

Waggaa 27^{ffaa} Lak.7/2011

ጳጳረኛ ዓመት.....ቁጥር.....፯/፪ሺ፲፩

27th year No. 7/2018



Finfinnee,..... **Fulbaana** 28 Bara 2011

ፊንፊኔ፣መስከረም ፳፰ ቀን ፪ሺ፲፩ ዓ.ም

Finfine,.....October 8, 2018

MAGALATA OROMIYAA

L μ E p % Z M e !

MEGELETA OROMIA

Gatiin Tokkoo Qarshii 9.90 የአረጋጅ " ¶ ብር 9.90 Unit Price Birr 9.90	To'annoo Caffee Mootummaa Naannoo Oromiyaatiin Kan Bahe l%Z M i ብሔራዊ ርፎገ " L ረ · R r በጨፌ ኦሮሚያ ሰጠና ርፎገ ርፎገ »	Lak. S. Poostaa 21383-1000 £ ሆ. Q. e ¼ Y21383-1000 P.O.Box 21383-1000
QABIYYEE Labsii Lakk.216/2011 Labsii Gurmaa'ina, Aangoo fi Hojii Manneen Murtii Mootummaa Naannoo Oromiyaa Irra Deebiin Murteessuuf Bahe, Labsii Lak. 216/2011.....Fuula 1 Labsii Gurmaa'ina, Aangoo fi Hojii Manneen Murtii Mootummaa Naannoo Oromiyaa Irra Deebiin Murteessuuf Bahe, Labsii Lak. 216/2011 Kaayyoo fi gurmaa'ina Manneen Murtii Naannichaa akkasumas ergamaa fi aangoo Manneen Murtii sadarkaa sadarkaan jiranii ifatti irra deebiin murteessuun barbaachisaa waan ta'eef; Manneen Murtii Naannichaa tajaajila dhaqqabamaa, si'ataa fi bu'a qa-beessa ta'e kennuudhaan qulqullina hojii abbaa seerummaa mirkan-neessuu akka danda'an aangoo fi gurmaa'ina isaanii sadarkaa gud-dinni siyaasaa, dinagdee fi hawaa-summaa Naannichaa irra gaheen irra deebiidhaan fooyyessuun waan barbaachiseef;	ማጠቃለያ አዋጅ ቁጥር ፪፻፲፮/፪ሺ፲፩ የኦሮሚያ ክልል መንግስት ፍርድ ቤቶች አደረጃጀት ፣ ሥልጣን እና ተግባር እንደገና ለመወሰን የወጣ አዋጅ ቁጥር ፪፻፲፮/፪ሺ፲፩.....ገጽ ፩ የኦሮሚያ ክልል መንግስት ፍርድ ቤቶች አደረጃጀት ፣ ሥልጣን እና ተግባር እንደገና ለመወሰን የወጣ አዋጅ ቁጥር ፪፻፲፮/፪ሺ፲፩ የክልሉን ፍርድ ቤቶች ዓላማና አደረጃጀት እንዲሁም በየደረጃው ያሉ ፍርድ ቤቶችን ተልዕኮ እና ሥልጣን መልሶ መደንገግ አስፈላጊ በመሆኑ፤ የክልሉ ፍርድ ቤቶች ተደራሽ፣ ቀልጣፋና ውጤታማ አገልግሎት በመስጠት የዳኝነት ሥራ ጥራትን ማረጋገጥ እንዲያስላቸው ሥልጣን እና አደረጃጀታቸውን የክልሉ ፖለቲካ፣ ኢኮኖሚ እና ማህበራዊ እድገት በደረሰበት ደረጃ መልሶ ማሻሻል በማስፈለጉ፤	CONTENT Proclamation No. 216/2018 A Proclamation to Redefine the Structure, Powers and Functions of the Oromia Regional State Courts Proclamation No. 216/2018Page 1 A Proclamation to Redefine the Structure, Powers and Functions of the Oromia Regional State Courts Proclamation No. 216/2018 WHEREAS, it has become necessary to clearly redefine the objective and structure of the regional state courts as well as specific mission and power of all levels of the courts; WHEREAS, it is found imperative to revise the power and structure of the regional state courts to meet the demands of new political, economic and social development of the region and to enable them render accessible, efficient and effective services with the view to improving the quality of judicial services in the region;

Manneen Murtii amantaa ummataa horachaa fi gabbifachaa akka deeman duudhaa fi hojimaatni tajaajila abbaa seerummaa iftoomina akka qabaatuu fi fooyya'aa akka deemu gochuun barbaachisaa ta'ee waan argameef;

Bilisummaa fi itti-gaafatamummaa Abbaa Seerummaa Heera Federaalaa fi kan Naannootiin tumame cimsuu fi bifa madaalawaa ta'een hojiirra oolchuudhaan Manneen Murtii tajaajila Abbaa Seerummaa loogii fi gartummaa tokko malee akka kennan dandeessisuun waan barbaachiseef;

Bu'uura Heera Mootummaa Naannoo Oromiyaa Fooyya'ee Bahe, Labsii Lak. 46/1994 Keewwata 49(3) (a) tiin kan itti aanu labsameera.

Kutaa Tokko Tumaalee Waliigala

1. Mata Duree Gabaabaa

Labsiin kun “Labsii Manneen Murtii Naannoo Oromiyaa, Lak. 216/2011” jedhamee waamamuu ni danda'a.

2. Hiikaa

Akkaataan fayyadama jechichaa hiika biroo kan kennisiisuuf yoo ta'e malee, Labsii kana keessatti:

- 1) “Abbaa Seeraa” jechuun ogeessa seeraa hojii abbaa seerummaa akka hojjatuuf Gumiin filatamee Caffeedhaan kan muudame Abbaa Seeraa Manneen Murtii Oromiyaa jechuu dha.
- 2) “Caffee” jechuun bu'uura Heera Mootummaa Naannichaa Fooyya'ee Bahe, Labsii Lakkoofsa 46/1994, Keewwata 46 (1) tiin, kan hundeeffame, qaama seera baasaa fi abbaa aangoo ol'aanaa Mootummaa Naannoo Oromiyaa jechuudha.
- 3) “Gargaaraa Abbaa Seeraa” jechuun ogeessa seeraa hojii abbaa seerummaatiin abbaa seeraa gargaaree akka hojjatuuf ramadame jechuudha.

የክልሉ ፍርድ ቤቶች የህዝቡን አመኔታ በማትረፍና እያዳበሩ ይሄዱ ዘንድ የዳኝነት አገልግሎት አሰጣጥ መርህ እና አሰራር ግልጽነት እንዲኖረውና እየተሻሻለ እንዲሄድ ማድረግ አስፈላጊ ሆኖ ስለ ተገኘ፤

በፌዴራሉ እና ክልል ሕገ-መንግሥት የተደነገገውን የዳኝነት ነፃነትና ተጠያቂነት ማጠናከር እና ሚዛናዊ በሆነ መልኩ ተግባራዊ በማድረግ ፍርድ ቤቶች የዳኝነት አገልግሎቱን ካለ ምንም አድሎና ወገናዊነት እንዲሰጡ ማስቻል በማስፈለጉ፤

ተሻሻሎ በወጣው የክልሉ ህገ መንግስት አዋጅ ቁጥር ፵፮/፲፱፻፺፬ አንቀጽ ፵፱(፫)(ሀ) መሠረት የሚከተለው ታውጧል፡፡

ክፍል አንድ ጠቅላላ ድንጋጌ

፩. አጭር ርዕስ

ይህ አዋጅ “የኦሮሚያ ክልል መንግስት ፍርድ ቤቶች አዋጅ ቁጥር ፪፻፲፮/፪ሺ፲፩ ተብሎ ሊጠቀስ ይችላል፡፡

፪. ትርጓሜ

የቃሉ አገባብ ሌላ ትርጉም የሚያስጠው ካልሆነ በቀር በዚህ አዋጅ ውስጥ፡-

፩) “ዳኛ” ማለት የዳኝነት አገልግሎት እንዲሰጥ በጉባኤ የተመረጠ የሕግ ባለሙያ ሆኖ በጨፌ የተሾመ የኦሮሚያ ፍርድ ቤቶች ዳኛ ማለት ነው፡፡

፪) “ጨፌ” ማለት በተሻሻለው የክልሉ ሕገ-መንግስት አዋጅ ቁጥር ፵፮/፲፱፻፺፬ አንቀጽ ፵፮(፩) መሠረት የተቋቋመ የክልሉ ከፍተኛ የሕግ አውጪ አካል ማለት ነው፡፡

፫) “ረዳት ዳኛ” ማለት በዳኝነት ሥራ ዳኛን በማገዝ እንዲሠራ የተመደበ የሕግ ባለሙያ ማለት ነው፡፡

WHEREAS, it is essential to promote judicial culture and values and strengthen transparent and up-to-date working systems that would enable the regional state courts win and boost public trust and confidence;

WHEREAS, it is essential to enhance the independence and accountability of the courts, as stipulated in the Federal and Regional Constitutions, and strike a balance between the two in practice in order to ensure the fairness and impartiality of the judicial services;

Now, THEREFORE, in accordance with Article 49(3) (a) of the Revised Constitution of the Oromia Regional State, it is hereby proclaimed as follows:

Part One General Provisions

1. Short Title

This Proclamation may be cited as “The Oromia Regional State Courts Proclamation No. 216/2018”.

2. Definitions

Unless the context requires otherwise, in this proclamation:

- 1) “Judge” means a legal professional who, in accordance with the relevant law, has been nominated by the Commission and appointed by the Caffee to serve as a judge in Oromia State Courts.
- 2) “Caffee” means the legislative organ and the supreme political authority of the Regional State of Oromia established in accordance with Article 46 (1) of the Revised Constitution of the Regional State, Proclamation No 46/1994.
- 3) “Assistant judge” means a legal professional assigned to assist a judge concerning judicial function.

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| <p>4) “Gumii” jechuun Gumii Bulchinsa Abbootii Seeraa Oromiyaa jechuudha.</p> <p>5) “Heera Federaalaa” jechuun Heera Mootummaa Rippablika Dimookiraatawaa Federaala Itiyoophiyaa, Labsii Lakkoofsa 1/1987, jechuudha.</p> <p>6) “Heera Naannoo” jechuun Heera Mootummaa Naannoo Oromiyaa Fooyya’ee Bahe, Labsii Lakkoofsa 46/1994, jechuudha.</p> <p>7) “Hojjetaa” jechuun akkaataa seera hojjetoota Mootummaa Naannoo Oromiyaatiin kan qaxarame hojjetaa Mana Murtii jechuudha.</p> <p>8) “Kadhimamaa Abbaa Seeraa” jechuun ogeessa seeraa Abbaa Seeraa ta’ee akka muudamu Gumiin filatamee muudama Caffee eeggatu jechuudha.</p> <p>9) “KenniinsaTajaajila Abbaa Seerummaa” jechuun hojii ijoo Manneen Murtii ta’ee tajaajilaa fuudhinsa dhimmaa irraa eegalee hanga murtii fi isa booda illee tajaajila adda addaa kana waliin wal qabatan hunda jechuudha.</p> <p>10) “Mana Murtii” jechuun bu’uura Heera Mootummaa Naannoo Oromiyaa Fooyya’ee Bahe, Labsii Lak.46/1994tiin, kan hunda’ee Mana Murtii Waliigalaa, Mana Murtii Ol’aanaa fi Mana Murtii Aanaa jechuudha.</p> <p>11) “Muudamaa Gumii” jechuun gaggeessaa Manneen Murtii Naannichaa keessatti hojii yookiin, kutaa yookiin adeemsa hojii akka hojjetu yookin gaggeessu Pirezidaantiidhaan dhiyaatee Gumiin kan muudame jechuun yoo ta’u, (a) sadarkaa Mana Murtii Waliigalaatti daarikteera, itti gaa-fatamaa waajjiraa, qindeessaa dhaddachaa, gaggeessaa dhaddachaa/dhimmaa, (b) gargaaraa abbaa seeraa, kadhimamaa abbaa seeraa, qaadii Mana Murtii Shari’aa fi Pirezidaantii Mana Murtii Ol’aanaa fi kan Mana Murtii Aanaa ni dabalata.</p> | <p>፬) “ጉባኤ” ማለት የኦሮሚያ ዳኞች አስተዳደር ጉባኤ ማለት ነው።</p> <p>፭) “የፌዴራል ሕገ-መንግስት” ማለት የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ መንግስት ሕገ-መንግስት አዋጅ ቁጥር ፩/፲፱፻፹፯ ማለት ነው።</p> <p>፮) “የክልል ሕገ-መንግስት” ማለት የተሻሻለ የክልሉ ሕገ-መንግስት አዋጅ ቁጥር ፵፯/፲፱፻፺፬ ማለት ነው።</p> <p>፯) “ሠራተኛ” ማለት በኦሮሚያ ክልል መንግስት ሠራተኞች ሕግ መሠረት የተቀጠረ የፍርድ ቤት ሠራተኛ ማለት ነው።</p> <p>፰) “ዕጩ ዳኛ” ማለት ዳኛ ሆኖ ይሥራ ዘንድ በጉባኤ ተመርጦ የጨፌን ሹመት በመጠባበቅ ላይ የሚገኝ የሕግ ባለሙያ ማለት ነው።</p> <p>፱) “የዳኝነት አገልግሎት አሰጣጥ” ማለት መዛግብትን ከመክፈት ጀምሮ እስከ ውሳኔና ከዚያም በኋላ ልዩ ልዩ የዳኝነት አገልግሎት የሚሰጥበት የፍርድ ቤቶች ቁልፍ ሥራ ማለት ነው።</p> <p>፲) “ፍርድ ቤት” ማለት በተሻሻለ የክልሉ ሕገ-መንግሥት አዋጅ ቁጥር ፵፯/፲፱፻፺፬ መሠረት የተቋቋመ ጠቅላይ ፍርድ ቤት፣ ከፍተኛ ፍርድ ቤት እና የወረዳ ፍርድ ቤት ማለት ነው።</p> <p>፲፩) “የጉባኤ ተሟሚ” ማለት በክልሉ ፍርድ ቤቶች አመራር አካል ውስጥ ሥራን ወይም የሥራ ክፍልን ወይም የሥራ ሃደት እንዲሰራ ወይም እንዲመራ በፕሬዝዳንት አቅራቢነት በጉባኤ የተሾመ ሲሆን</p> <p>(ሀ) በጠቅላይ ፍርድ ቤት ደረጃ ዳይሬክተር፣ የጽ/ቤት ኃላፊ፣ የችሎት አስተባባሪ፣ የችሎት ወይም የጉዳዮች መሪ፣</p> <p>(ለ) ረዳት ዳኛ፣ ዕጩ ዳኛ፣ የሽርዓ ፍርድ ቤት ቃዲ፣ የከፍተኛ እና የወረዳ ፍርድ ቤት ፕሬዝዳንትን ይጨምራል።</p> | <p>4) “Commission” means the Judicial Administration Commission of Oromia.</p> <p>5) “Federal Constitution” means The Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No 1/1995.</p> <p>6) “Regional Constitution” means The Revised Constitution of the Oromia Regional State, Proclamation No. 46/1994.</p> <p>7) “Employee” means an employee of the court hired in accordance with the Oromia Regional State Civil Service Law.</p> <p>8) “Candidate Judge” means a legal professional nominated by the Commission and waiting for appointment as a judge by the Caffee.</p> <p>9) “Rendition of Judicial Service” means a core judicial task that begins with opening of files up to holding of the judgment and includes all other different related services.</p> <p>10) “Court” means Supreme Court, High Court and District Court established in accordance with the Revised Constitution of Oromia Regional State, Proclamation No. 46/1994.</p> <p>11) “Appointee of the Commission” means an official who is nominated by the President and appointed by the Commission to work on or lead a job or a section or a work process in the courts of the region and includes:</p> <p>(a) At Supreme Court level, director, office head, division coordinator, case/division manager;</p> <p>(b) Assistant judge, candidate judge, Kadi of Sharia Court, High court president and District Court President.</p> |
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- 12) “Muudamaa Gumii Godinaa” jechuun gaggeessaa yookiin ogeessa Manneen Murtii godinichaa keessatti sadarkaa addaa addaatti akka hojjetu hojii yookiin kutaa yookiin adeemsa hojii, akka hojjetu yookiin akka gaggeessu Pirezidaantii Mana Murtii Ol’aanaatiin dhiyaatee Gumii Godinaatiin muudame jechuu yoo ta’u, gaggeessaa dhimmaa yookiin dhaddachaa Mana Murtii Aanaa, ofiisara seeraa yookiin ogeessa biroo sadarkaa Mana Murtii Aanaatti ramadamee hojjatu ni dabalata.
- 13) “Muudamaa Pirezidaantii” jechuun muudamaa Caffee, Muudamaa Gumii yookiin kan Gumii Godinaa osoo hin dabalatin, hojii yookiin kutaa yookiin adeemsa hojii, akka hojjetu yookiin akka gaggeessu Pirezidaantiin kan muudame yoo ta’u, (a) Sadarkaa Mana Murtii Waliigalaatti ekispartii yookiin ogeessa seeraa, qorataa, inispektera, ofiisara seeraa, dursaa garee; (b) sadarkaa Mana Murtii Ol’aanaatti gaggeessaa dhimmaa/dhaddachaa, dursaa garee, ofiisara seeraa, ekispartii yookiin ogeessa seera; fi (c) Abukaatoo ittisaa sadarkaa Manneen Murtii sadeenitti hojjatan ni dabalata.
- 14) “Muudamaa” jechuun muudamaa Caffee osoo hin dabalatin akkaataa labsii kanatiin hojii yookiin kutaa hojii yookiin adeemsa hojii Mana Murtii akka hojjetu yookiin akka gaggeessu, gaggeessaa yookiin ogeessa Gumii yookiin Gumii Godinaa yookiin Pirezidaantiidhaan muudame jechuudha.
- 15) “Naannoo” jechuun Naannoo Oromiyaa jechuudha.
- 16) “Nama” jechuun nama uumamaa yookiin qaama seeraan namummaa qabu jechuudha.
- 17) “Pirezidaantii” jechuun Pirezidaantii Mana Murtii Waliigalaa Oromiyaa jechuudha.
- ፲፪) “የዞን ጉባኤ ተሿሚ” ማለት በዞን ፍርድ ቤቶች ውስጥ በተለያዩ ደረጃ ይሠራ ዘንድ ሥራን ወይም የሥራ ክፍልን ወይም የሥራ ሂደትን እንዲመራ በከፍተኛ ፍርድ ቤት ፕሬዝዳንት አቅራቢነት በዞን ጉባኤ የተሾመ ማለት ሲሆን የወረዳ ፍርድ ቤት ጉዳዮች ወይም ችሎት አስተባባሪ ፣ የሕግ አፍሰር ወይም ሌላ በወረዳ ፍርድ ቤት ደረጃ ተመድቦ የሚሰራ ባለሙያንም ይጨምራል።
- ፲፫) “የፕሬዝዳንት ተሿሚ” ማለት የጨፌ፣ የጉባኤ ወይም የዞን ጉባኤ ተሿሚን ሳይጨምር ሥራን ወይም የሥራ ክፍልን ወይም የሥራ ሂደትን ይሠራ ወይም ይመራ ዘንድ በፕሬዝዳንት የተሾመ ሲሆን(ሀ) የጠቅላይ ፍርድ ቤት ደረጃ ኤክስፐርት፣ የሕግ ባለሙያ ፣ አጥኝ፣ ኢንስፔክተር፣ የሕግ አፍሰር፣ ቡድን መሪ፣ (ለ) በከፍተኛ ፍርድ ቤት ደረጃ የጉዳዮች ወይም ችሎት መሪ፣ የቡድን መሪ፣ የሕግ አፍሰር፣ ኤክስፐርት ወይም የሕግ ባለሙያ እና (ሐ) በሶስቱም የፍርድ ቤቶች እርከን የሚሰሩ ተከላካይ ጠበቆችን ይጨምራል።
- ፲፬) “ተሿሚ” ማለት የጨፌ ተሿሚን ሳይጨምር በዚህ አዋጅ መሠረት የፍርድ ቤትን ሥራ ወይም ክፍል፣ ወይም የሥራ ሂደት ለመሥራት ወይም ለመምራት በጉባኤ ወይም በዞን ጉባኤ ወይም በፕሬዝዳንት የተሾመ አመራር ወይም ባለሙያ ማለት ነው።
- ፲፭) “ክልል” ማለት የኦሮሚያ ክልል ማለት ነው።
- ፲፮) “ሰው” ማለት የተፈጥሮ ወይም በሕግ ሰውነት የተሰጠው አካል ማለት ነው።
- ፲፯) “ፕሬዝዳንት” ማለት የኦሮሚያ ጠቅላይ ፍርድ ቤት ፕሬዝዳንት ማለት ነው።
- 12) “Appointee of Zonal Commission” means an official or a professional nominated by the High Court President and appointed by the Zonal Commission to work on or lead a job or a section or a work process, at different levels in the courts of the zonal administration and includes case or division manager of District Court, legal officer or other professional assigned to work at District Court level.
- 13) “Appointee of the President” means an officer appointed by the president to work on or lead a job, a section or a work process excluding Appointees of Caffee, of the Commission or of the Zonal Commission and includes, (a) at Supreme Court level: a legal expert or professional researcher, inspector, officer, team leader; (b) at High Court level: case/bench manager, team leader, legal officer, legal expert or professional; and (c) public defenders working in all tiers of the courts.
- 14) “Appointee” means an official or a professional appointed by the Commission or the Zonal Commission or the President to work on or lead a job, a section or a work process in the courts in accordance with this proclamation excluding the appointees of the Caffee.
- 15) “Region” means the Oromia Regional State.
- 16) “Person” means a natural or juridical person.
- 17) “President” means the President of the Supreme Court of Oromia.

3. Ibsa Koorniyaa

Labsii kana keessatti jechi koor-nayaa dhiiraatiin ibsame dubartiis ni dabalata.

Kutaa Lama**Hundeeffama, Kaayyoo fi Gurmaa'insa Manneen Murtii Naannichaa****Kutaa Xiqqaa Tokko****Hundeeffama fi Kaayyoo Manneen Murtii Oromiyaa****4. Hundeeffama**

- 1) Manneen Murtii Naannichaa qaama abbaa seerummaa bilisa ta'anii bu'uura Heera Naannichaa Keewwata 61(1)tiin hundeeffamaniiru.
- 2) Qaama biroo seeraan aangoon abbaa seerummaa kennameef yoo jiraateen alatti, aangoon abbaa seerummaa kan Mana Murtii qofaa dha.
- 3) Sirna seeraan tumameen ala kan hojjatu Manni Murtii addaa yookiin Manni Murtii yeroo Naannichaa keessatti hundaa'uu hin danda'u.
- 4) Kan Keewwata kana Keewwata Xiqqaa (3) jalatti tumame akkuma eegametti ta'ee, Caffeen Manneen Murtii aadaa yookiin amantaa hundeessuu yookiin kan duraan turaniif seeraan beekamtii kennuu ni danda'a.

