WHEREAS, it has become necessary to ensure the security of advancing critical infrastructures and industries of the country that are vulnerable and going to be more vulnerable to an attack due to their reliance on computer;

WHEREAS, it has become necessary to protect the cyber space which is created by the local and international computer networking, so as not to be a national security threat;

WHEREAS, it has become imperative to ensure the security of information, as information is invaluable social, political and economic asset;

WHEREAS, it is essential to secure information and critical computer based infrastructure in order to ensure the national interest and citizens’ right;

WHEREAS, it has become necessary to establish strong institution that coordinates national efforts to realize the security of information and critical computer based infrastructures and capable to implement national cyber security policy and strategy effectively;

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

1. Short Title

This Proclamation may be cited as the “Information Network Security Agency Re-establishment Proclamation No. 808/2013.”

Negarit G. P.O. box 80001
2. Definitions

In this Proclamation unless the context otherwise requires:

1/ “information” means an asset generated from any raw data obtained in the form of audio, texts, visual, map or orchestrated in any form including codes and programs used to command and control machines;

2/ “computer” means any software and microchips technology based data processing, data storage, data analysis, data dissemination and data communication device or any device that is capable of performing logical, arithmetic or routing, functions;

3/ “computer based critical infrastructure” includes industrial control systems, information management systems and infrastructures, cyber and telecom infrastructures, electromagnetic systems, geospatial infrastructures, military command and control infrastructures and any other infrastructures or systems that analyze, disseminate, store and retrieve information;

4/ “critical infrastructure” means an infrastructure that can have considerable damage on public safety and the national interest, if attacked;

5/ “attack” includes destruction of computer based critical infrastructures or disruption of their services or obliterating the confidentiality, integrity or availability of information or computer based psychological attack on citizens or digital identity theft perpetrated by different techniques;

6/ “security audit” includes conducting penetration testing to computer based critical infrastructures to identify vulnerability or assessing institutions’ information security system pursuant to the national information policy and
standard and ordering, if necessary, corrective measures to be taken;

7/ “security testing and evaluation” means pre-development, pre-procurement or pre-deployment testing and evaluating information technology products, services, systems and process, pursuant to national security standards and criteria;

8/ “computer emergency response center” means a center which is responsible for detecting, analyzing, warning citizen, recommending measures to be taken, devising recovery mechanisms on the issue of information and computer based infrastructure threats and enabling national and international coordination on such issue;

9/ “cryptography” means a science of coding data so that they cannot be read or altered by any person or any machine other than the intended recipient or a science of authentication and non-repudiation in the electronic transaction;

10/ any expression in the masculine gender includes the feminine.

3. Establishment

1/ The Information Network Security Agency (hereinafter the “Agency”) is hereby re-established as an autonomous federal government agency having its own legal personality.

2/ The Agency shall be accountable to the Prime Minister.

4. Head Office

The Agency shall have its head office in Addis Ababa, and may have branch offices elsewhere as may be necessary.
5. Objectives

The objective of the Agency shall be to ensure that information and computer based key infrastructures are secured, so as to be enablers of national peace, democratization and development programs.

6. Power and Duty of the Agency

The Agency shall have the powers and duties to:

1/ develop and implement research and study based information and computer based critical infrastructure's security products and services;

2/ draft national policies, laws, standards and strategies that enable to ensure information and computer based key infrastructures security, and oversight their enforcement upon approval;

3/ support public and private institutions to formulate their own policies and standards in compliance with the national information security policy and standard frameworks, and monitor their implementation;

4/ take all necessary counter measures to defend any cyber or electromagnetic attacks on information and computer based infrastructures or systems or on citizens' psychology;

5/ conduct information or computer based critical infrastructures security audit at any time and provide, for those that meet the criteria, security standards approval certificate or delegate other bodies to perform such functions;

6/ organize and administer a national computer emergency responding center;
7/ provide assistance and support, in respect of preventing and investigating cyber crimes, to police and other organs empowered by law;

8/ conduct digital forensic investigation without physical presence or conduct same with physical presence upon court warrant and in collaboration with the police on computers or infrastructures that are purported to be attacked or sources of attack, to prevent attacks and provide early warning to citizens;

9/ regulate cryptographic products and their transaction, set necessary criteria and develop operating procedures, develop and implement cryptography infrastructure;

10/ serve as a national “Root Certificate Authority” to perform the functions provided in sub article (9) of this Article;

11/ control the import and export of information technology, information sensor and information attacking technologies, in collaboration with concerned authorities, to prevent them from posing a threat to national security;

12/ build information technology testing and evaluation laboratory center;

13/ develop and administer national spatial data infrastructure; and via spatial data collecting technologies:

a) collect, analyze, store and disseminate any kind of geospatial data;

b) take necessary measures to mitigate vulnerabilities and risks that could occur while collecting, storing, analyzing or disseminating of the data;

14/ collect, analyze and disseminate to the concerned authorities, information on selected transboundary national security threat activities; and provide support to security organs;
15/ develop and implement secured information management infrastructures and systems where domestic capacity has not yet created; charge commensurate fee for products and services it provides;

16/ design and provide education and training programs regarding information and computer based critical infrastructures' security in its own training center or in collaboration with concerned bodies;

17/ provide security products and services to foreign partners upon the decision of the government;

18/ establish international collaboration, when it is necessary, to implement its mission;

19/ own properties, enter in to contracts, sue and be sued in its own name;

20/ perform such other related activities conducive to the fulfillment of its objectives.

7. Organization of the Agency

The Agency shall have:

1/ a Director General and, as may be necessary, Deputy Director Generals, to be appointed by the Prime Minister; and

2/ the necessary staff.

8. Power and Duty of the Director General

1/ The Director General shall be the chief executive officer of the Agency and shall direct and administer the activities of the Agency.

2/ Without limiting the generality of the provision of sub-article (1) of this Article, the Director General shall:

a) exercise the powers and duties of the Agency specified under Article 6 of this Proclamation;

b) employ and administer employees of the Agency in accordance with a directive approved by the government;
c) prepare the work program and budget of the Agency and implement same upon approval by the government;

d) effect payments in accordance with the approved budget of the Agency;

e) without prejudice to limitations to be provided for by regulation, designate profiles of the Agency’s personnel, certain financial documents, equipments, methods, work outputs and plan and strategy documents as top secret and make them inaccessible to anybody when he has reason to believe that national security will be at stake upon leak;

f) represent the Agency in all its dealings with third parties;

g) prepare the performance and financial reports of the Agency, and submit same to the concerned organ.

3/ The Director General may delegate part of his powers and duties to other officers and employees of the Agency to the extent necessary for the efficient performance of the activities of the Agency.

9. Budget

The budget of the Agency shall be drawn from:

1/ appropriation of funds by the government;

2/ service fees to be collected pursuant to Article 6(15) of this Proclamation and to be utilized, upon the approval of the Prime Minister, for the accomplishment of its mission; and

3/ other sources of revenue.

10. Books of Accounts

1/ The Agency shall keep complete and accurate books of accounts.
2/ Without prejudice to the provision of Article 8(2)(e) of this Proclamation, the books of accounts and financial documents of the Agency shall be audited annually by the Auditor General or by an auditor designated by him.

3/ The books of accounts and financial documents of the Agency shall be audited by internal auditors.

11. Power to Issue Regulation and Directive

1/ The Council of Ministers may issue regulation necessary for the effective implementation of this Proclamation.

2/ The Agency may issue directives necessary for the effective implementation of this Proclamation and regulation issued pursuant to sub-article (1) of this Article.

12. Duty to Cooperate

Every concerned body shall have the obligation to cooperate with the Agency in exercising its powers and duties pursuant to this Proclamation.

13. Repealed Law

The Information Network Security Agency Re-establishment Council of Ministers Regulation No. 250/2011 is hereby repealed.

14. Effective Date

This Proclamation shall enter into force on the date of publication in the Federal Negarit Gazette.

Done at Addis Ababa, this 2nd day of January, 2014.

MULATU TESHOME (DR.)

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA