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Revised Federal Ethics and Anti-Corruption Commission Proclamation……….Page 12984

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### PROCLAMATION No. 1236/2021
THE REVISED PROCLAMATION FOR THE
ESTABLISHMENT OF THE FEDERAL ETHICS
AND ANTI-CORRUPTION COMMISSION

**PROCLAMATION**

**WHEREAS**, the Government and the Peoples of Ethiopia recognize that corruption and impropriety are capable of hindering the Social, Economic and Political development of our country and found it necessary to establish a legal system;

**WHEREAS**, it has become necessary to prevent corruption and impropriety and to create a society of good ethical values and moral which shall not condone but rather prepared to resolutely combat corruption; in order to promote and sustain the development, peace and democratic process in our country;

**WHEREAS**, it has become proper for the commission to have independence and impartiality in its operation by making its operation and activities be guided with the principles of transparency and accountability;
WHEREAS, it has become necessary to consolidate in one the powers and duties given to the Commission by different laws and provide in law the scope of power of the commission that would enable it accomplish its role of leading and coordinating the anticorruption struggle at the national level;

WHEREAS, corruption prevention is not a task that begins and ends in a given institution and it has become necessary to provide in law the relations of the Commission would have with other institutions so as to make the Commission adequately represent the nation at international and continental level in the area of anticorruption struggle;

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

1. **Short Title**

This Proclamation may be cited as the “Revised Federal Ethics and Anti-Corruption Commission Proclamation No. 1236/2021”

2. **Definition**

Unless the context requires otherwise in this Proclamation:

1/ "Commission" means The Federal Ethics and Anti-Corruption Commission;

2/ "Commissioner or Deputy commissioner" means the Commissioner or the Deputy Commissioner of the Commission respectively;
3/ "Public Office” means any office the budget of which is fully or partially allocated by the Government and in which any Federal Government activity is performed;

4/ "Public Enterprise” means any Public Enterprise or Share Company the ownership of which is fully or partly owned by the Federal Government;

5/ “Public Organization” means a body that administers money, property or other resources collected in any form from members or the public or collected for public service and includes the private sector company or organization; it may not however include the following:

a) Religious organization;
b) Political organization/parties;
c) International organizations; and
d) Edir or other traditional or religious association;

6/ "Public Official” for the purpose of this Proclamation, means Members, Speakers and Deputy Speakers of the House of People’s Representatives, Speakers and Deputy Speakers of the House of the Federation, the President of the Republic, the Prime Minister, Deputy Prime Minister, Ministers, State Ministers, Commissioners, Vice Commissioners, Directors, Deputy Directors, General Managers, Deputy General Managers, Presidents, Vice Presidents and Judges of Federal Courts, the Attorney General, Deputy Attorney
<table>
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<tr>
<th>Article</th>
<th>Definition</th>
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<tbody>
<tr>
<td>7/</td>
<td>&quot;Public Employee&quot; means any person, other than those referred to under Sub-Article (6) of this Article, employed or assigned, and working in any public office permanently or temporarily for a period of time longer than three months;</td>
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<td>8/</td>
<td>&quot;Official of a Public Enterprise&quot; for the purpose of this proclamation shall include Chairman and Members of the Board of directors or Boards of Management of the Enterprise, the Head and Deputy Heads of the enterprise as well as any management member appointed or assigned by the Board, Board of Management or any other competent body;</td>
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<td>9/</td>
<td>&quot;Official of a Public Organization&quot; for the purpose of this proclamation shall include Chairman and Members of the Board of Directors or Board of Management of the organization, the Head and Deputy Heads of the organization as well as any management member appointed or assigned by the Board, head of the Organization or any other competent body;</td>
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<td>10/</td>
<td>&quot;Employee of a public enterprise or public organization&quot; means any person employed or assigned and working in any public enterprise or organization permanently or temporarily for a period of time longer than three months;</td>
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11/ “Ethics Liaison Units” are organizations that the ethics and anticorruption commission creates under public offices, public enterprises or public organizations for it to accomplish its tasks in the respective institutions;

12/ “Ethics officer or employee of ethics liaison unit” means any person assigned or employed and working in public offices, public enterprises or public organizations;

13/ “Mass Organizations” means students’ ethics and anticorruption clubs the commission creates in public or private educational institutions, or other various organizations created in public offices, public enterprises and public organizations so as to enable it to enhance good ethical values and prevent corruption;

14/ “Resource collected for public purpose” means money, property or resource that is collected with the intent to support, assist, encourage or develop the whole or a section of the community or obtained in any way with such intent and administered or utilized by a charity or association or a committee organized or formed for such purpose;
PART TWO
ESTABLISHMENT AND POWERS AND DUTIES OF THE COMMISSION

3. Establishment of the Commission

1/ The Federal Ethics and Anti-Corruption Commission (hereinafter referred to as "the Commission") is hereby established as the Federal Government office.

2/ The Commission shall be accountable to the House of Peoples Representatives.

3/ The Addis Ababa and Dire Dawa City Administrations shall establish their own ethics and Anticorruption commission.
4. Independence of the Commission

The Commission shall be free from any interference from any person or organ with regard to activities undertaken to prevent corruption.

5. Head Office

The Commission shall have its Head Office in Addis Ababa.

6. Objectives of the Commission

The Commission shall have the following objectives to:

1/ Effectively enhance ethical and moral values of the generation;

2/ Prevent corruption offences and other improprieties;

3/ Make the public become owner of the anti-corruption struggle by creating a popular movement helpful in the fight against corruption;

4/ Create institutional capacity that would enable to carry out powers and duties given to it by law;

5/ Ensure transparency and accountability in public offices, public enterprises and public organizations by having the asset and financial interests of their officials and employees declared, registered and made accessible and verified as to its accuracy;
7. **Powers and Duties of the Commission**

The Commission shall have the following powers and duties to:

1/ Prepare National Anti-Corruption Policy and Strategy; have it approved and follow up its implementation;

2/ Provide or cause the provision of training on ethics and corruption prevention to officials, heads and employees appointed, assigned or employed in public offices, enterprises and organization before engaged to the work;

3/ Study or cause to be studied practices and work procedures in Public Offices, Public Enterprises and public organizations prone or conducive to corruption and improprieties in order to give recommendations and follow up their implementation, report for an organ which has the power to investigate and prosecute to take the proper measures on those failing to implement;

4/ Where the Commission suspects or receive information a preparation for the commission of corruption is underway, by undertaking a rapid corruption prevention activity, suspend the operation or cause the taking of the necessary correction. Where it has, however, suspicion about the commission of corruption in the process it shall report same to the relevant organ which has the power to investigate and prosecute;
5/ Cause the declaration and registration of the assets and financial interests of elected public officials, public appointees and employees of public offices, heads and employees of public enterprises and public organizations; verify its accuracy, organize such data and make it accessible;

6/ Develop, put to use, and administer software database that would enable an effective asset and financial interest declaration, registration and access. It shall provide information from the database to relevant organs upon request;

7/ Create a system to Prevent conflict of interest of elected officials, public appointees and employees, heads and employees of public enterprises and organizations that would arise in connection with their mandate as well as power of control and decision, and report for an organ which has the power to investigate and prosecute in order for them to take appropriate measure where necessary. Particulars shall be prescribed by regulations;

8/ Establish and implement upon approval procedures and system for the recognition and selection for awards, upon competition, of offices, and organizations, individuals and clubs who are successful in the fight against and prevention of corruption;
9/ Prepare, cause to prepare submit for approval and monitor the implementation of Codes of Conduct for elected public officials, public appointees and Public Office employees as well as heads and employees of public enterprises and organizations;

10/ Conduct a study on corruption and impropriety vulnerability in public offices, public enterprises and public organizations; and publicize same if deemed necessary;

11/ Organize mass organizations that would help in the enhancement of ethics and prevention of corruption in public offices, enterprises and organizations and educational institutions at all levels;

12/ Follow up and ensure the respect of anticorruption laws and give a consultancy service on their implementation;

13/ Organize, assign and deploy Ethics Liaison Directorates or Teams or Experts in public offices, public enterprises and public organizations;

14/ Coordinate Regional ethics and anticorruption commissions; and provide them with the necessary technical support;

15/ By representing the country liaise and cooperate with National, Continental and International bodies with similar objectives;
8. **Organization of the Commission**

The commission shall have:

1/ A Commissioner and Deputy Commissioners to be appointed by the house of peoples’ representatives upon nomination by the Prime Minister; and

2/ The necessary staff.
9. **Powers and Duties of the Commissioner**

1/ The Commissioner shall be the top official of the Commission and, as such, shall organize, direct and manage the activities of the Commission.

2/ Without prejudice to the provisions of Sub-Article (1) of this Article, the Commissioner shall have powers and duties to:

   a) Exercise the powers and duties of the Commission specified under Article 7 of this Proclamation;

   b) Prepare and submit to the House of Peoples Representative for approval the organizational structure, salary scale and benefit schemes of the employees of the Commission and implement same upon approval; particulars shall be specified in Regulations to be issued by the House;

   c) Prepare regulations in line with provisions specified in this Proclamation and the basic principles of Federal public servants Proclamation and submit to the House of Peoples Representatives and implement same upon approval;

   d) To appoint, assign, employ, administer and dismiss the necessary staffs. Particulars shall be specified in regulations to be issued;

   e) Prepare the annual work program and budget of the Commission and submit to the House and implement same upon approval;


1. የማንኛውም ሰው እና ድርጅት የባንክ ሂሳብ እንዲቀጠኝ ይችላል፣

2/ ይህ ሲሆን ይህ ያስታቅክ እና ያለመቋቋርት እና ያለው ስልጣኝ መጠን ይህ ይህ አስፈላጊ በሆነ ጊዜ ያስችላል፡፡

3/ The Commissioner may delegate part of his powers and duties to the officials and employees of the Commission to the extent necessary for the effectiveness and efficiency of the Commission.

10. Powers and Duties of the Deputy Commissioner

1/ The Deputy Commissioner, shall:

a) Assist the Commissioner in planning, organizing, directing and coordinating the functions of the Commission;

f) Effect expenditure in accordance with approved budget and work program of the Commission as per relevant financial laws;

g) Represent the Commission in its dealings with third parties;

h) Submit general performance and financial reports of the Commission to the House;

i) Where necessary, to give order for the search of bank accounts of any person or organization and gathering of the necessary information in the process of asset registration, registration verification and management of conflict of interest;

j) Report for organs which has given by law to safeguard informants if there is threat on persons who give information to the Commission with regard to asset registration verification, immediate corruption prevention and others corruption prevention activities;
a) Follow up part of the Commission's departments by sharing functions in accordance with the structure of the Commission;

b) Act on behalf of the Commissioner in the absence of the later;

c) Perform such other duties as may be specifically entrusted to him by the Commissioner;

2/ The Deputy Commissioner shall be accountable to the Commissioner;

3/ Unless specified otherwise the Deputy Commissioner having seniority in appointment shall act on behalf of the Commissioner in the absence of the latter. However, when the Deputy Commissioners are appointed at the same time, the commissioner may assign one of them.

11. Term of Office and Removal from Office of the Commissioner and the Deputy Commissioners

1/ The term of office of the Commissioner and the Deputy Commissioner shall be for six years; he may, however, be reappointed for only one term where necessary.

2/ Once appointed, the Commissioner or the Deputy Commissioner may not be removed, except on his own will, from his office unless:

   a) He has violated the provisions of the relevant code of conduct;
a) የላሷ የሁኔታ የሥራ ዽሎታና የቅልጥፍና የቅልጥተና የትብሎ የተታመን፣

b) ለጤና ችግር የሚክንያት የተግባሩን የተገቢው ሁኔታ ማከናወን የማይችል ይህ የህግ የሚያወጣት ምክር ቤት ያቀርብ ይሆናል፡፡

c) ይህ የመልካም ይህ የመረክም የተቀጠረ ማንኛውም የኮሚሽኑ የተውጥ ለፌደራሉ እኔ መንግስት ታማኝ በመሆን የተጣለበትን ሤኔዎች፣ ወደ ቻጆች መረፈዎች ያለ የመላካም እኔ ያቀረበ ይሆናል፡፡ የቃለመሀላው ዝርዝር ይዘት በደንቡ የተገኝብ ይሆናል፡፡

d) ይህ የመልካም ይህ የመረክም ይህ የኮሚሽኑ የተውጥ ለፌደራሉ እኔ መንግስት ታማኝ በመሆን የተጣለበትን ሤኔዎች፣ ወደ ቻጆች መረፈዎች ያለ የመላካም እኔ ያቀረበ ይሆናል፡፡ የቃለመሀላው ዝርዝር ይዘት በደንቡ የተገኝብ ይሆናል፡፡

b) የያር በሚያወጣው ደንብ የሚወሰን ይሆናል፡፡

c) የያር በሚያወጣው ደንብ የሚወሰን ይሆናል፡፡

3/ The provisions in Sub Article (2) (a) and (b) of this Article shall apply where it has been verified by the House and voted on by majority vote.

12. Employment of Employees of the Commission

The terms and conditions of Assignment, employment, administration and dismissal of the employees of the Commission shall be in accordance with the regulations to be issued by the House following the provisions laid down in this Proclamation and the general principles of the Federal Civil Service Law.

13. Taking of an Oath

Any person shall upon Assigned or employed in the Commission take oath that he will be faithful to the Federal Constitution and fulfill the demands of public trust and professional responsibility bestowed on him. Details regarding the oath shall be specified in the administrative regulation.

14. Rights of Employees

1/ Any officials and employees of the Commission is entitled to a salary and benefits in accordance with a special salary scale and benefit scheme approved by the House of Peoples Representatives In view of the special nature of their work. Details shall be specified in regulation to be issued as per this proclamation.
2/ The salary of any employee may not be attached or deducted except in accordance with,

a) A written consent of the employee;

b) A court order; or


3/ The amount deductible in accordance with Sub Article (2) (b) or (c) of this Article may not exceed one third of the salary of the employee.

4/ Any permanent employee of the Commission is entitled to a pension in accordance with the Pension law.

5/ Any employee of the Commission shall:

a) Be provided with attorney service at the expense of the Commission for any liability incurred while executing his duties properly. Particulars shall be determined by the Regulations;

b) Have the right to appropriately question superiors under any circumstances, inform mistakes, resolve problems through discussion as well as lodge complaints following the chains of command;

c) Have the right to appeal for relevant organ with regard to the decision passed by the Commission in relation to any grievances and discipline issues; Particulars shall be determined by the regulations;
d) Be entitled to benefits provided in the relevant pension law for permanent, total, or partial disability sustained in relation to his duties. particulars shall be specified in the Regulations to be issued;

e) In view of the special nature of their work, the Commission shall have the salary and various benefits of officials and employees of the Commission studied and implement it upon approval by the House of Peoples Representatives;

f) After informing the Commission engages in any other activity which may not have a conflict of interest with his duty, during his leisure time. Details shall be specified in directives to be issued by the Commission.

15. **Exemption from Tax**

Any compensation to be made pursuant to Article 14 Sub-Article (5)(d) of this Proclamation shall be exempt from taxation and may not be attached, deducted by way of setoff or assigned by the beneficiary.

16. **Suspension from Duty**

1/ An employee of the Commission may be suspended from duty by withholding his salary for a period not exceeding one month if that course of action is necessary for the smooth execution of the work;
Notwithstanding the provisions of Sub-Article (1) of this Article an employee shall be suspended for an additional one month if he is formally charged with a criminal or disciplinary offence for which his dismissal is to be expected if it is proved against him. Details shall be specified in regulations to be issued per this Proclamation.

17. Period of Limitation

1/ Disciplinary measure may not be taken against an employee of the Commission who has committed an offense entailing simple disciplinary penalty unless such measure is taken within six months, excluding the time required for investigation, from the time the breach of discipline is known;

2/ No disciplinary charge shall be brought against an employee who has committed an offense entailing rigorous disciplinary penalty unless such disciplinary charge is brought within a year from the time the commission of the offense is known;

3/ The Official who has failed to take the measures specified under Sub-Articles (1) or (2) of this Article shall be held responsible.

18. Budget

The Commission prepares its budget and submit for approval to the House.


1/ The Commission shall keep complete and accurate books of accounts;
2/ The Commission’s books of accounts and financial documents shall be Audited annually by the Federal Auditor-General.

PART THREE
ESTABLISHMENT OF ETHICS LIAISON OFFICES AND RELATIONSHIP OF THE COMMISSION WITH REGIONAL ETHICS AND ANTI-CORRUPTION COMMISSION

20. Establishment of Ethics and Anti-Corruption Liaison Offices

1/ The Commission shall establish Ethics and Anti-corruption Liaison offices at every level of Public Offices and Public Enterprises the duty of which shall be to coordinate and carry out ethical issues and corruption prevention activities in their respective office or enterprise;

2/ The Commission shall cause the establishment of Ethics and Anti-corruption Liaison offices at every level of Public Organizations the duty of which shall be to coordinate and carry out ethical issues and corruption prevention activities in their respective organization;

3/ The ethics and anticorruption Liaison office shall be accountable to the Commission;

4/ It shall be the duty of the Commission to assign, employ, transfer and dismiss the head or employee of the ethics and anticorruption liaison offices of public offices and enterprises. The ethics liaison offices to be established shall be organized in parallel with the line staff of the public offices or enterprises;
5/ The Commission shall cause the assignment, employment, transfer and dismissal of the head or employee of the ethics and anticorruption Liaison offices of public organizations. The ethics liaison offices to be established shall be organized in parallel with the line staff of the public organization;

6/ Particulars regarding the ethics and anticorruption Liaison office’s work relation with the Commission, their organization and operation shall be specified by directives to be issued by the Commission;

7/ The work relation of the ethics Liaison offices with their respective public office, public enterprise or public organization shall be determined by directives to be issued by the commission.

21. **Work Relations of the Commission with the Regional Ethics and Anti-Corruption Commissions**

1/ The Commission being an organ responsible for leading and coordinating Ethics and Anti-corruption activities at National level shall coordinate Ethics and Anti-corruption commissions of regional and city administrations and give technical support;

2/ The Commission shall establish a planning, reporting and relation system with the Ethics and Anti-corruption commissions of the regional and city administrations;
PART FOUR
MISCELLANEOUS PROVISIONS

22. Duty to Cooperate

Any person is duty bound to cooperate whenever cooperation and assistance is required by the Commission in connection with its powers and duties.

23. Powers to Issue Regulations and Directives

1/ The House of Peoples Representatives may issue Regulations for the implementation of this Proclamation;

2/ The Commission may issue Directives for the implementation of this Proclamation and the Regulations issued under this Proclamation.

24. Repealed and Inapplicable Laws

1/ Provisions provided under The Revised Federal Ethics and Anti-Corruption Commission Establishment Proclamation No.433/2005 and Amendment Proclamation No. 883/2015 covered by this Proclamation are hereby repealed;

2/ All laws which are inconsistent with this Proclamation shall not apply on matters covered under this Proclamation.

3/ The City and Regional Ethics and Anti-corruption commissions shall submit statistical data and periodic report regarding the state of anti-corruption activities in their respective City or Region to the Commission.
25. **Effective Date**

This Proclamation shall enter into force as of the day of its publication on Federal Negarit Gazette.


SAHLEWORK ZEWDE
PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA