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PROCLAMATION No. 87/1997
A PROCLAMATION TO PROVIDE FOR THE CHARTER OF THE ADDIS ABAABA CITY GOVERNMENT

WHEREAS, the constitution provides that the residents of Addis Ababa shall have full measure of Self-Government the particulars of which shall be determined by law;
NOW, THEREFORE, in accordance with Articles 49(2) and 55(1) of the constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE
General

1. Short Title
This Proclamation may be cited as the "Addis Ababa City Government Charter Proclamation No. 87/1997."

2. Definitions
In this charter, unless the context requires otherwise:
1) "Addis Ababa" includes the existing urban areas and the twenty three rural localities falling under the jurisdiction of the City Government;
2) "Constitution" means the Constitution of the Federal Democratic Republic of Ethiopia;
3) "Construction Case" means a dispute arising from the issuance of permit or the enforcement of urban plans with respect to the construction of a building, a road, a bridge or any other work;
4.) “Land Holding Case” means a dispute arising from claims involving land holding rights or land-holding boundaries or from the enforcement of urban plans with respect to land uses, and shall not include disputes related to land-holding but arising from succession or from contractual or extra-contractual relations.

PART TWO

Powers and Organs of
The Addis Ababa City Government

3. Powers and Duties of the Addis Ababa City Government

1) The Addis Ababa city government shall have executive powers on all matters other than those falling under the jurisdiction of the federal executive organs as well as judicial powers on cases specifically provided for under this Charter.

2) Without prejudice to the provision of sub-Article (1) of this Article, the Addis Ababa City Government shall have the powers and duties to:

(a) Levy and collect taxes and duties on revenue sources reserved to it;

(b) Formulate and execute economic and social development programmes;

(c) Approve and administer its own budget; and borrow money from internal sources;

(d) Administer land and other natural resources within the territory of Addis Ababa;

(e) Establish a police force to maintain public order and peace within Addis Ababa;

(f) Establish and define the powers and duties of offices, institutions and enterprises of the City government;

(g) Determine the administration of its civil servants and their condition of work;

(h) Issue and enforce regulations and directives on matters falling within its jurisdiction;

(i) Enter into technical, economic and cultural protocol agreements with sister cities;

(j) Establish relations and enter into agreements with the organs and institutions of the Federal Government as well as with regional governments.

3) The Regulations, directives and decisions of the Addis Ababa City Government may be suspended or repealed by the Prime Minister of the Federal Government where they are deemed to be prejudicial to the national interest.

4. Organs of the Addis Ababa City Government

The Addis Ababa City Government shall have the following organs:

1) a Council;

2) an Executive Committee;

3) a Governor;

4) Office of the City Government;
5. Judicial Organs

The Addis Ababa city Government shall have the following judicial organs:

1) Municipal Court;
2) Labour Relations Board;
3) Civil Service Tribunal;
4) Tax Appeal Commission;
5) Kebele Social Courts.

PART THREE

Council of the Addis Ababa City Government

6. Members of the Council

1) Members of the Council shall be elected by the residents of Addis Ababa for a term of five years. The election procedures shall be as provided in the country’s election law.
2) The number of members of the council shall not exceed two hundred and not be less than ninety two.
3) A member of the council shall not be charged on account of any vote he casts or opinion he expresses in the Council, nor shall any administrative action be taken against any member on such grounds.
4) A member of the council shall not be arrested nor shall a member be charged with a crime without the permission of the council except in the case of flagranted elicto.
5) Where any member of the council dies or retires on other grounds, another member shall be elected in replacement.
6) A member of the Council may lose his mandate of representation upon loss of confidence by the electorate.

7. Powers and Duties of the Council

The Council of the Addis Ababa City Government shall be accountable to the residents of Addis Ababa and to the Prime Minister of the Federal Government and shall have the powers and duties to:

1) issue Regulations necessary to enforce the powers and duties of the City Government;
2) elect from among its members, the Governor, Deputy Governor, Secretary of the Council and members of the Executive Committee;
3) establish and define the powers and duties of the Audit and Inspection office of the City Government;
4) without prejudice to other provisions of this charter, estabish and define the powers and duties of the executive organs, the various institutions and enterprises of the City Government;
5) determine the organization of the police force of the City Government;
1. Approve the appointment of the president, vice president and judges of the Municipal Court as well as heads of the Audit and Inspection Office and executive offices accountable to the Governor and the Office of the City Government;
2. Approve the policies, the long and short-term economic and social development plans and annual budgets of the City Government;
3. Levy taxes and duties on revenues sources reserved to the City Government;
4. Approve loan agreements concluded by the Office of the City Government;
5. Approve technical, economic and cultural protocol agreements concluded with sister cities of other countries;
6. Investigate the conduct of the organs of the City Government and the discharge of their responsibilities;
7. Establish standing and ad hoc committees as it deems necessary to accomplish its work.

8. Meetings of the Council
1) The Council of the Addis Ababa City Government shall have regular and extra-ordinary meetings.
2) There shall be a quorum where more than half of the members are present at any meeting of the council.
3) Any decision of the council shall be passed by a majority vote of members present at a meeting.
4) Meetings of the Council shall be public, provided, however, that a closed meeting may be held by a decision supported by more than half of the members present at the meeting.

9. Calling Meetings of the council
1) The regular meetings of the Council of the Addis Ababa City Government shall be called once every three months.
2) Extra-ordinary meetings of the Council may be called by the decision of the Governor or at the request of more than half of the members of the Executive Committee or that of the council.

10. Dissolution of the Council
1) The Prime Minister of the Federal Government shall have the Power to dissolve the Council where he deems it necessary, and to order the election of new council within one year.
2) Where the Council is dissolved in accordance with sub Article (1) of this Article, the Prime Minister shall designate a care-taker administration to run the day-to-day activities of the City Government until the election of new council.
3) Within thirty days of the conclusion of the election the new Council shall convene.
PART FOUR
The Executive Committee and Officials of the City Government

11. Powers and Duties of the Executive Committee

The Executive Committee of the Addis Ababa City Government shall be accountable to the Council of the City Government and shall have the powers and duties to:

1) ensure the proper implementation, within the territorial jurisdiction of the City Government, of policies and laws issued by the Federal Government and the council of the City Government;
2) direct, coordinate and supervise the activities of organs and institutions accountable to the Office of the City Government;
3) prepare and submit to the council, the City Government's development plans and annual budget; and implement same upon approval;
4) issue directives necessary for the proper implementation of Regulations issued by the council of the City Government;
5) prepare the annual reports of the City Government to be submitted to the Council of the City Government and the Prime Minister of the Federal Government;
6) perform such other duties as may be assigned to it by the council of the City Government.

12. The Governor

1) The Governor of Addis Ababa shall be elected by the Council of the city Government in accordance with Article 7(2) of this Charter.
2) The Governor shall be accountable to the Council of the City Government and the Prime Minister of the Federal Government and shall have the powers and duties to:

(a) represent the Addis Ababa City Government;
(b) call and preside over the meetings of the Council and Executive Committee of the City Government;
(c) select and submit for approval to the Council of the City Government the President and the Vice President of the Municipal Court and the heads of the Audit and Inspection Office and executive offices accountable to the Governor and to the Office of the City Government;
(d) appoint officials other than those referred to in sub-Article 2(c) of this Article;
(e) exercise an overall command of the Police force of the City Government;
c) enforce the implementation of policies, laws, regulations and directives of the Federal Government and that of the City Government;

(g) submit periodical reports to the Council of the City Government and the Prime Minister of the Federal Government on the overall activities of the City Government.

13. The Deputy Governor

1) The Deputy Governor shall be elected by the Council of the City Government in accordance with Article 7(2) of this Charter.

2) The Deputy Governor shall act on behalf of the Governor in the absence or incapacity of the latter to discharge his duties.

3) The Deputy Governor shall perform such other duties as may be assigned to him by the Council, the Executive Committee and the Governor.

14. The Secretary of the Council

1) The Secretary of the Council of the City Government shall be elected by the council in accordance with Article 7(2) of this Charter.

2) The Secretary of the council of the City Government shall, subject to general directives to be given to him by the Governor:

(a) organize, direct and administer the Office of the City Government;

(b) keep the minutes and documents of the Council and the Executive Committee;

(c) prepare the budget of the Office; and implement same upon approval;

(d) employ and administer employees of the Office in accordance with the civil service regulations of the City Government;

(e) represent the Office in all its dealings with third parties;

(f) prepare and submit to the Governor reports of the Office;

(g) perform such other duties as may be assigned to him by the Council, the Executive Committee and the Governor.

PART FIVE

Woreda and Kebele Administrations

15. Organ of Woreda Administration

The Woreda Administration shall have the following organs:

1) Woreda Council;

2) Woreda Executive Committee;

3) Woreda Administrator;

4) Office of Woreda Administration.

16. Members of Woreda Council

1) Members of a Woreda Council shall be elected by the residents of the Woreda for a term of five years on the basis of free and direct election held by secret ballot.
2) The number of members of a Woreda Council shall not exceed 70 and not be less than 30.

17. **Powers and Duties of Woreda Council**

1) A Woreda Council shall have the powers and duties to:
   
   (a) elect the Administrator, the Deputy Administrator and Secretary of the Woreda as well as members of the Executive Committee;
   
   (b) formulate the social and economic plans of the Woreda, and, upon approval by the council of the City Government, direct and supervise the implementation of same;
   
   (c) identify revenue sources of the woreda and prepare its budget, and submit same to the council of the City Government for approval;
   
   (d) establish standing and *ad hoc* committees as it deems necessary to accomplish its work.
   
   (e) adopt its own rules of procedure.

2) The Woreda Council shall be accountable to residents of the Woreda and to the Council of the Addis Ababa City Government.

18. **Meetings of Woreda Council**

1) Regular meetings of a Woreda council shall be held once every three months.

2) Extra-ordinary meetings of the Council may be called by the decision of the Woreda Administrator or at the request of more than half of the members of the Executive Committee or that of the Council.

19. **Woreda Executive Committee**

1) The Woreda executive Committee shall be an organ consisting of members to be elected from among members of the Woreda Council the number of which shall not be less than seven and not more than thirteen including the Administrator, the Deputy Administrator and the Secretary.

2) The Woreda Executive Committee shall be accountable to the Woreda Council and to the Executive Committee of the City Government.

3) The Woreda Executive Committee shall have the powers and duties to:

   (a) ensure the implementation of policies, regulations and directives of the City Government within the Woreda;
   
   (b) prepare and submit to the Woreda Council the social and economic plans and annual budget of the Woreda, and implement same upon approval
   
   (c) maintain public order and peace of the Woreda;
   
   (d) conserve and develop the natural environment;
(c) ensure that the preservation and utilization of antiquities situated in the Woreda are carried out in accordance with the laws and directives of the Federal Government and the City Government;

(f) direct, coordinate and supervise the activities of departments of the Woreda Administration;

(g) prepare the annual reports of the Woreda to be submitted to the Woreda Council and the Office of the City Government.

20. Woreda Administrator

1) A Woreda Administrator shall be accountable to the Woreda Council and the Governor.

2) A Woreda Administrator shall have the powers and duties to:

(a) preside over the meetings of the Woreda council and the Executive Committee;

(b) ensure the implementation of policies, regulations and directives of the City Government within the Woreda;

(c) exercise an overall command of the Woreda Police force;

(d) ensure the proper implementation of decisions of the Woreda Council and the Executive Committee;

(e) submit periodical reports to the Woreda council and the Governor on the activities of the woreda Executive Committee.

21. Powers and Duties of Woreda Deputy Administrator

1) A Woreda Deputy Administrator shall act on behalf of the Woreda Administrator in the absence or incapacity of the latter to discharge his duties.

2) A Deputy Woreda Administrator shall perform such other duties as may be assigned to him by the Woreda Council, the Executive Committee and the Administrator.

22. Powers and Duties of Secretary of Woreda Administration

A Secretary of Woreda Administration shall, subject to general directives to be given to him by the Woreda Administrator, have the powers and duties to:

1) Organize, direct and administer the Office of the Woreda Administration;

2) prepare the budget of the Office and implement same upon approval;

3) employ and administer the employees of the Office in accordance with the civil service regulations of the City Government;

4) represent the Office in all its dealings with third parties;

5) prepare reports of the Office;
6) Perform such other duties as may be assigned to him by the Woreda Council, the Executive Committee and the Administrator.

23. **Kebele Administration**

The organization and powers and duties of organs of a Kebele Administration shall be determined by Regulations of the City Government.

**PART SIX**

**Judicial Organs of the Addis Ababa City Government**

24. **Municipal Court**

1) The Municipal Court of the Addis Ababa City Government shall have exclusive jurisdiction over the following cases;

   (a) construction cases;
   (b) land holding cases;
   (c) cases related to activities regulated by the City Government such as trade, health, education, environmental protection and municipal services;
   (d) cases involving traffic and other petty offenses.

2) Decisions of the Municipal court on cases referred to in sub-Article (1) of this Article shall be final.

3) The Organization and procedures of the Municipal Court shall be as defined by Regulations of the City Government.

25. **Labour Relations Board**

The provisions of the Labour Proclamation No. 42/1993 shall apply with respect to the jurisdiction, organization and procedures of the Labour Relations Board of the Addis Ababa City Government.

26. **Civil Service Tribunal**

1) The Civil Service Tribunal of the Addis Ababa City Government shall have the power to hear and decide on civil service cases presented to it in accordance with the civil service Regulations of the City Government.

2) The organization and procedures of the Civil Service Tribunal of the Addis Ababa City Government shall be as defined by Regulations of the City Government.

27. **Tax Appeal Commission**

1) The Tax Appeal Commission of the Addis Ababa City Government shall have the power to hear and decide on appeals against assessment of tax and duties of the City Government.

2) Decisions of the Commission on question of facts shall be final; provided, however, that decisions of the commission relating to question of law shall be appealable to the Federal High Court.
3) The organization and procedures of the commission shall be as defined by Regulations of the City Government.

28. Kebele Social Courts

1) Kebele Social Courts shall have jurisdiction over cases regarding property and money claims where the amount involved does not exceed Birr 500.

2) Decisions of a Kebele Social Court rendered pursuant to sub-Article (1) of this Article shall be final.

3) The organization and procedures of Kebele social Courts shall be as defined by Regulations of the City Government.

PART SEVEN

Miscellaneous Provisions

29. Financial Administration and Budget


2) The City Government shall have the same fiscal year with that of the Federal Government.

30. Power of Taxation

1) The Addis Ababa city Government shall have the power to levy and collect the following taxes, duties and charges:

   a) profit, sales and excise taxes imposed on individual traders carrying out their businesses within the territory of Addis Ababa;
   b) profit, sales and excise taxes imposed on enterprises owned by the city Government;
   c) income tax imposed on income from employment excluding employees of the Federal Government, the State of Oromia and International Organizations;
   d) taxes imposed on income derived from private houses and other properties within the territory of Addis Ababa;
   e) urban land rent and urban house tax;
   f) fees relating to licenses issued by organs of the City Government and charges relating to municipal services;
   g) agricultural income tax imposed on individual farmers and farmers incorporated cooperative associations;
   h) royalty for use of forest resources.
2) The Addis Ababa City Government shall, in imposing taxes and duties and fixing charges pursuant to sub-Article (1) of this Article, comply with the principles of taxation provided for in Article 100 of the Constitution and the Provisions of tax harmonization contained in Article 58 of the Federal Government of Ethiopia Financial Administration Proclamation No. 57/1996.

31. Powers and Duties of Police and Prosecutors

1) Police and Public Prosecutors of the Addis Ababa City Government shall have the powers and duties provided for in the Criminal Procedure code in relation to the investigation and prosecution of criminal cases.

2) Where an investigation initiated by the Addis Ababa City Government Police reveals a crime falling under Federal jurisdiction, the case shall be transferred to the Federal police.

32. Working Language

The working language of the Addis Ababa City Government shall be Amharic.

33. Special Interest of the State of Oromia in Addis Ababa

1) The boundaries of Addis Ababa to be delimited pursuant to Article 2(1) of this Charter shall jointly be marked by the City Government and the Government of the State of Oromia.

2) The state of Oromia shall have the right to make Addis Ababa the seat of its Government.

3) Services provided to the residents of Addis Ababa by the City Government shall be extended to the surrounding residents of the State of Oromia on the same terms and conditions where such services are equally accessible to them.

4) The Addis Ababa City Government shall consult with and obtain the consent of the government of the State of Oromia prior to undertaking any development activity within the territory of the State of Oromia with a view to providing services to the residents of Addis Ababa.

34. Legal personalities

The Addis Ababa City Government, the Woreda and Kebele Administrative units and organs and institutions established by Regulations of the City Government as autonomous bodies shall have their own legal personalities.

35. Transitory Provisions

1) Existing laws applicable to matters falling under the jurisdiction of the Addis Ababa city Government shall, in so far as they are not inconsistent with the Constitution, continues in force until the City Government issues its own Regulations to replace them.
2) Cases falling under the judicial powers of the Addis Ababa City Government and which are pending before the Federal Courts on the effective date of this Charter shall be transferred to the competent judicial organs of the City Government.

36. Amendment of the Charter

This Charter may be amended where any proposed amendment by the Council of the Addis Ababa City Government is approved or where any amendment is initiated by the Federal Government.

37. Effective Date

This Charter shall enter into force as of the 7th day of July 1997.

(The House ratified amendments inserted herein, at the request of the Council of Ministers, at its session held on the 4th day of November, 1997.)

Done at Addis Ababa, this 7th day of July, 1997.

NEGASO GIDADA (DR)
PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.