

Constitution of The Federal Democratic Republic of Ethiopia

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PREAMBLE

We, the Nations, Nationalities and Peoples of Ethiopia:

Strongly committed, in full and free exercise of our right to self-determination, to building a political community founded on the rule of law and capable of ensuring a lasting peace, guaranteeing a democratic order, and advancing our economic and social development;

Firmly convinced that the fulfillment of this objective requires full respect of individual and people's fundamental freedoms and rights, to live together on the basis of equality and without any sexual, religious or cultural discrimination;

Further convinced that by continuing to live with our rich and proud cultural legacies in territories we have long inhabited, have, through continuous interaction on various levels and forms of life, built up common interest and have also contributed to the emergence of a common outlook;

Fully cognizant that our common destiny can best be served by rectifying historically unjust relationships and by further promoting our shared interests;

Convinced that to live as one economic community is necessary in order to create sustainable and mutually supportive conditions for ensuring respect for our rights and freedoms and for the collective promotion of our interests;

Determined to consolidate, as a lasting legacy, the peace and the prospect of a democratic order which our struggles and sacrifices have brought about;

Have therefore adopted, on 8 December 1994 this constitution through representatives we have duly elected for this purpose as an instrument that binds us in a mutual commitment to fulfill the objectives and the principles set forth above.

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CHAPTER ONE

GENERAL PROVISIONS

Article 1

Nomenclature of the State

This Constitution establishes a Federal and Democratic State structure. Accordingly, the Ethiopian state shall be known as the Federal Democratic Republic of Ethiopia.

Article 2

Ethiopian Territorial Jurisdiction

The territorial jurisdiction of Ethiopia shall comprise the territory of the members of the Federation and its boundaries shall be as determined by international agreements.

Article 3

The Ethiopian Flag

1. The Ethiopian flag shall consist of green at the top, yellow in the middle and red at the bottom, and shall have a national emblem at the center. The three colors shall be set horizontally in equal dimension.
2. The national emblem on the flag shall reflect the hope of the Nations, Nationalities, Peoples as well as religious communities of Ethiopia to live together in equality and unity.
3. Members of the Federation may have their respective flags and emblems and shall determine the details thereof through their respective legislatures.

Article 4

National Anthem of Ethiopia

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

Article 5

Languages

1. All Ethiopian languages shall enjoy equal state recognition.
2. Amharic shall be the working language of the Federal Government.
3. Members of the Federation may by law determine their respective working languages.

Article 6

Nationality

1. Any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian.
2. Foreign nationals may acquire Ethiopian nationality.
3. Particulars relating to nationality shall be determined by law.

Article 7
Gender Reference

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

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CHAPTER TWO **FUNDAMENTAL PRINCIPLES OF THE CONSTITUTION**

Article 8

Sovereignty of the people

1. All sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia.
2. This Constitution is an expression of their sovereignty.
3. Their sovereignty shall be expressed through their representatives elected in accordance with this Constitution and through their direct democratic participation

Article 9

Supremacy of the Constitution

1. The Constitution is the supreme law of the land. Any law, customary practice or a decision of an organ of state or a public official which contravenes this Constitution shall be of no effect.
2. All citizens, organs of state, political organizations, other associations as well as their officials have the duty to ensure observance of the Constitution and to obey it.
3. It is prohibited to assume state power in any manner other than that provided under the Constitution.
4. All international agreements ratified by Ethiopia are an integral part of the law of the land.

Article 10

Human and Democratic Rights

1. Human rights and freedoms, emanating from the nature of mankind, are inviolable and inalienable.
2. Human and democratic rights of citizens and peoples shall be respected.

Article 11

Separation of State and Religion

1. State and religion are separate.
2. There shall be no state religion.
3. The state shall not interfere in religious matters and religion shall not interfere in state affairs.

Article 12

Conduct and Accountability of Government

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

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**CHAPTER THREE
FUNDAMENTAL RIGHTS AND FREEDOMS**

Article 13

Scope of Application and Interpretation

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

PART ONE

HUMAN RIGHTS

Article 14

Rights to life, the Security of Person and Liberty

Every person has the inviolable and inalienable right to life the security of person and liberty.

Article 15

Right to Life

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

Article 16

The Right of the Security of Person

Every one has the right to protection against bodily harm.

Article 17

Right to Liberty

1. No one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law.
2. No person may be subjected to arbitrary arrest, and no person may be detained without a charge or conviction against him.

Article 18

Prohibition against Inhuman Treatment

1. Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment.
2. No one shall be held in slavery or servitude. Trafficking in human beings for whatever purpose is prohibited.
3. No one shall be required to perform forced or compulsory labour.
4. For the purpose of sub-Article 3 of this Article the phrase "forced or compulsory labour" shall not include:
 - (a) Any work or service normally required of a person who is under detention in consequence of a lawful order, or of a person during conditional release from such detention;
 - (b) In the case of conscientious objectors, any service exacted in lieu of compulsory military service;
 - (c) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;
 - (d) Any economic and social development activity voluntarily performed by a community within its locality.

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PART TWO

DEMOCRATIC RIGHTS

Article 29

Right of Thought, Opinion and Expression

1. Everyone has the right to hold opinions without interference.
2. Everyone has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice.
3. Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:
 - (a) Prohibition of any form of censorship.
 - (b) Access to information of public interest.
4. In the interest of the free flow of information, ideas and opinions which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.
5. Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion.
6. These rights can be limited only through laws which are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the well-being of the youth, and the honour and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law.
7. Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law.

Article 30

The Right of Assembly, Demonstration and Petition

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

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CHAPTER FOUR

STATE STRUCTURE

Article 45

Form of Government

The Federal Democratic Republic of Ethiopia shall have a parliamentary form of government.

Article 46

States of the Federation

1. The Federal Democratic Republic shall comprise of States.
2. States shall be delimited on the basis of the settlement patterns, language, identity and consent of the peoples concerned.

Article 47

Member States of the Federal Democratic Republic

1. Member States of the Federal Democratic Republic of Ethiopia are the Following:
 - 1) The State of Tigray
 - 2) The State of Afar
 - 3) The State of Amhara
 - 4) The State of Oromia
 - 5) The State of Somalia
 - 6) The State of Benshangul/Gumuz
 - 7) The State of the Southern Nations, Nationalities and Peoples
 - 8) The State of the Gambela Peoples
 - 9) The State of the Harari People
2. Nations, Nationalities and Peoples within the States enumerated in sub-Article 1 of this article have the right to establish, at any time, their own States.
3. The right of any Nation, Nationality or People to form its own state is exercisable under the following procedures:

- a. When the demand for statehood has been approved by a two-thirds majority of the members of the Council of the Nation, Nationality or People concerned, and the demand is presented in writing to the State Council;
 - b. When the Council that received the demand has organized a referendum within one year to be held in the Nation, Nationality or People that made the demand;
 - c. When the demand for statehood is supported by a majority vote in the referendum;
 - d. When the State Council will have transferred its powers to the Nation, Nationality or People that made the demand; and
 - e. When the new State created by the referendum without any need for application, directly becomes a member of the Federal Democratic Republic of Ethiopia.
4. Member States of the Federal Democratic Republic of Ethiopia shall have equal rights and powers.

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CHAPTER FIVE THE STRUCTURE AND DIVISION OF POWERS

Article 50

Structure of the Organs of State

1. The Federal Democratic Republic of Ethiopia comprises the Federal Government and the State members.
2. The Federal Government and the States shall have legislative, executive and judicial powers.
3. The House of Peoples' Representatives is the highest authority of the Federal Government. The House is responsible to the People. The State Council is the highest organ of State authority. It is responsible to the People of the State.
4. State government shall be established at State and other administrative levels that they find necessary. Adequate power shall be granted to the lowest units of government to enable the People to participate directly in the administration of such units.
5. The State Council has the power of legislation on matters falling under State jurisdiction. Consistent with the provisions of this Constitution, the Council has power to draft, adopt and amend the state constitution.
6. The State administration constitutes the highest organ of executive power.
7. State judicial power is vested in its courts.

8. Federal and State powers are defined by this Constitution. The States shall respect the powers of the Federal Government. The Federal Government shall likewise respect the powers of the States.
9. The Federal Government may, when necessary, delegate to the States powers and functions granted to it by Article 51 of this Constitution.

Article 51

Powers and Functions of the Federal Government

1. It shall protect and defend the Constitution
2. It shall formulate and implement the country's policies, strategies and plans in respect of overall economic, social and development matters.
3. It shall establish and implement national standards and basic policy criteria for public health, education, science and technology as well as for the protection and preservation of cultural and historical legacies.
4. It shall formulate and execute the country's financial, monetary and foreign investment policies and strategies.
5. It shall enact laws for the utilization and conservation of land and other natural resources, historical sites and objects.
6. It shall establish and administer national defence and public security forces as well as a federal police force.
7. It shall administer the National Bank, print and borrow money, mint coins, regulate foreign exchange and money in circulation; it shall determine by law the conditions and terms under which States can borrow money from internal sources.
8. It shall formulate and implement foreign policy; it shall negotiate and ratify international agreements.
9. It shall be responsible for the development, administration and regulation of air, rail, waterways and sea transport and major roads linking two or more States, as well as for postal and telecommunication services.
10. It shall levy taxes and collect duties on revenue sources reserved to the Federal Government; it shall draw up, approve and administer the Federal Government's budget.
11. It shall determine and administer the utilization of the waters or rivers and lakes linking two or more States or crossing the boundaries of the national territorial jurisdiction.
12. It shall regulate inter-State and foreign commerce.
13. It shall administer and expand all federally funded institutions that provide services to two or more States.
14. It shall deploy, at the request of a state administration, Federal defence forces to arrest a deteriorating security situation within the requesting State when its authorities are unable to control it.
15. It shall enact, in order to give practical effect to political rights provided for in this Constitution, all necessary laws governing political parties and elections.
16. It has the power to declare and to lift national state of emergency and states of emergencies limited to certain parts of the country.
17. It shall determine matters relating to nationality.

18. It shall determine and administer all matters relating to immigration, the granting of passports, entry into and exit from the country, refugees and asylum.
19. It shall patent inventions and protect copyrights.
20. It shall establish uniform standards of measurement and calendar.
21. It shall enact laws regulating the possession and bearing of arms.

Article 52

Powers and Functions of States

1. All powers not given expressly to the Federal Government alone, or concurrently to the Federal Government and the States are reserved to the States.
2. Consistent with sub-Article 1 of this Article, States shall have the following powers and functions:
 - a. To establish a State administration that best advances self-government, a democratic order based on the rule of law; to protect and defend the Federal Constitution;
 - b. To enact and execute the state constitution and other laws;
 - c. To formulate and execute economic, social and development policies, strategies and plans of the State;
 - d. To administer land and other natural resources in accordance with Federal laws;
 - e. To levy and collect taxes and duties on revenue sources reserved to the States and to draw up and administer the State budget;
 - f. To enact and enforce laws on the State civil service and their condition of work; in the implementation of this responsibility it shall ensure that educational; training and experience requirements for any job, title or position approximate national standards;
 - g. To establish and administer a state police force, and to maintain public order and peace within the State;

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CHAPTER SIX **THE FEDERAL HOUSES**

Article 53

The Federal Houses

There shall be two Federal Houses: The House of Peoples' Representatives and the House of the Federation.

Part one
The House of Peoples' Representatives
Article 54
Members of the House of Peoples' Representatives

1. Members of the House of Peoples' Representatives shall be elected by the People for a term of five years on the basis of universal suffrage and by direct, free and fair elections held by secret ballot.
2. Members of the House shall be elected from candidates in each electoral district by a plurality of the votes cast. Provisions shall be made by law for special representation for minority Nationalities and Peoples.
3. Members of the House, on the basis of population and special representation of minority Nationalities and Peoples, shall not exceed 550; of these, minority Nationalities and Peoples shall have at least 20 seats. Particulars shall be determined by law.
4. Members of the House are representatives of the Ethiopian People as a whole. They are governed by:
 - a. The Constitution;
 - b. The will of the people; and
 - c. Their Conscience.
5. No member of the House may be prosecuted on account of any vote he casts or opinion he expresses in the House, nor shall any administrative action be taken against any member on such grounds.
6. No member of the House may be arrested or prosecuted without the permission of the House except in the case of flagrante delicto
7. A member of the House may, in accordance with law, lose his mandate of representation upon loss of confidence by the electorate.

Article 55

Powers and Functions of the House of Peoples' Representatives

1. The House of Peoples' Representatives shall have the power of legislation in all matters assigned by this Constitution to Federal jurisdiction.
2. Consistent with the provision of sub-Article 1 of this Article, the House of Peoples' Representatives shall enact specific laws on the following matters:
 - (a) Utilization of land and other natural resources, of rivers and lakes crossing the boundaries of the national territorial jurisdiction or linking two or more States;
 - (b) Inter-State commerce and foreign trade;
 - (c) Air, rail, water and sea transport, major roads linking two or more States, postal and telecommunication services;

- (d) Enforcement of the political rights established by the Constitution and electoral laws and procedures;
 - (e) Nationality, immigration, passport, exit from and entry into the country, the rights of refugees and of asylum;
 - (f) Uniform standards of measurement and calendar;
 - (g) Patents and copyrights;
 - (h) The possession and bearing of arms.
3. It shall enact a labour code
 4. It shall enact a commercial code
 5. It shall enact a penal code. The States may, however, enact penal laws on matters that are not specifically covered by Federal penal legislation.
 6. It shall enact civil laws which the House of the Federation deems necessary to e

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PART TWO THE HOUSE OF THE FEDERATION

Article 61

Members of the House of the Federation

1. The House of the Federation is composed of representatives of Nations, Nationalities and Peoples.
2. Each Nation, Nationality and People shall be represented in the House of the Federation by at least one member . Each Nation or Nationality shall be represented by one additional representative for each one million of its population.
3. Members of the House of the Federation shall be elected by the State Councils. The State Councils may themselves elect representatives to the House of the Federation, or they may hold elections to have the representatives elected by the people directly.

Article 62

Powers and Functions of the House of the Federation

1. The House has the power to interpret the Constitution.
2. It shall organize the Council of Constitutional Inquiry.
3. It shall, in accordance with the Constitution, decide on issues relating to the rights of Nations, Nationalities and Peoples to self-determination, including the right to secession.
4. It shall promote the equality of the Peoples of Ethiopia enshrined in the Constitution and promote and consolidate their unity based on their mutual consent.
5. It shall exercise the powers concurrently entrusted to it and to the House of Peoples' Representatives.
6. It shall strive to find solutions to disputes or misunderstandings that may arise between States.
7. It shall determine the division of revenues derived from joint Federal and State tax sources and the subsidies that the Federal Government may provide to the States.
8. It shall determine civil matters which require the enactment of laws by the House of Peoples' Representatives.
9. It shall order Federal intervention if any State, in violation of this Constitution, endangers the constitutional order.
10. It shall establish permanent and ad hoc committees.
11. It shall elect the Speaker and the Deputy Speaker of the House, and it shall adopt rules of procedure and internal administration.

Article 63

Immunity of Members of the House of Federation

1. No member of the House of the Federation may be prosecuted on account of any vote he casts or opinion he expresses in the House, nor shall any administrative action be taken against any member on such grounds.
2. No member of the House of the Federation may be arrested or prosecuted without the permission of the House except in the case of flagrante delicto.

Article 64

Decisions and Rules of Procedure

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

Article 65

Budget

The House of the Federation shall submit its budget for approval to the House of Peoples' Representatives.

Article 66

Powers of the Speaker of the House

1. The Speaker of the House of the Federation shall preside over the meetings of the House.
2. He shall, on behalf of the House, direct all its administrative affairs.
3. He shall enforce all disciplinary actions the House takes on its members.

Article 67

Sessions and Term of Mandate

1. The House of the Federation shall hold at least two sessions annually.
2. The term of mandate of the House of the Federation shall be five years.

Article 68

**Prohibition of Simultaneous Membership in the
Two Houses**

No one may be a member of the House of Peoples' Representatives and of the House of the Federation simultaneously.

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CHAPTER SEVEN THE PRESIDENT OF THE REPUBLIC

Article 69

The President

The President of the Federal Democratic Republic of Ethiopia is the Head of State.

Article 70

Nomination and Appointment of the President

1. The House of Peoples' Representatives shall nominate the candidate for President.
2. The nominee shall be elected President if a joint session of the House of Peoples' Representatives and the House of the Federation approves his candidacy by a two-thirds majority vote.
3. A member of either House shall vacate his seat if elected President.
4. The term of office of the President shall be six years. No person shall be elected President for more than two terms.
5. Upon his election in accordance with sub-Article 2 of this Article, the President, before commencing his responsibility, shall, at a time the joint session of the Houses determines, present himself before it and shall make a declaration of loyalty to the Constitution and the Peoples of Ethiopia in the following words:

"I, when on this date commence my responsibility as President of the Federal Democratic Republic of Ethiopia, pledge to carry out faithfully the high responsibility entrusted to me."

Article 71

Powers and Functions of the President

1. He shall open the joint session of the House of Peoples' Representatives and the House of the Federation at the commencement of their annual sessions.
2. He shall proclaim in the Negarit Gazeta laws and international agreements approved by the House of Peoples' Representatives in accordance with the Constitution.
3. He shall, upon recommendation by the Prime Minister, appoint ambassadors and other envoys to represent the country abroad.
4. He shall receive the credentials of foreign ambassadors and special envoys.
5. He shall award medals, prizes and gifts in accordance with conditions and procedures established by law.
6. He shall, upon recommendation by the Prime Minister and in accordance with law, grant high military titles.
7. He shall, in accordance with conditions and procedures established by law, grant pardon.

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CHAPTER EIGHT **THE EXECUTIVE**

Article 72

The Powers of the Executive

1. The Highest executive powers of the Federal Government are vested in the Prime Minister and in the Council of Ministers.
2. The Prime Minister and the Council of Ministers are responsible to the House of Peoples' Representatives. In the exercise of State functions, members of the Council of Ministers are collectively responsible for all decisions they make as a body.
3. Unless otherwise provided in this Constitution the term of office of the Prime Minister is for the duration of the mandate of the House of Peoples' Representatives.

Article 73

Appointment of the Prime Minister

1. The Prime Minister shall be elected from among members of the House of Peoples' Representatives.
2. Power of Government shall be assumed by the political party or a coalition of political parties that constitutes a majority in the House of Peoples' Representatives.

Article 74

Powers and Functions of the Prime Minister

1. The Prime Minister is the Chief Executive, the Chairman of the Council of Ministers, and the Commander-in-Chief of the national armed forces.

2. The Prime Minister shall submit for approval to the House of Peoples' Representatives nominees for ministerial posts from among members of the two Houses or from among persons who are not members of either House and possess the required qualifications.
3. He shall follow up and ensure the implementation of laws, policies, directives and other decisions adopted by the House of Peoples' Representatives.
4. He leads the Council of Ministers, coordinates its activities and acts as its representative.
5. He exercises overall supervision over the implementation of policies, regulations, directives and decisions adopted by the Council of Ministers.
6. He exercises overall supervision over the implementation of the

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CHAPTER NINE STRUCTURE AND POWERS OF THE COURTS

Article 78

Independence of the Judiciary

1. An independent judiciary is established by this Constitution.
2. Supreme Federal judicial authority is vested in the Federal Supreme Court. The House of Peoples' Representatives may, by two-thirds majority vote, establish nationwide, or in some parts of the country only, the Federal High Court and First-Instance Courts it deems necessary. Unless decided in this manner, the jurisdictions of the Federal High Court and of the First-Instance Courts are hereby delegated to the State courts.
3. States shall establish State Supreme, High and First-Instance Courts. Particulars shall be determined by law.
4. Special or ad hoc courts which take judicial powers away from the regular courts or institutions legally empowered to exercise judicial functions and which do not follow legally prescribed procedures shall not be established.
5. Pursuant to sub-Article 5 of Article 34 the House of Peoples' Representatives and State Councils can establish or give official recognition to religious and customary courts. Religious and customary courts that had state recognition and functioned prior to the

adoption of the Constitution shall be organized on the basis of recognition accorded to them by this Constitution.

Article 79
Judicial Powers

1. Judicial Powers, both at Federal and State levels, are vested in the courts.
2. Courts of any level shall be free from any interference of influence of any governmental body, government official or from any other source.
3. Judges shall exercise their functions in full independence and shall be directed solely by the law.
4. No judge shall be removed from his duties before he reaches the retirement age determined by law except under the following conditions:
 - (a) When the Judicial Administration Council decides to remove him for violation of disciplinary rules or on grounds of gross incompetence or inefficiency; or
 - (b) When the Judicial Administration Council decides that a judge can no longer carry out his responsibilities on account of illness; and
 - (c) When the House of Peoples' Representatives or the concerned State Council approves by a majority vote the decisions of the Judicial Administration Council.
5. The retirement of judges may not be extended beyond the retirement age determined by law.
6. The Federal Supreme Court shall draw up and submit to the House of Peoples' Representatives for approval the budget of the Federal courts, and upon approval, administer the budget.
7. Budgets of State courts shall be determined by the respective State Council. The House of Peoples' Representatives shall allocate compensatory budgets for States whose Supreme and High courts concurrently exercise the jurisdiction of the Federal High Court and Federal First-Instance Courts.

Article 80
Concurrent Jurisdiction of Courts

1. The Federal Supreme Court shall have the highest and final judicial power over Federal matters.
2. State Supreme Courts shall have the highest and final judicial power over State matters. They shall also exercise the Jurisdiction of the Federal High Court.

3. Notwithstanding the Provisions of sub-Articles 1 and 2 of this Article;
 - (a) The Federal Supreme Court has a power of cassation over any final court decision containing a basic error of law. Particulars shall be determined by law.
 - (b) The State Supreme Court has power of causation over any final court decision on State matters which contains a basic error of law. Particulars shall be determined by law.
4. State High Courts shall, in addition to State jurisdiction, exercise the jurisdiction of the Federal First-Instance Court.
5. Decisions rendered by a State High Court exercising the jurisdiction of the Federal First-Instance Court are appealable to the State supreme Court.
6. Decisions rendered by a State Supreme Court on Federal matters are appealable to the Federal Supreme Court.

Article 81
Appointment of Judges

1. The President and Vice-President of the Federal Supreme Court shall, upon recommendation by the Prime Minister, be appointed by the House of Peoples' Representatives.
2. Regarding other Federal judges, the Prime Minister shall submit to the House of Peoples' Representatives for appointment candidates selected by the Federal Judicial Administration Council.
3. The State Council shall, upon recommendation by the Chief Executive of the State, appoint the President and Vice-President of the State Supreme Court.
4. State Supreme and High Court judges shall, upon recommendation by the State Judicial Administration Council, be appointed by the State Council. The State Judicial Administration Council, before submitting nominations to the State Council, has the responsibility to solicit and obtain the views of the Federal Judicial Administration Council on the nominees and to forward those views along with its recommendations. If the Federal Judicial Administration Council does not submit its views within three months, the State Council may grant the appointments.
5. Judges of State First-Instance Courts shall, upon recommendation by the state Judicial Administration Council, be appointed by the State Council.
6. Matters of code of professional conduct and discipline as well as transfer of judges of any court shall be determined by the concerned Judicial Administration Council.

Article 82

Structure of the Council of Constitutional Inquiry

1. The Council of Constitutional Inquiry is established by this Constitution.
2. The Council of Constitutional Inquiry shall have eleven members comprising:
 - (a) The President of the Federal Supreme Court, who shall serve as its President;
 - (b) The vice-president of the Federal Supreme Court, who shall serve as its Vice-President;
 - (c) Six legal experts, appointed by the President of the Republic on recommendation by the House of Peoples' Representatives, who shall have proven professional competence and high moral standing;
 - (d) Three persons designated by the House of the Federation from among its members.
3. The Council of Constitutional Inquiry shall establish organizational structure which can ensure expeditious execution of its responsibilities.

Article 83

Interpretation of the Constitution

1. All constitutional disputes shall be decided by the House of the Federation.
2. The House of the Federation shall, within thirty days of receipt, decide a constitutional dispute submitted to it by the Council of Constitutional Inquiry.

Article 84

Powers and Functions of the Council of Constitutional Inquiry

1. The Council of Constitutional Inquiry shall have powers to investigate constitutional disputes. Should the Council, upon consideration of the matter, find it necessary to interpret the Constitution, it shall submit its recommendations thereon to the House of the Federation.
2. Where any Federal or State law is contested as being unconstitutional and such a dispute is submitted to it by any court or interested party, the Council shall consider the matter and submit it to the House of the Federation for a final decision.
3. When issues of constitutional interpretation arise in the courts, the Council shall:

(a) Remand the case to the concerned court if it finds there is no need for constitutional interpretation; the interested party, if dissatisfied with the decision of the Council, may appeal to the House of the Federation.

(b) Submit its recommendations to the House of the Federation for a final decision if it believes there is a need for constitutional interpretation.

4. The Council shall draft its rules of procedure and submit them to the House of the Federation; and implement them upon approval.

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CHAPTER TEN NATIONAL POLICY PRINCIPLES AND OBJECTIVES

Article 85

Objectives

1. Any organ of Government shall, in the implementation of the Constitution, other laws and public policies, be guided by the principles and objectives specified under this Chapter.
2. The term "Government" in this Chapter shall mean a Federal or State government as the case may be.

Article 86

Principles for External Relations

1. To promote policies of foreign relations based on the protection of national interests and respect for the sovereignty of the country.
2. To promote mutual respect for national sovereignty and equality of states and non-interference in the internal affairs of other states.
3. To ensure that the foreign relation policies of the country are based on mutual interests and equality of states as well as that international agreements promote the interests of Ethiopia.

4. To observe international agreements which ensure respect for Ethiopia's sovereignty and are not contrary to the interests of its Peoples.
5. To forge and promote ever growing economic union and fraternal relations of Peoples with Ethiopia's neighbours and other African countries.
6. To seek and support peaceful solutions to international disputes.

Article 87

Principles for National Defence

1. The composition of the national armed forces shall reflect the equitable representation of the Nations, Nationalities and Peoples of Ethiopia.
2. The Minister of Defence shall be a civilian.
3. The armed forces shall protect the sovereignty of the country and carry out any responsibilities as may be assigned to them under any state of emergency declared in accordance with the Constitution.
4. The armed forces shall at all times obey and respect the Constitution.
5. The armed forces shall carry out their functions free of any partisanship to any political organization(s).

Article 88

Political Objectives

1. Guided by democratic principles, Government shall promote and support the People's self-rule at all levels.
2. Government shall respect the identity of Nations, Nationalities and Peoples. Accordingly Government shall have the duty to strengthen ties of equality, unity and fraternity among them.

Article 89

Economic Objectives

1. Government shall have the duty to formulate policies which ensure that all Ethiopians can benefit from the country's legacy of intellectual and material resources.
2. Government has the duty to ensure that all Ethiopians get equal opportunity to improve their economic condition and to promote equitable distribution of wealth among them.
3. Government shall take measures to avert any natural and man-made disasters, and, in the event of disasters, to provide timely assistance to the victims.

4. Government shall provide special assistance to Nations, Nationalities, and Peoples least advantaged in economic and social development.
5. Government has the duty to hold, on behalf of the People, land and other natural resources and to deploy them for their common benefit and development.
6. Government shall at all times promote the participation of the People in the formulation of national development policies and programmes; it shall also have the duty to support the initiatives of the People in their development endeavors.
7. Government shall ensure the participation of women in equality with men in all economic and social development endeavors.
8. Government shall endeavor to protect and promote the health, welfare and living standards of the working population of the country.

Article 90
Social Objectives

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

Article 91
Cultural Objectives

1. Government shall have the duty to support, on the basis of equality, the growth and enrichment of cultures and traditions that are compatible with fundamental rights, human dignity, democratic norms and ideals, and the provisions of the Constitution.
2. Government and all Ethiopian citizens shall have the duty to protect the country's natural endowment, historical sites and objects.
3. Government shall have the duty, to the extent its resources permit, to support the development of the arts, science and technology.

Article 92
Environmental Objectives

1. Government shall endeavor to ensure that all Ethiopians live in a clean and healthy environment.
2. The design and implementation of programmes and projects of development shall not damage or destroy the environment.

3. People have the right to full consultation and to the expression of views in the planning and implementations of environmental policies and projects that affect them directly.
4. Government and citizens shall have the duty to protect the environment.

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CHAPTER ELEVEN MISCELLANEOUS PROVISIONS Article 93 Declaration of State of Emergency

1. (a) The Council of Ministers of the Federal Government shall have the power to decree a state of emergency, should an external invasion, a break down of law and order which endangers the Constitutional order and which cannot be controlled by the regular law enforcement agencies and personnel, a natural disaster, or an epidemic occur.

(b) State executives can decree a State-Wide state of emergency should a natural disaster or an epidemic occur. Particulars shall be determined in State Constitutions to be promulgated in conformity with this Constitution.
2. A state of emergency declared in accordance with sub-Article 1(a) of this Article:
 - (a) If declared when the House of Peoples' Representatives is in session, the decree shall be submitted to the House within forty-eight hours of its declaration. The decree, if not approved by a two-thirds majority vote of members of the House of Peoples' Representatives, shall be repealed forthwith.
 - (b) Subject to the required vote of approval set out in (a) of this sub-Article, the decree declaring a state of emergency when the House of Peoples' Representatives is not in session shall be submitted to it within fifteen days of its adoption.
3. A state of emergency decreed by the Council of Ministers, if approved by the House of Peoples' Representatives, can remain in effect up to six months. The House of Peoples' Representatives may, by a two-thirds majority vote, allow the state of emergency proclamation to be renewed every four months successively.

4. (a) When a state of emergency is declared, the Council of Ministers shall, in accordance with regulations it issues, have all necessary power to protect the country's peace and sovereignty, and to maintain public security, law and order.

(b) The Council of Ministers shall have the power to suspend such political and democratic rights contained in this Constitution to the extent necessary to avert the conditions that required the declaration of a state of emergency.

(c) In the exercise of its emergency powers the Council of Ministers can not, however, suspend or limit the rights provided for in Articles 1, 18, 25, and sub-Articles 1 and 2 of Article 39 of this Constitution.

5. The House of Peoples' Representatives, while declaring a state of emergency, shall simultaneously establish a State of Emergency Inquiry Board, comprising of seven persons to be chosen and assigned by the House from among its members and from legal experts.

6. The State of Emergency Inquiry Board shall have the following powers and responsibilities:

(a) To make public within one month the names of all individuals arrested on account of the state of emergency together with the reasons for their arrest.

(b) To inspect and follow up that no measure taken during the state of emergency is inhumane.

(c) To recommend to the Prime Minister or to the Council of Ministers corrective measures if it finds and case of inhumane treatment.

(d) To ensure the prosecution of perpetrators of inhumane acts.

(e) To submit its views to the House of Peoples' Representatives on a request to extend the duration of the state of emergency.

Article 94

Financial Expenditures

1. The Federal Government and the States shall respectively bear all financial expenditures necessary to carry out all responsibilities and functions assigned to them by law. Unless otherwise agreed upon, the financial expenditures required for the carrying out of any delegated function by a State shall be borne by the delegating party.

2. The Federal Government may grant to States emergency, rehabilitation and development assistance and loans, due care being taken that such assistance and loans do

not hinder the proportionate development of States. The Federal Government shall have the power to audit and inspect the proportionate development of States.

Article 95
Revenue

The Federal Government and the States shall share revenue taking the federal arrangement into account.

Article 96
Federal Power of Taxation

1. The Federal Government shall levy and collect custom duties, taxes and other charges on imports and exports.
2. It shall levy and collect income tax on employees of the Federal Government and international organizations.
3. It shall levy and collect income, profit, sales and excise taxes on enterprises owned by the Federal Government.
4. It shall tax the income and winnings of national lotteries and other games of chance.
5. It shall levy and collect taxes on the income of air, rail and sea transport services.
6. It shall levy and collect taxes on income of houses and properties owned by the Federal Government; it shall fix rents.
7. It shall determine and collect fees and charges relating to licenses issued and services rendered by organs of the Federal Government.
8. It shall levy and collect taxes on monopolies.
9. It shall levy and collect Federal stamp duties.

Article 97
State Power of Taxation

1. States shall levy and collect income taxes on employees of the State and of private enterprises.
2. States shall determine and collect fees for land usufructuary rights.

3. States shall levy and collect taxes on the incomes of private farmers and farmers incorporated in cooperative associations.
4. States shall levy and collect profit and sales taxes on individual traders carrying out a business within their territory.
5. States shall levy and collect taxes on income from transport services rendered on waters within their territory.
6. They shall levy and collect taxes on income derived from private houses and other properties within the State. They shall collect rent on houses and other properties they own.
7. States shall levy and collect profit, sales, excise and personal income taxes on income of enterprises owned by the States.
8. Consistent with the provisions sub-Article 3 of Article 98, States shall levy and collect taxes on income derived from mining operations, and royalties and land rentals on such operations.
9. They shall determine and collect fees and charges relating to licenses issued and services rendered by State organs.
10. They shall fix and collect royalty for use of forest resources.

Article 98

Concurrent Power of Taxation

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

Article 99

Undesignated Powers of Taxation

The House of the Federation and the House of Peoples' Representatives shall, in a joint session, determine by a two-thirds majority vote on the exercise of powers of taxation which have not been specifically provided for in the Constitution.

Article 100
Directives on Taxation

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

Article 101
The Auditor General

1. The Auditor General shall, upon recommendations of the Prime Minister, be appointed by the House of Peoples' Representatives.
2. The Auditor General shall audit and inspect the accounts of ministries and other agencies of the Federal Government to ensure that expenditures are properly made for activities carried out during the fiscal year and in accordance with the approved allocations, and submit his reports thereon to the House of Peoples' Representatives.
3. The Auditor General shall draw up and submit for approval to the House of Peoples' Representatives his office's annual budget.
4. The details of functions of the Auditor General shall be determined by law.

Article 102
Election Board

1. There shall be established a National Election Board independent of any influence, to conduct in an impartial manner free and fair election in Federal and State constituencies.
2. Members of the Board shall be appointed by the House of Peoples' Representatives upon recommendation of the Prime Minister. Particulars shall be determined by law.

Article 103
Population Census Commission

1. There shall be established a National Census Commission that shall conduct a population census periodically.

2. Members of the National Census Commission shall be appointed by the House of Peoples' Representatives upon recommendation of the Prime Minister.
3. The Commission shall have a Secretary General and necessary professional and support staff.
4. The annual budget of the Commission shall be submitted for approval to the House of Peoples' Representatives.
5. A national populations census shall be conducted every ten years. The House of the Federation shall determine the boundaries of constituencies on the basis of the census results and a proposal submitted to the House by the National Election Board.
6. The Commission shall be accountable to the House of Peoples' Representatives. It shall submit to the House periodic reports on the conduct of its programs and activities.

Article 104

Initiation of Amendments

Any proposal for constitutional amendment, if supported by two-thirds majority vote in the House of Peoples' Representatives, or by a two-thirds majority vote in the House of the Federation or when one-third of the State Councils of the member States of the Federation, by a majority vote in each Council have supported it, shall be submitted for discussion and decision to the general public and to those whom the amendment of the Constitution concerns.

Article 105

Amendment of the Constitution

1. All rights and freedoms specified in Chapter Three of this Constitution, this very Article, and Article 104 can be amended only in the following manner:
 - (a) When all State Councils, by a majority vote, approve the proposed amendment;
 - (b) When the House of Peoples' Representatives, by a two-thirds majority vote, approves the proposed amendment; and
 - (c) When the House of the Federation, by a two-thirds majority vote, approves the proposed amendment.
2. All provisions of this Constitution other than those specified in sub-Article 1 of this Article can be amended only in the following manner:
 - (a) When the House of Peoples' Representatives and the House of the Federation, in a joint session, approve a proposed amendment by a two-thirds majority vote; and

(b) When two-thirds of the Councils of the member States of the Federation approve the proposed amendment by majority votes.

Article 106

The Version with Final Legal Authority

The Amharic version of this Constitution shall have final legal authority.
