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Addis Ababa City Government Revised Charter
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PROCLAMATION NO. 361/2003
THE ADDIS ABABA CITY GOVERNMENT REVISED CHARTER PROCLAMATION

WHEREAS, it is believed that Addis Ababa must become a suitable urban space for work and residence measurable by modern standards in view of the fact that it is the capital of the Government of the Federal Democratic Republic of Ethiopia and the seat of the African Union and of a variety of international organizations as well as it is a reflection of a large and growing residents representatives of Nations, Nationalities and Peoples;

WHEREAS, the Constitution of the Federal Democratic Republic of Ethiopia stipulates that the residents of Addis Ababa have full power of self-government and that the details thereof shall be set out by law;

WHEREAS, it is necessary to create conditions which enable the city to maximize the achievements of its development objectives by giving due account to the best wishes and diligence of its residents and by relying on its development potentials;

WHEREAS, in order that the competitiveness and developmental continuity of the city become real and being aware that the city can, by attracting investment, have substantial contribution to the improvement of the lives of its residents and to the opening up of a way for the economic development of the country, it is found necessary to enable the city cope with time through self-renwal so that its operations and processes become efficient, effective and equitable as well as change-generative, and, receptive;

Negarit G.P.O.Box 80,001
WHEREAS, it is found necessary to revise the Addis Ababa City Government Charter Proclamation No. 87/1997 by taking into account experiences gained in its application and by looking into the organization and management of the city from the perspective of democratic principles and good governance as well as contemporary trends of growth and development; 

NOW, THEREFORE, in accordance with the provisions of 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 Provisions

1. Short Title
This Proclamation may be cited as the “Addis Ababa City Government Revised Charter Proclamation No. 361/2003.”

2. Definitions
Unless the context indicates otherwise, in this Charter:
1) “City” means the Addis Ababa City;
2) “City Government” means the Addis Ababa City Government;
3) “Mayor” means the chief executive officer of the City Government;
4) “Municipal Service” means water and sewerage service, road construction service, fire and emergency service, day to day services for residents including civil status record operations, land development and management, city sanitation and beautification and other services to be designated as such by the City Government;
5) “Sub-City” means a second administrative stratum of the City;
6) “Kebele” means a third administrative stratum of the City but a unit of a sub-City;
7) “Conditions of work” means the entire relations between the City Government and its officials and employees and shall include hours of work, salary, leaves, payments due to dismissal, if any, health and safety, compensation to victims of employment injury, grievance procedure and other similar matters.

3. Legal Personality
The City Government shall have legal personality.

4. Name
The name of the City is Addis Ababa.

5. Boundary
Without prejudice to the existing one, the boundary of the City shall be delimited by an agreement to be made between the City Government and Oromia Regional Government or pursuant to the decision of the Federal Government.

6. Working Language
The working Language of the City Government is Amharic.
Objectives, Organization, Powers and Functions of the city Government

9. Objectives
The City Government shall have the objectives to:
1) maintain good governance in which effectiveness, transparency and accountability, to the residents, prevail; make the City one in which expediency and equitable municipal services and reliable security and social harmony are ensured;
2) enlarge the role of the City as a capital city of the Federal Government and as a seat of the African Union and different international and regional organizations;
3) create favourable conditions of living and work as well as to facilitate conditions in which residents determine the overall operations of the City and become beneficiaries of its development;
4) make the City a centre where Ethiopian Nations, Nationalities and Peoples reside in equality and express their cultures;
5) make the City a place where the well-being and comfort of residents are safely kept and particularly where children, women, the disabled, the elderly and other disadvantaged segments of society avail themselves of special support;
6) bring about the city’s speedy economic development through the encouragement and enhancement of investment and research;
7) make the City a centre of commerce and industry of the country;
and
8) make the City a naturally balanced, clean, green and favourable spot through the prevention of environmental pollution.

10. Structure of the City Government Organ of the Power
1) The City Government Organ of Power are the following:
(a) City Council;
(b) Mayor;
(c) City Cabinet;
(d) City Judicial Organs; and
(e) Office of the City Chief Auditor.
2) Sub-City Organ of Power are the following:
(a) Sub-City Council;
(b) Sub-City Chief Executive; and
(c) Sub-City Standing Committee.
3) Kebele Organ of Power are the following:
(a) Kebele Council;
(b) Kebele Chief Executive;
(c) Kebele Standing Committee; and
(d) Kebele Social Courts.
### Powers and Functions of the City Government

1) The City Government shall have the power to make laws and exercise judicial powers specifically conferred on it by this Charter as well as executive powers and functions over matters that have not specifically been included in the details of the powers and functions of the executive organs of the Federal Government.

2) Without prejudice to the general provisions set forth under Sub-Article (1) of this Article, the City Government shall have the powers and functions to:

- issue and implement policies concerning the development of the City;
- approve and implement economic and social development plans;
- determine the administration and working conditions of employees and officials of the City Government as well as of the staff of other organs of power specified under this Charter;
- constitute the executive bodies of the City Government and to establish public enterprises, as legal entities, on its own or in partnership, as per applicable laws, with the private sector or other third parties;
- organize Sub-Cities and Kebeles, demarcate their borders and allocate budgetary subsidy to same;
- identify, determine and organize municipal services to be delivered at the level of the City, a sub-City and a Kebele; to provide efficient, effective and equitable services through the use of a variety of service delivery alternatives and the participation of the people and to ensure that a standarized, acceptable system of service delivery is in place;
- administer, according to law, the land and the natural resources located within the bounds of the City;
- administer, develop or sale the houses nationalized as per Government Ownership of Urban Lands and Extra Houses Proclamation No. 47/1975 and administered by the City Government as well as other houses which the City Government built or otherwise obtained lawfully;
- expropriate private property and/or clear and takeover land holdings designated as an object of public interest, subject to payment of commensurate compensation in accordance with the law;
- prepare, approve and administer the budget of the City; to determine and collect, according to law, taxes, duties and service charges out of the sources of income specifically given hereby to the City Government; to revoke taxes and penalties imposed as per the law; to participate in income-generating activities and to receive donations and gifts;
- borrow money from domestic sources under authorization by the Federal Government; to identify external sources of loan and request the Federal Government to borrow money on its behalf; and
- establish relations and conclude co-operation agreements with Federal and Regional Government organs and institutions, the private sector, nongovernmental organizations and, under authorization by the Federal Government, with various international organizations.
12. Members of the City Council

1) Members of the Council shall be elected by residents of the City for a term of five years.
2) The number of members of the Council shall be determined according to the electoral law.
3) No member of the Council may be prosecuted on account of any vote he casts or opinion he expresses in the Council, nor shall any administrative action be taken against him.
4) No member of the Council may be arrested or prosecuted without the authorization of the Council, except in the case of flagrante delicto for a serious offence.
5. Members of the Council are free and their accountability shall be only to:
(a) the constitution of the Federal Democratic Republic of Ethiopia;
(b) this charter;
(c) their conscience; and
(d) the residents of the City.
6. Any member of the Council may, in accordance with the law, be discharged from his membership of the Council where the electorate has lost confidence in him.
7. No member of the Council shall be a candidate in other elections conducted by the National Electoral Board, pending the term of office of the Council he is elected to, unless he has resigned or has been discharged from membership of the council.
8. Where there exists a conflict of interest of the City and of any member of the Council, such a member shall so notify the Council and refrain from rendering of decision. The details thereof shall be set out by Regulations.
13. Formation of the Executive Organ of the City

The political party occupying the majority of seats of the Council or, where such does not exist, the coalition of political parties shall form, and give leadership to, the executive organ of the City.
14. Powers and Functions of the City Council

1) So as to realize the powers and functions entrusted to the City government, the city Council shall have power to promulgate Proclamations on the following matters:
(a) to constitute the executive organs of the City;
(b) to approve the budget of the City Government;
(c) to issue the Master plan of the City;
(d) to establish the judicial bodies of the City and to determine, as the case may be, their powers and functions, in accordance with the provisions of this Charter;
(e) to levy taxes and duties as well as set service charges upon financial matters falling under the power of the City Government in accordance with this Charter; and
(f) to replace existing laws issued by the City Government.
2) The City Council shall have the powers and functions to:
(a) adopt policies on matters falling within the purview of its power;
(b) issue Regulations pursuant to powers vested in it by Proclamations enacted by the House of Peoples' Representatives;
(c) approve the short-term and long-term economic and social development plans and annual budgets of the City;
(d) levy taxes and duties and set service charges on revenue sources specified under this Charter;
(e) elect from among its members, the Spokesperson, Deputy Spokesperson and Secretary of the Council and establish the Secretariat of the Council;
(f) elect, from among its members, the City Mayor and Deputy Mayor;
(g) approve the appointment of members of the City Cabinet upon the recommendation of the Mayor;
(h) approve, the appointment of the President, Vice President and judges of the City Courts and of the Chief Auditor; as well as to establish the Judicial Administration Commission and to designate its members;
(i) approve, the appointment of presidents of bodies accountable to it and having semi-judicial powers and of other officials whose appointment has to be approved by it as per the law;
(j) establish the executive organs and public enterprises of the City;
(k) establish the committees of the Council and designate their respective members from among its members;
(l) designate an external auditor from among three candidates to be proposed by the Mayor at any time it is so required, and to examine and render decision upon the report submitted by the external auditor;
(m) approve the quality standard of and charges for municipal services;
(n) determine the number of members of Sub-City and Kebele Councils;
(o) allocate budgetary subsidy to Sub-Cities according to the formula it adopts;
(p) examine and decide upon periodic reports submitted by the Mayor or by organs accountable to it;
(q) approve loan agreements made with domestic sources as per the authorization of the Federal Government;
(r) issue the Code of Conduct for members of the Council;
(s) conduct investigation, hear witnesses, cause other evidence to be produced and render decision, according to Regulations to be issued, where it is alleged that the Mayor, Deputy Mayor, the Council's Spokesperson and Deputy Spokesperson, the City's Cabinet members, the Chief Auditor or other members of the Council have committed breach of discipline.
1. The term of office of the Council shall be five years. The council shall have regular and extraordinary meetings and the regular meeting shall be held every two months.

2. There shall be a quorum where more than half of members of the Council are present at its meetings.

3. A decision, in any meting of the Council, may be passed where more than half of the members in attendance second it.

4. The meetings of the Council shall be open to the public unless it is otherwise necessary for the city's security or safety or for the protection of the interest of individuals or juridical persons.

5. The Spokesperson of the Council may call an extraordinary meeting; he shall also call an extraordinary meeting where more than half of the members of the Council so demand.

6. The Council shall issue internal Regulations that determine its operations.

15. Term of Office of the City Council and Its Meeting Procedures

1) The term of office of the Council shall be five years. The council shall have regular and extraordinary meetings and the regular meeting shall be held every two months.

2) There shall be a quorum where more than half of members of the Council are present at its meetings.

3) A decision, in any meting of the Council, may be passed where more than half of the members in attendance second it.

4) The meetings of the Council shall be open to the public unless it is otherwise necessary for the city's security or safety or for the protection of the interest of individuals or juridical persons.

5) The Spokesperson of the Council may call an extraordinary meeting; he shall also call an extraordinary meeting where more than half of the members of the Council so demand.

6) The Council shall issue internal Regulations that determine its operations.

16. Keeping of Records by the City Council

The council shall have a register for its proceedings and decisions. The Register shall be public unless the Council decides otherwise in consideration of the security or safety of the City, or the rights of individuals and others.

17. Accountability and Dissolution of the Council

1) The City Council shall be accountable to the Federal Government and to the residents of the City.

2) The dissolution of the City Council may be effected by the House of Peoples' Representatives or by its own decision. Without prejudice to Article 61 (3) of this Charter:

   a) the City Council may dissolve itself before the lapse of its term of office in order for a new election to be conducted.

   b) where a coalition of political parties seizing executive power breaks up and fails to occupy the majority seats of the Council, the Cabinet shall be dissolved, and the political parties in the Council shall be invited by the Ministry of Federal Affairs to form a coalition Cabinet within a week. If the political parties fail to form a new Cabinet or to continue the coalition, however, the City Council shall be dissolved.

   c) new election shall be held within six months if the City Council is dissolved pursuant to sub-Article (2) (a) or (b) of this Article.

   d) the new City Council shall commence work within thirty days after the conclusion of the election.

   e) the executive organ in power, following the dissolution of the City Council, may not make, amend or repeal laws but only carry out day-to-day executive functions and undertake elections.
18. **Spokesperson of the City Council**

The Spokesperson, being accountable to the Council, shall:

1) have a term of office co-extensive with that of the Council provided that he may be removed from his post, prior to the end of such term, upon resignation, suspension from office or termination of his membership in the Council; details thereof shall be set out by internal regulations of the Council;

2) direct the Secretariat of the Council;

3) represent the Council in all its dealings with third parties;

4) call, and preside over, the meetings of the Council and co-ordinate the committees thereof;

5) prepare the budget of the Secretariat of the Council and implement same upon approval;

6) employ and administer the staff of the Secretariat of the Council in accordance with civil service laws;

7) ensure that laws adopted by the Council are published in the Addis Negarit gazette;

8) execute disciplinary decisions passed by the Council against its members;

9) give periodic briefings to residents on decisions passed by the Council and notify same to concerned organs, ensure that documents of the Council are made accessible to residents;

10) prepare plans for capacity building of members of the Council and implement same jointly with concerned executive bodies;

11) create cordial relations and exchange experiences with internal and external, counterpart councils;

12) perform other functions assigned to him by the Council.

19. **Deputy Spokesperson of the City Council**

The Deputy Spokesperson, being accountable to the Spokesperson of the Council, shall:

1) the provisions of Article 18(1) shall also be applicable in respect of the Deputy Spokesperson;

2) act on behalf of the Spokesperson in case of absence or incapacitation of the latter;

3) perform other functions assigned to him by the Spokesperson.

20. **Secretary of the City Council**

Being accountable to the Spokesperson of the Council, the Secretary of the Council:

1) shall prepare the agenda of the Council in consultation with the Spokesperson publish and keep the minutes of the Council;

2) shall ensure that the minutes and documents of the committees of the Council are recorded and kept; distribute minutes in accordance with the internal regulations of the Council;

3) may be removed from his post, prior to the end of his term of office, upon resignation, suspension from office or termination of his membership in the Council; details thereof shall be set out by the internal regulations of the Council;

4) perform other functions assigned to him by the Spokesperson.
### PART FOUR

**EXECUTIVE BODIES OF THE CITY**

21. **Mayor**

1) The Mayor, being accountable to the City Council and the Federal Government, shall be the Chief Executive Officer of the City.

2) Without prejudice to the generality of Sub-Article (1) of this Article, the Mayor shall:

(a) execute decisions, laws, annual plan and budget adopted by the City Council;

(b) propose, to the City Council, diverse policies, economic and social development plans and annual budget of the City, subsequent to consultation thereon by the Cabinet; ensure the implementation thereof upon approval;

(c) represent the City as an ambassador thereof;

(d) ensure the observance of law and order in the City;

(e) nominate Cabinet members of the City Council and have their appointment approved by the Council, as well as direct the Cabinet;

(f) propose three candidates where the City Council decides, as may be necessary, to appoint an external auditor;

(g) subject to consultation with the Cabinet and in consideration of professional competence, hire and fire the City Manager under a contract of employment for a definite period;

(h) handle the grievances of residents;

(i) represent the City at events of national and public holidays;

(j) cause to be organized forums where plans, budget and work performances of the City are presented to, and commented by, the public;

(k) submit annual and, as the Council may determine as necessary, periodic reports to the Council; submit reports to the Ministry of Federal Affairs pursuant to Article 61 (6) herin;

(l) ensure that a standardized, equitable municipal service delivery is implemented;

(m) prepare and propose to the Federal Government the amount of support needed by the City, after consultation thereon by the City Cabinet;

(n) prepare and submit draft proclamations and regulations to the Council after consultation thereon by the Cabinet;

(o) appoint the heads of the executive bodies of the City, other than those whose appointment is approved by the council; designate Board Chairpersons and members for public enterprises and other organs of the City.

(p) organize his own Office;

(q) award prizes in accordance with law;

(r) perform other functions assigned to him by the City Council and the Federal Government;

3) The term of office of the Mayor shall be that of the Council provided that he may be removed from his post, prior to the end of such term, upon resignation, suspension from office or termination of his membership in the Council; details thereof shall be set out by the internal regulations of the Council.
22. Deputy Mayor

The Deputy Mayor, being accountable to the Mayor, shall:

1) act on behalf of the Mayor in case of absence or incapacitation of the latter;
2) perform other functions assigned to him by the Mayor.

The provisions of Article 21(3) shall also be applicable in respect of the Deputy Mayor.

23. The City Cabinet

1) The City Cabinet, being accountable to the Mayor and, for its joint decisions, to the City Council, shall

(a) ensure that proclamations, regulations, resolutions and standards adopted by the City Council and by the Federal Government are implemented;
(b) ensure that policies adopted by the Council are implemented;
(c) initiate city-wide policies as well as draft proclamations and regulations;
(d) deliberate on the annual plan and budget of the City;
(e) decide on the organizational structure of the executive bodies of the City Government;
(f) issue Regulations pursuant to authority given to it by proclamations to be issued by the Council;
(g) perform other functions assigned to it by the Mayor and the Council.

(2) The term of office of the Cabinet shall be that of the Council.

24. City Manager

1) The City Manager, being accountable to the Mayor, shall be the executive of municipal services.

2) Without prejudice to the generality of sub-Article (1) of this Article, the City Manager shall:

(a) make recommendations, to the Mayor, for the establishment of municipal bodies accountable to himself or for the implementation of other service delivery alternatives;
(b) nominate candidates for appointment, by the Mayor, as heads of municipal service bodies; direct, in accordance with law, the operations of such heads and effect their discharge;
(c) hire, under a contract of employment for a definite period, competent professionals as sub-City Managers as well as administer and disburse chargesame; receive, examine and decide upon annual and, where necessary, periodic reports from sub-City Managers;
(d) submit to the Mayor action plans and budget proposals concerning city-wide and inter-sub-City municipal services and implement same upon approval;
(e) develop and submit to the Mayor service delivery indicators and guidelines and implement same upon endorsement thereof;
(f) ensure the delivery of efficient, transparent and equitable municipal services;
(g) execute decisions concerning municipal services;
3) The City Manager may participate, without a vote, in meetings of the City Council.

25. Deputy City Manager

The Deputy City Manager, being accountable to the City Manager, shall:
1) act on behalf of the City Manager in case of his absence or incapacitation;
2) perform other functions assigned to him by the City Manager.

PART FIVE
OTHER EXECUTIVE BODIES

26. Office of the City Government Chief Auditor

1) There shall be an Office of the Chief Auditor of the City Government to inspect and report to the City Council on the efficiency, performance effectiveness, resource utilization and administration thereof.

2) The Office of the Chief Auditor shall be independent in the performance of its functions.

3) The Chief Auditor shall not be removed from his office before retirement, except for resignation or one of the following reasons:
(a) proven inability to fulfill his responsibilities because of illness;
(b) where the City Council decides by majority vote to that effect.

4) The Chief Auditor shall prepare and submit to the City Council the budget of his office and administer same upon approval.

27. Addis Ababa City Police Commission

1. The City Police Commission, being accountable primarily to the Federal Police Commission and, by delegation, to the City Government, shall:
(a) be established by Regulations of the Council of Ministers issued pursuant to the Federal Police Commission Proclamation;
(b) prepare and submit its plan and budget proposal to the Mayor and implement same upon approval by the City Council; submit annual and periodic performance reports, to the Mayor, for examination and decision by the City Cabinet and the City Council.
2) The City Police Commissioner and Deputy Commissioner shall be appointed by the Minister of Federal Affairs.
3) The responsibility to follow up the daily operations of the City Police Commission shall rest with the Mayor.

28. Public Prosecution Office of the City Government
1) The City Government Public Prosecution Office shall prosecute such penal offences that fall under the jurisdiction of the City Courts and carry out other relevant functions in accordance with the appropriate law.
2) The organization of the Office shall be determined by law to be issued by the City Council.

29. Ethics and Anti-corruption Commission
The City Government shall have an Ethics and Anti-Corruption Commission to be established and function in accordance with law the City Council enacts.

PART SIX

30. Sub-City

1) A sub-City shall, within the area allocated to it in accordance with the principle of decentralization, function as a municipality in accordance with the central leadership of the City.
2) A sub-City shall administer Kebeles that are within its bounds.
3) Sub-Cities shall be responsible for having law and order observed within their locality.
4) The term of office of a sub-City Council shall be five years.

31. Boundaries of sub-Cities and Kebeles
1) Without prejudice to the provisions of Article 5 of this Charter, the boundaries of sub-Cities and Kebeles shall be delimited by the City Council.
2) The City Council may either organize new sub-Cities or Kebeles, or reorganize existing ones taking into account the opinions of the respective residents, suitability of service delivery, urban development plan and the size of populations.

32. Sub-City Council

1) A sub-City Council, being accountable to residents of the respective sub-City and the City Council, shall:
   (a) approve economic, social development and municipal service plans of the respective sub-City;
   (b) elect, from among its members, the Spokesperson, the Deputy Spokesperson and the Secretary thereof;
   (c) elect the Chief Executive and the Deputy Chief Executive of the sub-City from among its members recommended by the political party with the majority of seats in the council;
   (d) approve the appointment of members of the Standing Committee of the respective sub-City upon nomination by the chief executive thereof;
   (e) allocate the budget set aside to it by the City Council;
   (f) constitute the committees of the council of Sub-City;
   (g) receive, examine and decide upon the annual and periodic reports from the chief executive of the respective sub-City;
   (h) issue internal regulations that govern the operations of the Sub-city council.
2) The City Council shall dissolve a sub-City Council where it believes that the decisions thereof are unlawful or jeopardize the interest of residents of the respective sub-City. It shall also specify the deadline for re-institution of the sub-City Council and the conditions for meantime carrying out day-to-day executive functions. The same shall similarly be applicable as against a Kebele Council.

33. Spokesperson, Deputy Spokesperson and Secretary of a sub-City Council

The provisions of Articles 18, 19 and 20 of this Charter shall be applicable as concerns the powers and functions of the Spokesperson, the Deputy Spokesperson and the Secretary of a sub-City, respectively.

34. Chief Executive of a sub-City

1) The chief executive of a sub-City, being accountable to the respective sub-City Council and to the Mayor, shall head the respective sub-City.

2) Without prejudice to the generality of sub-Article (1) of this Article, the chief executive shall:

(a) nominate Standing Committee members from within, and without of, members of the respective sub-City Council and have their appointment approved by the sub-City Council;
(b) submit to the respective sub-City Council the proposal of the sub-City’s annual plan and budgetary allocation after consultation thereon by the sub-City Standing Committee; implement same upon approval;
(c) preside over the meetings of, and head, the respective Standing Committee;
(d) ensure the observance of law and order in the respective sub-City and report to the Mayor in the event of a security problem beyond the sub-City’s control;
(e) receive, examine and decide on reports from the respective sub-City manager;
(f) cause municipal service delivery to be evaluated by the respective sub-City Standing committee and report the outcome thereof to the sub-City Council and the Mayor;
(g) represent the respective sub-City at events of national and public holidays;
(h) submit annual and periodic reports to the respective sub-City Council and the Mayor;
(i) perform other functions assigned to him by the respective sub-City Council and the Mayor.

3) The term of office of the chief executive shall be that of the sub-City Council provided that he may be removed from his post, prior to the end of such term, upon resignation or commission of fault. This situation shall also be applicable in respect of the deputy chief executive.

35. Deputy Chief Executive of a sub-City

The deputy chief executive of a sub-City, being accountable to the respective sub-City chief executive, shall:

1. act on behalf of the sub-City chief executive in case of absence or incapacitation of the latter;
2. perform other functions assigned to him by the chief executive.

36. Standing Committee of a sub-City

1) The Standing committee of a sub-City, being accountable to the sub-City chief executive and, for its joint decisions, to the sub-City Council, shall:
37. Sub-City Manager

1) The sub-City manager, being accountable to the City manager and to the sub-City chief executive, shall be the municipal services executive of the respective sub-City.

2) Without prejudice to the generality of sub-Article (1) of this Article, a sub-City manager shall:
   (a) in consultation with the City manager, propose to the chief executive of the respective sub-City the utilization of municipal service organs and service delivery alternatives existing at the level of the sub-City; implement same upon approval;
   (b) administer, in accordance with the applicable law, the employees of the municipal service organs of the respective sub-City;
   (c) constitute and direct a management committee that consists of the heads of organs subordinated to him and functions as per determinations of the City manager;
   (d) submit annual and periodic performance reports to the City manager and to the chief executive of the respective sub-City;
   (e) prepare, in consultation with the City manager, the municipal services plan of the sub-City and submit it to the chief executive thereof; implement same upon approval;
   (f) execute decisions concerning municipal services;
   (g) hire, Kebele managers, in consideration of professional competence, as well as administer and discharge same under a contract of employment for a definite period;
   (h) perform other functions assigned to him by the City manager and by the chief executive of the respective sub-City.

3) A sub-City manager may participate, without a vote, in meetings of the Council of the respective sub-City.

38. Powers and Functions of a Kebele

1) A Kebele, being a centre for development and direct popular participation as well as a location for the delivery of basic services, shall:
   (a) with its council accountable to the resident thereof and to the respective sub-City Council, have such powers and functions as to be specified by the city council,
   (b) facilitate conditions in order for services to be available within reach of the respective residents.
PART SEVEN

City Courts and other Bodies with Judicial Power

39. Courts
The City Government shall have the following Courts:
1) the Addis Ababa City Courts; and
2) Kebele Social Courts.

40. Other Bodies with Judicial Power
The City Government shall have the following bodies vested with judicial power:
1) Labour Relations Board;
2) Civil Service Tribunal;
3) Tax Appeal Commission; and
4) Urban Land Clearance Matters Appeal Commission.

41. Jurisdiction of the Addis Ababa City Courts
The Addis Ababa City Courts shall have jurisdiction over the following matters:

1. Civil Jurisdiction
(a) suits on possessory right, issuance of permit or land use as relating to the enforcement of the city Master Plan;
(b) suits brought in connection with the regulatory powers and functions of executive bodies of the City Government;
(c) suits on fiscal matters set out under Article 52 of this Charter;
(d) suits brought in connection with administrative contracts concluded by executive bodies of the City Government or by enterprises under the ownership thereof;
(e) disputes arising between executive bodies of the City Government or between other organs thereof;
(f) suits brought in connection with government owned houses administered by the City Government;
(g) applications for change of name;
(h) applications for succession certificate; and
(i) applications for the declaration of absence and death.

2) A Kebele shall have a Council, a Spokesperson, a Secretary, a Chief Executive, a Standing Committee, a Manager, a Social Court and different executive bodies. Their respective powers and functions are to be determined by law which the City Council shall issue.

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2) A Kebele shall have a Council, a Spokesperson, a Secretary, a Chief Executive, a Standing Committee, a Manager, a Social Court and different executive bodies. Their respective powers and functions are to be determined by law which the City Council shall issue.
2) A party alleging a fundamental error of law in a final judgement of the Addis Ababa City Appellate Court may apply before the Cassation Division thereof.
3) A party alleging a fundamental error of law in a final judgement rendered by the Addis Ababa City courts may apply for cassation before the Federal Supreme Court.

1) The City courts shall have a First-Instance Court and an Appellate Court.
2) The First-Instance Court shall have first-instance jurisdiction over matters falling under the jurisdiction of the City Courts.
3) The Appellate Court shall hear appeals from the decisions of the First-Instance Court and other bodies vested with judicial power.
4) The City courts shall adjudicate in accordance with applicable laws.
5) Without prejudice to the provisions on application for cassation under Article 42 hereinabove, decisions rendered by the Appellate Court shall be final.
6) The organization of the City Courts is to be determined by law which the City Council shall issue.

44. Judicial Administration Commission of the Addis Ababa City Courts.
1) A Judicial Administration commission that directs operation of judicial matters by the City Courts shall be constituted; details thereof are to be specified by law which the City Council shall issue.
2) There shall be a representative of Federal Courts on the Commission.