5. Kaayyoo

Manneen Murtii Naannichaa kaayyoowwan armaan gadii ni qabaatu:

- 1) Mirgaa fi walabummaa dhuunfaa fi garee Heera Federaalaa fi kan Mootummaa Naannichaa keessatti tumaman kabachiisuu;
- 2) Waldhabdee namoota addaa addaa jidduutti uumamu seera irratti hundaa'uudhaan murtii haqa qabeessa kennuu;
- 3) Ol'aantummaa seeraa mirkanneessuudhaan ijaarsa sirna dimookiraasiif gumaachuu.

፫. የፆታ አገላለጽ

በዚህ አዋጅ ውስጥ በወንድ ፆታ የተገለፀው የሴትንም ፆታ ያጠቃልላል፡፡

ክፍል ሁለት**ስለ ክልሉ ፍርድ ቤቶች መቋቋም፤****ዓላማ እና አደረጃጀት****ንዑስ ክፍል አንድ****ስለ ክልሉ ፍርድ ቤቶች መቋቋም እና ዓላማ****፩. መቋቋም**

፩) የክልሉ ፍርድ ቤቶች የክልሉ ነፃ የዳኝነት አካል ሆነው በክልሉ ሕገ-መንግስት አንቀጽ ፳፩(፩) መሠረት ተቋቁሟል፡፡

፪) በሕግ የዳኝነት ሥልጣን የተሰጠው አካል ከሌለ በስተቀር የዳኝነት ሥልጣን የፍርድ ቤት ብቻ ነው፡፡

፫) በሕግ ከተደነገገ የዳኝነት ሥርዓት ውጪ የሚሠራ ልዩ ፍርድ ቤት ወይም ጊዜያዊ ፍርድ ቤት በክልሉ ውስጥ ሊቋቋም አይችልም፡፡

፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፫ የተደነገገው እንደተጠበቀ ሆኖ ጨፌ የባህል ወይም የሃይማኖት ፍርድ ቤቶችን ማቋቋም ወይም ቀድሞ ለነበሩት በሕግ እውቅና መስጠት ይችላል፡፡

፭. ዓላማ

የክልሉ ፍርድ ቤቶች ቀጥሎ የተዘረዘሩት ዓላማ ይኖራቸዋል፡፡

፩) በፌዴራሉና በክልሉ ሕገ-መንግስት የተደነገጉ የግልና የጋራ መብትና ነፃነቶችን ማስከበር፤

፪) በተለያዩ ሰዎች መካከል የሚከሰቱ አለመግባባቶችን ሕግን መሠረት በማድረግ ፍትሃዊ ውሳኔ መስጠት፤

፫) የሕግ የበላይነትን በማረጋገጥ ለዲሞክራሲ ሥርዓት ግንባታ አስተዋፅዖ ማድረግ፡፡

3. Gender Reference

In this proclamation, any expression in the masculine gender includes the feminine.

Part Two**Establishment, Objective and Structure of the Regional Courts****Section One****Establishment and Objective of the Regional Courts****4. Establishment**

- 1) The regional courts are established as an independent judiciary according to Article 61(1) of the Constitution of the region.
- 2) Judicial power vests only in courts unless there are institutions legally empowered to exercise judicial functions.
- 3) Special or ad hoc courts which do not follow legally prescribed procedures shall not be established in the region.
- 4) Notwithstanding the provision of Sub-article (3) of this Article, Caffee may establish or give official recognition to religious or customary courts.

5. Objective

The Regional Courts shall have the following objectives:

- 1) To safeguard the individual and group rights and freedoms guaranteed by the federal and the regional constitutions;
- 2) To resolve disputes arising between different persons and render justice on the basis of law;
- 3) To ensure the rule of law thereby contributing for the development of the democratic system.

Kutaa Xiqqaa Lama**Bilisummaa Abbaa Seerummaa****6. Bilisummaa Manneen Murtii**

- 1) Manneen Murtii Naannichaa bilisummaa guutuudhaan hojii isaanii ni raawwatu. Dhiibbaa qaama mootummaa, abbaa taayitaa yookiin qaama kamii irraa iyyuu bilisa ta'anii hojii isaanii ni hojjatu.
- 2) Manneen Murtii Naannichaa baajataan, bulchiinsa humna namaa fi hojimaata keessoo isaaniitiin of danda'anii ni hojjatu.
- 3) Manni Murtii Waliigalaa baajata Manneen Murtii Naannichaa kallattiidhaan Caffeeff dhiyeessee ni mirkaneeisisa; yoo hayyamaamus ni bulcha.

7. Bilisummaa Abbaa Seeraa

- 1) Abbaan seeraa hojii isaa bilisummaa guutuu fi naamusa ol'aanaadhaan ni hojjata; seeraan malee haala biraa kamiinuu hin qajeelfamu.
- 2) Abbaan Seeraa kamiyyuu akkaataa Labsii kana keessatti tumameen ala hojii isaa irraa hin kaafamu.
- 3) Umuriin sooramaa Abbaa Seeraa kan seeraan tumameen ala haala kamiinuu hin dheeratu.
- 4) Abbaan Seeraa mindaa fi faayidaalee adda addaa argachuuf mirga ni qabaata.

8. Bilisummaa Abbaa Seerumma Kabajuu fi Kabachiisu

- 1) Abbaan Seeraa kamiyyuu bilisummaadhaan hojjachuu fi bilisummaa Mana Murtii fi abbaa seeraa kabajuu fi kabachiisuuf dirqama qaba.
- 2) Qaamoleen mootummaa, miti-mootummaa fi hawaasa, akkasumas abbaan aangoo kamuu bilisummaa Mana Murtii fi kan abbaa seeraa kabajuuf dirqama qabu.

፳፬-ኛ ክፍል ሁለት**የዳኛነት ነጥብ****፩. የፍርድ ቤቶች ነጥብ**

- ሀ) የክልሉ ፍርድ ቤቶች በሙሉ ነጻነት ሥራቸውን ያከናውናሉ። ከመንግሥት አካል፣ ባለሥልጣን ወይም ከማንኛውም አካል ተፅዕኖ ነፃ ሆነው ሥራቸውን ይሠራሉ።
- ለ) የክልሉ ፍርድ ቤቶች በበጀት፣ በሰው ኃይል አስተዳደር እና በውስጥ አሰራራቸው እራሳቸውን ችለው ይሠራሉ።
- ሐ) ጠቅላይ ፍርድ ቤት የክልሉን ፍርድ ቤቶች በጀት በቀጥታ ለጨፌ አቅርቦ ያጸድቃል፤ ሲፈቀድለትም ያስተዳድራል።

፪. የዳኛ ነጥብ

- ሀ) ዳኛ ሥራውን በሙሉ ነጻነትና ከፍተኛ ሥነ-ምግባር ይሠራል፤ ከሕግ በቀር በሌላ በማንኛውም ነገር አይመራም።
- ለ) ማንኛውም ዳኛ በዚህ አዋጅ ውስጥ ከተደነገገው ውጭ ከሥራው አይነሳም።
- ሐ) የዳኛ የጦረታ ዕድሜ በሕግ ከተደነገገው ጊዜ በላይ በማንኛውም መልኩ አይራዘምም።
- ወ) ዳኛ ደመወዝ እና ልዩ ልዩ ጥቅማ ጥቅም የማግኘት መብት አለው።

፫. የዳኛነት ነጥብን ማክበር እና ማስከበር

- ሀ) ማንኛውም ዳኛ በነፃነት የመሥራት እና የፍርድ ቤት እና የዳኛነት ነጻነት የማክበር እና የማስከበር ግዴታ አለበት።
- ለ) የመንግስት አካላት፣ መንግስታዊ ያልሆኑና የማህበረሰብ ተቋማት እንዲሁም ማንኛውም ባለሥልጣን የፍርድ ቤትና የዳኛነት ነጥብ የማክበር እና የማስከበር ግዴታ አለበት።

Section Two**Independence of the Judiciary****6. Independence of the Judiciary**

- 1) The Courts shall exercise their functions with full independence. They perform their functions free of influence from any governmental body, official, or any other source.
- 2) The Courts are independent in relation to their budget, human resources and internal administration.
- 3) The Supreme Court shall submit the budget of the Regional Courts directly to the Caffee for approval and administer it upon approval.

7. Independence of Judges

- 1) A judge shall exercise his functions with full independence and high ethical standard; he shall be directed solely by the law.
- 2) No judge shall be removed from his duties except in accordance with the provisions of this proclamation.
- 3) The retirement of a judge may not be extended beyond the retirement age determined by law.
- 4) A judge is entitled to get salary and other benefits.

8. Upholding the Independence of the Judiciary

- 1) Every judge shall work with independence and has the duty to uphold the independence of judiciary and of the individual judge.
- 2) Governmental, non-governmental and social organizations as well as any government official shall have the duty to respect the independence of courts and that of individual judges.

Kutaa Xiqqaa Sadii
Gurma'ina Manneen Murtii
Naannichaa

9. Gurmaa'ina fi Itti Waamama

- 1) Manneen Murtii Naannichaa Mana Murtii Waliigalaa, Mana Murtii Ol'aanaa fi Mana Murtii Aanaa jedhamuun sadarkaa sadiitti kan gurmaa'an ta'a.
- 2) Manni Murtii Waliigalaa qaama abbaa seerummaa ol'aanaa Naannichaati.
- 3) Manneen Murtii Naannichaa Pirezidaantota, Abbootii Seeraa, muudamtoota, ogeessotaa fi hojjetoota hojiif barbaachisan ni qabaatu.
- 4) Itti waamamni Manneen Murtii Naannichaa akka itti aanutti ta'a:
 - (a) Itti waamamni Mana Murtii Waliigalaa Oromiyaa Caffee ta'a.
 - (b) Itti waamamni Mana Murtii Ol'aanaa Mana Murtii Waliigalaa Oromiyaaf ta'a.
 - (c) Itti waamamni Mana Murtii Aanaa Mana Murtii Ol'aanaaf ta'a.

10. Pirezidaantotaa fi Itti Waamama Isaanii

- 1) Manneen Murtii sadarka sadeenii Pirezidaantii mataa isaanii ni qabaatu.
- 2) Itti waamamni Pirezidaantota Manneen Murtii Naannichaa akka armaan gadii ta'a:
 - (a) Pirezidaantiin Mana Murtii Waliigalaa Caffee Oromiyaatiif;
 - (b) Pirezidaantiin Itti Aanaa Mana Murtii Waliigalaa Pirezidaantii fi Caffee;
 - (c) Pirezidaantiin Mana Murtii Ol'aanaa Pirezidaantiif;
 - (d) Pirezidaantiin Mana Murtii Aanaa Pirezidaantii Mana Murtii Ol'aanaatiif ta'a.

ንዑስ ክፍል ሶስት

የክልሉ ፍርድ ቤቶች አደረጃጀት

፱. አደረጃጀትና ተጠሪነት

- ፩) የክልሉ ፍርድ ቤቶች ጠቅላይ ፍርድ ቤት፣ ከፍተኛ ፍርድ ቤት እና ወረዳ ፍርድ ቤት ተብለው በሶስት እርከን የሚደራጁ ይሆናል።
- ፪) ጠቅላይ ፍርድ ቤት የክልሉ ከፍተኛ የዳኝነት አካል ነው።
- ፫) የክልሉ ፍርድ ቤቶች ፕሬዝዳንቶች፣ ዳኞች፣ ተሟላጾች፣ ባለሙያዎችና ለሥራ የሚያስፈልጓቸው ሠራተኞች ይኖራቸዋል።
- ፬) የክልሉ ፍርድ ቤቶች ተጠሪነት እንደሚከተለው ይሆናል።
- (ሀ) የአሮሚያ ጠቅላይ ፍርድ ቤት ተጠሪነት ለጨፌ ይሆናል።
- (ለ) የከፍተኛ ፍርድ ቤት ተጠሪነት ለአሮሚያ ጠቅላይ ፍርድ ቤት ይሆናል።
- (ሐ) የወረዳ ፍርድ ቤት ተጠሪነት ለከፍተኛ ፍርድ ቤት ይሆናል።

I. ፕሪዲካቶችና ተጠሪነታቸው

- ፩) የሶስቱም እርከን ፍርድ ቤቶች የየፊላላቸው
ፕሬዚዳንት ይኖራቸዋል።
- ፪) የክልሉ ፍርድ ቤቶች ፕሬዝንዳቶች
ተጠሪነት እንደሚከተለው ይሆናል።
- (ሀ) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት
ለጨፌ ኦሮሚያ፤
- (ለ) የጠቅላይ ፍርድ ቤት ምክትል
ፕሬዚዳንት ለፕሬዚዳንቱና ለጨፌ፤
- (ሐ) የከፍተኛ ፍርድ ቤት ፕሬዚዳንት
ለፕሬዚዳንት፤
- (መ) የወረዳ ፍርድ ቤት ፕሬዚዳንት
ለከፍተኛ ፍረድ ቤት ፕሬዚዳንት
ይሆናል።

Section Three

Organization of the Regional Judiciary

9. Organization and Responsibility

- 1) The Regional Courts shall have three level; namely, the Supreme Court, the High Court and the District Court.
- 2) The Supreme Court shall be the supreme judicial authority of the region.
- 3) The Regional Courts shall have their respective presidents, judges, appointees, professionals and necessary employees.
- 4) The line of responsibility of the Regional Courts shall be as follows:
 - (a) The Supreme Court is responsible to Caffee;
 - (b) The High Court is responsible to the Supreme Court;
 - (c) The District Court shall be responsible to the High Court.

10. Presidents and their Line of Responsibility

- 1) All the three levels of Courts shall have their respective presidents.
- 2) The line of responsibility of the different levels of Courts shall be as follows:
 - (a) The President of the Supreme Court is responsible to the Caffee;
 - (b) The Vice President is responsible to the President and to the Caffee;
 - (c) The President of the High Court is responsible to the President;
 - (d) The President of the District Court is responsible to the President of the High Court.

Kutaa Xiqqaa Afur**Muudamaa fi Aangoo Pirezidaantotaa****11. Muudama Pirezidaantii fi Pirezidaantii Itti Aanaa Mana Murtii Waliigalaa**

- 1) Pirezidaantii fi Pirezidaantii Itti Aanaan Mana Murtii Waliigalaa Pirezidaantii Bulchiinsa Mootummaa Naannoo Oromiyaatiin dhiyaatanii Caffeedhaan kan muudaman ta'a.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti tumame akkuma eegametti ta'ee, Pirezidaantiin Bulchiinsa Mootummaa Naannoo Oromiyaa kaadhimamtoota Pirezidaantii fi Pirezidaantii Itti Aanaa yommuu filatu:
 - (a) Dandeettii seeraa fi naamusa o'aanaa qabaachuu isaanii;
 - (b) Kaayyoo fi ergama Manneen Murtii Naannichaa galmaan gahuuf gahuumsa hoggansaa qabaachuu isaanii; fi
 - (c) Hojii abbaa seerummaatiin muuxannoo o'aanaa qabaachuu isaanii tilmaama keessa galchuu qaba.

12. Haala Pirezidaantiin yookiin Pirezidaantii Itti Aanaan Mana Murtii Waliigalaa Hooggansa Irraa Itti Ka'u

- 1) Pirezidaantiin yookiin Pirezidaantii Itti Aanaan Mana Murtii Waliigalaa hojii hooggansaa irraa kan ka'u fedhii mataa isaatiin yookiin badii naamusaa cimaa raawwachuu isaatiin yookiin hooggansa irratti laafinsa argisiisuun isaa kan mirkanaa'e yoo ta'e qofaa dha.
- 2) Caffeen Pirezidaantii yookiin Pirezidaantii Itti Aanaan Mana Murtii Waliigalaa badii naamusaa cimaa raawwachuu isaa yookiin hooggansa irratti laafinsa argisiisu isaa yoo amane sagalee caalmaan koree miseensota Caffee keessaa nama sadii fi Abbaa Seeraa Mana Murtii Waliigalaa keessaa nama lama of keessaa qabu hundeesuudhaan dhimmicha qorachiisuu qaba.

ጐሰስ ክፍል አራት**ስለ ፕሬዚዳንቶች አሻሻያ እና ሥልጣን****፲፩. የጠቅላይ ፍርድ ቤት ፕሬዚዳንት እና ምክትል ፕሬዚዳንት አሻሻያ**

- ፩) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት እና ምክትል ፕሬዚዳንት በአሮሚያ ብሔራዊ ክልላዊ መንግስት ፕሬዚዳንት አቅራቢነት በጨፌ የሚሾሙ ይሆናሉ።
- ፪) በዚህ አንቀጽ ጐሰስ አንቀጽ ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ የአሮሚያ ብሔራዊ ክልላዊ መንግስት ፕሬዚዳንት የጠቅላይ ፍርድ ቤት ፕሬዚዳንትና ምክትል ፕሬዚዳንትን በዕጩነት ሲመርጥ፡-
 - (ሀ) ከፍተኛ የሕግ ችሎታና ሥነ-ምግባር ያላቸው መሆኑን፤
 - (ለ) የክልሉን ፍርድ ቤቶች ዓላማና ተልዕኮ ከግብ ለማድረስ የሚያስችል የአመራር ብቃት ያላቸው መሆኑን፤
 - (ሐ) በዳኝነት ሥራ ከፍተኛ ልምድ ያላቸው መሆኑን ከግምት ማስገባት አለበት።

፲፪. የጠቅላይ ፍርድ ፕሬዚዳንቱ ወይም ምክትል ፕሬዚዳንቱ ከኃላፊነት የሚነሱበት ሥርዓት

- ፩) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ከኃላፊነቱ የሚነሳው በራሱ ፍቃድ ወይም ከፍተኛ የሥነ-ምግባር ጉድለት በመፈጸሙ ወይም በአመራር ላይ ድክመት ማሳየቱ ከተረጋገጠ ብቻ ነው።
- ፪) ጨፌ የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ከፍተኛ የሥነ-ምግባር ግድፈት መፈጸሙን ወይም የአመራር ድክመት ማሳየቱን ባመነ ጊዜ ከጨፌ አባላት ሶስት እና ከጠቅላይ ፍርድ ቤት ዳኞች ሁለት አባላት ያሉት ኮሚቴ በአብላጫ ድምጽ በማቋቋም ጉዳዩን ማስጠናት አለበት።

Section Four**Appointment and Powers of the Presidents****11. Appointment of the President and the Vice President**

- 1) The President and Vice President of the Supreme Court shall, upon submission of nominees by the President of the Oromia Regional State, be appointed by the Caffee.
- 2) Notwithstanding the provision of sub-article (1) of this Article, the President of the Oromia Regional State while nominating the President and Vice President of the Supreme Court shall take the following into account:
 - (a) That the candidates possess high degree of legal competence and integrity;
 - (b) That the candidates possess strong leadership capacity to realize the objectives and missions of the Courts of the region; and
 - (c) That the candidates are well experienced in judicial practice.

12. Conditions for the Termination of The President or the Vice President of the Supreme Court

- 1) The President or the Vice President of the Supreme Court may leave his post only by his own free consent or may be removed on account of grave violation of judicial ethics or by virtue of poor leadership.
- 2) Whenever the President or the Vice President is believed to have made grave violation of judicial ethics or found to exhibit poor leadership, the Caffee shall, by majority vote, establish a committee consisting of three of its members and two Supreme Court judges to investigate into the matter.

- 3) Koreen akkaataa Keewwata kana Keewwata Xiqqaa (2) tiin hundeeffame gabaasa bu'aa qorannoo isaa yaada murtii waliinYaa'ii Caffee itti aanee gaggeeffamu irratti ni dhiyeessa. Yaa'iichis Pirezidaantiin yookiin Pirezidaantii Itti Aanaan gabaa-sa koree irratti yaada akka kenan erga taasisen booda murtii barbaachisaa sagalee harka lama sadaffaatiin ni dabarsa.
- 4) Pirezidaantii yookiin Pirezidaantii Itti Aanaan Mana Murtii Waliigalaa sababa hanqina naamusaa cimaatiin hooggansa irraa yoo ka'een alatti Abbaa Seeraa Mana Murtii Waliigalaa ta'ee ramadamuu ni danda'a.
- 5) Akkaataa Kewwata kana Keewwata Xiqqaa (1) tti Pirezidaantiin yookiin Pirezidaantii Itti Aanaan fedhii isaatiin hojii gadi lakkisuu barbaade ji'a sadii dursee Waajjira Caffetiif beeksisuu qaba.

13. Aangoo fi Hojii Pirezidaantii Mana Murtii Waliigalaa

Pirezidaantiin Mana Murtii Waliigalaa hoogganaa ol'aanaa Manneen Murtii Naannichaa ta'ee, aangoon seerota birootiin kennameef akkuma eegametti ta'ee, aangoo fi hojii armaan gadii ni qabaata:

- 1) Manneen Murtii Naannichaa ol'aantummaadhaan ni bulcha; bakka ni bu'a;
- 2) Abbaa seeraa fi Muudamtoota Gumii filatee muudamaaf ni dhiyeessa; yoo muudamanis ni ramada; ni bulcha;
- 3) **Muudamaa Pirezidaantii filatee ni muuda; ni ramada; jijjiirra ni raawwata;**
- 4) Hojjattoota Mana Murtichaaf barbaachisan ni qaxara; ni ramada; ni bulcha;
- 5) Naamusa hawaasa Manneen Murtii Naannichaa ol'aantummaan ni to'ata;

፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ መሠረት የተቋቋመው ኮሚቴ የጥናቱን ውጤት ከውሳኔ ሃሳብ ጋር በቀጣዩ ለሚካሄደው የጨፌ ጉባኤ ያቀርባል። ጉባኤውም ኮሚቴው ባቀረበው ሪፖርት ላይ ፕሬዚዳንቱ ወይም ምክትል ፕሬዚዳንቱ አስተያየት እንዲሰጡ ካደረገ በኋላ አስፈላጊውን ውሳኔ በሁለት ሶስተኛ ድምፅ ያስተላልፋል።

፬) የኦሮሚያ ጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ከፍተኛ የሥነ-ምግባር ግድፈት በመፈጸሙ ከኃላፊነት የተነሳ ካልሆነ በስተቀር የጠቅላይ ፍርድ ቤት ጃኛ ሆኖ መመደብ ይችላል።

፭) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሠረት በፍቃዱ ከኃላፊነት መነሳት የሚፈልግ ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ሶስት ወር አስቀድሞ ለጨፌ ጽህፈት ቤት ማሳወቅ አለበት።

፲፫. የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ሥልጣንና ተግባር

የጠቅላይ ፍርድ ቤት ፕሬዚዳንት የክልሉ ፍርድ ቤቶች ከፍተኛ አመራር ሲሆን በሌሎች ሕጎች የተሰጡት ሥልጣን እና ኃላፊነት እንደተጠበቀ ሆኖ ቀጥሎ የተዘረዘሩ ሥልጣን እና ተግባር ይኖሩታል።

፩) የክልሉን ፍርድ ቤቶች በበላይነት ያስተዳድራል፤ ይወክላል።

፪) ጃኞች እና የጉባኤ ተሿሚዎችን መልምሎ ለሽመት ያቀርባል፤ ሲሾሙም ሥራ ላይ ይመድባል፤ ያስተዳድራል።

፫) የፕሬዚዳንት ተሿሚ መልምሎ ይሾማል፤ ይመድባል፤ ዝውውራቸውን ይፈጽማል።

፬) ለፍርድ ቤቱ የሚያስፈልጉ ሠራተኞችን ይቀጥራል፤ ይመድባል፤ ያስተዳድራል።

፭) የክልሉን ፍርድ ቤቶች ማህበረሰብ ሥነ-ምግባር በበላይነት ይቆጣጠራል።

3) The committee established in accordance with Sub-Article (2) of this Article shall report its findings together with its recommendations to the next meeting of Caffee. The Caffee at its meeting shall, after hearing the individual opinion of the President or the Vice President, pass its decision by a two-thirds majority vote.

4) The President or the Vice President may be assigned to a judicial post at the Supreme Court unless he is removed by virtue of grave violation of ethical conduct.

5) Where the President or the Vice President of the Supreme Court is to resign in accordance with the provision of sub-article (1) of this article, he shall give a three months prior notice to the Office of Caffee.

13. Powers and Functions of the Supreme Court President

Without prejudice to the powers and functions entrusted to him by other laws, the President of the Supreme Court, who is the top leader of the regional courts, shall have the following powers and functions:

- 1) Administers the judiciary of the region and represents them thereof;
- 2) Nominates and submits judges and appointees of the Commission for appointment based on the existing work system; assigns them upon their appointment; administers them;
- 3) Nominates and appoints appointee of the President based on the existing work system; decides on their transfer;
- 4) Hires, assigns and administer other court employees;
- 5) Takes ultimate responsibility of monitoring the conducts of the courts staff as a whole;

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| <p>6) Caasaa Manneen Murtii qoratee yookiin qorachiisee Gumiif ni dhiyeessa; yoo ragga'us hojiirra ni oolcha;</p> <p>7) Qaawwa hooggansaa uumame duuchuuf yookiin iddoo hojii duwwaa guutuuf yeroodhaaf bakka bu'ummaan nama ramadee ni hojjachiisa;</p> <p>8) Karoora hojii waggaa fi baajata Manneen Murtii Naannichaa qopheessee Caffee ni dhiyeessa; yoo hayyamamus ni bulcha; hojiirra ni oolcha;</p> <p>9) Qabeenya Manneen Murtii Naannichaa ol'aantummaan ni to'ata;</p> <p>10) Karoora tarsiimowaa ni qopheessa; hojiirra oolmaa isaas ni hordofa;</p> <p>11) Raawwii hojii Manneen Murtii Naannichaa gabaasa Caffee ni dhiyeessa;</p> <p>12) Kenniinsa tajaajila abbaa seerummaa Naannichaa ilaalchisee imaammataa fi tarsiimoo ni qopheessa; hojii irra oolmaa isaa ni hordofaa;</p> <p>13) Kenniinsa tajaajila abbaa seerummaa fi bulchiinsa Manneen Murtii akkasumas sirna haqaa Naannichaa ilaalchisee hojiin qorannoo fi qo'annoo akka gaggeeffamu ni taasisa; bu'aan qorannoo fi qo'annichaa hojiirra akka ooluuf qaama dhimmi ilaalu waliin ni hojjata;</p> <p>14) Manneen Murtii Naannichaa keessatti sirni fi hojimaatni barbaachisaa ta'an akka diriiran ni hojjata;</p> <p>15) Murtiilee fi ragaaleen dhimmootaa qorannoo fi xiinxalaaf akka oolan, gosa gosaan qindaa'anii akka qabaman yookiin akka maxxanfaman ni taasisa;</p> <p>16) Wixinee seeraa Manneen Murtii yookiin tajaajila abbaa seerummaa waliin walqabatan qopheessee Caffee ni dhiyeessa;</p> <p>17) Manneen Murtii Naannichaa tekinooolojii qunnamtii odeeffannoon deeggaramanii tajaajila kennuu akka danda'aniif ni hojjata;</p> | <p>፮) የፍርድ ቤቶችን መዋቅር አጥንቶ ወይም አስጠንቶ ለጉባኤ ያቀርባል፤ ሲፀድቅም ሥራ ላይ ያውላል።</p> <p>፯) የተፈጠረ የአመራር ክፍተት ለመድፈን ወይም ክፍት የሥራ መደብ ለመሙላት በውክልና ሰው መደብ ያስራል።</p> <p>፰) የክልሉን ፍርድ ቤቶች ዓመታዊ ዕቅድና በጀት አዘጋጅቶ ለጨፌ ያቀርባል፤ ሲፈቀድም ያስተዳድራል፤ ሥራ ላይ ያውላል።</p> <p>፱) የክልሉን ፍርድ ቤቶች ንብረት በበላይነት ይቆጣጠራል።</p> <p>፲) የክልሉን ፍርድ ቤቶች እስትራቴጂክ ዕቅድ ያዘጋጃል፤ ተግባራዊነቱንም ይከታተላል።</p> <p>፲፩) የክልሉን ፍርድ ቤቶች ሥራ አፈጻጸም ሪፖርት ለጨፌ ያቀርባል።</p> <p>፲፪) የክልሉን ፍርድ ቤቶች የዳኝነት አገልግሎት አፈጻጸም አስመልክቶ ፖሊሲ እና እስትራቴጂ ያዘጋጃል፤ ተግባራዊነቱን ይከታተላል።</p> <p>፲፫) የክልሉን ፍርድ ቤቶች የዳኝነት አገልግሎት አሰጣጥ እና አስተዳደር እንዲሁም የክልሉን ፍትህ ሥርዓት አስመልክቶ ጥናት እና ምርምር እንዲካሄድ ያደርጋል፤ የጥናትና ምርምር ውጤት ሥራ ላይ እንዲውል ከሚመለከተው አካል ጋር ይሠራል።</p> <p>፲፬) በክልሉ ፍርድ ቤቶች ውስጥ አስፈላጊ የሆነ የአስራር ሥርዓት እንዲዘረጋ ይሠራል።</p> <p>፲፭) ውሳኔዎችና መረጃዎች ለጥናትና ትንተና ይውሉ ዘንድ አይነት በአይነት ተጠናቅረው እንዲያዙ ወይም እንዲታተሙ ያደርጋል።</p> <p>፲፮) ከፍርድ ቤቶች ወይም ከዳኝነት አገልግሎት ጋር ግንኙነት ያላቸው የሕግ ረቂቆችን አዘጋጅቶ ለጨፌ ያቀርባል።</p> <p>፲፯) የክልሉ ፍርድ ቤቶች በኢንፎርሜሽን ቴክኖሎጂ ተደግፈው አገልግሎት እንዲሰጡ ይሠራል።</p> | <p>6) Study or cause to be studied the structure of the courts of the region and submit to the Commission for decision; implements it upon approval;</p> <p>7) Temporarily assign a staff to fill any leadership position or any professional post;</p> <p>8) Prepares and submits to the Caffee annual work plan and budget of the regional courts; administers or ensures its implementation upon approval;</p> <p>9) Administers the property of the regional courts;</p> <p>10) Prepares strategic plan and ensure its implementation;</p> <p>11) Submits performance reports of the courts to the Caffee;</p> <p>12) Develops policies and strategies regarding the judicial service delivery of the courts; follows up its implementation;</p> <p>13) Causes the conduct of research and study regarding the rendition of judicial service and court administration as well as the justice system of the region; works in collaboration with concerned organs in order to implement the findings of the research and study;</p> <p>14) Design and implement the necessary operational systems and procedures in the courts of the region;</p> <p>15) Cause the indexing and publication of judgments and case related data by their type and nature for the purpose of dissemination, research and analysis;</p> <p>16) Initiate draft laws concerning the judiciary and judicial services and submit to the Caffee;</p> <p>17) Works towards supporting the courts with modern information communication technologies;</p> |
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- 18) Dhimmoota tajaajila abbaa seerummaa yookiin tajaajila haqaan walqabatee qaamolee dhimmi ilaalu waliin qindoominaa fi atoominaan ni hojjata;
- 19) Hojiiwwan Manneen Murtii yookiin tajaajila abbaa seerummaan walqabatan kan biroo ni hojjata.

14. Aangoo fi Hojii Pirezidaantii Itti Aanaa Mana Murtii Waliigalaa

- 1) Pirezidaantiin yeroo hin jirretti bakka bu'ee ni hojjata.
- 2) Aangoo fi hojiin Labsii kana Keewwata 13 jalatti Pirezidaantiidhaaf kenname akkuma eegametti ta'ee, hojii kenniinsa tajaajila abbaa seerummaa ni hooggana.
- 3) Hojii biroo Pirezidaantiin kenamaniif ni raawwata.

15. Muudama Pirezidaantii Mana Murtii Ol'aanaa fi Pirezidaantii Mana Murtii Aanaa

- 1) Pirezidaantiin Mana Murtii Ol'aanaa yookiin kan Mana Murtii Aanaa Abbaa Seeraa keessaa Pirezidaantiin dhiyaatee Gumiidhaan ni muudama.
- 2) Pirezidaantiin, Pirezidaantii Mana Murtii Ol'aanaa yookiin kan Mana Murtii Aanaa yoo filatu dandeettii, gahumsa hooggansaa, naamusaa fi raawwii hojii isaa tilmaama keessa galchuu qaba.
- 3) Barri hojii Pirezidaantii Mana Murtii Ol'aanaa fi kan Mana Murtii Aanaa waggaa afur (4) ta'ee, akka barbaachisummaa isaatti bara hojii dabalataa tokkoof qofa irra deebiin muudamuu ni danda'a.
- 4) Kan Keewwata kana Keewwata Xiqqaa (3) jalatti tumame akkuma eegametti ta'ee, Pirezidaantiin Mana Murtii Ol'aanaa yookiin kan Mana Murtii Aanaa sababa laafinsa hooggansaatiin, hir'ina naamusaatiin yookiin hanqina raawwii hojiitiin barri hojii isaa osoo hin xumuramin hooggansa irraa kaafamu ni danda'a.

፲፰) የዳኝነት አገልግሎት ወይም ከፍትህ አገልግሎት ጋር በተያያዘ ጉዳዩ ከሚመለከታቸው አካላት ጋር በቅንጅትና ትብብር ይሠራል።

፲፱) ሌሎች ከፍርድ ቤቶች ሥራ ወይም ከዳኝነት አገልግሎት ጋር የተያያዙ ስራዎችን ይሠራል።

፲፩. የጠቅላይ ፍርድ ቤት ምክትል ፕሬዚዳንት ሥልጣንና ተግባር

- ፩) ፕሬዚዳንቱ በሌለ ጊዜ ተክቶ ይሠራል።
- ፪) በዚህ አዋጅ አንቀጽ ፲፫ ሥር ለፕሬዚዳንቱ የተሰጡት ሥልጣንና ተግባራት እንደተጠበቁ ሆነው የዳኝነት አገልግሎት አሠጣጥ ሥራን ይመራል።
- ፫) በፕሬዚዳንቱ የሚሰጡት ሌሎች ሥራዎችን ይሠራል።

፲፭. የከፍተኛ ፍርድ ቤት እና የወረዳ ፍርድ ቤት ፕሬዚዳንት አሻሻያ

- ፩) የከፍተኛው ፍርድ ቤት እና የወረዳ ፍርድ ቤት ፕሬዚዳንት ከዳኞች ተመልምለው በፕሬዚዳንቱ አቅራቢነት በጉባኤ ይሾማሉ።
- ፪) ፕሬዚዳንቱ የከፍተኛ ፍርድ ቤት ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት ሲመረጥ ችሎታን፣ የአመራር ብቃት፣ ሥነ-ምግባሩንና ሥራ አፈጻጸሙን ከግምት ማስገባት አለበት።
- ፫) የከፍተኛ እና የወረዳ ፍርድ ቤት ፕሬዚዳንት ሥራ ዘመን ፬/አራት/ዓመት ሆኖ እንደ አስፈላጊነቱ ለአንድ የሥራ ዘመን ብቻ ድጋሚ ሊሾም ይችላል።
- ፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፫ ሥር የተደነገገው እንደተጠበቀ ሆኖ የከፍተኛ ፍርድ ቤት ፕሬዚዳንት ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት በአመራር ድክመት፣ በሥነ ምግባር ጉድለት ወይም በሥራ አፈጻጸም ጉድለት ምክንያት ከሥራ ዘመኑ ጊዜ ቀድሞ ከአመራር ሊነሳ ይችላል።

- 18) Works in collaboration and partnership with relevant organizations on matters related to the judicial service or the justice system;
- 19) Discharges other functions related to the judiciary or the judicial service.

14. Powers and Functions of the Supreme Court Vice President

- 1) He shall act on behalf of the President in his absence.
- 2) Notwithstanding the powers and functions given to the President under Article 13 of this Proclamation, he shall be responsible to lead on the rendition of judicial services.
- 3) He shall carry out other responsibilities as may be entrusted to him by the President.

15. Appointment of the President of the High Court and the President of the District Court

- 1) The President of the High Court or of the District Court shall be nominated by the President from among the judges and appointed by the Commission.
- 2) The President shall, while nominating the candidates, take into account their competence, leadership capacity, integrity and performance.
- 3) The term of office of the President of the High Court and of the District Court shall be four years; they may be reappointed only for one additional term as may be necessary.
- 4) Notwithstanding the provision of Sub-article (3) of this Article, the President of the High Court or of the District Court may be removed from their posts before the end of their term of office on account of leadership, integrity or performance problems.

16. Aangoo fi Hojii Pirezidaantii Mana Murtii Ol'aanaa

Pirezidaantiin Mana Murtii Ol'aanaa aangoo fi hojii armaan gadii ni qabata:

- 1) Mana Murtichaa ni bulcha; bakkas ni bu'a;
- 2) Abbootii Seeraa fi muudamtoota Mana Murtichaa hojiitti ramadee ni hojjachisa; ni bulcha;
- 3) Naamusa hawaasa Manneen Murtii godinichaa ol'aantummaan ni to'ata;
- 4) Muudamaa Gumii Godinaa filatee muudamaaf Gumii Godinaaf ni dhiyeessa; yoo muudamus ni ramada;
- 5) Hojjataa Mana Murtichaa ni qaxara; ni bulcha;
- 6) Karooraa fi gabaasa raawwii hojii Manneen Murtii Godinichaa qopheessee Mana Murtii Waligalaaf ni dhiyeessa;
- 7) Hojii fi qabeenya Mana Murtichaa ni hordofa; ni bulcha;
- 8) Sochii hojii Manneen Murtii Aanaalee godinichaa ni hordofaa; ni to'ata;
- 9) Hojii dabalataa Pirezidaantiidhaan yookiin Gumii Godinaatiin kennameef ni raawwata.

17. Aangoo fi Hojii Pirezidaantii Mana Murtii Aanaa

Pirezidaantiin Mana Murtii Aanaa aangoo fi hojii armaan gadii ni qabata:

- 1) Mana Murtichaa ni bulcha; bakkas ni bu'a;
- 2) Abbootii Seeraa fi muudamtoota Mana Murtichaa hojiitti ramadee ni hojjachisa; ni to'ata; ni bulcha;
- 3) Naamusa hawaasa Mana Murtii Aanichaa ol'aantummaan ni to'ata;
- 4) Hojjetaa Mana Murtichaa ni qaxara; ni bulcha;
- 5) Karooraa fi gabaasa raawwii hojii Mana Murtii Aanichaa Mana Murtii Ol'aanaaf ni dhiyeessa;
- 6) Hojii fi qabeenya Mana Murtichaa ni hordofa; ni bulcha;

፲፮. የከፍተኛ ፍርድ ቤት ፕሬዚዳንት ሥልጣንና ተግባር

የከፍተኛ ፍርድ ቤት ፕሬዚዳንት የሚከተሉትን ሥልጣንና ተግባር ይኖረዋል።

- ሀ) ፍርድ ቤቱን ያስተዳድራል፤ ይወክላል።
- ለ) የፍርድ ቤቱን ዳኞች እና ተሟላጾችን ሥራ ላይ መድቦ ያሠራል፤ ያስተዳድራል።
- ሐ) የዞኑን ፍርድ ቤቶች ማህበረሰብ ሥነ-ምግባር በበላይነት ይቆጣጠራል።
- ተ) የዞኑ ጉባኤ ተሟላጭ መልምሎ ለዞኑ ጉባኤ ለሹመት ያቀርባል፤ ሲሾምም ይመድባል።
- ሐ) የፍርድ ቤቱን ሠራተኞች ይቀጥራል፤ ያስተዳድራል።
- ከ) የዞኑን ፍርድ ቤቶች እቅድና ሥራ አፈጻጸም ሪፖርት አዘጋጅቶ ለጠቅላይ ፍርድ ቤት ያቀርባል።
- ከ) የፍርድ ቤቱን ሥራና ንብረት ይከታተላል፤ ያስተዳድራል።
- ወ) የዞኑን ወረዳ ፍርድ ቤቶች ሥራ እንቅስቃሴን ይከታተላል፤ ይቆጣጠራል።
- ሀ) በፕሬዚዳንቱ ወይም በዞኑ ጉባኤ የሚሰጡትን ተጨማሪ ሥራ ይሠራል።

፲፯. የወረዳ ፍርድ ቤት ፕሬዚዳንት ሥልጣንና ተግባር

የወረዳ ፍርድ ቤት ፕሬዚዳንት የሚከተሉትን ሥልጣንና ተግባራት ይኖሩታል።

- ሀ) ፍርድ ቤቱን ያስተዳድራል፤ ይወክላል።
- ለ) የፍርድ ቤቱን ደኞችና ተሟላጾችን ሥራ ላይ መድቦ ያሠራል፤ ይቆጣጠራል፤ ያስተዳድራል።
- ሐ) የፍርድ ቤቱን ማህበረሰብ ሥነ-ምግባር በበላይነት ይቆጣጠራል።
- ተ) የፍርድ ቤቱን ሠራተኞች ይቀጥራል፤ ያስተዳድራል።
- ሐ) የፍርድ ቤቱን ዕቅድና አፈጻጸም ሪፖርት ለከፍተኛው ፍርድ ቤት ያቀርባል።
- ከ) የፍርድ ቤቱን ሥራ እና ንብረት ይከታተላል፤ ያስተዳድራል።

16. Powers and Functions of the President of the High Court

The President of the High Court shall have the following powers and functions:

- 1) Administers and represents the court;
- 2) Assigns and administers the judges and appointees of the court;
- 3) Have the ultimate responsibility for monitoring the conducts of the court employee in the zonal administration;
- 4) Responsible for the nomination of the Appointee of the Zonal Commission and subsequent submission for appointment to the Zonal Commission based on the existing work system; assigns him upon his appointment;
- 5) Hires and administers the employees of the court;
- 6) Prepare the plans and performance reports of the Courts of the zonal administration and subsequently submit them to the Supreme Court;
- 7) Follows up and administers the activities and resources of the court;
- 8) Follows up and monitors the performance of the District Courts of the Zonal administration;
- 9) Carries out other responsibilities as may be entrusted to him by the President or by the Zonal Commission.

17. Powers and Functions of the President of the District Court

The President of the District Court shall have the following powers and functions:

- 1) Administers and represents the court;
- 2) Assigns and administers judges and appointees of the court;
- 3) Have the ultimate responsibility for monitoring the conducts of the court employee;
- 4) Hires and administers the employee of the court;
- 5) Prepares and submits plans and reports of the District Court to the High Court;
- 6) Follows up and administers the activities and resources of the court;

- 7) Hojiiwwan dabalataa Pirezidaantii Mana Murtii Ol'aanaatiin ken-namaniif ni raawwata.

18. Bakka Bu'iinsa Kennuu

- 1) Pirezidaantiin Mana Murtii Ol'aanaa yookiin kan Mana Murtii Aanaa yeroo ofii hin jirretti Abbaa Seeraa kan biroof aangoo bakka bu'um-maa kennee ni hojjachiisa. Bakka hojii duwwaattis nama biroo bakka buusuudhaan yeroof hojjachiisuu ni danda'a.
- 2) Pirezidaantiin Mana Murtii Ol'aanaa yookiinkan Mana Murtii Aanaa aangoo bakka bu'ummaa yammuu kennu, muuxannoo hojii, dan-deettii fi naamusa hojjichi barbaadu tilmaama keessa galchuu qaba.

Kutaa Xiqqaa Shan Muudama Abbaa Seeraa

19. Muudama Abbaa Seeraa

- 1) Abbaan Seeraa Mana Murtii Waliigalaa, Mana Murtii Ol'aanaa fi kan Mana Murtii Aanaa Pirezidaantiin filatama-nii Gumiidhaan dhiyaatanii Caffeedhaan ni muudamu.
- 2) Namni Abbaa Seeraa ta'ee muudamu tokko ulaagaalee armaan gadii guutuu qaba:
- (a) Heera Federaalaa fi kan Naan-nootiif amanamaa kan ta'e;
 - (b) Barumsa seeraatiin yoo xiqqaate digirii jalqabaa kan qabu;
 - (c) Leenjii ogummaa abbaa seerummaa kan fudhate yookiin haala addaatiin muuxannoo ogummaa seeraa gahaa kenni-insa tajaajila abbaa seerummaa jijjiiruuf dandeessisu kan qabu;
 - (d) Naamusaa fi dandeettii ol'aanaa qabaachuun isaa kan mirkanaa'e;
 - (e) Afaan hojii naannichaa dhaga-huu, dubbachuu, barreessuufi dubbisuu kan danda'u;
 - (f) Miseensa dhaaba siyaasaa ka-miiyyuu kan hin ta'in;

- ፯) በከፍተኛ ፍርድ ቤት ፕሬዚዳንት የሚሰጡትን ተጨማሪ ሥራዎች ይሠራል።

፲፰. ውክልና መስጠት

- ፩) የከፍተኛው ፍርድ ቤት ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት እራሱ በሌለ ጊዜ ለሌላ ዳኛ ውክልና ሰጥቶ ያሠራል፤ ክፍት ሥራ መደብ ላይም ሌላ ሰው በጊዜያዊነት ወክሎ ሊያሠራ ይችላል።
- ፪) የከፍተኛ ፍርድ ቤት ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት የውክልና ሥልጣን ሲሰጥ የሥራ ልምድ፣ ሥራው የሚፈልገውን ችሎታ እና ሥነ-ምግባር ከግምት ማስገባት አለበት።

ንዑስ ክፍል አምስት የዳኞች ሹመት

፲፱. የዳኞች ሹመት

- ፩) የጠቅላይ ፍርድ ቤት፣ የከፍተኛ ፍርድ ቤት እና የወረዳ ፍርድ ቤት ዳኛ በፕሬዚዳንቱ ተመልምለው በጉባኤው አቅራቢነት በጨፌ ይሾማሉ።
- ፪) ዳኛ ሆኖ የሚሾም ሰው ቀጥሎ የተዘረዘሩትን መስፈርቶች ማሟላት አለበት።
- (ሀ) ለፌዴራልና ለክልሉ ሕገ-መንግሥት ታማኝ የሆነ፤
 - (ለ) በሕግ ትምህርት ቢያንስ የመጀመሪያ ድግሪ ያለው፤
 - (ሐ) ስለ ዳኝነት ሙያ ሥልጠና የወሰደ ወይም በተለየ መንገድ የዳኝነት አገልግሎት አሠጣጥን ለመለወጥ የሚያስችል በቂ የሕግ ሙያ ልምድ ያለው፤
 - (መ) ከፍተኛ ሥነ-ምግባርና ችሎታ ያለው መሆኑ የተረጋገጠ፤
 - (ሠ) የክልሉን የሥራ ቋንቋ መስማት፣ መናገር፣ መጻፍ እና ማንበብ የሚችል፤
 - (ረ) የማንኛውም የፖለቲካ ፓርቲ አባል ያልሆነ፤

- 7) Carries out other responsibilities as may be entrusted to him by the President of the High Court.

18. Power of Representation

- 1) The President of High Court or that of the District Court may assign a judge by way of representation to act on his behalf in his absence. He may also temporarily assign a person to fill a vacant position.
- 2) Whenever the President of the High Court or that of the District Court gives power of representation, he shall take into account the work experience, the competence and integrity required for that particular assignment.

Section Five Appointment of a Judge

19. Appointment of Judges

- 1) A judge of the Supreme Court, the High Court and the District Court shall, upon selection and submission by the President, be nominated by the Commission and subsequently appointed by the Caffee.
- 2) For any person to qualify for appointment as a judge, he shall fulfill the following requirements:
- (a) That he is loyal to the Federal and Regional Constitutions;
 - (b) That he has acquired at least a bachelor degree in law (LL.B);
 - (c) That he has acquired judicial training or has proven practical experience in the field of legal profession and strong commitment to transform the judicial services;
 - (d) That he possesses proven legal competence and professional integrity
 - (e) That he is able to listen, speak, write and read the working language of the region;
 - (f) That he is not a member of any political party;

- (g) Abbaa Seerummaatiin hojjachuuf fedhii kan qabu; fi
- (h) Umuriin isaa Abbaa Seeraa Mana Murtii Aanaatiif waggaa 28, Abbaa Seeraa Mana Murtii Ol'aanaatiif waggaa 32 fi Abbaa Seeraa Mana Murtii Waliigalaatiif waggaa 35 gadi kan hin ta'in.
- 3) Kan Keewwata kana Keewwata Xiqqaa (2)(h) jalatti tumame akkuma eegametti ta'ee, Gumiin barbaachisummaa isaa yoo itti amane, ulaagaa umurii kaa'ame yeroo waggaa sadii hin caalleen gadi buusee muudama Caffee dhiyeessuu ni danda'a.
- 4) Muudamni kaadhimamaa Abbaa Seeraa Mana Murtii Waliigalaa fi kan Mana Murtii Ol'aanaa Caffee osoo hin dhiyaatin dura Gumiin Bulchiinsa Abbootii Seeraa Federaalaa yaada akka kennuuf ni gaafatama; yaadni Gumiin Federaalaa kenne yoo jiraate ibsa isaa waliin Caffee ni dhiyaata.

20. Muudamaa

- 1) Manneen Murtii Naannichaa sadarkaa sadanuu irra jiran muudamtoota fi ogeessota hojiif barbaachisan ni qabaatu.
- 2) Muudamtoonni akka haala isaatti Gumiidhaan, Gumii Godinaatiin akkasumas Pirezidaantiidhaan muudamuu ni danda'u.
- 3) Muudamtoonni dandeettii, naamusa fi bu'aa raawwii hojii qabaniin madaalamanii kan filatamanii fi muudaman ta'a.
- 4) Kan Labsii kanaa fi seeraa biraan kenname akkuma eegametti ta'ee, Pirezidaantiin aangoo fi gahee hojii muudamaa tarreessee kennuu ni danda'a.

21. Sirna Kakuu

- 1) Abbaan Seeraa kamiyyuu muudamee hojii isaa osoo hin jalqabin dura walgahii Caffee fuulduratti qaamaan dhiyaatee kakuu armaan gadii raawwachuu qaba:

- (ሰ) በዳኝነት ለማገልገል ፍላጎት ያለው፤
- (ሸ) እድሜው ለወረዳ ፍርድ ቤት ዳኝነት ፳፰፣ ከፍተኛ ፍርድ ቤት ዳኝነት ፴፪ እና ለጠቅላይ ፍርድ ቤት ዳኝነት ከ፴፭ ዓመት በታች ያልሆነ።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ (ሸ) ሥር የተደነገገው እንደተጠበቀ ሆኖ አስፈላጊነቱ ከታመነበት ጉባኤው የዕድሜን መስፈርት ሶስት ዓመት ባልበለጠ ጊዜ ዝቅ አድርጎ ለጨፌ ሹመት ማቅረብ ይችላል።
- ፬) የጠቅላይ ፍርድ ቤት እና የከፍተኛ ፍርድ ቤት እጩ ዳኛ ሹመት ለጨፌ ከመቅረቡ በፊት የፌዴራል ዳኞች አስተዳደር ጉባኤ አስተያየት እንዲሰጥበት ይጠየቃል። የፌዴራል ጉባኤ የሰጠው አስተያየት ካለ ከመግለጫው ጋር ለጨፌ ይቀርባል።

፳. ተሻሚ

- ፩) በሦስቱም ደረጃ የሚገኙ የክልሉ ፍርድ ቤቶች ለስራው የሚያስፈልጉ ተሻሚዎች እና ባለሙያዎች ይኖራቸዋል፤
- ፪) ተሻሚዎቹ እንደ አስፈላጊነቱ በጉባኤ፣ በዞን ጉባኤ እንዲሁም በፕሬዝዳንቱ ሊሾሙ ይችላሉ።
- ፫) ተሻሚዎች ባላቸው ችሎታ፣ ሥነ-ምግባርና ባላቸው የስራ አፈጻጸም ውጤት ተመዝነው የሚመለመሉና የሚሾሙ ይሆናል።
- ፬) በዚህ አዋጅና በሌላ ህግ የተሰጠው እንደተጠበቀ ሆኖ ፕሬዝዳንቱ የተሻሚን ሥልጣን እና የስራ ኃላፊነትን ዘርዘሮ መስጠት ይችላል።

፳፩. ቃለ መሃላ

- ፩) ማንኛውም ዳኛ ተሽሞ ሥራ ከመጀመሩ በፊት በጨፌ ፊት በአካል ቀርቦ የሚከተለውን ቃለ መሃላ መፈጸም አለበት።

- (g) That he is willing to serve as a judge; and
- (h) That he is not under 28 years of age for District Court judge, not under 32 years of age for High Court judge, and not under 35 years of age for Supreme Court judge.
- 3) Notwithstanding the provision of Sub-Article (2) (h) of this Article, the Commission, when it believes necessary, may reduce the age requirement by a maximum of three years and submit to Caffee for appointment.
- 4) Prior to submitting the list of candidates for Supreme Court and High Court Judges to the Caffee for appointment, the Federal Judicial Administration Commission shall be requested for its views on the candidates. If there is any view given by the Federal Judicial Administration Commission, such shall be submitted, together with its explanation, to the Caffee.

20. Appointee

- 1) Each level of Court shall have necessary appointees and professionals that serve in different capacities.
- 2) They may be appointed by the Commission, the Zonal Commission or by the President, as the case may be.
- 3) Competence, ethics and performance shall be used as selection criteria.
- 4) Without prejudice to powers and functions of an appointee provided for in this proclamation or other laws, the President may issue powers and functions of an appointee.

21. Oath

- 1) Prior to assuming his duties, every judge shall present in person in front of Caffee and take the following oath:

- “Ani _____ guyyaa har’aa Abbaa Seeraa Mana Murtii Waliigalaa/Olaanaa/Aanaa Oromiyaa ta’uudhaan muudamee hojii koo yammuun eegalu, itti gaafatamummaa fi amaanaa olaanaa natti kenname, Heeraa fi seera qofaaf amanamaa ta’ee, kaka’umsaa fi naamusa olaanaa hojichi barbaadu horachuudhaan hojjachuuf waadaa nan seena”.
- 2) Muudamaan Gumii Gumii fuulduratti qaamaan dhiyaatee kakuu ni raawwata.
 - 3) Muudamaan Gumii Godinaa Gumii Godinaa fuulduratti qaamaan dhiyaatee kakuu ni raawwata.

22. Hojiirraa Gaggeeffamu

- 1) Abbaan seeraa kamiyyuu haala armaan gaditti ibsameen ala umurii sooromaa seeraan murtaa’e osoo hin gahin dura fedhii isaa malee hojii abbaa seerummaa irraa hin gaggeeffamu:
 - (a) Badii naamusaa raawwateen yookiin hanqina dandeettii yookiin hanqina raawwii hojiiitiin Gumiin akka gaggeeffamu yoo murteesse; yookiin
 - (b) Sababa fayyaa dhabuutiin hojii isaa qajeellootti raawwachuu hin danda’u jedhee Gumiin yoo murteesse; fi
 - (c) Caffeen sagalee caalmaan murtii Gumiiyoo raggaasise.
- 2) Muudamaan kamiyyuu fedhii isaa malee yeroo sooromaa dura sababa hir’ina naamusaatiin yookiin hanqina dandeettii yookiin hir’ina raawwii hojiiitiin yookiin sababa fayyaa dhabuutiin Gumiin yoo murteesse muudama irraa ni gaggeeffama.
- 3) Abbaan Seeraa yookiin Muudamaan Gumii yookiin Muudamaan Pirezidaantii fedhii isaatiin hojii gadi lakkisuu yoo barbaade kanuma ibsuudhaan beeksisaa barreeffamaa ji’a lamaan dura Pirezidaantiif dhiyeessuuf dirqama qaba; Pirezidaantiin yoo itti amane garuu ji’a lama eeguu osoo hin barbaachisin gaggeessuu ni danda’a.

- “እኔ ----- በዛሬው አለት የኦሮሚያ ጠቅላይ /የከፍተኛ/ የወረዳ ፍርድ ቤት ዳኛ ሆኜ ተሹሜ ሥራዬን ስጀምር የተጣለብኝን ከፍተኛ ኃላፊነትና እምነት ለህገ መንግስቱ እና ለህግ ብቻ ተገባ በመሆን ስራው የሚፈልገውን ከፍተኛ ተኮላሽነት እና ሥነ-ምግባር በመላበስ ለመሥራት ቃል እገባለሁ፡፡”
- ፪) የጉባኤ ተሟላ ጉባኤ ፊት በአካል ቀርቦ ቃለ መሃል ይፈጽማል፡፡
 - ፫) የሆነ ጉባኤ ተሟላ የሆነ ጉባኤ ፊት በአካል ቀርቦ ቃለ መሃል ይፈጽማል፡፡

፳፪. ከስራ ስለ መሰናበት

- ፩) ማንኛውም ዳኛ ቀጥሎ ከተገለፀው ወጪ በህግ የተወሰነው የጡረታ መውጫ ጊዜው ሳይደርስ ከዳኝነት ስራው አይሰናበትም፡፡
 - (ሀ) የሥነ-ምግባር ጥሰት ፈጽሞ ወይም በችሎታ ማነስ ወይም በሥራ አፈጻጸም ጉድለት ምክንያት ጉባኤው እንዲሰናበት ከወሰነ ወይም
 - (ለ) በጤና እክል ምክንያት ስራውን በአግባቡ መፈጸም አለመቻሉን ጉባኤው ሲወስን እና
 - (ሐ) ጨፌ የጉባኤውን ውሳኔ በአብላጫ ድምጽ ሲያጸድቀው ዳኛው ከሥራ ይሰናበታል፡፡
- ፪) ማንኛውም ተሟላ የጡረታ መውጫ እድሜው ከመድረሱ በፊት በሥነ ምግባር ጉድለት ወይም በችሎታ ማነስ ወይም በሥራ አፈጻጸም ድክመት ወይም በጤና መታወክ ምክንያት በጉባኤው ውሳኔ ከፍላጎቱ ወጪ ከሥራ ይሰናበታል፡፡
- ፫) ዳኛ ወይም የጉባኤ ተሟላ ወይም የፕሬዝዳንቱ ተሟላ በፍላጎቱ ስራ ለመልቀቅ ለፕሬዝዳንቱ በጽሁፍ የማሳወቅ ግዴታ አለበት፡፡ ፕሬዝዳንቱ ካመነበት ግን ሁለት ወር መጠበቅ ሳያስፈልግ ሊያሰናብተው ይችላል፡፡

- “I _____, upon my appointment and assumption of duty as judge of Oromia Supreme/High/District Court, on this day, pledge to discharge, with high dedication and integrity the responsibility required of me, being loyal only to the Constitution and the law, the heavy responsibility and confidence entrusted to me.”
- 2) Appointee of the Commission shall take same oath in person in front of the Commission.
 - 3) Appointee of the Zonal Commission shall take same oath in person in front of the Zonal Commission.

22. Termination of Tenure

- 1) The tenure of any judge may not be terminated before he reaches retirement age against his will except on the following grounds:
 - (a) When the Commission decides his removal due to his violation of ethical code of conduct, or his failure to discharge his duties because of his incompetence or inefficiency; or
 - (b) Where the Commission decides that he is incapable of properly discharging his duties due to illness; and
 - (c) When Caffee approves the decision of the Commission by majority vote.
- 2) Any Appointee may be removed before his attainment of his retirement age against his will based on the decision of the Commission on grounds of his breach of disciplinary rules, or incompetence or inefficiency, or his incapability to discharge his duty due to illness.
- 3) Any judge, Appointee of Commission or Appointee of the President who wants to resign has a duty to submit to the President a two month prior written notification of resignation. The President may accept the resignation request and relieve him if he believes that there is no need to wait the two months’ notice period.

- 4) Muudamaan Gumii Godinaa beeksisa barreeffamaa kan dhiyeessu Pirezidaantii Mana Murtii Ol'aanaatiif yoo ta'u, Pirezidaantichis hojiirraa gaggeessee Mana Murtii Waliigalaatiif beeksisa.

Kutaa Sadii

Ergama fi Aangoo Abbaa Seerummaa Manneen Murtii Naannichaa

23. Ergama

- 1) Manneen Murtii Naannichaa ergama waliigalaa tajaajila abbaa seerummaa dhaqqabamaa, si'ataa fi bu'a qabeessa ta'ee, seera qofa irratti hundaa'uudhaan, haala loogii fi gartummaan ala ta'een kennuuf dirqama ni qabaatu. Hojii isaanis bilisummaa guutuu fi itti gaafatamummaa ol'aanaadhaan ni raawwatu.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti haala waliigalaatiin tumame akkuma eegametti ta'ee, Manneen Murtii sadarkaa sadarkaan jiran ergama armaan gadii ni qabaatu:
 - (a) Manni Murtii Waliigalaa tajaajilli abbaa seerummaa Naannicha keessatti walfakkaatummaa fi tilmaamamummaa akka qabaatuuf ni hojjata;
 - (b) Manni Murtii Ol'aanaa bu'uuraan Mana Murtii ol'iyyannoo ta'ee, hir'ina yookiin dogongora seeraa yookiin ijoo dubbii, walumatti hir'ina murtiin Mana Murtii jalaa qabu ol'iyyannoodhaan ilaalee sirreessuuf ni hojjata;
 - (c) Manni Murtii Aanaa Mana Murtii sadarkaa jalqabaa ta'ee, dhimmoota abbaan seerummaa itti gaafatame ofitti fuudhee sadarkaa jalqabaatiin ilaalee murtii kennuuf ni hojjata.

24. Aangoo Abbaa Seerummaa: Qajeeltoowwan Waliigalaa

- 1) Manneen Murtii Naannichaa aangoo abbaa seerummaa armaan gadii ni qabaatu:

- ፬) የዞን ጉባኤ ተሟላጭ በጽሁፍ የሚያሳውቀው የዞን ፕሬዝዳንት ሲሆን ፕሬዝዳንቱም ከሥራ አሰናብቶ ጠቅላይ ፍርድ ቤትን ያሳውቃል።

ክፍል ሶስት

የክልሉ ፍርድ ቤቶች ተልዕኮ

እና የዳኝነት ስልጣን

፳፫. ተልዕኮ

- ፩) የክልሉ ፍርድ ቤቶች አጠቃላይ ተልዕኮ ተደራሽ ፤ ቀልጣፋና ውጤታማ የዳኝነት አገልግሎት ሕግን ብቻ መሰረት በማድረግ ከአድልዎ እና ወገናዊነት በጸዳ መልኩ መስጠት ነው። ሥራቸውንም በሙሉ ነጻነት እና ከፍተኛ ኃላፊነት ይፈጽማሉ።
- ፪) በዚህ አንቀጽ ንኡስ አንቀጽ ፩ ሥር በጥቅል የተደነገገው እንደተጠበቀ ሆኖ በየደረጃው ያሉ ፍርድ ቤቶች ቀጥሎ የተጠቀሱትን ተልዕኮ ይኖራቸዋል።
- (ሀ) ጠቅላይ ፍርድ ቤት በክልሉ ውስጥ የዳኝነት አገልግሎት ወጥነት እና ተግማችነት እንዲኖረው ይሰራል።
- (ለ) ከፍተኛው ፍርድ ቤት ከመሰረቱ ይግባኝ ሰሚ ፍርድ ቤት ሆኖ የህግ ወይም የፍሬ ነገር ስህተት፤ በአጠቃላይ የሥር ፍርድ ቤት ውሳኔ ያለውን ግድፈት በይግባኝ አይቶ ለማረም ይሰራል።
- (ሐ) የወረዳ ፍርድ ቤት የመጀመሪያ ደረጃ ፍርድ ቤት ሆኖ ዳኝነት የተጠየቀባቸው ጉዳዮችን ተቀብሎ በመጀመሪያ ደረጃ በማየት ውሳኔ መስጠት ይችላል።

፳፬. የዳኝነት ስልጣን፡- መሰረታዊ መርሆዎች

- ፩) የክልሉ ፍርድ ቤቶች የሚከተሉ የዳኝነት ስልጣን ይኖራቸዋል።

- 4) The Appointee of Zonal Commission shall address his resignation notice to the High Court President who would notify the Supreme Court upon accepting the resignation request.

Part Three

Mission and Jurisdiction of the Courts of the Region

23. Mission

- 1) The courts have an overall mission to impartially render accessible, efficient and effective judicial services solely based on the law. They discharge their duties with full independence and high responsibility.
- 2) Notwithstanding the generality of the terms of the provision of Sub-article (1) of this Article, the different levels of courts shall have the following specific mission:
 - (a) The Supreme Court shall be responsible to ensure the uniformity and predictability of the judicial services in the region;
 - (b) The High Court shall in principle be as an appellate court, the responsibility of which shall be to rectify, by way of appeal, the error of law or fact, or any fault of the judgments of the lower court.
 - (c) The District Court shall serve as a court of first instance and be responsible to decide cases in its first instance jurisdiction.

24. Jurisdiction of the Courts: General Principles

- 1) The Courts of the region shall have the following jurisdiction over:

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| <p>(a) Dhimmoota Heera Federaa-laatiin addatti Mootummaa Federaalaaf adda bahee hin kennamne kamiyyuu irratti; yookiin</p> <p>(b) Dhimmoota Heeraa fi seerota Naannichaa bu'uureffatanii uumaman irratti; yookiin</p> <p>(c) Dhimmoota, namoota fi qabeenya daangaa Naannichaa keessatti uumaman yookiin argaman irratti; yookiin</p> <p>(d) Akkaataa Seera Deemsa Falmiitiin yookiin seera birootiin, dhimmoota Manneen Murtii Naannootiif kennamanii fi daangaa Naannichaa keessatti ta'an irratti;</p> <p>(e) Bu'uura Heera Federaalaa Keewwata 78(2) tiin dhimmoota Federaalaa irratti aangoo abbaa seerummaa ni qabaatu.</p> <p>2) Kan Keewwata kana Keewwata Xiqqaa (1)(c) jalatti tumame akkuma eegametti ta'ee, Manneen Murtii Naannichaa Magaala Finfinnee keessatti dhimmoota dantaa Mootummaa Naannichaan walqabatan irratti aangoo abbaa seerummaa ni qabaatu.</p> <p>3) Kan seerota biroon tumame akkuma eegamitti ta'ee, 'dhimmoonni dantaa Mootummaa Naannichaatiin walqabatan' kanneen armaan gadii ta'u:</p> <p>(a) Dhimma yakkaa abbootii aangoo fi hojjattoota Mootummaa Naannichaa aangoo fi hojii isaaniitiin walqabatee raawwatame yookiin irratti raawwatame;</p> <p>(b) Dhimma qabeenya Mootummaa Naannichaa irratti yookiin mooraa keessatti, yookiin dallaa mana hojii Mootummaa Naannichaa irratti raawwatame;</p> <p>(c) Dhimma hariiroo hawaasaa hojii yookiin sochii hojii mana hojii yookiin abbaa aangoo yookiin hojjetaa Mootummaa Naannichaa waliin walqabatee uumame;</p> | <p>(ሀ) በፌዴራሉ ሕገ-መንግስት በግልጽ ተለይቶ ለፌዴራሉ መንግስት ባልተሰጡ ማናቸውም ጉዳዮች ላይ ወይም</p> <p>(ለ) የክልሉን ሕገ-መንግስት እና ሕግን መሰረት አድርገው በሚነሱ ጉዳዮች ላይ ወይም፤</p> <p>(ሐ) በክልሉ ወሰን ክልል ውስጥ የተፈጠሩ ጉዳዮች፤ ሰዎች እና ንብረት ላይ ወይም</p> <p>(መ) በሥነ ሥርዓት ሕግ ወይም በሌላ ሕግ መሰረት ለክልሉ ፍርድ ቤቶች በተሰጡ እና በክልሉ ውስጥ በተከሰቱት ጉዳዎች ላይ ወይም</p> <p>(ሠ) በፌዴራሉ ሕገ-መንግስት አንቀጽ ፸፮(፪) መሰረት በፌዴራል ጉዳዮች ላይ የዳኝነት ስልጣን ይኖራቸዋል።</p> <p>፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ (ሐ) ስር የተደነገገው እንደተጠበቀ ሆኖ፤ የክልሉ ፍርድ ቤቶች በፊንጫ ውስጥ ከክልሉ መንግስት ጥቅም ጋር በሚያያዙ ጉዳዮች ላይ የዳኝነት ስልጣን ይኖራቸዋል።</p> <p>፫) በሌላ ሕግ የተደነገገው እንደተጠበቀ ሆኖ የሚከተሉት የክልሉን ጥቅም ከሚነኩ ጉዳዮች ጋር የሚያያዙ ናቸው፡</p> <p>(ሀ) የክልሉ መንግስት ባለስልጣናት ወይም ሰራተኞች ከስልጣናቸው እና ከሥራቸው ጋር በተያያዘ የሚፈጽሟቸው ወይም የሚፈጸሟቸው ወንጀሎች፤</p> <p>(ለ) በክልሉ መንግስት አካሎች ንብረት ወይም ግቢ ውስጥ ወይም አጥር ግቢ ላይ የተፈጸሙ የወንጀል ጉዳዮችን፤</p> <p>(ሐ) የክልሉ መንግስት መሰረያ ቤት ወይም ባለሥልጣን ወይም ሰራተኛ በሚያከናውናቸው ሥራዎች ወይም ተግባራትን አስታኮ የሚነሱ የፍትሕ ብሔር ጉዳዮችን፤</p> | <p>(a) Any matter not exclusively reserved to the Federal Courts by the Federal Constitution; or</p> <p>(b) Cases arising under the Regional Constitution or the regional laws; or</p> <p>(c) Cases arising inside, or on persons or properties situated in, the boundary of the region; or</p> <p>(d) Matters falling, by virtue of procedural and other laws, under the jurisdiction of the regional courts and cases arising in the boundary of the region; or</p> <p>(e) Federal matters as per Article 78(2) of the Federal Constitution.</p> <p>2) Notwithstanding the Provision of Sub-article (1)(c) of this Article, the courts of the region shall have jurisdiction in Finfinnee over matters that affect the interest of the regional government.</p> <p>3) Without prejudice to the provisions of other laws, 'matters that affect the interest of the regional government' shall comprise the following:</p> <p>(a) Criminal matters committed by or against the officials or employees of the regional government in connection with their official duties;</p> <p>(b) Crimes committed against the property of the regional government or those committed in the premise or on the fence of the offices of the regional government;</p> <p>(c) Civil matters related to the official duties or activities of the institution, official or employee of the regional government;</p> |
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- (d) Dhimma yakkaa daangaa Naannichaa keessatti eegalame yookiin raawwatamee Magaala Finfinnee keessatti xumurame yookiin dahatame.
- 4) Kan Keewwata kana Keewwata Xiqqaa (3) jalatti tumame galmaan gahuuf Manni Murtii Waliigalaa Mana Murtii sadarkaa barbaachisuu yookiin dhaddacha barbaachisu Magaalaa Finfinnee keessatti gurmaessuu ni danda'a.

25. Aangoo Abbaa Seerummaa Mana Murtii Waliigala Oromiyaa

- 1) Manni Murtii Waliigalaa Naannichaa keessatti dhimmoota naannoo irratti aangoo abbaa seerummaa isa ol'aanaa fi isa dhumaa ni qabata.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti bifa waliigalaatiin tumame akkuma eegametti ta'ee, Manni Murtii Waliigalaa dhimmoota armaan gadii irratti aangoo abbaa seerummaa ni qabaata:
- (a) Dhimma naannoo irratti murtii Manni Murtii Ol'aanaa kenne irraatti komii dhiyaate ol'iyyannoon dhagahee murtii dhumaa kennuuf;
- (b) Bu'uura Heera Federaalaa Keewwata 80(2)tiin, dhimmoota federaalaa irratti aangoo sadarkaa jalqabaa Mana Murtii Ol'aanaa Federaalaa;
- (c) Bu'uura Heera Federaalaa Keewwata 80(4)tiin, dhimma federaalaa Manni Murtii Ol'aanaa aangoo sadarkaa jalqabaatiin ilaalee murtii kenne irratti aangoo ol'iyyannoon dhimmicha dhagahee murtii kennuu;
- (d) Akkaataa Seera Deemsa Falmiitiin gaaffii dhimmi tokko Mana Murtii Ol'aanaa tokko irraa gara Mana Murtii Ol'aanaa biraatti, yookiin gara Mana Murtii Waliigalaatti akka darbee ilaalamuuf dhiyaatu ilaalee murteessuu;

(መ) በክልሉ ግዛት ወሰን ውስጥ ተጀምሮ ወይም ተፈፅሞ በፌዴራል ከተማ ውስጥ ፍጻሜ ያገኘ ወይም የተሸሸገ የወንጀል ጉዳይ።

(ሻ) በዚህ አንቀጽ ንዑስ አንቀጽ ፫ ሥር የተደነገገውን ከግብ ለማድረስ ጠቅላይ ፍርድ ቤት የሚያስፈልገውን የፍርድ ቤት ወይም የችሎት ደረጃ በፌዴራል ከተማ ውስጥ ማደራጀት ይችላል።

፳፮. የኦሮሚያ ጠቅላይ ፍርድ ቤት የዳኝነት ስልጣን

(፩) የክልሉ ጠቅላይ ፍርድ ቤት በክልሉ ውስጥ በሚፈጠሩ የክልል ጉዳዮች ላይ ከፍተኛ እና የመጨረሻ የዳኝነት ስልጣን ይኖረዋል።

(፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ስር የተደነገገው ጠቅላላ ድንጋጌ አንደተጠበቀ ሆኖ ጠቅላይ ፍርድ ቤቱ በሚከተሉት ጉዳዮች ላይ የዳኝነት ስልጣን ይኖረዋል።

(ሀ) በክልል ጉዳይ ከፍተኛ ፍርድ ቤት የሰጠውን ውሳኔ በመቃወም የሚቀርብ ይግባኝ ሰምቶ የመጨረሻ ውሳኔ ለመስጠት፤

(ለ) በፌዴራሉ ሕገ-መንግስት አንቀጽ ፹(፪) መሰረት የፌዴራሉን ከፍተኛ ፍርድ ቤት የመጀመሪያ ደረጃ ስልጣን፤

(ሐ) በፌዴራሉ ሕገ-መንግስት አንቀጽ ፹(፬) መሰረት የከፍተኛው ፍርድ ቤት በመጀመሪያ ደረጃ ስልጣኑ አይቶ በወሰናቸው የፌዴራል ጉዳዮች ላይ የሚቀርቡ ይግባኞችን ሰምቶ የመወሰን፤

(መ) በሥነ ሥርዓት ሕገ መሰረት አንድ ጉዳይ ከአንድ ከፍተኛ ፍርድ ቤት ወደ ሌላኛው ከፍተኛ ፍርድ ቤት ወይም ወደ ጠቅላይ ፍርድ ቤት ተዛውሮ እንዲታይ የሚቀርብ ጥያቄን አይቶ የመወሰን።

(d) Criminal matters the commission of which have commenced in the boundary of the region but completed or the suspects hides, in Finfinne.

4) The Supreme Court may, in order to give effect to the provision of Sub-article (3) of this Article, establish necessary level of court or organize necessary court division.

25. Jurisdiction of the Oromia Supreme Court

1) Supreme regional judicial authority is vested in the Supreme Court.

2) Notwithstanding the generality of the provision of Sub-article (1) of this Article, the Supreme Court shall have jurisdiction over the following matters:

(a) An appellate jurisdiction over the decisions of the High Court rendered on regional matters;

(b) First instance jurisdiction over Federal matters in accordance with Article 80(2) of the Federal Constitution;

(c) An appellate jurisdiction over decisions of the High Court rendered in its first instance jurisdiction over federal matters in accordance with Article 80(4) of the Federal Constitution;

(d) Application for change of venue from one High Court to another or to the Supreme Court, in accordance with the procedural laws.

- (e) Gaaffii dhimmi tokko aangoo Mana Murtii isa kamii ta'uu qaba jedhu yoo dhiyaatuuf ilaalee murtii kennuu;
- (f) Dhimma naannoo ilaalchisee dhimma murtii dhumaa argate irratti gaaffiin dogoggorri bu'uura seeraa raawwatameera jedhu yoo dhiyaatu ofitti fuudhee Dhaddacha Ijibbaataatiin ilaalee murteessuu.

26. Dhaddacha Ijibbaataa

- 1) Akkaataa Labsii kana Keewwata 25 (2) (f) tiin, dhimmi murtii dhumaa argate tokko Dhaddacha Ijibbaataatiin kan ilaalamu murtichi dogoggora bu'uura seeraa qaba jedhamee yoo amaname qofaa dha.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti tumame akkuma eegametti ta'ee, murtiin dhumaa tokko 'dogoggora bu'uura seeraa qaba kan jedhamu, murtichi:
 - (a) Dogoggora hiikaa seera yookiin duudhaa seeraa yoo qabaate, yookiin seera ifatti tumame cabsee yoo argame fi dhiibbaa hin malle mirga namaa yookiin sirna seeraa irratti kan hordofsiise yoo ta'e; yookiin
 - (b) Seeraan ala bilisummaa fi mirga namoomaa bu'uura kan dhabsiise yookiin kan dhiphise yoo ta'e; yookiin
 - (c) Gar-malee haqa kan jallise yookiin dhabamsiise yoo ta'e.
- 3) Dhimmoonni armaan gadii Dhaddacha Ijibbaataatti dhiyaachuu hin danda'an:
 - (a) Dhimmoota bu'uura Heeraa Federaalaa fi seera biroottiin addatti Manneen Murtii Federaalaatiif kennaman; yookiin
 - (b) Dhimmoota Naannoo murtii dhumaa hin arganne; yookiin
 - (c) Murtii dhumaa falmii baasii fi kisaaraa yookiin yakka dambii darbuun walqabate;

- (ሠ) አንድ ጉዳይ የየትኛው ፍርድ ቤት ስልጣን መሆን አለበት የሚለው ጥያቄ ሲቀርብለት በማየት ውሳኔ መስጠት፡፡
- (ረ) የክልል ጉዳይን አስመልክቶ የመጨረሻ ውሳኔ ባገኘ ጉዳይ ላይ መሰረታዊ የህግ ስህተት ተፈጽሟል በሚል የሚቀርብ ዳኝነትን ተቀብሎ በሰበር ችሎት አይቶ የመወሰን፡፡

፳፮. ሠበር ችሎት

- ፩) በዚህ አዋጅ አንቀጽ ፳፮ ንዑስ አንቀጽ ፪ (ረ) መሰረት የመጨረሻ ውሳኔ ያገኘ ጉዳይ በሰበር ችሎት የሚታየው ውሳኔው መሰረታዊ የህግ ስህተት አለው ተብሎ ከታመነ ብቻ ነው፡፡
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ስር የተደነገገው እንደ ተጠበቀ ሆኖ አንድ የመጨረሻ ውሳኔ መሰረታዊ የህግ ስህተት አለው የሚባለው ውሳኔው፡-
 - (ሀ) የህግ ትርጉም ወይም መሰረታዊ የህግ መርሆ ስህተት ካለበት ወይም ግልጽ የሆነ የህግ ድንጋጌ ጥሰት ካለበት እና በሰዎች መብት ላይ ወይም በፍትህ ስርዓቱ ላይ አላስፈላጊ ተጽዕኖ አስከተሎ ከሆነ ወይም፤
 - (ለ) መሰረታዊ ሰብአዊ መብት እና ነፃነትን ያለ አግባብ ያሳጣ ወይም ያጣበበ እንደሆነ ወይም፤
 - (ሐ) ያለ አግባብ ፍትህን ያዛባ ወይም ያሳጣ ከሆነ ነው፡፡
- ፫) የሚከተሉት ጉዳዮች ለሰበር ችሎት መቅረብ አይችሉም፡፡
 - (ሀ) በፌዴራሉ ሕገ-መንግስት ወይም በሌላ ሕግ መሰረት ተለይተው ለፌዴራል ፍርድ ቤቶች የተሰጡ ጉዳዮች ወይም፤
 - (ለ) የመጨረሻ ውሳኔ ያገኙ የክልል ጉዳዮች ወይም፤
 - (ሐ) የመጨረሻ ውሳኔ ያገኙ ወጪና ኪሳራ ወይም ደንብ መተላለፍን የሚመለከቱ ጉዳዮችን ወይም፤

- (e) Applications regarding disputes in relation to jurisdiction of courts;
- (f) On cases where there is an application to the effect that the final court decisions contain fundamental error of law, the Supreme Court shall have the power of cassation over state matters.

26. Cassation Division

- 1) A case shall be reviewed by way of cassation according to Article 25(2) (f) of this proclamation only if the final decision is believed to have fundamental error of the law.
- 2) Notwithstanding the provision of Sub-article (1) of this Article, a final decision is believed to have a fundamental error of law when:
 - (a) there is an error in the interpretation of the law or of the legal principle, or a breach of a clear provision of the law that resulted in undue restriction of human rights or that unduly affected the overall legal system; or
 - (b) It unlawfully violated or restricted fundamental human rights and freedoms; or
 - (c) It caused undue denial or miscarriage of justice.
- 3) The following matters shall not be eligible for review by the Cassation Division:
 - (a) Matters exclusively given to Federal Courts in accordance with the Federal Constitution or other laws; or
 - (b) Regional matters that have not yet received final decision; or
 - (c) Final decisions related to disputes arising from costs and expenses of litigation or petty offences; or

- (d) Murtii dogoggora firii dubbii kamiyyuu, yookiin dogoggora yookiin hir'ina ragaa fuudhuu yookiin madaaluu irratti raawwatame.
- 4) Kan Keewwata kana Keewwata Xiqqaa (2-4) jalatti tumaman akkuma eegametti ta'ee, ulaagaa dhimmoonni ijibbaataaf dhiyaatan guutuu qaban Dhaddacha Ijibbaataa, Pirezidaantii fi Pirezidaantii Itti Aanaa dabalatee kan abbootiin seeraa Mana Murtii Waliigalaa yoo xiqqaate torba itti moggaafaman, itti dabaluu ni danda'a.
- 5) Dhaddachi Ijibbaataa iyyata dhiyaate ijibbaataan ilaalee murtii jalaa cimsuu, fooyyessuu yookin diiguuf aangoo ni qabaata.
- 27. Akkaataa Iyyanni Ijibbaataa Itti Dhiyaatu**
- 1) Iyyanni Dhaddacha Ijibbaataaf dhiyaatu murtiin dhumaa dogoggora bu'uura seeraa qaba jedhame dogoggorichi maal akka ta'e yookiin murtichi maaliif dogoggora seera bu'uura qaba akka jedhame ifaatti barreessee waraabbii murtii dhumaa fi waraabbii murtii jalaa waliin dhiyaachuu qaba.
- 2) Iyyanni tokko Dhaddacha Ijibbaataaf dhiyaachuu kan danda'u murtiin dhumaa guyyaa kenname irraa eegalee guyyoota walitti aanan 60(jaatama) keessatti yoo dhihaate dha.
- 28. Moggaafama Abbootii Seeraa Dhaddacha Ijibbaataa**
- 1) Murtiin dhumaa tokko Dhaddacha Ijibbaataan ilaalamu kan danda'u, dursee dhaddachi Abbootiin Seeraa Mana Murtii Waliigalaa sadii itti moggaafaman iyyata dhiyaate ilaalee murtichi ijibbaataaf dhiyaachuu qaba jedhee yommuu murteesse ta'a.
- 2) Dhaddachi Ijibbaataa Abbootii Seeraa Mana Murtii Waliigalaa yoo xiqqaate shaniin kan moggaafamu ta'a.

- (መ) ማንኛውም የፍሬ ነገር ወይም የማስረጃ አቀባበል ወይም ማስረጃ ምዘና ስህተት የተፈጸመበት ውሳኔ
- ፬) በዚህ አንቀጽ ንኡስ አንቀጽ (፪-፬) ሥር የተደነገገው እንደተጠበ ሆኖ ፕሬዝዳንት እና ምክትል ፕሬዝዳንቱን ጨምሮ ቢያንስ ፮ የጠቅላይ ፍርድ ቤት ጻዕዮች የተሰየሙበት የሰበር ችሎት አንድ ጉዳይ ለሰበር የሚበቃበትን መስፈርት ሊጨምርበት ይችላል።
- ፭) የሰበር ችሎት የቀረበለትን አቤቱታ አይቶ የሥር ፍርድ ቤትን ውሳኔ የማጽናት የማሻሻል ወይም የመሻር ሥልጣን አለው።
- ፳፯. ስለ ሰበር አቤቱታ አቀራረብ**
- ፩) መሰረታዊ የህግ ስህተት አለበት በሚል ለሰበር የሚቀርብ አቤቱታ የመጨረሻ ውሳኔ ስህተቱ ምን እንደሆነ ወይም ውሳኔው መሰረታዊ የህግ ስህተት አለው የተባለበትን ምክኒያት በግልጽ በማስፈር የመጨረሻ ውሳኔ እና የሥር ፍርድ ቤት ውሳኔ ቅጂ ጋር መቅረብ አለበት።
- ፪) አንድ አቤቱታ ለሰበር ችሎት መቅረብ የሚችለው የመጨረሻ ውሳኔ ከተሰጠበት ቀን አንስቶ በ፳ (ሥልሳ) ተከታታይ ቀናት ውስጥ ከቀረበ ነው።
- ፳፰. የሰበር ችሎት ጻዕዮች አሰያዦም**
- ፩) አንድ የመጨረሻ ውሳኔ ለሰበር ችሎት መታየት የሚችለው አስቀድሞ ሶስት የጠቅላይ ፍርድ ቤት ጻዕዮች የተሰየሙበት ችሎት የቀረበውን አቤቱታ መርምሮ ውሳኔው ለሰበር መቅረብ ይገባዋል ብሎ ሲወስን ይሆናል።
- ፪) የሰበር ችሎት ቢያንስ አምስት የጠቅላይ ፍርድ ቤት ጻዕዮች የተሰየሙበት ይሆናል።

- (d) decisions bearing errors of fact or those committed in relation to the hearing or evaluation of evidence.
- 4) Notwithstanding the provisions of Sub articles (2-4) of this Article, the Cassation Division with no less than seven Supreme Court judges including the President and the Vice President sitting may revise the conditions for the eligibility of cases for review by the Cassation Division.
- 5) The Cassation Division has the power to confirm, vary or reverse the final decision of the lower court.
- 27. Application Procedure for Cassation**
- 1) An application for review by the Cassation Division shall clearly state the nature of the error or the reason why the final decision is said to have a fundamental error of law and be accompanied with the copy of the final decision and other lower decision.
- 2) An application for review by the Cassation Division shall be lodged within sixty (60) successive days from the date of the final decision.
- 28. Judges of the Cassation Division**
- 1) A final decision shall be reviewed by the Cassation Division when a division of the Supreme Court with three judges sitting rules out that the case be considered for review by way of cassation.
- 2) The Cassation Division shall hear cases with not less than five judges sitting.

- 3) Pirezidaantiin yookiin Pirezidaantiin Itti Aanaa dhimma ijibbaataaf dhiyaate kamiyyuu irratti walitti qabaa Dhaddacha Ijibbaataa ta'ee moggaafamuu ni danda'a.
- 4) Kan Keewwata kana Keewwata Xiqqaa (2) fi(3) jalatti tumame akkuma eegameetti ta'ee, yeroo Pirezidaantiin yookiin Pirezidaantiin Itti Aanaa hin jirretti, walduraa duubaan kanneen armaan gadii walitti qabaa ta'anii moggaafamuu ni danda'u:
- (a) Daarikteera Kenniinsa Tajaajila Abbaa Seerummaa;
- (b) Yoo inni hin jirre, Qindeessaa Dhaddacha Ijibbaataa;
- (c) Yoo innis hin jirre, Geggeessaa Dhimma Dhaddacha Ijibbaataa;
- (d) Yoo innis hin jirre, Abbaa seeraa Dhaddacha Ijibbaataa keessaa kan muudamaan dursa qabu.

29. Dirqisiisummaa Murtii Dhaddacha Ijibbaataa

- 1) Murtiin Dhaddacha Ijibbaataa Pirezidaantii fi Pirezidaantii Itti Aanaa dabalatee Abbaa Seeraa Mana Murtii Waliigalaa yoo xiqqaate shaniin sagalee guutuun hiikaa seeraa ilaalchisee dhimma naannoo irratti kenname Manneen Murtii Naanichaa irratti dirqisiisummaa hiika seeraa ni qabaata.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti tumame akkuma eegameetti ta'ee, Dhaddachi Ijibbaataa Pirezidaantii fi Pirezidaantii Itti Aanaa dabalatee Abbootii Seeraa yoo xiqqaate shaniin moggaafame sababa amansiisaa ta'een murtii dirqisiisummaa seeraa qabu fooyyessuu yookiin jijjiiruu ni danda'a. Murtiin haala kanaan fooyya'e yookiin jijjiirames dirqisiisummaa hiikkoo seeraa ni qabaata.
- 3) Manni Murtii Waliigalaa Oromiyaa Murtii dirqisiisaa akkaataa Keewwata kana Keewwata Xiqqaa (1) fi (2) jalatti tumameen hiikaa dirqisiisaa kan qabaatu yommuu karaa adda addaatiin Manneen Murtiitiif beeksifamu yookiin maxxanfamu dha.

- ፫) ፕሬዝዳንቱ ወይም ምክትል ፕሬዝዳንቱ በማንኛውም ጉዳይ ላይ የሰበር ችሎት ሰብሳቢ ሆኖ መሰየም ይችላል።
- ፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ እና ፫ ሥር የተደነገገው እንደተጠበቀ ሆኖ ፕሬዝዳንቱ ወይም ምክትል ፕሬዝዳንቱ በሌለ ጊዜ እንደ ቅደም ተከተላቸው የሚከተሉት ሰብሳቢ ሆነው ሊሰየሙ ይችላሉ።
- (ሀ) የዳኝነት አገልግሎት አሰጣጥ ዳይሬክቶሬት ዳይሬክተር፤
- (ለ) አሱ በሌለ ጊዜ የሰበር ችሎት አስተባባሪ፤
- (ሐ) አሱም በሌለ ጊዜ የሰበር ጉዳዮች መሪ
- (መ) አሱም በሌለ ጊዜ በሹመት ቀደምትነት ያለው የሰበር ችሎት ዳኛ።

፳፪. የሰበር ውሳኔ አስገዳጅነት

- ፩) ፕሬዝዳንቱን እና ምክትል ፕሬዝዳንቱን ጨምሮ ቢያንስ አምስት የጠቅላይ ፍርድ ቤት ዳኞች የተሰየሙበት ሰበር ችሎት በክልል ጉዳይ ላይ በሙሉ ድምጽ የሚሰጠው የህግ ትርጉም በክልሉ ፍርድ ቤቶች ላይ አስገዳጅ የህግ ትርጉም ይኖረዋል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ ፕሬዝዳንቱን እና ምክትል ፕሬዝዳንቱን ጨምሮ ቢያንስ አምስት የጠቅላይ ፍርድ ቤት ዳኞች የተሰየሙበት የሰበር ችሎት አስገዳጅነት ያለውን ውሳኔ አሳማኝ በሆነ ምክንያት ማሻሻል ወይም መለወጥ ይችላል። በዚህ መልኩ የተሻሻለ ወይም የተለወጠ ውሳኔ የህግ ትርጉም አስገዳጅነት የኖረዋል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ እና ፪ ድንጋጌ መሰረት የሚሰጠው የሰበር ችሎት አስገዳጅ ውሳኔ የአስገዳጅነት ኃይል የሚኖረው በልዩ ልዩ መንገድ ለፍርድ ቤቶች ሲገለጽ ወይም ሲታተም ይሆናል።

- 3) The President or the Vice President may preside over any case before the Cassation Division.
- 4) Notwithstanding the provisions of Sub Articles (2) and (3) of this Article, in the absence of the President or the Vice President, the following may preside over the Cassation Division in the order of their priority:
- (a) Director of the Rendition of Judicial Service Directorate;
- (b) In his absence, Coordinator of the Cassation Division;
- (c) In his absence, Case Manager of the Cassation Division;
- (d) In his absence, a senior judge from among the judges of the Cassation Division.

29. Binding Nature of the Decision of the Cassation Division

- 1) A decision of a Cassation Division, with at least five judges sitting including the President and the Vice President, rendered by unanimity on a state matter, shall be binding on the courts of the region as regards to its legal interpretation.
- 2) Notwithstanding the Provision of Sub-Article (1) of this Article, the Cassation Division with not less than five judges sitting including the President and the Vice President may, on justifiable grounds, vary or alter a binding decision. A decision varied or altered this way shall have a binding effect as regards to the legal interpretation.
- 3) The Supreme Court shall, when binding decisions are rendered pursuant to Sub-articles (1) and (2) of this Article, publish and disseminate to the courts through different mechanisms.

- 4) Dhaddachi Ijibbaataa barbaa-chisaadha jedhee yoo amane hiikaa seeraa irratti murtii dirqisiisaa kennuun dura yaada ogeessotaa dhaggeeffachuu ni danda'a. Qorannaa barbaachisu akka gaggeeffamu illee Pirezidaantiif yaada dhiyeessuu ni danda'a.
- 5) Sirna Dhaddacha Ijibbaataa ilaalchisee Gumiin dambii baasuu ni danda'a.
- 30. Aangoo Abbaa Seerummaa Mana Murtii Ol'aanaa**
Manni Murtii Ol'aanaa dhimmoota daangaa bulchiinsa godinichaa keessatti uumamaniin walqabatee aangoo abbaa seerummaa armaan gadii ni qabaata:
- 1) Dhimmoota hariiroo hawaasaa fi yakkaa Manneen Murtii Aanaa godinichaa sadarkaa jalqabaatiin ilaalanii murteessan ol'iyyannoodhaan dhagahee murteessuu;
- 2) Dhimma yakkaa adabbii hidhaa baaxiin isaa waggaa 15 oliin adabsiisuu danda'u irratti;
- 3) Dhimma hariiroo hawaasaa qabeenya socho'u tilmaamni mallaqaa isaa qarshii milliyoona 1 (tokko) olta'e, kan qabeenya hin sochoone tilmaamni mallaqaa isaa qarshii miliyoona 3 (sadii) ol ta'e ilaalee murteessuu;
- 4) Bu'uura Heera Federaalaa Keewwata 80(4) tiin, dhimma Federaalaa ilaalchisee aangoo sadarkaa jalqabaa Mana Murtii Federaalaa Sadarkaa Jalqabaa;
- 5) Akkaataa Seerri Deemsa Falmii ajajuun, gaaffii dhimmi tokko Mana Murtii Aanaa tokko irraa gara Mana Murtii Aanaa biraatti yookiin gara Mana Murtii Ol'aanaatti darbee akka ilaalamu dhiyaatu ilaalee murteessuu;
- 6) Seera biroottiin Mana Murtii sadarkaa biroottiif yoo kenname malee Murtii qaamoonni aangoo seeraan kennameef irratti hundaa'udhaan murteessan irratti ol'iyyannoo dhiyaatuuf ilaalee murteessuuf aangoo ni qabata. Murtiin inni dhimma akkasii irratti kennus isa dhumaa fi ol'iyyannoo kan hin qabne ta'a.

- ፬) የሰበር ችሎቱ አስፈላጊ ነው ብሎ ባመነ ጊዜ አስገዳጅ የሆነ ትርጉም ከመስጠቱ በፊት የባለሙያዎችን አስተያየት መስማት፤ አስፈላጊ ጥናትም እንዲካሄድ ለፕሬዝዳንቱ አስተያየት ማቅረብ ይችላል።
- ፭) የሰበር ችሎት ሥርዓትን በሚመለከት ጉባኤው ደንብ ማውጣት ይችላል።
- ፬. የከፍተኛ ፍርድ ቤት የዳኝነት ሥልጣን**
የከፍተኛ ፍርድ ቤት በዞኑ አስተዳደራዊ ግዛት ወሰን ውስጥ በሚከሰቱ ጉዳዮች ላይ የሚከተሉት የዳኝነት ስልጣን ይኖረዋል።
- ፩) በዞኑ ውስጥ የሚገኙ የወረዳ ፍርድ ቤቶች በመጀመሪያ ደረጃ ስልጣናቸው አይተው የሚሰጡት የፍትሐ ብሔር ወይም የወንጀል ውሳኔን በይግባኝ አይቶ የመወሰን፤
- ፪) ጣራቸው ከ፲፮ አመት በላይ ጽኑ እሥራት የሚያስቀጡ የወንጀል ጉዳዮች ላይ የመጀመሪያ ደረጃ ዳኝነት፤
- ፫) ግምቱ ከብር አንድ ሚሊዮን በላይ የሆነ የሚንቀሳቀስ ንብረት፤ ግምቱ ከብር ሶስት ሚሊዮን በላይ የሆነ የሚያንቀሳቀስ ንብረት ላይ የሚነሱ የፍትሐብሔር ጉዳይን በመጀመሪያ ደረጃ ዳኝነት አይቶ የመወሰን፤
- ፬) በፌዴራሉ ሕገ-መንግሥት አንቀጽ ፹(፬) መሠረት የፌዴራል ጉዳይን አስመልክቶ የፌዴራል መጀመሪያ ደረጃ ፍርድ ቤት የመጀመሪያ ደረጃ ሥልጣንን፤
- ፭) የሥነ ሥርዓት ሕጉ በሚያዘው መሠረት አንድ ጉዳይ ከአንድ ወረዳ ፍርድ ቤት ወደ ሌላ ወረዳ ፍርድ ቤት ወይም ወደ ከፍተኛ ፍርድ ቤት ተላልፎ እንዲታይ የሚቀርብ ጥያቄን ተቀብሎ የመወሰን፤
- ፮) በሌላ ሕግ ሌላ ደረጃ ላይ ለሚገኝ ፍርድ ቤት የተሰጠ ካልሆነ በቀር ሌሎች አካላት በህግ በተሰጣቸው ሥልጣን መሠረት በሚወስኑት ውሳኔ ላይ የሚቀርብን ይግባኝ አይቶ የመወሰን ሥልጣን ይኖረዋል። በእንደዚህ ዓይነት ጉዳዮች ላይ የሚሰጠው ውሳኔም የመጨረሻና ይግባኝ የሌለው ይሆናል።

- 4) The Cassation Division, when it so believes, may hear expert opinions before rendering a decision with a binding legal interpretation. It may also suggest to the President necessary study to be conducted on the matter.
- 5) The Commission may issue a regulation in relation to the operating procedures of the Cassation Division.
- 30. Jurisdiction of the State High Court**
The High Court shall have the following jurisdiction in relation to matters arising in the boundary of the zonal administration:
- 1) An appellate jurisdiction over decisions, on civil and criminal matters, of the District Courts of the zonal administration rendered in their first instance jurisdiction;
- 2) A first instance jurisdiction over criminal matters the punishment of which may go above fifteen years imprisonment;
- 3) A first instance jurisdiction over civil matters regarding movable property where the amount involved exceeds Birr one million and immovable property where the amount involved exceeds Birr three million;
- 4) A first instance jurisdiction over jurisdiction of the Federal First Instance Court pursuant to Article 80(4) of the Federal Constitution;
- 5) Application for change of venue from one District Court to another or to the High Court, in accordance with the relevant procedural law.
- 6) Unless the jurisdiction is given to a different level of court by another law, the High Court shall have an appellate jurisdiction over decisions of tribunals given based on their legally recognized power. The decision of the High Court on such matters shall be final and non-appellable.

31. Aangoo Abbaa Seerummaa Mana Murtii Aanaa

Manni Murtii Aanaa dhimmoota daangaa bulchiinsa aanichaa keessatti uumaman irratti aangoo Abbaa Seerummaa armaan gadii ni qabaata:

- 1) Dhimma hariiroo hawaasaa qabeenyaa socho'u tilmaamni mallaqaa isaa qarshii milliyoona 1 (tokko) hin caalle, qabeenya hin sochoone tilmaamni mallaqaa isaa qarshii miliyoona 3 (sadii) hin caalle ilaalee murteessuu;
- 2) Iyyata qaama bilisa baasuuf dhiyaatu, yookiin iyyata dhimma dhalattummaa akkasumas dhimmoota biroo maallaqaan shallagamu hin dandeenye ilaalchisee dhiyaatu irratti aangoo abbaa seerummaa sadarkaa jalqabaa;
- 3) Dhimma yakkaa adabbii hidhaa baaxiin isaa waggaa 15 hin caalleen adabsiisan irratti aangoo sadarkaa jalqabaa;
- 4) Kan Keewwata kana Keewwata Xiqqaa(3) jalatti tumame akkuma eegametti ta'ee, dhimma seerota Caffeedhaan tumaman keessatti adabbii yakkaa hordofsiisan irratti aangoo Abbaa Seerummaa sadarkaa jalqabaa;
- 5) Manni murtii aanaa dhimma biraa ifatti aangoo Mana Murtii Ol'aanaa jalatti hin kufne kamiyyuu irratti aangoo sadarkaa jalqabaa ni qabata.

Kutaa Afur**Raawwannaa fi Qajeelttoowwan Hojii Abbaa Seerummaa****32. Gurmaa'insa Dhaddachaa**

- 1) Manni Murtii Waliigalaa Dhaddacha Hariiroo Hawaasaa, Dhaddacha Yakkaa fi Dhaddacha Ijibaataa ni qabaata.
- 2) Manni Murtii Ol'aanaa fi Manni Murtii Aanaa Dhaddacha Hariiroo Hawaasaa, Dhaddacha Yakkaa fi Dhaddacha Maatii fi Daa'immanii ni qabaatu.

፴፩. የወረዳ ፍርድ ቤት የዳኝነት ሥልጣን

የወረዳ ፍርድ ቤት በወረዳው አስተዳደራዊ ግዛት ወሰን ውስጥ በሚከሰቱ ጉዳዮች ላይ የሚከተሉ የዳኝነት ሥልጣን ይኖረዋል፡፡

- ሐ) ግምቱ ከብር አንድ ሚሊዮን ያልበለጠ የሚንቀሳቀስ ንብረት እና ግምቱ ብር ሶስት ሚሊዮን ያልበለጠ የማይንቀሳቀስ ንብረት ላይ የሚነሱ የፍትሐ ብሔር ክርክር አይቶ የመወሰን፤
- ከ) የአካል ነጻነት ወይም ተወላጅነትን እንዲሁም በገንዘብ ሊተመኑ የማይችሉ ጉዳዮችን አስመልክቶ በሚቀርቡ አቤቱታዎች ላይ የመጀመሪያ ደረጃ ሥልጣን፤
- ለ) ጣራው ከ፲፭ ዓመት በማይበልጥ እሥራት የሚያስቀጣ የወንጀል ጉዳይ ላይ የመጀመሪያ ደረጃ ሥልጣን፤
- ሰ) በዚህ አንቀጽ ንዑስ አንቀጽ ፫ ሥር የተደነገገው እንደተጠበቀ ሆኖ በጨፌ በፀደቁ ሕጎች ውስጥ የወንጀል ቅጣት በሚያስከትሉ ጉዳዮች ላይ የመጀመሪያ ደረጃ ሥልጣን፤
- ረ) የወረዳ ፍርድ ቤት በግልፅ በከፍተኛው ፍርድ ቤት ሥልጣን ሥር የማይወድቁ ማንኛውም ጉዳዮች ላይ የመጀመሪያ ደረጃ ሥልጣን ይኖረዋል፡፡

ክፍል አራት**የዳኝነት አገልግሎት አፈፃፀምና መርሆዎች****፴፪. የችሎት አደረጃጀት**

- ሐ) ጠቅላይ ፍርድ ቤት የፍትሐብሔር ችሎት፣ የወንጀል ችሎት እና ሠበር ችሎት ይኖሩታል፡፡
- ከ) የከፍተኛ ፍርድ ቤት እና የወረዳ ፍርድ ቤት የፍትሐብሔር ችሎት፣ የወንጀል ችሎት፣ የቤተሰብ እና ህፃናት ችሎት ይኖሩታል፡፡

31. Jurisdiction of the District Court

The District Court shall have the following jurisdiction on matters arising in the boundary of the district:

- 1) Over civil matters regarding movable property where the amount involved does not exceed Birr one million and immovable property where the amount involved does not exceed Birr three million;
- 2) First instance jurisdiction over application for Habeas Corpus, application regarding filiation as well as matters the value of which cannot be expressed in money;
- 3) First instance jurisdiction over criminal matters the maximum punishment of which does not exceed fifteen years of imprisonment;
- 4) Notwithstanding the provision of Sub-article (3) of this Article, it has first instance jurisdiction over matters provided for in proclamations issued by Caffee entailing punishment;
- 5) First instance jurisdiction over other matters not falling clearly under the jurisdiction of the High Court.

Part Four**Application and Principles of Judicial Functions****32. Organization of Court Divisions**

- 1) The Supreme Court shall have Civil Division, Criminal Division and Cassation Division.
- 2) The High Court and the District Court shall have Civil Division, Criminal Division and Family and Children Division.

- 3) Kan Keewwata kana Keewwata Xiqqaa (1) fi (2) jalatti tumame akkuma eegametti ta'ee, Manni Murtii sadarkaa kamiyyuu dhaddacha gosa biroo tajaajila haqaa bu'a qabeessa taasisuuf isa barbaachisu dabalataan gurmeessuu ni danda'a.

33. Moggaafama Dhaddachaa

- 1) Mana Murtii Waliigalaa fi Mana Murtii Ol'aanatti dhimmi kamuu dhaddacha yoo xiqqaate Abbootiin Seeraa sadii itti moggaafamaniin ilaalamee kan murtaa'u ta'a.
- 2) Mana Murtii Aanaatti dhimmi hariiroo hawaasaa tilmaamni maallaqaa isaa 300,000.00 (kuma dhibba sadii) ol ta'e, dhimmi yakkaa hidhaa baaxiin isaa waggaa 10 oliin adabsiisuu danda'u dhaddacha Abbootiin Seeraa sadii itti moggaafamaniin ilaalamee kan murtaa'u ta'a.
- 3) Kan Keewwata kana Keewwata Xiqqaa (2) jalatti tumame akkuma eeggametti ta'ee, Pirezidaantiin Mana Murtii Aanichaa baay'inni Abbaa Seeraa gahaan Mana Murtichaa keessa bakka hin jirretti Abbootii Seeraa lamaa waliin Kadhimaamaa yookiin Gargaaraan Abbaan Seeraa moggaafamee dhimmicha akka ilaallalu ajajuu ni danda'a.
- 4) Pirezidaantiin Mana Murtii Ol'aanaa yookiin Mana Murtii Aanaa dhaddacha Mana Murtii itti hojjetutti dhimma kamirrattuu walitti qabaa ta'ee moggaafamee hojjachu ni danda'a.

34. Naamusa Abbaa Seerummaa

- 1) Abbaan seeraa fi muudamaan hojii isaanii naamusa ol'aanaa fi ittigafatamummaa cimaadhaan raawwachuu qabu.
- 2) Abbaan Seeraa fi muudamaan koodii naamusaa fi duudhaa hojii Abbaa Seerummaa kabajanii hojjachu fi socho'uuf dirqama qabu.
- 3) Manneen Murtii, muudamtoonni fi abbootiin seeraa sadarkaa sadarkaan jiran naamusaa fi duudhaa hojii abbaa seerummaa dagaagsuuf hojjachuuf dirqama qabu.

- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ እና ፪ ሥር የተደነገገው እንደተጠበቀ ሆኖ በየትኛውም ደረጃ የሚገኝ ፍርድ ቤት የፍትህ አገልግሎቱን ወጤታማ ለማድረግ የሚያስፈልገውን ችሎት በተጨማሪ ማደራጀት ይችላል።

፬. ስለ ችሎት አስያየም

- ፩) በጠቅላይ ፍርድ ቤት እና ከፍተኛ ፍርድ ቤት ማንኛውም ጉዳይ ቢያንስ ሶስት ጻዕዮች በተሰየሙበት ችሎት ታይቶ የሚወሰን ይሆናል፤
- ፪) በወረዳ ፍርድ ቤት ግምቱ ከብር 300,000.00 (ሦስት መቶ ሺህ ብር) በሆነ የፍትሕ ብሔር ጉዳይ፣ ጣራው ከ10 ዓመት በላይ በሆነ እሥራት ሊያስቀጣ የሚችል የወንጀል ጉዳይ ሶስት ጻዕዮች በተሰየሙበት ችሎት ታይቶ የሚወሰን ይሆናል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ ሥር የተደነገገው እንደተጠበቀ ሆኖ በቂ ጻዕዮች በሌለበት የወረዳ ፍርድ ቤቱ ፕሬዚዳንት ዕጩ ወይም ረዳት ጻዕዮች ከሁለት ጻዕዮች ጋር ተሰይሞ ጉዳይ እንዲያይ ማዘዝ ይችላል።
- ፬) የከፍተኛው ፍርድ ቤት ፕሬዚዳንት ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት በሚሠራበት ፍርድ ቤት በማንኛው ችሎት ላይ ሠብሳቢ ሆኖ መሥራት ይችላል።

፭. የጻዕዮች ሥነ-ምግባር

- ፩) ጻዕዮች እና ተሿሚ ሥራቸውን በከፍተኛ ሥነ-ምግባር እና ጥበቅ ኃላፊነት ማከናወን አለባቸው።
- ፪) ጻዕዮች እና ተሿሚ የጻዕዮች ሥነ-ምግባር ኮድን እና የጻዕዮች ስራ መሠረታዊ መርህን አክብረው የመሥራትና የመንቀሳቀስ ግዴታ አለባቸው።
- ፫) በየደረጃው የሚገኙ ፍርድ ቤቶች፣ ተሿሚዎች እና ጻዕዮች የጻዕዮች ሥነ-ምግባርና የአሠራር መርሆዎችን ለማጎልበት የመስራት ግዴታ አለባቸው።

- 3) Notwithstanding the provisions of Sub-articles (1) and (2) of this Article, a court of any level may additionally organize other divisions necessary to render an effective judicial service.

33. Sitting of Judges

- 1) Any case at the Supreme Court and the High Court shall be decided by a division with at least three judges sitting.
- 2) At District Court level, civil matters where the amount of the dispute exceeds Birr 300,000.00 (three hundred thousands) and criminal matters the maximum punishment of which exceeds ten years of imprisonment shall be decided by a division of three judges sitting.
- 3) Notwithstanding the provision of Sub-article (2) of this Article, the president of the District Court may order, where there are no sufficient number of judges in the Court, that a case be decided by a division with a candidate judge or an assistant judge sitting together with other two judges.
- 4) A president of a High Court or a District Court may preside over any division of their respective court.

34. Judicial Ethics

- 1) Any judge and appointee shall discharge their duties with high ethics and heavy responsibility.
- 2) Any judge and appointee shall respect the judicial code of conduct and values of judicial functions and behave accordingly.
- 3) Courts, appointees and judges at different levels are responsible to promote and advance judicial ethics and values.

- 4) Gumiin koodii fi dambii naamusa abbaa seerummaa ni baasa.
- 5) Pirezidaantiin sirni itti gaafat-amummaa abbaa seerummaa akka diriiru ni taasisa.

35. Teessoo Manneen Murtii Naannichaa

- 1) Teessoon Mana Murtii Waliigalaa Oromiyaa magaalaa muummitti Mootummaa Naannoo Oromiyaa, Finfinnee ta'a.
- 2) Teessoon Mana Murtii Ol'aanaa magaalaa guddittii bulchiinsa godinichaa ta'a.
- 3) Teessoon Mana Murtii Aanaa magaalaa guddittii bulchiinsa Aanichaa ta'a.
- 4) Manni Murtii Naannichaa sadarkaa kamuu irra jiru dhaqqabamummaa tajaajila abbaa seerummaa mirkaneessuuf iddoo bu'aa qabeessummaan isaa mirkanaa'etti dhaddacha dhaabbii yookiin naannaawaa gurmeessuu ni danda'a.
- 5) Manni Murtii Waliigalaa qajeelfama dhaddachi dhaabbii fi naannawaa ittiin gurmaa'uu fi gaggeef-famu baasuu ni danda'a.

36. Afaan Hojii Manneen Murtii

- 1) Afaan hojii Manneen Murtii Naannichaa Afaan Oromooti. Kan barreeffamus qubee Laatiiniitiin ta'a.
- 2) Dhaddachi Manneen Murtii Naannichaa kamuu deemsa dhaddachaa afaan hojii Naannichaatiin kan gaggeessu ta'a;
- 3) Dhimma yakkaa irratti himatamtoota Afaan Oromoo hin dandeenyeef tajaajila turjumaanaa bilisaan akka argataniif manni-murtichaa haala ni mijeessa.

37. Dhaddacha Irraa Ka'uu

- 1) Abbaan Seeraa kamiyyuu saba-boota armaan gadii keessaa tokko yookiin tokkoo ol yoo mudate dhaddacha irraa ka'u qaba:

- ሀ) ጉባኤው የዳኝነት ሥነ-ምግባር ኮድ እና ደንብ ያወጣል።
- ለ) ፕሬዚዳንቱ የዳኝነት ተጠያቂነት ሥርዓት እንዲዘረጋ ያደርጋል።

፴፮. የክልሉ ፍርድ ቤቶች መቀመጫ

- ሐ) የኦሮሚያ ጠቅላይ ፍርድ ቤት መቀመጫ የክልሉ መንግስት ዋና ከተማ የሆነችው ፊንፊኔ ነው።
- ከ) የከፍተኛ ፍርድ ቤት መቀመጫ የዞኑ አስተዳደር ዋና ከተማ ነው።
- ደ) የወረዳ ፍርድ ቤት መቀመጫ የወረዳው ፍርድ አስተዳደር ዋና ከተማ ነው።
- ረ) በየትኛውም ደረጃ ያለ የክልሉ ፍርድ ቤት የዳኝነት አገልግሎቱን ተደራሽነት ለማረጋገጥ ሲባል ውጤታማነቱ በታመነበት ቦታ ቋሚ ምድብ ችሎት ወይም ተዘዋዋሪ ችሎት ማቋቋም ይችላል።
- ረ) ጠቅላይ ፍርድ ቤት ቋሚ ምድብ ችሎት እና ተዘዋዋሪ ችሎት የሚደራጅበትና የሚመራበትን መመሪያ ሊያወጣ ይችላል።

፴፯. የፍርድ ቤቶች የሥራ ቋንቋ

- ሐ) የክልሉ ፍርድ ቤቶች የሥራ ቋንቋ አፋን ኦሮሞ ነው። የሚጻፈውም በላቲን ፊደላት ይሆናል።
- ከ) ማንኛውም የክልሉ ፍርድ ቤቶች ችሎት የችሎት ስራን የሚያካሂደው በክልሉ የሥራ ቋንቋ ይሆናል።
- ደ) በወንጀል ጉዳዮች አፋን ኦሮሞ ለማይችሉ ተከላሾች የትርጉም አገልግሎት በነጻ እንዲያገኙ ፍርድ ቤቱ ያመቻቻል።

፴፱. ከችሎት ስለመነሳት

- ሐ) ማንኛውም ዳኛ ቀጥሎ ካሉት ምክንያቶች መካከል አንዱ ወይም ከአንድ በላይ ካጋጠመ ከችሎት መነሳት አለበት።

- 4) The Commission shall issue a judicial code of conduct and disciplinary rules.
- 5) The President shall be responsible to develop judicial accountability system.

35. Seats of the Regional Courts

- 1) The seat of the Supreme Court shall be in Finfinnee, the seat of the Regional State.
- 2) The seat of the High Court shall be in the capital city of the zonal administration.
- 3) The seat of the District Court shall be in the capital city of the district administration.
- 4) A Court of any level may, where it finds it necessary to ensure the accessibility of the judicial service, organize a standing or circuit division at places where it is found necessary.
- 5) The Supreme Court may issue a directive in relation to the organization and operation of the standing and circuit divisions.

36. Working Language of the Courts

- 1) Afaan Oromo shall be the working language of the courts; it shall be written in Latin alphabet.
- 2) Every division of the courts shall conduct its proceeding with the working language;
- 3) The court shall assign an interpreter, free of charge, for defendants who do not understand Afaan Oromo.

37. Withdrawal of a Judge

- 1) No judge shall sit in a proceeding of case on account of one or more of the following grounds:

- (a) Garee walfalmitootaa yookiin abukaatoo waliin akka seerri dhimmi ilaalu ajajutti firooma dhiigaa yookiin gaa'ila kan qabu yoo ta'e, yookiin garee walfalmitootaa keessaa haadha manaa yookiin abbaa manaa yookiin haadha(abbaa) manaa inni hiike, yookiin guddiftuu, yookiin dhimma bakka bu'aa seeraa yookiin dubbii fixaa, yookiin abukaatoo seeraa ta'e irratti falmiin kan ka'e yoo ta'e;
- (b) Dhimma falmiin irratti ka'e isaan dura beellama yerootiin, gaaffii mirga waabii, gaaffii hayyamsiisaa, jijjiirraa dhaddachaa yookiin dhimmoota walfakkaatan biroo osoo hin dabalatin, Abbaa Seeraa yookiin jaarsa yookiin araarsaa ta'ee kan ilaale yoo ta'e, yookiin dhimma sana keessatti haala kamiinuu dantaa dhuunfaa yookiin dantaa maatii qabaachuu isaatiin murtii haqa qabeessa kennuu kan hin dandeenye yoo ta'e;
- (c) Garee wal falmitootaa keessaa tokko waliin falmii yoo qabaateeyookiin lola yoo qabaate;
- (d) Sababoota armaan olitti Keewwata 1(a) hanga (c) tti jalatti tarreeffamaniin alatti illee Abbaan Seerichaa murtii haqaa kennuu kan isa daangessu yookiin loogummaan yookiin gartummaan ala ta'ee murteessuuf kan isa rakkisu sababiin biroo yoo jiraate.
- 2) Abbaan Seeraa kamiyyuu haalli Keewwata kana Keewwata Xiqqaa (1) jalatti ibsame jiraachuu akkuma beekkeen battalumatti dhaddacha irraa ka'uu qaba. Sababa dhaddacha irraa itti ka'es galmee irratti galmeessuu qaba.
- 3) Abbaan Seerichaa akkaataa Keewwata kana Keewwata Xiqqaa (2) tiin dhaddacharraa ka'uu yoo dhabe, garee falmitootaa keessaa namni komii qabu Abbaan Seerichaa dhaddacha irraa akka ka'uuf iyyata dhiyeeffachuu ni danda'a.

- (ሀ) ከተከራካሪ ወገን ወይም ከጠበቃው ጋር የሥጋ ወይም የጋብቻ ዝምድና ካለው ወይም ከተከራካሪ ወገን መካከል የፈታው ባል ወይም ሚስት ወይም አባት ወይም እናት ወይም አላዳጊ ከሆነ ወይም በሕግ ተወካይ ወይም ነገረፈጅ ወይም ጠበቃ በሆነበት ጉዳይ ላይ ክርክር ተነስቶ ከሆነ፤
- (ለ) ክርክር በተነሳበት ጉዳይ ላይ አስቀድሞ የጊዜ ቀጠሮ፣ የዋስትና መብት ጥያቄ፣ የማስፈቀጃ ጥያቄ፣ የችሎት ይዛወር ጥያቄ ወይም ሌላ ተመሳሳይ ጉዳይ ሳይጨምር ዳኛ ወይም ሽማግሌ ወይም አስታራቂ በመሆን አይቶ ከሆነ ወይም በጉዳዩ ውስጥ በማንኛውም መልኩ የግል ወይም የቤተሰብ ጥቅም ያለው በመሆኑ ፍትህዊ ወሳኔ መስጠት የማይችል ከሆነ፤
- (ሐ) ከተከራካሪ ወገኖች መካከል ከአንዱ ጋር ክርክር ወይም ፀብ ካለው፤
- (መ) ከዚህ በላይ አንቀጽ ፩ ከ (ሀ) እስከ (ሐ) ከተዘረዘሩት ውጭ ዳኛው ፍትህዊ ውሳኔ ለመስጠት የሚያግደው ወይም አድሎአዊ ወይም ወገናዊነት በፀዳ መልኩ ለመወሰን የሚያስችግረው ሌላ ምክንያት ካለ።
- ፪) ማንኛውም ዳኛ በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ሥር የተገለፀው መኖሩን እንዳወቀ ወዲያውኑ ከችሎት መነሳት አለበት። ከችሎት የተነሳበትን ምክንያት በመዝገብ ላይ ማሥረር አለበት።
- ፫) ዳኛው በዚህ አንቀጽ ንዑስ አንቀጽ ፪ መሠረት ከችሎት ካልተነሳ ከተከራካሪ ወገኖች ቅሬታ ያለው ወገን ዳኛው ከችሎት እንዲነሳ አቤቱታ ማቅረብ ይችላል።

- (a) Where one of the parties or his attorney is related to him by consanguinity or affinity pursuant to relevant law, or is his spouse or his divorced spouse or is a guardian or the dispute relates to a case in which he acted as a legal representative or an attorney or an advocate;
- (b) Where the matter has earlier been brought to his attention in his capacity as a judge or as an arbitrator or as a mediator, or where he knows the case in any capacity except where he sat in relation to remand, bail right, petition for leave, change of venue and other similar cases or where he cannot give a fair judgment because of his or his family's interest in the subject matter of the dispute;
- (c) Where he has a law suit against or in bad terms with any one of the parties;
- (d) Where there are good reasons, other than those specified under sub-article (1) (a-c) hereof, that lead to the conclusion that fair and impartial decisions may not be held by the judge.
- 2) The judge shall withdraw as soon as he is aware of the existence of the circumstances mentioned under sub-article (1) of this article; he shall record on the file the reasons for his withdrawal.
- 3) Where the judge fails to withdraw in accordance with sub Article (2) of this article, the party in the proceeding may lodge a complaint.

- 4) Iyyatichi dhiyaatu falmiin osoo hin jalqabin yookiin iyyataan sababni iyyata dhiyeessisu jiraachuu akka beekeen battalumatti ta'uu qaba.
- 5) Iyyanni akkaataa Keewwata kana Keewwata Xiqqaa (3) jalatti tumameen dhiyaatu Walitti qabaa dhaddachaatiif ta'ee, abbootii seeraa Abbaa Seeraa iyyatichi irratti dhiyaateen ala jiraniin kan ilaalamee murtaa'u ta'a. Murtiin akkaataa kanaan kennamus kan dhumaa ta'a.
- 6) Kan Keewwata kana Keewwata Xiqqaa (5) jalatti tumame akkuma eegametti ta'ee, dhimmichi ariifachiisaa ta'uu isaa irraa kan ka'e ilaalamee murtii argachuu kan qabu yoo ta'e, dhaddacha irraa ka'uun Abbaa Seerichaa hin barbaachisu.
- 7) Iyyanni akkaataa Keewwata kanaatiin dhiyaatuu fi murtiin kenname galmee irratti galmaa'uu qaba.

38. Dhaddacha Ifaa Ta'een Hojii Gaggeessuu

- 1) Manneen Murtii hojii isaanii iftoominaan gaggeessuu qabu.
- 2) Abbaan seeraa dhaddacha ifaati hojii dhaddachaa gaggeessuuf dirqama qaba.
- 3) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti fi seerota birootiin tumame akkuma eegametti ta'ee, dhimmoota armaan gadii irratti dhaddachi hojii isaa dhaddacha cufaadaahan gaggeessuu ni danda'a:
 - (a) Nageenya biyyaa fi hawaasaaf barbaachisaa ta'ee yoo argame;
 - (b) Safuu hawaasaa fi jireenya dhuunfaa garee walfalmitootaa eeguuf jecha barbaachisaa ta'uu yoo amane;
 - (c) Iccitii maatii eeguuf barbaachisaa ta'uu yoo amane; yookiin
 - (d) Dhimma daa'immaniin kan walqabatu yoo ta'e.

- ሀ) የሚቀርበው አቤቱታም ክርክር ከመጀመሩ በፊት ወይም ለአቤቱታው ምክንያት የሆነው መኖሩ እንደታወቀ ወዲያውኑ መሆን አለበት፡፡
- ኧ) በዚህ አንቀጽ ንዑስ አንቀጽ ፫ የሚቀርብ አቤቱታ ለችሎት ሰብሳቢ የሚቀርብ ሆኖ አቤቱታ ከቀረበበት ዳኛ ውጭ ባሉ ዳኞች ታይቶ የሚወሰን ይሆናል፡፡ በዚህ ሁኔታ የተሰጠ ውሳኔም የመጨረሻ ይሆናል፡፡
- ኼ) በዚህ አንቀጽ ንዑስ አንቀጽ ፭ ሥር የተደነገገው እንደተጠበቀ ሆኖ ጉዳዩ አስቸኳይ ከመሆኑ የተነሳ ታይቶ ውሳኔ ማግኘት ያለበት ከሆነ የዳኛው ከችሎት መነሳት አያስፈልግም፡፡
- ኸ) በዚህ አንቀጽ መሠረት የሚቀርብ አቤቱታ እና የተሰጠው ውሳኔ በመዝገቡ መስፈር አለበት፡፡

፴፰. በግልፅ ችሎት ስለ ማስቻል

- ፩) ፍርድ ቤቶች ሥራቸውን በግልፅ መምራት አለባቸው፡፡
- ፪) ዳኛ የችሎት ሥራን በግልፅ ችሎት የመምራት ግዴታ አለበት፡፡
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ እና በሌሎች ሕጎች የተደነገገው እንደተጠበቀ ሆኖ ችሎቱ ቀጥሎ ባሉት ጉዳዮች የችሎት ሥራውን በዝግ ችሎት መምራት ይችላል፡፡
 - (ሀ) ለሀገርና ህዝብ ደንኑ አስፈላጊ ሆኖ ከተገኘ፤
 - (ለ) ለማህበረሰብ ወግና የተከራካሪ ወገኖች ግላዊ ኑሮ ለመጠበቅ አስፈላጊ መሆኑ ከታመነበት፤
 - (ሐ) የቤተሰብን ሚስጥር መጠበቅ አስፈላጊ መሆኑ ከታመነ፤
 - (መ) ከህፃናት ጋር የሚገናኝ ጉዳይ ከሆነ፡፡

- 4) The application shall be made before the trial opens or soon after the party becomes aware of the reason for making such an application.
- 5) An application lodged pursuant to Sub-article (3) of this Article shall be addressed to the presiding judge and be heard and decided by judges other than the one the application was made against. A decision given in this manner shall be final.
- 6) Notwithstanding the provision of sub-article (5) of this Article, withdrawal of a judge may not be required where the case has a sense of urgency and hence should be resolved forthwith.
- 7) An application lodged in accordance with this Article and the holding thereon shall be entered in the file.

38. Open Court Proceeding

- 1) The courts shall discharge their functions transparently.
- 2) A judge has a duty to hear cases in an open proceeding.
- 3) Notwithstanding the provisions of sub-Article (1) of this article and without prejudice to the provisions of other laws, a court division may decide to hear the following cases in camera:
 - (a) If the case involves state and public safety and security;
 - (b) If it is believed that it is necessary for the morality of the public and the privacy of the litigants;
 - (c) When it is believed to be necessary to maintain the integrity of the family; or
 - (d) If the case involves children.

39. Tajaajila Deeggarsa Seeraa

- 1) Namni kamiyyuu abukaatoo seeraa dhaabbachuudhaan deeggarsa seeraa argachuuf mirga ni qabaata.
- 2) Nama yakka hidhaa cimaa waggaa 5 gadi hin taaneen adabsiisuun himatamee fi abukaatoo dhaabbachuu hin dandeenyeef Manni Murtii baasii mootummaatiin tajaajila abukaatoo ittisaa yookiin bilisaan deeggarsa seeraa akka argatu ni taasisa.
- 3) KanKeewwata kana Keewwata Xiqqaa (2) jalatti tumame akkuma eegametti ta'ee, nama abukaatoo dhaabbachuu hin dandeenyee fi yakka hidhaa waggaa 5 gadi ta'een adabsiisuun himatameef, haqni ni daba jedhee yoo amane, Manni Murtii baasii mootummaatiin abukaatoo ittisaa yookiin tajaajila deeggarsa seeraa bilisaan akka argatu taasisuu ni danda'a.
- 4) Manni Murtii Waliigalaa tajaajilli abukaatoo ittisaa, hubannoon seeraa fi deeggarsi seeraa bilisaa Manneen Murtii Naannichaa sadarkaa hundaa keessatti akka kennamu caaseffamaa fi sirna barbaachisu ni diriirsa. Qaamolee dhimmi ilaalu biroo waliin qindoominaa fi atoominaan ni hojjata.

40. Mirga Addaa Abbaa Seeraa

- 1) Abbaan Seeraa yakka cimaa osoo raawwatuu harkaa fi harkatti yoo qabame malee, hayyama Gumiitiin ala hin qabamu; yakkaanis hin himatamu; hin hidhamus.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti tumame akkuma eegametti ta'ee, Gumiin cimina yakkichaa, haala raawwatiinsa isaa, miidhaa dhaqqabe yookiin dantaa haawaasa ba'aa duubaan jiru, yookiin dhiibbaa inni maqaa gaarii Mana Murtii irratti qabu madaaluudhaan hayyamuu ni danda'a.

፴፱. የሕግ አገልግሎት ድጋፍ

- ፩) ማንኛውም ሰው የሕግ ጠበቃ በማቆም የሕግ ድጋፍ የማግኘት መብት አለው፡፡
- ፪) አምስት (፮) ዓመት ዕኑ አስራት በሚያስቀጣ ወንጀል የተከሰሰ እና ጠበቃ ማቆም ለማይችል ሰው ፍርድ ቤቱ በመንግስት ወጪ የተከላከለ ጠበቃ አገልግሎት ወይም በነፃ የሕግ ድጋፍ እንዲያገኝ ያደርጋል፡፡
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ ሥር የተጠቀሰው እንደተጠበቀ ሆኖ ፍርድ ቤቱ ፍትህ ይዛባል ብሎ ካመነ ጠበቃ ማቆም የማይችል እና ከአምስት (፮) ዓመት በታች በሚያስቀጣ ወንጀል ለተከሰሰ ሰው በመንግስት ወጪ ተከላካይ ጠበቃ ወይም ነፃ የሕግ አገልግሎት ድጋፍ እንዲያገኝ ማድረግ ይችላል፡፡
- ፬) ጠቅላይ ፍርድ ቤት የተከላከለ ጠበቃ አገልግሎት፣ የሕግ ግንዛቤና ነጻ የሕግ ድጋፍ በየትኛውም ደረጃ ባሉ የክልሉ ፍርድ ቤቶች ውስጥ እንዲሰጥ፣ አስፈላጊውን መዋቅርና ሥርዓት ይዘረጋል፡፡ ጉዳዩ ከሚመለከታቸው ሌሎች አካላት ጋር በመቀናጀትና በትብብር ይሠራል፡፡

፵. የዳኛ ልዩ መብት

- ፩) ዳኛ ከባድ ወንጀል ሲፈጽም እጅ ከፍንጅ ካልተያዘ በስተቀር ከጉባኤ ፍቃድ ውጪ አይያዝም፤ በወንጀልም አይከሰስም፤ አይታሰርምም፡፡
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ የተደነገገው እንደተጠበቀ ሆኖ ጉባኤው የወንጀሉን ከባድነት፣ የአፈጻጸሙን ሁኔታ፣ የደረሰ ጉዳት ወይም ከሰፍኑ ማህበረሰብ ጥቅም ጀርባ ወይም በፍርድ ቤት መልካም ስም ላይ ያለውን ተፅዕኖ በማመዛዘን መፍቀድ ይችላል፡፡

39. Legal Aid Services

- 1) Every party to a proceeding has the right to have a legal council or and get the service thereof.
- 2) The court shall assign a defense council, at a state expense, or a free legal service to an individual who doesn't have sufficient means to pay for it if he is accused of a crime punishable with rigorous imprisonment not less than five years.
- 3) Notwithstanding the provision of sub-article (2) of this Article, the court shall assign a defense council, at a state expense, or a free legal aid service to an individual who does not have sufficient means to pay for it and accused of a crime punishable with an imprisonment less than five years if miscarriage of justice would result otherwise.
- 4) The Supreme Court shall organize necessary structure and working system for the defense council, legal awareness and free legal aid services in all tiers of the courts; it shall work in collaboration and partnership with other organizations to achieve same purpose.

40. Immunity of Judges

- 1) No judge may be seized, arrested or prosecuted without the permission of the Commission unless caught in-flagrante committing serious crimes;
- 2) Notwithstanding the provision of sub Article (1) of this article, the Commission, in giving the permission, shall weigh the seriousness of the crime, or manner of commission, the harm caused or the public interest behind it or the impact it may have on the good reputation of the court.

- 3) Kan Keewwata kana Keewwata Xiqqaa (2) jalatti tumame akkuma eegametti ta'ee, yakki Abbaan Seerichaa itti shakkame yakka matta'aa fudhachuu, ajjeechaa yookiin gudeeddaa yoo ta'e, Gumiin Naannoo kallattiidhaan hayyamu ni danda'a.

41. Haala Abbaan Seeraa Hojiirraa Itti Ittifamuu

- 1) Pirezidantiin Abbaa Seeraa yookiin Muudamaa kamiiyyuu badii naamusaa cimaadhaan komatamee qorannaan irratti gaggeeffamuu eegale yookiin himannaan naamusaa irratti dhiyaate hojiirra turuun isaa hojii abbaa seerummaa yookiin maqaa Mana Murtichaa miidha jedhee yoo amane hanga murtiin dhumaa kennamutti hojiirraa ittisuu ni danda'a.
- 2) Kan Keewwata kana Keewwata Xiqqaa (1) jalatti tumame akkuma eeggametti ta'ee, Pirezidaantiin Mana Murtii Ol'aanaa, Pirezidaantii dursee mariisisuudhaan, Muudamaa Gumii Godinaa haalli wal fakkaataan yoo mudate hojiirraa ittisuu ni danda'a.
- 3) Ittisni akkaataa Keewwata kana Keewwata Xiqqaa (1) fi (2) tiin kenname, akkuma haala isaatti, Yaa'ii Gumii yookiin Gumii Godinaa isa itti aanuutti beeksifamuu qaba.
- 4) Ittisni akkaataa Keewwata kana Keewwata Xiqqaa (1) fi (2) tiin kennamu yeroo Ji'oota jaha caaluu hin qabu.

42. Waa'ee Ofisara Seeraa

Ofisarri seeraa aangoo fi hojii bu'ura seera adeemsa falmii hariiroo haawaasaa fi yakkaa keessatti hojiilee reejisteraaraaf kennaman raawwatuu fi akkuma haala isaatti iyyanni, himanni, deebii fi ol'iiyanni dhiyaatu ulaagaa teeknikaa guutee dhiyaachuu isaa mirkan-eessuu fi hojiilee hojii dhaddachaa deeggaran biroo hojjachuu ni qabaata. Pirezidaantiin tarreeffama gahee hojii Ofisara Seeraa baasee ni kenna.

- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ ሥር የተደነገገው እንደተጠበቀ ሆኖ ዳኛው የተጠረጠረበት ወንጀል ጉዞ መቀበል ፣ ግዲያ ወይም አስገዳዶ መድፈር ከሆነ ጉባኤው በቀጥታ መፍቀድ ይችላል።

፵፩. ዳኛ ከሥራ ስለሚታገድበት ሁኔታ

- ፩) ፕሬዚዳንቱ ከባድ የሥነ-ምግባር ጥሰት ቅሬታ ቀርቦበት ምርመራ የተጀመረበት ወይም የሥነ-ምግባር ጥሰት ክስ የቀረበበት ዳኛ ወይም ተሿሚ ሥራ ላይ መቆየቱ በዳኝነት ሥራ ላይ ወይም የፍርድ ቤቱን መልካም ሥም ያጎድፋል ብሎ ካመነበት የመጨረሻ ውሳኔ እስከሚሰጥ ድረስ ከሥራ ማገድ ይችላል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ ተመሳሳይ ጉዳይ ከተፈጠረ የከፍተኛ ፍርድ ቤት ፕሬዚዳንት ፕሬዚዳንቱን ቀድሞ በማማከር የዞን ጉባኤ ተሿሚን ከሥራ ማገድ ይችላል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ እና ፪ መሠረት የሚሰጥ እግድ እንደ አስፈላጊነቱ ቀጥሎ ለሚካሄደው ጉባኤ ወይም የዞን ጉባኤ መገለፅ አለበት።
- ፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ እና ፪ መሠረት የሚሰጥ እግድ ከስድስት ወር መብለጥ የለበትም።

፵፪. ስለ ሕግ ኦፊሰር

የሕግ ኦፊሰር በፍትሐብሔር ሥነ-ሥርዓት ሕግ እና በወንጀል ሥነ-ሥርዓት ሕግ መሰረት ለፊደላት-ራር የተሰጡ ሥራዎችን የሚፈጽም እና እንደ አስፈላጊነቱ የቀረበው አቤቱታ፣ ክስ፣ መልስና ይግባኝ ቴክኒካል መሥራታቱን አሟልቶ መቅረቡን የማረጋገጥና ሌሎች ችሎታን የሚያግዙ ሥራዎችን የመሥራታላፊነት ይኖረዋል። ፕሬዝዳንቱ የሕግ ኦፊሰር ዝርዝር የሥራ ድርሻን አወጥቶ ይሰጣል።

- 3) Notwithstanding the provision of sub article (2) of this Article, the Commission may give permission where the judge is suspected of committing bribery, homicide or rape.

41. Suspension of a Judge

- 1) The President may suspend any judge or appointee against whom investigation of disciplinary proceeding is initiated or accused of grave disciplinary matter and it is found that the stay on job of a judge or an appointee would result in having adverse effect on judicial function or the good reputation of the court.
- 2) Notwithstanding the provision of Sub-article (1) of this Article, the High Court President may, with prior consultation with the President, suspend the appointee of Zonal Commission for similar reasons.
- 3) A suspension measure taken in accordance with sub-articles (1) and (2) of this article shall be presented to the attention of the Commission or of the Zonal Commission, as the case may be, on its next meeting.
- 4) A suspension measure taken in accordance with Sub-articles (1) and (2) of this Article may not exceed a period of six months.

42. Legal Officer

A Legal Officer shall have powers and functions given to the court registrar in the civil and criminal procedure laws and includes ensuring that applications, statement of claims, statement of defenses and appeals, as the case may be, satisfy technical sufficiency. The President shall issue detailed duties of a Legal Officer.

Kutaa Shan**Tumaalee Adda Addaa****43. Maloota Hiikkaa Waldiddaa Biroo**

- 1) Manneen Murtii Naannichaa maloota Mana Murtiin alatti waldiddaan itti hiikkatan kanneen akka mala aadaa fi amantaa karaa fulla'aa, dhaqqabamaa, si'aawaa fi nageenya buusuu danda'uun itti hiika argatan jajjabeessuu qabu.
- 2) Manni Murtii Waliigalaa sirnaa fi qajeeltoowwan kanaaf gargaaran ni diriirsa; qaamota dhimmi ilaalu biroo waliin atoomuunis ni hojjata.
- 3) Raawwii maloota hiikkaa waldiddaa biroo ilaalchisee Gumiin dambii baasuu ni danda'a.

44. Waa'ee Boqonnaa Abbaa Seeraa

- 1) Abbaan seeraa waggaa keessatti boqonnaa waggaa guyyoota walitti aanan 60 (jaahatama) ni qabaata.
- 2) Abbaan Seeraa yoo xiqqaate waggoota kudha shan (15)tajaajile fi umuriin isaa waggaa 45 ol ta'e qaamaa fi sammuu isaa haaromsatee akka hojiiitti deebi'uuf yeroo tokkoof qofaaf Gumiinyoo itti amane boqonnaa hanga ji'oota jahaa (6) hayyamuufiini danda'a.
- 3) Abbaan Seeraa dubartiin hayyama da'uumsaa ji'oota afur(4), dhiirri hayyama abbummaa guyyoota hojii kudhan (10)ni qabaata.
- 4) Gumiin Naannoo boqonnaa abbaa seeraa fi muudamaa ilaalchisee dambii ni baasa.

45. Yaa'ii Abbootii Seeraa

- 1) Yaa'iinAbbootii Seeraa Naannoo fi kan Godinaa waggaatti yoo xiqqaate si'a tokko ni gaggeeffama.
- 2) Yaa'ii Abbootii Seeraa Naannoo irratti qaamonni armaan gadii ni hirmaatu:
 - (a) Pirezidaantii, Pirezidaantii Itti Aanaa, Miseensota Koree Bulchiinsaa, qindeessitootaa dhaddachaa, gaggeessitoota hojii fi Abbootii Seeraa Mana Murtii Waliigalaa;

ክፍል አምስት**ልዩ ልዩ ድንጋጌዎች****፵፫. አማራጭ የሙግት መፍቻ ዜጎች**

- ፩) የክልሉ ፍርድ ቤቶች ከፍርድ ቤት ውጪ አለመግባባቶች እልባት የሚያገኙበት እንደ ባህላዊና ሐይማኖታዊ ዘዴን ዘላቂ ተደራሽ፣ ቀልጣፋና ሰላም ማስፈን በሚችል መልኩ እልባት የሚያገኙበትን መንገድ ማበረታታት አለባቸው።
- ፪) ጠቅላይ ፍርድ ቤት ይህን የሚደግፍ ሥርዓትና መርሆዎችን ይዘረጋል፤ ጉዳዩ ከሚመለከታቸው ሌሎች አካላት ጋር በመተባበርም ይሠራል።
- ፫) አማራጭ የሙግት መፍቻ ዜጎች አስመልክቶ ጉባኤው ደንብ ሊያወጣ ይችላል።

፵፬. ስለ ጃፍ እረፍት

- ፩) ጃፍ በአንድ ዓመት ውስጥ ፳ (ሥልሣ) ተከታታይ ቀናት የዓመት እረፍት ይኖረዋል።
- ፪) ቢያንስ ለአሥራ አምስት (፲፭) ዓመት ያገለገለና ዕድሜው ፵፭ ዓመት በላይ የሆነ ጃፍ በአካል እና አዕምሮ ታድሶ ወደ ሥራው ይመለስ ዘንድ ለአንድ ግዜ ብቻ ጉባኤው ካመነበት እስከ ሰድስት ወር እረፍት ሊፈቅድለት ይችላል።
- ፫) ሴት ጃፍ ፬ ወር የወሊድ ፍቃድ፣ ወንድ ፲ የሥራ ቀን የአባትነትን ፍቃድ ይኖረዋል።
- ፬) ጉባኤ የጃፍና ተሻሚን እረፍት አስመልክቶ ደንብ ያወጣል።

፵፭. የጃፍ ጉባኤ

- ፩) የክልልና የዞን ጃፍ ጉባኤ በዓመት ቢያንስ አንድ ጊዜ ይካሄዳል።
- ፪) የሚከተሉት አካላት በክልል የጃፍ ጉባኤ ላይ ይካሄዳሉ፡
 - (ሀ) ፕሬዚዳንት፣ ምክትል ፕሬዚዳንት፣ የማኔጅመንት ኮሚቴ አባላት፣ የችሎት አስተባባሪዎች፣ የሥራ መሪዎች እና የጠቅላይ ፍርድ ቤት ጃፍ፣

Part Five**Miscellaneous Provisions****43. Alternative Dispute Resolution Mechanisms**

- 1) The Courts shall take measures to encourage alternative dispute resolution mechanisms including customary and religious means in manner that ensures sustainability, accessibility, efficiency and peace in the community.
- 2) The Supreme Court shall design systems and lay down principles for this purpose; it shall work in collaboration with other concerned organizations.
- 3) The Commission may issue a regulation in relation to Alternative Dispute Resolution Mechanisms.

44. Leave of a Judge

- 1) A judge shall have an annual leave for sixty successive days.
- 2) A Commission may, if it believes so, give up to six months' vacation for a judge who has served for a minimum of fifteen years and whose age reached forty five years to enable him refresh himself and restore physical and mental energy.
- 3) A female judge is entitled to four months maternity leave while a male judge is entitled to a ten working days paternity leave.
- 4) The Commission shall issue a regulation in relation to leave of a judge and an appointee.

45. Plenum of Judges

- 1) Regional and Zonal Plenums of Judges shall be convened at least once a year.
- 2) The following persons shall participate on the Regional Plenum of Judges:
 - (a) The President, the Vice President, members of the management team, division coordinators, officials and judges of the Supreme Court;

- (b) Pirezidaantii, Gaggeessaa Ken-
niinsa Tajaajila Abbaa Seerum-
maa, Gaggeessaa Dhimma
Naamusaa fi Inispekshinii
Manneen Murtii Ol'aanaa;
- (c) Pirezidaantota Manneen
Murtii Aanaa;
- (d) Pirezidaantiin walittiqabaa
Yaa'ichaa ni ta'a. Barreessaa
yaa'ichaas ni moggaasa;
- (e) Pirezidaantiin hirmaattota kan
biroo mana murtii keessaa fi
alaa Yaa'icha irratti akka hir-
maatan affeeruu ni danda'a.
- 3) Yaa'iin Abbootii Seeraa Godinaa qa-
amota armaan gadii ni hirmaachisa:
- (a) Pirezidaantii, gaggeessitoota
hojii fi abbootii seeraa Mana
Murtii Ol'aanaa, akkasumas
pirezidaantotaa fi abbootii
seeraa Manneen Murtii Aana-
lee godinichaa kan hirmaachi-
su ta'a.
- (b) Pirezidaantiin Mana Murtii
Ol'aanaa walittiqabaa Yaa'ichaa
ni ta'a. Barreessaa Yaa'ichaas ni
moggaasa.
- (c) Pirezidaantiin Mana Murtii
Ol'aanaa hirmaattota biroo
Mana Murtii keessaa yookiin
alaa yaa'icha irratti akka hir-
maatan affeeruu ni danda'a.

46. Ajandaa Yaa'ichaa

- 1) Yaa'iin Abbootii seeraa ajandaa
armaan gadii irratti mari'achuu ni
danda'a:
- (a) Haala waliigalaa tajaajila abbaa
seerummaa fi sochii hojii Man-
neen Murtii naannichaa yooki-
in godinichaa irratti marii ta-
asisuudhaan yaadaafi kallattii
fuula duraa ni akeeka.
- (b) Kenniinsi tajaajila abbaa
seerummaa si'aayina, qulqulli-
naa fi dhaqqabamummaa akka
qabaatu, akkasumas kenniin-
sa tajaajila haqaa Naannichaa
yookiin godinichaa irratti ni
mari'ata; yaada fooyya'iinsaas
ni maddisiisa.

- (ለ) የከፍተኛ ፍርድ ቤት ፕሬዚዳንት፣
የዳኝነት አገልግሎት አሰጣጥ መሪ፣
የሥነ ምግባርና እንስሳትና መሪ፤
- (ሐ) የወረዳ ፍርድ ቤት ፕሬዚዳንት
- (መ) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት
የጉባኤው ሰብሳቢ ይሆናል።
የጉባኤውንም ፀሐፊ ይሰይማል።
- (ሠ) ፕሬዚዳንቱ ከፍርድ ቤትም ሆነ
ከፍርድ ቤት ውጭ የጉባኤው ተሳታፊ
ሊጋብዝ ይችላል።
- ፫) የዞን ዳኞች ጉባኤ የሚከተሉትን አካላት
ያሳትፋል
- (ሀ) የከፍተኛ ፍርድ ቤት ፕሬዚዳንት ፣
የሥራ መሪዎች፣ ዳኞች እንዲሁም
የወረዳ ፍርድ ቤት ፕሬዚዳንቶችና
ዳኞች፤
- (ለ) የከፍተኛ ፍርድ ቤት ፕሬዚዳንት
የጉባኤው ሰብሳቢ ይሆናል፤
የጉባኤውንም ፀሐፊ ይሰይማል።
- (ሐ) የከፍተኛ ፍርድ ቤት ፕሬዚዳንት
ከፍርድ ቤትም ሆነ ከፍርድ ቤት
ውጪ በጉባኤው ላይ እንዲሳተፉ
ሊጋብዝ ይችላል።

፵፮. የጉባኤው አጀንዳ

- ፩) የዳኞች ጉባኤ በሚከተሉት አጀንዳ ላይ
ሊወያይ ይችላል።
- (ሀ) ስለ ክልሉ ፍርድ ቤቶች አጠቃላይ
የዳኝነት አገልግሎት ወይም ስለ ዞኑ
ሥራ እንቅስቃሴ ላይ ተወያይቶ
አስተያየትና ቀጣይ የትኩረት
አቅጣጫን ያመለክታል፤
- (ለ) የዳኝነት አገልግሎት አሰጣጥ
ቅልጥፍና፣ ጥራትና ተደራሽነት
ይኖረው ዘንድ እንዲሁም በክልሉ
ወይም በዞን የፍትህ አሰጣጥ ላይ
ይወያያል፤ የማሻሻያ ሃሳቦችንም
ያመነጫል፤

- (b) The President, the head of the
rendition of the judicial
service unit, head ethics and
inspection affairs unit of the
High Court;
- (c) The Presidents of the Dis-
trict Court;
- (d) The President of the Su-
preme Court shall be the
chairperson of the Regional
Plenum of Judges; he shall
also designate the secretary
of the plenum.
- (e) The President may invite
other participants from in-
side or outside the Court to
participate on the Plenum;
- 3) The Zonal Plenum of Judges shall
have the following participants:
- (a) The president, officials and
judges of the High Court as
well as the presidents and
judges of the District Courts
of the zonal administration;
- (b) The president of the High
Court shall be the chairper-
son of the Plenum; he shall
also designate the secretary
of the plenum;
- (c) The President of the High
Court may invite other par-
ticipants from inside or out-
side the court to participate
on the Plenum.

46. Agendum of the Plenum

- 1) The Plenum of Judges may delib-
erate on the following agenda:
- (a) Deliberate on the overall ren-
dition of judicial services and
court performance in the re-
gion or in the zone and provide
recommendations and future
directions;
- (b) Deliberate on mechanisms of
ensuring the efficiency, quality
and accessibility of the judicial
services as well as the justice ser-
vice delivery of the region or of
the zone; May generate ideas for
future actions or improvements.

- (c) Walittiqabaan ajandaa kan biroo illee Yaa'ichaa dhiyeessuu ni danda'a.
- 2) Sirna Yaa'ichaa ilaalchisee Pirezidaantiin qajeelfama baasuu ni danda'a.

47. Dirqama Murtii fi Ajaja Mana Murtii Kabajuu

- 1) Namni yookiin qaamni kamiyyuu murtii yookiin ajaja Manneen MurtiiNaannichaa kabajuu, raaw-wachuu yookiin raawwii isaaf deeg-garsa yoo gaafatamu deeggarsa barbaachisu kennuuf dirqama qaba.
- 2) Manneen Murtii Naannichaa murtii kennan yookiin ajaja dabarsan kabachiisuuf dirqama qabu.
- 3) Namni yookiin qaamni dirqama kana hin bahanne akkaataa Labsii kanaatiin yookiin seeraa biroo rogummaa qabuunkan itti gaafatamu ta'a.

48. Adabbii

- 1) Kan seera biraatiin caalmaan adabsiisu yoo jiraate malee, namni yookiin qaamni kamuu bilisummaa Mana Murtii yookiin abbaa seeraa keessa seenuudhaan yookiin seenuuf yaaluudhaan, manni murtichaa yookiin Abbaan Seerichaa hojii abbaa seerummaa isaa bilisummaadhaan akka hin hojjenne kan godhe yookiin dhiibbaa kan taasise yookiin taasisuuf kan yaale adabbii hidhaa cimaa waggaa tokkoo hanga waggaa shan gahuun ni adabama.
- 2) Kan seera biraatiin adabbii caalmaan adabsiisu yoo jiraate malee, namni yookiin qaamni murtii yookiin ajaja Mana Murtii hin raawwanne, akka hin raawwatamne gufuu ta'e, yookiin hojii abbaa seerummaa sirnaan akka hin gaggeeffamne gufuu ta'e yookiin deeggarsa barbaachisu gaafatamee deeggarsa kennuu dide, adabbii hidhaa salphaa waggaa lama hin caalleen yookiin qarshii 5,000 hin caalleen ni adabama.

(ሐ) ሰብሳቢው ሌላም አጀንዳ ለጉባኤው ሊያቀርብ ይችላል።

፪) የጉባኤውን አሰራረርን በሚመለከት ፕሬዚዳንቱ መመሪያ ሊያወጣ ይችላል።

፵፯. የፍርድ ቤትን ውሳኔ እና ትዕዛዝ የማክበር ግዴታ

፩) ማንም ሰው ወይም አካል የክልሉን የፍርድ ቤቶች ውሳኔ ወይም ተዕዛዝ የማክበር፣ የመፈጸም፣ ለአፈጻጸሙ ድጋፍ እንዲያደርግ ሲጠየቅ አስፈላጊውን ድጋፍ የማድረግ ግዴታ አለበት።

፪) የክልሉ የፍርድ ቤቶች የሰጡትን ውሳኔ ወይም ያስተላለፉትን ትዕዛዝ የማክበር ግዴታ አለባቸው።

፫) ይህን ግዴታ ያልተወጣ ማንም ሰው ወይም አካል በዚህ ህግ ወይም አግባብ ባለው ሌላ ህግ መሰረት የሚጠየቅ ይሆናል።

፵፰. ቅጣት

፩) በሌላ ሕግ የበለጠ የሚያስቀጣ ካልሆነ በስተቀር ማንም ሰው ወይም አካል በፍርድ ቤት ነጻነት ጣልቃ በመግባት ወይም ለመግባት በመሞከር ፍርድ ቤቱ ወይም ዳኛው የዳኝነት ሥራውን በነጻነት እንዳይሠራ ያደረገ ወይም ተፅዕኖ ካደረገ ወይም ለማድረግ ከሞከረ ከአንድ ዓመት እስከ አምስት ዓመት በሚደርስ ጽኑ እስራት ይቀጣል።

፪) በሌላ ሕግ የበለጠ የሚያስቀጣ ካልሆነ በስተቀር የፍርድ ቤትን ውሳኔ ወይም ትዕዛዝ ያልፈፀመ እንዳይፈፀም እንቅፋት የሆነ ወይም የዳኝነት ሥራ በአግባቡ እንዳይመራ ያስናከለ ወይም አስፈላጊውን ድጋፍ ተጠይቆ ድጋፍ ያልሰጠ ሰው ወይም አካል ሁለት ዓመት በማይበልጥ ቀላል እሥራት ወይም ከብር 5,000.00 (አምስት ሺህ) በማይበልጥ ይቀጣል።

(c) The chairperson may present other agenda to the Plenum.

2) The President may issue a directive regarding the procedures of the Plenum.

47. Duty to Respect Decision and Order of the Court

1) Any person or any organ shall respect, enforce or give any support when so required for the enforcement of the decision or order of the courts;

2) The courts shall have the responsibility to ensure that their decisions or orders are enforced.

3) Any person or organ failing to discharge its duty shall be legally accountable in accordance with this proclamation or other relevant laws.

48. Penalty

1) Whosoever hinders the independent functioning of a court or of a judge or puts pressure or attempts to put pressure by interfering or attempting to interfere in the independence of a court or of a judge is punishable, unless a more severe penalty is provided for in another law, by a rigorous imprisonment of one to five years;

2) Whosoever fails to obey a court order or becomes an obstacle to the execution thereof or becomes an obstacle to the proper functioning of a court or fails to give any assistance when so requested is punishable, unless a more severe penalty is provided for in another law, by simple imprisonment not exceeding two years or by fine not exceeding Birr 5,000 (five thousands).

49. Yeroo Ce'umsaa

- 1) Yeroo Labsiin kun hojiirra oolutti dhimmoonni Manneen Murtii Naannichaa sadarkaa kamiittuu ilaalamaa jiran akkaatuma eegalamaniin kan xumura argatan ta'a.
- 2) Hojii irra oolmaan Keewwattoota Labsii kana Kutaa Sadii jalatti tumamanii guyyaa Labsichi hojiirra oolee eegalee yeroo qophii ji'a jahaa booda ta'a. Hanga sanitti dhimmoonni akkaatuma seerota armaan dura raawwatiinsa qabaniin kan dhiyaatan, keessummaa'anii fi xumura argatan ta'a.

50. Seerota Haqamanii fi Raawwatiinsa Hin Qabanne

- 1) Labsiin Manneen Murtii Oromiyaa Irra Deebiin Hundeessuuf Bahe, Lak. 141/2000 Labsii kanaan guutummaatti haqameera.
- 2) Seerri yookiin hojimaanni yookiin murtiin Labsii kanaan walitti bu'u kamuu dhimmoota Labsii kanaan aguugaman irratti raawwatiinsa hin qabaatu.

51. Aangoo Dambii fi Qajeelfama Baasuu

- 1) Gumiin Labsicha hojiirra oolchuuf Dambii barbaachisu baasuuf aangoo ni qabaata.
- 2) Manni Murtii Waliigalaa Labsii kanaa fi Dambii Labsii kana raawachiisuuf bahe hojiirra oolchuuf Qajeelfama baasu ni danda'a.

52. Yeroo Labsiin Kun Hojiirra Itti Oolu

Labsiin kun guyyaa Magalata Oromiyaa irratti maxxanfame irraa eegalee kan hojiirra oolu ta'a.

Finfinnee,
Fulbaana Guyyaa 28 Bara 2011
Lammaa Magarsaa
Pirezidaantii Mootummaa Naannoo Oromiyaa

፵፱. መሽጋገሪያ ድንጋጌ

- ሐ) ይህ አዋጅ ሥራ ላይ በሚውልበት ጊዜ በክልሉ ፍርድ ቤቶች በየትኛውም ደረጃ በመታየት ላይ ያሉ ጉዳዮች በተጀመሩበት መንገድ ፍጻሜ የሚያገኙ ይሆናል።
- ከ) የዚህ አዋጅ ክፍል ሶስት ድንጋጌዎች ተግባራዊነት አዋጁ ሥራ ላይ ከዋለበት ጊዜ ጀምሮ ከስድስት ወር ጊዜ ዝግጅት በኋላ ይሆናል። እስከዚያው ድረስ ጉዳዮች ቀድሞ ሥራ ላይ በነበሩት ሕግ መሠረት የሚቀርቡ፣ የሚስተናገዱና ፍጻሜ የሚያገኙ ይሆናል።

፶. የተሻረና ተፈጻሚነት ስለሌላቸው ሕጎች

- ሐ) የኦሮሚያ ክልል ፍርድ ቤቶችን እንደገና ለማቋቋም የወጣ አዋጅ ቁጥር ፪፻፩/፪ሺ መሐላ በመሐላ በዚህ አዋጅ ተሸሯል።
- ከ) በዚህ አዋጅ ውስጥ የተካተቱት ጉዳዮችን አስመልክቶ አዋጁን የሚቃረኑ ሕጎች ወይም አሠራር ወይም ወሳኔዎች ተፈጻሚነት የላቸውም።

፶፩. ደምብና መመሪያ የማዉጣት ሥልጣን

- ሐ) ጉባኤው አዋጁን ሥራ ላይ ለማዋል የሚያስፈልግ ደንብ ለማውጣት ሥልጣን አለው።
- ከ) ጠቅላይ ፍርድ ቤት ይህ አዋጅ እና አዋጁን ለማስፈፀም የወጣን ደንብ ተግባራዊ ለማድረግ መመሪያ ሊያወጣ ይችላል።

፶፪. አዋጁ ሥራ ላይ የሚውልበት ጊዜ

ይህ አዋጅ በመገለጥ ኦሮሚያ ላይ ታትሞ ከወጣበት ቀን ጀምሮ ሥራ ላይ የሚውል ይሆናል።

ፊንፊኔ

መስከረም ፳፰ ቀን ፪ሺ፲፩ ዓ.ም

ለማ መገርሣ

የኦሮሚያ ክልል መንግስት ፕሬዚዳንት

49. Transitional Period

- 1) Cases pending at all levels of the courts prior to the effective date of this proclamation shall be preceded and completed as per the existing law.
- 2) The coming into effect of the provisions of Part Three of this proclamation shall be after six months preparatory period following the effective date of the proclamation. Until then, cases shall be opened, entertained and completed pursuant to laws in force here-before.

50. Repealed and Inapplicable Laws

- 1) Oromia Courts Reestablishment Proclamation No. 141/2008 is hereby repealed in its entirety.
- 2) Any law or practice or decision inconsistent with the provisions of this proclamation shall be inapplicable with respect to matters provided for in this Proclamation.

51. Power to Issue Regulation or Directive

- 1) The Commission may issue regulations necessary for the implementation of this Proclamation.
- 2) The Supreme Court may issue directives necessary for the implementation of this proclamation or for the implementation of regulations issued under it.

52. Effective Date

This Proclamation shall become effective as of its publication on Megeleta Oromia.

Finfine,

October 8, 2018

Lema Megersa

President of Oromia Regional State