

**A PROCLAMATION TO AMEND THE PROCLAMATION DEFINING THE POWERS
AND FUNCTIONS OF THE HOUSE OF FEDERATION OF THE FEDERAL
DEMOCRATIC REPUBLIC OF ETHIOPIA**

WHEREAS, the House of the Federation, in which the Ethiopian nations, nationalities, and peoples are represented as per the constitution, which is the supreme law of the land, is constituted as a governmental institution by the Constitution and the fundamental powers and responsibilities of which are specified in the Constitution,

WHEREAS, the execution by the House of Federation of the powers and functions given to it under the Constitution contributes to guaranteeing the supremacy of the constitution, constitutionalism, ensuring lasting peace and democracy as well as to building one economic and political community,

WHEREAS, to fill implementation gaps and gaps related to the prevailing law as well as to cope up with new developments, it has become necessary to amend the law,

WHEREAS, it has become necessary to clearly stipulate and specify the fundamental powers and responsibilities of the House; in such a proclamation so that it shall successfully execute its functions;

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

PART ONE

GENERAL PROVISIONS

1. Short Title

This Proclamation may be cited as “An Amendment Proclamation Number2021, Defining the Powers and Functions of the House of Federation.”

2. Definitions

In this proclamation, unless the context otherwise requires:

1. “Constitution” shall mean the Constitution of the Federal Democratic Republic of Ethiopia;
2. “House” shall mean the House of Federation of the Federal Democratic Republic of Ethiopia;
3. “Law” shall mean Proclamations issued by the Federal or State legislative organs, and regulations and directives issued by the Federal and States government institutions and it shall also include international agreements that have been ratified by Ethiopia;
4. “City Administrations” shall mean Addis Ababa and Dire Dawa City Administrations;
5. “Speaker and Deputy Speaker” shall mean the Speaker and the Deputy Speaker of the House of Federation;
6. “Standing Committee” shall mean a committee that is composed of members elected from among the members of the House, with a view to examining the issues sent to it by the House and makes recommendations to the House;
7. “Coordinating Committee” means a committee established by the House comprising the Speaker, the Deputy Speaker, Chairpersons, Vice-Chairpersons and Secretariat of the standing committees as well as the Head of the Secretariat of the House;
8. “Ad hoc committee” means a committee established by the House to undertake particular and time-limited activity;
9. “Nations, Nationalities and Peoples” means a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory;

10. “Community” means those who are in the process of requesting the House in accordance with the Constitution to acquire the status of a nation, nationality or people;
11. “Council of Constitutional Inquiry” means the Council of Constitutional Inquiry of the Federal Government established in accordance with Article 82 of the Constitution;
12. “Court” means all levels of federal courts, regional state courts, city administration courts as well as other courts of similar status established by law;
13. “Government Organ or Decision of Government Authorities” means all levels of government organs or the final decision of any government authority;
14. “Person” shall mean natural or any other person that has acquired a legal personality;
15. “Member State” shall mean the Member States of the Federal Democratic Republic of Ethiopia, which are established in accordance with Article 47 of the Constitution;

3. Gender Reference

Provisions of this Proclamation set out in the masculine gender shall also apply to the feminine gender;

4. Powers and Functions of the House

The House shall:

1. Interpret the Constitution and decides on all Constitutional disputes;
2. Organize the Council of Constitutional Inquiry;
3. Decide, in accordance with the Constitution, on issues relating to the rights of Nations, Nationalities and Peoples to self-determination, including the right to secession;
4. Promote the equality of the peoples of Ethiopia enshrined in the Constitution, and promote and consolidate their unity based on their mutual consent;
5. Strive to find solutions to disputes or misunderstandings that may arise between states;
6. Determine the division of revenues derived from joint Federal and State tax sources, and the subsidies that the Federal Government may provide to the States;
7. Determine civil matters which require the enactment of laws by the House of Peoples' Representatives;

8. Order the Federal Government to intervene if any state threatens the Constitutional order in violation of the Constitution;
9. Determine on the draft proposal of electoral constituencies submitted by the National Election Board based on Article 103(5) of the Constitution;
10. Determine the identity and amount of minority nationalities and peoples which are deemed to require special representation in the House of Peoples' Representatives;
11. Determine jointly with the House of Peoples' Representatives the power of taxation on revenue sources, in accordance with Article 99 of the Constitution, of which neither the Federal nor the State governments have responsibility;
12. In cases when there is an act of human rights violations, the House jointly with the House of Peoples' Representatives gives directive to states to arrest the acts of violations of human rights, and bring to justice those who violated such human rights and take other measures as may be necessary;
13. Elect three members of the Council of Constitutional Inquiry from members of the House;
14. Elect the President of the country in a joint session with the House of Peoples' Representatives in accordance with Article 70(2) of the Constitution;
15. Participate in the process of the Constitutional amendment as stipulated in Article 104 and sub-Articles (1) and (2) of Article 105 of the Constitution;
16. In collaboration with others, offer education and training, and whenever necessary, carry out research and studies on matters pertaining to its responsibilities;
17. Establish permanent and ad hoc committees of the House;
18. Elect the Speaker and Deputy Speaker of the House;
19. Issue regulations and directives relevant to its powers and functions;

PART TWO

INTERPRETATION OF THE CONSTITUTION

5. Principle

1. All Constitutional disputes shall be decided by the House of the Federation;
2. When the House finds that any law, customary practice or a decision of an organ of state or a public official contravenes the Constitution, it shall decide to make them ineffective;
3. The House shall not be obliged to render a consultancy service on Constitutional interpretation;

6. Cases Requiring Constitutional Interpretation

Constitutional interpretation can be asked:

1. When a question is raised regarding the powers and functions given to government organs or other institutions established by the Constitution;
2. When the laws enacted by the Federal or Regional legislative organs are deemed to contravene the Constitution and the question thereof is presented by a concerned court or the applicant;
3. When a question is raised by any person that claims his basic Constitutional rights and freedoms are violated by any government organ or by a final decision of a government authority;
4. When there is a dispute or misunderstanding between the Federal government organs;
5. When there is a dispute or misunderstanding between the Federal government and a regional state(s);
6. When there is a dispute or misunderstanding between regional states;
7. When a question is raised by one-third of the Federal or regional legislative organ as well as by the Federal or regional executive organ regarding non-justiciable Constitutional matters;

8. When there is a misunderstanding regarding the implementation of in regional states of laws to be enacted by the Federal government;
9. When there is a claim that the Federal or regional state laws and policies are not based on the principles enshrined in the Constitution and such claim is brought by the Federal government, regional government, by one-third of members of the House of Peoples' Representatives as well as by one-third of members of regional State Council;
10. When a regional state's organ that interprets the regional state Constitution deems to provide a different interpretation on a matter that already received Constitutional interpretation by the House;

7. Providing Constitutional Interpretation

1. The House shall give a final decision on a matter submitted to it by the Council of Constitutional Inquiry recommending that the matter requires Constitutional interpretation;
2. In cases when the Council of Constitutional Inquiry decides a particular matter does not require Constitutional interpretation, the decision thereof can be appealable; the House also gives a final decision on the appeal;

8. Period of Limitation

An appeal specified in Article 7(2) of this Proclamation shall be brought to the House within 180 working days;

- (a). Notwithstanding sub-article 1 of this Article, crimes against humanity as indicated in Article 28 of the Constitution shall not be barred by the statute of limitation;
- (b). The rights of Nations, Nationalities and Peoples or issues relating to the division of power shall not be barred by the statute of limitation;

9. Persons Presenting Constitutional Interpretation Cases

1. Constitutional interpretation cases can be brought by:
 - (a) the concerned applicant or his representative;
 - (b) the concerned court or executive organ the government;
 - (c) a person who has vested interest;

2. Procedures that can be used to bring Constitutional cases shall be determined by a regulation to be issued to implement this proclamation;

10. Service Charge

1. Application for constitutional interpretation submitted to the House shall be exempt, from a service charge.
2. Notwithstanding sub-article 1 of this Article, the applicant may be asked to effect a payment in accordance with the regulations to be issued by the House as may be necessary.

11. Forwarding Cases of Constitutional Interpretation

The House shall forward new cases of Constitutional interpretation, submitted to it directly, to the Council of Constitutional Inquiry.

12. Draft proposal of the Council of Constitutional Inquiry

1. When the Council of Constitutional Inquiry decides that a particular matter requires Constitutional interpretation, it shall submit to the House draft proposal of Constitutional interpretation along with all documents and pieces of evidences;
2. The Speaker of the House shall forward the draft proposal of Constitutional interpretation to the concerned Standing Committee;
3. The concerned Standing Committee shall examine the draft proposal of Constitutional interpretation and communicate its decision to the House;
4. Notwithstanding sub-article 1 of this Article, the Council of Constitutional Inquiry, when asked, shall appear either before the concerned Standing Committee or the House to explain;
5. A press release or publication on cases pending before the House is prohibited; this prohibition does not include publication to be made for research and study purpose;

13. A Report by the Council of Constitutional Inquiry

The Council of Constitutional Inquiry shall submit to the House a report relating to its activities;

14. Principles for Executing Constitutional Interpretation

The House may identify and implement principles of Constitutional interpretation which are applied either in other countries or the principles included under international human rights instruments ratified by Ethiopia. Particulars of this shall be determined by a regulation to be issued to implement this proclamation;

15. Gathering additional Pieces of Evidences or Opinions

1. The House shall collect additional information or order the pertinent body to produce pieces of evidence as may be necessary before it makes a final decision upon Constitutional interpretations.
2. Pursuant to sub-article 1 of this Article, any person ordered by the House to appear in person or produce additional pieces of evidences shall submit such pieces of evidences on the date decided by the House;
3. A person who has been instructed by the House to present evidence shall be liable by relevant law if he fails, without adequate reason, to present the evidence within a reasonable time;
4. If a matter of Constitutional interpretation submitted to the House concerns a broader public interest or a fundamental private or collective right, the House may invite institutions or professionals that request to submit amicus curie; the House may also invite on his own initiative;
5. Before giving a final decision on Constitutional disputes, the House may invite the concerned parties to appear before the House to explain their opinions;

16. Explanation and Confirmation of Constitutionality

1. Where there is a dispute over the Constitutionality of a given law, the responsibility to explain the Constitutionality of that particular law rests upon an organ providing legal advice to the Federal or regional state governments;
2. An organ providing a legal advice to the Federal or regional state governments can be ordered to appear before the House so as to explain the Constitutionality or otherwise of that particular law;
3. If an organ providing a legal advice to the Federal or regional state governments, which has been ordered to explain the Constitutionality of a given law, does not appear before the House, the House shall examine the matter and make a final decision;

4. In addition to sub-articles 2 and 3 of this Article, the House may request a full copy of the case from the court or talk to the parties or other party before making a final decision on the matter;

17. Laws decided to be Unconstitutional

If part of a given law is decided that it is unconstitutional unless otherwise found necessary, the effect of the final decision shall remain limited to only that very law.

18. Resolving Constitutional Cases Swiftly

The House shall decide on Constitutional disputes in a short time;

19. Stay of Execution

When the House believes that there will be irreplaceable damage to an applicant requesting Constitutional interpretation, or there may be other serious compelling reason, the Speaker of the House may order a stay of execution; the Speaker of the House may also talk to the parties before ordering a stay of execution;

20. The Content of the Decision

1. The decision of the House shall consist of details of the constitutional issue, justification for whether the Constitutional interpretation was necessary or not, and the decision it has finally made.
2. The decision of the House and draft proposal of Constitutional interpretation of the Council of Constitutional Inquiry shall be clear and meet the required quality level; Particulars shall be determined by a regulation to be issued to implement this proclamation;
3. The final decision to be given by the House on Constitutional disputes shall be delivered to the applicants and concerned parties;
4. The copy of the decision of the House shall be given within ten days to the concerned person or any government organs;

21. Effective Date of the Decision on Constitutional Issue.

1. Unless otherwise conspicuously stated in the decision, the decision of the House on constitutional interpretation comes into effect as of the date of the passing of the decision.

2. When a particular law or part of a given law or decisions of government authority or customary practices are decided to be unconstitutional, the decision shall reach the concerned organ within ten working days;
3. Notwithstanding sub-article 2 of this Article, the Federal or the State government legislative body shall be communicated within three months so that it amends, changes, or repeals the law in question;
4. Pursuant to sub-article 3 of this Article, the House shall follow-up if the unconstitutional law in question is amended, changed or repealed by the Federal or the State government legislative body;

22. Effects of Decisions on Constitutional cases

1. The decision of the House on Constitutional interpretation shall be final;
2. The decision of the House on Constitutional interpretation shall be published in a journal as well as it shall also be communicated through relevant media;
3. The decision of the House on Constitutional interpretation shall be published in the working language of the Federal government and regional states as well as in English;

23. Decision Making Process

1. The House may establish a committee, drawn from its members, which shall investigate the draft proposal submitted to it by the Council of the Constitutional Inquiry and an appeal lodged against the decisions of the Council of the Constitutional Inquiry;
2. The committee may be mandated by the House to decide whether an appeal made against decisions of the Council of the Constitutional Inquiry should be presented to the general meeting of the House or not; Particulars shall be determined by the regulation to be issued by the House;

PART THREE

QUESTIONS OF SELF-DETERMINATION

24. Principle

1. The House shall have the power to decide on issues relating to the rights of nations, nationalities, and peoples to self-determination;
2. When any community who believes that its self-identities are denied, its right of self-Administration is infringed, promotion of its culture, language and history are not respected submit an application to the House, the House may order research or study to be conducted and the result of such result to be submitted to the House;
3. When any Nation, Nationality or People who believe that its self-identities are denied, its right of self-Administration is infringed, promotion of its culture, language and history are not respected submit an application to the House, the House may order research or study to be conducted and the result of such result to be submitted to the House;
4. When an application is submitted to regional states for the purpose of sub-article 1 and 2 of this Article, a copy of the application shall be submitted to the House;

25. The Question of State Formation

1. The question of any Nation, Nationality, or People to form its own State is carried out:
 - (a). When the question for statehood has been approved by a two-thirds majority vote of the members of the Council of the Nation, Nationality, or People in question, and the request thereof is presented in writing to the State Council;
 - (b). When the Council that received the claim has organized, a referendum to the Nation, Nationality, or People that presented the request, within one year;
 - (c). When it is supported by majority vote in the referendum of Nation, Nationalities or People on the question of state formation;
 - (d). When the State Council have transferred its powers to the Nation, Nationality or People that claimed the statehood;
 - (e). A new State which is formed by the referendum shall directly be a member of the Federal Democratic Republic of Ethiopia without any need for an application.
2. Any party claiming that the question of state formation has not been executed within the time specified in sub-article 1(b) of this Article or alleges to have dissatisfaction with the decision, may appeal to the House;

3. The right prescribed in sub-article 2 of this Article shall be presented to the House in writing by the Council of the Nation, Nationality, or People that claimed for the formation of State;

4. The House shall make a final decision within two years on issues presented to it in such a procedure;

26. Question of the Right to Secession

1. Where the House confirms, that the question of secession submitted to it has been supported by the two-thirds majority vote of the legislative council of the concerned nation, nationality, or people in accordance with Article 39(4) and (1) of the constitution, the House shall:

(a). arrange a referendum to the nation, nationality, or people in question within 3 years of receipt of the decision of the legislative council of the Nation, Nationality or People;

(b). transfer power to the council of the Nation, Nationality, or People after the confirmation of the support of the question to secession by the majority vote;

(c). execute the division of assets in accordance with particulars to be determined by law.

2. To conduct the referendum mention under sub-article 1(a) of this Article, the House may assign the National Electoral Board of Ethiopia;

27. Essentiality of Exhaustion of State-level procedures

1. The question specified in Article 24 of this Proclamation shall be submitted to the House only under conditions that the question has not been given due solution by the various organs in the administrative hierarchy of the state concerned;

2. The States shall make decisions within two years up on questions specified in Article 24 of this Proclamation. Particulars shall be determined by the law issued by the states;

3. The question may be referred directly to the House if it has not been decided within two years or if the decision made dissatisfied the concerned party;

28. Procedures

1. A question of the right to self-determination must be presented in writing.

2. The application must consist of the details of the question supported with names, addresses and signatures of at least five percent of the inhabitants of the Nation, Nationality or People and whenever necessary, the official seal and signature of the administration that presented the question for the right to self-determination.

3. The individual or individuals who are delegated to present a petition to the House pursuant to sub-article 1 of this Article shall produce reliable evidence of their delegation from the Nation, Nationality, or People. Particulars shall be determined by the regulation to be issued by the House;

29. Measures to be taken by the House

1. When identity and self-determination questions are presented to the House, the House shall verify, particularly, if the Nation, Nationality or People has:
 - (a). have or share a large measure of a common culture or similar customs,
 - (b). mutual intelligibility of language,
 - (c). belief in common or related identities,
 - (d). a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory;
2. All of the elements mentioned under sub-article 1 of this Article must be fulfilled;
3. Particulars shall be determined by the regulation to be issued by the House;

30. Ensuring Peoples' Interest

1. After verifying the elements mentioned under Article 29(1) of this proclamation, peoples' interest shall be ensured in a secret ballot referendum;
2. A referendum to be conducted to ensure peoples' interest shall fulfill basic principles of electoral law;
3. The House may assign the National Electoral Board of Ethiopia to conduct the referendum;

31. Decision Making

1. When the House decides on identity and self-administration issues in favor of the applicant, the House shall give order to the concerned regional state to implement the decision of the House; the House also closely follows the implementation of its decision;
2. When the House decides that identity and self-determination questions have not met the required elements, the House shall inform the decision to the concerned community;
3. When a question is presented pursuant to Article 26(1) and (2) of this proclamation, the House shall conduct research or study and ensure the right of the concerned nation, nationality or people; the House also orders the concerned government organ to

implement the decision of the House; the House also closely follows the implementation of its decision;

4. The House shall make a final decision within two years on questions presented to it pursuant to Article 26(1) and (2) of this proclamation;

32. Settling Issues by Agreement

If the identity or a self-determination question, which is already brought to the House, is settled by the agreement of the applicant and the concerned regional state, the House, after examining the appropriateness of the agreement reached, shall approve it;

PART FOUR

RESOLVING DISPUTES AND MISUNDERSTANDINGS

33. Principle

The House shall strive to resolve inter-state or Federal-State government disputes and misunderstandings;

34. Duty of Readiness for Discussions

1. Any party claiming to have a dispute with the Federal Government or a state must make a call inwriting for a discussion;
2. The party called for must be ready for a genuine discussion within a maximum of thirty days; the party called for shall also notify,its readiness for a genuine discussion, the House and party claiming to have a dispute;
3. Following the two parties' willingness to resolve their dispute by discussions, the House shall strive to the fruition of their discussions. It shall also follow up the progress of the discussion;

35. Presenting the case to the House of the Federation

1. If one of the parties is unwilling to take part in a discussion initiated by the other, or that the discussion, held between the two has ended in disagreement, the case may be submitted to the House by one or both of the parties;
2. The House maywhen a case is submitted to it seek for a temporary solution or cause others to seek a solution in consultation with pertinent bodies;
3. If both parties have not begun a discussion or if one of the parties have not submitted an application to the House seeking solution, the House, on its own initiative, shall resolve the dispute or misunderstanding or cause others to seek a solution;

The Sequence of Measures to be undertaken by the House

1. The House shall, before giving a final decision,
 - (a). create a conducive condition wherein the concerned parties could continue their discussion or
 - (b). identify the cause of the dispute or misunderstandings;
 - (c). cause the parties to give issues of their differences in writing within a specific period of time. It may also cause the parties to produce all pieces of evidences in their possession;

2. The House may gather additional pieces of evidences or conduct research or study and give final decision;
3. The House may order the concerned government organ to execute the decision of the House and submit a report;

36. Resolving Administrative Border Disputes

1. The House shall decide the issue of administrative border disputes based on the peoples' interest and settlement patterns;
2. The House shall decide on such dispute following the sequence specified under Article 48 of the Constitution;

37. Peoples' Interest and Settlement Patterns

1. The House shall pass a decision, based on sufficient information it may have, on redefining disputable borders taking into consideration the peoples' settlement patterns;
2. The House shall seek for the peoples' interests and consent as to redefining the disputable border. if it cannot decide to which side the disputable land belongs;

38. Ensuring Peoples' interest in Resolving Border Disputes

1. Peoples' interest shall be ensured in a secret ballot referendum;
2. The referendum to ensure peoples' interest shall be conducted in accordance with the basic principles of the law of election;
3. The referendum to ensure peoples' interest in administrative border disputes shall take place at the kebele level. If the disputants cannot reach an agreement as to the size or boundary of the kebele, it shall be determined by the House based on research findings;
4. The House may delegate the National Electoral Board of Ethiopia to execute the referendum;
5. Based on the result of the referendum, the disputed border area shall be part of the state for which the majority of the people voted. If, however, the result of the referendum excludes some areas of pocketlands, the people in those areas shall reside therewith their rights and freedoms ensured;
6. Notwithstanding sub-article 5 of this Article, the rights of people residing in pocket areas shall be respected by the concerned regional state; particularly:
 - (a). the rights enshrined under Article 39(2) of the Constitution shall be respected;
 - (b). basic infrastructural and social service needs shall be fulfilled;

7. In partnership with other organs of the government, the House shall engage in the post-referendum peacebuilding process;

39. The Right to Vote

1. Without prejudice to the provisions of the relevant law of election, any Ethiopian whose age is 18 and above, and registered and lived for five or more years in the disputable area shall have the right to vote. Particulars shall be determined by the regulation to be issued by the House;
2. A person whose displacement from the disputable area is proved to be due to reason related to the dispute shall have the right to vote;

40. Delimiting Administrative Borders

1. If the result of the referendum is known, the delimitation process shall be completed within six months; the House shall also identify and order government organs to execute the outcome of the referendum;
2. The concerned government organ shall execute the outcome of the referendum within the time limit set under sub-article 1 of this Article and submit a report thereof to the House;
3. All levels of the Federal and regional state governments shall have a duty of cooperation regarding the process of delimitation of the administrative border; the House shall also closely follow the process of such delimitation;

41. Post-Referendum Activities

Following the referendum to be held to ensure peoples' interest, the House, in partnership with other organs, shall engage in the peacebuilding process and other activities in disputed areas;

42. Time set for Resolving Border Disputes

The House shall pass the final decision on a border dispute not later than two-year time from the day of its receipt;

43. Further Misunderstandings and Disputes

1. The House shall request the parties to resolve their misunderstandings by peaceful means and discussion where their misunderstanding is other than border disputes. It shall also attempt to abridge their difference;
2. If the concerned parties could not resolve their misunderstandings through discussion, the House shall strive to find a solution in any mechanism possible;

3. Without prejudice to the principles of the division of power stipulated in the Constitution, the House shall seek solutions to misunderstandings that may arise between the Federal and the State governments;

44. Devising conflict Prevention and Resolution Mechanisms

1. In collaboration with regional states, the House shall study the traditional as well as modern ways of conflict prevention and resolving mechanisms, to resolve misunderstandings, and devise working procedure and institutionalize same;
2. The concerned government organs shall provide all the relevant and up-to-date pieces of evidence so that the House can devise ways of conflict prevention and resolving mechanisms;

PART FIVE

DETERMINING SUBSIDIES AND DIVISION OF REVENUES DERIVED FROM JOINT FEDERAL AND STATE TAX SOURCES

45. Principle

1. The House shall set a formula which can be used to determine the subsidies the Federal government provides to regional states as well as the division of revenues derived from joint Federal and State tax sources;
2. Notwithstanding sub-article 1 of this Article, the formula to be devised by the House shall be tangible, acceptable and subject to an ongoing improvement;

46. Type of Formulas

1. The subsidy formula to be developed by the House in accordance with the Constitution may have a general-purpose or a special purpose;
2. The House shall set a formula which can be used to determine the division of revenues derived from joint Federal and State tax sources;

47. Objectives of Government Subsidies

1. A general-purpose grant is a type of subsidy that is not subject to precondition and allows regional states to use it based on their own realities;
2. The main purpose of the subsidy referred to in sub-article 1 of this Article is to enable the regional states to have the fiscal capacity to provide relatively proportional governmental services in accordance with the powers vested in them by the Constitution;
3. Specific purpose grant is a type of subsidy provided by the Federal government to regional states to achieve a specific purpose;

48. Principle of Revenue Sharing Formula

1. The principles of revenue sharing formula shall respect regional states' budget utilization, encourage revenue collection and effective budget utilization, be predictable, transparent, participatory, easy to understand and be based on objective, reliable and up-to-date information;
2. Objectives of government subsidies, the principle of revenue sharing formula and sources of information for the preparation of the subsidy formula shall be determined by relevant law;

49. The Coordination between Subsidy and Revenues derived from Joint Federal and State tax Sources

1. The distribution of federal subsidies and revenues derived from joint Federal and state tax sources need to be coordinated in accordance with their purpose;
2. General-purpose grant and specific purpose grant need to be coordinated;

50. Relevant Evidences

1. The information to be used for formula preparation shall be up-to-date and reliable;
2. Central Statistics Agency shall be the principal source of information in devising formula;
3. Notwithstanding with sub-article 2 of this Article, information obtained from the Federal government institutions or regional states can be used in formula preparation provided that they are reliable;
4. The relevant Federal government and regional state organs, as well as other relevant institutions, shall have a duty to provide relevant information that can be used in formula preparation;
5. Any person that fails to provide the information required to prepare the formula shall be held accountable under relevant laws;

51. Follow up and Report

The relevant standing committee shall follow up whether or not Federal government subsidies and the revenues derived from joint Federal and State tax sources are distributed to regional states in accordance with the formula;

PART SIX

PROMOTING EQUALITY AND UNITY AMONG PEOPLES

52. Principle

The House shall promote the equality of the Peoples of Ethiopia enshrined in the Constitution and promote and consolidate their unity based on their mutual consent;

53. Ensuring Equitable Distribution of Federal Infrastructures

1. To achieve balanced development among regional states, the House shall follow up the equitable distribution of Federal infrastructures within regional states;
2. Equitable distribution of Federal infrastructures within regional states shall be measured based on the criteria identified in advance and agreed on by the concerned organs;
3. The relevant Federal institutions shall submit to the House periodic report showing the equitable distribution of Federal infrastructures within regional states;
4. Notwithstanding sub-article 3 of this Article, the House shall follow up distribution of Federal infrastructures and provide timely feedback to concerned Federal institutions;
5. When the House believes that the distribution of Federal infrastructures lacks equity, the House shall notify the House of Peoples' Representatives and the concerned Federal institution to take corrective measures;
6. The Federal institution, which is notified under sub-article 5 of this Article, shall swiftly take corrective measures and report to the House;
7. The House of Peoples' Representatives shall follow up to check whether or not the concerned Federal institution has taken corrective measures;
8. The House may set up a National Joint Consultative Forum composed of Federal institutions and regional states;
9. The details of the equitable distribution and monitoring of Federal infrastructure shall be determined by pertinent laws and procedures;

54. Promoting Equality and Unity of Peoples

1. The House shall, in collaboration with pertinent bodies, prepare various programs and forums at various times to enhance the peoples' democratic culture, and raise constitutional awareness;
2. The House shall follow up whether the curricula of educational institutions incorporate academic subjects that promote unity and equality among peoples;

3. The House shall also see to it that the government mass media give sufficient coverage to the purpose stipulated in sub-article 2 of this Article.
4. The House shall study and sort out possible obstacle attitude and trends for peoples' unity and cooperation and devise a solution to be executed by the concerned bodies;
5. The House shall take steps to maintain a balance between national identity and ethnic identity;
6. The House shall identify issues that contribute to multinational unity;
7. The House shall work with stakeholders to create national consensus;
8. The House shall work to ensure that Nations, nationalities and peoples have a balanced representation in Federal institutions;
9. The House shall take steps to develop an inclusive Federal political culture;
10. The House shall take steps to develop multilingualism;
11. The House shall take measures to instill the culture of tolerance, cooperation for a common goal among Nations, Nationalities, and Peoples, and that would also help them strengthen their unity;
12. To strengthen and consolidate the socio-economic relations, equality and unity among the peoples of the regional states, the House shall:
 1. be engaged in capacity building so that states can properly implement their budget;
 2. take measures enabling to bring about balanced development in the socio-economic sectors among the states;
 3. based on the structure and division of power enshrined in the constitution, create conditions where upon states shall cooperate and work for common benefits and assist their further consolidation;
13. The relevant government organs shall report to the House if and when the activities specified in sub-articles 2 and 3 of this Article are fulfilled;

PART SEVEN

DETERMINING CIVIL MATTERS

55. Principle

The House shall determine civil matters which require the enactment of laws by the House of Peoples' Representatives;

56. Initiating Civil Matters

1. The House may identify the civil matters that are considered important for the creation of one economic community on its own initiative or the advice of other relevant governmental organs;
2. Subject to sub-article 1 of this Article, if civil law is being implemented inconsistently in more than one region, or if the implementation in such regional states is an obstacle to the creation of one economic community, the House may require the enactment of civil laws by the House of Peoples' Representatives;
3. The inter-governmental forum comprising the House and regional states may generate ideas on civil matters. The House may also set up other forums to determine civil matters;

57. Presenting Draft Civil Law

1. The House shall identify civil matters that it considers necessary to create one economic community and forwards them to the House of Peoples' Representatives;
2. If civil matters are submitted to the House by the relevant government organs, that government organ shall submit a draft civil law;

58. Forwarding Civil Matters to the House of Peoples Representatives

The House of Peoples' Representatives shall within a short time enact into law draft civil laws submitted to it by the House;

PART EIGHT

THE INTERVENTION OF THE FEDERAL GOVERNMENT

59. Principle

The House shall order the Federal Government to intervene in any regional states;

60. The Intervention of the Federal Government

1. When the House believes that the constitutional order is endangered in any regional states, it shall order the Federal government to take appropriate and proportional action;
2. The House shall take this measure having due regard to the general constitutional structure and division of powers;
3. The following cases are, however, sufficient to say that the constitutional order is in danger:
 - (a). when government institutions established by the Constitution are directly or indirectly restricted from carrying out their powers and functions or;
 - (b). the failure of any regional states to execute directives given to it by the House of Peoples' Representatives in accordance with Article 55(16) of the Constitution, or its unwillingness to do so or;
 - (c). armed uprising;
 - (d). disturbance of peace and security of the Federal Government; or
 - (e). resolving conflicts between another region or nation, nationality or people of another region by resorting to non-peaceful means;
4. When the House believes that the danger to the constitutional order has been arrested, it may order the termination of the intervention of the Federal government;
5. The details of the Federal government's intervention shall be determined by applicable law;

PART NINE

CONSTITUENCIES AND SPECIAL REPRESENTATIONS

61. Constituencies

1. The House shall review and approve the recommendation, regarding delimitations of constituencies submitted to it by the National Electoral Board of Ethiopia in accordance with Article 103(5) of the Constitution;
2. The National Electoral Board of Ethiopia shall submit to the House a draft of the constituencies a year before the general election,
3. The House shall, before approval, examine the recommendation as to whether it does give due respect to people rights of equal representation;

62. Special Representation of Minority Nationalities and Peoples

1. The House shall identify minority nationalities and peoples who need special representation in the House of Peoples' Representatives;
2. The criteria for identifying minority nationalities and peoples shall be determined by a regulation to be issued by the House;

PART TEN

STRUCTURE OF THE HOUSE OF THE FEDERATION

63. Organization of the House

The House shall have a Speaker, a Deputy Speaker, permanent and ad hoc committees, and employees necessary to execute its powers and duties;

64. Secretariat of the House

1. The House shall have its own secretariat which can ensure the expeditious execution of its responsibilities;
2. The secretariat shall be accountable to the Speaker of the House;

65. Legal Personality

The House shall have its own legal personality;

66. Powers and Duties of the Speaker

The Speaker shall:

1. administer the meetings of the House;
2. manage all the House's administrative works;
3. represent the House outside of the country;
4. implement the disciplinary measures the House takes on its members;
5. follow up the implementation of the decisions of the House;
6. submit the House's work programme and budget to the House of the Peoples' Representatives, and implement same upon approval;
7. execute other responsibilities as determined by law;

67. Powers and Duties of the Deputy Speaker of the House

The Deputy speaker shall:

1. execute responsibilities directed to him by the Speaker of the House;
2. act on behalf of the speaker in his absence;

68. Meetings and Rules of Procedure

1. The House shall convene at least twice in a year;
2. The House may convene an emergency meeting as needed;
3. There shall be a quorum where two-thirds of the members of the House are present;
4. Decisions of the House shall be passed by a majority vote of the members;

5. Subject to sub-article 1 to 4 of this Article, the details of the meetings and rules of procedure of the House shall be specified in the regulation governing the proceedings and Code of Conduct of members of the House;

69. Nomination of Members of the House

1. Each Nation, Nationality, and People shall be represented in the House of the Federation by at least one member. Moreover, each Nation or Nationality shall be represented by one additional representative for each one million of its population;
2. The number of representatives shall be determined in proportion with the number of human population in each Nation, Nationality, and people in the whole country;
3. The House shall inform each state the number of representatives each Nation, Nationality, and People shall send to it pursuant to sub-article 1 and 2 of this Article a year before conducting the general election;
4. The Councils of States shall send the list of their representatives a month before the beginning of the first joint session of the two Houses; The representative' shall be selected by the Council of States themselves or directly by the people;
5. If regional states decide to directly elect the members of the house, they shall conduct elections in accordance with the relevant election laws;
6. If the people to be represented in the House have their own Zonal and Wereda administration, the representative shall be elected with the full participation of the councils, and the election procedure shall be arranged by the State Councils;
7. The members of the House shall be who enable the House to carry out effectively its Constitutional power and functions;

70. Immunity of Members of the House

1. No member of the House may be prosecuted on account of any vote or opinion raised in any meetings of the House nor any administrative measures taken against any member on such ground;
2. No member of the House shall be charged with or arrested on grounds of a felony without the permission of the House except in the case of *flagrante delicto*;

71. Disciplinary Measures

Where a member of the House fails to competently represent his Nation, Nationality or people he may be subjected to disciplinary measures in accordance with the regulation of the House;

72. Removal of member from The House

No member of the House shall be removed except on the following grounds:

- (a). where the State Council that elected him decides that he be removed;
- (b). where a member is directly elected by the people fifteen percent (15%) of the electorate decided that he be removed in accordance with relevant regulations of the National Electoral Board of Ethiopia;
- (c). where the House by two-thirds vote decided that a member does not represent properly his constituency due to moral incompetent;

73. Substitution

1. Where a member of House is deceased or resigns or removed on the ground specified under Article 73 of this proclamation, the House shall communicate to the concerned state;
2. Upon the receipt of the communication, the State Council shall, in a short period, send a substitute after nominate or cause the constituency to nominate by direct vote;

PART ELEVEN
COMMITTEES

74. Committee Formation

1. The House shall establish standing and ad hoc committees from its members and define their powers and duties;
2. Each committee shall have a chairperson, deputy chairperson and a secretary;
3. The House may assign three members selected from each standing committee to work permanently thereon;
4. Without prejudice to the provisions of sub-article (3) of this Article, the House may raise the number of members of the standing committee to be assigned permanently, if it deemed it necessary;

75. The Powers and Functions of Committee Leaders

1. The Chairperson shall:
 - (a). call and chair committee meetings;
 - (b). organize and distribute the agenda of the meeting to the committee members;
 - (c). verify that a quorum is attained;
 - (d). communicate the decision of the committee to concerned bodies;
 - (e). submit periodically the committee's performance report to the speaker;
2. Deputy Chairperson
 - (a). shall act on behalf of the chairperson in the absence of the later;
 - (b). shall perform other functions as instructed by the chairperson;
3. Secretary
 1. The secretary shall record the minutes of the committee, oversee the orderly documentation of files and discharge other duties as instructed by the chairperson;
 2. Organizes applications and any other submissions to the Committee in an orderly manner and communicates them to the members of the Committee.
 3. Execute other activities given by the chairperson or the committee;

76. Quorum

1. There shall be a quorum where half of the committee members are present;
2. Unless the House issues regulations otherwise, the committee's decision shall be passed by majority vote;

3. When the vote is evenly distributed, the position supported by the chairperson shall be the final decision or recommendation of the committee;

PART TWELVE

MISCELLANEOUS PROVISIONS

77. Follow up

The relevant committee shall follow up the implementation of the decisions or orders of the House and submit a report thereof to the House;

78. Budget

1. The budget of the House

The budget of the House be drawn from the following sources:

- (a). Budget appropriated by the Government
 - (b). donations and aid;
 - (c). any other lawful source.
2. The House shall, in accordance with Article 65 of the Constitution, submit the budget directly to the House of Peoples' Representatives;
 3. The budget preparation and other processes shall be determined by the regulation to be issued to implement this Proclamation;
 4. The funds stated under sub-article 1 of this Article shall be deposited in the bank account and shall be used only for the conduct of the House operations;
 5. The House shall keep a verifiable balance sheet indicating its expenditures;
 6. Books of accounts and financial documents of the Secretariat shall be audited by the Auditor-General annually;

79. Finality and Enforceability of Ruling

1. Decisions of the House on matters submitted to it shall be final;
2. Constitutional interpretation decisions made by the House shall weigh a Constitutional provision.
3. Subject to the provisions of sub-article 1 of this Article, the decision already made by the House may be re-submitted to the House if the Speaker, after consulting with the relevant organs, agrees that the Constitutional interpretation already made is erroneous;

4. Every person, the Federal and regional state courts, the Federal and regional governments, government authorities or non-governmental organs shall have a duty to respect and enforce the decisions of the House;

80. Power of Submitting Draft Laws

The House shall have the power to submit draft laws to the House of peoples' Representatives on matters within its jurisdiction;

81. Power to Issue Regulation

The House may issue regulations for the implementation of this proclamation;

82. Power to Issue Directives

The Coordinating Committee shall have the power to issue directives to implement this Proclamation or the regulations to be issued by the House;

83. Repealed Laws

1. Proclamation No. 251/2001 shall not have an effect on matters pertaining to this proclamation;
2. No laws, regulations, directives or rulings which are inconsistent with this proclamation shall have effect with respect to matters provided for herein;

84. Effective Date

This proclamation shall be effective from the time published in the Federal *Negarit Gazeta*;

Addis Ababa-----2013

**SAHLEWORK ZEWDE
PRESIDENT OF
THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**