



Waggaa 16^{ffaa} Lak. 10/2000
 ፲፮ኛ ዓመት ቁጥር ፲/፪ሺ
 16th year No. 10/2008

Finfinnee, Adoolessa 11 Bara 2000
 ፊንፊኔ፣ ሐምሌ ፲፩ ቀን ፪ሺ ዓ.ም
 Finfine, July 18, 2008

MAGALATA OROMIYAA

መ ገ ለ ተ ኦ ሮ ሚ ያ

MEGELETA OROMIA

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

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<p>Labsii Lak. 141/ 2000</p> <p>Labsii Manneen Murtii Oromiyaa Irra Deebi'anii Hundeesuuf Bahe</p> <p>Heera Mootummaa Federaalaafi kan Oromiyaa bu'uura godhachuudhaan aangoo Manneen Murtii Naannichaa murteessuun barbaachisaa ta'ee waan argameef;</p> <p>Manneen Murtii Naannichaa ol'aantummaa seeraa mirkaneessuudhaan amantaa uummataa horachuu akka danda'aniif gurmaa'inaafi hojimaata isaanii haala guddinni siyaasaa, dinagdeefi hawwaasummaa naannichaa gaafatuun sirreessuun barbaachisaa waan ta'eef;</p> <p>Bilisummaaafi itti-gaafatamummaa Manneen Murtii Naannichaa Heeraan tumamee jiru haala inadaalawaa ta'een hojiirra oolchuun tajaajilli abbaa seerummaa kennan saffisaa, qulqulluu, iftooma kan qabuufi dhaqqabamaa akka ta'u gochuun barbaachisaa ta'ee waan mul'ateef;</p>	<p>አዋጅ ቁጥር ፩፻፵፩/፪ ሺህ</p> <p>የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ፍርድ ቤቶችን እንደገና ለማቋቋም የወጣ</p> <p>የፌዴራሉንና የክልሉን ሕገ መንግሥት መሠረት በማድረግ የክልሉን ፍርድ ቤቶች ሥልጣን መወሰን አስፈላጊ ሆኖ በመገኘቱ፤</p> <p>የክልሉ ፍርድ ቤቶች የሕግ በላይነትን በማረጋገጥ የሕዝብ አመኔታ ማትረፍ እንዲችሉ አደረጃጀታቸውንና አሠራራቸውን የክልሉ ፖለቲካዊ፣ ኢኮኖሚያዊና ማኅበራዊ ዕድገት በሚጠይቀው መልኩ ማስተካከል አስፈላጊ በመሆኑ፤</p> <p>በሕገ መንግሥቱ ተደንግጎ የሚገኘውን የክልሉን ፍ/ቤቶች ነፃነትና ኃላፊነት ሊመዘን በሚችል መልኩ ሥራ ላይ በማዋል የሚሰጠው የዳኝነት አገልግሎት ፍጥነት፣ ጥራት፣ ግልጽነት ያለውና ተደራሽ እንዲሆን ማድረግ በማስፈለጉ፤</p>	<p>Proclamation No. 141/2008</p> <p>A Proclamation to Provide for the Re-establishment of Oromia Courts</p> <p>WHEREAS, it is found necessary to determine the jurisdiction of Oromia Courts on the basis of the regional and the federal constitutions;</p> <p>WHEREAS, recognizing the need to improve the management and operation of courts in accordance to the socio-economic and political development of the region in order to safeguard rule of law and ensure public trust;</p> <p>WHEREAS, it is found necessary to render efficient and effective, transparent and accessible judicial services to the public by ensuring judicial independence and accountability in a balanced manner;</p>
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Hojii manneen murtii keessatti jijjiirama bu'uura fiduudhaaf adeemsa hojii kenniinsa tajaajila abbaa seerummaa bifa haaraan gurmeessuun barbaachisaa ta'ee waan argameef;

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

KUTAATOKKO

Tumaalee Waliigalaa

1. Mata Duree Gabaabaa

Labsiin kun “Manneen Murtii Mootummaa Naannoo Oromiyaa Irra Deebi’anii Hundeessuudhaaf Labsii Bahe Lak. 141/2000,” jedhamee yaamamuu ni danda’a.

2. Hiika Jechootaa

Akkaataan jechichaa hiikkoo biroo kan kenniisiisuuf yoo ta’e malee, Labsii kana keessatti:

- 1) “Naannoo,” jechuun naannoo Oromiyaa jechuudha.
- 2) “Caffee,” jechuun Mootummaa Naannoo Oromiyaatti qaama seera tumu jechuudha.
- 3) “Mana Murtii,” jechuun Mootummaa Naannoo Oromiyaatiin kan dhaabbate Mana Murtii Aanaa, Mana Murtii Ol’aanaafi Mana Murtii Waliigalaa jechuudha.
- 4) “Gumii Waliigalaa,” jechuun Gumii Bulchiinsa Abbootii Seeraa Naannoo sadarkaa Mana Murtii Waliigala Oromiyaatti dhaabbateedha.
- 5) “Abbaa Seeraa” jechuun akkaataa seeraatti Gumii Bulchiinsa Abbootii Seeraa Waliigalaatiin filatamee Caffeedhaan kan muudame jechuudha.
- 6) “Abbaa Adeemsa Hojii,” jechuun nama Gumiidhaan muudame ta’ee adeemsi hojii tokko garee hojicha raawwatuun jalqabaa kaasee hanga dhumaatti sirnaan raawwatamuu isaa kan mirkaneessuudha.
- 7) “Gageessaa Dhimmaa,” jechuun miseensa garee raawwataa hojii ta’ee dabalataan hojiilee garee isaa kan qindeessuufi gaggeessu jechuudha.
- 8) “Garee Raawwataa,” jechuun kaayyoo fi ergama Mana Murtii galmaan gahuuf namoota bu’aa tokkoof waliin hojjatan jechuudha.

በፍርድ ቤቶች አሠራር ላይ መሠረታዊ ለውጥ በማምጣት የዳኝነት አገልግሎት አሰጣጥን የሥራ ሂደት በአዲስ መልክ ማደራጀት አስፈላጊ ሆኖ በመገኘቱ፤

ስለሆነም ተሽሽሎ በወጣው በኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ሕገ መንግሥት አዋጅ ቁጥር ፵፮/፲፱፻፺፬ አንቀጽ ፵፱/፫/ሀ/ መሠረት የሚከተለው ታውጧል፡፡

ክፍል አንድ

ጠቅላላ ድንጋጌ

- ፩. አጭር ርዕስ
ይህ አዋጅ “የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ፍርድ ቤቶችን እንደገና ለማቋቋም የወጣ አዋጅ ቁጥር ፩፻፵፩/፪ሺ ሆኖ ተብሎ ሊጠቀስ ይችላል፡፡
- ፪. ትርጓሜ
የቃሉ አገባብ ሌላ ትርጉም የሚሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፤
 - ፩) “ክልል” ማለት የኦሮሚያ ብሔራዊ ክልል ነው፡፡
 - ፪) “ጨፌ” ማለት በኦሮሚያ ብሔራዊ ክልላዊ መንግሥት የሕግ አውጪ አካል ማለት ነው፡፡
 - ፫) “ፍርድ ቤት” ማለት በኦሮሚያ ክልላዊ መንግሥት የተቋቋመ የወረዳ ፍርድ ቤት፣ የክፍተኛ ፍርድ ቤት እና የጠቅላይ ፍርድ ቤት ነው፡፡
 - ፬) “ጠቅላይ ጉባኤ” ማለት በኦሮሚያ ጠቅላይ ፍርድ ቤት ደረጃ የተቋቋመ የዳኞች አስተዳደር ጉባኤ ማለት ነው፡፡
 - ፭) “ዳኛ” ማለት በሕግ መሠረት በጠቅላይ የዳኞች አስተዳደር ጉባኤ ተመርጦ በጨፌ የተሾመ ነው፡፡
 - ፮) “የሥራ ሂደት ኃላፊ” ማለት በጉባኤ የተሾመ ሰው ሆኖ አንድ የሥራ ሂደት ከመጀመሪያ አንስቶ እስከ መጨረሻ ድረስ የሚሰራው ቡድን በአግባቡ መከናወኑን የሚያረጋግጥ ነው፡፡
 - ፯) “የጉዳይ ኃላፊ” ማለት የሥራ አከናዎኝ ቡድን አባል ሆኖ በተጨማሪ የቡድኑን ሥራዎች የሚያቀናጅና የሚመራ ነው፡፡
 - ፰) “አከናዎኝ ቡድን” ማለት የፍርድ ቤቱን ዓላማና ተልዕኮ ከግብ ለማድረስ ለአንድ ውጤት አብረው የሚሰሩ ሰዎች ማለት ነው፡፡

WHEREAS, it is found necessary to re-organize judicial service delivery to bring about a radical change with a view to reforms in the courts.

NOW, TEREFORE, in accordance with Proclamation No 46/2001, Article 49(3) (a) of the Amended Constitution of the National Regional State of Oromia, it is hereby proclaimed as follows:

PARTONE

General Provisions

- 1. Short Title
This proclamation may be cited as the “Proclamation to Provide for the Re-establishment of Oromia National Regional State Courts Proclamation N 141/2008.”
- 2. Definitions
In this proclamation unless the context demands otherwise:
 - 1) “Region”, shall mean Oromia Region.
 - 2) “Caffee,” shall mean the Legislative organ of the National Regional State of Oromia.
 - 3) “Court,” shall mean District Courts, High Courts and Supreme Court established in the region.
 - 4) “Supreme Commission,” shall mean the Judicial Administration Commission established at the level of the Supreme Court of Oromia.
 - 5) “Judge,” shall mean a person who, in accordance with the law, has been nominated by the Supreme Commission land appointed by the Caffee.
 - 6) “Process Owner,” shall mean a person appointed by the Supreme Commission, who is responsible to ensure the proper enforcement of a process from start to end by the work team.
 - 7) “Case Manager,” shall mean a member of a team who organizes, coordinates and supervises the work done by his team members.
 - 8) “Process Team,” shall mean individuals working together for the same objectives with a view to attain the mission of the courts.

- 9) “Kenniinsa Tajaajila Abbaa Seerummaa (KTAS),” jechuun adeemsa hojii tajaajila baniinsa galmee irraa eegalee hanga murtii kan hammatu ta’e garagalcha adda addaa kennuu waliin wal-qabatee hojiilee hojjetamanis kan dabalatuudha.
- 10) “Ofiisara Seeraa,” jechuun seera deemsa falmii keessatti Rejistiraara yookiin hogganaa mana galmee jedhamuun kan beekaman kan bakka bu’u ta’ee nama hojii KTAS hojjechuuf gumiiidhaan muudame jechuudha.
- 11) “Muudamtoota Gumii,” jechuun itti-gaafatamtoota, ekspartii, inispeektara, ofiisara seeraa, gaggeessaa dhimmaa, abbaa adeemsa hojii, qaadii, abukaatoo ittisaafi kanneen biroo Gumiiidhaan muudamaniifi ramadaman ni dabalata.

3. Kaayyoo Manneen Murtii

Manneen murtii kaayyoo armaan gadii ni qabaatu:

- (a) Mirga, walabummaafi dantaa dhuunfaa Heera Mootummaa Federaalaafi Naannichaatiin mirkaneessaman kabachiisuu;
- (b) Sirna siyaasaa, dinagdeefi hawaasummaa naannichaa kanneen Heera Federaalaafi Heera Naannichaatiin mirkaneessaman kabachiisuu;
- (c) Seeraafi sirni eegamee, nagaa, tasgabbiifi ol’aantummaan seeraa akka mirkanaa’u gochuu;

4. Sadarkaa Manneen Murtii

Manneen Murtii Mootummaa Naannoo Oromiyaa sadarkaa asii gadii ni qabaatu.

- (a) Mana Murtii Waliigalaa,
- (b) Mana Murtii Ol’aanaa,
- (c) Mana Murtii Aanaa.

5. Muudama Pireezidaantiifi Itti-Aanaa Pireezidaantii Mana Murtii Waliigalaa

- 1) Pireezidaantiifi Itti-aanaa Pireezidaantiin Mana Murtii Waliigalaa Pireezidaantii Bulchiinsa Mootummaa Naannootiin dhiyaatanii Caffee Oromiyaatiin muudamu.
- 2) Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta’ee, Pireezidaantiin Bulchiinsa Mootummaa Naannoo Oromiyaa kaadhimamtoota Pireezidaantiifi Itti-Aanaa Pireezidaantii Mana Murtii Waliigalaatiif yemmuu filatu:
 - (a) Dandeettii seeraafi naamusa ol’aanaa qabaachuu isaanii,

፱) “የዳኛ አገልግሎት አሰጣጥ/ ዳክ/” ማለት ከመዝገብ መክፈት አገልግሎት ጀምሮ እስከ ውሳኔ ድረስ ያለውን የሥራ ሂደት የሚያቅፍ ሆኖ የተለያዩ ግልባጮችን ከመስጠት ጋር በተያያዘ የሚሠሩ ሥራዎችንም የሚያካትት ነው።

፲) “የሕግ አፈሰር” ማለት በሥነ-ሥርዓት ሕግ ፊደስትራር ወይም የመዝገብ ቤት ኃላፊ ተብሎ የሚታወቀውን የሚተካ ሆኖ የዳኝነት አገልግሎት አሰጣጥ ሥራን እንዲሠራ በጉባኤ የተሾመ ሰው ነው።

፲፩) “የጉባኤ ተጀሚዎች” ማለት ኃላፊዎች፣ ኤክስፐርት፣ ኢንስፔክተር፣ የሕግ አፈሰር፣ የጉዳይ ኃላፊ፣ የሥራ ሂደት ኃላፊ፣ ቃዲ፣ ተከላካይ ጠበቃና ሌሎች በጉባኤ የሚሾሙና የሚመደቡትን የሚያካትት ነው።

፫. የፍርድ ቤቶች ዓላማ

ፍርድ ቤቶች የሚከተሉት ዓላማዎች ይኖራቸዋል፡

- (ሀ) በፌዴራሉና በክልሉ ሕገ መንግሥት የተረጋገጡትን የግለሰብ መብቶች፣ ነጻነቶችና ጥቅሞች ማስከበር፤
- (ለ) በፌዴራሉና በክልሉ ሕገ መንግሥት የተረጋገጡትን ፖለቲካዊ፣ ኢኮኖሚያዊና ማኅበራዊ ሥርዓቶች ማስከበር፤
- (ሐ) ሕግና ሥርዓት ተጠብቆ ሰላም፣ ፀጥታና የሕግ የበላይነት እንዲሰፍን ማድረግ።

፬. የፍርድ ቤቶች እርከን

የአሮሚያ ብሔራዊ ክልላዊ መንግሥት ፍርድ ቤቶች እርከን ከዚህ የሚከተለው ይሆናል።

- (ሀ) የጠቅላይ ፍርድ ቤት፣
- (ለ) የከፍተኛ ፍርድ ቤት፣
- (ሐ) የወረዳ ፍ/ቤት።

፭. የአሮሚያ ጠቅላይ ፍርድ ቤት ፕሬዚዳንትና ምክትል ፕሬዚዳንት አሻሻሎ

፩) የጠቅላይ ፍርድ ቤት ፕሬዚዳንትና ምክትል ፕሬዚዳንት በብሔራዊ ክልላዊ መንግሥት አስተዳደር ፕሬዚዳንት አቅራቢነት በጩፌ ይሾማሉ።

፪) በገደብ ቁጥር ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ፣ የአሮሚያ ብሔራዊ ክልላዊ መንግሥት አስተዳደር ፕሬዚዳንት ለጠቅላይ ፍርድ ቤት ፕሬዚዳንትና ምክትል ፕሬዚዳንት እጩዎችን በሚመርጥበት ጊዜ፣

- (ሀ) የሕግ ችሎታና ከፍተኛ የሥነ-ምግባር ብቃት ያላቸው መሆኑን፣

9) “Judicial Service Delivery,” shall mean any services of the court beginning from opening of files up to rendering decisions. It also includes the delivering of copies of record of court judgments, decrees and orders.

10) “Legal Officer,” shall mean a person who is a Registrar or head of in addition to the mandates given to the court registrar in the procedure codes is appointed by the Commission to render similar judicial services.

11) “Commission Appointees,” means department heads, experts, inspectors, legal officers, case manager, process owner, quadis (Shari a court judges), public defenders and others who are appointed and assigned by the Supreme Commission.

3. Objectives of the Court

Courts shall have the following objectives:-

- 1) To safeguard the rights, freedoms and interests of individuals guaranteed by the Federal and the Regional Constitutions;
- 2) To safeguard the political, economic and social order established by the Federal and Regional Constitutions;
- 3) To safeguard law and order, for the observance of peace, security and rule of law.

4. Organization of Courts

The courts of Oromia are organized as follows:

- 1) Supreme Court;
- 2) High Court;
- 3) District Court.

5. Appointment of the President and Vice Presidents of the Supreme Court

1) The President and Vice President of the Regional Supreme Court shall be appointed by the Caffee up on submission of nominees by the President of the National Regional State.

2) Notwithstanding Sub-Article (1) of this Article, the President of the National Regional Government while submitting nominees for the post of the President and Vice President of the Regional Supreme Court, shall take in to account:

- (a) That the candidates has the knowledge of the law and high standard of ethics;

- (b) Kaayyoofi ergama manneen murtii galmaan ga'uuf gahumsa hoggansaa qabaachuu isaaniiifi,
- (c) Hojii abbaa-seerummaatiin muuxannoo ga'aa qabaachuu isaanii tilmaama keessa galchuu qaba.

6. Muudama Abbootii Seeraafi Ofiiseroota Seeraa

- 1) Abbootiin seeraa Mana Murtii Waliigalaa, Ol'aanaafi Aanaa Gumii Bulchiinsa Abbootii Seeraa Naannootiin filatamanii Caffee Oromiyaatiin muudamu.
- 2) Ofiisaroonni seeraa Mana Murtii Waliigalaa, Ol'aanaafi Aanaa Gumii Waliigalaatiin muudamu.
- 3) Keewwata kana Keewwata Xiqqaa 2 jalatti kan tumame akka jirutti ta'ee ofiiseroota seeraa Mana Murtii Aanaafi Ol'Aanaa ilaalchisee Gumiin Waliigalaa yaada Garee Gumii Godinaa irratti hundaa'uudhaan muudama kenna.

7. Kakuu

Abbootiin seeraa hojii isaanii utuu hin jalqabiin dura kakuu ni raawwatu.

8. Bilisummaa Abbaa Seerummaa

- 1) Qaamni abbaa-seerummaa hojiiisaa bilisummaa guutuudhaan ni gaggeessa.
- 2) Abbootiin seeraa hojii abbaa-seerummaa isaanii bilisummaadhaan ni raawwatu; seeraan malee waan birootiin hin qajeelfaman.

9. Mirga Addaa

- 1) Abbaan seeraa yakka cimaa utuu raawwatu harkaafi harkatti yoo qabame malee eeyyama Gumii Waliigalaatiin ala hin qabamu; yakkaanis hin hidhamu; hin himatamu.
- 2) Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee, Gumiin Waliigalaa ulfina gochichaa, haala raawwatiinsa isaafi dantaa hawaasa bal'aa duubaan jiru madaaluudhaan eeyyama kan kennu ta'a.

10. Haala Pireezidaantiin Yookiin Itti-Aanaan Pireezidaantii Mana Murtii Waliigalaa Hojiirraa Itti Ka'u

- 1) Pireezidaantiin yookiin Itti Aanaan Pireezidaantii Mana Murtii Waliigalaa hojii hoggansaa irraa kan ka'u fedhii mataa isaatiin yookiin balleessaa raawwachuu isaatiin yookiin hooggansa irratti laafina agarsiisuun isaa kan mirkanaa'e yoo ta'e qofaadha.

- (ለ) የፍርድ ቤቶችን ዓላማና ተልዕኮ ከግብ ለማድረስ የሚያስችል የአመራር ብቃት ያላቸው መሆኑንና
- (ሐ) በዳኝነት ሥራ በቂ ልምድ ያላቸው መሆኑን ከግምት ማስገባት አለበት።

፮. የዳኞችና የአፈሰሮች አጀጃም

- ፩) የጠቅላይ ፣ የከፍተኛና የወረዳ ፍርድ ቤቶች ዳኞች በክልሉ የዳኞች አስተዳደር ጉባኤ ተመርጠው በጨፌ ኦሮሚያ ይሾማሉ።
- ፪) የጠቅላይ ፣ የከፍተኛና የወረዳ ፍርድ ቤቶች የሕግ አፈሰሮች በጠቅላይ ጉባኤ ይሾማሉ።
- ፫) በዚህ አንቀጽ በንዑስ አንቀጽ ፪ የተደነገገው እንደተጠበቀ ሆኖ፣ የወረዳና የከፍተኛ ፍርድ ቤቶች የሕግ አፈሰሮችን በሚመለከት የጠቅላይ ጉባኤው ሹመት የሚሰጠው የዞን የጉባኤ ቡድን በሚያቀርበው አስተያየት ላይ በመመርኮዝ ይሆናል።

፯. ቃለ መሰላት

ዳኞች ሥራቸውን ከመጀመራቸው በፊት ቃለ መሰላት ይፈጽማሉ።

፰. ስለ ዳኞች ነፃነት

- ፩) የዳኝነት አካል ሥራውን በሙሉ ነፃነት ያካሄዳል።
- ፪) ዳኞች የዳኝነት ሥራቸውን በሙሉ ነፃነት ያከናውናሉ። ከሕግ በስተቀር በሌላ አይመሩም።

፱. ልዩ መብት

- ፩) ዳኛው ከባድ ወንጀል ሲፈጽም እጅ ከፍንጅ ካልተያዘ በስተቀር ጠቅላይ ጉባኤ ሳይፈቅድ አይያዝም፣ በወንጀልም አይታሰርም፣ አይከሰስም።
- ፪) በንዑስ አንቀጽ ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ፣ ጠቅላይ ጉባኤው ይህንን ፈቃድ ሲሰጥ የሚችለው የድርጊቱን ከባድነት፣ የአፈጻጸሙን ሁኔታና ከበስተጀርባው ያለውን የአብዛኛውን ጎብረተሰብ ጥቅም በማመዛዘን ነው።

፲. የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ከኃላፊነት ስለሚነሳበት ሁኔታ

- ፩) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ከኃላፊነት የሚነሳው በራሱ ፈቃድ ወይም ጥፋት መፈጸሙ ወይም በአመራሩ ድክመት ማሳየቱ ሲረጋገጥ ብቻ ነው።

- (b) That they have leadership ability to achieve the missions and visions of the court;
- (c) That the individual has sufficient experience as a judge in court of law.

6. Appointment of Judges and Legal Officers

- 1) Judges of Supreme, High and District Courts shall be selected by the Supreme Commission and appointed by the *Caffee*;
- 2) Legal Officers of the Supreme, High and District Courts shall be appointed by the Supreme Commission;
- 3) Notwithstanding Sub-Article 2 of this Article, while appointing District and High Court legal officers, the Supreme Commission shall consider the recommendation of the zonal Commission;

7. Oath

Judges shall swear before the commencement of their duties.

8. Judicial Independence

- 1) Courts shall exercise their function in complete independence.
- 2) Judges shall exercise their duties in complete independence; they shall be guided by no other authority than that of the law.

9. Immunity

- 1) No judge may be seized, arrested or prosecuted with out the permission of the Supreme Commission unless caught in flagrante of committing serious crimes;
- 2) Notwithstanding Sub-Article 1 of this Article, the Supreme Commission shall weigh the seriousness of the crime, the way it is committed and the public interest behind in giving permissions.

10. Conditions for the Termination of Tenure of the President and Vice President of the Supreme Court

- 1) The President and Vice President of the Supreme Court may leave their post by their own letter of resignation or may be removed on account of misbehavior or removed by virtue of their incapacity to discharge their duties properly.

- 2) Afyaa'iin Caffee Mootummaa Naannoo balleessaan Pireezidaantii yookiin Itti-Aanaa Pireezidaantii Mana Murtii Waliigalaatiin raawwatamuu isaa yookiin immoo hoggansa irratti laafina agarsiisuu isaa yeroo amanu koree miseensota Caffee keessaa 3 (sadii) fi abbootii seeraa Mana Murtii Waliigalaa keessaa 2 (lama) walitti bahe hundeessuudhaan dhimmi isaa akka qulqullaa'u ni taasisa.
- 3) Koreen kunis bu'aa qorannoo isaa walgahii Caffee idilee yookiin akka haala isaatti ariifachiisaadhaaf kan dhiyeessu ta'a.
- 4) Pireezidaantiin yookiin Itti-Aanaan Pireezidaantii Mana Murtii Waliigalaa sababa dandeettii hoggansaa dhabuutiin Pireezidaantummaa irraa kan bu'u yoo ta'e, rakkina naamusaa qabaachuun isaa Gumii Waliigalaatiin kan mirkana'e yoo ta'e malee abbaa seeraa ta'ee ramadamuu ni danda'a.
- 5) Akkaataa Keewwata kana Keewwata Xiqqaa 1 tti Pireezidaantiin yookiin itti-Aanaan Pireezidaantii fedhii isaatiin hojii gadi-lakkisuudhaan duratti beeksisa baatii sadi dura Afyaa'ii Caffee Mootummaa Naannoof kennuu qaba.

11. Akkaataa Dhorki Itti Kennamu

- 1) Hanga murtiin Gumii Waliigalaatiin kennamutti hojiirra turuun abbaa seeraa yookiin ofiisara seeraa naamusa abbaa-seerummaatiin kan wal faallessu yoo ta'e Pireezidaantii Mana Murtii Waliigalaatiin dhorki kennamuu ni danda'a.
- 2) Dhorki haala kanaan kenname ji'a tokko keessatti Gumii Waliigalaatiif dhiyaachuu qaba.

KUTAALAMA

Raawwannaa Hojii Abbaa-seerummaa

12. Garee Raawwattoota Hojii Manneen Murtii

- 1) Manneen Murtii Aanaa, Ol'aanaafi Waliigalaa:-
 - (a) Garee raawwattoota hojii dhimma hariiroo hawaasaa (siviilii) fi,
 - (b) Garee raawwattoota hojii dhimma yakkaa ni qabaatu.

- ፪) የጨፌ ኦሮሚያ አፈ ጉባኤ የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት ጥፋት መፈጸሙን ወይም አመራሩ ድክመት ማሳየቱን ሲያምን ከጨፌ አባላት ሦስትና ከክልሉ ጠቅላይ ፍርድ ቤት ሁለት ዳኞች ያሉበት ኮሚቴ በማዋቀር ጉዳዩ እንዲጣራ ያደርጋል።
- ፫) ይህ ኮሚቴም የምርመራ ውጤቱን ለጨፌ መደበኛ ወይም እንደሁኔታው አስቸኳይ ስብሰባ የሚያቀርበው ይሆናል።
- ፬) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ወይም ምክትል ፕሬዚዳንት የአመራር ችሎታ በማጣት ምክንያት ከፕሬዚዳንትነት የሚነሳ ከሆነ፣ የሥነ ምግባር ችግር ያለበት መሆኑ በጠቅላይ ጉባኤው ካልተረጋገጠ በስተቀር በዳኝነት ሊመደብ ይችላል።
- ፭) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሠረት ፕሬዚዳንቱ ወይም ምክትል ፕሬዚዳንቱ በራሱ ፈቃድ ሥራውን ከመልቀቁ ሦስት ወር አስቀድሞ ለጨፌ ኦሮሚያ አፈ ጉባኤ ማስታወቂያ መስጠት አለበት።

፲፩. እግድ ስለሚሰጥበት ሁኔታ

- ፩) ጠቅላይ ጉባኤ ውሳኔ እስከሚሰጥበት ድረስ የዳኛው ወይም የሕግ አፈሰሩ በሥራ ላይ መቆየት የዳኝነትን ሥነ ምግባር የሚጸረር ከሆነ በጠቅላይ ፍርድ ቤቱ ፕሬዚዳንት እግድ ሊሰጥ ይችላል።
- ፪) በዚህ ሁኔታ የተሰጠ እግድ በእንደ ወር ጊዜ ውስጥ ለጠቅላይ ጉባኤ መቅረብ አለበት።

ክፍል ሁለት

የዳኝነት ሥራ አፈጻጸም

፲፪. የፍርድ ቤቶች የሥራ አከናዎኝ ቡድን

- ፩) የወረዳ፣ የከፍተኛና የጠቅላይ ፍርድ ቤቶች፡-
 - (ሀ) የፍትሐ ብሔር ጉዳይ የሥራ አከናዎኝ ቡድንና
 - (ለ) የወንጀል ጉዳይ የሥራ አከናዎኝ ቡድን ይኖራቸዋል።

- 2) Whenever the President or the Vice President is believed to have breached disciplinary rules or found unable to discharge his duties efficiently, the Speaker of the Caffee shall establish a team consisting of 3 members of the Caffee and 2 Supreme Court judges to investigate the matter.
- 3) The team shall submit its findings to the ordinary or extraordinary meeting of the Caffee as the case may be.
- 4) Where the President or the Vice President of the Supreme Court is removed from his post due to his incapacity to discharge his duties properly, he may be assigned as a Supreme Court judge unless he is found by the Supreme Commission to have disciplinary problems.
- 5) Where the President or the Vice President of the Supreme Court is to resign in accordance with the provisions of Sub-Article 1 of this Article, he is bound to give a prior notice of three months to the Speaker of the Caffee.

11. Suspension of Judges

- 1) Where it is found that a judge's or the legal officers staying on the job would result in adverse effects on judicial ethics, he may be suspended by the President of the Supreme Court until the decision is given by the Supreme Commission;
- 2) The suspension given like this shall be presented to the Supreme Commission within one month.

PART TWO

Performance of Judicial Service

12) Teams Performing Judicial Services

- 1) District, High and Supreme Courts shall have;-
 - (a) Civil case team; and
 - (b) Criminal case team.

- 2) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee, manni murtii sadarkaa kamiyyuu garee hojii tajaajila haqaa dhaqqabamaa taasisuuf isa barbaachisu hundeessuu ykn qabaachuu ni danda'a.
- 3) Kan Keewwata Xiqqaa 1 jalatti tuqame akkuma eegametti ta'ee, Manni Murtii Waliigala Oromiyaa garee raawwataa dhimma ijibbaataa ni qabaata.
- 4) Mana Murtii Waliigalaatti dhimmi hariiroo hawaasaafi yakkaa abbootii seeraa sadiin murtaa'a.
- 5) Mana Murtii Ol'aanaatti dhimmoonni yakkaa abbootii seeraa sadiin kan murtaa'uu ta'ee, dhimmi yakkaa waggaa 10 (kudhan) gadi adabsiisuufi dhimmi hariiroo hawaasaa garuu nama tokkoon murtaa'a.
- 6) Mana Murtii Aanaatti abbootiin seeraa dhimma kamiyyuu nama tokkoon murteessu.
- 7) Gareen raawwataa hojii Mana Murtii Naannichaa kamiyyuu Galma hojii itti raawwatu ni qabaata.

13. Garee Raawwataa Dhimma Ijibbaataa

- 1) Murtii dhumaa Mana Murtii Waliigalaatiin, yookiin mana murtii sadarkaa kamiyyuun kenname ijibbaataan kan dhagahamu walitti qabiinsa Pireezidaantichaatiin tahee, abbootii seeraa 4 (afur) dabalatee dhaddacha moggaafameen murtaa'a.
- 2) Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee yeroo Pireezidaantiin hin jirretti Itti Aanaan Pireezidaantii walitti qabaa dhaddacha ijibbaataa ta'uun hojjata.
- 3) Keewwata Xiqqaa 1 fi 2 jalatti kan tumame akkuma jirutti ta'ee, bakka Pireezidaantiin yookiin Itti Aanaan Pireezidaantii hin jirretti miseensota garee dhimma ijibbaataa keessaa abbaan seeraa muudamaan dursa qabu walitti qabaa dhaddacha ijibbaataa ta'uun ni hojjata.

14. Afaan Hojii Manneen Murtii

- 1) Afaan hojii manneen murtii Oromiyaa Afaan Oromooti.
- 2) Himatamtoota Afaan Oromoo hin dandeenyeef manni murtichaa turjumaana ni dhaabaaf.

፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ የተደነገገው እንደተጠበቀ ሆኖ፣ በማንኛውም እርከን ላይ ያለ ፍርድ ቤት የፍትሕ አገልግሎት ሥራን ተደራሽ ለማድረግ የሚያስፈልገውን የሥራ አከናዎኝ ቡድን ሊያቋቁም ወይም ሊኖረው ይችላል።

፫) በንዑስ ቁጥር ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ፣ የኦሮሚያ ጠቅላይ ፍርድ ቤት የሰበር ጉዳይ አከናዎኝ ቡድን ይኖረዋል።

፬) በጠቅላይ ፍርድ ቤት የፍትሕ ብሔርና የወንጀል ጉዳዮች በሦስት ዳኞች ይወሰናሉ።

፭) በከፍተኛ ፍርድ ቤት የወንጀል ጉዳይ በሦስት ዳኞች የሚወሰን ሆኖ ከአሥር /፲/ ዓመት በታች የሚያስቀጣ የወንጀል ጉዳይ እና የፍትሕ ብሔር ጉዳይ ግን በአንድ ዳኛ ይወሰናል።

፮) በወረዳ ፍርድ ቤት ማንኛውም ጉዳይ በአንድ ዳኛ ይወሰናል።

፯) የማንኛውም ፍርድ ቤት የሥራ አከናዎኝ ቡድን ሥራውን የሚያከናውንበት አዳራሽ ይኖረዋል።

፲፫. የሰበር ጉዳይ አከናዎኝ ቡድን

፩) በጠቅላይ ፍርድ ቤት በማንኛውም እርከን ባለ ፍርድ ቤት የተሰጠ የመጨረሻ ውሳኔ በሰበር የሚሰማው በፕሬዚዳንቱ ሰብሳቢነት አራት የጠቅላይ ፍርድ ቤት ዳኞች በተሰየሙበት ችሎት ይወሰናል።

፪) በንዑስ አንቀጽ ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ፣ ፕሬዚዳንቱ በሌለ ጊዜ ምክትል ፕሬዚዳንቱ የሰበር ችሎት ሰብሳቢ ሆኖ ይሠራል።

፫) በንዑስ አንቀጽ ፩ እና ፪ ሥር የተደነገገው እንደተጠበቀ ሆኖ፣ ፕሬዚዳንቱ ወይም ምክትል ፕሬዚዳንቱ በሌለ ጊዜ ከሰበር ጉዳይ አከናዎኝ ቡድን አባላት መካከል በሹመት ቀደምትነት ያለው የፍርድ ቤቱ ዳኛ የሰበር ችሎት ሰብሳቢ በመሆን ይሠራል።

፲፬. የፍርድ ቤቶች የሥራ ቋንቋ

፩) የኦሮሚያ ፍርድ ቤቶች የሥራ ቋንቋ ኦሮምኛ ነው።

፪) የኦሮምኛ ቋንቋ ለማይችሉ ተከላሾች ፍርድ ቤቱ አስተርጓሚ ይመደባላቸዋል።

2) Notwithstanding Sub-Article 1 of this Article, courts at any level of hierarchy may establish additional teams as may be necessary for the discharge of their functions.

3) Notwithstanding Sub-Article 1 of this Article, Supreme Court shall have a cassation team;

4) At the Supreme Court level both civil and criminal cases are decided by three judges;

5) At the High Court level criminal matters are decided by three judges. However, criminal matters punishable below 10 years imprisonment and civil matters are to be decided by a single judge.

6) At district level, cases are decided by a single judge;

7) Any team rendering judicial services shall have its hall.

13. Cassation Team

1) A final decision of the states Supreme Court or any other court may be heard and decided in cassation by a team presided by the President and constituting four other judges of the Supreme Court;

2) Notwithstanding Sub-Article 1 of this Article, in the absence President, the Vice President shall preside over the cassation team;

3) Notwithstanding Sub-Articles 1 & 2 of this Article, in the absence of the President and Vice Presidents, the most senior judge among the team members shall preside over the cassation team.

14. Working Language

1) Afan Oromo shall be the working language of the courts;

2) The court shall assign an interpreter for the defendants who do not understand Afan Oromo.

15. Bakka Hojii Dhaddachaa

- 1) Bakki hojii dhaddachaa Mana Murtii Waliigalaa, bakka magaalaa muummittii Naannoo Finfinnee ta'a.
- 2) Bakki hojii dhaddacha Mana Murtii Ol'aanaa magaalaa godinichaatti ta'a.
- 3) Bakki hojii dhaddacha Mana Murtii Aanaa magaalaa aanichaatti ta'a. Haa ta'u malee, bakka barbaachisaa ta'etti Manni Murtii Aanaa kan biraa hundaa'uu ni danda'a.
- 4) Manni Murtii Naannichaa sadarkaa kamuu irra jiru murtee ariifachiisuuf jecha iddoo barbaachisaa ta'etti dhaddacha naannawaa dhaabuu ni danda'a.
- 5) Manni Murtii Waliigalaa kenniinsa tajaajila abbaa seerumma dhaqqabamaa taasisuuf jecha iddoo barbaachisaa ta'etti dhaddachi dhaabbataa akka hundaa'u taasisuu ni danda'a.

16. Dhaddacha Ifa Ta'een Hojii Gaggeessuu

- 1) Manneen murtii hojii abbaa seerummaa isaanii dhaddacha ifa ta'een gaggeessu.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame yoo jiraateyyuu seerota biroo jalatti kan tumame akkuma jirutti ta'ee, dhimmoota armaan gadiirratti manneen murtii dhaddacha cufaadaaan gaggeessuu ni danda'u:
 - (a) Nageenya mootummaafi hawaasaaf barbaachisaa yoo ta'e,
 - (b) Safuu hawaasaaf barbaachisaadha jedhee yoo amane;

17. Abukaatoo Ittisaa Dhaabuu

- 1) Namni kamuu abukaatoo dhaabbachuuf mirga ni qaba.
- 2) Nama abukaatoo ittisaa dhaabbachuu hin dandeenye yakka hidhaa cimaa waggaa 5ii gadii hin taaneen adabsiisuun himatamef manni murtii baasii mootummaatiin abukaatoo ittisaa ni dhaabaaf.

18. Waa'ee Dhaddacha Irraa Ka'uu

- 1) Abbaan Seeraa kamiyyuu dhaddacha irraa kan ka'u:
 - (a) Falmitoota yookiin abukaatoo waliin akka seerri sivillii ajajutti firooma dhiigaa yookiin gaa'ila (fuudhaafi heerumaa) kan qabu yoo ta'e, yookiin falmitoota keessaa haadha manaa yookiin abbaa manaa yookiin haadha (abbaa) manaa inni (isheen) hiike yookiin hiikte, yookiin guddiftuu, yookiin dhimma bakka bu'aa seeraa, yookiin dubbii fixaa, yookiin abukaatoo seeraa ta'e irratti falmiin kan ka'e yoo ta'e.

፲፮. ስለማስቻያ ስፍራ

- ፩) የጠቅላይ ፍርድ ቤት የማስቻያ ሥፍራ በክልሉ ርዕሰ ከተማ ፊንፊኔ ይሆናል።
- ፪) የከፍተኛ ፍርድ ቤት የማስቻያ ሥፍራ በዞን ርዕሰ ከተማ ይሆናል።
- ፫) የወረዳ ፍርድ ቤት የማስቻያ ሥፍራ በወረዳው ርዕሰ ከተማ ይሆናል። ይሁን እንጂ አስፈላጊ በሆነበት ቦታ ላይ ሌላ የወረዳ ፍርድ ቤት ሊቋቋም ይችላል።
- ፬) በማንኛውም እርዕስ ላይ ያለ ፍርድ ቤት ፍርድ ለማፋጠን ሲባል አስፈላጊ በሆነበት ቦታ ተዘዋዋሪ ችሎት ሊያቋቋም ይችላል።
- ፭) ጠቅላይ ፍርድ ቤቱ የዳኝነት አገልግሎት አሰጣጥን ተደራሽ ለማድረግ ሲባል አስፈላጊ በሆነ ቦታ ቋሚ ችሎት እንዲቋቋም ማድረግ ይችላል።

፲፯. በግልጽ ችሎት ስለማስቻል

- ፩) ፍርድ ቤቶች የዳኝነት ሥራቸውን በግልጽ ችሎት ያስችላሉ።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ የተመለከተው ቢኖርም በሌሎች ሕጎች የተደነገገው እንደተጠበቀ ሆኖ፣ ፍርድ ቤቶች ከዚህ በታች የተመለከቱትን ጉዳዮች በዝግ ችሎት ማስቻል ይችላሉ።
 - (ሀ) ለመንግሥትና ለሕዝብ ሰላም አስፈላጊ ሲሆን፣
 - (ለ) ለሕዝብ መልካም ጠባይ ወይም ግብረገብነት አስፈላጊ መሆኑን ሲያምንበት።

፲፰. ተከላካይ ጠበቃ ስለማቆም

- ፩) ማንኛውም ተከራካሪ ወገን ጠበቃ የማቆም መብት አለው።
- ፪) ከአምስት ዓመት በማያንስ ጽኑ እሥራት በሚያስቀጣ ወንጀል የተከሰሰ ሰው ጠበቃ ለማቆም የማይችል ከሆነ ፍርድ ቤቱ ተከላካይ ጠበቃ ያቆምለታል።

፲፱. ከችሎት ስለመነሳት

- ፩) ማንኛውም ዳኛ ከችሎት የሚነሳው፡-
 - (ሀ) ከተከራካሪዎቹ ወይም ከጠበቃ ጋር በፍትሐ ብሔር ሕግ እንደተደነገገው የሥጋ ወይም የጋብቻ ዝምድና ያለው ወይም ከተከራካሪዎቹ አንደኛው ሚስቱ ወይም የፈታት ሚስቱ ወይም ሞግዚቱ ወይም ሕጋዊ ወኪል ወይም ነገረ ፈጅ ወይም ጠበቃ በሆነበት ጉዳይ ላይ የተነሳ ክርክር የሆነ እንደሆነ፣

15. Place of Sitting

- 1) The Supreme Court shall hold its hearing at the capital city of the regional state Finfine;
- 2) High Courts shall hold their hearing at the cities of their respective zones;
- 3) District Courts shall hold their hearings in their respective district towns. Where appropriate another District Court may be established in a place other than the district town.
- 4) To give timely decision any Court at all level may hold its hearings at any other place by a circulating tribunal where it is deemed necessary;
- 5) Where it is deemed necessary to make judicial services accessible, the Supreme Court may permanently establish a bench in any other place.

16. Open Hearings

- 1) Courts shall conduct their proceedings in public;
- 2) Notwithstanding the provisions of Sub-Article 1 of this Article and without prejudice to procedural laws relevant to adjudication, cases may be heard in camera in consideration of the following:
 - (a) Public and state safety and security; or
 - (b) Public morality and decency.

17. Right to a Counsel

- 1) Every party to a proceeding has the right to a counsel;
- 2) The court shall assign a defense counsel to an individual who is accused of a crime punishable with a rigorous imprisonment not less than five years.

18. Withdrawal of Judges

- 1) No judge of Oromia Courts shall sit in a proceeding of case:
 - (a) Where one of the parties or his pleader is related to him by consanguinity or affinity, or is his spouse or his divorced spouse or a guardian or the dispute relates to a case in which he acted as a counsel or a pleader or a representative;

- (b) Dhimma falmiin irratti ka'e armaan dura karaa abbaa seerummaatiin, yookiin araaraan kan ilaale yoo ta'e, yookiin dhimmicha dursee kan beeku yoo ta'e, yookiin dhimma sana keessatti haala kamiinuu dantaa dhuunfaa kan qabu yoo ta'e,
- (c) Gartuu wal falmitootaa keessaa tokko waliin falmii yoo qabaate,
- (d) Kan armaan olitti Keewwata 1 (a) irraa hanga (c)tti tarreeffamaniin alatti abbaan seerichaa murtee haqaa kennuu kan isa daangessu sababiin biroo yoo jiraatedha.
- 2) Abbaan seeraa kamiyyuu waan Keewwata Xiqqaa 1n ibsame akka beekkeen dhaddacha irraa ka'uu qaba.
- 3) Abbaan seerichaa akka Keewwata kana Keewwata Xiqqaa 2tti dhaddacharraa ka'uu baannaan abbaan seerichaa akka ka'uuf iyyanni kan dhiyaatu falmiin utuu hin jalqabin iyyataan akka beekkeen battalumatti ta'uu qaba;
- 4) Abbaan seeraa iyyanni irratti dhiyaate bakka hin jirreetti abbootii seeraa hafan keessaa kan muudamaan dursa qabu iyyaticha qoratee murtii kenna;
- 5) Iyyatichi sababa gahaa malee kan dhiyaate yoo ta'e gartuu falmituu iyyaticha dhiyeesse irratti abbaan seeraa iyyaticha qorate hanga qarshii 300tti adaba muruu ni danda'a. Murtiin Keewwata kana jalatti kenname ol' iyyannoo hin qabaatu;
- 6) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumaman yoo jiraatan iyyuu, abbaan seeraa sababii armaan gaditti tarreeffamaniin daddacharraa taa'uu ni danda'a.
 - (a) Abbaa seeraa sana malee mana murtichaa keessa abbaan seeraa biroo kan hin jirreefi dhimmicha ilaaluun isaa dirqama yoo ta'e,
 - (b) Dhimmi isaa ariifachiisaa yoo ta'e,

KUTAASADII

Aango, Itti Waamamaafi Gahee Hojii

19. Aangoofi Hojii Pireezidaantii Mana Murtii Waliigalaa

Pireezidaantiin Mana Murtii Waliigalaa aangoofoi hojii armaan gadii ni qabaata.

- (a) Manneen Murtii Naannichaa ol'aantummaadhaan ni bulcha;
- (b) Mana Murtichaa bakka bu'a;

- (ለ) ክርክር የተነሳበትን ጉዳይ አስቀድሞ በዳኝነት ወይም በእርቅ መንገድ ያየው ወይም የሚያውቀው ወይም በማንኛውም መልኩ በጉዳዩ ላይ የግል ጥቅም ያለው እንደሆነ፤
- (ሐ) ከተከራካሪዎቹ ወገኖች አንዱን ደር መግት ያለው እንደሆነ፤
- (መ) ከዚህ በላይ በአንቀጽ ፩ ከ/ሀ/ እስከ /ሐ/ ከተመለከቱት ውጪ ዳኛውን ፍትሐዊ ውሳኔ ለመስጠት የሚያግዱት ሌሎች ምክንያቶች ካሉ ነው።
- ፩) ማንኛውም ዳኛ በገዑስ አንቀጽ ፩ የተገለጸው ሁኔታ መኖሩን አንዳወቀ ከችሎት መነሳት አለበት።
- ፫) ዳኛው በዚህ አንቀጽ ንዑስ አንቀጽ ፪ መሠረት ከችሎት ካልተነሳ ማልከቻ የሚቀርበው ክርክር ከመጀመሩ በፊት ወይም ማመልከቻ ለማቅረብ ምክንያት መኖሩን አመልካቹ እንዳወቀ ወዲያውኑ መሆን ይኖርበታል።
- ፬) ማልከቻ የቀረበበት ዳኛ በሌለበት ከቀሩት ዳኞች መካከል በሽ-መት ቅድሚያ ያለው ማመልከቻውን መርምሮ ውሳኔ ይሰጣል።
- ፭) ያለበቂ ምክንያት ማመልከቻ የቀረበ እንደሆነ ማመልከቻውን ባቀረበው ተከራካሪ ወገን ላይ አቤቱታውን የመረመረው ዳኛ እስከ ፫፻ ብር መቀጫ ሊጥልበት ይችላል። በዚህ ንዑስ አንቀጽ መሠረት የሚሰጠው ውሳኔ የመጨረሻና ይግባኝ የማይባልበት ይሆናል።
- ፮) የዚህ አንቀጽ ንዑስ አንቀጽ/፩/ ድንጋጌ ቢኖርም፣ ከዚህ በታች በተዘረዘሩት ምክንያቶች ዳኛው በችሎት ላይ ሊቀመጥ ይችላል።
 - (ሀ) በፍርድ ቤቱ ውስጥ ከዚህ ዳኛ በስተቀር ሌላ ዳኛ የሌለና ጉዳዩን ማየቱ የግድ ሲሆን፤
 - (ለ) ጉዳዩ አፋጣኝ ሲሆን።

ክፍል ሦስት

ሥልጣን፣ ተጠሪነትና የሥራ ድርሻ

፲፱. የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ሥልጣንና ተግባር

የጠቅላይ ፍርድ ቤት ፕሬዚዳንት የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

- (ሀ) የክልሉን ፍርድ ቤቶች በበላይነት ያስተዳድራል፤
- (ለ) ፍርድ ቤቱን ይወክላል፤

- (b) Where the matter has earlier been brought to his attention in his capacity as a judge or as an arbitrator or where he knows the case in any capacity or where he has an interest in the subject matter of the dispute.
- (c) Where he has a law suit against any one of the parties;
- (d) Where there are sufficient reasons, other than those specified under Sub-Article (1) (a)-(c) hereof, that there are good reasons to conclude that fair and impartial decisions may not be held.
- 2) As soon as any judge is aware of the circumstances under Sub-Article (1) of this Article he shall withdraw from the bench.
- 3) Where the judge does not withdraw in accordance with Sub-Article(2) of this Article, the party in the proceeding may file an application to that effect before the case is opened for trial or as soon as he is aware of the circumstances for making the application.
- 4) One of the most senior judge in appointment shall consider the application in the absence of that Judge and give the final decision.
- 5) Where the application is not substantiated with a good cause, the judge may order the applicant to pay a fine not exceeding birr 300 (three hundred). A decision given under this Article shall be final and subject to no appeal.
- 6) Notwithstanding the provisions of Sub-Article (1) of this Article, a judge may sit in a bench where;
 - (a) If there is no other judge in that court other than the judge concerned and his entertaining the matter is mandatory;
 - (b) Where the case is found urgent.

PART THREE

Duties and Accountabilities

19. Powers and Duties of the President of the Supreme Court

The President of the Supreme Court shall have the following powers and duties:

- (a) Administer the regional courts;
- (b) Represent the court;

- (c) Abbootii seeraa Mana Murtii Waliigalaa hojiirratti ni ramada; ni bulcha;
- (d) Abbootii seeraa, mudamtoota Gumiifi hojjattoota hojii mana murtichaaf barbaachisan ni muuchiisa; ni qacara; ni bulcha.
- (e) Karoora hojiifi baajata manneen murtichaa qopheessee Caffeeff ni dhiyeessa; yammuu eeymames hojiirra ni oolcha;
- (f) Hojii manneen murtii naannichaa ilaalchisee gabaasa Caffeeff ni dhiyeessa;
- (g) Oggeessonni seeraa ogummaa seeraarratti bobba'an hojii abbaa-seerummaa irratti gahee qaban ilaalchisee qu'annoofi qorannoon akka gaggeeffamu ni taasisa; Qaama dhimmi isaa ilaalu waliin ta'uudhaan sirreeffamni barbaachisaa ta'e akka fudhatamu ni godha;
- (h) Murtiileen qu'annoofi xiinxalaaf gargaaran gosa gosaan qindaa'anii akka qophaa'an ni taasisa;
- (i) Wixinee seeraa qopheessee Caffeeff ni dhiyeessa.

20. Aangoofi Gahee Hojii Itti-Aanaa Pireezidaantii

- 1) Pireezidaantiin Mana Murtii Waliigala Oromiyaa yeroo hin jirretti Itti Aanaa Pireezidaantii bakka bu'ee ni hojjata.
- 2) Itti Aanaa Pireezidaantii hojiilee biroo Pireezidaantiin kennamaniif ni raawwata.

21. Waa'ee Bakka Bu'ummaa

- 1) Pireezidaantiin Mana Murtii Ol'aanaa, yookiin Aanaa yeroo hin jirretti muudamaan abbaan seeraa dursa qabu bakka bu'ee akka hojjatu gochuu ni danda'a.
- 2) Keewwata Xiqqaa I jalatti kan tumame akkuma jirutti ta'ee, Pireezidaantiin mana murtichaa bakka bu'ummaa yeroo kennu haala naamusa, dandeettii hoggansaafi kaka'umsa hojii yaada keessa galchuu kan isa daangessu hin ta'u.

22. Aangoofi Itti Waamama Pireezidaantota Manneen Murtii

- 1) Pireezidaantiin Mana Murtii Ol'aanaa yookiin Aanaa:
 - (a) Mana murtichaa ni bulcha; bakka bu'a;

- (ሐ) የጠቅላይ ፍርድ ቤት ዳኞችን በሥራ ላይ ይመድባል፤ ያስተዳድራል፤
- (መ) ዳኞችን፣ የጉባዔ ተሻሚዎችንና ለፍርድ ቤቱ ሥራ የሚያስፈልጉትን ሠራተኞች ያሾማል፤ ይቀጥራል፤ ያስተዳድራል፤
- (ሠ) የክልሉን ፍርድ ቤቶች ዕቅድና በጀት አዘጋጅቶ ለጨፌ ያቀርባል፤ ሲፈቀድም ሥራ ላይ ያውላል፤
- (ረ) የክልሉን ፍርድ ቤቶች ሥራ አስመልክቶ ለጨፌ ሪፖርት ያቀርባል፤
- (ሰ) በሕግ ሙያ ላይ የተሠማሩ የሕግ ባለሙያዎች በዳኝነት ሥራ ላይ ያላቸውን ድርሻ አስመልክቶ ጥናትና ምርምር እንዲካሄድ ያደርጋል፤ ጉዳዩ ከሚመለከተው አካል ጋር በመሆን ተገቢው ማስተካከያ እንዲወስድ ያደርጋል፤
- (ሸ) ለጥናትና ምርምር የሚረዱ ውሳኔዎች ዓይነት በዓይነት ተቀናጅተው እንዲዘጋጁ ያደርጋል፤
- (ቀ) የሕግ ረቂቅ አዘጋጅቶ ለጨፌ ያቀርባል፡፡

፳. የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ሥልጣንና ተግባር

- ፩) የአሮሚያ ጠቅላይ ፍርድ ቤት ፕሬዚዳንት በማይኖርበት ጊዜ ፕሬዚዳንቱን ተክቶ ይሠራል፡፡
- ፪) ምክትል ፕሬዚዳንቱ በፕሬዚዳንቱ የሚሠጡትን ሌሎች ሥራዎች ይፈጽማል፡፡

፳፩. ስለ ውክልና

- ፩) የከፍተኛ ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት በማይኖርበት ጊዜ በሽሙት ቅድሚያ ያለው የፍርድ ቤቱ ዳኛ ተክቶ እንዲሠራ ሊወከለው ይችላል፡፡
- ፪) በንዑስ አንቀጽ ፩ የተደነገገው ቢኖርም የፍርድ ቤቱ ፕሬዚዳንት ውክልና በሚሰጥበት ጊዜ የሥነ-ምግባር ሁኔታን፣ የአመራር ችሎታንና የሥራ ተነሳሽነትን ግምት ውስጥ ከማስገባት የሚያግደው አይሆንም፡፡

፳፪. የፍርድ ቤቶች ፕሬዚዳንቶች ሥልጣንና ተጠሪነት

- ፩) የከፍተኛ ወይም የወረዳ ፍርድ ቤት ፕሬዚዳንት፡-
 - (ሀ) ፍርድ ቤቱን ያስተዳድራል፤ ይወክላል፤

- (c) Assign and administer judges of the Supreme Court;
- (d) Prepare judges, Council members and other employees necessary for the regional courts; employ and administer;
- (e) Prepare and present work plan and the budget of the state courts to the Caffee and implement the same and upon approval.
- (f) Submit a report on the activities of the courts to the Caffee;
- (g) Cause the preparation of research and studies on the role of legal professionals practicing law on judicial services and work jointly in consultation with the concerned organs for the improvement of the system;
- (h) Cause the selection and indexing of decisions that are helpful for legal research; and
- (i) Initiate draft law and submit to the Caffee.

20. Duties and Responsibilities of the Vice President of the Supreme Court

- 1) Serve in the President's stead, while he is absent
- 2) Discharge other duties assigned to him by President.

21. Delegation

- 1) In the absence of the High Court or a District Court President, the most senior judge may be delegated to serve as Acting President.
- 2) The Provisions of Sub-Article 1 of this Article may not restrict the President's right to consider the ethics, administrative capacity and diligence of the delegated judge.

22. Duties and Accountabilities of High and District Court Presidents

- 1) A High Court or District Court president shall;
 - (a) Administer and represent his respective court;

- (b) Akkuma haala isaatti ofiisaroota seeraafi hojjattoota hojii mana murtichaaf barbaachisan ni muuchisa; ni bulcha; ni to'ata;
- (c) Abbootii seeraa hojii dhaddachaatti ni ramada;
- 2) Itti waamamni Pireezidaantii manneen murtii akka armaan gadii ta'a.
 - (a) Pireezidaantiin Mana Murtii Waliigalaa Caffee Oromiyaatiif,
 - (b) Pireezidaantiin Mana Murtii Ol'aanaa Mana Murtii Waliigalaatiif,
 - (c) Pireezidaantiin Mana Murtii Aanaa Mana Murtii Ol'aanaatiif,

23. Aangoofi Gahee Hojii Abbaa Adeemsa Hojii Kenniinsa Tajaajila Abbaa Seerummaa

- 1) Adeemsa hojii abbaa itti ta'e ol'aantummaan ni gaggeessa; ni to'ata; ni raawwachiisa.
- 2) Garee raawwataa hojiif raawwii hojii keessatti deeggarsa ogummaafi teknika akka argatu ni taasisa; malawwan haaraa hojichaaf barbaachisaa ta'an ni burqisiisa;
- 3) Garee raawwattoota hojii kenniinsa tajaajila abbaa seerummaa bakka bu'uun koree manaajimentii mana murtichaa keessatti ni hirmaata.
- 4) Adeemsa hojii kenniinsa tajaajila abbaa seerumma hojiilee biroo mana murtichaa waliin qindaa'uun akka hojjatamu deeggarsa ni taasisa.

24. Aangoofi Gahee Hojii Gaggeessaa Dhimmaa

- 1) Garee hojii ofii miseensa keessatti ta'ee hojjatu ni gaggeessa; walitti ni qaba.
- 2) Raawwattoota garee hojii isaatiif hojii ni qooda.
- 3) Komii tajaajilamtoota irraa ka'uuf battalumatti furmaata ni kenna; humna (aangoo) isaatiin ol yoo ta'e abbaa adeemsa hojii yookiin Pirezidaantii Mana Murtichaa ni beeksisa.

25. Aangoofi Gahee Hojii Ofiisara Seeraa

- Ofiisarri seeraa hojiilee armaan gadii ni raawwata.
 - (a) Seera adeemsa falmii siviliifi yakkaa keessatti hojiilee rejistiraaraaf kennaman ni raawwata.
 - (b) Akkuma haala isaatti iyyanni, himanniifi ol'iyyanni dhiyaate ulaagaa seeraa guuttee dhiyaachuu isaa ni mirkaneessa.

- (ለ) እንደሁኔታው የሕግ አፈሰርችንና ለፍርድ ቤቱ የሚያስፈልጉትን ሠራተኞች ያሾማል፤ ያስተዳድራል፤ ይቆጣጠራል፤
- (ሐ) ዳኞችን በችሎት ሥራ ላይ ይመድባል፡፡
- ፪) የፍርድ ቤቶች ፕሬዚዳንቶች ተጠሪነት እንደሚከተለው ይሆናል፡-
 - (ሀ) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት ለጨፌ አርሚያ፤
 - (ለ) የከፍተኛ ፍርድ ቤት ፕሬዚዳንት ለጠቅላይ ፍርድ ቤት፤
 - (ሐ) የወረዳ ፍርድ ቤት ፕሬዚዳንት ለከፍተኛ ፍርድ ቤት፡፡

፳፫. የዳኝነት አገልግሎት አሰጣጥ የሥራ አካሄድ ኃላፊ ሥልጣንና ተግባር

- ፩) ኃላፊ የሆነበትን የሥራ አካሄድ በበላይነት ይመራል፤ ይቆጣጠራል ያስፈጽማል፤
- ፪) በሥራ ክንውን ሂደት የሥራ ፈጻሚ ቡድን የሙያዊ የቴክኒክ ድጋፍ እንዲያገኝ ያደርጋል፤ ለሥራው አስፈላጊ የሆኑ አዳዲስ ዘዴዎችን ያመነጫል፤
- ፫) የዳኝነት አገልግሎት አሰጣጥ የሥራ ፈጻሚን በመወከል በፍርድ ቤቱ የማህጸመንት ኮሚቴ ውስጥ ይሳተፋል፡፡
- ፬) የዳኝነት አገልግሎት አሰጣጥ የሥራ አካሄድ ከሌሎች የፍርድ ቤቱ ሥራዎች ጋር በመቀናጀት እንዲሠራ ድጋፍ ያደርጋል፡፡

፳፬) የጉዳዮች ኃላፊ ሥልጣንና ተግባር

- ፩) አባል ሆኖ የሚሠራበትን የሥራ ቡድን ይመራል፤ ይሰበስባል፤
- ፪) በሥራ ላሉት የሥራ አከናዎኞች ቡድን ሥራ ያከፋፍላል፤
- ፫) ከተገልጋዮች ለሚቀርቡ ቅሬታዎች ወዲያውኑ መፍትሔ ይሰጣል፤ ከሥልጣኑ በላይ ከሆነ ለሥራ አካሄድ ኃላፊ ወይም ለፍርድ ቤቱ ፕሬዚዳንት ያሳውቃል፡፡

፳፭. የሕግ አፈሰር ሥልጣንና ተግባር

- የሕግ አፈሰር የሚከተሉትን ተግባራት ያከናውናል፡-
 - (ሀ) በወንጀልና በፍትሕ ብሔር ሥነ-ሥርዓት ሕጎች ለሬጂስትራር የተሰጡትን ተግባራት ያከናውናል፤
 - (ለ) የሚቀርቡ ማመልከቻዎች፣ ክሶችና ይግባኞች የሕጉን መሥፈርት ያሟሉ መሆናቸውን እንደሁኔታው ያረጋግጣል፤

- (b) Submit for appointment, supervise and direct legal officers and personnel required for the court as the case might be;
- (c) Assign the judges to the tribunal.
- 2) The accountability of court Presidents shall be as follows:
 - (a) The President of the Supreme Court shall be accountable to the *Caffee*;
 - (b) High Court Presidents shall be accountable to the Supreme Court;
 - (c) District Court Presidents shall be accountable to the Zonal High Courts.

23. Duties and Responsibilities of the Process Owner of the Judicial Service

- 1) The process owner shall supervise, administer and ensure the performance of the process for which he is primarily responsible;
- 2) He shall ensure that professional and technical support is given for the members of a process team; He shall be responsible for creating new ways necessary for the work;
- 3) Represent the Judicial service delivery process and participate in the management committee of the Courts.
- 4) Give support in discharging other duties in coordination with other process of in the Courts.

24. Duties and Responsibilities of the Case Manager

- 1) Administer the team to which he belongs, and chair the team.
- 2) He shall assign jobs to the member of his team;
- 3) He shall give immediate solutions for the complainants from the customers. Where the solution to the complaint lies beyond his power, he shall notify the process owner or the President of the court.

25. Powers and Responsibilities of the Legal Officers

- Legal officers shall have the following powers and responsibilities;
 - (a) He shall perform the mandates given to the court registrar in the civil and penal procedures;
 - (b) He shall ensure that applications, statement of claims, statement of defense and appeals satisfy legal and technical sufficiency;

- (c) Kaffaltiiwwan ni kaffalchiisa; maallaqa moodeelaan akka qabamu ajajames ni fuudha; maallaqa sassaabame qabaa maallaqa mana murtichaatti galii taasisa.
- (d) Keewwata Xiqqaa (c) jalatti kan kaffalchiifamu akkuma jirutti ta'ee yeroo galmeen banamu, deebiin dhiyaatuufi iyyannoon dhiyaatu tarree ragaa wal falmitootaan dhiyaatan lakkaa'uudhaan kaffaltii qalaaxee ni kaffalchiisa.
- (e) Gageessaa dhimmaa garee hojii wajjin mari'achuun beellama ni kenna; ajaja waamichaa ni dabarsa; deebii ni fuudha; ajaja mallatteessee chaappessee bahii godha; galmee banuun ni dhiyeessa.
- (f) Galmee socho'u ni bulcha; yammuu barbaadamu ni dhiyeessa; abbootiin dhimmaa seeraan tajaajila akka argatan ni taasisa.
- (g) Hojiilee biroo abbaa seeraatiin kennamaniif ni raawwata.
- (h) Istaastiksii gosa galmeewwan ilaalamaa jiran, murtii argataniifi kan biroo qopheessee qaama ilaaluuf ni dabarsa.

KUTAAAFUR

Aangoo Abbaa Seerummaa Manneen Murtii

26. Aangoo Mana Murtii Waliigala Oromiyaa

- 1) Manni Murtii Waliigalaa aangoo abbaa seerummaa armaan gadii ni qabaata.
 - (a) Dhimma naannoo ilaalchisee ol'iyannoo Manneen Murtii Ol'aanaarraa dhiyaataniif ilaalee murtii ni kenna; murtichis isa dhumaa ta'a;
 - (b) Dhimmoota Federaalaa ilaalchisee aangoo Mana Murtii Ol'aanaa Federaalaa bakka bu'uudhaan sadarkaa jalqabaatiin ilaalee murtii ni kenna;
 - (c) Dhimma Manni Murtii Ol'aanaa Naannoo aangoo Mana Murtii Federaalaa Sadarkaa jalqabaatiin ilaalee murtii kenne irratti ol'iyata dhiyaatu ni ilaala; murtii ni kenna;
 - (d) Akka adeemsa falmii seeraatti dhimmi tokko Mana Murtii Ol'aanaa tokkorraa gara Mana Murtii Ol'aanaa biraatti, yookiin gara Mana Murtii Waliigalaatti akka darbu yammuu gaaffiin dhiyaatu murtii itti kenna;

- (ሐ) ክፍያዎችን ያስከፍላል፣ በሞዴል እንዲያዝ የታዘዘን ገንዘብ ይቀበላል፣ የሰበሰበውን ገንዘብ ለፍርድ ቤቱ ገንዘብ ያኾን ገቢ ያደርጋል፤
- (መ) በዚህ አንቀጽ ንዑስ አንቀጽ /ሐ/ መሠረት የሚደረገው ማስከፈል እንደተጠበቀ ሆኖ፣ መዝገብ በሚከፈትበት፣ መልስ በሚሰጥበትና አቤቱታ በሚቀርብበት ወቅት በተከራካሪዎች የቀረቡትን የማስረጃ ዝርዝር በመቁጠር የቀላጤ ክፍያ ያስከፍላል፤
- (ሠ) ከሥራ ቡድን የጉዳይ ኃላፊ ጋር በመመካከር ቀጠሮ ይሰጣል፣ የመጥሪያ ትዕዛዝ ይልካል፣ መልስ ይቀበላል፣ ትዕዛዝ በመፈረምና በማጎተም በማረጋገጥ ወጪ ያደርጋል፣ መዝገብ በመክፈት ያቀርባል፤
- (ረ) ተንቀሳቃሽ መዝገብ ያስተዳድራል፣ ሲፈለግ ያቀርባል፣ ባለጉዳዮች በሥርዓቱ አገልግሎት እንዲያገኙ ያደርጋል፤
- (ሰ) በዳኛ የሚሰጡትን ሌሎች ተግባራት ያከናውናል፤
- (ሸ) በመታየት ላይ ያሉ፣ ውሳኔ ያገኙና ሌሎች መዘገቦችን ዓይነት በመለየት ስታስቲክስ አዘጋጅቶ ለሚመለከተው አካል ያስተላልፋል፡፡

ክፍል አራት

ስለ ፍርድ ቤቶች የዳኝነት ሥልጣን

፳፮. የጠቅላይ ፍርድ ቤት ሥልጣን

- ፩) ጠቅላይ ፍርድ ቤት የሚከተሉት የዳኝነት ሥልጣን ይኖረዋል፡-
 - (ሀ) የክልል ጉዳዮችን በተመለከተ ከከፍተኛ ፍርድ ቤቶች የሚቀርቡለትን የይግባኝ አቤቱታዎች አይቶ ይወስናል፣ ውሳኔውም የመጨረሻ ይሆናል፤
 - (ለ) የፌዴራል ጉዳዮችን በተመለከተ የፌዴራሉን ከፍተኛ ፍርድ ቤት በመወከል በመጀመሪያ ደረጃ አይቶ ውሳኔ ይሰጣል፤
 - (ሐ) የክልሉ ከፍተኛ ፍርድ ቤት በፌዴራል የመጀመሪያ ደረጃ ፍርድ ቤት የዳኝነት ሥልጣን መሠረት በመጀመሪያ ደረጃ አይቶ ውሳኔ በተሰጠባቸው ጉዳዮች ላይ የሚቀርበውን ይግባኝ አይቶ ይወስናል፤
 - (መ) በሥነ ሥርዓት ሕግ በተወሰነው መሠረት አንድ ጉዳይ ከአንድ ከፍተኛ ፍርድ ቤት ወደ ሌላ ከፍተኛ ፍርድ ቤት ወይም ወደ ጠቅላይ ፍርድ ቤት ተዛውሮ እንዲታይ ጥያቄ ሲቀርብለት ውሳኔ ይሰጣል፡፡

- (c) Receive different service payments; receive amount ordered to be deposited temporarily; transfer the amount collected to the cashier;
- (d) With out prejudice to the amounts paid in accordance with the provisions of Sub-Article (c) of this Article, while opening cases (files), receiving statement of defenses or applications he shall receive the payment for witnesses based on the list of witnesses whose attendance is required;
- (e) Adjourn cases in consultation with the case manager; issue summonses; receive statement of defenses; sign, stamp and give out court orders; open and present files;
- (f) Administer live files; submitted the files when required; ensure that proper judicial services to the customers.
- (g) Discharge such other duties assigned to him by a judge;
- (h) Prepare and submit statistical data regarding the types of pending cases, those that get decisions and others and report it to the concerned body.

PART FOUR

Jurisdiction of Courts

26. Jurisdiction of the State Supreme Court

- 1) The State Supreme Court shall have the following jurisdiction:
 - (a) Appellate jurisdictions over the judgments or decisions of State High Courts in pursuance of state matters; its decisions shall be final;
 - (b) First instance jurisdiction over federal matters representing the Federal High Court;
 - (c) Appellate jurisdiction over the judgments or decisions of the state high court in its federal first instance capacity;
 - (d) Decide on applications of change of venue from one Zonal High Court to another or to the Supreme Court.

(e) Dhimma naannoo ilaalchisee murtii dhumaa dhimma argaterratti, dogoggorri bu'uura seeraa yoo jiraate dhaddacha ijibbaataatiin ilaaluuf aangoo ni qabaata;

2) Manni Murtii Waliigalaa aangoo abbaa-seerummaa Federaalaatiin murtii kennuu irratti ol'iyyannoon dhiyaatu Mana Murtii Waliigalaa Federaalaatiin ilaalama.

27. Aangoo Mana Murtii Ol'aanaa

Manni Murtii Ol'aanaa aangoo armaan gadii ni qabaata.

1) Akka adeemsa falmii seera sivili, seera adeemsa falmii yakkaa, yookiin akka seera birootiin tumametti dhimmoota siviiliifi yakka sadarkaa jalqabaan ilaalee ni murteessa.

2) Kan Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee, dhimmoota yakkaa ka'umsi adabbii isaanii waggaa 10 (kudhan) ol ta'e irratti aangoo abbaa seerummaa sadarkaa jalqabaa ni qabaata.

3) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee himata qabeenya hin sochoone tilmaama qarshii 50,000 (kuma shantamaa) ol ta'e irratti aangoo abbaa seerummaa sadarkaa jalqabaa ni qabaata. Himata qabeenya socho'u tilmaama qarshii 30,000 (kuma soddoma) ol ta'erratti aangoo abbaa seerummaa sadarkaa jalqabaa ni qabaata.

4) Aangoo Mana Murtii Federaalaa sadarkaa jalqabaatiin dhimmoota isaaf dhiyaatan ni ilaala; murtii ni kenna.

5) Dhimmoota Manneen Murtii Aanaarraa ol'iyyannoon dhiyaataniif irratti murtii ni kenna.

6) Akka deemmii falmii seeraatti dhimmi tokko Mana Murtii Aanaa tokkorraa gara Mana Murtii Aanaa biraatti, yookiin gara Mana Murtii Ol'aanaatti akka darbu yammuu gaaffiin dhiyaatu murtii itti kenna.

7) Kan oliyyanni isaa mana murtii birootiif akka dhiyaatu seera birootiin tumameen alatti murtii qaamonnii aangoon abbaa seerummaa seeraan kennameefiin murteessan irratti ol'iyyannoo ni ilaala; murtii ni kenna.

(ሠ) ክልሉን አስመልክቶ የመጨረሻ ውሳኔ ባገኘ ጉዳይ ላይ መሠረታዊ የሕግ ስህተት ካለ በሰበር ችሎት ለማየት ስልጣን አለው።

፪) ጠቅላይ ፍርድ ቤት በፌዴራል የዳኝነት ሥልጣን በሚሰጠው ውሳኔ የሚቀርበው ይግባኝ በፌዴራል ጠቅላይ ፍርድ ቤት ይታያል።

፳፯. የከፍተኛ ፍርድ ቤት የዳኝነት ሥልጣን

የከፍተኛ ፍርድ ቤት የሚከተሉት ሥልጣን ይኖረዋል።

፩) በፍትህ ብሔር ወይም በወንጀል ሕግ ሥነ ሥርዓት ወይም በሌላ ሕግ በተወሰነው መሠረት የፍትህ ብሔርና የወንጀል ጉዳዮች በመጀመሪያ ደረጃ አይቶ ውሳኔ ይሰጣል፤

፪) የዚህ አንቀጽ ንዑስ አንቀጽ ፩ ድንጋጌ እንደተጠበቀ ሆኖ ከአሥር (፲) ዓመት በላይ በሚያስቀጡ የወንጀል ጉዳዮች ላይ የመጀመሪያ ደረጃ የዳኝነት ሥልጣን ይኖረዋል፤

፫) የዚህ አንቀጽ ንዑስ አንቀጽ ፩ ድንጋጌ እንደተጠበቀ ሆኖ፣ ግምቱ ከሃምሳ ሺህ /፶ ሺህ/ ብር በላይ በሆነ የማይንቀሳቀስ ንብረት ክስ እና ግምቱ ከሰላሳ ሺህ / ሺህ/ ብር በላይ በሆነ የማይንቀሳቀስ ንብረት ክስ ላይ የመጀመሪያ ደረጃ የዳኝነት ሥልጣን ይኖረዋል፤

፬) በፌዴራል የመጀመሪያ ደረጃ ፍርድ ቤት የዳኝነት ሥልጣን የሚቀርቡለትን ጉዳዮች ይመለከታል፤ ውሳኔ ይሰጣል፤

፭) ከወረዳ ፍርድ ቤቶች በይግባኝ በሚቀርቡለት ጉዳዮች ላይ ውሳኔ ይሰጣል፤

፮) በሥነ-ሥርዓት ሕግ በተወሰነው መሠረት አንድ ጉዳይ ከአንድ ወረዳ ፍርድ ቤት ወደ ሌላ ወይም ወደ ከፍተኛ ፍርድ ቤት ተዛውሮ እንዲታይ ጥያቄ ሲቀርብለት ውሳኔ ይሰጣል፤

፯) ይግባኙ በሌላ ፍርድ ቤት እንዲታይ በሌሎች ሕጎች ከተደነገጉት ውጪ በሕግ ሥልጣን በተሰጣቸው የዳኝነት አካላት በተሰጡ ውሳኔዎች ላይ የሚቀርበውን ያያል፤ ውሳኔ ይሰጣል።

(e) Shall have the power to review a final decision of any court in given concerning the region by way of cassation when the decision is deemed to have a fundamental error of law;

2) A decision of the State Supreme Court in pursuance of its Federal jurisdiction may be appealable to the Federal Supreme Court.

27. Jurisdiction of the State High Court

A High Court shall have the following jurisdiction:

1) First instance jurisdiction in accordance with the provisions of the civil and criminal procedure codes and other relevant laws;

2) Notwithstanding the provisions of Sub-Article 1 of this Article, a High Court shall have first instance jurisdictions over criminal cases punishable with above 10 (ten) years imprisonment;

3) Notwithstanding the provisions of Sub-Article 1 of this Article, High Courts shall have first instance jurisdiction on all suits regarding immovable property where the amount involved exceeds Eth 50,000 (fifty thousand birr), and on all suits regarding movable property where the amount in dispute exceeds Eth 30,000 (thirty thousand birr);

4) Shall hear and decide cases presented to it by it's the first instance jurisdiction.

5) Appellate jurisdiction over decisions of District Courts;

6) Decide on Applications of change of venue from one District Court to another or to the Zonal Court;

7) With out prejudice to other relevant laws, it shall have appellate jurisdiction over the decision of other lawfully established tribunals, hear and decide.

28. Aangoo Mana Murtii Aanaa

- 1) Marri Murtii Aanaa aangoo armaan gadii ni qabaata.
 - (a) Seerota adeemsa falmii siviilii, yakkaa yookiin akka seera birootiin tumameetti dhimmoota siviiliifi yakkaa sadarkaa jalqabaan ilaalee ni murteessa.
 - (b) Keewwata kana Keewwata Xiqqaa (a) jalatti kan ibsame akkuma jirutti ta'ee himata qabeenya hin sochoone tilmaamni isaa hanga qarshii 50,000 (kuma shantama) ta'e irratti aangoo abbaa seerummaa sadarkaa jalqabaa ni qabaata. Himata qabeenya socho'u tilmaamni isaa hanga qarshii 30,000 (kuma soddoma) ta'e irratti aangoo abbaa seerummaa sadarkaa jalqabaa ni qabaata.
 - (c) Dhimmoota Manni Murtii Hawaasummaa Gandaa murtii irratti kenne sadarkaa ol'iyannootiin ni ilaala; murtii ni kenna.
- 2) Kan olitti tumaman akkuma jiranitti ta'ee, iyyannoo yookiin himata dhimma dhalatummaa ilaalchisee dhiyaatu irratti Manni Murtii Aanaa aangoo abbaa seerummaa sadarkaa jalqabaa ni qabaata.

29. Waa'ee Ol'iyannoo

Dhimma siviilii irratti murtii mana murtii dakaatiin kenname mana murtii ol'iyata ilaalun kan ragga'e yoo ta'e murtiin kun kan dhumaa ta'a.

30. Meeshaalee Yookiin Qabeenya Ciraa

Manneen murtii akkuma haala isaatti meeshaalee ykn qabeenya akka ciraatti dhiyaatan of-bira yookiin qaama barbaachisaadha jedhee itti amane bira hanga murtiin kennamutti akka turu ajajuu danda'a.

KUTAASHAN

Tumaalee Addaa Addaa

31. Sirna Ijibbaataa

- 1) Dhimmi tokko kan ijibbaataan ilaalamu akka Labsii kana Keewwata 26(e)tti sadarkaa mana murtii kamittuu murtiin dhumaa kenname dogoggora bu'uura seeraa kan qabu ta'ee yammuu argamuudha.

፳፰. የወረዳ ፍርድ ቤት የዳኝነት ሥልጣን

- ፩) የወረዳ ፍርድ ቤት የሚከተለው ሥልጣን ይኖረዋል፡-
 - (ሀ) በፍትህ ብሔር ወይም በወንጀል ሕግ ሥርዓት ወይም በሌላ ሕግ በተወሰነው መሠረት የፍትህ ብሔርና የወንጀል ጉዳዮች በመጀመሪያ ደረጃ አይቶ ይወስናል፤
 - (ለ) የዚህ አንቀጽ ንዑስ አንቀጽ /ሀ/ ድንጋጌ እንደተጠበቀ ሆኖ፣ ግምቱ እስከ ሃምሳ /፶ሺህ/ ብር በሆነ በማይንቀሳቀስ ንብረት ክስ እና ግምቱ እስከ ሰላሳ ሺህ /፴ ሺህ/ ብር በሆነ በሚንቀሳቀስ ንብረት ክስ ላይ የመጀመሪያ ደረጃ የዳኝነት ሥልጣን ይኖረዋል፤
 - (ሐ) የቀበሌ ማኅበራዊ ፍርድ ቤት ውሳኔ የሰጠባቸውን ጉዳዮች በይግባኝ አይቶ ይወስናል።
- ፪) ከዚህ በላይ የተደነገጉት እንደተጠበቁ ሆነው የወረዳ ፍርድ ቤት ወላጅነትን አስመልክቶ የሚቀርብ አቤቱታ ወይም ክስ ላይ የመጀመሪያ ደረጃ የዳኝነት ሥልጣን ይኖረዋል።

፳፱. ስለ ይግባኝ

በፍትህ ብሔር ጉዳይ ላይ የሥር ፍርድ ቤት የሰጠው ውሳኔ በይግባኝ ሰሚው ፍርድ ቤት የፀደቀ እንደሆነ ውሳኔው የመጨረሻ ይሆናል።

፴. ስለ ኤግዚቢት ዕቃዎች ወይም ንብረቶች

ፍርድ ቤቶች በኤግዚቢትነት የሚቀርቡ ዕቃዎችን ወይም ንብረቶችን ውሳኔ እስከሚሰጥ ድረስ እንደ ሁኔታው ራሳቸው ዘንድ ወይም ተገቢ ነው ብለው ባመነበት አካል ዘንድ እንዲቆይ ለማዘዝ ይችላሉ።

ክፍል አምስት

የተለያዩ ድንጋጌዎች

፴፩. የሰበር ሥርዓት

- ፩) አንድ ጉዳይ በሰበር የሚታየው፣ በዚህ አዋጅ በአንቀጽ ፳፮/ሠ/ መሠረት በማንኛውም እርዕን ባለ ፍርድ ቤት የተሰጠው የመጨረሻ ውሳኔ መሠረታዊ የሕግ ስህተት ያለበት ሆኖ የተገኘ እንደሆነ ነው።

28. Jurisdiction of District Courts

- 1) A District Court shall have the following jurisdiction:
 - (a) First instance jurisdiction in accordance with the provisions of civil and criminal procedure codes and other relevant laws;
 - (b) Notwithstanding the provisions of Sub-Article (a) of this Article, District Courts shall have first instance jurisdiction on all suits regarding immovable property where the amount involved does not exceed Eth 50,000 birr (fifty thousand birr),. and on all suits regarding movable property where the amount in dispute does not exceed Eth 30,000 birr (thirty thousand birr).
 - (c) Appellate jurisdiction over the decisions of Kebele Social Courts.
- 2) Notwithstanding the provisions of the above Article, District Courts shall have first instant jurisdictions on suits relating to filiations.

29. Appellate Procedure

Regarding civil matters where the appellate court confirms the decisions of the court of original jurisdiction, it shall be final and unappealable.

30. Exhibits

Exhibits may be hold until the final decision with the court itself or with any other organ where the Courts deem to be proper.

PART FIVE

Miscellaneous Provisions

31. Cassation Procedure

- 1) A case shall be reviewed by way of cassation according to Article 26 (1) (e) of the Proclamation if the final decision given by any Court seems to have a fundamental error of the law.

- 2) Murtiin dhumaa dhimma tokkorratti kenname dogoggora bu'uura seeraa qaba jedhamee kan ilaalamu dursee abbootiin seeraa 3 (sadii) kan itti mooggaafaman murtichi kan ijibbaataaf geessisu dogoggora bu'uuraa seeraa qaba jedhanii yammuu murteessaniidha.
- 3) Iyyataan dhimmi isaa ijibbaataan akka ilaalamuuf barbaadu murtichi dogoggora bu'uura seeraa qaba sababa jedhuuf iyyata isaarratti barreessee waraabbii murtii ol'iyannoofi waraabbii murtii mana murtii jalaa waliin dhiyeessuu qaba.
- 4) Iyyanni gaaffii ijibbaataa Mana Murtii Waliigalaafi dhiyaachuu kan qabu dhimma gaaffiin ijibbaataa itti dhiyaatu irratti murtiin erga kennamee guyyaa sagaltama (90) keessatti ta'a.

32. Boqonnaa Abbootii Seeraa

Abbootiin seeraa boqqonaa waggaa, ji'a lamaa ni qabaatu. Raawwiin isaa dambii Gumiin baasuun kan murtaa'u ta'a.

33. Yaa'ii Mana Murtii Waliigala Oromiyaa

- 1) Yaa'iin Mana Murtii Waliigalaa waggaatti al tokko ni gaggeeffama.
- 2) Hirmaatoonni yaa'ii kanaa Pireezidantii, Itti Aanaa Pireezidaantii, itti-gaafatamtoota, abbootii seeraa Mana Murtii Waliigalaafi Pireezidaantota Manneen Murtii Ol'aanaati.
- 3) Pireezidaantiin Mana Murtii Waliigalaa walitti qabaa yaa'ichaa ta'a.
- 4) Yaa'ichi barreessaa ni filata.

34. Hojii Yaa'ichaa

- Yaa'iin Mana Murtii Waliigalaa aangoofi hojii armaan gadii ni qabaata.
- 1) Hojii abbaa seerummaa irratti rakkinaalee mudatan ilaalchisee marii taasisuudhaan kallattii furmaataa ni kaa'a;
- 2) Kenniinsa tajaajila abbaa seerummaa Manneen Murtii Oromiyaa fooyyessuudhaaf qajeelfamootaafi murtiilee barbaachisaa ta'an ni dabarsa;
- 3) Tajaajila abbaa seerummaa saffisaa, si'aayina kan qabuufi dhaqqabamaa taasisuudhaaf tarkaanfii barbaachisaa ta'e ni fudhata;
- 4) Hojii yaa'ichaaf kan gargaaran qajeelfama mataasaa ni baafata.

፪) በአንድ ጉዳይ ላይ የተሰጠው የመጨረሻ ውሳኔ መሠረታዊ የሕግ ስህተት አለበት ተብሎ የሚታየው በሰበር ከመታየቱ አስቀድሞ ሦስት /፫/ የፍርድ ቤቱ ዳኞች የሚሰየሙበት ችሎት ጉዳዩ ለሰበር የሚያበቃ መሠረታዊ የሕግ ስህተት አለበት ብሎ ሲወሰን ነው።

፫) ጉዳዩ በሰበር እንዲታይለት የሚፈልግ አመልካች ውሳኔው መሠረታዊ የሕግ ስህተት አለበት የሚልበትን ምክንያት በማመልከቻው ላይ በመግለጽ ይግባኝ ከተባለበት ጉዳይ የውሳኔ ቅጂና ከሥር ፍርድ ቤት የውሳኔ ቅጂ ጋር አያይዞ ማቅረብ አለበት።

፬) በሰበር ይታይልኝ ጥያቄ ማመልከቻ ለጠቅላይ ፍርድ ቤት መቅረብ ያለበት የሰበር ጥያቄ የቀረበበት ጉዳይ ውሳኔ ባገኘ በዘጠና /፮/ ቀናት ውስጥ ነው።

፴፪. ስለዳኞች የዕረፍት ጊዜ

ዳኞች የሁለት ወራት የዓመት እረፍት ይኖራቸዋል፤ አፈጻጸሙ ጉባኤው በሚያወጣው ደንብ የሚወሰን ይሆናል።

፴፫. የአሮሚያ ጠቅላይ ፍርድ ቤት ጉባኤ

፩) የጠቅላይ ፍ/ቤት ጉባኤ በዓመት አንድ ጊዜ ይካሄዳል።

፪) የዚህ ጉባኤ ተሳታፊዎች የጠቅላይ ፍርድ ቤት ፕሬዚዳንት፣ ምክትል ፕሬዚዳንት፣ ኃላፊዎች፣ ዳኞችና የከፍተኛ ፍርድ ቤቶች ፕሬዚዳንቶች ናቸው።

፫) የጠቅላይ ፍርድ ቤት ፕሬዚዳንት የዚህ ጉባኤ ሰብሳቢ ይሆናል።

፬) ጉባኤው ፀሐፊ ይመርጣል።

፴፬. የጉባኤው ተግባር

የጠቅላይ ፍ/ቤት ጉባኤ የሚከተለው ሥልጣንና ተግባር ይኖረዋል፡-

፩) በዳኝነት ሥራ ላይ ያጋጠሙ ችግሮችን አስመልክቶ ውይይት በማድረግ የመፍትሔ አቅጣጫ ያስቀምጣል።

፪) የአሮሚያ ፍርድ ቤቶችን የዳኝነት አገልግሎት አሰጣጥ ለማሻሻል አስፈላጊ የሆኑ መመሪያዎችንና ውሳኔዎችን ያስተላልፋል።

፫) የዳኝነት አገልግሎትን ቀልጣፋ፣ ፈጣንና ተደራሽ ለማድረግ አስፈላጊ የሆኑ እርምጃዎችን ይወስዳል።

፬) ለጉባኤው ተግባራት የሚረዳ የራሱን መመሪያ ያወጣል።

2) A final decision can be reviewed on account of a fundamental error of law when a division of the state Supreme Court consisting of three judges comes up with a ruling indicating the existence of a fundamental error justifying for cassation.

3) The petitioner for a hearing in cassation shall state his reason for alleging that the final decision contains a fundamental error of law. He shall also attach a copy of the decisions against which the petition has been lodged and that of the lower courts.

4) An application for cassation shall be made to the Supreme Court within ninety days from the date on which the decision is rendered.

32. Vacation of Judges

Judges shall have an annual leave of two months duration. The details shall be determined in the regulations issued by the Commission.

33. Plenum of the Supreme Court

1) The State Supreme Court shall have a plenum which shall convene once a year.

2) The members of the plenum shall be the President and Vice-President of the Supreme Court, heads of the Supreme Court management, Supreme Court judges and Zonal High Court Presidents.

3) The President of the Supreme Court shall be the chairman of the assembly.

4) The plenum shall designate its secretary.

34. Powers and Duties of the Plenum

The plenum of the Supreme shall have the following powers and duties:

1) To deliberate on problems encountered in the administration of justice and work out remedies thereto;

2) To examine and approve directives and decisions that help improve the judicial practices of Oromia courts;

3) To take such other measures that help to make the judicial service efficient, effective and accessible;

4) To issue regulations necessary for the proper carrying out of its duties.

35. Dhimoota Mana Murtiitti Ilaallamaa Jiran

Yeroo Labsiin kun ragga'utti mana murtii sadarkaa kamittuu dhimmoonni ilaallamaa jiran akkaatuma eegalamaniin xumura argatu.

36. Seerota Haqamaniifi Raawwatiinsa Hin Qabaanne

- 1) Labsii Lak. 6/1988 Labsii kanaan haqameera.
- 2) Seerri, qajeelfamni yookiin murtiin Labsii kanaan walitti bu'u kamuu raawwatiinsa hin qabaatu.

37. Yeroo Labsiin Kun Hojiirra Itti Oolu

Labsiin kun guyyaa Adoolessa 11, bara 2000 irraa eegalee kan hojiirra oolu ta'a.

Finfinnee

Adoolessa 11, bara 2000

Abbaaduulaa Gammadaa

Pireezidaantii Mootummaa Naannoo

Oromiyaa

፴፮. በፍርድ ቤት በመታየት ላይ ያሉ ጉዳዮች

ይህ አዋጅ በፀደቀበት ወቅት በማንኛውም እርከን ባለ ፍርድ ቤት በመታየት ላይ ያሉ ጉዳዮች በተጀመሩበት ሁኔታ ፍጻሜ ያገኛሉ።

፴፯. የተሻሻሉ ተፈጻሚነት የሌላቸው ሕጎች

፩) አዋጅ ቁጥር ፮/፲፱፻፹፰ በዚህ አዋጅ ተሸሯል።

፪) ከዚህ አዋጅ ጋር የሚቃረን ማንኛውም ሕግ፣ መመሪያ ወይም ውሳኔ ተፈጻሚነት አይኖረውም።

፴፮. አዋጁ ሥራ ላይ የሚውልበት ጊዜ

ይህ አዋጅ ከሐምሌ ፲፩ ቀን ፪ ሺህ ፶.ም ጀምሮ በሥራ ላይ ይውላል።

ፊንፊኔ፣

ሐምሌ ፲፩ ቀን ፪ ሺህ ፶.ም.

አባዱላ ገመዳ

የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ፕሬዚዳንት

35. Pending Cases

Cases pending in all hierarchy of courts prior to the effective date of this Proclamation shall be completed where they began.

36. Repealed and Inapplicable Laws

- 1) Oromia Courts establishment Proclamation No. 6/1995 is hereby repealed.
- 2) Any law, directive or decision which is inconsistent with the provisions of this Proclamation shall be inapplicable.

37. Effective Date

This Proclamation shall come in to force as of 18th day of July, 2008.

Finfine, July 18, 2008

Abadula Gameda

President of Oromia National Regional State