salaries of its employees.

19. Duty to Submit Report

1) A political party registered in accordance with this Proclamation shall:

   a) submit a document showing the required number of members under this Proclamation are complied, where the Board asks;

   b) notify the Board before 30 days of the convening of the meeting to present with, where parties need to form between them front, or union or coalition;

   c) submit a written report annually or whenever the Board requires signed by the political leader as to the property and debts of the party certified by auditor;

   d) the report provided under sub – article 1(c) of this Article shall include the source of income and property of the political party.

2) The Board shall give a one month period for a political party that does not comply with the obligations under sub article (1) of this Article to fulfill such conditions within such period, then after the Board may take necessary measures pursuant to Article 39 of this Proclamation.

3) Where a political party or a leader of political party informed in writing to the Board as to the property and debt in accordance with this Article has been found untrue, without prejudice to the provisions of Article 39 of this Proclamation it shall be liable under the appropriate provisions of the Penal Law.
20. **Duty to Provide Information**

1) Every political party is under obligation to give a written information certified by a document when the Board requires such informations as are provided under this Proclamation.

2) Where a political party required to give information pursuant to sub article (1) of this Article is unwilling to provide such information or gives intentionally untrue information, in addition to the measures of the Board under Article 39(1)(d) of this Proclamation the party shall be liable under the appropriate law.

21. **Notification of Leading Members**

1) Every political party shall notify immediately to the Board when it elects new leading members.

2) When leading members of a political party vacate on various reasons and such number is below 50%+1, the party shall elect in their place another members within 30 days. The party shall immediately inform the same to the Board in writing.

22. **Keeping Documents of Political Parties**

1) Every political party shall have the duty to keep properly the matters provided under Chapter Two of Part Five of this Proclamation such as, books of account, certificates of donation, documents evidencing ownership and other similar documents.

2) Notwithstanding the provision of sub article (1) of this Article, based on the reasons of lack of space and manpower, books of accounts aged over 10 years may be disposed.
3) Without prejudice to sub article (1) and (2) of this Article, every political party shall keep other documents properly.

23. Auditor of Political Party

1) Every political party shall appoint external auditor whose professional competency approved by the legally appropriate body.

2) The appointment of the political party auditor, provided in sub – article 1 of this Article, shall be concluded in accordance with the by laws of the party.

3) The auditor appointed in accordance with this Article shall prove his acceptance of the appointment by his signature.

4) The leader of the political party shall notify the Board with in 30 days as to the appointment of new auditor whenever based up on various reasons the auditor leaves his office and replaced by a new one.

24. Right of Political Party Auditor

The auditor appointed by a political party shall have the right to find and examine at any time any document related with the assets and properties of the political party.

25 A Person Incapable of Appointment as Political Party Auditor

Whosoever served or serving a political party as lawyer, employee, board member, or whosoever in any manner relates with the appointing political party, might not be appointed as the political party auditor.

26 Organization of Work of Appointed Auditor of Political Party

1) The auditor appointed by a political party and also his professional employees engaged at tasks provided by him shall perform their respective work ethically, honestly and neutrally.

2) The audit report of the auditor appointed by a political party shall be made in writing and be submitted to the political party leaders.
3. The audit report to be submitted by a political party shall be attached with the certificate of professional competency of the auditor.

27. Designation and Emblem of Political Party

1) The designation of any political party shall be the sole designation of the party and shall not be similar to or create confusion with the designation of another political party or commercial and industrial organization or social institution or individual.

2) The emblem and flag of the party shall not have to:

   a) be similar with the emblems and flags of other political parties;
   b) create hatred and conflict among nation, nationalities, race, religion;
   c) convey messages of war and other unlawful activities;
   d) be similar with the flag or emblem of Ethiopia or with those of the various international organizations or with the symbols of religion organizations;
   e) be against ethics or public morality or other similar public interests.

CHAPTER THREE
RIGHTS AND OBLIGATIONS OF MEMBERS OF A POLITICAL PARTY

28. Right of Participation

Any member of a political party shall have, in accordance with the by-laws of the party, the right to participate in the meetings of the party, to express freely his views and comments, to vote and to elect or to be elected.

29 Membership Dues

A member of a political party may pay membership dues periodically to the political party in accordance with the by-laws or decisions of the political party.
30. **Expulsion from Membership**

1) A member of a political party may be expelled from membership to be determined in accordance with the by laws of the political party.

2) Where a member is expelled from party membership contrary to the by laws of the party, the member may file a petition at the Federal High Court within three months from the date of the notification of such decision of expulsion.

31. **Membership**

1) Any political party shall have members including the founders and members admitted after the formation of the party.

2) Membership of a political party may not be devolved by succession or by any other manner to another person, and shall be limited to the member in person.

3) A member of a political party may at any time withdraw from his membership.

4) The by – laws of a political party may not contradict the provisions of this Chapter.

**PART FOUR**

**UNION, FRONT, COALITION, SUBSTITUTION AND CANCELLATION OF POLITICAL PARTIES**

**CHAPTER - ONE**

**UNION, FRONT, COALITION AND SUBSTITUTION OF POLITICAL PARTIES**

32. **Union of Political Parties**

1) Two or more political parties registered in accordance with this Proclamation may unite and form a political party.

2) Political parties wished to unite pursuant to sub article (1) of this Article shall submit their proposition in writing to the Board 30 days before the issuance of time schedule for local or general election; as a result the registration shall be effected in accordance with the provisions of this Proclamation.

3) The application for union shall consist the following:
33.  የፖለቲካ ፓርቲ የሚያስከትለው ውስጥ ያለውን መሆኑ

1) ሆነህ ከወንጀل የፖለቲካ ውስጥ ያለባቸውን ፍርድ ለአስተዳደር አካል እንዲተላለፍ ትዕዛዝ ይሰጣል፡፡

2) ሉተዋሃዱት የፖለቲካ ፓርቲዎቹ ወራሽ ይሆናል፣ በተዋሃዱት የፖለቲካ ፓርቲዎቹ መብትን ግዴታ ይተላለፍለታል፣ ከአስተዳደር አካል እንደተጠበቀ ሆኖ የውህደት ውስጥ የሆነው አዲስ የፖለቲካ ፓርቲ፤ ለተዋሃዱት የፖለቲካ ፓርቲዎቹ ወራሽ ይሆናል፣ ለተዋሃዱት የፖለቲካ ፓርቲዎቹ ያለባቸውን ፍርድ ለአስተዳደር አካል ክርክር ተተክቶ ይስፈጽማል፣ ይፈጽማል፡፡
34. Formation of Front

1) Two or more political parties having their own program, by laws and members may form a common front.

2) The application for formation of front shall consist the following:

   a) a decision expressing acceptance of the front formation by the assembly of each constituent parties of the front; and

   b) the designation of the front, and the documents listed under Article 8 of this Proclamation.

3) Political parties wished to form a front pursuant to sub article (1) of this Article shall submit their proposition in writing to the Board; as a result the registration shall be effected in accordance with the provisions of this Proclamation by the Board.

4) If the Board accepts, in accordance with this Proclamation, the application for the formation of front:

   a) without canceling the certificate of registration of member parties of the front, the Board shall give another certificate of registration to the front;

   b) without prejudice to the assets and properties of each constituent political parties of the front, the front shall have its own asset and property.

5) The political party formed as front shall fulfill the requirements of Article 5 or 6 of this Proclamation conditionally.

35. Coalition of Political Parties

1) Two or more political parties registered in accordance with this Proclamation may, for a limited period and specified objectives, form coalition to act at country- wide or regional level up on condition.
2/ Political parties wished to act by forming coalition shall submit to the Board a written application attached with a document expressing the agreement of each political party respective higher leader. Where the Board accepts the application, it may give temporary certificate.

3/ Political parties wished to form coalition shall submit to the Board a document consisting the points of agreement concerning their common activity.

4/ Notwithstanding the provision of this Article, each political party of the coalition shall continue to exist with its legal personality.

36. Substitution of Political Party

1) Any political party may be registered as a new political party by changing its name and program up on the decision of the party assembly.

2) The asset and property of the dissolved political party shall be transferred to the new political party established in accordance with sub article (1) of this Article.

3) The new substituted political party shall have to be registered in accordance with this Proclamation.

CHAPTER TWO
CANCELLATION AND DISSOLUTION OF POLITICAL PARTY

37. Canceling the Registration of Political Party

A political party may be cancelled in one of the following reasons:

1) when the party, according to its by-laws, consent and request to be canceled;

2) when the Board decides on basis of law; or

3) when the court decides the registration of the political party to be canceled.
38. Canceling Registration up on the Request of the Political Party

1) A political party may, according to its by-laws, request the Board in written form that its registration be cancelled.

2) The statement of application for cancellation presented as according to sub – article (1) of this Article shall be signed by the party leader for its validity.

3) The political party shall attach the following particulars with its application to the Board as referred in sub article (1) of this Article and

   a) the political party’s audit, asset and property report; and

   b) the document in which the assembly of the political party decided to dissolve the party.

4) The Board shall announce, as to the application for cancellation submitted to it, to the public through various means of information, to enable any person present its objection where that person has opposition or a claim against the political party presented the application for cancellation.

5) A person who has an objection pursuant to sub article (4) of this Article, shall present the objection to the Board with in 14 days from the date of announcement; within such period the Board shall not cancel the political party.

6) Where the Board accepts, in accordance with this Article, the application for cancellation, it shall notify in writing the requesting party within 30 days as to its cancellation; the Board shall also notify the public as to the dissolution of the party.

39. Canceling Registration of Political Party upon the Decision of the Board

1) The Board may cancel the registration of a political party in one of the following reasons:

   a) the political party ceased to exist as a result of dissolution by the party, or

   b) the political party is dissolved by order of a competent body.
1/ የፖለቲካ ፓርቲው የስም፣ የመለያምልክት፣ የሰነድ፣ የአመራር፣ የኦዲተር፣ የዋና ጽሕፈትቤት እና የመሳሰለውን ለውጥ ሲያደርግ በዚህአዋጅመሠረት ለቦርዱ ሳያሳውቅየቀረ አንደሆነ፣

2/ የፖለቲካ ፓርቲ በዚህአዋጅመሠረት ለቦርዱ እንዲያቀርብ የተደነገገውን አመታዊ የስራ፣ የሂሳብ፣ወይም ወቅታዊ ሪፖርቶችሳያቀርብ የቀረ እንደሆነ፣

3/ የፖለቲካ ፓርቲው ለሁለትን ከሚስጓት የምርጫ ዘመንያተቅላላ ምርጫ ውድድርንሳይሳተፍ የቀረ እንደሆነ፣

4/ የፖለቲካ ፓርቲው አጭበርብሮወይም አሳሳች መረጃ በማቅረብየተመዘገበ ከሆነ ወይም በዚህ ህግመሠረት መረጃ ሲጠየቅ የሃሰትመረጃ ለቦርዱ የሰጠ እንደሆነ፡፡

2/ በማስጠንቀቂያው መሠረት ያላስተካከለእንደሆነ ከምዝገባ ሊሰርዘው ይችላል፡፡

3/ በዚህ አንቀፅ መሠረት ቦርዱያሳለፈውንውሳኔ የተቃወመ የፖለቲካ ፓርティーው በደረሰው በቀናት ውስጥ ይግባኝን ለፌዴራል ከፍተኛ ፍርድ ቤትሊያቀርብ ይችላል፡፡

40. Canceling a Political Party up on Court Decision

1) የፖለቲካ ፓርቲ acting in violation of the provisions of the Constitution, this Proclamation and other laws of the state shall be dissolved up on the order of the court.

2) A political party may be cancelled due to its serious criminal charge as a result of the court decision.

a) the political party has not notified the Board according to the provisions of this Proclamation when it changes its name, emblem, document, leadership, auditor, head office and other similar change;

b) the political party fails to submit to the Board, as required by the provision of this Proclamation, annual performance, audit, or other periodical reports;

c) the political party fails for two successive election terms to participate at general or local elections;

d) the political party has been registered by fraud or by presenting deceitful document, or when requested pursuant to this Proclamation, the political party submits to the Board a false document.
3) Where the Federal High Court found the accused political party guilty of the criminal charge, the Court may, on the basis of the seriousness of the crime according to the Criminal Code, give warning notice or suspend the party for a specified period from political activity or cancel the registration or penalize the party.

41. Effect of Cancellation or Dissolution of Political Party

1) Where a political party dissolved by its own decision or by the Board decision, the property of the party shall be expended to cover its debt.

2) Where the political party owes no debt or where there remains an amount after covering the debt as referred in sub article – (1) of this Article, the property or the remaining amount shall be expended to civic and electorate education up on the order of the Board.

3) Where a political party is cancelled or dissolved by decision of the court, the money and property of the party shall be transferred to the government up on the order of the court.

PART FIVE

SOURCE OF INCOME AND PROPERTY AFFAIRS OF POLITICAL PARTIES

CHAPTER - ONE

SUPPORT GRANTED FROM GOVERNMENT

42. General Provision

1) The government may grant support for political parties that have representation at the Federal and at State houses for conducting their day to day activity.

2) The government may grant support to political parties to be effected for election purpose for federal or state houses.

3) The support to be granted by the government according to this Article may be in the form of money, in kind and in service.

4) The utilization of mass media shall be carried out in accordance with the election law.
43. Source of Government Support

The support to be granted by the government has its sources:
1) from allocation by the government;
2) from domestic or foreign support or aid; and
3) from any other body.

44. Principle

1) The support to be granted to political parties by the government shall be rendered equitably and without discrimination.

2) The political parties shall follow transparent and accountable principle in order to notify that the support granted by the government has been utilized properly and for the intended purpose.

45. Requirements for Government Support

1) The support to be granted to political parties shall have to be apportioned between the parties on the basis proportional to their number of seats in federal or state houses.

2) Notwithstanding the provision of sub–article (1) of this Article, the support to be granted to purposes of election for federal or state houses shall be:
   a) apportioned on the basis of the number of candidates nominated by the political parties;
   b) apportioned on the basis of the number of women candidates nominated by the political parties.

3) The support to be granted to political party in accordance with sub article (1) of this Article:
   a) shall be terminated when the political party fails to meet the requirements eligible for receiving the grant of government support;
   b) from the date the political party failed to meet the requirements, the political party may not utilize the support already granted to it;
c) from the date the political party failed to meet the requirements, the political party shall return the support already granted to it;

4) The manner and time of apportionment of the support to be granted to political parties shall be determined by the directive to be issued by the Board.

46. The Rule Applicable to the Support Granted to Political Parties for Conducting their Day to Day Activities

1) A Political party shall utilize the support granted to it only for the intended purpose.

2) The day to day activity of a political party includes the following:
   a) the customary day to day activity of the political party;
   b) developing political consciousness of the public;
   c) acquainting the public with the aims of the party;
   d) agitation to enable citizens to have active participation in the political activity of the country;
   e) strengthening harmonious relationship between the public and the government institutions.

3) The support granted by the government to the political party for conducting the day to day activity shall be reported periodically to the Board by the political party after listing the expenditure of the grant in expenditure heading and certified by the auditor.

4) Of the portion of the support granted by the government to the political party for conducting the day to day activity, the political party shall return the unutilized portion.

47. The Rule Applicable to the Support Granted by Government for the Purpose of Election

1) The support granted by government to political parties participating in election shall only be utilized for the purpose of election at federal or state houses.
2) The particulars to be included as expenditure for the purpose of election shall be determined in accordance with the directive to be issued by the Board.

3) The support granted by the government to the political parties for the purpose of election shall be reported periodically to the Board in the audit report by the political parties after listing the expenditure of the grant in expenditure heading and certified by the auditor.

4) Of the portion of the support granted by the government to the political party for the purpose of election, the political party shall return the unutilized portion.

48. Books of Account of Political Party

1) Any political party:

   a) shall deposit the support granted by government in specific bank account;

   b) shall transact the account according to the law and may not expend outside the allowed expenditure;

   c) shall keep the granted support in specific books of account by listing under every expenditure heading;

   d) shall submit audit report certified by auditor, according to finance law, specifying the mount granted by the government in the budget year and the particulars for which the money has been expended.

2) The auditor shall forward his comment in the audit report as to whether the account audited by him has been expended outside the legal scope.

3) The political party shall submit its report to the Board:

   a) within 3 months from the end of the budget year if the report relates to the support granted to it for conducting its day to day activity;

   b) within the period as determined by the Board if it relates to the report to be submitted as to the support granted for the purpose of election.
4) The Federal Auditor General may at any time inspect political parties concerning the utilization of the support granted by government.

49. Responsibility and Penalty

1) Where a political party utilizes the government grant outside the purpose of the support, or not submits report on the required time, or submits a false financial document, or is in default of the obligation in relation with the grant:

a) the support for the party may be declined or terminated;

b) the party may be, according to the criminal law, fined, suspended or dissolved;

c) the party may be cancelled from registration, or

d) the leader or leaders of the political party may be fined or sentenced.

2) The penalties provided in sub article (1) of this Article may be executed concurrently.

3) The political party not expending properly may be compelled by the Board, through set off or court suit, to return that amount of expenditure not utilized properly.

50. Submission of Audit Report to the House of Peoples’ Representatives

1) The Board shall, within a short time after the end of the budget year, submit report to the House of Peoples’ Representatives concerning the support granted to political parties. The report shall include:

a) the total amount of support allocated from government and from any other sources to the parties in the budget year;

b) the amount of support allocated to each political party in the budget year;

c) the amount of expenditure in the budget year by each political party as permitted by law;
d) the balance of account resulted in the budget year.

2) The Board shall send the audit report, the books of account and the financial statement to the Auditor General.

3) The Auditor General shall send the audit report, within 30 days from the date he received the report, to the House of Peoples’ Representatives by attaching the Auditor General’s financial statement.

CHAPTER - TWO
SOURCE OF INCOME

51. Income Source of Political Party

1) The income source of a political party may be:

a) membership dues collected from members;

b) donations or grants by Ethiopian nationals and companies in accordance with the limit to be set by the Board on basis of its study;

c) the grant and support to be given by the government as provided from Article 42 to Article 50 of this Proclamation.

2) Without prejudice to the provision of this Article, a political party may, upon the approval of the government or regional state administration, collect money from the proceeds of events organized on non permanent basis to enhance its financial position.

3) Notwithstanding the provision of Article 7 (2) of this Proclamation, a political party which has attained legal personality may not directly or indirectly engage in commercial and industrial activities.

52. Prohibited Donation or Grant

1) Every political party is prohibited to accept donation or grant from the following persons or bodies:

a) foreign nationals;

b) foreign government or foreign political party;
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<td>welfare organization or non-governmental organization;</td>
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<td>an organized group or person assuming state power in a manner other than that provided under the Constitution;</td>
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<td>terrorist organization;</td>
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<td>donation or grant having unknown source;</td>
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<td>donation or grant from any body or person for the execution of any future object conferred inappropriate benefit or for receiving unlawful benefit.</td>
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2) Where any political party receives directly or indirectly the donation or grant prohibited in paragraph a) to j) of sub article (1) of this Article, the received money or property shall be confiscated. The political party may be responsible under the appropriate law.

3) Where a political party happened to get in any way the donation or grant prohibited under sub article (1) of this Article, the party shall return the donation or grant to the Board together with related documents within 21 days from the date it received the donation or grant.

53. Unlawfully Acquired Asset and Property

Where a political party is found to have accepted, in a manner otherwise than provided in this Proclamation, money or any property in the form of donation, gratuity, inheritance or proceeds from commercial and industrial activity, or accepted in any way, the assets so received shall be confiscated up on the decision of the court and the party shall be held responsible under the appropriate law.

CHAPTER THREE

RECORD, BOOK KEEPING AND AUDITING

54. Record and Audit of Political Party

Every political party shall have to keep appropriately at its head office an accurate and permanent record which includes the following matters:

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### 55. Books of Account

1. Every political party shall have accounting procedure relating to its revenue and expenditure.

2. The procedure of account of revenue and expenditure of every political party shall be in accordance with the generally accepted practice of accounting.

3. Every member of a political party shall have a right to seek at any time, without hindering the activity, information concerning the revenue and expenditure accounts of the political party of which he is a member.

4. Every political party shall have the responsibility to prove to the Board that its expenditures are spent for its political objective.

### 56. Annual Audit Report

1. Every political party shall undertake audit inspection annually by its auditor. Starting from 6 months of its registration, the political party shall submit its audit report to the Board on the third month after the end of each budget year.
2) The annual audit report to be submitted to the Board by every political party shall include:

a) the amount and source of revenue;

b) list of expenditure; and

c) a document as to its authenticity the political party leader signed on it and attested by the party seal.

3) Every political party shall prepare and officially issue annual audit report. Such annual audit report shall have to be inspected and accepted by the external auditor to be appointed by the Board.

4) Where a political party fails to submit the report as referred in sub article 1 of this Article, or if it submits, the Board finds uncertainty; the Board may cause the inspection of the account by sending an external auditor. The political party shall incur the costs of such inspection.

PART SIX

PROHIBITIONS AND MEASURES

57. Prohibition of Extending Political Aims by Illegal Means

1) It shall be punishable by law where a political party with a view to introduce its political aims by force or duress, organizes or trains or recruits by coercion a person or group.

2) Any person or group who accomplishes or cooperates to effectuate the act referred in sub article (1) of this Article shall be punishable under the appropriate law.

58. Persons Restricted From Membership of a Political Party

1) Notwithstanding the provision of sub article (2) of Article 4 of this Proclamation, the following persons may not be admitted in the membership of a political party:

a) judge;

b) member of the Defense Force;

c) member of the police.

2) The persons referred in sub article (1) of this Article shall have to leave their work as civil servant if they wished to be a member of a political party.
PART SEVEN
MISCELLANEOUS PROVISIONS

59. Transitional Provision

Any political party established prior to the promulgation of this Proclamation shall be deemed registered. However the Board may order a party that fails to fulfill the required document in accordance with this Proclamation to fulfill the same.

60. Duty to Cooperate

Every person shall have the duty to cooperate for the implementation of this Proclamation.

61. Power to Issue Regulation and Directive

The National Election Board of Ethiopia is hereby authorized to issue regulation and directive for the implementation of this Proclamation.

62. Repealed Laws

1) Political Parties Registration Proclamation No. 46/1993 is hereby repealed by this Proclamation.

2) Political Party Registration (as amended) Proclamation No. 82/1993 is hereby repealed by this Proclamation.

63. Effective Date

This Proclamation shall come in to force up on the date of publication in the Federal Negarit Gazeta.

Done at Addis Ababa this 24th day of September, 2008

GIRMA WOLDEGIORGIS

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA