



WAAJJIRA AFYAA' IIFI CAFFEE
OROMIYAATIIN KAN QOPHAA'E

Waggaa 19^{ffaa}.. Lak. 5/2003

19th year ቁጥር 5/፳፻፫

19th year N^o 5/2011

Finfinnee, Adoolessa 11 bara 2003

ፌንፊኔ ሐምሌ 11 ቀን ፪፻፹፫ ዓ.ም

Finfine, July 18, 2011

MAGALATA OROMIYAA

መ ገ ለ ተ ኦ ሮ ሚ ያ

MEGELETA OROMIA

Gatiin Tokko	To'annoo Caffee Mootummaa Naannoo Oromiyaatiin Kan Bahe	Lak. S. Poostaa 21383-1000
የገዱ ዋጋ	በኦሮሚያ ብሔራዊ ክልላዊ መንግሥት በጨፌ ኦሮሚያ ጠባቂነት የወጣ	የፖ.ሣ.ቁጥር
Unit Price		P.O.Box

QABEENTAA

Labsii Lak. 167/2003

Labsii Komishinii Hiikaa Heera Mootummaa Naannoo Oromiyaa Hundeessuu, Aangoo fi Hojimaatasaa Murteessuuf Bahe.....fuula 1

ማጠቃለያ

አዋጅ ቁጥር ፩፻፳፯/፪፻፫

የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ሕገ-መንግሥት ተርጓሚ ኮሚሽንን ለማቋቋም ስልጣንና ተግባር ለመወሰን የወጣ ገጽ ፩

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Labsii Lak. 167/2003

Labsii Komishinii Hiikaa Heera Mootummaa Naannoo Oromiyaa Hundeessuu, Aangoo fi Hojimaatasaa Murteessuuf Bahe, Lakk. 167/2003

Akkaataa tumaalee Heera Mootummaa Naannoo Oromiyaatti mirgoonnii fi bilisummaan ummataa kan kabajaman waan ta'eef;

Qaamoleen mootummaa aangoo Heeraa fi seeraan kennameef yammuu hojjiirra oolchan akkaataa olaantummaa Heeraa fi seeraa eegeen raawwachaa jiraachuu mirkaneessuun waan barbaachisaa ta'ee argameef;

Falmiin Heerarratti hundaa'e murtii kan argatu Komishinii Hiikaa Heeraa Mana Maree Aanaaleerraa miseensi tokko tokko walitti baba'ee moggaafamuun kan raawwatamu ta'uun isaa waan tumamee jiruuf;

አዋጅ ቁጥር ፩፻፳፯/፪፻፫

የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ሕገ-መንግሥት ተርጓሚ ኮሚሽንን ለማቋቋም ስልጣንና ተግባር ለመወሰን የወጣ አዋጅ

በኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ሕገ-መንግሥት መሠረት የሕዝብ መብቶችና ነጥቶች የተከበሩ በመሆናቸው

በሕገ-መንግሥት እና በሕግ መሠረት ስልጣን የተሰጣቸው አካላት ስልጣናቸውን እና ተግባራቸውንና ሲያከናውኑ ሕግና ሕገ-መንግሥትን በመጠበቅ እያከናወኑ መሆናቸውን ማረጋገጥ አስፈላጊ ሆኖ በመገኘቱ

ሕገ-መንግሥቱን መሠረት ያደረገ ክርክር ውሳኔ የሚያገኘው ከእያንዳንዱ ወረዳ ምክር ቤት በሚወከል አንዳንድ አባል በሚሰየም የሕገ-መንግሥት ተርጓሚ ኮሚሽን መሆኑ ስለተደነገገ

Proclamation No. 167/2003

A Proclamation enacted to establish Oromia Region Constitutional Interpretation Commission and determine its power and duties

WHEREAS rights and freedom of people are respected based on the provisions of constitution of Oromia region.

WHEREAS it is found necessary to ensure that government organs who are authorized by laws and Constitution are respecting the constitution, laws regulations while exercising powers vested on them;

WHEREAS it has been promulgated that any constitutional dispute is settled by Constitutional Interpretation Commission which comprises one representative nominated by each woreda council;

Akkaataa tumaa Labsii Gurmaa'ina, Hojimaata, Naamusa Miseensotaa fi Sirna Walga'ii Caffee Murteessuuf Bahe, Labsii Lak. 153/2001 keewwata 6(1) (p)tti Komishinicha gurmeessuu fi deeggarsa barbaachisaa ta'e kennuun aangoo fi hojii Afyaa'ii Caffee waan ta'eef;

Akkaataa Heera Mootummaa Naannoo Oromiyaa Fooya'ee Bahe, Labsii lak. 46/1994 keewwata 49 keewwata xiqqaa 3(a) tiin kan kanatti aanu labsameera.

KUTAAATOKKO Tumaalee Waliigalaa

1. Mata Duree Gabaabaa

Labsiin kun "Labsii Komishinii Hiikaa Heeraa Mootummaa Naannoo Oromiyaa Hundeessuu, Aangoo fi Hojimaatasaa Murteessuuf Bahe, Lak 167/2003" jedhamee waamamuu ni danda'a.

2. Hiikkaa

Akkaataan jechichaa hiika biroo kan kennisiisuuf yoo ta'e malee labsii kana keessatti:

- 1) **"Heera"** jechuun, Heera Mootummaa Naannoo Oromiyaa fooyya'ee bahe labsii Lak.46/1994 jechuudha.
- 2) **"Caffee"** jechuun, akkaataa tumaa Heerichaa Keewwata 46(1) fi keewwata 49(2) jalatti tumameen kan dhaabbate Qaama Seera Baasaa fi abbaa aangoo siyaasaa ol'aanaa Mootummaa Naannoo Oromiyaati.
- 3) **"Komishinii Hiikaa Heeraa"** jechuun, komishinii falmii Heeraa fi murtii qaamolee mootummaa irratti hundaa'ee ka'uuf murtii kennuuf akkaataa tumaa Heera Mootummaa Naannoo Oromiyaa Fooyya'ee Bahe Labsii Lak.46/1994 keewwata 67tti Qaama moggaafamuudha.
- 4) **"Gumii Calaltuu Dhimmoota Heeraa"** jechuun, Gumii Calaltuu Dhimmoota Heera Naannichaa akkaataa Heerichaa keewwata 68tti hundeeffamuudha.
- 5) **"Mootummaa"** jechuun Mootummaa Naannoo Oromiyaati.
- 6) **"Naannoo"** jechuun, Naannoo Oromiyaati.
- 7) **"Seera"** jechuun, Labsii, Dambii fi Qajeelfamoota Caffee fi qaamolee aangoon seeraan kennameef biroottiin bahan jechuudha.
- 8) **"Qaamolee Mootummaa"** jechuun, Qaamolee seera baasaa /Caffee/, Seera Raawwachiiftuu fi Seera Hiiktuu Mootummaa Naannoo Oromiyaa ykn

የጨፌ አደረጃጀት፤ አሰራር፤ የአባላት ሥነ-ምግባር እና የሰብሰባ ሥነ-ስርዓት ለመወሰን በወጣው አዋጅ ቁጥር 153/2001 አንቀጽ 6(1) (አ) መሠረት ኮሚሽኑና የማቋቋም እና አስፈላጊውን ድጋፍ የመስጠት ጨፌ የአፈ-ገባኤ ስልጣን እና ተግባራዊ በመሆኑ

በተሻሻለው የኦሮሚያ ክልላዊ መንግስት ሕገ-መንግስት አዋጅ ቁጥር 46/1994 አንቀጽ 49 ንዑስ አንቀጽ 3(ሀ) መሠረት የሚከተለው ታውጇል፡፡

አንቀጽ አንድ አጠቃላይ ድንጋጌዎች

1. አጭር ርዕስ

ይህ አዋጅ «የኦሮሚያ ብሔራዊ ክልላዊ መንግስት የሕገ-መንግስት ኮሚሽንን ለማቋቋም፤ ስልጣን እና ተግባራትን ለመወሰን የወጣ አዋጅ ቁጥር 167/2003» ተብሎ ሊጠቀስ ይችላል፡፡

2. ትርጓሜ

የቃሉ አገባብ ሌላ ትርጉም የሚያስጠው ክልሉን በስተቀር በዚህ አዋጅ ውስጥ

- 1) «**ሕገ-መንግስት**» ማለት ተሻሽሎ የወጣ የኦሮሚያ ክልላዊ መንግስት አዋጅ ቁጥር 46/1994 ማለት ነው፡፡
- 2) «**ምክር ቤት**» ማለት በሕገ-መንግስቱ አንቀጽ 46(1) እና አንቀጽ 49(2) ሥር በተደነገጉት ድንጋጌዎች መሠረት የተቋቋመ የኦሮሚያ ብሔራዊ ክልላዊ መንግስት ሕግ አውጪና የፖለቲካ ሥልጣን የበላይ አካል ማለት ነው፡፡
- 3) «**የሕገ መንግስት ተርጓሚ ኮሚሽን**» ማለት በሕገ-መንግስታዊ አካላት የተሰጡትን ውሳኔዎች መሠረት በማድረግ በተሻሻለው የኦሮሚያ ብሔራዊ ክልላዊ መንግስት ሕገ-መንግስት አዋጅ ቁጥር 46/1994 አንቀጽ 67 መሠረት ውሳኔን ለመስጠት የተሰየመ ማለት ነው፡፡
- 4) «**የሕገ-መንግስት ጉዳዮች አጣሪ ጉባኤ**» ማለት በክልሉ ሕገ-መንግስት አንቀጽ 68 መሠረት የክልሉን የሕገ-መንግስት ጉዳዮች ለማጣራት የተቋቋመ ጉባኤ ማለት ነው፡፡
- 5) «**መንግስት**» ማለት የኦሮሚያ ብሔራዊ ክልላዊ መንግስት ማለት ነው፡፡
- 6) «**ክልል**» ማለት የኦሮሚያ ብሔራዊ ክልል ማለት ነው፡፡
- 7) «**ሕግ**» ማለት ጨፌ እና ስልጣን በተሰጣቸው ሕጋዊ አካላት የወጡ አዋጆች፤ ደንቦች እና መመሪያዎች ማለት ነው፡፡
- 8) «**የመንግስት አካላት**» ማለት የኦሮሚያ ብሔራዊ ክልላዊ መንግስት

WHEREAS based on provisions of Revised Proclamation to Define the Organization, Duties, Conducts of the Members and Meeting Procedures of the Caffee Proclamation No. 153/2001, article 6(1) (p) the power of establishing the commission and providing the required assistance is the power and duty of speaker of Caffee.

NOW THEREFORE, in Accordance with Oromia Regional Revised Constitution, proclamation No. 46/1994, article 49, sub-article 3(a) it is hereby proclaimed as follows

Article –One

General Provisions

1. Short title

This proclamation may be cited as the proclamation No. 167/2003 enacted to establish the Oromia Constitutional Interpretation Commission and to define its power and duties.

2. Definition

Unless the context requires otherwise, in this proclamation

- 1) **"Constitution"** means the revised Oromia Regional State Constitution, Proclamation Number 46/1994
- 2) **"Caffee"** means the Oromia Regional State organ which is legislative and with a supreme of political power formed in accordance with provisions of the constitution, article 46(1) and article 49(2)
- 3) **"Law Interpretation Commission"** means the commission that nominated based on the revised constitutional law of oromia regional state proclamation No. 46/1994, article 67 to render decision disputes arising based on constitution and decisions of governmental bodies.
- 4) **"Council of Constitutional Inquiry"** means the regional constitutional affairs screening assembly that is formed based on the constitutional article 68.
- 5) **"Government"** means the Oromia regional government
- 6) **"Region"** means the Oromia region.
- 7) **"Law"** means the proclamation regulation and directive enacted by the council and other bodies that have legal power to enact the same
- 8) **"Governmental bodies"** means the legislative bodies (Caffee), executive bodies and law interpreting bodies of

qaama seeraan aangoon seerummaa
kennameef jechuudha.

9) “**Manneen Maree Aanaalee**” jechuun
dhimmoota labsii kana keessatti
tumamaniif jecha Manneen Maree
Magaalotaas ni dabalata.

10) “**Mana Murtii**” jechuun, Mana Murtii
Naannicha keessatti sadarkaa
kamittuu argamu jechuudha.

11) “**Waajjira**” jechuun, Waajjira
Komishinii Hiikkaa Heeraa fi Gumii
Calaltuu Dhimma Heeraa tajaajiluuf
hundeeffameedha.

12) “**Nama**” jechuun nama uumamaan
ykn seeraan mirgi namummaa
kennameef jechuudha.

3. Daangaa Rawwatiinsaa

Labsiin kun dhimmota hiikkaa Heera
Mootummaa Naannoo Oromiyaa
ilaallatan irratti raawwatiinsa ni qabaata.

4. Ibsa Saalaa

Labsii kana keessatti jechi saala
dhiiraatiin ibsame dubartiis ni dabalata.

KUTAALAMA

Gurmaa'ina, Aangoo fi Hojimaata
Komishinii Hiikkaa Heeraa

5. Gurmaa'ina Komishinichaa

Komishinichi gurmaa'ina armaan gadii
ni qabaata:

- 1) Walga'ii Waliigalaa miseensota
Manneen Maree Aanaaleerraa
walitti baba'aniin kan ijaaramu;
- 2) Waajjira;
- 3) Koree yeroo fi
- 4) Ittigaafatamaa Waajjiraa fi
Ogeessota ni qabaata.

6. Haala Filannoo Miseensota Komishinichaa

- 1) Komishinichi Miseensota tokko
tokko Manneen Maree Aanaalee
irraa filatamaniin kan moggaafamu
ta'a.
- 2) Miseensonni Komishinichaa
Manneen Maree Aanaalee keessaa
yaa'iidhaan kan filataman ta'a.

7. Bara Hojii Komishinichaa fi Miseensota komishinichaa

Barri hojii Komishinichaa fi miseensota
Komishinichaa waggaa shan ta'a.

8. Aangoo fi Hojimaata Komishinichaa

- 1) Walitti Qabaa fi Barreessaa
Komishinichaa miseensota keessaa ni
filata.
- 2) Komishinichi aangoo Heera
Mootummaa Naannichaa hiikuu ni
qabaata.

የሕግ-አውጪ (ጨፌ)፤ ሕግ አስፈጻሚ
እና ሕግ አስተርጓሚ አካል ወይም
በሕግ ስልጣን የተሰጣቸው አካላት
ማለት ነው፡፡

9) «የወረዳዎች ምክር ቤት» ማለት
በዚህ አዋጅ ውስጥ ለተደነገጉት ጉዳዮች
ሲባል የከተማዎች ምክር ቤቶችን
ይጨምራል፡፡

10) «ፍርድ ቤት» ማለት በክልሉ ውስጥ
በማንኛውም ደረጃ የሚገኝ ፍርድ ቤት
ማለት ነው፡፡

11) «ጽህፈት ቤት» ማለት የሕገ-መንግስት
ተርጓሚ ኮሚሽን እና የሕገ-መንግስት
ጉዳዮች አጣሪ ጉባኤን ለማገልገል
የተቋቋመ ጽ/ቤት ማለት ነው፡፡

12) «ሰው» ማለት በተፈጥሮም ሆነ በሕግ
የሰውነት መብት የተሰጠው ማለት
ነው፡፡

3. የአፈጻጸም ወሰን

ይህ አዋጅ የአርማያ ክልላዊ ብሔራዊ
መንግስት የሕገ-መንግስት ጉዳዮችን
በሚመለከቱ ሁሉ ላይ ተፈጻሚ ነው፡፡

4. የፆታ መግለጫ

በዚህ አዋጅ ውስጥ በወንድ ፆታ የተደነገገው
የሴት ፆታንም ይጨምራል፡፡

ክፍል ሁለት

የሕገ-መንግስት ተርጓሚ ኮሚሽን
አደረጃጀት፤ ስልጣን እና አሰራር

5. የኮሚሽኑ አደረጃጀት

ኮሚሽኑ የሚከተሉት መዋቅሮች
ይኖሩታል፡፡

- 1) ከወረዳ ምክር ቤቶች በተውጣጡ
አባላት ጠቅላላ ጉባኤ ይመሠረታል፡፡
- 2) ጽ/ቤት
- 3) ጊዜያዊ ኮሚቴ እና
- 4) የጽ/ቤቱ ኃላፊ እና ሌሎች ባለሙያዎች
ይኖሩታል፡፡

6. የኮሚሽኑ አባላት አመራረጥ

- 1) ኮሚሽኑ ከወረዳ ምክር ቤቶች
በተውጣጡ አንዳንድ አባላት
ይሰየማል
- 2) የኮሚሽኑ አባላት ከወረዳ ምክር
ቤቶች በጠቅላላ ጉባኤ የሚመረጡ
ይሆናል፡፡

7. የኮሚሽኑ እና የአባላቱ የሥራ ዘመን

የኮሚሽኑ እና የኮሚሽኑ አባላት የሥራ
ዘመን አምስት ዓመት ነው፡፡

8. የኮሚሽኑ ስልጣን እና አሠራር

- 1) የኮሚሽኑ ሰብሳቢ እና ፀሐፊ ከአባላት
ውስጥ ይመረጣሉ፡፡
- 2) ኮሚሽኑ የክልሉን ሕገ-መንግስት
የመተርጎም ስልጣን አለው፡፡

Oromia regional government or the
body granted with legal power.

9) “**Woredas councils**” means for the sake
of matters provided under this
proclamation, it includes urban
councils.

10) “**Court**” means the court that is found
at any level in the region

11) “**Office**” means the office established
to provide service to constitution
interpretation commission and
constitutional affairs screening
assembly.

12) “**Person**” means the person that is
entitled with personality right either
naturally or by the law.

3. Scope of Application

This proclamation is applicable on the
issues regarding oromia regional
government constitution

4. Gender Reference

Provisions of this proclamation set out
in the masculine gender shall apply to
feminine gender.

Section – Two

Organization, Power and Duties of the
Commission

5. Organization of the commission

The commission shall have the
following organizations

- 1) General assembly to be held by members
from worda's councils
- 2) Office
- 3) Provisional committee and
- 4) Head of the office and professionals

6. Conditions of commissions members election

- 1) The commission shall be nominated
by group of one member from every
council of the woreda.
- 2) The commission's members shall be
elected through assembly from every
woredas' council

7. Term of Office of the commission and commission's members

The term of office of the commission
and commission's members is five years

8. The commission's power and Procedures

- 1) The chairman and secretary of the
commission shall be elected from the
members.
- 2) The Commission shall have the power
to interpret the Constitution of the
Region.

- 3) Dhimma falmii Heera Mootummaa Naannichaa irratti ka'ee Gumii Calaltuu Heeraatiin calalamee yaada murtee dhiyaateef irratti ni mari'ata;
- 4) Yaada murtichaa qorachuudhaan murtee dhumaa ni kenna. Murtiin komishinichaan kennamus oliyyannoo hin qabaatu.
- 5) Dhimma hiikaa Heeraa ilaalchisee iyyannoo kallattiidhaan dhiyaatuuf Gumii Calaltuu Heeraatiif qajeelchuun akka calalamee dhiyaatuuf ni taasisa.

9. Aangoo fi Hojii Walitti Qabaa Komishinichaa

Walitti qabaan komishinichaa gahee hojii armaan gadii ni qabaata:

- 1) Walgahii komishinichaa ni waama;ni gaggeessa.
- 2) Aangoo fi gahee hojii Komishinichaa fi Gumii akkasumas murtiiwwan qaamolee kanaan kennaman ilaalchisee ummataaf ibsa barbaachisaa ta'ee ni kenna.
- 3) Hojiiwwan kaayyoo komishinichaa galmaan gahuuf gargaaranii fi walgahii ykn yaa'ii Komishinichaatiin kennamaniif ni hojjata.

10. Aangoo fi Hojii Barreessaa Komishinichaa

Bareessaan Komishinichaa gahee hojii armaan gadii ni qabaata:

- 1) Yeroo walitti qabaan hin jirree walgahii Komishinichaa ni gaggeessa, ni qindeessa.
- 2) Qaboon yaa'ii Komishinichaa sirnaan akka qabamuu ni taasiissa, ni qindeessa, ni hordofa.
- 3) Hojiilee biroo walitti qabaa ykn yaa'ii komishinichaatiin kennamaniif ni raawwata.

11. Waamicha Walgahii Miseensota Komishinichaa

Walgahiin Komishinichaa gaggeeffamuun guyyota torba dura miseensotaaf waamichi akka darbu ni taasisfama.

12. Sirnaa fi Yeroo Walga'ii Komishinichaa

- 1) Komishinichi dhimma Gumii Calaltuu Heeraatiin calalamee dhiyaateef irratti guyyaa 60 keessatti murtee dhumaa ni kenna.
- 2) Yeroon walga'ii Komishinichaa waggaatti yeroo tokko ta'a.
- 3) Kan keewwata kan keewwata xiqqaa 2 jalatti tumame yoo jiraates, yeroo

3) በክልሉ በሕገ-መንግስት ጉዳይ አጣሪ ጉባኤ ተጣርቶ በቀረበው ሕገ-መንግስታዊ ክርክር ላይ ይወያያል።

4) የውሳኔ ሀሳብን በመመርመር የመጨረሻ ውሳኔን ይሰጣል። በኮሚሽኑ የሚሰጠው ውሳኔ ይግባኝ አይኖረውም።

5) የሀገ መንግሥት ጉዳይ ትርጉምን በተመለከተ በቀጥታ የሚቀርብለትን አበቱታ ለሀገ መንግሥት አጣሪ ጉባኤ በመምራት ተጣርቶ እንዲቀርብለት ያደርጋል።

9. የኮሚሽኑ ሰብሳቢ ስልጣን እና ተግባራት
የኮሚሽኑ ሰብሳቢ የሚከተሉት ስልጣንና ተግባራት ይኖሩታል።

- 1) የኮሚሽኑን ስብሰባ ይጠራል፤ ይመራል
- 2) የኮሚሽኑ እና የጉባኤው ስልጣን እና ተግባራት እንዲሁም በእነዚህ አካላት የተሰጡትን ውሳኔዎች አስመለክቶ ለህብረተሰቡ አስፈላጊውን መግለጫ ይሰጣል።
- 3) የኮሚሽኑን አላማዎች ከግብ ለማድረስ የሚረዱ እና በጉባኤ ወይም በኮሚሽኑ ጠቅላላ ጉባኤ የተሰጡትን ተግባራት ያከናውናል።

10. የኮሚሽኑ ፀሐፊ ስልጣንና ተግባራት
የኮሚሽኑ ፀሐፊ የሚከተሉት ስልጣንና ተግባራት ይኖሩታል።

- 1) ሰብሳቢ በሌለበት ወቅት የኮሚሽኑን ስብሰባ ይመራል፤ ያስተባብራል
- 2) የኮሚሽኑ ቃለ-ጉባኤ በአግባቡ እንዲያዝ ያደርጋል፤ ያስተባብራል፤ ይከታተላል
- 3) በሰብሳቢው ወይም በኮሚሽኑ የሚሰጡትን ሌሎች ተግባራትን ይፈጽማል።

11. የኮሚሽኑ አባላት የስብሰባ ጥሪ

የኮሚሽኑ ስብሰባ ከመካሄዱ ሰባት ቀናት በፊት ለአባላት የስብሰባ ጥሪ መድረስ አለበት።

12. የኮሚሽኑ ስብሰባ ጊዜ እና ስርዓት

- 1) ኮሚሽኑ በሕገ-መንግስት ጉዳይ አጣሪዎች ተጣርቶ የቀረበለትን ጉዳይ አስመልክቶ በ60 ቀናት ውስጥ የመጨረሻ ውሳኔን ይሰጣል።
- 2) ኮሚሽኑ በዓመት አንድ ጊዜ ይሰብሰባል
- 3) በዚህ አንቀጽ ንዑስ አንቀጽ 2 ስር የተደነገገው እንደተጠበቀ ሆኖ ውሳኔው በሚፈልግበት ወቅት በዚህ

3) The Commission shall discuss upon recommendations of constitutional disputes submitted to it by the Council of Constitutional Inquiry.

4) shall make the final decision upon draft proposal submitted to it by the Council of Constitutional Inquiry. The decision rendered by the commission shall be final and not appealable.

5) The Commission shall forward new cases of Constitutional interpretation, submitted to it directly, to the Council of Constitutional Inquiry.

9. Powers and Duties of the Chair Person

The chair man of the commission shall have the following roles

- 1) Calls and convene the meetings of the commission
- 2) Publicize the to the public the power and duties of the commission and the Council decisions rendered by these bodies
- 3) Carries out the activities that help achieve the goals of the commission or the decisions passed by the meeting of the Council or the commission

10. Power and Duties of secretary of the commission

The secretary of the commission shall have the following power and duties

- 1) Conducts and coordinates the meeting of the commission the absence of the chair person.
- 2) Makes the minute of the "commission recorded properly, coordinated and follows up.
- 3) Executives other related activities or those provided by the assembly of the commission.

11. Calling the meetings of commission members

The members of the Commission shall be called to the members 7 days prior to the date of the meeting.

12. The meeting time and Procedure of the Commission

- 1) The commission shall render the final decision on the issues screened and presented to it by the Council of Inquiry with in 60 days
- 2) The commission shall meet once in a year
- 3) Notwithstanding to the provision of sub article 2 this article, where it deems necessary, the commission

dhimmi murtee barbaadu jiraatutti akkaataa keewwata kana keewwata xiqqaa Itti murtee kennuuf wagga otoo hin eegini walga'uu ni danda'a.

4) Waliga'iin komishinichaa guutuu ta'uu kan danda'uu miseensota komishinichaa keessaa lama sadeessoo kan ta'an walga'ii irratti yoo argamaniidha.

13. Mirgaa fi Dirqama Miseensota

Komishinicha

1) Mirga Miseensota Komishinichaa:

- (a) Miseensi Komishinichaa kamiyyuu walga'ii komishinichi gaggeessu irratti yaada isaa bilisaan ibsachuuf mirga qaba.
- (b) Miseensi Komishinichaa kamiyyuu yeroo walgahii fi hojii Komishinichaatiif socho'u, durgoo fi baasii geejjibaa argachuuf mirga qaba.

2) Dirqama Miseensota Komishinichaa:

- a) Miseensi komishinichaa kamiyyuu guyyaa fi yeroo walgahii Komishinichaa kabajee argamuu qaba.
- b) Kan keewwata kana keewwata xiqqaa 2(a) jalatti tumame akkuma jirutti ta'ee miseensi sababa humnaa ol ta'een walgahii irratti argamuu hin dandeenye walgahiin gaggeeffamuun guyyaa lama dursee Walitti Qabaa Komishinichaa beekisisuu qaba.
- c) Miseensi kamiyyuu sirnaa fi naamussa akkasumas dambiiwwan Komishinichaa kabajuu qaba.

14. Haala Miseensonni Komishinichaa Hojiirraa Itti Ka'an

- 1) Miseensonni Komishinichaa qaamolee bakka isaan buusaniin ka'uu ni danda'u.
- 2) Tarkaanfiin keewwata kana keewwata xiqqaa 1 jalatti tumame kan fudhatamu sababa gahaa irratti hundaa'uu qaba.
- 3) Qaamni tarkaanfii fudhate dhimma tarkaanfii fudhachuudhaaf isa dandeessisee fi miseensa haaraa sirna eegee bakka bu'e yeroo ji'a lama hin caalle keessatti Afyaa'ii Caffee bekisisuu qaba.

አንቀጽ 30-ስ አንቀጽ 1 መሠረት ውሳኔን ለመስጠት አመት ሳይሞላ ሊሰበሰብ ይችላል።

- 4) የኮሚሽኑ ስብሰባ ምልክተ ጉባኤ ሊሟላ የሚችለው ከኮሚሽኑ አባላት ውስጥ 2/3ኛ የሚሆኑት አባላት በጉባኤው ላይ ሲገኙ ነው።

13. የኮሚሽኑ አባላት መብት እና ግዴታ

1) የኮሚሽኑ አባላት መብት

- (ሀ) ማንኛውም የኮሚሽኑ አባል ኮሚሽኑ በሚያካሂዳቸው ስብሰባዎች ላይ ሀሳቡን በነፃ የመግለጽ መብት አለው።
- (ለ) ማንኛውም የኮሚሽኑ አባል ለኮሚሽኑ ስብሰባ እና ሥራ ሲባል በሚንቀሳቀስበት ወቅት አበል እና የትራንስፖርት ወጪ የማግኘት መብት አለው።

2) የኮሚሽኑ አባላት ግዴታ

- (ሀ) ማንኛውም የኮሚሽኑ አባል የኮሚሽኑን የስብሰባ ጊዜ አክብሮ መገኘት አለበት።

- (ለ) በዚህ አንቀጽ ንዑስ አንቀጽ 2(ሀ) ሥር የተደነገገው እንደተጠበቀ ሆኖ አባሉ ከአቅም በላይ በሆኑ ሁኔታዎች በጉባኤው ላይ ለመገኘት ካልቻለ ስብሰባው ከመካሄዱ ከሁለት ቀናት አስቀድሞ ለኮሚሽኑ ስብሰባ ማሳወቅ አለበት።

- (ሐ) ማንኛውም አባል የኮሚሽኑን ስርዓትና ዲሲፕሊን እንዲሁም የኮሚሽኑን ደንቦችን ማክበር አለበት።

14. የኮሚሽኑ አባላት ከሥራ የሚሰናበቱበት ሁኔታዎች

- 1) የኮሚሽኑ አባላት በወከሏቸው አካላት ሊነሱ ይችላሉ።
- 2) በዚህ አንቀጽ 30-ስ አንቀጽ 1 ሥር ተደነገገው የሚወሰደው እርምጃ በበቂ ምክንያት ላይ የተመሠረተ መሆኑን አለበት።
- 3) እርምጃ የወሰደው አካል እርምጃውን ለመውሰድ ያስቻለውና ጉዳይ እና በስርዓቱ መሠረት በቦታው የተተካ አዲስ አባልን ከሁለት ወራት ባልበለጠ ጊዜ ውስጥ ለጨፌ አራት-ጉባኤ ማሳወቅ አለበት።

can call extra-ordinary meeting to render decision in accordance with this article sub article 1

- 4) There shall be the quorum where two-thirds of the Commission members are present on the meeting.

13. Rights and obligations of members of the commission

1) Right

- a) Any member of the commission shall freely express his opinion

any meetings of the commission

- b) Any member of the commission shall be entitled to allowance and transportation expenses during meeting and while traveling for the sake of conduction of the commission

2) Obligation

- a) Every member of the commission shall present on the meeting respecting time.

- b) Without prejudice to sub article 2(a) of this article, inform the chair person, in advance where he has a reason beyond his control, and unable to attend a meeting;

- c) Any member shall abide by rules and regulations of the Commission

14. Removal of member from membership of the commission

- 1) The members of the commission may be removed when the organ delegated them decides so.
- 2) The measure taken under this article sub article 1 shall be based on reasonable and sufficient grounds
- 3) The organ taking the measure should disclose the reason enabled it to do so and notify to the speaker of the council with two months the individual that replaced through proper procedure.

15. Miseensota Komishinichaa Hir'atan Bakka Buusuu

- 1) Miseensota Komishinichaa sababa adda addaatiin hir'atan Afyaa'iin Caffee Mana Maree dhimmi ilaallatuufni beeksisa.
- 2) Manni Maree ergaan dhaqqabes guyyaa ergaan dhaqqabe irraa kaasee yeroo ji'a lama hincaalle keessatti bakka buusee Afyaa'ii Caffee beekisisuu qaba.

16. Ittiwaamama, Aangoo fi Hojimaata Waajjira Komishinichaa

- 1) Ittiwaamamni Waajjirichaa Afyaa'ii Caffeeitiif ta'a.
- 2) Waajjirichi Ittigaafatamaa Afyaa'ii Caffeeitiin ramadamu ni qabaata.
- 3) Waajjirichi Waajjira Afyaa'ii fi Caffee keessatti kan gurmaa'u ta'a.
- 4) Komishinii Hiikaa Heeraa fi Gumii Calaltuu Dhimmoata Heeraatiif tajaajila barreessaa fi kanneen biroo barbaachisaa ta'an ni kenna.
- 5) Hojiilee biroo bu'a qabeessummaa hojiilee Komishinichaa fi Gumichaatiif gargaaran ni raawwata.
- 6) Qabeenyaa, baajataa fi dhimmoota biroo gahee hojiisaa bahachuuf isa gargaaran Caffee irraa ni argata.

17. Ittiwaamama, Aangoo fi Hojii Ittigaafatamaa Waajjirichaa

Ittigaafatamaan Waajjirichaa ittiwaamamni isaa Afyaa'ii Caffeeitiif ta'ee, aangoo fi hojii armaan gadii ni qabaata:

- 1) Hojiilee waajjirichaa ni qindeessa; ni gaggeessa; ni bulcha.
- 2) Murteewwan Komishinichaan ykn Gumiidhaan kennaman qaama dhimmichi ilaallatu ni beeksiisa.
- 3) Galmoota walga'iiwwan Komishinichaa fi Gumiin keessatti gaggeessan ni qopheessa.
- 4) Qaboo yaa'ii, murtee fi sanadoonni Komishinichaa fi Gumichaa sirnaan galmaa'anii akka qabaman ni taasisa.

15. የጎደሉ የኮሚሽኑ አባላትን ስለመተካት

- 1) በተለያዩ ምክንያቶች የጎደሉትን የኮሚሽኑ አባላት የጨፌ አፈ-ጉባኤ ለሚመለከተው ምክር ቤት ያሳውቃል
- 2) መልዕክቱ የደረሰው ምክር ቤት መልዕክቱ ከደረሰበት ቀን ጀምሮ ሁለት ወራት ባልበለጠ ጊዜ ውስጥ በወጣው አባል ቦታ በመተካት ለጨፌ አፈ-ጉባኤ ማሳወቅ አለበት

16. የኮሚሽኑ ጽሕፈት ቤት ተጠሪነት፣ ስልጣን እና ተግባር

- 1) የጽሕፈት ቤቱ ተጠሪነት ለጨፌ አፈ-ጉባኤ ይሆናል።
- 2) ጽሕፈት ቤቱ በጨፌ አፈ-ጉባኤ የሚመደብ ኃላፊ ይኖረዋል።
- 3) ጽሕፈት ቤቱ በአፈ-ጉባኤ እና ጨፌ ጽ/ቤት ውስጥ የሚደራጅ ይሆናል።
- 4) ለሕገ-መንግስት ተርጓሚ ኮሚሽን እና የሕገ-መንግስት ጉዳዮች አጣሪ ጉባኤ አስፈላጊ የጽህፈት አገልግሎት እና ሌሎች አገልግሎቶችን ይሰጣል
- 5) የኮሚሽኑ እና የጉባኤውን ሥራ ውጤታማ ለማድረግ የሚረዱ ሌሎች ሥራዎችን ያከናውናል።
- 6) የሥራ ድርሻውን ለመወጣት የሚረዱትን የጉባኤነት፣ የበጀት እና ሌሎች ጉዳዮችን ከጨፌ ያገኛል።

17. ጽሕፈት ቤቱ ኃላፊ ተጠሪነት፣ ስልጣን እና ተግባር

የጽሕፈት ቤቱ ኃላፊ ተጠሪነቱ ለጨፌ አፈ-ጉባኤ ሲሆን የሚከተሉትን ስልጣን እና ተግባር ይኖሩታል።

- 1) የጽሕፈት ቤቱን ሥራዎች ያስተባብራል፤ ይመራል፤ ያስተዳድራል
- 2) በኮሚሽኑ ወይም በጉባኤው የተሰጡትን ውሳኔዎች ለሚመለከተው አካል ያሳውቃል።
- 3) የኮሚሽኑ እና የጉባኤው ስብሰባዎች የሚካሄዱበትን አዳራሽ ያዘጋጃል።
- 4) የኮሚሽኑን እና የጉባኤውን ቃለ-ጉባኤዎች፣ ውሳኔዎች እና ሰነዶች በአግባቡ ተመዝግበው እንዲያዘ-ያደርጋል።

15. Replacing the left members of the commission

- 1) Where a member of Commission is removed on the different grounds the speaker of Caffee shall communicate to the concerned Woreda Councils;

- 2) Upon the receipt of the communication, the Woreda Council shall, in time not more than two months, substitute the removed member and inform the Speaker of the Caffee

16. Accountability, power and duties of the commissions Secretariat

- 1) The Secretariat is accountable to the speaker of the Caffee
- 2) The Secretariat shall have the head to be assigned by the speaker of the Caffee
- 3) The Secretariat shall be organized in the Office of the Speaker and the Secretariat of the "Caffee"
- 4) The Secretariat shall render secretarial and other services for the Constitutional Interpretation Commission and Council of constitutional Inquiry
- 5) It shall carry out other activities of the commission and the Council that make it fruitful.
- 6) Obtains budget, property and other issues, supporting it to achieve its objective from Caffee.

17. Accountability, power and duties of head of the Secretariat.

The head of the Secretariat shall be accountable to the speaker of the Caffee and carries out the following activities.

- 1) Coordinates, leads and administers the activities of the Secretariat
- 2) Informs the decisions rendered by the commission or Council to concerned body.
- 3) Prepares the meeting halls for the Commission and Council
- 4) Makes sure that the minutes, decisions and documents of the commission and Council are recorded and kept being registered properly

- 5) Barruulee fi barreeffamoonni adda addaa hojii Komishinichaa fi Gumii ilaallatan akka maxxanfamanii fi fayyadamtoota dhaqqaban ni taasisa.
- 6) Abbootii dhimmaa ni simata; keessummeessaa barbaachisaa ta'e akka argatan ni taasisa.
- 7) Baajataa fi meeshaalee dhimmota hojiilee Komishinichaa fi Gumiitiif barbaachisan Waajjira Afyaa'ii fi Caffee irraa argachuun raawwii hojii dhimmota eeyyamamaniif akka oolan ni taasisa.
- 8) Hojiilee Hoggantoota Komishinichaa fi Gumiidhaan keennamaniif ni raawwata.
- 9) Gabaasa raawwii hojii fi hojiirra oolmaa baajata rammadamuuf qopheessee Afyaa'ii Caffeeitiif ni dhiyeessa.

18. Deeggarsa Ogummaa

Komishinichii fi Gumichi deeggarsa ogummaa ogeessota irraa kan argatu ta'ee, ogeessonnis:

- 1) Iyyannoowwan Komishinichaaf ykn Gumiidhaaf dhiyaatan ni simatu; ni galmeessu; akka haala dhimmichaatti qindeessuun Komishinichaaf ykn Gumiidhaaf ni dhiyyeessu.
- 2) Iyyannoowwan ykn komiiwwan Gumiidhiyaatan xiinxaluun yaada ogummaa waliin Gumiif ni dhiyeessu.
- 3) Dhimmota Komishinichaan ykn Gumidhaan qu'annoo fi qorannoon akka irratti gaggeessan kennamaniif irratti qu'annoo fi qorrannoo gaggeessuun Komishinichaaf ykn Gumiidhaaf deeggarsa ogummaa ni taasisu.
- 4) Murtiiwwan Komishinichaa fi Gumiichaa barruulee ykn birooshara hojii Komishinichaa ibsan irratti akka maxxanfaman ni qopheessu; maxxansiisuun fayyadamtoota akka dhaqqaban ni taasiisu.

- 5) የኮሚሽኑን እና የጉባኤውን ስራዎች የሚመለከቱ መጽሔቶች እና ጽሁፎች እንዲታተሙ እና ለተጠቃሚ እንዲደርሱ ያደርጋል።
- 6) ባለጉዳዮችን ይቀበላል አስፈላጊውን መስተንግዶ እንዲያገኙ ያደርጋል።
- 7) ለኮሚሽኑ እና ለጉባኤው ስራ አስፈላጊ የሆነውን በጀት እና ቁሳቁሶች ከአራጉባኤ ጽሕፈት ቤት እና ከጨፌ ጽሕፈት ቤት በማግኘት ለተፈቀዱ ጉዳዮች ተግባራዊ እንዲሆኑ ያደርጋል።
- 8) በኮሚሽኑ እና በጉባኤው ኃላፊዎች የተሰጡትን ሥራዎች ያከናውናል።
- 9) የሥራ እና የበጀት አፈፃፀም ሪፖርቶችን በማዘጋጀት ለጨፌ አራጉባኤ ያቀርባል።

18. መያዣ ድጋፍ

ኮሚሽኑ እና ጉባኤው ከባለሙያዎች መያዣ ድጋፍ የሚያገኙ ሆኖ ባለሙያዎቹም፡-

- 1) ለኮሚሽኑ ወይም ለጉባኤው የቀረቡትን አቤቱታዎች ያስተንግዳል፤ ይመዘግባሉ፤ በጉዳዩ መሠረት በማቀናጀት ለኮሚሽኑ ወይም ለጉባኤው ያቀርባል።
- 2) ለጉባኤው የሚቀርቡ አቤቱታዎች ወይም ቅሬታዎችን በመመርመር ከሙያዊ ሀሳብ ጋር ለጉባኤው ያቀርባል።
- 3) በኮሚሽኑ ወይም በጉባኤ ምርመራ እና ጥናት እንዲደረግባቸው በተሰጡት ጉዳዮች ላይ ጥናት እና ምርመራን በማካሄድ ለኮሚሽኑ ወይም ለጉባኤው መያዣ ድጋፍን ይሰጣል።
- 4) የኮሚሽኑን ወይም የጉባኤውን ውሳኔዎች በኮሚሽኑ ብሮሽሮች ወይም መጽሔቶች ላይ እንዲታተሙ ያዘጋጃል። እንዲሁም ለተጠቃሚ-ች እንዲደርሱ ያደርጋል።

- 5) Causes the various bulletins and writings regarding the activities of the commission and the Council to be printed and distributed to users.
6. Receives customers and makes them get the necessary service
- 7) Obtains budget and materials used for the activities of commission and Council from Office of the Secretariat and the Speaker of the Caffee and ensure they used to issues they are allocated to.
- 8) Performs such other activities assigned to him by the heads of the Commission and Council.
- 9) Prepares and submits reports on the activities and financial accounts to the Speaker of the Caffee.

18. Professional aid

The Commission and the Council get supports from experts and the experts,

- 1) Receivee the petitions submitted to the Commission or Council and register and organize according to the cases and submit to the Commission or Council for decision.
- 2) Analaze the applications or complains submitted to the assembly and present to the assembly along with professional resolutions
- 3) Carry out research and studies on the issues given to the Commission and Council for investigation and grant professional sustenance to the commission or the assembly
- 4) Makes decisions of the commission or the Council to be published on the bulletins or broshers that disclose the activities of the Commission and cause them reach the users.

KUTAASADII

Qajeeltoowwan, Hojimaatawwanii fi Adeemsa Kenniinsa Murtee Komishinichaa

19. Qajeeltoowwanii fi Hojimaatawwan Heera Hiikuu Keessatti Hordofamuu Qaban

Komishinichi:

- 1) Dhimmoota Gumii Calaltuu Heeraa irraa hiikaan Heeraa ni barbaachisa jechuun yaada murtee dhiyaateef qoratee murtee dhuma ni kenna.
- 2) Qajeeltoowwan dhimmoota hiikaa Heeraa qoratee murteessuuf ni fayyadu jedhee itti amanu addaan baafatee hojiirra oolchuu ni danda'a.
- 3) Dhimmi gaaffii hiikaa Heeraa dhiyaateef mirgootaa fi bilisummaawwan bu'uura kan ilaallatan yammuu ta'an, qajeeltoowwan seerotaa fi waliigalteewwan idil-adduunyaa mirgoota namoomaa itoophiyaan fudhattee fi sanadoota idil-adduunyaa, akkasumas murteewwan Mana Maree Feedereeshinii waliin karaa walsimateen ni hiika.
- 4) Hiikaa Heeraarratti murtee dhuma otoo hinkennin dura akka barbaachisummaa isaatti yaada dabalataa walitti qabuu ykn ragaan akka dhiyaatu ajajuu ni danda'a.

20. Adeemsa Kenniinsa Murtee Keessatti Hordofamuu

- 1) Komishinichi dhimmoota Gumiidhaan calalamuun yaadawwan murtee dhiyaatanii fi murtee Gumii Calaltuu Dhimma Heeraarratti komii qabaachuun dhimmoota oliyyannoon dhiyaataniif qoratee, koree yaada murtee dhiyeessuuf miseensota isaa keessaa hundeeffachuu ni danda'a.
- 2) Murtee Gumiidhaan dhiyaaterratti komii qabaachuun oliyyannoo dhiyaate walga'ii waliigalaa Komishinichaatiif dhiyaachuu qaba ykn dhiyaachuu hinqabu jechuun akka yaada murtee dhiyeessuuf Korichaaf bakka bu'iinsa kennuu ni danda'a.

ክፍል ሦስት

የኮሚሽኑ መመሪያዎች፤ አሠራሮችና የውሳኔ አሰጣጥ ሂደቶች

19. በሕገ አተረጓጎም ሂደት መካተል የሚገባቸው መመሪያዎች፤ እና አሰራሮች ኮሚሽኑ፡

- 1) የሕገ-መንግስት አጣሪ ጉባኤ የሕግ ትርጉም ያስፈልጋል በማለት ያቀረበውን የውሳኔ ሀሳብ በመመርመር የመጨረሻ ውሳኔን ይሰጣል፡፡
- 2) ለሕገ-መንግስት ጉዳዮች ትርጉም መርምሮ ለመወሰን ይጠቅማሉ ብሎ ያመነባቸውን መመሪያዎች ለይቶ ሥራ ላይ ማዋል ይችላል፡፡
- 3) የቀረቡት የሕገ-መንግስት ትርጉም ጉዳዮች መሠረታዊ መብቶች እና ነፃነቶችን የሚመለከቱ ከሆኑ ትርጉሙ ኢትዮጵያ ከተቀበለቻቸው አለም አቀፍ የሰብአዊ መብት መመሪያዎች ሕጎችን ስምምነቶች እንዲሁም አለም አቀፍ ሰነዶች እንዲሁም ከፊዴራሽን ምክር ቤት ውሳኔዎች ጋር በማይቃረኑ መልኩ ይተረጎማሉ፡፡
- 4) በሕገ መንግስት ትርጉም ላይ የመጨረሻውሳኔ ከመስጠቱ በፊት እንደ አስፈላጊነቱ ተጨማሪ ሀሳቦችን ማሰብለብ ወይም ማስረጃ እንዲቀርብ ማዘዝ ይችላል፡፡

20. በውሳኔ አሰጣጥ ላይ ሊከተሉት የሚገቡ አካሂዶች

- 1) ኮሚሽኑ በጉባኤው ተጣርቶ የሚቀርቡ የውሳኔ ሀሳቦችን፤ እንዲሁም የሕገ-መንግስት ጉዳይ አጣሪ ጉባኤ ውሳኔ ቅሬታ እንዲሁም የቀረቡትን ይግባኞች መርምሮ ለውሳኔ ሀሳብ ለሚያቀርብ ኮሚቴ ከአባላቶቹ ውስጥ ማቋቋም ይችላል፡፡
- 2) በጉባኤው በሚቀርቡ ውሳኔዎች ላይ የሚቀርበው ይግባኝ ለኮሚሽኑ ጠቅላላ ጉባኤ መቅረብ አለበት ወይም መቅረብ የለበትም በማለት የውሳኔ ሀሳብ ለማቅረብ ለኮሚቴው ውክልናን መስጠት ይችላል፡፡

Section- Three

Principles, Procedure and Processes of decisions making of the Commission

19. Principles and Procedures Applicable for Constitutional Interpretation

The Commission

- 1) Shall pass the final decision on the issues submitted by Council of Constitutional Inquiry that they believe needs Constitutional Interpretation.
- 2) may develop and implement principles of constitutional interpretation which it believes to be helpful to investigate and decide on constitutional matters submitted to it.
- 3) Where the constitutional matters, submitted, are relating to the fundamental rights and freedoms enshrined in the constitution, such matters 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 adopted by Ethiopia and decisions of the House of Federations on similar issues.
- 4) It is possible to collect additional information or order the pertinent body to produce evidence as may be necessary before it makes a final decision upon Constitutional interpretations.

20. Process of Decision Making

- 1) The Commission may establish a committee, drawn from its members, which shall investigate the draft proposal submitted to it by the Council of the Constitutional Inquiry and an appeal lodged against the decisions of the Council of the Constitutional Inquiry.
- 2) The committee may be mandated by the Commission to make a decision whether an appeal made against decisions of the Council of the Constitutional Inquiry should be presented to the general meeting of the Commission or not

- 3) Komishinichi dhimma koreedhaaf qajeelchu akka haala ulfina dhimmichaatti yeroo qoratamee itti dhiyaatu murteessuu ni danda'a.
- 4) Abbaan dhimmaa akkaataa keewwata kana keewwata xiqqaa ltti dhimma Gumiidhaan murtaa'e irratti komii qabu sababa humnaa ol ta'een otoo hin dhagahin ykn akkaataa yeroo seeraan tumameen oliyannoo hin dhiyeeffatin hafe guyyaa murtee kenname dhagahe irraa kaasee guyyoota 30 keessatti sababa gahaa waliin dhiyeeffachuu ni danda'a.
- 5) Komishinichi gaaffii akkaataa keewwata kana keewwata xiqqaa 4tti dhiyaatuuf qorachuun sababiin dhiyaate gahaa ta'uu fi ta'uu dhabuusaa erga addaan baasee booda gaaffiicha fudhachuu ykn kufaa gochuu ni danda'a.

21. Waa'ee Yaada Walitti Qabuu

Komishinichi hiikaa Heeraarratti murtee dhumaa kennuun dura dhaabbileen, ogeessotni ykn abbootiin dhimmaa dhiyaatanii yaada akka kennan taasisuu ni danda'a.

22. Qaama Heerummaa Hubachiisu

- 1) Komishinichi Heerummaa dhimma tokkoo yammuu qoratu haalli biraa ifatti tilmaama isaa diiguu danda'u hanga hin uumamnetti seerri bahe Heerummaa qaba yaada jedhu irraa ka'a.
- 2) Kan keewwata kana keewwata xiqqaa 1 jalatti tumame akkuma eegametti ta'ee Heerummaan dhimma tokkoo yammuu falmsiisaa ta'ee argamu dirqamni hubachiisuu kan qaama mootummaa aangoo fi hojiin dhimma seeraarratti mootummaa naannichaa gorsuuf kennameef ta'a.
- 3) Akkaataa keewwata kana keewwata xiqqaa 2tti dhimma heerummaa falmisiisaa ta'ee argame irratti qaamni hubachiisu guyyaa komishinichi murteessu dhiyaatee akka hubachiisu ajajamuu ni danda'a.

3) ኮሚሽኑ ለኮሚቴ የሚያቀርበው ጉዳይ በጉዳዩ ክብደት መሠረት ተመርምሮ የሚቀርብበትን ጊዜ መወሰን ይችላል።

4) ባለጉዳዩ በዚህ አንቀጽ ንዑስ አንቀጽ 1 መሠረት በጉባኤው በተወሰነ ጉዳይ ላይ ቅሬታ ካለው ወይም ከአቅም በላይ በሆነ ሁኔታ ሳይገመት ከቀረ ወይም በሕጉ በተደነገው መሠረት ይግባኝ ሳይቀርብ ከቀረ ውሳኔው ከተሰጠበት ቀን ጀምሮ በ30 ቀናት ውስጥ ከበቂ ምክንያት ጋር ማቅረብ አለበት።

5) ኮሚሽኑ በዚህ አንቀጽ ንዑስ አንቀጽ 4 ስር በተጠቀሰው መሠረት የሚቀርበውን ጥያቄ በመመርመር የቀረበው ምክንያት በቂ መሆኑን እና አለመሆኑን ካጣራ በኋላ ጥያቄውን መቀበል ወይም ውድቅ ማድረግ ይችላል።

21. ሀሳብ ስለማሰባሰብ

ኮሚሽኑ በሕገ-መንግስት ትርጉም ላይ ውሳኔ ከመስጠቱ በፊ ድርጅቶች፣ ባለሙያዎች ወይም ባለጉዳዮች ቀርበው ሀሳባቸውን እንዲሰጡ ማድረግ ይችላል።

22. ሕገ-መንግስታዊነትን ስለሚያስረዳ አካል

1) ኮሚሽኑ የአንድን ጉዳይ ሕገ-መንግስታዊነት ሲመረምር ሌላ በግልጽ ግምቱን ሊያፈርሰው የሚችል ሌላ ሁኔታ አስከፊ ተፈጠረ ድረስ የወጣው ሕግ ሕገ-መንግስታዊነት መብት አለው የሚል ላይ ያስቀምጣል።

2) በዚህ አንቀጽ ንዑስ አንቀጽ 1 ሥር የተደነገው እንደተጠበቀ ሆኖ የአንድ ጉዳይ ሕጋዊነት የሚያከራክር ከሆነ የማሳወቅ ግዴታ ያለበት በህግ ሥልጣን የተሰጠው በክልሉ መንግስት የማማከር አገልግሎት እንዲሰጥ በሕግ የታወቀ አካል ይሆናል።

3) በዚህ አንቀጽ ንዑስ አንቀጽ 2 መሠረት የሕገ-መንግስት ጉዳይ አከራካሪ ሆኖ ሲገኝ የሚያስገነዝበው አካል ከኮሚሽኑ በሚወስንለት ቀን ቀርቦ እንዲያስገነዝብ ሊታዘዝ ይችላል።

3) The commission may fix the deadline for the investigation of the case it directs to the committee based their difficulty.

4) Anybody having complain against the decision the a Cuuncil in Accordance with this article , sub article 1, fail to hear to force major or fails to present its appeal in Accordance with this article , sub article 1, shall present within 30 days of the date of the decision with satisfactory reason

5) The commission may accept or reject the request submitted in Accordance with this article, sub article 4 after examining whether the reason provided is satisfactory or not.

21. Additional Information and Evidence

The Commission can collect additional information or order the pertinent body to produce evidence as may be necessary before it makes a final decision upon Constitutional interpretations.

22. Constitutionality Explanatory Body

1) Unless otherwise proved to the contrary, the enacted law is presumed to be constitutional while the Comission starts to review its constitutionality.

2) Without prejudice to sub-article (1) of this Article. if the constitutionality of the law is found to be controversial, a government body which has the duty to consult the regional government. depending on conditions, shall have the obligation to explain.

3) A pertinent explanatory institution may be ordered to appear before the House and explain, in accordance with sub-article /2/ of this Article, the constitutionality of a controversial law on a date fixed by the Commission.

4) Akkaataa keewwata kana keewwata xiqqaa 2 fi 3 jalatti ibsame irratti dabalataan akka barbaachisummaa isaatti murteen dhumaa kennamuun dura dhimmichi Mana Murtee kan ilaallatu yoo ta'e Mana Murtee dhimmicha qabate irraa ibsa gaafachuu ykn falmataa isa biraa dubbisuu ni danda'ama.

23. Kenniinsa Murtee Hiikaa Heeraa

- 1) Murteen Komishinichi hiikaa Heeraa irratti kennu sagalee walta'iinsaatiin ta'a.
- 2) Dhimmi tokko sagalee walta'iinsaatiin kenname kan jedhamu miseensota komishinichaa walga'icharratti argaman keessaa mormiin yoo hindhiyaanneedha.
- 3) Dhimma dhiyaatee irratti sagalee walita'iinsaatiin murteesuun yoo hin danda'amne sagalee lama sadeessoon (2/3)n murtee dhumaa ni kenna.
- 4) Murteen dhumaa hiikaa Heeraarratti komishinichaan kenname qaama gaafficha dhiyessee fi qaamolee dhimmichi ilaallatu akka gahu ni taasifama.

24. Qabiyyee Murtee Kennamuu

Murteen Komishinichaa: ibsa dhimmichaa tarreeffamaan, hiikaan Heeraa ni barbaachisa ykn hin barbaachisu sababa jedhamee fi xumura irra gahame ifatti kan agarsiisu ta'uu qaba.

25. Bu'aa Murtee Falmiiwwan Hiikaa Heeraa

- 1) Tumaa seeraa keessaa kutaan faallaa Heeraati jedhamee murtaa'e yoo barbaachisaa ta'ee argame malee, bu'aan Heerummaa dhabuu isaa tumaadhuma sana irratti daangeffamee kan hafu ta'a.
- 2) Murteen xumuraa Komishinichi hiikaa Heeraarratti kennu bu'aa waliigalaa ni qabaata. Haala kanaaniis of-duraaf dhimmoota Heeraa walfakkaataarratti amala dirqisiisummaa ni qabaata.

4) በዚህ አንቀጽ ንዑስ አንቀጽ 2 እና 3 መሠረት ከተጠቀሰው በተጨማሪ እንደ አስፈላጊነቱ የመጨረሻ ውሳኔ ከመስጠቱ በፊት ጉዳዩ የፍ/ቤት ጉዳይ ከሆነ ጉዳዩን ከያዘው ፍ/ቤት ማብራሪያ መጠየቅ ወይም ከሌላ ተከራካሪ ወገን መጠየቅ ይችላል፡፡

23. የሕገ-መንግስት ትርጓሜ ውሳኔ አሰጣጥ

- 1) ኮሚሽኑ በሕገ-መንግስት ጉዳዮች ላይ ውሳኔ የሚሰጠው በተባበረ ድምጽ ነው፡፡
- 2) አንድ ጉዳይ በተባበረ ድምጽ ተወስኗል የሚባለው በጉባኤው ላይ ከተገኙ የጉባኤው አባላት ውስጥ በጉዳዩ ላይ ተቃዋሚ ከሌለ ነው፡፡
- 3) በቀረበው ጉዳይ ላይ በተመሳሳይ ድምጽ ውሳኔ ካልተሰጠ የመጨረሻ ውሳኔ በ2/3ኛ ድምጽ ሊሰጥ ይችላል፡፡
- 4) በሕገ-መንግስት ትርጉም ላይ በኮሚሽኑ የሚሰጠው የመጨረሻ ውሳኔ ጥያቄውን ላቀረበው አካል እና ጉዳዩ ለሚመለከታቸው አካላት እንዲደርስ ይደረጋል፡፡

24. የሚሰጥ ውሳኔ ይዘት

የኮሚሽኑ ውሳኔ የጉዳዩን ዝርዝር መግለጫ ለሕገ መንግስት ትርጓሜ መስጠት ያስፈልጋል ወይስ አያስፈልግም የተባለበት ምክንያትና መጨረሻ ላይ የተደረሰበትን ውሳኔ የሚያሳይ መሆን አለበት፡፡

25. የህገ-መንግሥት ትርጉም ጉዳይ ክርክሮች የውሳኔ ውጤት

- 1) ከሕግ ድንጋጌ ውስጥ ሕገ መንግስትን ይቃረናል ተብሎ የተወሰነ ክፍል አስፈላጊ ሆኖ ካልተገኘ በስተቀር ህገ-መንግሥታዊነትን ማጣቱ በዚያ ድንጋጌ ላይ ተወስኖ የሚቀር ይሆናል፡፡
- 2) ኮሚሽኑ በሕገ-መንግስት ላይ የሚሰጠው የመጨረሻ ውሳኔ አጠቃላይ ውጤት ይኖረዋል፡፡ በዚህም ሁኔታ ለወደፊቱ በተመሳሳይ ህገ-መንግሥታዊ ጉዳዮች ላይ የአስገዳጅነት ባህሪ ይኖረዋል፡፡

4) In addition to the provisions of sub-Article (2) and (3) of this Article, before a decision is made on the constitutionality of a law, it may seek further explanation from the court handling the case or the defendant involved in the case.

23. Rules of Procedure

- 1) The ruling of the Commission may be given by a unanimous vote.
- 2) An issue is said to have been decided with a unanimous vote when no opposition is raised from the members of the Commission attending the meeting.
- 3) If a case can not decide on with a unanimous vote, the opinion of 2/3 vote of the members attending the meeting shall be considered for a ruling.
- 4) The final decision of the Commission on Constitutional interpretation shall be communicated to parties and the concerned institutions.

24. Contents of a Ruling

The text of the ruling of the Commission shall consist of details of the constitutional issue, justification as to why it held the view that constitutional interpretation was necessary or not and the ruling it has finally made.

25. Results of Decisions on Constitutional cases

- 1) If part of a given law is decided that it is unconstitutional unless otherwise found necessary, the effect of the final decision shall remain limited to only that very law.
- 2) The final decision of the Commission on constitutional interpretation shall have general effect which therefore shall have applicability on similar constitutional matters that may arise in the future.

- 3) Murtichi qaamolee hunda biratti akka beekamuuf barruulee kaayyoo kanaaf qophaa'eerratti maxxanfamee ni baha.

26. Murteen Hiikaa Heeraarratti Kenname

Yeroo Hojirra Itti Ooluu Jalqabu

- 1) Murtee Komishinichi kennurratti ifatti yoo kaa'ameen ala, murtichi hojiirra kan oolu yeroo murtichi kennamerraa jalqabee ta'a.
- 2) Kan keewwata kana keewwata xiqqaa 1 jalatti tumame yoo jiraates, seerri tokko Heerummaa hinqabu jedhamee murteen dhumaa kennamuun dura Qaamni Mootummaa Naannichaa seericha baase seericha yeroo ji'a 6 keessatti akka fooyyessu, akka jijjiiru ykn akka haqu ibsamuufii ni danda'a.

27. Waa'ee Kaffaltii

- 1) Namni kamiyyuu gaaffiilee hikkaa Heeraa komishinichaaf dhiheessuuf kaffaltii hingaafatamu.
- 2) Kan keewwata kana keewwata xiqqaa tokko (1) jalatti ibsame jiraatus, Dambii Komishinichi baasuun namni komii dhiyeeffatu kamiyyuu kaffaltii kaffaluu qabu murteessuu ni danda'a.

KUTAAAFUR

Tumaalee Adda Addaa

28. Dirqama Deeggarsa Kennuu fi Raawwachuu

Qaamni Mootummaa ykn abbaan aangoo kamiyyuu ajajaa fi murteewwan komishinichaan dhimmota daangaa aangoo isaa keessatti kennamaniif raawwachuu fi deeggarsa kennuuf dirqama ni qabaata.

29. Aangoo Dambii Baasuu

Komishinichi Labsii kana hojiirra oolchuuf kan isa dandeesissu Dambii baasuu ni danda'a.

- 3) ውሳኔው በሁሉም አካላት ይታወቅ ዘንድ እንዲታወቅ ለዚህ አላማ በተዘጋጁ ጽሁፎች ላይ ታትመው ይወጣሉ፡፡

26. በህገ-መንግሥት ትርጉም ላይ የሚሰጥ ውሳኔ ተፈጻሚ መሆን የሚጀምርበት ጊዜ

- 1) ኮሚሽኑ በሚሰጠው ውሳኔ ላይ በግልጽ ካልተቀመጠ በስተቀር ውሳኔው የሚፀናው ከተሰጠበት ጊዜ ጀምሮ ነው፡፡
- 2) የዚህ አንቀጽ ንዑስ አንቀጽ 1 ድንጋጌ ቢኖርም፤ አንድ ሕግ ሕገ-መንግስታዊነት የለውም ተብሎ የመጨረሻ ውሳኔ ከመሰጠቱ በፊት ሕጉን ላወጣው የክልሉ መንግስት አካል ሕጉ በ6 ወር ጊዜ ውስጥ እንዲሻሻል፤ እንዲለወጥ ወይም እንዲሰረዝ ማድረግ ይችላል፡፡

27. ስለ ክፍያ

- 1) ማንኛውም ግለሰብ የሕገ-መንግስት ትርጉም ጥያቄን ለኮሚሽኑ ለማቅረብ ክፍያን አይጠየቅም፡፡
- 2) በዚህ አንቀጽ ንዑስ አንቀጽ 1 ላይ የተጠቀሰው ቢኖርም ኮሚሽኑ በሚያወጣው ደንብ መሠረት ማንኛውም ቅሬታ የሚያቀርብ አካል የሚከፍለውን ክፍያ መወሰን ይችላል፡፡

ክፍል አራት

የተለያዩ ድንጋጌዎች

28. የመተባበር እና የማስፈጸም ግዴታ ማንኛውም የመንግስት አካል ወይም ስልጣን የተሰጠው አካል በተሰጠው የሥልጣን ክልሉ በሆኑት ጉዳዮች ላይ የኮሚሽኑ የሚሰጠውን ትዕዛዝ እና ውሳኔዎችን የመፈጸም እና አስፈላጊውን ድጋፍ የመስጠት ግዴታ ይኖረዋል፡፡

29. ደንብ የማውጣት ስልጣን

ኮሚሽኑ ይህንን አዋጅ ተግባራዊ ለማድረግ የሚያስችለውን ደንብ ማውጣት ይችላል፡፡

- 3) The decision shall publicized in a special publication to be issued for this purpose.

26. Effective Date of the Decision on Constitutional issue

- 1) Unless otherwise conspicuously stated in the decision, the decision of the House on constitutional interpretation comes into effect as of the date of the passing of the decision.
- 2) Notwithstanding to sub-article (1) of this Article, the Regional Government Legislative body may be communicated within six months so that it amends, changes, or repeals the law in question before a final decision of its unconstitutionality is made.

27. Service Charge

- 1) Application from any body for constitutional interpretation submitted to the Commission shall be exempt from a service charge.
- 2) Notwithstanding with sub-article (1) of this Article, the applicant may be asked to effect a payment in accordance with the regulations to be issued by the Commission as may be necessary.

Article -Four

Miscellaneous provisions

28. Duty to Cooperate and Execute

Any Government body or official is duty bound to execute the orders given by the Council of Inquiry on matters within its jurisdiction.

29. Power of enacting regulation

The House may issue regulations for the implementation of this proclamation.

30. Seerota Raawwatiinsa Hinqabaanne

Seerrii fi hojimaatni labsii kanaan walfaallessu kamiyyuu dhimmoota labsii kana keessatti tumaman irratti raawwatiinsa hinqabaatu.

30. አግባብነት የሌላቸው ሕጎች

ከዚህ አዋጅ ጋር የሚቃረኑ ሕጎች እና ልማዳዊ አሠራሮች በዚህ አዋጅ ውስጥ ባለ ድንጋጌዎች ላይ ተፈጻሚነት የላቸውም፡፡

30. Inapplicable laws

No laws, regulations, directives or rulings which are inconsistent with this proclamation shall have effect with respect to matters provided for herein.

31. Yeroo Labsiin Kun Itti Ragga'u

Labsiin kun Adoolessa 11, bara 2003 irraa eegalee kan hojiirra oolu ta'a.

31. አዋጁ የሚፀናበት ጊዜ

ይህ አዋጅ ከሐምሌ 11 2003 ጀምሮ ሥራ ላይ ይውላል፡፡

31. Effectiveness time of the proclamation.

This proclamation is effective as of July 18, 2011

Finfinnee

Adoolessa 11, bara 2003

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Finfinnee

18/07/2011

Alemayehu Atomsa

President of the Oromia National

Regional State.

Alamaayyoo Atoomsaa

Pirezidaantii Bulchiinsa Mootummaa

Naannoo Oromiyaa