

Long live Ethiopia!!

The English version

**The New Constitution of the Federal
Democratic Republic of Ethiopia**

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**The New Constitution of
the Federal Democratic
Republic of Ethiopia
Adapted 1 September 2016 E. C.**

Hige-Ethiopia

IN THE NAME OF THE ALMIGHTY GOD

Preamble

- 1) We, the People of Ethiopia, are the source of constitutional authority IN EXERCISE of our natural and inalienable right to establish a government framework. This constitution shall secure our freedom for ourselves and posterity, the blessings of liberty, equality of opportunity, and prosperity. We will continue in a spirit of friendship and peace with all peoples of the world.
- 2) We, the people of Ethiopia, committed IN SOLEMN declaration and affirmation of our commitment to; Freedom, Justice, Probity, and Accountability. The Principle that all powers of Government spring must come from the Sovereign Will of the People. The Principle of Universal Adult Suffrage; the claim of universal suffrage, The Rule of Law; The protection and preservation of Fundamental Human Rights and Freedoms,

Unity and Stability for our Nation; DO at this moment ADOPT, for our tranquility.

- 3) We, the Peoples of Ethiopia, are Strongly committed to the full and free exercise of our rights founded on the rule of law and capable of ensuring everlasting peace, guaranteeing a democratic order, and advancing our economic and social development. We firmly believe that fulfilling this objective requires full respect for individual and people's fundamental freedoms and rights, to live together by equality and without any sexual, religious or cultural discrimination. Also, we convinced that by continuing to live with our country's rich and proud cultural legacies. We fully recognized that our common destiny could be best served by rectifying historically unjust relationships and by further promoting our shared interests. We are convinced that to live as one economic community is necessary to create sustainable and mutually supportive conditions for ensuring respect for our rights and freedoms and the joint promotion of our interests. We, the Ethiopian people, are determined to consolidate, as an everlasting legacy, the peace and the prospect of a democratic order in which our struggles and sacrifices have brought this constitution for a referendum to the Ethiopian people.

4) Our new constitution's purpose is to keep us as an instrument that can bind us in a mutual commitment to fulfill the objectives and the principles set forth for the Federal Democratic Republic Government of Ethiopia.

5) We, the People of Ethiopia Unanimous Declaration of the thirteen (13) Provinces and Addis Ababa Administration. In human events, one person must dissolve the political bands. People have connected them, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and Nature's God entitle them, a decent respect to the opinions of humanity requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident that all men are created equal, that their Creator endows them with certain unalienable Rights, and that among these are Life, Liberty, and the pursuit of Happiness. People must know how to secure these rights. Also, the Government can institute among Men and Women driving their rights. Whenever any Form of Government becomes destructive of these ends, it is the People's Right to alter or abolish it. Also, to institute a new Government, laying its foundation on such principles and organizing its powers in the such form shall seem most likely to affect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes. Accordingly, all experience has

shown that humanity is more disposed to suffer. At the same time, evils are more sufferable than the right by abolishing the forms they are accustomed. Moreover, when a long train of abuses and usurpations pursuing the same Object evinces a design to reduce them under absolute Despotism, it is the people's right, their duty, to throw off such Government and to provide new Guards for their future security. Such has been the patient sufferance of this necessity that constrains them from altering their former Systems of Government to **ሕገ-ኢትዮጵያ**

(HigE-Ethiopia) Adapted 1 September 2016 E. C.

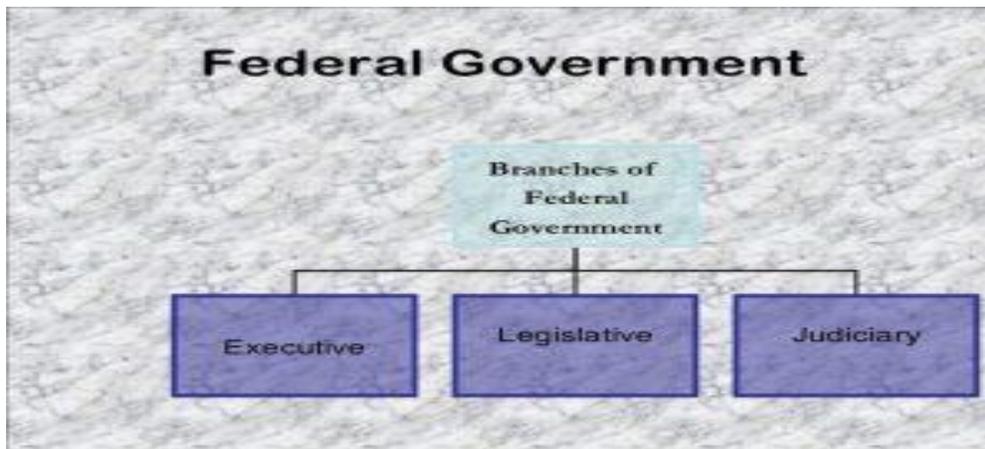
Federalism:

The Federalism system of the Ethiopian Government is based on the equal distribution for all 13 States of Ethiopia and the administration of Addis Ababa. The government system in the world for any country can classify into two types of governments. It can be a federal government or a unitary one (Centralism). Understanding the differences between these two types of government systems is essential due to the different relationships between the center and the units or the states is necessary.

1) The federal government is a type of national government in which the government has powers to delegate the authority to other elected members of the States. The Ethiopian constitution is based on the federalism form of the constitutional model.

2) The unitary (Centralism) government is a kind of government system in which a single power, known as the central government, controls the whole government. We, the people of Ethiopia, do not want to adopt our constitution resembling the form of the Unitary (Centralism) Government system model.

The Ethiopian Federal Government



The federal government is a type of national government in which the government has powers to delegate the authority to other elected members of the States. There can be two levels of the federal government in a country either it is performed through common institutions or powers as prescribed by a state constitution. It is the opposite of the unitary government. In the federation or federal government, provinces enjoy some rights available to the independent

states. However, the federal government makes international diplomacy, national security, foreign affairs, and other international dealings. It can be in the form of a federal republic or a federal monarchy government. Currently, there are 27 federations in the world. Pakistan, India, Brazil, Switzerland, Sudan, etc., are examples of federal republic governments, while Australia, Belgium, Canada, etc., are examples of federal monarchy governments. Mostly the national government system is referred to as the United States government. This government was based on republicanism and federalism. In the federal system, power is jointly shared between the provinces and federal governments. In the federal government system, the powers never rest with one national government. However, certain powers and authorities can remain totally with the federal government, like policies on defense, budget, international diplomacy, etc. The hierarchy of power in the national government system starts from the federal level and then cascades to the state and the local level. It is a new government system compared to the unitary and confederal systems of government that were popular before the federal government's introduction. The power of the federal always remains superior to state power. The national institutions could interfere in province-level matters if federal laws or the Constitution are violated. In short, the federal government can say for a system of government where there is an institutionalized division of authority between

national (nationwide) and subnational units (province). What is the Rule of law?

The rule of law is an ambiguous term that can mean different things in different contexts. In one context, the word means rule according to law.

The government can order no individual to pay civil damages or suffer criminal punishment except in strict accordance with well established and clearly defined laws and procedures.

In a second context, the term means rule under law.

No branch of government is above the law, and no public official may act arbitrarily or unilaterally outside the law.

In a third context, the term means rule according to a higher law.

The government may enforce no written law unless it conforms to certain unwritten, universal principles of fairness, morality, and justice that transcend human legal systems.

Under the rule of law, no person may prosecute for an act that is not punishable by law.

When the government seeks to punish someone for an offense that was not deemed criminal at the time it was committed, the rule of law violates because the government exceeds its legal authority to punish.

The rule of law requires the government to impose liability only insofar as the law allows. Government exceeds its authority when a person is held to answer for an act that was legally permissible at the outset but was retroactively made illegal.

For similar reasons, the rule of law abridges when the government attempts to punish someone for violating a vague or poorly worded law. Defined laws confer too much discretion upon government officials who charge with the responsibility of prosecuting individuals for criminal wrongdoing.

The most prosecutorial decisions are based on the personal discretion of a government official, the less they are based on law.

The rule of law also requires the government to exercise its authority under the law This requirement is sometimes explained with the phrase, "No one is above the law." Including the President.

CHAPTER ONE

GENERAL PROVISIONS

Adapted On 1 September 2016.

Article 1

Nomenclature of the State

This Constitution establishes the Federal Democratic Republic of Ethiopia.

Accordingly, the Ethiopian state shall be known as the Federal Democratic Republic of Ethiopia. The Constitution of Ethiopia divides the federal government into three branches to ensure no individual or group will have too much power and to **check and balance** the government power.

- A) Legislative—Makes laws (Congress—House of Representatives and Senate)
- B) B) Executive—Carries out laws (President, Vice President, Cabinet, most federal agencies)
- C) Judicial—Evaluates laws (Supreme Court and other courts)

The Ethiopian president has no veto power over legislation created by Congress.

The Ethiopian Congress can confirm or reject the President's nominees and can remove the President from office in exceptional circumstances.

Justices of the Supreme Court

Ethiopia has 7 seven direct elected by the people of Ethiopia Supreme Court Justices. All 7 Justices of the Supreme Court of Ethiopia must be clear or free from the affiliation of any political groups or parties.

Legislative Branch

- 1) The legislative branch of Ethiopia can draft proposed laws that confirm or rejects Presidential nominations for heads of federal agencies.
- 2) The legislative branch of Ethiopia has the authority to declare war. This branch comprises Congress (the Senate and House of Representatives) and specialized agencies and offices that provide support services to Congress.
- 3) Ethiopian citizens can vote for Senators and Representatives through free, confidential ballots.

Senate

There are three elected Senators per province and from Addis, Ababa administration totaling 42 Senators. A Senate term is six years, and one can run for re-election every six years.

House of Representatives

Many elected Representatives divided among the 13 provinces and the Addis Ababa administration in proportion to their total population.

A Representative serves a two-year term and can run for re-election every two years.

Article 2

Ethiopian Territorial Jurisdiction

- 1) The territorial jurisdiction of Ethiopia shall comprise the territory of the members of the province's external boundaries. International agreements shall determine it according to its map registered by the nations' league. It has an area of 1,127,127 square kilometers, to south Kenya, to the west south Sudan, and Sudan, to east Djibouti and Somalia, and to north Eritrea.
- 2) The northeast Ethiopian territory must base on the 2 February 1950 United Nations resolution 390 V. in the New York general assembly.
- 3) According to the 2 February 1950 United Nations resolution, 390 V states that if Eritrea decides to withdraw from Ethiopia, Eritrea **must cede** the port of Asseb to Ethiopia.

- 4) The northeast of Ethiopian territory is the **Red Sea**, including the **port of Asseb** and the **Islands of Dahlak**, according to the United Nations fifth general assembly decision on its resolution 390 V.

Article 3

The Ethiopian Flag

The Ethiopian flag shall consist of **green** at the top, **yellow** in the middle, and **red** at the bottom, and shall have **no emblem at the center**. The people of Ethiopia shall set them the three-color flag horizontally in equal dimensions.



Article 4

Executive Branch

President

Executive Qualifications & Responsibilities

- 1) The Ethiopian presidential election system is based only on **One Vote, One Person**. The executive branch carries out and enforces laws. It comprises the President, Vice President, the Cabinet, executive departments, independent agencies, and other boards, commissions, and committees.
- 2) Ethiopian citizens can vote for the President and Vice President through free, confidential ballots.
- 3) Candidates for the presidential race must come according to article 39 through the winning process of a) **Democratic Party**, b) **Hizbawi Party**, and c) **Federal Party** only. No ethnic name is allowed to use in the presidential race.
- 4) No gender discrimination is allowed for Ethiopian presidential candidacy.
- 5) The President must be at least 35 years old and a natural-born of Ethiopia or abroad.
- 6) People can directly elect the President without the Electoral College. In this constitution, the Electoral College is not allowed. The President of Ethiopia can select for a **four-year and cannot serve more than two elected terms**.

- 7) The president's chief duty is to ensure the nation's laws are faithfully executed.
- 8) This duty was performed mainly through appointments for thousands of Federal Government positions, including secretaries of cabinet-level agencies except federal Government judges. The President has no power to sign any veto (reject) laws passed by Congress. However, the president can negotiate with foreign governments (with Senate approval).
- 9) President has no authority to declare any war. Only Congress can declare war.

The roles of the executive branch

President

The President leads the country. They are the head of state and leader of the federal government. The President serves for a four-years and can be elected for no more than two terms.

Vice President

- 1) The Vice President supports the President. If the President is unable to serve, the Vice President becomes President.

- 2) The vice president serves as the presiding officer of the Senate.
- 3) The Vice President would become President if the office were vacated.
- 4) A federal court can prosecute the president or vice president for misdemeanor cases. If they fail guilty, Congress can remove them by 2/3 (two-thirds) vote.
- 5) If the president and vice president die accidentally, the house speaker can act as the nation's president.

The Cabinet

- 1) Cabinet members of Ethiopia serve as advisors to the President. They include the Vice President, heads of executive departments, and other high-ranking government officials. The President nominates cabinet members and must approve by a simple majority of the Senate vote.
- 2) The President's Executive Office communicates the President's message and deals with the federal budget, security, and other high priorities.
- 3) Executive Departments of these are the leading agencies of the federal government. The heads of these agencies are also members of the President's cabinet.
- 4) Executive Department Sub-Agencies Smaller sub-agencies support specialized work within parent executive department agencies.

- 5) Independent Agencies, these agencies are not represented in the cabinet and are not part of the President's Executive Office. They deal with government operations, the economy, and regulatory oversight.
- 6) Boards, Commissions, and Committees Congress or the President establish these smaller organizations to manage specific tasks and areas that don't fall under parent agencies.
- 7) Quasi-Official (liquid assets) of Ethiopia Agencies Although they're not officially part of the executive branch, these agencies are required by federal statute to release certain information about their programs and activities in the Federal Register, the daily journal of government activities.

Judicial Branch

- 1) The judicial branch of Ethiopia interprets the meaning of laws, applies laws to individual cases, and decides if laws violate the Constitution. It comprised the Supreme Court and other federal courts.

Supreme Court

- 1) The Supreme Court of Ethiopia is the highest in the country.
- 2) The people of Ethiopia directly elected the Justices of the Supreme Court.

- 3) Seven members make up the Supreme Court a Chief Justice. There must be a minimum or quorum of four to decide a case. The lower court's decision stands if there is an even number of Justices and a claim results in a tie.
- 4) The Justices of the Supreme Court of Ethiopia serve for six years and can run for re-election every six years.

Federal Courts and Judicial Agencies

- 1) The Constitution gives Congress the authority to establish other federal courts to handle cases that involve federal laws, including tax and bankruptcy, lawsuits involving federal and provincial governments or the Constitution, and more. In addition, other federal judicial agencies and programs support the courts and research judicial policy.

Article 5

Governor

Governors' Powers and Authority

Governors, all of whom are popularly elected, serve as the chief executive.

As province managers, governors are responsible for implementing province laws and overseeing the operation of the province executive branch. As provincial leaders, governors advance and pursue new and revised policies and programs using various tools, among them executive orders, executive budgets, and legislative proposals with **no** vetoes.

Governors carry out their management and leadership responsibilities and objectives with the support and assistance of department and agency heads, many of whom they empowered to appoint. A majority of governors have the authority to appoint state court judges as well, in most cases from a list of names submitted by a nominations committee.

Although governors have many roles and responsibilities in common, the scope of gubernatorial power varies from province to province by their province. Also, political historians and other observers of province politics often rank constitutions, legislation, tradition, and governors according to the number and extent of their powers. Ranking factors may include the following.

Although not necessarily a ranking factor, the power to issue executive orders and take emergency actions is a significant gubernatorial responsibility that varies from province to province.

Qualifications

- 1) The Ethiopian governor race system is based only on the One Vote, One Man system.
- 2) Candidates for the governor race must come according to article 39 through the winning process of **a) Democratic Party, b) Hizbawi Party, and c) Federal Party** only. No ethnic name is allowed to use in the presidential race.
- 3) No gender discrimination is allowed for governor candidacy.
- 4) The governor must be at least 35 years old, a natural-born of that province, or a resident.
- 5) People can directly elect the governor without the Electoral College. The province governor can be eligible for a four-year and cannot serve more than two selected terms.
- 6) The chief duty of the governor is to ensure the nation's laws are faithfully executed.
- 7) This duty of governors is essentially performed through appointments for thousands of Federal Government positions, including secretaries of cabinet-level agencies except federal and provincial judges.

Term Limits

Gubernatorial terms are **four years** in every state.

Vacancies/Succession

In the event of a vacancy in the office, the lieutenant governor is the designated official who succeeds the governor in all provinces, and officials appointed to succeed the governor include the secretary of province and leader of the province.

Impeachment

All provinces provide for the impeachment of governors. As in the case of the federal government, the impeachment process starts with the lower body of the legislature, and the upper body conducts the trial in every province charged with the complete impeachment process. In most cases, impeachment requires a majority of members, while conviction generally requires a two-thirds or other special majority.

If a governor is impeached, the lieutenant governor serves as acting governor.

Legislative Role

- 1) *The Ethiopian Governors* play two broad roles in province legislatures.

- 2) **First**, they *may be empowered to call special legislative sessions*, provided in most cases that the purpose and schedule for the sessions are set in advance. **Second**, and more familiarly, *governors coordinate and work with provincial legislatures in Approval of the Province's Budgets and Appropriations*.
- 3) Governors develop and submit annual or biennial budgets for review and approval by the legislature. Governors must encourage their budget staff to play a substantial role in establishing priorities for using provinces' resources.

Enactment of Legislation

- 1) Governors often use to outline their legislative platforms, and many governors prepare specific legislative proposals to introduce on their behalf. Also, provincial departments and agencies may pursue legislative initiatives with gubernatorial approval.
- 2) Executive branch officials are often called to testify on legislative proposals, and governors and other organizational branch leaders will seek to mobilize public opinion and interest groups for or oppose specific legislative proposals.
- 3) Governors may use their role as party leaders to encourage support for legislative initiatives and, along with department heads and staff, may seek

to influence the progress of legislation through regular meetings with legislators and legislative officials.

Confirmation of Appointments

Many gubernatorial appointments require legislative confirmation.

Legislative Oversight

Governors interact with their legislatures to help ensure that their priorities, goals, and accomplishments are accurately presented and positively received during oversight hearings and other legislative activities that address and evaluate executive branch implementation of legislatively mandated programs and services.

Appointment Power

- 1) Most governors have broad authority to nominate officials to serve in province executive branch positions, many of whom will include in the governor's advisory committee, known as the "cabinet." Governors may also be empowered to make appointments except for the provincial judgeships under Ethiopian Law.
- 2) Frequently, these appointments are subject to confirmation by one or both houses of the province's legislature. In comparison, legislatures can often use the confirmation process on executive branch appointments to expand their

influence on governors and their policies. Accordingly, many governors consult with key legislators before making formal nominations.

Boards and Commissions

- 1) The roles played by boards and commissions vary considerably by province and program. In some provinces, appointed boards are primarily responsible for individual programs and agencies and selecting department and agency heads. This is particularly true in education, but boards still retain responsibility for other labor, transportation, and health and human services programs.
- 2) Other boards play more limited regulatory or advisory roles. For example, in most provinces, boards oversee the licensing and regulation of numerous professions and business areas. In other provinces, they advise the governor on areas of importance such as the environment and economic development.

Executive Branch Positions Independently Selected

Many provinces provide for the independent selection of certain executive branch positions. Most noteworthy among these positions are lieutenant governor, secretary of the province, attorney general, and treasurer.

Cabinets

- 1) Provincial cabinets of Ethiopia, which serve as advisory councils to the nation's governors, are generally made up of officials appointed by the governor to head province departments and agencies and sometimes top-level staff in the governor's primary office.
- 2) In most provinces, the cabinet fulfills two functions. In some provinces, governors have created sub-cabinets to bring together agencies to address issues such as the needs of children.
- 3) Thirteen provinces and Addis Ababa administration shall all commonwealths have cabinets and sub-cabinets.
- 4) Cabinets may have their origin in law, tradition, and the governor's discretion.
- 5) Cabinet membership may be a product of an appointment to a specific office or be subject to selection by the governor.
- 6) Cabinet size, the frequency of cabinet meetings, and the extent to which a governor uses their cabinet for advice and assistance vary among the provinces and commonwealths.

Executive Orders

- 1) The authority of governors is based on the issue of executive orders found in the province constitutions.
- 2) Provinces and case law are implied by the powers assigned to provincial chief executives.
- 3) Governors use executive orders, some of which are subject to legislative review in some provinces, for various purposes.
- 4) Trigger emergency powers during natural disasters, energy crises, and other situations requiring immediate attention; create advisory, coordinating, study, or investigative committees or commissions; and address management and administrative issues such as regulatory reform, environmental impact, and hiring freezes, discrimination, and intergovernmental coordination.

Emergency Powers

- 1) As chief executives, governors ensure adequate preparation for emergencies and disasters of all types and sizes.
- 2) Most emergencies and disasters are handled locally, and few require a presidential disaster declaration or attract worldwide media attention.
- 3) Governors must be prepared for day-to-day events, floods, power outages, industrial fires, and hazardous materials spill; for catastrophes on the province scale, focus on four disaster or emergency management stages.

- 4) These components afford a helpful rubric for thinking about the cycle of disasters and emergencies and organizing recommendations for province action. During an emergency, the governor also plays a crucial role in communicating with the public, providing advice and instructions, and maintaining calm and public order.
- 5) Provincial emergency management laws usually define how a governor may declare an end to a state of emergency. In some cases, the necessary response to a disaster is beyond the capacity of state and local governments. A province may petition the President to declare a major disaster. The declaration of a significant catastrophe triggers a variety of federal programs depending on the scope of the disaster and the type of losses experienced.

Legislative Qualifications & Responsibilities

Legislature

- 1) Legislators of Ethiopia can propose and enact public policy, set a budget, and provide for the collection of taxes to support the province and local government.

State Senator

- 1) The Senator of Ethiopia has **one** member from each legislative district in the province.
- 2) Senators are elected for four-year terms, and approximately one-half of the membership of the Senate is up for election each even-numbered year.
- 3) The Senator's only sole duty is to confirm appointments made by the governor.
- 4) The Provincial Representative in the House of Representatives has **two** from each legislative district in the province.
- 5) Representatives are elected for two-year terms, so the total membership of the House is up for election each even-numbered year.

Supreme Court

- 1) Federal Supreme Court, located in Addis Ababa, is the highest judiciary in the country.
- 2) State Supreme Court justices hear appeals and decide cases from Courts of Appeals and other lower courts.
- 3) **Seven** justices are elected statewide to serve **six years**. **Seven** Justices are elected every **six** years.

- 4) Court of Appeals Judge Court of Appeals Judges hear appeals from Superior Courts.
- 5) Court of Appeals Judges serves **six years**.
- 6) Superior Court Judge Superior Courts hear felony criminal cases, civil matters, divorces, juvenile cases, and appeals from lower-level courts.
- 7) County organizes superior Courts into districts.
- 8) Superior Court Judges can serve for six years only; however, they can run for reelection at their term ends.

Article 6

National Anthem of Ethiopia

The national anthem of Ethiopia, to be determined by law, shall reflect the ideals of the Constitution, the Commitment of the Peoples of Ethiopia to live together in a democratic order, and their shared destiny.

Article 7

Languages

All Ethiopian languages shall enjoy equal province recognition. However, the Amharic language shall be the working language of the Federal Government of Ethiopia.

Article 8

Nationality

- 1) Any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian.

DUAL CITIZENSHIP

- 2) A citizen of Ethiopia can hold the citizenship of any other country in addition to their citizenship of Ethiopia.

CHAPTER TWO

FUNDAMENTAL PRINCIPLES

OF THE CONSTITUTION

Article 9

The sovereignty of the people

1. All sovereign power resides in the Peoples of Ethiopia.
2. This Constitution (Hige-Ethiopia) expresses the Ethiopian people's sovereignty equally for men and women.
3. Their sovereignty shall be expressed through representatives elected by this Constitution and their direct democratic participation.

Article 10

The supremacy of the Constitution

- 1) Our New Constitution (Hige-Ethiopia) is the Supreme Law of the Land.
- 2) Any law, customary practice, or decision of an organ of the province or a public official which contravenes this Constitution shall be of no effect.
- 3) All citizens, organs of the province, political organizations, other associations, and their officials, including the president, must ensure observance of the Constitution and obey it.
- 4) It is prohibited to assume province power in any manner other than that provided under the Constitution.
- 5) All international agreements ratified by Ethiopian Congress are an integral part of the land law.

Article 11

Human and Democratic Rights

- 1) Human rights and freedoms emanating from the nature of humanity are inviolable and inalienable.

- 2) The human and democratic rights of citizens and peoples shall be respected.

Article 12

Separation of State and Religion

1. Government and religion are separate.
2. There shall be no Government religion.
3. The Government shall not interfere in religious matters, and religion shall not interfere in government affairs.

Article 13

Conduct and Accountability of Government

1. The conduct of affairs of government shall be **transparent**.
2. Any public official or an elected representative is accountable for any failure in official duties.
3. In the case of losing confidence, the people may recall an elected representative.

CHAPTER THREE

FUNDAMENTAL RIGHTS AND FREEDOMS

Article 14

The scope of Application and Interpretation

1. All-Province legislative, executive and judicial organs at all levels shall have the responsibility and duty to respect and enforce the provisions of this Chapter.
2. The fundamental rights and freedoms specified in this Chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights, International Covenants on Human Rights, and International instruments.

PART 1

HUMAN RIGHTS

Article 15

Rights to life

The Security of Person and Liberty Every person has the inviolable and inalienable right to life and the security of person and liberty.

Article 16

Right to Life

Every person has the right to life. No person may deprive of his life except as a punishment for a serious criminal offense determined by law

Every person has the security right to protection against bodily harm.

Article 17

Right to Liberty

No one shall be deprived of liberty except on such grounds and by a procedure established by law. No person may be subject to arbitrary arrest, and no person may detain without a charge or conviction against him.

Article 18

The prohibition against Inhuman Treatment

- 1) Everyone has the right to protection against cruel, inhuman, or degrading treatment or punishment.

- 2) No one shall be held in slavery or servitude. Trafficking in human beings for whatever purpose is prohibited.
- 3) No one shall be required to perform forced or compulsory labor.

Article 19

The right of Persons Arrested

- 1) Persons arrested have the right to be informed promptly, in a language they understand, of the reasons for their arrest and any charge against them.
- 2) Persons arrested have the right to remain silent. Upon arrest, they have the right to be informed promptly, in a language they understand, that any statement they make may use as evidence against them in court.
- 3) Persons arrested have the right to be brought before a court within 48 hours of their arrest. Such time shall not include the time reasonably required for the journey from the place of detention to the court. On appearing before a court, they have the right to be given a prompt and specific explanation of the reasons for their arrest due to the alleged crime committed.
- 4) All persons have an inalienable right to petition the court to order their physical release where the arresting police officer or the law enforcer fails to bring them before a court within the prescribed time and provide reasons for

their arrest. However, where the interest of justice requires, the court may order the arrested person to remain in custody or remand him for a time strictly needed to carry out the necessary investigation. In determining the additional time required for the analysis, the court shall ensure that the responsible law enforcement authorities carry out the inquiry respecting the arrested person's right to a speedy trial.

- 5) Persons arrested shall not be compelled to make confessions or admissions which could use in evidence against them. Any evidence obtained under coercion shall not be admissible.
- 6) Persons arrested have the right to be released on bail. In exceptional circumstances prescribed by law, the court may deny bail or demand an adequate guarantee for the conditional release of the arrested person.

Article 20

Rights of Persons Accused

- 1) Accused persons have the right to a public trial by an ordinary court of law within a reasonable time after being charged. However, the court may hear

cases in a closed session only to (or “intending to”) protect the right to privacy of the parties concerned, public morals, and national security.

- 2) Accused persons have the right to be informed with sufficient particulars of the charge brought against them and to be given the order in writing.
- 3) During proceedings, accused persons have the right to be presumed innocent until proved guilty according to law and not to be compelled to testify against themselves.
- 4) Accused persons have the right to full access to any evidence presented against them, to examine witnesses testifying against them, to adduce or to have evidence produced in their defense, and to obtain the attendance of an examination of witnesses on their behalf before the court.
- 5) Accused persons have the right to be represented by legal counsel of their choice and, if they do not have sufficient means to pay for it and miscarriage of justice would result, to be provided with legal representation at province expense.
- 6) All persons have the right to appeal to the competent court against an order or a judgment of the court that first heard the case.

- 7) They have the right to request the assistance of an interpreter at province expense where the court proceedings are conducted in a language they do not understand.

Article 21

The Rights of Persons Held in Custody and Convicted Prisoners

- 1) All persons held in custody and imprisoned upon conviction and sentencing have the right to treatment respecting their human dignity.
- 2) All persons shall have the opportunity to communicate with and visit their spouses or partners, close relatives, friends, religious councilors, medical doctors, and legal counsel.

Article 22

Non-retroactivity of Criminal Law

- 1) No one shall be held guilty of any criminal offense because of any act or omission that did not constitute a criminal offense when it was committed.

Nor shall a heavier penalty be imposed on any person than the one applicable when the criminal offense was committed.

- 2) Notwithstanding the provisions of sub-Article 1 of this Article, a law promulgated after the commission of the offense shall apply if it is advantageous to the accused or convicted person.

Article 23

Prohibition of Double Jeopardy

No person shall be liable to be tried or punished again for an offense for which he has already been finally convicted or acquitted by the criminal law and procedure.

Article 24

Prohibition and Crime

- 1) Drank and driving are constitutionally crimes and prohibited under Ethiopian Law.
- 2) No smoke, No drink under 21 years old. It is constitutionally a crime and prohibited under Ethiopian Law.

- 3) Parents are not entitled to their children's defaulted crime unless they are involved in the same crime.

Article 25

Right to Honor and Reputation

- 1) Everyone has the right to respect his human dignity, reputation, and honor.
- 2) Everyone has the right to the free development of his personality in a manner compatible with the rights of other citizens.
- 3) Everyone has the right to recognition everywhere as a person.

Article 26

Right to Equality

All persons are equal before the law and entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee equal and adequate security to all persons without discrimination based on social origin, color, sex, language, religion, political or opinion, property, birth, or other status.

Article 27

Right to Privacy

- 1) Everyone has the right to privacy. This right shall include the right not to be subjected to searches of his home, person, or property or to seize any property under his possession.
- 2) Everyone has the right to the inviolability of his notes and correspondence, including postal letters and communications made using the telephone, telecommunications, and electronic devices.
- 3) Public officials shall respect and protect these rights. No restrictions may place on the enjoyment of such rights except in compelling circumstances and by specific laws whose purposes shall be the safeguarding of national security or the public peace, the prevention of crimes or the protection of health, public morality, or the rights and freedoms of others.

Article 28

Freedom of Religion, Belief, and Opinion

- 1)** Everyone has the right to freedom of thought, conscience, and religion.

This right shall include the freedom to hold or to adopt a religion or belief of his choice and the space, either individually or in community with others, and in public or private, to manifest his religion or belief in worship, observance, practice, and teaching.

- 2)** Without prejudice, believers may establish religious education and administration institutions to propagate and organize their religion.

- 3)** No one shall be subject to coercion or other means which would restrict or prevent his freedom to hold a belief of his choice except by breaking our long-time culture because Ethiopia is a country of culture that respects Christianity and Muslim religious beliefs equally.

- 4)** Parents and legal guardians have the right to bring up their children, ensuring their religious and moral education conforms to their convictions.

- 5) Freedom to express or manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, peace, health, education, public morality or the fundamental rights and freedoms of others, and to ensure the independence of the Province from religion.

Article 29

Crimes against Humanity

- 1) Criminal liability of persons who commit crimes against humanity, as defined by international agreements ratified by Ethiopia and other laws of Ethiopia, such as genocide, summary executions, forcible disappearances, or torture.
- 2) Ethiopia shall adhere to INTERNATIONAL RELATIONS in its dealings with other nations.
- 3) The government of Ethiopia must promote and protect the interests of Ethiopians.
- 4) Ethiopia's government shall seek to establish justice and equitable international economic and social order.

- 5) The government of Ethiopia shall promote respect for international law, treaty obligations, and the settlement of international disputes by peaceful means and International law.
- 6) The government of Ethiopia shall adhere to the principles enshrined in international organizations, international human rights treaties, the Charter of the United Nations, the Charter of the Organization of African Unity, the Commonwealth, the Treaty of the IGAD Countries, and any other international organization of which Ethiopia is a member.

PART 2

DEMOCRATIC RIGHTS

Article 30

The right of Thought, Opinion, and Expression

- 1) Everyone has the right to hold opinions without interference.
- 2) Everyone has the right to freedom of expression without any interference.
This right shall include the freedom to seek, receive and impart information

and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any media of his choice.

- 3)** Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements: a. The prohibition of any form of censorship is to access information of public interest.
- 4)** In the interest of the free flow of information, ideas, and opinions that are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.
- 5)** Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion.
- 6)** These rights can be limited only by laws that are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down to protect the well-being of the youth and the honor and reputation of individuals. Any propaganda for war and the public expression of opinion intended to injure human dignity shall be prohibited by law.

- 7) Any citizen violating legal limitations on exercising these rights may be liable under the law.

Article 31

The Right of Assembly, Demonstration, and Petition

- 1) Everyone had the right to assemble and to demonstrate together with others peaceably and unarmed and to petition. However, appropriate regulations may make in the interest of public convenience relating to the location of open-air meetings and the route of movement of demonstrators or for the protection of democratic rights, public morality, and peace during such a meeting or demonstration.
- 2) This right does not exempt from liability under laws enacted to protect the well-being of the youth, the honor and reputation of individuals, and laws prohibiting any propaganda for war and any public expression of opinions intended to injure human dignity.

Article 32

Freedom of Association

- 1) Every person has the right to freedom of association for any cause or purpose.
- 2) Ethiopian organizations formed by-laws appropriately, legally, or constitutionally can promote a freedom activity peacefully.

Article 33

Freedom of Movement

- 1) Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time they wish.
- 2) Any Ethiopian national has the right to return to his country.
- 3) It eliminates migration and young Ethiopians' suffrage; all opportunities and doors are open to all Ethiopians to travel to any place at any time throughout the world without any bureaucratic process delay.

- 4) All Ethiopians can possess their travel document alone without their parents accompanying requirements at their neighboring offices, at any time to go abroad without any governmental permeation.
- 5) The government of Ethiopia must set an agreement for free entry/exit visas for all Ethiopians with all embassies located in Ethiopia to stop the migration problem or our young generation's suffrage.

Article 34

Rights of Nationality

- 1) No Ethiopian national shall deprive of their Ethiopian nationality against their will. Likewise, the marriage of an Ethiopian national of either sex to a foreign national shall not annul their Ethiopian race.
- 2) Every Ethiopian national has the right to enjoy all rights, protection, and benefits derived from Ethiopian nationality as prescribed by law.
- 3) Any national has the right to change his Ethiopian nationality.
- 4) Ethiopian nationality may confer upon foreigners by a law enacted and procedures established consistent with international agreements.

Article 35

Marital, Personal, and Family Rights

- 1)** Marriage shall be between men and women, without discrimination regarding race or religion.
- 2)** Ethiopians have equal rights while entering, during the marriage, and at the time of divorce.
- 3)** The Ethiopian constitution shall be enacted to protect the rights and interests of children at the time of divorce.
- 4)** Marriage shall be entered only with the intending spouses' free and full consent.
- 5)** The family is the natural and fundamental unit of society and is entitled to protection by society and the government.
- 6)** Under the Ethiopian constitution, marriage is the union of only one man and woman.
- 7)** Under the Ethiopian constitution, marriage is prohibited for those under 18 years old, or no marriage is permitted under 18 years old.

Article 36

Rights of Women

- 1) In the enjoyment of rights and protections provided by this Constitution, women shall have equal rights with men.
- 2) Women have equal rights with men in marriage as prescribed by this Constitution.
- 3) The historical legacy of inequality and discrimination suffered by women in Ethiopia is taken into account; women, to remedy this legacy, are entitled to affirmative measures. The purpose of such measures shall be to provide special attention to women to enable them to compete and participate by equality with men in political, social, and economic life as well as in public and private institutions.
- 4) The province shall enforce women's right to eliminate harmful customs influences. Laws, customs, and practices that oppress or cause bodily or mental harm to women are prohibited.
- 5) Women have the right to maternity leave with full pay. The duration of maternity leave shall be determined by law, taking into account the nature of the work, the health of the mother, and the well-being of the child and

family. (b) Maternity leave may include prenatal leave with full pay by the provisions of law.

- 6)** Women have the right to the full consultation in formulating national development policies, designing, and executing projects, particularly in projects affecting women's interests.
- 7)** Women have the right to acquire, administer, control, use, and transfer property. In particular, they have equal rights with men on land use, transfer, administration, and management. They shall also enjoy equal treatment in the inheritance of property.
- 8)** Women shall have a right to equality in employment, promotion, pay, and the transfer of pension entitlements.
- 9)** Women have the right to access family planning education, information, and the capacity to prevent harm from pregnancy and childbirth and safeguard their health.
- 10)** Under the Ethiopian constitution, female genital mutilation is illegal and a federal government crime.
- 11)** Under the Ethiopian constitution, any person who mutilates their daughter will be punished with three years in prison and a 5,000 Birr fine.

Article 37

Rights of Children

- 1) Every child has the right to life, to a name and nationality, to know and be cared for by their parents or legal guardians, not to be subject to exploitative practices, and neither to be required nor permitted to perform work that may be hazardous or harmful to their education, health or well-being; e. Therefore, to be free of corporal punishment or cruel treatment in schools and other institutions is reasonable for children's care.
- 2) In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities, or legislative bodies, the primary consideration shall be in the child's best interest.
- 3) Juvenile offenders admitted to corrective or rehabilitative institutions and juveniles who become wards of the State or are placed in public or private orphanages shall be kept separately from adults.
- 4) Children born out of wedlock shall have the same rights as children born out of wedlock.

- 5) The Province shall accord special protection to orphans and encourage the establishment of institutions that ensure and promote their adoption and advance their welfare and education.

Article 38

The right of Access to Justice

- 1) Everyone has the right to bring a justiciable matter to and to obtain a decision or judgment by a court of law or any other competent body with judicial power.
- 2) The decision or judgment referred to under sub-Article 1 of this Article may also be sought by (a) Any association representing the Collective or individual interest of its members, or (b) Any group or person who is a member of or represents a group with similar interests.

Article 39

The Right to Vote and to be elected

ORGANIZATION OF POLITICAL PARTIES

- 1) Under the Ethiopian new constitution, the right to form political parties is guaranteed only for the **three parties**. These are:
A) Hizbawi Party, B) Democratic Party, C) Federal Party.
- 2) Under the Ethiopian constitution, it is strictly prohibited as a crime no political party shall be formed (a) on ethnic, gender, religious, regional, professional, or other sectional divisions; or (b) which uses words, slogans, or symbols which could arouse ethnic, gender, religious, regional, professional or other sectional divisions.
- 3) Every Ethiopian national, without discrimination based on color, race, sex, language, religion, political or opinion, or another status, has the following rights: (a) To participate in public affairs. Act directly through freely chosen representatives. (b) On the attainment of 18 years of age, to vote under the law; (c) To vote and to be elected at periodic elections to any office at any level of government; elections shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.
- 4) The right of everyone to be a member of his own will in a political organization, labor union, trade organization, or employers' or professional

association shall be respected if they meet the unique and general requirements stipulated by such organization.

Article 40

The Land of Ethiopia

Right to Property/Land ownership

1) Every Ethiopian citizen has the right to ownership of private property.

Unless prescribed otherwise by law on account of public interest, this right shall include the right to acquire, to use, and, in a manner compatible with the rights of other citizens, to dispose of such property by sale or bequest or to transfer it otherwise.

2) "Private property," for this Article, shall mean any tangible or intangible product which has value and is produced by the labor, creativity, enterprise, or capital of an individual citizen, associations which enjoy juridical personality under the law, or in appropriate circumstances, by communities empowered explicitly by law to own property in common.

- 3) The right to ownership of rural and urban land and all-natural resources are exclusively vested in Ethiopia's provinces and the peoples. Therefore, the land is a common property of the Peoples of Ethiopia.
- 4) Ethiopian peasants have the right to obtain land without payment and the protection against eviction from their possession.
- 5) Ethiopian pastoralists have the right to free land for grazing and cultivation and are not too displaced from their lands.
- 6) Without prejudice to the right of Ethiopian Peoples to own land, the government shall not ensure the right of private investors to use Ethiopian land by payment arrangements or lease.
- 7) Every Ethiopian shall have the full right to the immovable property he builds and the permanent improvements he brings about on the land through his labor or capital. This right shall include the right to alienate, to bequeath, and where the right of use expires, to remove their property, to sell their land, transfer his title, or claim compensation for it.
- 8) All the rural lands belong to the Ethiopian tenants only; that includes the tenants' cooperation and family farmers.
- 9) All the Ethiopian farmers' labor must transform into tractors, and the harvest is combining machines' power to produce enough foods for the

Ethiopian consumers under the full sponsorship of the Ethiopian government, with equal distribution to all 13 provinces of Ethiopia.

- 10)** Under this constitution, all the current land investors' foreigners, including diaspora individuals, must hand over their land, including all farming materials, to the De Jure government of the Federal Democratic Republic of Ethiopia immediately; as soon as the De Facto government of the TPLF regime become an end.
- 11)** The Ethiopian provinces shall take appropriate measures to promote the development of agriculture and industry.
- 12)** Foreign investment shall be encouraged within Ethiopia, subject to any law for the time being regulating investment in Ethiopia.
- 13)** The province shall afford equality of economic opportunity to all citizens. In particular, the province shall take all necessary steps to ensure the full integration of women into the mainstream of the economic development of Ethiopia.
- 14)** The province shall guarantee the ownership of property and the right of inheritance. A) Right to own property b) Right to transfer property.
- 15)** The province shall recognize that ownership and possession of land carry a social obligation to serve the larger community and, in particular,

the province shall acknowledge that the managers of public, family lands are fiduciaries charged with the responsibility to discharge their functions for the benefit respectively of the people of Ethiopia.

16) The province shall take appropriate measures to protect and safeguard the national environment for posterity. Furthermore, it shall seek co-operation with other provinces and bodies to protect the more expansive international habitat for humanity.

17) The province Shall Protect the environment and safeguard all employed persons' health, safety, and welfare. Furthermore, it shall establish the basis for fully deploying the creative potential of all Ethiopians.

18) 11. The province shall encourage workers' participation in the workplace decision-making process.

Article 41

Economic, Social, and Cultural Rights

1) Every Ethiopian has the right to engage freely in economic activity and to pursue a livelihood of their choice anywhere within the national territory.

- 2) Every Ethiopian has the right to choose their means of livelihood, occupation, and profession.
- 3) Every Ethiopian national has the right to equal access to publicly funded social services.
- 4) The province must allocate ever-increasing resources to provide public health, education, and other social services.
- 5) The province shall, within available means, allocate resources to provide rehabilitation and assistance to the physically and mentally disabled, the aged, and children who are left without parents or guardians.
- 6) The province shall pursue policies to expand job opportunities for the unemployed and the poor and undertake programmers and public works projects.
- 7) The province shall undertake all measures necessary to increase opportunities for citizens to find gainful employment.
- 8) Ethiopian farmers and pastoralists have the right to receive a fair price for their products, improving their conditions of life and enabling them to obtain an equitable share of the national wealth commensurate with their contribution. This objective shall guide the province in formulating economic, social, and development policies.

- 9) The province is responsible for protecting and preserving historical and cultural legacies and contributing to promoting the arts and sports.

Article 42

Rights of Labor

- 1) A) Factory and service workers, farmers, farm laborers, other rural workers, and government employees whose work compatibility allows for it and who are below a certain level of responsibility, have the right to form associations to improve their conditions of employment and economic well-being. This right includes the right to form trade unions and other associations to bargain collectively with employers or other organizations that affect their interests. (b) Categories of persons referred to in paragraph (c) of this sub-Article have the right to express grievances, including the right to strike. (c) Law shall determine government employees who enjoy the rights provided under paragraphs (a) and (b) of this sub - Article. (d) Women workers have the right to equal pay for equal work.
- 2) Workers have the right to limit working hours reasonably, rest, leisure, periodic leaves with pay, remuneration for public holidays, and a healthy and safe work environment.

- 3) Without prejudice to the rights recognized under sub-Article 1 of this Article, laws enacted to implement such rights shall establish procedures for forming trade unions and regulating the collective bargaining process.

Article 43

The Right to Development

- 1) The Peoples of Ethiopia as a whole, in Ethiopia, in particular, have the right to improved living standards and sustainable development.
- 2) The people of Ethiopia have the right to participate in national development and, in particular, to be consulted concerning policies and projects affecting their community.
- 3) All international agreements and relations concluded, established, or conducted by the province shall protect and ensure Ethiopia's right to sustainable development.
- 4) The primary aim of development activities shall be to enhance citizens' capacity for development and meet their basic needs.

Article 44

Environmental Rights

- 1) All persons have the right to a clean and healthy environment.
- 2) All persons displaced or whose livelihoods have been adversely affected due to province programmers have the right to commensurate monetary or alternative means of compensation, including relocation with adequate province assistance.

CHAPTER FOUR

SOCIAL OBJECTIVES

Article 45

- 1) The province shall endeavor to secure and protect a social order founded on ideals of freedom, equality, justice, integrity, and accountability.
- 2) This Constitution shall direct its policy towards ensuring that every citizen has equality of rights, obligations, and opportunities before the law.

Article 46

States of the Federal Democratic Republic of Ethiopia

- 1) The Federal Democratic Republic shall comprise 13 provinces and the Addis Ababa administration.
- 2) 13 The provinces of Ethiopia shall not have limited by the settlement patterns, language, identity, and consent of the peoples concerned.

Article 47

Member Provinces of the Federal Democratic Republic of Ethiopia

Member provinces of the Federal Democratic Republic of Ethiopia are the Following:

Provinces their capital cities

- 1) The province of Arsi..... Assela
- 2) The province of Bale.....Goba
- 3) The province of Gamogofa... Arbaminch
- 4) The province of Begemidr..... Gondar
- 5) The province of Gomam..... Bahir Dar
- 6) The Province of Harerge..... Harar

- 7) The province of Ilubabor.....Metu
- 8) The Province of Keffa..... Jimma
- 9) The Province of Shewa..... Addis Ababa
- 10) The province of Sidamo Hawassa
- 11) The province of Tigray... Mekele
- 12) The province of Wolega...Nekemt
- 13) The province of Wollo.....Dessie

Administrations equivalent to provinces

- 1) Addis Ababa administration Addis Ababa
- 2) Afar administration..... Asseb
- 3) Gambela administration..... Gambela
- 4) Ogaden administration..... JiJiga

All member provinces and administrations of the Federal Democratic Republic of Ethiopia shall have equal rights with equal distribution and powers.



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Article 49

Capital City

- 1)** Addis Ababa shall be the capital city of the Federal Democratic Republic of Ethiopia.
- 2)** The residents of Addis Ababa shall have a full measure of self-government.
- 3)** The Administration of Addis Ababa shall be responsible for the democratically elected Mayor and democratically elected city Councils' of Addis Ababa.
- 4)** By this Constitution's provisions, Addis Ababa residents shall be represented in the House of Peoples' Representatives and Senates.

CHAPTER FIVE

THE STRUCTURE AND DIVISION OF POWERS

Article 50

The Structure of the Organs of Ethiopian provinces

1) The Federal Democratic Republic of Ethiopia comprises the *Federal* and the *province* members.

2) The Federal Government and the States shall have legislative, executive, and judicial powers.

These delegates are democratically elected by either a) Hizbawi, Democratic, or *Federal* parties.

3) The House of Peoples' Representatives is the highest authority of the Federal Government of Ethiopia. The House is responsible to the People. The province Council is the highest organ of province authority. It is accountable to the People of the province.

4) The Province government shall establish at the province and other administrative levels that they find necessary. Adequate power shall be granted to the lowest government units to enable the People to participate

directly in the administration of such units. Each province can pledge **3 Senators and one house representative** from each district to Addis Ababa for four years of service.

- 5)** The province Council has the power of legislation on matters under provincial jurisdiction. In addition, consistent with the provisions of this Constitution, the Council has the authority to draft, adopt and amend the province's constitution.
- 6)** The province administration constitutes the highest organ of executive power.
- 7)** Province judicial power is vested in its courts.
- 8)** This Constitution defines the Federal Government and provinces' powers. The provinces shall respect the management of the Federal Government. The Federal Government shall likewise respect the authorities of the provinces.

Article 51

Powers and Functions of the Federal Government

- 1) It shall protect and defend the Constitution.
- 2) It shall formulate and implement the country's policies, strategies, and plans concerning overall economic, social, and development matters.
- 3) It shall establish and implement national standards and essential policy criteria for public health, education, science, and technology, as well as for protecting and preserving cultural and historical legacies.
- 4) It shall formulate and execute the country's financial, monetary, and foreign investment policies and strategies.
- 5) It shall enact laws for using and conserving land and other natural resources, historical sites, and objects.
- 6) It shall establish and administer national defense, public security forces, and a Federal Government police force.
- 7) It shall administer the National Bank, print and borrow money, mint coins, and regulate foreign exchange and money in circulation; it shall determine

by law the conditions and terms under which States can borrow money from internal sources.

- 8)** It shall formulate and implement foreign policy and negotiate and ratify international agreements.
- 9)** It shall be responsible for developing, administering, and regulating air, rail, waterways, and sea transport, major roads linking two or more provinces, and postal and telecommunication services.
- 10)** It shall levy taxes and collect duties on revenue sources reserved for the Federal Government; it shall draw up, approve and administer the Central Government's budget.
- 11)** It shall determine and administer the utilization of the waters or rivers and lakes linking two or more provinces or crossing the boundaries of the national territorial jurisdiction.
- 12)** It shall regulate inter-province and foreign commerce.
- 13)** It shall administer and expand all centrally funded institutions that provide services to two or more provinces.
- 14)** It shall deploy, at the request of a provincial administration, Federal Government defense forces to arrest a deteriorating security situation within the requesting State when its authorities are unable to control it.

- 15)** It shall enact, to give practical effect to political rights provided for in this Constitution, all necessary laws governing political parties and elections.
- 16)** It has the power to declare and lift the national state of emergency and province of emergency limited to certain parts of the country.
- 17)** It shall determine matters relating to nationality.
- 18)** It shall determine and administer all matters relating to immigration, the granting of passports, entry into and exit from the country, refugees, and asylum.
- 19)** It shall patent inventions and protect copyrights.
- 20)** It shall establish uniform standards of measurement and calendar.
- 21)** It shall enact laws regulating the possession and bearing of arms.

Article 52

Powers and Functions of Provinces

- 1)** All powers not given expressly to the Federal Government alone or concurrently to the Federal Government and the province reserved to the provinces.

2) Provinces shall have the following powers and functions: To establish a province administration that best advances self-government; a democratic order based on the rule of law; and to protect and defend the Federal Government Constitution. Also, to enact and execute the state constitution and other laws, to formulate and execute economics: social and development policies, strategies, and plans for the province. Additionally, to administer land and other natural resources by Federal laws. Also, to levy and collect taxes and duties on revenue sources reserved. Furthermore, the provinces can draw up and administer the province budget and enact and enforce laws on the local civil service and their condition of work; in the implementation of this responsibility, it shall ensure that educational; training, and experience requirements for any job, title, or position approximate national standards, to establish and administer a local police force, and to maintain public order and peace within the province.

CHAPTER SIX

THE Federal GOVERNMENT HOUSES

Article 53

- 1) There shall be Federal Government Houses: The House of Peoples' Representatives and the House of the Federal Government.
- 2) The House of Peoples' Representatives shall convict in all cases, especially
 - a) treason, b) felony c) breach of the peace.
- 3) The federal government house of people's representatives be privileged from arrest during their attendance at the session of their respective places, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Article 54

THE HOUSE OF PEOPLES' REPRESENTATIVES

- 1) The People shall elect members of the House of Peoples' Representatives for four years by universal suffrage and direct, accessible, and fair elections held by secret ballot.
- 2) Members of the House shall be elected from candidates in each electoral district by a plurality of the votes cast. Law shall make provisions for particular representation for Peoples.
- 3) Members of the House are representatives of the Ethiopian People as a whole. They are governed by the Constitution, the people's will, and c. Their Conscience. No member of the House may prosecute on account of any vote he casts or opinion he expresses in the House, nor shall any administrative action be taken against any member on such grounds.
- 4) No member of the House may be arrested or prosecuted without the permission of the House except in the case of flagrant delicto (conspicuously bad or abuse of power).
- 5) A member of the House may, by law, lose his representation mandate upon loss of confidence by the electorate.

- 6)** The House of Peoples' Representatives shall have the power of legislation in all matters assigned by this Constitution to Central Government jurisdiction.
- 7)** The House of Peoples' Representatives shall enact specific laws on the following matters: (a) Utilization of land and other natural resources, of rivers and lakes, (b) Inter-province commerce and foreign trade; (c) Air, rail, water, and sea transport, major roads linking two or more province, postal and telecommunication services; (d) Enforcement of the political rights established by the Constitution and electoral laws and procedures; (e) Nationality, immigration, passport, exit from and entry into the country, the rights of refugees and asylum; (f) Uniform standards of measurement and calendar; (g) Patents and copyrights; (h) The possession and bearing of arms.
- 8)** The House of Peoples' Representatives shall enact civil laws that the House of the Federal Government deems necessary to establish and sustain one economic community.
- 9)** The House of Peoples' Representatives shall determine the organization of national defense, public security, and a national police force. If the conduct

of these forces infringes upon human rights and the nation's security, it shall carry out investigations and take necessary measures.

- 10)** In conformity with Constitution, it shall declare a state of emergency; The House of Peoples' Representatives shall consider and resolve a decree of a state of emergency declared by the executive. 9. A draft law submitted by the Council of Ministers shall proclaim a province of war.
- 11)** The House of Peoples' Representatives shall approve general policies and strategies of economic, social, and development, and fiscal and monetary policy of the country. In addition, it shall enact laws on matters relating to the local currency, the administration of the National Bank, and foreign exchange.
- 12)** The House of Peoples' Representatives shall levy taxes and duties on revenue sources reserved for the Federal Government and ratify the Federal Government budget.
- 13)** The House of Peoples' Representatives shall ratify international agreements concluded by the executive.
- 14)** The House of Peoples' Representatives shall approve the appointment of the Federal Government judges, members of the Council of

Ministers, commissioners, the Auditor General, and other officials whose position is required by law to be approved.

- 15)** The House of Peoples' Representatives shall establish a Human Rights Commission and determine its powers and functions by law.
- 16)** The House of Peoples' Representatives shall establish the institution of the Ombudsman (A government official appointed to investigate complaints made by individuals against abused public officials) and select and appoint its members. It shall determine by law the powers and functions of the institution.
- 17)** On its initiative, the House of Peoples' Representatives shall request a joint session of the House of the Federal government and the House of Peoples' Representatives to take appropriate measures when province authorities cannot arrest human rights violations within their jurisdiction. It shall, by the joint decision of the House, give directives to the concerned State authorities.
- 18)** The House of Peoples' Representatives has the power to call and question **the President** and other **Federal Government officials** and **to investigate the Executive's** conduct and discharge of its responsibilities.

- 19)** The House of Peoples' Representatives shall, at the request of one-third of its members, discuss any matter about the powers of the executive. It has, in such cases, the ability to take decisions or measures it deems necessary.
- 20)** The House of Peoples' Representatives shall elect the Speaker and Deputy Speaker of the House.
- 21)** Adoption of Laws deliberated upon and passed by the House shall submit to the Nation's President for signature. The President shall sign a law submitted to him within fifteen days. If the President does not sign the law within fifteen days, it shall take effect without his signature

Article 55

Budget

- 1)** The province shall take all necessary action to ensure that the national economy is managed in such a manner as to maximize the rate of economic development and secure the maximum welfare, freedom, and happiness of every person in Ethiopia, and provide adequate means of livelihood and suitable employment and public assistance to the needy.

- 2) The province shall, in particular, take all necessary steps to establish a sound and healthy economy and guarantee fair and realistic remuneration for production and productivity to encourage continued production and higher productivity.
- 3) I am affording ample opportunity for individual initiative and creativity in economic activities and fostering an enabling environment for a prominent role of the private sector in the economy.
- 4) The right to establish a business ensures that individuals and the private sector bear their fair share of social and national responsibilities, including contributing to the country's overall development.
- 5) Constitute project to the balanced development of all regions and every part of each region of Ethiopia, and, in particular, improving the conditions of life in the rural areas, and generally, redressing any imbalance in development between the rural and the urban areas.

Article 56

Speaker of The House

- 1) The Speaker of the House exercises duties as a Member of Congress, presiding officer of the House of Representatives, and

leader of the House's majority political party. These responsibilities include voting on legislation, administrative duties such as maintaining order within the House chamber, and other tasks such as appointing special committees.

- 2) The Speaker of the House is the **PRESIDING OFFICER OF THE HOUSE OF REPRESENTATIVES.**
- 3) The Speaker of the House's duties as presiding officer of the House includes administering the oath of office to Members, calling the House to order, preserving order and decorum within the House chamber and galleries, recognizing members to speak on the House floor, and making rulings about House procedures.
- 4) The Speaker usually delegates some of these administrative duties to other majority party members, such as acting as Speaker *pro tempore* and leading House legislative sessions.
- 5) Also, the Speaker appoints members and chairpersons of regular committees, special or select committees, and conference committees and designates a majority of the Committee on Rules. The Speaker also determines which legislation is assigned to each committee and which legislation reaches the House floor for a vote. Furthermore, the Speaker decides the House legislative agenda in

consultation with party leaders, committee chairpersons, the president, and the Senate.

- 6) The Speaker presides over all joint sessions with the Senate because these official gatherings are usually held in the House of Representatives.
- 7) The Speaker of the House **LEADER OF THE MAJORITY PARTY IN THE HOUSE OF REPRESENTATIVES**. It means the Speaker is held responsible for passing legislation supported by the majority party.
- 8) The Speaker usually has a less prominent role as party leader when the president belongs to the same party. In contrast, the Speaker's prominence and the public position typically increase when they are from a different political party than the president.

Article 57

Meetings of the House, Duration of its Term

- 1) The presence of more than half of the members of the House constitutes a quorum.
- 2) The annual session of the House shall begin on Monday of the final week of the Ethiopian month of **Meskerem** and end on the 30th day of the

Ethiopian month of **Sene**. The House may adjourn for one month of recess during its annual session.

- 3) The House of Peoples' Representatives shall be elected for **four** years.
- 4) The Speaker of the House may call a meeting of the House when it is in recess. The Speaker of the House is also obliged to call a meeting of the House at the request of more than one-half of the members.
- 5) Meetings of the House shall be public. The House may, however, hold a closed session at the request of the Executive or members of the House if such a request is supported by a decision of more than one-half of the members of the House.

Article 58

Member of House

Prohibition of Simultaneous Membership in the Two Houses No one may simultaneously be a member of the House of Peoples' Representatives and the House of the Federal Government.

Article 59

Democratic Republic of Ethiopia

The President

- 1) A President of the Democratic Republic of Ethiopia shall be the Head of State and Head of Government.
- 2) The President shall take precedence over all other persons in Ethiopia, and in descending order, the Vice-President, the Speaker of the house.
- 3) Without prejudice of this Constitution, and subject to the operation of the prerogative writs.
- 4) The President shall be liable to proceedings in any court for the performance of his functions, or for any act done or omitted to be done, or purported to be done, or purported to have been done or purporting to do in the performance of his functions, under this Constitution or any other law.
- 5) The President shall not be personally liable for any civil or criminal proceedings in court while in office.
- 6) The executive authority of Ethiopia shall vest in the President and be exercised by the provisions of this Constitution.
- 7) The executive authority of Ethiopia shall not extend to the execution and maintenance of this Constitution and all laws made under this Constitution.

- 8) The President shall not leave Ethiopia without prior notification in writing, signed by him and addressed to the Speaker of the house.

Article 60

Presidential Election and Oath

- 1) **The President of Ethiopia shall be elected nationally every four years through the “one person, one vote” rule.**

- 2) **The Oath of Office:**

I do solemnly swear that I will faithfully execute the Office of President of the Democratic Republic of Ethiopia and will to the best of my ability, preserve, protect and defend the Constitution of the Democratic Republic of Ethiopia

Article 61

Powers of the Democratic Republic of Ethiopia

President

- 1) Appoint Ambassadors and Officers;** the President's appointments can include public ministers and consuls, ambassadors to foreign countries, cabinet members, and all officers whose appointments are not otherwise provided for in the Constitution. Some of the presidentially-appointed positions also require the candidates to go through the Senate confirmation process.
- 2) Grant Commissions and Call Special Sessions of Congress;** the President also has the power to fill vacancies that may happen during a Senate recess. These commissions expire at the end of the next Senate session.
- 3) Grant Reprieves and Pardons;** the President has the power to grant reprieves and pardons to people for federal crimes. A respite temporarily postpones punishing a person for their crimes while a pardon forgives the crime and the penalty for the crime. Reprieves and pardons do not need the approval of Congress. Many presidents issue pardons as they exit the office.
- 4) Make Treaties;** the Constitution grants the President the power to make treaties, or formal agreements, with other nations. These treaties might take

place as the ending points for wars or conflicts. The President must receive consent from two-thirds of the Senate to make a treaty official and actionable.

5) The most common inherent powers are emergency powers, exercised only in times of great need. Some emergency powers are limited in scope. For example, the president can declare a place devastated by a storm a federal disaster area, making it eligible for federal aid. Other emergency powers are much faster in scope.

Article 62

Powers and Functions of the House of the Federal Government

- 1)** The House can interpret the Constitution.
- 2)** It shall organize the Council of Constitutional Inquiry.
- 3)** It shall promote the equality of the Peoples of Ethiopia enshrined in the Constitution and promote and consolidate their unity based on mutual consent.

- 4) It shall exercise the powers entrusted to it and the House of Peoples' Representatives.
- 5) It shall strive to find solutions to disputes or misunderstandings that may arise between States.
- 6) It shall determine the division of revenues from joint Federal Government and local tax sources and the subsidies the Federal Government may provide to the province.
- 7) It shall determine civil matters which require the enactment of laws by the House of Peoples' Representatives.
- 8) It shall order Federal intervention if any State violating this Constitution endangers the constitutional order.
- 9) It shall establish permanent and ad hoc committees.
- 10) It shall elect the Speaker and the Deputy Speaker of the House and adopt rules of procedure and internal administration.

Article 63

Immunity of Members of the House of the Federal Government

- 1)** No member of the House of the Federal Government may prosecute on account of any vote he casts or opinion he expresses in the House, nor shall any administrative action be taken against any member on such grounds.
- 2)** No member of the House of the Federal Government may be arrested or prosecuted without the permission of the House.

Article 64

Decisions and Rules of Procedure

- 1)** The presence at a meeting of two-thirds of the House of the Federal Government members constitutes a quorum. All decisions of the House require the approval of a majority of members present and voting.
- 2)** Members of the House may vote only when they are present in person in the House.

Article 65

Federal Government budget

1. Budget the House of the Federal Government shall submit its budget for approval to the House of Peoples' Representatives.

Article 66

Foreign relations of Ethiopia

The fundamental principles that guide Ethiopia's foreign policy are contained in Ethiopia's Constitution to provide the broad principles underpinning her foreign policy as follows:

- 1)** Promotion and protection of the interest of Ethiopia.
- 2)** The establishment of justice is equitable international, economic, political, and social order.
- 3)** The rise of respect for international law is a treaty of obligations.
- 4)** The promotion of the settlement of the international dispute is through peaceful means.

- 5)** Adherence to the principles enshrined in the Charter and aims or ideals of the United Nations, the African Union, and IGAD.
- 6)** Promote policies of foreign relations based on the protection of national interests and respect for the country's sovereignty.
- 7)** Promote mutual respect for national sovereignty and states' equality and non-interference in other states' internal affairs.
- 8)** Ensure the foreign relation policies of the country are based on mutual interests and equality of provinces, as well as that international agreement, promote the interests of Ethiopia.
- 9)** Observe international agreements that ensure respect for Ethiopia's sovereignty and are not contrary to its people's interests.
- 10)** Forge and promote ever-growing economic union and fraternal relations of Peoples with Ethiopia's neighbors and other African countries.
- 11)** Seek and support peaceful solutions to international disputes.

Article 67

Principles for National Defense

- 1) The Minister of Defense shall be a civilian.
- 2) The composition of the national armed forces shall reflect the equitable representation of the Peoples of Ethiopia.
- 3) Pledge the security services forces for all 13 provinces and Addis Ababa administration equally.
- 4) The armed forces shall protect the country's sovereignty and carry out any responsibilities assigned to them under any provincial emergency declared by the Constitution.
- 5) The armed forces shall at all times obey and respect the Constitution.
- 6) The armed forces shall carry out their functions without partisanship to any political organization(s) or affiliation.
- 7) The Ethiopian citizens are allowed to own regular rifles, shotguns, and handguns and must demonstrate a legitimate need to own firearms. These include hunting, personal protection, sport-shooting, pest control, or collecting.

Article 68

Political principles for Provinces-Federal Relations

- 1) The Ethiopian Constitution governs the province and federal government's relationship and authority.
- 2) The federal government is delegated specific enumerated powers, while all other powers not otherwise prohibited by the Constitution are reserved to the province.
- 3) Ethiopia has thrived as a nation of laws with a solid national and international identity anchored by the province's diversity and innovation of representative self-government. The National Governors Association must work to preserve and promote a balanced relationship between the province.
- 4) Principles for Provinces-Federal Relations; Governors believe that federal action should be limited to those duties and powers delegated to the federal government under the Constitution.
- 5) We favor the preservation of state sovereignty when legislating or regulating activity in the provinces.
- 6) To ensure the proper balance between the province and federal action and to promote a strong and cooperative province-federal relationship, governors

encourage federal officials to adhere to the following guidelines when developing laws and regulations.

2.1 Exercise Federal Forbearance. Governors recommend that:

- a) Federal action should be limited to situations where constitutional authority for action is clear and confident.
- b) Federal action should be limited to problems that are truly national in scope.
- c) Federal action should be sensitive to each province's ability to bring a unique blend of resources and approaches to common problems.
- d) Unless the national interest is at risk, federal action should not preempt additional province action.

7) Avoid Federal Preemption of Province Laws and Policies. Governors recognize the need for federal intervention should provinces fail to collaborate on issues of legitimate concern. Preemption of province laws, however, should be the exception rather than the rule. It is especially true in areas of primary state responsibility, including education, insurance regulation, criminal justice, preservation of the dual banking system, conservation of province securities regulation, and the management of province personnel programs.

- 8) Congress should not interfere with local revenue systems. The independent ability of provinces to develop their revenue systems is a basic tenet of self-government and our federalist plan. Therefore, the federal government should not enact legislation or adopt any regulation that would directly or indirectly preempt sources of state revenues, province tax bases, or provincial taxation methods.
- 9) Provinces' standards should preserve in cases where Congress determines that federal preemption of provincial laws is in the national interest, federal legislation.
- 10) Accommodate province actions taken before its enactment; permit provinces that have developed stricter standards to continue to enforce them; and enable provinces that have created substantially similar means to continue to adhere to them without change.
- 11) The judicial branch should respect province authority. Avoiding federal preemption of state laws and policies also extends to the judicial branch.
- 12) Governors encourage the federal courts to restore the federal intrusion into areas of provinces and local concern and place meaningful limits on the federal government's scope of authority. Also, court-ordered remedies

should respect state authority by limiting the time and content of injunctive relief and by extending it no further than is necessary to restore the exercise of constitutional rights.

- 13) The federal courts also should exercise forbearance in policy areas that have traditionally been state responsibilities and avoid substituting their judgments for those of provincial legislatures and Governors absent violations of the Ethiopian Constitution.
- 14) Avoid Imposing Unfunded Federal Mandates. Congress and the Administration should avoid the imposition of unfunded federal mandates on provinces.
- 15) Federal action increasingly has relied on states to carry out policy initiatives without providing the necessary funding to pay for these programs.
- 16) Provincial governments cannot function as full partners in our federal system if the federal government requires provinces to devote their limited resources toward complying with unfunded federal mandates.
- 17) They are designing Federal-Province Programs. They provide maximum flexibility and opportunity for innovation and foster

administrative efficiency and cross-program coordination, which federal-state programs should organize.

- 18) Provinces should be actively involved in a cooperative effort to develop policy and administrative procedures.
- 19) The federal government should respect the authority of provinces to determine the allocation of administrative and financial responsibilities within provinces by province constitutions and statutes. Federal legislation should not infringe on this authority.
- 20) Legislation should authorize and appropriate sufficient funds to meet identified program objectives.
- 21) Federal assistance funds passed through to local governments should flow through states according to state laws and procedures.
- 22) Provinces should be given the flexibility to transfer a limited amount of funds from one grant program to another or to administer related grants in a coordinated manner.
- 23) Federal funds should provide maximum state flexibility without specific set asides.

- 24) Provinces should give broad flexibility in establishing federally mandated advisory groups, including the ability to combine advisory groups for related programs.
- 25) Governors should be given the authority to require coordination among the province's executive branch agencies, or between levels or units of government, as a condition of the allocation or pass-through of funds.
- 26) Federal government monitoring should be outcome-oriented.
- 27) Federal reporting requirements should minimize.
- 28) The federal government should not dictate the province or local government organization.

CHAPTER SEVEN

CHAPTER THE EXECUTIVE

Article 69

Economic Objectives

- 1) The government shall have the duty to formulate policies that ensure that all Ethiopians can benefit from the country's legacy of intellectual and material resources.
- 2) The government must ensure that all Ethiopians get equal opportunities to improve their economic condition and promote equitable wealth distribution.
- 3) The government shall take measures to avert any natural and human-made disasters and provide timely assistance to the victims in the event of a catastrophe.
- 4) The government shall provide special assistance to the People least advantaged in economic and social development.
- 5) On behalf of the People, the government must hold land and other natural resources and deploy them for their common benefit and development.
- 6) The government shall at all times promote the participation of the People in the formulation of national development policies and

programs; it shall also have the duty to support the People's initiatives in their development endeavors.

- 7) The government shall ensure the participation of women inequality with men in all economic and social development endeavors.
- 8) The government shall endeavor to protect and promote the country's working population's health, welfare, and living standards.

Article 70

Social Objectives

- 1) To the extent of the country's resources permit, policies shall aim to provide all Ethiopians with access to public health and education, clean water, housing, food, and social security.
- 2) Education shall provide in a manner that is free from any religious influence, political partisanship, or cultural prejudices.

Article 71

Cultural Objectives

- 1) The government shall have the duty to support, by equality, the growth and enrichment of cultures and traditions compatible with fundamental rights, human dignity, democratic norms and ideals, and the provisions of the Constitution.
- 2) The government and all Ethiopian citizens shall be responsible for protecting the country's natural endowment, historical sites, and objects. Furthermore, the government shall have the duty to support the

development of the arts, science, and technology to the extent its resources permit.

Article 72

Environmental Objectives

- 1) The government shall endeavor to ensure that all Ethiopians live in a clean and healthy environment.
- 2) The design and implementation of programmes and projects of development shall not damage or destroy the environment.
- 3) People have the right to full consultation and expression of views in the planning and implementation environmental policies and projects that affect them directly.
4. Government and citizens shall have the duty to protect the environment.

Article 73

Declaration of State Emergency

- 1) The Council of Ministers of the Federal Government shall have the power to decree a State emergency should an external invasion, a breakdown of law and order which endangers the Constitutional order and which cannot be controlled by the regular law enforcement agencies and personnel, a natural disaster, or an epidemic occur.
- 2) Provincial executives can decree a Province-Wide state of State emergency should a natural disaster or an epidemic occur. Particulars shall be determined in province Constitutions as promulgated in conformity with this Constitution.

- 3)** A state of emergency declared by sub-Article 1(a) of this Article: (a) reported when the House of Peoples' Representatives is in session; the decree shall be submitted to the House within forty-eight hours of its declaration. If not approved by a two-thirds majority vote of House of Peoples' Representatives members, the law shall be repealed. (b) Subject to the required vote of approval set out in (a) of this sub-Article, the decree declaring a state of emergency when the House of Peoples' Representatives is not in session shall be submitted to it within fifteen days of its adoption.
- 4)** If approved by the House of Peoples' Representatives, a state of emergency decreed by the Council of Ministers can remain in effect for up to six months. In addition, the House of Peoples' Representatives may, by a two-thirds majority vote, allow the state of the emergency proclamation to be renewed every four months successively.
- 5)** When a state of emergency is declared, the Council of Ministers shall, by regulations it issues, have all necessary power to protect the country's peace and sovereignty and to maintain public security, law, and order.

Article 74

Financial Expenditures

- 1)** The Federal Government and the provinces shall bear all financial expenditures necessary to carry out all responsibilities and functions assigned to them by law. Unless otherwise agreed upon, the financial expenses required for carrying out any delegated part by a province shall bear by the delegating party.

- 2)** The Federal Government may grant to state emergency, rehabilitation and development assistance, and loans, with due care taken that such services and loans do not hinder the proportionate growth of provinces. The Audit general of the Federal Government shall have the power to audit and inspect the proportional development of provinces.

Article 75

Federal Revenue

- 1.** Revenue, the Federal Government, and the provinces shall share revenue taking the federal arrangement into account.

Article 76

The Federal Government Power of Taxation

- 1)** The Federal Government shall levy and collect customs duties, taxes, and other charges on imports and exports.
- 2)** It shall levy and collect income tax on employees of the Federal Government and international organizations.
- 3)** It shall levy and collect income, profit, sales, and excise taxes on enterprises owned by the Federal Government.
- 4)** It shall tax the income and winnings of national lotteries and other games of chance.
- 5)** It shall levy and collect taxes on the income of air, rail, and sea transport services.

- 6) It shall levy and collect taxes on the income of houses and properties owned by the Federal Government and fix rents.
- 7) It shall determine and collect fees relating to licenses issued and services rendered by organs of the Federal Government.
- 8) It shall levy and collect taxes on monopolies.
- 9) It shall levy and collect Federal Government stamp duties.

The federal government tax tariffs.

1) payroll tax: = 3 %

2) Sales tax = 3 %

3) Property tax = 0.12 %

4) Corporation and factory tax = 5 %

5) Homeowners, apartment owners, and all goods owners rental taxes at the provincial level = 0 % or no federal tax; only provinces can collect tax.

Article 77

State Power of Taxation

- 1)** Provinces shall levy and collect income taxes on employees of the provinces and private enterprises.
- 2)** Provinces shall determine and collect fees for land rights.
- 3)** Provinces shall levy and collect taxes on the incomes of private farmers and farmers incorporated in cooperative associations.
- 4)** Provinces shall levy and collect profit and sales taxes on individual traders.
- 5)** Provinces shall levy and collect taxes on income from transport services rendered on waters within their territory.
- 6)** They shall levy and collect taxes on income derived from private houses and other properties within the province. In addition, they shall collect rent on homes and other properties they own.
- 7)** Provinces shall levy and collect profit, sales, excise, and personal income taxes on the income of enterprises owned by the provinces.
- 8)** Provinces shall levy and collect taxes on income derived from mining operations, royalties, and land rentals on such operations.

- 9) They shall determine and collect fees for licenses issued and services rendered by provincial organs.
- 10) They shall fix and collect a royalty for the use of forest resources.

The Provincial government taxes tariffs.

- 1) payroll tax: = 5 %
- 2) Sales tax = 5 %
- 3) Property tax = 0.13 %
- 4) Corporation and factory tax = 7 %
- 5) Homeowners, apartment owners, and all goods owners rental taxes at the provincial level = 9.3 % or no federal tax for rental property; only provinces can collect tax from a rental property.

The administration's taxes tariffs.

- 1) payroll tax: = 5 %
- 2) Sales tax = 5 %
- 3) Property tax = 0.13 %
- 4) Corporation and factory tax = 7 %
- 5) Homeowners, apartment owners, and all goods owners rental taxes at the provincial level = 9.3 % or no federal tax for rental property; only provinces can collect tax from a rental property.

The administration's federal government tax tariffs.

- 1) payroll tax: = 3 %
- 2) Sales tax = 3 %
- 3) Property tax = 0. 12 %
- 4) Corporation and factory tax = 5 %
- 5) Homeowners, apartment owners, and all goods owners rental taxes at the provincial level = 0 % or no federal tax; only provinces can collect tax.

Article 78

Concurrent Power of Taxation

- 1)** The Federal Government and the provinces shall jointly levy and collect profit, sales, excise, and personal income taxes on established enterprises.
- 2)** They shall jointly levy and collect taxes on companies' profits and dividends due to shareholders.
- 3)** They shall jointly levy and collect taxes on incomes derived from large-scale mining and all petroleum and gas operations and royalties on such operations.

Article 79

Undesignated Powers of Taxation

- 1.** Undesignated Powers of Taxation the House of the Federation and the House of Peoples' Representatives shall, in a joint session, determine by a two-thirds majority vote on the exercise of powers of taxation that have not been expressly provided for in the Constitution.

Article 80

Directives on Taxation

- 1)** In exercising their taxing powers, provinces and the Federal Government shall ensure that any tax is related to the source of revenue taxed and that it is determined following proper considerations.
- 2)** They shall ensure that the tax does not adversely affect their relationship and that the rate and amount of taxes shall be commensurate with services the taxes help deliver.
- 3)** Neither Provinces nor the Federal Government shall levy and collect taxes on each other's property unless it is a profit-making enterprise.

Article 81

The Auditor-General

- 1) As an independent office, the office of the Auditor-General has seven board members under this constitution. The office of the Auditor-General is a watchdog office for the people of Ethiopia to protect how (their) Public Funds are used.
- 2) In this constitution, the Auditor General ensures checks and balances in the exercise of public power. Accordingly, an accountant in private practice will audit the Auditor-General's accounts.**
- 3) In other words, the Auditor-General is entrusted by the people to examine the accounts of every public body that is exercising power on behalf of the people of Ethiopia
- 4) The Auditor-General shall appoint by the House of Peoples' Representatives.
- 5) The Auditor-General shall audit and inspect the accounts of ministries, courts, and other Federal government agencies to ensure that expenditures are appropriately made for activities carried out during the fiscal year and by the approved allocations and submit his reports to the House of Peoples' Representatives.
- 6) The Auditor-General shall draw up and submit his office's annual budget for approval to the House of Peoples' Representatives.

Article 82

Election Board and Election Fraud

- 1) A National Election Board shall be established independent of any influence to conduct impartially, free and fair election in Federal Government and provinces constituencies.
- 2) Members of the Board shall appoint by the House of Peoples' Representatives.
- 3) Under the Ethiopian constitution, election fraud, including the president, takes place for 15 years in prison.
- 4) There are several reasons why election crime prosecutions may present an easier way of obtaining convictions than other forms of public corruption.
- 5) Election crimes usually occur mainly in public; election crimes often involve many players. For example, successful voter bribery schemes require numerous voters; ballot box stuffing requires controlling all the election officials in a polling location; illegal political contributions generally involve multiple conduits to disguise the transaction, and election crimes tend to leave paper trails, either in state voting documentation or public reports filed by federal campaigns.

6) TYPES OF ELECTION CRIMES:

Election Fraud Election fraud usually involves the corruption of one of three processes: the obtaining and marking of ballots, the counting and the certification of election results, or the registration of voters.

- 7)** Election fraud is generally not common when one party or one faction of a party dominates the political landscape. Instead, the conditions most conducive to election fraud are close factional competition within an electoral jurisdiction for an elected position that matters. Thus, in a jurisdiction when one party is dominant, election fraud may nevertheless occur during the primary season, as various party factions vie for power.
- 8)** Most election fraud ensures that “friendly” candidates occupy important elected positions. It occurs most often when the financial stakes involved in who controls public offices are significant –when patronage positions are a primary source of employment or when illicit activities are conducted that require protection from official scrutiny. As noted, election crimes will typically coincide with other types of corruption.

Article 83

Population Census Commission

- 1) Under this constitution, a National Census shall conduct only a) Men, b) Women, and c) children (boys or girls).
- 2) Under this constitution (አገ-ኢትዮጵያ), a National Census prohibited including race, tribe, and color among the Ethiopian people. For example, Amhara, Oromo, Tigre, etc. She was constitutionally prohibited.
- 3) There shall establish a National Census Commission that shall conduct a population census periodically.
- 4) The House of Peoples' Representatives shall appoint members of the National Census Commission upon the recommendation of the President.
- 5) The Commission shall have a Secretary-General and necessary professional and support staff.
- 6) The Commission's annual budget shall submit for approval to the House of Peoples' Representatives.
- 7) A national population census shall conduct every ten years. The House of the Federal Government shall determine the boundaries of constituencies by the census results and a proposal submitted to the House by the National Election Board.

- 8)** The Commission shall be accountable to the House of Peoples' Representatives. Accordingly, it shall submit periodic reports on its programs and activities to the House.

Article 84

Initiation of Amendments

- 1.** Initiation of Amendments Any proposal for a constitutional amendment, if supported by a majority vote in the House of Peoples' Representatives.
- 2.** Initiation of Amendments by a majority vote in the House of the Federal Government or when one-third of the Provincial Councils of the member Provinces.
- 3.** Initiation of Amendment by a majority vote in each Council has supported it, shall be submitted for discussion and decision to the general public and those whom the Constitution amendment concerns.

Article 85

Amendment of the Constitution

- 1)** All rights and freedoms to this Constitution can be amended only in the following manner: (a) When all Provincial Councils, by a majority vote,

approve the proposed amendment; (b) When the House of Peoples' Representatives, by a majority vote, approves the proposed amendment; and by a majority vote, approves the proposed amendment.

- 2) All provisions of this Constitution other than those can be amended only in the following manner: (a) When the House of Peoples' Representatives and the House in a joint session, approve a proposed amendment by a majority vote; and (b) When of the Councils of the member provinces of the Central Government approved the proposed amendment by majority votes.

Article 86

Cessation

- 1) Under the Federal Democratic Republic of Ethiopia constitution, all Provinces, including administrations, have equal distribution.
- 2) Under the Federal Democratic Republic of Ethiopia constitution, demanding **Cessation is prohibited and a Federal constitutional crime.**
- 3) Under this constitution (**ሕገ-ኢትዮጵያ**), Ethiopia is a universal land for all Ethiopians, and every Ethiopian has the right to live anywhere or in any place when they like to live in the country.

Article 87

Election of mayor and city councils

Under the Federal Democratic Republic of Ethiopia constitution, **all cities and municipalities** in Ethiopia shall elect their **Mayors** only by **direct public vote**.

Article 88

The Federal Democratic Republic of Ethiopia National Constitutional Court

The Constitutional Court of the Democratic Republic of Ethiopia has a formal authority to decide the boundary of conflicts between courts, courts and administration, and federal government and provincial governments. It hears election complaints, holds elected officials accountable for their conduct in office, adjudicates (makes a formal decision) on liability claims, or the partners accept any risks against our country and its bureaucracy. Therefore, the Ethiopian Constitutional Court has the proper authority to make a judgment on the disputed matter or on competing claims as follows:

- 1) between courts and the bureaucracy
- 2) between federal courts and provincial courts
- 3) between other courts and the Constitutional Court
- 4) between local governments and the federal government.

The Ethiopian Constitutional Court Judges shall be led by one chairman and fourteen Judges, elected from 13 provinces and Addis Ababa City for eight-year terms. However, all Judges have an unlimited time to run for re-election every eight years. Also, they must possess the following qualifications:

- 1) A natural-born citizen of Ethiopia; residing in or abroad of Ethiopia.
- 2) At least thirty-five years of age;
- 3) Proven capacity for public administration;
- 4) They must not have been candidates for any elective position preceding their appointment, and they are free from the governmental body.

In addition, the chairman and a majority of the Ethiopian Constitutional Court Judges must be members of the lawyers who reside inside or abroad in Ethiopia and have been engaged in law practice for at least five years.

Article 89

The Ethiopian Constitutional Commission

The Ethiopian CONSTITUTIONAL COMMISSIONS; aside from the three branches of government, as stated in chapter one of this constitution, established with four independent, fiscally-autonomous commissions:

- 1) The Ethiopian Constitutional Civil Service Commission (ECCSC)
- 2) The Ethiopian Constitutional Commission on Elections (ECCOE)
- 3) The Ethiopian Constitutional Commission on Audit (ECCOA).
- 4) The Ethiopian Commission on Human Rights (ECHR).

Ethiopian constitutional CIVIL SERVICE COMMISSION (ECCSC)

The Constitution entrusts the civil service administration, including all the branches, subdivisions, instrumentalities and agencies of the government, and government-owned or -controlled corporations, to the Ethiopian Constitutional Civil Service Commission (ECCSC).

The ECCSC acts as the central personnel agency of the government. It is mandated to adopt measures to promote morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the bureaucracy. It is also tasked with strengthening government agencies' merit and rewards system, integrating human resources development programs for all levels and ranks, and institutionalizing a climate conducive to transparency and accountability. In addition, the Career Service Eligibility examinations for prospective government officers and employees are being administered by the ECCSC. The ECCSC shall be led by one chairman and fourteen commissioners, elected from 13 provinces and Addis Ababa

City for a single eight-year term. However, all commissioners have an unlimited time to run for re-election every eight years. Also, they must possess the following qualifications:

- 5) A natural-born citizen of Ethiopia; residing in or abroad of Ethiopia.
- 6) at least thirty-five years of age;
- 7) proven capacity for public administration;
- 8) must not have been candidates for any elective position preceding their appointment and free from the governmental body.

In addition, the chairman and a majority of the commissioners must be members of the lawyers who reside inside or abroad in Ethiopia and have been engaged in law practice for at least five years.

Ethiopian Constitutional COMMISSION ON ELECTIONS (ECCOE)

The Ethiopian Constitutional Commissions on Elections (ECCOE) is the independent government body of Ethiopia, which is responsible for the conduct of regular and special elections in the country. Like other constitutional commissions, the ECCOE is an independent and fiscally-autonomous body free from political interference or influence from the three government branches, making the conduct free, fair, and honest elections. According to the constitution, the ECCOE shall exercise and perform the following powers and functions:

- 1) Enforce and administer all laws and regulations relative to the conduct of an election, plebiscite (direct vote), initiative, referendum, and recall.
- 2) Exercise exclusive original jurisdiction over contests relating to the elections returns and qualifications of elective regional, provincial, and city officials,

and appellate jurisdiction over conflicts involving elective municipal and decided by trial courts.

- 3) Decide all questions affecting elections, including determination of the number and location of polling places, the appointment of election officials and inspectors, and registration of voters.
- 4) Deputize law enforcement agencies and instrumentalities of the government, including the Armed Forces of Ethiopia, to ensure peaceful, orderly, and credible elections.
- 5) Register political parties, organizations, or coalitions, and accredit citizens' arms or watchdogs.
- 6) File petitions in court for inclusion or exclusion of voters and investigate and prosecute cases of violations of election laws, including election frauds, offenses, and malpractices.
- 7) Recommend to Congress measures to minimize election spending, limit places for propaganda materials, and prevent and penalize all forms of election frauds, offenses, and nuisance candidates.
- 8) Submit to the President and Congress a comprehensive report on the conduct of each election, plebiscite, initiative, referendum, or recall.

The ECCOE shall be composed of a chairman and fourteen commissioners, elected from the thirteen provinces and Addis Ababa City for a single eight-year term. However, all commissioners have an unlimited time to run for re-election every eight years. In addition, they must satisfy the following qualifications:

1. A natural-born citizen of Ethiopia; residing in or abroad of Ethiopia.
2. at least thirty-five years of age;

3. the holder of a college degree;
4. has not been a candidate for any elective position in the immediately preceding elections, free from the governmental body.

In addition, the chairman and a majority of the commissioners must be members of the lawyers residing inside or abroad in Ethiopia who have been engaged in law practice for at least five years.

Ethiopian Constitutional COMMISSION ON AUDIT

Envisioned as an anti-graft (political corruption) and corruption body, the Ethiopian Constitutional Commission on Audit (ECCOA) was established in this constitution to audit, examine, and settle all accounts on the revenue, funds, expenditures, and property owned or held in trust by government agencies, including other constitutional commissions, government-owned or -controlled corporations, autonomous state colleges, and universities, and non-governmental entities receiving subsidy or equity from or through the government.

The ECCOA's other powers and functions, as provided in this constitution, include:

- 1) Promulgate (make widely known), or promote accounting and auditing rules and regulations, including preventing and disallowance of irregular, unnecessary, excessive, extravagant, or unconscionable (not honest) expenditures or uses of government funds and properties.
- 2) Submit annual reports to the President and Congress on the financial condition and operation of the government.

- 3) Recommend measures to improve the efficiency and effectiveness of government operations.
- 4) Keep the general accounts of government, and preserve the vouchers and supporting papers.
- 5) Decide any case brought before it within 60 days.

The ECCOA shall comprise a chairperson and fourteen commissioners, elected from the thirteen provinces and Addis Ababa City for a single eight-year term. However, all commissioners have an unlimited time to run for re-election every eight years. The officials mentioned must possess the following criteria:

1. A natural-born citizen of Ethiopia; and residing in or abroad of Ethiopia.
2. At least thirty-five years of age;
3. A certified public accountant with not less than five years of auditing experience or a member of the Ethiopian auditing association member, and who has been engaged in the practice of law for at least five years.
4. Has not been a candidate for any elective position in the preceding elections or free from any governmental body.

In addition, the constitution does not stipulate (demand agreement) that shall the chairman and commissioners of the ECCOA belong to the same profession out of this job.

Ethiopian COMMISSION ON HUMAN RIGHTS

ECOHR is established as an independent Commission on Human Rights.

The ECOHR has the following powers and functions:

- 1) Investigate all forms of human rights violations involving civil and political rights.
- 2) Provide appropriate legal measures for the protection of human rights of all persons within the Ethiopians, as well as Ethiopians residing in or abroad of Ethiopia.
- 3) Provide preventive measures, and legal aid services to the underprivileged whose human rights have been violated or need protection.
- 4) Exercise visitorial powers (directed by Congress) over jails, prisons, or detention facilities.
- 5) Establish research, education, and information program to enhance respect for the importance of human rights.
- 6) Recommend to Congress effective measures to promote human rights and provide compensation to victims of human rights violations or their families.
- 7) Monitor the government's compliance with international treaty obligations on human rights.
- 8) Grant immunity from prosecution to any person whose testimony or possession of evidence is necessary or convenient to determine the truth in any matter it investigates;

The ECOHR comprises a chairperson and fourteen commissioners, who shall be elected from thirteen provinces and Addis Ababa City for a single eight-year term. However, all commissioners have an unlimited time to run for re-election every eight years. The qualifications for the chairman and commissioners of ECOHR are as follows:

- 1) A natural-born citizen of Ethiopia; and residing in or abroad of Ethiopia.
- 2) At least thirty-five years of age
- 3) Has not been a candidate for any elective position preceding their appointment or free from any government body.

In addition, the constitution states that most ECOHR officials must be members of the lawyers residing inside or abroad of Ethiopia who has been engaged in law practice for at least five years.

Article 90

Legal Authority of this Constitution

- 1)** Amharic & English versions of this constitution shall have legal authority after being ratified by most Ethiopian people.
- 2)** The Amharic & English versions of this Constitution shall have final legal authority after the majority of Ethiopia people make a Referendum for this New Constitution (ሕገ-ኢትዮጵያ).
- 3)** The new constitution (ሕገ-ኢትዮጵያ) will become a Supreme Law of the land after a Constitutional Referendum held in Ethiopia.
- 4)** Future generations can amend the Ethiopian constitution if most Ethiopian people require it.

Almighty God helps us. God bless Ethiopia.

Original Draft by Mekonnen Dayama (Ph. D) c