# ፌደራል ነጋሪት ጋዜጣ

# FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

ሃያ አምስተኛ ዓመት ቁዋር *፸፩* አዲስ አበባ <del>ግን</del>ቦት ፳፱ ቀን ፪ሺ፲፩ ዓ.ም

በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ 25<sup>th</sup> Year No. 71 ADDIS ABABA 6<sup>th</sup> June, 2019

#### ማውጫ

አዋጅ ቁጥር ፩ሺ፩፻፴፫/፪ሺ፲፩ ዓ.ም

የብሔራዊ ምርጫ ቦርድ ማቋቋሚያ አዋጅ ......1ጽ ፲፩ሺ፪፻፺፫

#### **Content**

Proclamation No.1133/2019

### አዋጅ ቁጥር ፩ሺ፩፻፴፫/፪ሺ፲፩

# <u>የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ</u> ብሔራዊ ምርጫ ቦርድ ማቋቋሚያ አዋጅ

ዜጎች በየደረጃው በሚካሄድ ነፃ፣ ፍትሃዊና ሰላማዊ ምርጫ በመረጧቸው ተወካዮች አማካኝነት ራሳቸውን በራሳቸው የማስተዳደር ሥልጣናቸውን በተግባር እንዲያውሉ ለማድረግ ነፃ የምርጫ አስፊፃሚ አካል አስፊላጊ በመሆኑ፣

በኢትዮጵያ ዲሞክራሲን ለማጠናከር ብሔራዊ ምርጫ ቦርድን ከማንኛውም አካል ነፃ አድርጎ በማደራጀት ፍትሃዊ፣ ተዓማኒና ሰላማዊ ምርጫ ለማስፌፀም የሚያስችለው መዋቅር እንዲኖረው ማድረግ አስፌላጊ በመሆኑ፣

አባላትን የብሔራዊ ምርጫ ቦርድ አመላመልና አሿሿም አሳታፊና **ግልጽ በ**ማድረግና የመዋቅር፤ የሰራተኛ ቅጥርና ምደባ የቦርዱን **እንዲሁም** የበጀት በማፈጋገጥ በተፎካካሪ የፖለቲካ ድርጅቶችና (100 Colle ዘንድ ያለውን ተዓማኒነትና የማስፈፀም አቅሙን ማሳደግ አስፈላጊ ሆኖ በመገኘቱ፤

በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ-መንግሥት አንቀጽ ፵፭(፩) እና (፩፻፪) መሠረት የሚከተለው ታውጇል።

#### PROCLAMATION No. 1133/2019

# A PROCLAMATION TO ESTABLISH THE NATIONAL ELECTORAL BOARD

WHEREAS, it has become important to establish an independent electoral Implementation body in order to enable citizens to exercise their right to self-government through representatives that they elect by way of free, fair and peaceful elections conducted at various levels:

WHEREAS, to strengthen the Ethiopian democracy it has become necessary to organize the National Electoral Board in a manner that is independent from the influence of any other body and which enables it to conduct fair, trust-worthy and peaceful election;

WHEREAS, it has become necessary to improve the credibility and implementing capacity of the National Electoral Board among competing political organizations and the voting public, by making the selection and appointment of the members of the national electoral board participatory and transparent and ensuring the board's independence in regards to its organizational structure, staff employment and deployment and budget;

NOW, THEREFORE, in accordance with Article 55(1) and 102 of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

*ያንዱ ዋጋ* Unit Price ነ*ኃሪት ጋዜጣ ፖ.ግ.ቀ*. ፲ሺ፩ Negarit G. P.O.Box 80001 าห

# <u>ምዕራፍ አንድ</u> <u>ጠቅሳሳ</u>

#### ፩. <u>አጭር ርዕስ</u>

ይህ አዋጅ "የብሔራዊ ምርጫ ቦርድ ማቋቋሚያ አዋጅ ቁጥር ፩ሺ፩፻፴፫/፪ሺ፲፩" ተብሎ ሲጠቀስ ይችሳል።

# g. ትርጉም

በዚህ አዋጅ ውስጥ፡-

- ፩/ **"ሕገ መንግስት**" ማለት የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ መንግስት 'nГ መንግስታት" ሲሆን፤ "ปา ማለት ደግሞ የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ እና የክልል ሀገ መንግስታት ማለት ነው፤
- g/ **" ቦርድ"** ማለት በዚህ አዋጅ አንቀፅ ፫ *መ*ሰረት የተቋቋመው የስራ አመራር ቦርዱን ሙሉ አባላት ያቀራ ጽሀፌት ቤትና በየደረጃው ያሉ ማስተባበሪያ ጽህፌት ቤቶችን ያካተተ ብሔራዊ ምርጫ ቦርድ ነው፤
- ፫/ **"የስራ አመራር ቦርድ"** ማለት በዚህ አዋጅ አንቀፅ ጅ (፩) መሠረት የተሰየመው መልጣይ ኮሚቴ የሚመለምሳቸውና በጠቅሳይ ሚኒስትሩ አቅራቢነት በሀዝብ ተወካዮች ምክር ቤት ቀርበው የሚሾሙት ናቸው፤
- ፬/ **"ምርጫ"** ማለት በሕገ *መንግ*ስታት እና በሌሎች አማባብንት ባላቸው ህጎች መሰረት የሚካሄድ የጠቅሳሳ፣ የአካባቢ፣ የማሟያ ወይም የድ*ጋ*ሚ ምርጫ ነው፤
- *፩/ "የፖ*ለቲካ ድርጅት" ወይም "የፖለቲካ ፓርቲ" ማለት የፖለቲካ ፕሮግራም ነድፎ ዓላማውን በሕጋዊ መንገድ ለማራመድ የሚንቀሳቀስ
- ፮/ **"የምርጫ ክልል**" ማለት ለምርጫ አፈባፀም እንዲያመች እና ህዝቡ ወኪሎቹን እንዲመርዋ መሰረት **ማ**ዛት ተከፋፍሎ くいつるた የሚደራጅ የምርጫ አካባቢ ነው፤
- ፯/ **"የምርጫ ጣቢያ**" ማለት በየደረጃው የሚካሂዱ ምዝገባ የሚካሄድበት፤መራጮች ምርጫዎች ድምፅ የሚሰጡበት እና ቆጠራ የሚካሄድበት ቦታ ነው፤

# **PART ONE GENERAL**

#### 1. Short Title

ሬ.ጽራል ነጋሪት ጋዜጣ ቁጥር <u>ሮሽ</u> ግንቦት ሺህ ቀን ፪ሺ፲ሽ ዓ.ም Federal Negarit Gazette No. 71 6<sup>th</sup> June, 2019 ......page

This Proclamation may be cited as the "National Electoral Board of Ethiopia Establishment Proclamation No. 1133/2019".

#### 2. Definitions

In this Proclamation:

- 1/ "Constitution" means the Constitution of the Federal Democratic Republic Ethiopia: "Constitutions" means Constitution of the Federal Democratic Republic of Ethiopia and that of the Regional States;
- "Board" means the National Electoral Board that is established under Article 3 of this Proclamation which includes all the members of the management board, the office of the board, and coordination offices at different levels;
- 3/ "Management Board" means a board that is comprised of members recruited by committee appointed by the House of People's Representatives upon recommendation by the Prime Minister in accordance to Article 5 (1) of this Proclamation.;
- 4/ "Election" means general elections, local elections, by-elections and re-elections conducted in accordance with Constitutions and other relevant laws;
- 5/ "Political Organization or Political Party" means a grouping which, having formulated a political program, pursues its aims in a lawful manner;
- /"Constituency" means an electoral district established by dividing the nation's territories in accordance with the law and in a manner conducive for the execution of elections and for the people to elect their representatives;
- 7/ "Polling Station" means a location where voter registration, voting and counting is carried out for elections conducted at every level;

- ፰/ **"ጽህፈት ቤት"** ማለት የኢትዮጵያ ብሔራዊ ምርጫ ቦርድ ጽህፈት ቤት ነው፤
- ፱/ "ከፍተኛ የመንግስት ሹመት" ማለት በሚኒስትር፣ ሚኒስትር ዲኤታ፣ አምባሳደር፣ ከሚሽነር፤ ምክትል ከሚሽነር፣ ዋና ዳይሬክተር ወይም ተመሳሳይ ደረጃ ያላቸው ሹመቶችን ያካትታል፤
- ፲/ **"የስን ምግባር ጉድለት"** ማለት በኢትዮጵያ ውስጥ ብዙሃኑ የሚስማማባቸው የግብረገብ እሴቶች እና በህጎችና በሙያ ሥነ-ምግባሮች ላይ የተመሰረቱ መርሆችን የሚዋሱ ተግባራት ፊጽሞ መገኘት ነው፤
- ፲፩/ **"ሰው"** ማለት በህን የሰውነት *መ*በት የተሰጠው ወይም የተ<del></del>ፋዋሮ ሰው ነው፤
- ፲፪/ በዚህ አዋጅ ውስጥ በወንድ ጸታ የተገለፀው የሴትንም ጸታ ያካትታል፡፡

# <u>ምዕራፍ ሁለት</u> ስለ ብሔራዊ ምርጫ ቦርድ

#### *፫ መ*ቋቋም

- ፩/ በፌደራልና በክልል የምርጫ ክልሎች ነፃና ትክክለኛ ምርጫ በገለልተኝነት እንዲያካሂድ ከማንኛውም ተፅዕኖ ነፃ የሆነ ራሱን የቻለ የሀግ ሰውነት ያለው ብሔራዊ የምርጫ ቦርድ ተቋቁሟል።
- ፪/ የቦርዱ ተጠሪነት ለሀዝብ ተወካዮች ምክር ቤት ይሆናል፡፡
- ፫/ ቦርዱ በአዲስ አበባ ዋና ጽሀፌት ቤት የሚኖረው ሲሆን፣ እንደአስልላጊነቱ በማናቸውም የአገሪቱ ክፍሎች ቅርንጫፍ ጽሀፌት ቤት ለመክፌት አዋንቶ ለሀዝብ ተወካዮች ምክር ቤት ዋያቄውን አቅርቦ ሲፌቀድለት ተግባራዊ ያደርጋል፡፡

# <u>፬. የቦርዱ አቋም</u>

- ፩/ ቦርዱ ሙለ ጊዜ የሚያገለግሉ አምስት አባላት ያሉት የስራ አመራር ቦርድ ይኖረዋል፡፡
- ፪/ የስራ አመራር ቦርድ አባላት በቦርዱ ሰብሳቢ ውሳኔ መሰረት የተለያዩ የቦርዱን ዓላማ ፊፃሚ የስራ ዘርፎችን በኃላፊነት ይመራሉ።

- 8/ **"Office"** means Office of the National Electoral Board of Ethiopia;
- 9/ "High-level Appointment" means appointment to the rank of Minister, State Minister, Ambassador, Commissioner, Deputy Commissioner, Main Director or appointment of a similar rank;
- 10/ **"Ethical Misconduct"** means committing actions that are contrary to the moral values that the majority of Ethiopians abide by as well as to principles grounded in legal and professional ethics;
- 11/ "Person" means natural or Juridical person.
- 12/ Any expression in this proclamation in the masculine gender includes the feminine gender.

# <u>PART TWO</u> THE NATIONAL ELECTORAL BOARD

#### 3. Establishment

- 1/ The National Electoral Board is hereby established having its own legal personality as an autonomous organ independent from any influence, in order to conduct free and proper election in the Federal and State constituencies.
- 2/ The Board shall be accountable to the House of Peoples' Representatives.
- 3/ The Board shall have head office in Addis Ababa; and as may be necessary, may open branch offices at any part of the country, when submit request to the House of People's Representatives based on study, and approved same by the House of People's Representatives.

#### 4. The Organization of the Board

- 1/ The board shall have a management board consisting of 5 members that serve fulltime.
- 2/ Members of the management board, based on the decision of the board chairman shall be responsible to lead work departments of the board.

- ፫/ የስራ አመራር ቦርዱ ለስራው አፈፃፀም አስፈላጊ የሆኑ ንዑስ ኮሚቴዎችን ሲያቋቁም ይችላል፡፡
- ቦርዱ ለሥራው አስፈላጊ የሆኑ ゆひむぞそ ይኖሩታል።

#### *፭. የስራ አመራር ቦርዱ አባላት አሰያየም*

አመራር ቦርዱ አባላት ุกษา መንግስቱ በጠቅሳይ ሚኒስትሩ አንቀጽ 888 መሰረት በሚከተለው አቅራቤታት ሥነ-ሥርዓት መሰረት በህዝብ ተወካዮች ምክር ቤት ይሾማሉ።

- ፩/ ጠቅሳይ ሚኒሰትሩ እጩ የስራ አመራር ቦርድ አባላትን የሚመለምል የሚከተሉትን አባላት ያካተተ ገለልተኛ ኮሚቴ ያቋቁማል፡-
  - ሀ) ከኢትዮጵያ ሃይማኖት ተቋማት ንባኤ..፩ ሰው፤
  - ለ) ከኢትዮጵያ የሳይንስ አካዳሚ .......... ል ሰው፤
  - ሐ) ከኢትዮጵያ ሰራተኞች ኮንፌደሬሽን...፩ ሰው፤
  - መ) ከኢትዮጵያ ንግድና ማህበራት ምክር ቤት ..... ፩ ሰው፤
  - **ሥ**) ከኢትዮጵያ ሰብዓዊ መብት ኮሚሽን....፩ ሰው፤
  - ረ) ከሲቪል ማህበራትና ከሃገር ሽማግሌዎች የሚመረጡ..... ፫ ሰዎች፡፡
- (§) g/ **೧**મ.ઇ አንቀፅ ንዑስ አንቀጽ ስር ተቋማት ስተዘረዘሩት የሚወከሉተ ወይም የሚመረጡት የኮሚቴ አባላት ገለልተኛነታቸውና ብቃታቸው የተረጋገጠ፣ እንደ አማባብንቱ በአንቀጽ ፮ ስር የተዘረዘሩትን የስራ አመራር ቦርድ አባልነት መስፈርቶች የሚያሟሉ እና የኮሚቴው ስብዋር ተመጣጣኝ የፆታ ተዋፅኦ ያለበት ሊሆን ይገባል፤
- ድርጅቶችና የ/ ኮማቱው กษากา ከፖለቲካ ከሲቪል ማህበራት የስራ አመራር ቦርድ አባል ሲሆኑ የሚችሉ ግለሰቦችን ጥቆማ ይቀበላል፤

- The Management board may establish subcommittees that may be necessary for the execution of its duties.
- The Board shall have the staffs necessary for the execution of its duties.

# 5. Appointment of Members of the Management **Board**

The members of the management board shall be appointed by the House of People's Representatives In accordance with Article 102 of the Constitution, upon nomination by the Prime Minister through the following procedure:

- The Prime Minister shall establish an independent committee that will engage in the recruitment of nominees to membership of the management board. The committee shall Composed of the following members:
  - Inter-Religious Council of Ethiopia.... ......1 person;
  - b) Ethiopian Academy of Sciences..... ......1 person;
  - c) Ethiopian Confederation of Employees
  - d) Ethiopian Chamber of Commerce..... .....1 person;
  - e) Ethiopian Human Rights Commission
  - f) Representatives from civil societies and elders.....3 persons.
- The members of the committee that shall be selected from the institutions under Sub-Article (1) of this Article shall have proportional gender balance and persons whose neutrality and capability are ensured and when appropriate fulfill the criteria to become management board members under Article 6 of this Proclamation;
- The Committee shall receive nominations from the public, political organizations and civil societies as to persons fit to be members of the management board;

- ፬/ ኮሚቴው በዚህ አዋጅ አንቀጽ ፯ ስር በተቀመጡት መስፌርቶች መሰረት ግልፅና አወዳዳሪ በሆነ አካሄድ ከተጠቆሙት ሰዎች ውስጥ የስራ አመራር ቦርድ አባሳት ሲሆኑ የሚችሉ እጩዎችን በመለየትና ፌቃዴኝነታቸውን በማረጋገጥ የእጩዎቹን ዝርዝር ለሕዝብ ይፋ በማድረግ፣ ለጠቅላይ ሚኒስትሩ ይልካል፤
- ፩/ ኮሚቴው የሚያዘጋጀው የእጩዎች ዝርዝር ምልመሳው በሚካሄድበት ወቅት በስራ አመራር ቦርዱ ካሉት ክፍት ቦታዎች ቁጥር እጥፍ መሆን ይኖርበታል፤
- ፲/ ጠቅሳይ ሚኒስትሩ እጩ የስራ አመራር ቦርድ አባላት ስም ዝርዝር ከኮሚቴው ከተቀበለ በኋላ ከተፎካካሪ የፖለቲካ ፓርቲዎች ተወካዮች ጋር በቀረቡት እጩዎች ላይ ምክክር ያደርጋል፤
- ፯/ ጠቅሳይ ሚኒስትሩ በዚህ አንቀፅ ንዑስ አንቀጽ ፯ ስር የተገለጸውን ምክክር ካደረገ በኋላ ከቀረቡት እጩዎች መካከል በስራ አመራር ቦርዱ ውስዋ ባሉት ክፍት ቦታዎች እጩዎችን ለሕዝብ ተወካዮች ምክር ቤት እንዲሾሙ ያቀርባል፤
- ፰/ በዚህ አንቀፅ ንዑስ አንቀፅ ፯ መሥረት ጠቅላይ ሚኒስትሩ እጩዎችን ሲያቀርብ የሥራ አመራር ቦርዱ ሰብሳቢና ምክትል ሰብሳቢ ቦታ ክፍት ከሆነ ሰብሳቢና ምክትል ሰብሳቢ የሚሆኑትን እጩዎች በመለየት ያቀርባል፤
- ፱/ አንድ እጩ በስራ አመራር ቦርድ አባልነት የሚሾመው የህዝብ ተወካዮች ምክር ቤት በአብላጫ ድምፅ ሹመቱን ሲያፀድቀው ነው፡፡

#### <u>፯. የስራ አመራር ቦርድ አባልነት መስፌርቶች</u>

- ፩/ አንድ ሰው የስራ አመራር ቦርድ አባል ለመሆን የሚችለው የሚከተሉትን መስፌርቶች ሲያሟላ ነው፦
  - ሀ) ተውልደ ኢትዮጲያዊ የሆነ ኢትዮጲያዊ ዜጋ፤
  - ለ) የማንኛውም *2* ለቲካ ድርጅት አባል ያልሆነ፤
  - ሐ) ከምርጫ ጉዳዮች ጋር ተያያዥነት ባላቸው በተለይም በሕግ፣ በፖለቲካል ሳይንስ፣ በሕዝብ አስተዳደር፣ በስታቲስቲክስ፣ በኢንፎርሜሽን ቴክኖሎጂ እና ሌሎች ተዛማጅነት ባላቸው ዘርፎች ከፍተኛ ሙያዊ ብቃት ያለው፤

- 4/ In accordance with the criteria listed under Article 6 of this Proclamation, the Committee shall select nominees fit to be management board members from the suggestions made in a transparent and competitive process after securing the consent of the nominees. It shall make the list of nominees open to the public and send it to the Prime Minister;
- 5/ The list of nominees prepared by the committee must be twice the number of available place in the board during the selection process;
- 6/ The Prime Minister after receiving the list of nominees shall have consultation with representatives of competing political parties on the nominees presented;
- 7/ The Prime Minister after having the consultation as per Sub-Article 6 of this Article recommend from nominees submitted to it for appointment to the House of People's Representatives, to the available place in the Board;
- 8/ The Prime Minister when recommend nominees as per Sub-Article (7) of this Article shall identify the Chairman and Deputy Chairman of the management board, if their place is remained vacuum;
- 9/ A nominee to become a management board member will become a member only when approved by a majority Vote of the House of People's Representatives.

### 6. Criteria to be a Management Board Member

- 1/ A person shall become a management board member only if he fulfills the following criteria:
  - a) Ethiopian by birth and Ethiopian national;
  - b) Not a member of any political party;
  - c) Has advanced professional qualification on matters related to election; especially law, political science, public administration, statistics, information technology and other related fields;

- 18
- መ) መልካም ሥነ-ምግባር እና ስብሪና ያለው፤
- w) የተሰጠውን *ኃላፊ*ነት ለመሸከም የሚያስችል ከፍተኛ የአመራር ብቃት ያለው።
- e/ POCA በተቻለ መጠን አባላት ስብስብ የብሔርና የፆታዊ ተዋፅኦን ከግምት ውስጥ ያስገባ መሆን ይኖርበታል።

#### ፯. <u>የቦርዱ ስልጣንና ተግባር</u>

ቦርዱ የሚከተሉት ስልጣንና ተግባራት ይኖሩታል፤-

- *፩/* በሕገ መንግስቱ እና በምርጫ ሕግ መሰረት የሚካሄድ ማንኛውንም ምርጫ እና ህዝበ ውሳኔ በኅለልተኝነት ማስፌጸም፤
- <u>፪/</u> የመራጮችን ትምህርት ለሚሰጡ የሲቪል ድርጅቶች *ኤ*ቃድ ማህበረሰብ መስጠት፣ መከታተልና መቆጣጠር፤
- <u>፫/ የፖለቲካ ድርጅቶችን መመዝገብ፣ በፀጉ መሰረት</u> መከታተልና መቆጣጠር፤
- ፬/ ለፖለቲካ ፓርቲዎች የገንዘብ ድጋፍ የሚደረግበትን መስፌርት ማውጣትና በመስፌርቱ መሰረት ድጎማውን ማከፋፊል፤
- *፩/* በምርጫ ወቅት የፖለቲካ ፓርቲዎችን የ*መገ*ናኛ ብዙሃን አጠቃቀም መወሰን፤
- ፮/ የምርጫ ክልሎችን አከላለል በተመለከተ ዋናት አድርጎ ለፌደሬሽን ምክር ቤት የውሳኔ ሃሳብ ማቅረብ፤
- ታዛቢዎች  $\hat{\mathbf{z}}/$ ስም*ርጫ* ፌቃድ መስጠት፣ መከታተልና መቆጣጠር፤
- ጃ/ የቦርዱን ቅርንጫፍ ጽህ**ልት ቤቶች በ**ሁሉም ክልሎችና ከዚያ በታች ባለ የአስተዳደር እርከኖች **ማ**ደራጀት፤
- ፱/ በየደረጃው እና በየጊዜው የሚካሂዱ ምርጫዎች ነፃና ፍትሃዊ በሆነ መንገድ የሚካሂዱበትን ሁኔታ የማመቻቸትና የማረጋገጥ፤
- ፲/ ምርጫን ለማስፈፀም የሚያስፈልጉ ሰንዶችና ቁሳቁሶችን የማዘጋጀትና የማሰራጨት፤
- ህንች የተሰጡትን ፲፩/ በዚህ ህግና በሌሎች **う**りるうそそ ለመወጣት አስፌሳጊ የሆኑ መመሪያዎችን ማውጣት፤

- d) of good ethics and character;
- e) High leadership capacity that enables him to hold the responsibility assigned to him.
- 2/ The composition of management board members to the possible extent shall take into account the ethnic and sex composition.

#### 7. Powers and Duties of the Board

The Board shall have the following powers and duties:

- 1/ execute impartially any election and referendum conducted in accordance with the Constitution and with Election Law:
- grant permission, follow up and supervise civil society organizations providing voter education;
- register political parties, follow-up and supervise them in accordance with the law:
- provide guidelines for the manner in which monetary funds may be contributed to political parties and in accordance with these guidelines allocate the funds;
- 5/ determine the manner in which political parties may use media during elections;
- undertake studies on how to divide electoral regions and present a recommendation to the House of Federation on the basis of those studies;
- issue licenses to election observers and follow up and supervise their activities;
- 8/ establish branch offices of the board at all regional and sub-regional levels;
- 9/ facilitate and ascertain that elections held periodically and at every level are conducted in a free and fair manner;
- 10/ prepare and distribute documents and materials necessary to conduct elections;
- issue directives necessary to perform its duties given by this Proclamation and other laws;

- ፲፪/ የምርጫ አስፊባሚዎችን ገለልተኝነትና ነፃነት የማረጋገጥ እንዲሁም በምርጫ አስፊባሚነታቸው ምክንያት ከሚደርስባቸው ተፅፅኖ የ*መ*ከሳከል፤
- ፲፫/ ምርጫን ለማስሬጸም የሚያስፌልጉ የምርጫ ጣቢያዎችን ቁጥር መወሰን፤
- ፲፬/ ምርጫን ለማስሬጸም የሚያስፌልጉ የምርጫ ክልልና የምርጫ ጣቢያዎችን በመላ ሃገሪቱ ማደራጀት፤
- ፲፭/ ገለልተኛ፣ ብቃትና የህዝብ ተዓማኒነት ያላቸው የምርጫ አስፊጻሚዎችን መመልመልና ማሰልጠን፤
- ፲፮/ ከምርጫና ከፖለቲካ ድርጅቶች ጋር የተያያዙ መረጃዎችን ማሰባሰብ፣ ማጠናቀር፣ የምርጫ ህጎችንና አሬባፀምን በመገምገም ማሻሻያ የሚያስፊልጋቸውን ጉዳዮች ለይቶ ለሚመለከተው አካል ማቅረብ፤
- ፲፯/ የፖለቲካ ድርጅቶች የ*ጋራ መድረክን* ማስተባበር፤
- ፲፰/ የምርጫ ውጤቶችን ማረ*ጋ*ገዋና ይፋ ማድረባ፤
- ፲፱/ በምርጫ ሂደት ለሚቀርቡ ቅሬታዎች አስተዳደራዊ መፍትሄ መስጠት፤
- ጃ/ በምርጫ ሂደት የምርጫ ውጤትን የሚያዛንፍ የህግ ጥሰት ተከስቷል ብሎ ሲያምን ውጤቱን መሰረዝና ድጋሚ ምርጫ ማካሄድ፣ እንዲሁም በምርጫ ሂደት የተፈጸመ የህግ መጣስ፣ ማምበርበር ወይም የሰላምና ፀጥታ ማደፍረስ ድርጊት የፊፀሙ ግለሰቦችን በህግ እንዲጠየቁ ማድረግ፣
- ኟ፩/ በጀት አዚጋጅቶ ለህዝብ ተወካዮች ምክር ቤት ማቅረብ፣ ማፀደቅና በስራ ላይ ማዋል፤
- ኟ፪/ በየደረጃው የሚካሄዱ ምርጫዎችን መርሃ ግብር ሰሌዳ እንዲዘጋጅ ማድረግ ማጽደቅ እንደ አስፈላጊነቱ ማሻሻልና መፈጸሙን መከታተል፤
- ኟ፫/ ለሀዝብ ተወካዮች ምክር ቤት የስራ አልፃፀም ሪፖርት ማቅረብ፤
- ኟ፬/ በዚህ ሕግና በሌሎች ሕጎች የተሰጡትን ኃላፊነቶች ለመወጣት አስፌላጊ የሆኑ ማንኛውም ተግባራትን ማከናወን፡፡

# ፰. <u>የስራ አመራር ቦርድ ስልጣንና ተግባር</u>

የስራ አመራር ቦርድ በዚህ አዋጅ አንቀጽ ፯ ሰቦርዱ በአጠቃሳይ ከተሰጠው ስልጣንና ተግባራት በተጨማሪ የሚከተሉት ስልጣንና ተግባራት ይኖሩታል፦

- 12/ certify neutrality and freedom of electoral officers and also protect them from any influence that they may come under in relation to their work;
- 13/ determine the number of polling stations necessary to carry out an election;
- 14/ establish nation wide the electoral regions and polling stations necessary to carry out an election;
- 15/ ensure that competent and non-partisan electoral officers who enjoy public trust are recruited and trained;
- 16/ collect and organaize data relating to elections and political parties, by reviewing election laws and their implementation, submit issues that need revision to the concerned body;
- 17/ coordinate political parties' joint forum;
- 18/ certify and officially announce election results;
- 19/ provide administrative relief for complaints raised in the course of election
- 20/ cancel election results and order re-election where it has been convinced that violation of law has occurred which would undermine the outcome of the election. In addition, hold individuals accountable for violations of law, fraudulent acts or disturbance of peace in relation to an election;
- 21/ prepare and submit its Budget to the House of Peoples' Representatives for approval and implement the same;
- 22/ impose to prepare election schedules taking place at all levels, approve, and as needed amend and follow up the implementation of the same;
- 23/ submit to the House of Peoples' Representatives reports on its work;
- 24/ carry out any other activities necessary to fulfill its responsibilities as defined in this Proclamation and other laws.

# 8. Powers and Duties of the Management Board

In addition to the powers and duties given to the board through Article 7 of this Proclamation, the Management Board shall also have the following powers and duties:

- *፩/ መመሪያዎችን ያወጣል፤*
- ፪/ ለቦርዱ የተሰጡ ዝርዝር ስልጣኖችን የሚመለከቱ የፖሊሲ አቅጣጫዎችን ያስቀምጣል ተግባራዊነታቸውንም ይከታተላል፤
- ፫/ የቦርዱ የመጨረሻው ቅሬታ ሰሚ አካል ሆኖ ያገለግላል፣ የምርጫ ውጤቶችን ይፋ ከመደረጋቸው በፊት ያፀድቃል፤
- ፬/ የምርጫ ውጤትን የሚያዛንፍ የህግ ጥሰት በተከሰተ ጊዜ የምርጫ ወጤቶችን ይሰርዛል፣ ድ*ጋሚ* ምርጫ ያካሂዳል፤
- ፩/ የስራ አመራር ቦርዱ፣ የቦርዱ ጽ/ቤት፣ የቦርዱ ሰራተኞች የስራ ሂደት እንዲሁም ቦርዱ ከሌሎች መንግስታዊና መንግስታዊ ያልሆኑ ተቋማት ጋር የሚያደርጋቸው ግንኙነቶች የሚመሩበትን ፖሊሲ ያዘጋጃል፤ በስራ ላይ ያውላል፤
- ፮/ የቦርዱን ጽህፊት ቤት ኃላፊና ምክትል ኃላፊ በዚህ አዋጅ አንቀጽ ፳ (፩) *መ*ሰረት ይሾማል፤
- ፲/ የስራ አመራር ቦርዱ አባላት የሚመሩበትን የሥነ-ምግባር መመሪያ ያወጣል፤ ተግባራዊነቱን ይከታተላል።

# ፱. የስራ አመራር ቦርዱ ሰብሳቢ ስልጣንና ተግባር

የስራ አመራር ቦርዱ ሰብሳቢ የሚከተሉት ስልጣንና ተግባራት ይኖሩታል፦

- ፩/ የስራ አመራር ቦርዱ የበሳይ ሃሳፊና ዋና ስራ አስሬባሚ ሆኖ ያገለግሳል፤
- ፪/ ቦርዱን ከሶስተኛ ወገኖች *ጋ*ር ባለው *ግንኙ*ነት ይወክሳል፤
- ፫/ የስራ አመራር ቦርዱን ስብሰባ ይጠራል፣ ይመራል፤
- ፬/ የስራ አመራር ቦርዱ ውሳኔዎች በአግባቡ መሬፀማቸውን ይከታተሳል፤
- ፩/ የፌደራል ሲቪል ሰርቪስ ሕጎችን መሥረታዊ መርሆዎች ተከትሎ በመንግሥት በልዩ ሁኔታ በሚፀድቅ ደንብ መሥረት ሰራተኛን ይቀዋራል፤ ያስተዳድራል፤
- ፮/ የቦርዱን የውስዋ አደረጃጀትና በስራ አመራር ቦርዱ አባላት መካከል ያለውን የስራ ክፍፍል ከስራ አመራር ቦርድ አባላት *ጋ*ር በመመካከር ይወስናል፤

- 1/ issue directives;
- 2/ outline policy directions relating to the powers of the management board as listed above, and follow up their implementation;
- 3/ serve as the final appeal body of the board for complaints; approve election results before officially announced;
- 4/ cancel election results and conduct re election when violation of law which would undermine the outcome of the election has occurred.
- 5/ outline policies to govern liaisons between the management board, the office or staffs of the board and governmental or nongovernmental institutions; implement the same;
- 6/ appoint the Chief Executive and the Deputy Chief Executive of the secretariat as per Article 20 (1) of this Proclamation;
- 7/ issue Directive on ethics governing the Management Board Members; supervise the implementation of the same;

# 9. Powers and Duties of the Chairman of the Management Board

The Chairman of the Management Board shall have the following powers and duties:

- 1/ serve as the Main Superior and Chief Executive Officer of the Management Board;
- 2/ represent the Board in its dealings with third parties;
- 3/ call and preside over the meetings of the Management Board;
- 4/ supervise the proper implementation of decisions of the Management Board;
- 5/ Hire and Administer staffs in accordance with a regulation having basic principles of the civil service law, that will be exclusively passed by the government;
- 6/ determine the internal organization of the Board as well as the division of work among the management board member in consultation with the management board members;

- ፯/ የጽህፊት ቤቱን የአ<del></del>ምርና የረጅም ጊዜ እቅድና በጀት አዘ*ጋ*ጅቶ ለቦርዱ ያቀርባል፣ ሲፀድቅም ተግባራዊ *መ*ደረጉን ይከታተሳል፤
- ፰/ የቅርንጫፍ ጽህፌት ቤቶች ሰራተኞችን የሙያ ብቃት ካላቸውና ገለልተኛ ከሆኑ የክልሉ ነዋሪዎች መካከል ግልጽ፣ አሳታፊና አወዳዳሪ በሆነ መንገድ መቀጠራቸውን ያረጋግጣል፤
- ፱/ የፌደራልና የክልል ህገ መንግስቶችን ማዕቀፍ መሰረት በማድረግ የምርጫ አፌፃፀም የጊዜ ሰሌዳ አዘጋጅቶ ለሥራ አመራር ቦርዱ ያቀርባል፣ ሲፀድቅም ተግባራዊነቱን ይከታተላል፣
- ፲/ የቦርዱ በጀት አግባብነት ባላቸው የፋይናንስ ህጎችና መርሆች መሰረት ስራ ላይ መዋሉን ያረጋግጣል፤
- ፲፩/ የፖለቲካ ድርጅቶችን የ*ጋራ መድረክ* ያስተባብራል፤
- ፲፪/ ማንኛውንም የቦርዱንና የጽህፊት ቤቱን የስራ እንቅስቃሴ ሪፖርት ለስራ አመራር ቦርዱ ያቀርባል፡፡

# ፲. <u>የስራ አመራር ቦርዱ ምክትል ሰብሳቢ ስልጣንና</u> ተግባር

የስራ አመራር ቦርዱ ምክትል ሰብሳቢ የሚከተሉት ስልጣንና ተግባራትይኖሩታል፦

- ፩/ ሰብሳቢው በማይኖርበት ጊዜ ተክቶ ይሰራል፤
- ፪/ በሰብሳቢው የሚሰጠውን ሌሎች ተግባራት ያከናውናል።

#### ፲፩. <u>የስራ አመራር ቦርዱ የስብሰባ ሥነ-ሥርዓት</u>

- ፩/ ከስራ አመራር ቦርዱ አባሳት ሶስቱ ከተገኙ ምልዓተ ጉባኤ ይሆናል።
- ፪/ የስራ አመራር ቦርዱ ጉባኤ ውሳኔ በአባላት ድምፅ ብልጫ ይወሰናል፤ ሆኖም ድምፅ እኩል በእኩል የሚከፊል ከሆነ ሰብሳቢው የደገፊው ሀሳብ የስራ አመራር ቦርዱ ውሳኔ ይሆናል፡፡
- ፫/ የስራ አመራር ቦርዱ የራሱን ዝርዝር የአሰራርና የስብሰባ ሥነ-ሥርዓት መመሪያ ያወጣል።

- 7/ prepare and submit to the board the short and long-term work plan and budget of the office of the board and supervise its implementation upon approval;
- 8/ ensure that employees for branch offices of the office were hired from among the region's qualified and impartial residents and in a manner that was transparent, inclusive and competitive;
- 9/ on the basis of the Federal and State Constitutions, frame work prepare and submit election time tables to the Management Board and supervise its implementation upon approval;
- 10/ ensure that the Board's budget is used in line with the appropriate rules and regulations of finance;
- 11/ Coordinate the joint political parties' forum;
- 12/ present any report on the activities of the Board and the office to the Management Board.

# 10. <u>Powers and Duties of the Deputy Chairman</u> of the Management Board

The Deputy Chairman of the Management Board shall have the following powers and duties:

- 1/ carry out the duties of the Chairman in the absence of the latter:
- 2/ perform other duties specifically assigned to him by the Chairman.

# 11. Rules of Procedure of the Management Board

- 1/ There shall be a quorum where at least 3 members of the Management Board are present.
- 2/ Decisions of the Management Board shall be made by a majority vote; however, in case of a tie, the Chairman shall have a casting vote.
- 3/ The Management Board shall issue its own detailed rules of procedure.

# ፲፪. <u>የስራ አመራር ቦርዱ አባላት የስራ ዘመን</u>

- ፩/ የስራ አመራር ቦርድ አባሳት የስራ ዘመን ስድስት ዓመት ይሆናል።
- ፪/ የስራ አመራር ቦርድ አባላት ለአንድ ተጨማሪ የስራ ዘመን በድጋሚ ሲሾሙ ይችላሉ፤ የመጀመሪያ የስራ ዘመኑ ባለቀ በአንድ ወር ጊዜ ውስጥ የትኛውንም የስራ አመራር ቦርድ አባል ጠቅላይ ሚኒስትሩ በቀጥታ ለህዝብ ተወካዮች ምክር ቤት በማቅረብ በአንቀፅ ፩ (፰) መሠረት በድጋሚ ሊያሾም ይችላል።
- ፫/ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) እና (፪) የተደነገገው እንደተጠበቀ ሆኖ አባሉ በራሱ ፍቃድ ስራውን ከለቀቀ ወይም በህዝብ ተወካዮች ምክርቤት፡-
  - ሀ) በህመም ምክንያት ተግባሩን በተገቢው ሁኔታ ማከናወን ባለመቻል ፤
  - ለ) ግልጽ በሆነ የስራ ችሎታ ወይም ብቃት ማነስ፤
  - ሐ) ከባድ የሥነ-ምግባር ጉድለት መኖር፤ወይም
  - መ) ለተከታታይ ፮ ወራት በስራ ገበታ ላይ ባለመገኘት፤

ምክንያት ካልተሰናበተ በቀር ከኃላፊነቱ አይነሳም።

፬/ የቦርድ አባል ከቦርድ ኃላፊነቱ በፌቃዱ ከለቀቀ ወይም ጊዜውን ጨርሶ ከተሰናበተ በኋላ ባሉት ሁለት አመታት ውስጥ በማንኛውም ከፍተኛ የመንግስት ኃላፊነት ሊሾም አይችልም።

### ፲፫. ስራ ስለ መልቀቅና ስለመሰናበት

- ፩/ አንድ የስራ አመራር ቦርድ አባል በዚህ አዋጅ አንቀጽ ፲፪ (፫) ፣ (ሀ) ፣ (ለ) እና (ሐ) በተቀመጡት ምክንያቶች ከኃላፊነቱ ሊነሳ ይገባል ብሎ ያሰበ አካል ወይም ግለሰብ ተቆጣውን ለሀዝብ ተወካዮች ምክር ቤት አፌ ጉባኤ ማቅረብ ይችላል።
- ፪/ አፌ ጉባኤው የቀረበውን ጥቆማ መርምሮ በቂ ምክንያት የሌለው መሆኑን ካመነ ጥቆማውን ውድቅ ያደርጋል፡፡ ጥቆማው ምክንያታዊና መመርመር የሚገባው ነው ብሎ ካመነ፡-

# 12. <u>Membership Term of the Management Board</u>

- 1/ The term of office of management board members shall be six years.
- 2/ Management Board members may reappoint for additional one term; The Prime Minister may directly recommend members for re appointment to the House of People's Representatives after one month of the termination as per Article 5(8).
- 3/ Without prejudice to the provisions of Sub-Article (1) and (2) of this Article, unless a management board member leaves his membership on his own consent or is relieved by the House of Peoples' Representatives because of:
  - a) Inability to carry out his functions due to health reasons;
  - b) Evident lack of capacity or competence to work;
  - c) Serious ethical misconduct; or
  - d) Absence from work for a consecutive period of six months;

He shall not be relieved of his responsibilities.

4/ For a period of 2 years after leaving his position on his own consent or is relieved by the House of Peoples' Representatives, member of the management board may not be appointed to any high government office.

# 13. Leaving Office and Being Relieved of Office

- 1/ Any person or anybody who is convinced that a management board member should be relieved of office for the reasons stated in Article 12 /3/ (a), (b) and (c) may inform to the Speaker of the House of People's Representatives to that effect.
- 2/ If the Speaker of the House of People's Representatives, upon assessing the claim, is convinced that there are no sufficient reasons, it shall reject the claim. If, on the other hand, it is convinced that the claim has sufficient reasons and requires further

- ሀ) ከጠቅላይ ፍርድ ቤት አንድ ዳኛ፤
- ለ) ከተያዘው ጉዳይ *ጋ*ር በቀጥታ የተገናኘ ሙያዊ ብቃት ያለው አንድ ባለሙያ፤ እና
- ሐ) ከኢትዮጵያ ሰብዓዊ መብት ኮሚሽን የተወከለ አንድ ሰው፤

ያለብት በህዝብ ተወካዮች ምክር ቤት በሚሰየም አጣሪ ኮሚቴ ተቆጣውን በተገቢ ሁኔታ እንዲጣራ ያደርጋል፡፡

- ፫/ ጉዳዩ በመጣራት ላይ ሳስ አል ጉባኤው አስፈላጊ ሆኖ ሲያገኘው ክስ የቀረበበት የቦርድ አባል በጊዜያዊነት በቦርዱ ስራ እንዳይሳተፍ ሊያግደው ይችሳል፡፡
- ፬/ አጣሪ ኮሚቴው በሚያጣራበት ሂደት ዋቆማ የቀረበበት የቦርድ አባል እራሱን የመከላከልና መከላከያ ማስረጃ የማቅረብ መብቱ ይጠበቅለታል፡፡
- ፩/ አጣሪ ኮሚቴው በሚያደርገው ማጣራት ዋቆማው ተክክል መሆኑን ካረጋገጠና ይሄም ከኃላፊነት ሊያስነሳ የሚችል ነው ብሎ ካመነ ፣ የውሳኔ ሃሳቡን ለህዝብ ተወካዮች ምክር ቤት አፌ ጉባኤ ያቀርባል፤ አፌ ጉባኤው የቀረበለትን የውሳኔ ሃሳብ ለሕዝብ ተወካዮች ምክር ቤት ያቀርባል።
- ፮/ የቀረበው የውሳኔ ሃሳብ በሕዝብ ተወካዮች ምክር ቤት አባሳት በአብሳጫ ድምጽ ከዐደቀ ጥቆጣው የቀረበበት የቦርድ አባል ከኃላፊነቱ ይነሳል።

# ፲፬. የስራ አመራር ቦርድ አባላት ሥነ-ምግባር

ዝርዝሩ የስራ አመራር ቦርዱ በሚያወጣው የአባላት ሥነ-ምግባር መመሪያ የሚወሰን ሆኖ ማንኛውም የስራ አመራር ቦርዱ አባል፦

- ፩/ የተሰጠውን *ኃ*ላፊነት በገለልተኝነት፣ በነፃነትና በቅን ልቦና ማከናወን አለበት፤
- ፪/ ማንኛውንም በምርጫ የሚሳተፍ የፖለቲካ ድርጅትም ሆነ የግል ዕጩ በቀጥታም ሆነ በተዘዋዋሪ በመደገፍም ሆነ በመቃወም መንቀሳቀስ የለበትም፤

investigation, the House of People's Representatives appoint an investigative committee to investigate the matter, and this committee should consist of:

- a) One Federal Supreme Court judge;
- One technical expert whose area of expertise is directly related to the matter at hand;
- c) One person representing the Ethiopian Human Rights Commission.
- 3/ The Speaker of the House If he meets necessary may temporarily suspend the powers and duties of a management board member whose case is still being investigated.
- 4/ the board member shall have the right to defend himself and present evidence during the process of committee's investigation.
- 5/ if the investigative committee in its investigation find the complaint lodged to be accurate and that the management board member should be removed, the committee shall present its findings to the Speaker of the House who shall in turn present it to the House of People's Representatives.
- 6/ the management board member regarding whom the complaint is lodged shall be removed from his position if the decision is approved by majority vote of the House of People's Representatives.

#### 14. Ethics of Management Board Members

While the specifics will be determined by directives to be issued by the management board any member of the management board shall:

- 1/ discharge his responsibility impartially, freely and in good faith;
- 2/ not directly or indirectly support or oppose any political organization or private candidate participating in the election;

- ፫/ በስራ አመራር ቦርድ አባልነቱ ምክንያት ባገኘው ሚስተራዊ መረጃ ተቅም ማግኘት ወይም ለማግኘት መሞከር የለበትም፤
- ፬/ የቦርዱን ሚስዋር ለ ፫ኛ ወገን አሳልፎ *መ*ስጠት ወይም ማባክን የለበትም፤
- ፩/ በማንኛውም ሁኔታ የቦርዱን ወይም የአባላቱን ተዓጣኒነት፣ገለልተኝነትና ነፃነት ከሚጎዳ ወይም ከሚያጎድፍ ማንኛውም ተግባር መቆጠብ አለበት፡፡

# ፲፭. <u>የስራ አመራር ቦርዱ አባላት መብት</u>

ማንኛውም የስራ አመራር ቦርድ አባል የሚከተሉት መብቶች ይኖሩታል፦

- ፩/ ማንኛውንም የስራ አመራር ቦርዱን ስብሰባ የመሳተፍና ድምፅ የመስጠት፤
- **፪/ የቦርዱን ሰንዶች የመመልከት፤**
- ፫/ የስራ አመራር ቦርዱን ስብስባ ተሪ እና አጀንዳ በወቅቱ የማግኘት፤
- ፬/ አስቸኳይ ስብሰባ እንዲጠራ የመጠየቅ፤
- ፩/ በስራ አመራር ቦርድ አባልንቱ ሊያገኝ የሚገባውን ክፍያ የማግኘት፤
- ፮/ ከባድ ወንጀል ሲፈፅሙ እጅ ከፍንጅ ካልተያዙ በቀር በኃላፊነት ላይ እስካሉ ድረስ ያለ ህዝብ ተወካዮች ምክር ቤት ፌቃድ ያለመያዝና በወንጀል ያለመከሰስ መብት።

#### ፲፮. <u>የስራ አመራር ቦርዱ አባላት የተቅም ግጭት</u>

- ማንኛውም 6/ የስራ አመራር ቦርድ አባል የተሰጠውን ኃላፊነት በፍትሃዊነትና በገለልተኛነት ለመወጣት እንዳይችል የሚያደርግ ማንኛውም ዓይነት የጥቅም *ግጭት* ያለበት ጉዳይ ሲገዋመው ወዲያውኑ ለስራ አመራር ቦርዱ በማሳወቅ እራሱን ማግለል ይኖርበታል።
- ፪/ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) የተጠቀሰው ሁኔታ ሲከሰት ጉዳዩ በቃለጉባኤ ተይዞ ጉዳዩ በቀሪዎቹ የስራ አመራር ቦርድ አባላት ይወሰናል።
- ፫/ ከጉዳዩ *ጋር* የተቅም ግጭት ያለው የስራ አመራር ቦርድ አባል ሁኔታውን ሳይገልፅ በማናቸውም መንገድ ተሳትፎ ውሳኔ የተሳለፌ ከሆነ ጉዳዩ እንደገና እንዲታይ ይደረ*ጋ*ል፡፡

- 3/ not seek any benefit out of confidential information that he obtained by virtue of being a management board member;
- 4/ not disclose to a third party any confidential information of the board;
- 5/ refrain from any acts that in any way damages the credibility, impartiality and independence of the board or its members.

#### 15. Rights of Management Board Members

Any member of the management board shall have the following rights:

- 1/ to participate and vote in any meetings of management board;
- 2/ to refer and get access to documents of the board;
- 3/ to be called by the board for meeting and know the agenda in a timely manner;
- 4/ to request for an extraordinary meeting to be held;
- 5/ to receive payment appropriate for his management board membership;
- 6/ not to be arrested or prosecuted without permission of the House of People's Representatives except in the case of flagrante delicto.

# 16. Conflict of Interests of Management Board Members

- 1/ A management board member shall immediately inform the management board and remove himself from duty when any situation of conflict of interest occurs which prevent him from carrying out his duties in a fair and impartial manner.
- Where the situation provided in Sub-Article (1) above occurs, it shall be recorded in the minutes and decided upon by the rest of the management board members.
- 3/ A decision or action shall be re-considered where management board member that has a conflict of interest with the matter participates in the decision or action in any capacity without notifying the management board about the situation.

าห

፬/ ማንኛውም ሰው የስራ አመራር ቦርድ አባላት ከሚያዩት ጉዳይ ጋር በተያያዘ የጥቅም ግጭት አለ ብሎ ካመነ ማስረጃውን ወዲያውኑ በቦርዱ ጽህፊት ቤት በኩል ለስራ አመራር ቦርድ

### ፲፯. ስለ ይማባኝ

ማቅረብ ይችላል::

- ፩/ የስራ አመራር ቦርዱ የሚሰጣቸው የመጨረሻ አስተዳደራዊ ውሳኔዎች በፌደራል ከፍተኛ ፍርድ ቤት እንዲሁም የምርጫ ሂደትና ውጤትን በተመለከተ የሚሰጣቸው የመጨረሻ ውሳኔዎች በፌደራል ጠቅላይ ፍርድ ቤት በይግባኝ ሊታዩ ይችላሉ፡፡
- ፪/ ፍርድ ቤቱ ይግባኙን በተቀበለ በአንድ ወር ጊዜ ውስጥ ውሳኔ መስጠት ይኖርበታል፤ ሆኖም ጉዳዩ አጣዳፊ ከሆነ ፍርድ ቤቱ የጉዳዩ ባህሪ በሚጠይቀው ፍጥነት ውሳኔ መስጠት ይኖርበታል።

# ፲፰. <u>የስራ አመራር ቦርድ አባላት ደመወዝና ዋቅማ</u> <u>ዋቅም</u>

የቦርዱ ሰብሳቢ እና የተቀፍት የቦርዱ አባላት ደመወዝና ተቅማተቅም እንዲሁም ከኃላፊነታቸው ከተነሱ በኋላ ስለሚያገኙት መብትና ተቅሞች በተመለከተ ራሱን አስችሎ የሚወሰን ይሆናል

# <u>ምዕራፍ ሶስት</u> <u>የቦርዱ ዋና ጽህፌት ቤት</u>

#### ፲፱. የቦርዱ ጽህፌት ቤት

ቦርዱ በአንድ ዋና ኃላፊና በአንድ ምክትል ዋና ኃላፊ የሚመራ ጽህፊት ቤት ይኖረዋል፡፡

# ጃ. <u>የጽሀፌት ቤቱ ኃላፊና ምክትል ኃላፊ አሰያየምና</u> ተጠሪነት

- ፩/ የጽህፊት ቤቱ ኃላፊና ምክትል ኃላፊ ግልፅና አሳታፊ በሆነ የምልመሳ ሂደት በዚህ አዋጅ አንቀጽ ፩ ለስራ አመራር ቦርድ አባላት ሽመት የተመለከቱትን አግባብነት ያላቸው መስፌርቶች ማሟላታቸው ከተረጋገጠ በኋላ ተመርጠው በስራ አመራር ቦርዱ ሰብሳቢ አቅራቢነት በቦርዱ ይሰየማሉ።
- ፪/ የጽህፌት ቤቱ ዋና ኃላፊ ተጠሪካቱ ለስራ አመራር ቦርዱ ሰብሳቢ ሲሆን የምክትል ኃላፊው ተጠሪነት ለጽሀፌት ቤቱ ዋና ኃላፊ ይሆናል።

4/ Any person claiming that a management board member has conflict of interest regarding a matter that he is involved in or with a matter being considered in a meeting he participated may immediately submit his evidence to the management board through the office.

#### 17. Appeal

- 1/ Final administrative decisions of the management board may be appealed to the Federal High Court, and final decisions with regard to electoral process and results may be appealed to the Federal Supreme Court.
- 2/ Courts shall decide cases within one month since an appeal is lodged, however if the matter is of urgent nature, the court may be required to issue a decision that takes into account its urgency.

# 18. Salary and Benefits of Management Board Members

The salary and benefits of the Chairman of the management board and the rest of the members, and also the rights and benefits they receive when outgoing shall be decided next independently.

# PART THREE THE OFFICE OF THE BOARD

#### 19. The Office of the Board

The Board shall have office headed by one chief executive and one deputy chief executive.

# 20. Appointment and Accountability of Chief Executive and Deputy Chief Executive of the the Office of the Board

- 1/ Chief Executive and Deputy Chief Executive of the office shall be appointed by the management board through the nomination of the chairman after assessed the fulfillment of necessary requirements indicated in Article 5 of this Proclamation.
- 2/ The Chief Executive of the office shall be accountable to the management board and the Deputy Chief Executive of the office shall be accountable to the chief executive of the management board.

የጽህፌት ቤቱ ዋና ኃላፊ በስራ አመራር ቦርዱ እና በስራ አመራር ቦርዱ ሰብሳቢ በሚሰጠው አጠቃላይ መመሪያና አቅጣጫ መሰረት የሚከተሉትን ተግባራት ያከናውናል፡-

- ፩/ የቦርዱን የድ*ጋ*ፍ ሰጪ የስራ ዘርፍ በበላይ ኃላፊነት ይመራል፤
- ፪/ የቦርዱን ስልጣንና ተግባር አልፃፀም ያሳልጣል፣ ያስተባብራል እንዲሁም ምቹ ሁኔታ እንዲልጠር ያደርጋል፤
- ፫/ ከቦርዱ ሰብሳቢ *ጋር በመመካከር* የቦርዱን የስብሰባ አጀንዳ ያዘ*ጋ*ጃል፤
- ፬/ የቦርዱን ቃለጉባኤና ሌሎች ሰንዶች በአግባቡ ይይዛል፤
- ፩/ የቦርዱ ውሳኔዎች ለሚመለከታቸው ወገኖች እንዲተሳለፉ ያደርጋል፤
- ፮/ በቦርዱ ጉባኤ ስብሰባ ላይ ያለድምፅ በመሳተፍ ቃለ ጉባኤ ይይዛል፤
- ½/ ስለጽህፌት ቤቱ የስራ እንቅስቃሴ በየጊዜው ሪፖርት አዘጋጅቶ ለቦርዱ ሰብሳቢ ያቀርባል፤
- ፰/ በቦርዱ ሰብሳቢ የሚሰጡትን ሌሎች ተግባራት ያከናውናል፡፡

### 

የጽህፌት ቤቱ ምክትል ኃላፊ የሚከተሉት ስልጣንና ተግባራት ይኖሩታል፦

- ፩/ በዋና *ኃ*ላፊው ተለይተው የሚሰጡትን ተግባራት ያከናውናል፤
- ፪/ የጽህፌት ቤቱ ዋና ኃላፊ በሌለበት ጊዜ ኃላፊውን ተክቶ ይሰራል፡፡

#### <u>ጀር</u> የቦርዱ የክልል ቅርንጫፍ ጽሀፊተ ቤተ

- ፩/ በሁሉም ክልሎች ምርጫ የሚያስተባብር ቅርንጫፍ ጽ/ቤት ይቋቋጣል፡፡
- ፪/ የክልል ቅርንጫፍ ጽ/ቤት ኃላፊዎች ቦርዱ በሚያወጣው መመሪያ መሰረት ገለልተኛነታቸውና ሙያዊ ብቃታቸው ከተረጋገጠ የክልሉ ነዋሪዎች መካከል በቦርዱ ሰብሳቢ አቅራቢነት በቦርዱ ይሰየማሉ።

# 21. <u>Powers and Duties of the Chief Executive of the Office</u>

The Chief Executive of the office shall perform the following powers and duties according to the order and direction given to him by the management board and the chairman of the management board:

- 1/ direct the supporting activities of the board as its head;
- 2/ facilitate, coordinate and create suitable conditions for the performance of the board's power and responsibility;
- 3/ prepare agenda for the meetings of the board in consultation with the management board chairman;
- 4/ properly keep the minutes and other documents of the board;
- 5/ cause the decisions of the board to be transmitted to the parties concerne;
- 6/ keep minutes of management board meetings by participating in meetings without voting rights;
- 7/ prepare and present periodic reports to the chairman of the management board about the activities of the office;
- 8/ perform other duties assigned to him by the chairman of the board.

# 22. <u>Powers and Duties of the Deputy Chief</u> <u>Executive of the Office</u>

The Deputy Chief Executive of the office shall have the following powers and duties:

- 1/ perform activities assigned to him by the chief executive of the office;
- 2/ act on behalf of the chief executive in his absence.

#### 23. Regional Branch Offices of the Board

- 1/ A regional branch office of the board shall be established in all regions.
- 2/ The regional office heads shall be appointed by the management board, after recruited and nominated by the chairman of the board, among residents of the regional state who are competent and non-partisan through directive to be issued by the management board.

- የክልሎችን ſ/ ቦርዱ የቆዳ ስፋተ፣ የህዝቡን የመራጮችን አሰፋፌርና ብዛት መሰረት በማድረግ ለክልል ቅርንጫፍ ጽህፈት ቤቶች ተጠሪ የሆኑ እንደ አግባብነቱ የዞን እና የምርጫ ክልል ማስተባበሪያ በቋሚነት ሊያቋቁም ይችሳል።
- ፬/ በዚህ አንቀፅ ንዑስ አንቀፅ (፫) የተገለጹት ማስተባበሪያ ጽህፌት ቤቶች ገለልተኝነታቸውና ሙያዊ ብቃታቸው የተረጋገጠ ሲሆን ይገባል፡፡ ዝርዝር ተግባርና ኃላፊነታቸው ቦርዱ በሚያወጣው መመሪያ ይወሰናል፡፡

እያንዳንዱ የቦርዱ የክልል ቅርንጫፍ ጽህፌት ቤት በስራ አመራር ቦርዱ እና በስራ አመራር ቦርዱ ሰብሳቢ እንዲሁም እንደ አግባብነቱ በቦርዱ ጽህፌት ቤት ኃላፊ በሚሰጠው አጠቃላይ መመሪያና አቅጣጫ መሰረት የሚከተሉት ተግባርና ኃላፊነት ይኖረዋል፡

- ፩/ በክልል ደረጃ የሚካሂደውን ምርጫ ይመራል፤ ያስተባብራል፤ይቆጣጠራል፤
- ፪/ በስሩ የሚቋቋሙት ማስተባበሪያ ጽህፌት ቤቶች ስለሚደራችበት ሁኔታ ለቦርዱ ጽህፌት ቤት ሀሳብ ያቀርባል፤
- ፫/ ለምርጫ የሚያስፈልጉ ሰንዶችና ቁሳቁሶች ለሚመስከታቸው ማስተባበሪያ ጽህፌት ቤቶችና የምርጫ ክልልና ጣቢያዎች በወቅቱ መድረሳቸውን ይከታተላል፣ያረጋግጣል፤
- ፬/ ከቦርዱና የስራ ሂደቱ ኃላፊነት ያለው የስራ አመራር ቦርድ አባል በሚሰጠው መመሪያ መሰረት ከሚመለከታቸው አካላት ጋር በመተባበር የስነ-ዜጋና የመራጮች ትምህርት ይሰጣል፤ያስተባብራል፤
- ፫/ የመራጮች አመዘጋገብ፣ የእጩዎች አቀራረብና የድምፅ አሰጣዋ ስርዓት ሀጉ በሚፌቅደው መሰረት እየተካሄደ መሆኑን ይከታተላል፣ ይቆጣጠራል፤
- ፲/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) በተጠቀሱት ጉዳዮች ሳይ የሚነሱትን ቅሬታዎችና ተቃውሞዎች በክልል ደረጃ እየመረመረ ቦርዱ በሚያወጣው መመሪያ መሰረት ይወስናል፤
- ፯/ የክልሱን የምርጫ ሂደትና ውጤት በሚመለከት ለቦርዱ ጽህፊት ቤት ሪፖርት ያቀርባል፤

- 3/ The management board, taking into account the size of the regional states, settlement of peoples and the number of voters may establish permanent or temporary coordinating offices that are accountable to regional state branch offices.
- 4/ The impartiality and professional efficiency of the coordinating offices referred in Sub-Article (3) of this Article shall be certified. details of their responsibilities and duties shall be determined in accordance with directive to be issued by the board.

# 24. <u>Powers and Duties of Regional Branch</u> Offices of the Board

Each regional branch office of the board, in accordance with regulation and guidance from the management Board and the chairman of the management Board, and as may be necessary by the chief executive of the office, shall have the following powers and duties:

- 1/ direct, coordinate and control election at the state level;
- 2/ submit recommendation to the office of the Board about ways of organizing electoral coordinating offices to be established under it;
- 3/ follow up and ensure that documents and materials required for the election reach to the concerned electoral coordinating offices, constituency and polling stations on time;
- 4/ based on the direction of the management board and the management board member responsible for this work stream, offer and coordinate voter and civic education with other concerned bodies;
- 5/ follow up and control the voter registration, nomination of candidates and voting procedures to make sure that they are conducted in accordance with the law;
- 6/ investigate and decide on grievances and complaints lodged at regional state levels submitted on matters provided in Sub-Article (5) of this Article in accordance with a directive to be issued by the board;
- 7/ submit to the office of the board report on the election process and results of the regional state;

- ፰/ ለምርጫ አፊጻጸም በሚያመች መልኩ አግባብ ያላቸውን መረጃዎች እየሰበሰበና እያጠና በየጊዜው ለቦርዱ ጽህፊት ቤት ሪፖርት ያቀርባል፤
- ፱/ ስለስራ እንቅስቃሴው በየወቅቱ ለቦርዱ ጽህፌት ቤት ሪፖርት ያቀርባል፤
- ፲/ የስራ አመራር ቦርዱ በሚያወጣው መመሪያ መሰረት በክልል እና በምርጫ ጣቢያ ደረጃ የፖለቲካ ድርጅቶች የጋራ መድረክ እንዲዋቀር ያደርጋል፣ በክልል የሚቋቋሙ የፖለቲካ ድርጅቶች የጋራ መድረክ ያስተባብራል፤
- ፲፩/ የክልሉን ቅርንጫፍ ጽህፊት ቤት አቤቱታ ሰሚ ኮሚቴ ቦርዱ በሚያወጣው መመሪያ መሠረት ያቋቁማል፤
- ፲፪/ የስራ አመራር ቦርዱ ሰብሳቢና የጽህፌት ቤቱ ኃላፊ የሚሰጡትን ሌሎች ተግባራት ያከናውናል፡፡

# <u>ምዕራፍ አራት</u> ስለ ቦርዱ በጀት

# ፳፭. <u>በጀት</u>

- ፩/ ቦርዱ ራሱ የሚያዘጋጀዉ ዓመታዊ በጀት ለህዝብ ተወካዮች ምክር ቤት ቀርቦ ይወድቃል፡፡
- ፪/ የገንዘብ ሚኒስቴር፣ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሰረት ለቦርዱ የተመደበለትን በጀት በፀደቀ በአንድ ወር ጊዜ ውስጥ ሙሉ በጀቱን ወደ ቦርዱ የባንክ ሂሳብ ያስገባል።
- ፫/ ቦርዱ የሶስት ዓመት በጀት ግምት እንዲወስንለት ለሀዝብ ተወካዮች ምክር ቤት ጥያቄ ማቅረብ ይችሳል።
- ፬/ ቦርዱ አግባብነት ባላቸው ሀጎች መሰረት ስጦታና የገንዘብ እርዳታን ከሶስተኛ ወገኖች ሲቀበል ይችላል።

#### ፳፮. <u>የሂሳብ መዛግብት</u>

- ፩/ ቦርዱ የተሟላና ትክክለኛ የሆነ የሂሣብ መዛግብት ይይዛል፡፡
- ፪/ የቦርዱ የሂግብ መዛግብትና ገንዘብ ነክ ሥነዶች በዋና ኦዲተር ወይም እርሱ በሚወክለው ኦዲተር በየዓመቱ ይመረመራል፡፡

- 8/ collect and analyze data that help the execution of elections and periodically report them to the office of the board;
- 9/ submit periodic reports about its work activities to the office of the board;
- 10/ cause the establishment of political parties' joint forum at regional state, and polling station levels in accordance with a directive to be issued by the management board, coordinate political parties joint forum established at the regional state level;
- 11/ establish the Grievance Hearing Committee of the regional state office in accordance with the directive to be issued by the Board;
- 12/ perform other duties assigned to it by the chairman of the management board and the chief executive of the office of the board.

# PART FOUR BUDGET OF THE BOARD

#### 25. Budget

- 1/ The Annual Budget of the board prepared by it shall be approved by the House of People's Representatives.
- 2/ The Ministry of Finance shall credit the whole Board's Budget to the Boards' bank account within one month, that approved inaccordance to Sub-Article (1) of this Article
- 3/ the Board may request the House of People's Representatives for the allocation of a three years budget plan.
- 4/ The Board may accept gifts and monetary aids from third parties in accordance with relevant laws.

#### 26. Books of Accounts

- 1/ The Board shall keep complete and accurate books of account.
- 2/ The books of accounts and financial documents of the Board shall be Audited annually by the Federal Auditor General or by an Auditor designated by him.

าห

# ልዩ ልዩ ድንጋኔዎች

#### <u>፳፯. የመተባበርና የማስፈፀም ግዴታ</u>

- ፩/ ማንኛውም የፌደራልም ሆነ የክልል የመንግስት ከቦርዱ ለሚቀርብለት บ,วๆ ጥይቄ ተብብር የማድረግና የማስፌፀም **ግ**ዴታ አለበት።
- ፪/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተደነገገውን **ግዴታ በመጣስ የምርጫ ሂደት እንዲስተ**ጓጎል ያደረገ ማንኛውም ሰው አግባብነት ባላቸው ህጎችና መርሆች መሰረት አስተዳደራዊ እርምጃ ይወሰድበታል፣ **እንዲ**ሁም የምርጫ ሕጉ በሚደነግገው መሰረት በወንጀል ተጠያቂ ይሆናል፡፡

# ሸ፰. <u>የመሽጋገሪያ ድንጋጌ</u>

አዋጅ ከመውጣቱ በፊት በአዋጅ ቁጥር አባላት መካከል በጠቅሳይ ማኒስትሩ ጠያቂነት የህዝብ ተወካዮች ምክር ቤት በስራ አመራር ቦርድ አባልንት እንዲቆዩ ሊወስን ይችሳል፡፡

#### 

በአዋጅ ቁጥር ሯ፻፴፪/፩ሺ፴፻፺፱ መሰረት ተቋቁሞ ለነበረው ብሔራዊ ምርጫ ቦርድ ተሰዋተው የነበሩ መብትና **ግ**ዱታዎች аны አዋጅ መሰረት ለተቋቋመው ብሔራዊ ምርጫ ቦርድ ተሳልፈዋል፡፡

#### ፴. <u>ደንብና *መመሪያ* የማውጣት ስልጣን</u>

- ፩/ የህዝብ ተወካዮች ምክር ቤት ይህንን አዋጅ ለማስፌፀም የሚያስችል ደንብ ሊያወጣ **ይችሳል** ።
- **፪/ የስራ አመራር ቦርዱ ይህንን አዋጅ ተከት**ሎ የሚወጣ ደንብ ለማስፌፀም የሚያስፌልጉ መመሪያዎችን ሊያወጣ ይችላል፡፡

# ፴፩ <u>የተሻሩ ሀጎች</u>

*፩/* የተሻሻለው የኢትዮጵያ የምርጫ አዋጅ ቁጥር GFAGASSOFT ድንጋጌዎች OH.V በተሸፈኑ ጉዳዮች ላይ ተፈፃሚነት የሳቸውም፡፡

# **PART FIVE** MISCELLANEOUS PROVISIONS

#### 27. Duty to Cooperate and Execute

ሬ.ደራል ነ*ጋሪት ጋዜጣ* ቁጥር <u>ሮ</u>፫ ግንቦት ፫፫ ቀን ፪ሺ፫፩ ዓ.ም Federal Negarit Gazette No.71 6<sup>th</sup> June, 2019 ......page

- 1/ Any federal or regional government body presented with a lawful request from the board has an obligation to cooperate with the board and act upon the request of the board.
- Any person who by violating the provision of Sub-Article (1) of this Article impedes the election process will face administrative measures on the basis of relevant laws and principles. Additionally, such person shall be criminally liable on the basis of the Electoral Law.

### 28. Transitory Provision

The House of People's Representatives may decide from among the board members appointed before the enactment of this Proclamation based on Proclamation No.532/2007 to stay in a position until their term of office is lapsed up on the request of the Prime Minister.

#### 29. Transfer of Rights and Duties

The Rights and Duties given to the National Electoral Board which was established through Proclamation No.532/2007 are hereby transferred to the National Electoral Board established through this Proclamation.

#### 30. Power to Issue Regulations and Directives

- 1/ The House of People's Representatives may issue Regulation for the proper implementation of this Proclamation.
- 2/ The management board may issue Directives necessary for the implementation of the Regulation to be issued under this Proclamation

#### 31. Repealed Laws

1/ Provisions of the amended electoral law Proclamation No. 532/1999 shall not be applicable to matters covered by this proclamation.

፪/ ከዚህ አዋጅ *ጋ*ር የሚቃረኑ ሀጎችና ልማዳዊ አሰራሮች በዚህ አዋጅ ላይ ተልፃሚነት አይኖራቸውም።

# ፴፪. <u>አዋጁ የሚወናበት ጊዜ</u>

ይህ አዋጅ በሕዝብ ተወካዮች ምክር ቤት ከፀደቀበት መ*ጋ*ቢት ፳፯ ቀን ፪ሺ፲፩ ዓ.ም ጀምሮ የፀና ይሆናል፡፡

አዲስ አበባ ግንቦት ፳፱ ቀን ፪ሺ፲፩ ዓ.ም

ሳህለወርቅ ዘውዴ

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ፕሬዚዳንት 2/ Law and Customary practices inconsistent with this proclamation shall not be applicable on this proclamation.

# 32. Effective date

This Proclamation shall come into force on this 5<sup>th</sup> day of April, 2019 upon approval by the House of People's Representatives.

Done at Addis Ababa, on this 6<sup>th</sup> day of June, 2019

**SAHLEWORKZEWDIE** 

PRESIDENT OF THE FEDERAL DEMOCRATICREPUBLIC OF ETHIOPIA,