45. Appointment and Term of Office of Judges
1) The City Judicial Administration Commission shall, before submitting a shortlist to the City Council to have it appoint judges of the City Courts, solicit the Federal Judicial Administration Commission's opinion on the candidates and, through the Mayor, forward said opinion, together with its recommendations, to the City Council, Where the Federal Judicial Administration Commission does not forward its opinion within three months, the shortlist for appointment shall be submitted to the City Council.
2) No judge shall be removed from his office, without consenting thereto, except under the following conditions:
   a) where the Judicial Administration Commission decides to remove him for violation of disciplinary rules or on grounds of professional incompetence or poor performance; or
   b) where it is decided that he can no longer carry out his duties on account of illness; and
   c) where the City Council approves, by majority vote, the decision of the Judicial Administration commission.

46. Labour Relations Board
The provisions of the Labour Proclamation No. 42/1993 (as amended) shall be applicable with respect to jurisdiction, organization and procedure of the Labour Relations Board of the City Government.

47. Civil Service Tribunal
1) The Civil Service Tribunal of the City Government has the power to hear appeals lodged, pursuant to Civil Servant Laws, by Civil Servants under the City Government.
2) The organization and procedure of the civil service tribunal is to be determined by law the City Council shall issue.

48. Tax Appeal commission

1) The Tax Appeal commission of the City shall have the power to hear appeals lodged with it concerning taxes and duties the City government collects.

2) Without prejudice to the provisions of tax laws, the organization and mode of operation of the commission is to be determined by law the City Council shall issue.

49. Urban Land Clearance Matters Appeal Commission


2) The organization and mode of operation of the Commission is to be determined by law the City Council shall issue.

50. Kebele Social Courts

1) Kebele Social Courts shall have jurisdiction over cases of property and money claimed where the amount involved does not exceed Birr 5000 (five thousand Birr).

2) The jurisdiction of Kebele Social Courts over contraventions of the City's hygiene and public health Regulations and similar other petty offences is to be determined by law the City Council shall issue.

3) Without prejudice to the provisions of sub-Article (4) of this Article, a party dissatisfied with the decision of a Kebele Social Court may appeal to the corresponding First-Instance Court of the City. The decision of the latter Court shall be final.

4) Where a final judgement rendered by the City's First-Instance Court in a case lodged with it on appeal contains a fundamental error of law, application for cassation thereon may be brought before the City’s Appellate Court.

5) The organization and procedure of Kebele Social Courts is to be determined by law the City Council shall issue.

PART EIGHT

51. Fiscal Year

The fiscal year of the City Government shall be that of the Federal Government.

52. Fiscal Power

The City Government shall, in accordance with relevant laws, exercise the following fiscal powers:

1) assess and collect tax on income from employment within the City, excluding employees of Oromia Region, of the Federal Government and of Federal public enterprises;

2) fix and collect land use fee within the City;

3) levy tax on income from agricultural activities within the City;

4) assess and collect profit, excise and turnover taxes from individual businessmen trading in the City;

5) receive value added tax collected by the Federal Government from individual businessmen trading in, and public enterprises owned by, the City;

6) fix and collect urban land rent and levy urban house tax in the City;

7) assess and collect tax on income from rented houses and other properties in the City;

8) assess and collect stamp duty on contracts and agreements as well as on title deeds registration executed in the City;
9) assess and collect profit, excise and turnover taxes from public enterprises owned by itself;
10) fix and collect road-user-vehicles charge in the City;
11) fix and collect rentals from houses and other properties owned by itself;
12) assess and collect income tax, royalty and land rentals on small-scale mining operations undertaken within the City;
13) fix and collect royalty on use of forest resources within the City;
14) fix and collect fees on licenses issued, and services delivered, by itself;
15) levy municipal taxes and duties as well as fix and collect service charges thereof;
16) assess and collect income tax on gains from renting of patent rights within the City;
17) assess and collect capital gains tax on property situate in the City.

53. Revenue Generation

The City Government:

1) shall obtain its revenue from juridical bodies under its charge, income generating activities where it hold the special permit required thereto, joint investment, fund investment, rentals and from donations; provided there is no legal prohibition in respect thereof.
2) may, through contractual agreement, undertake diverse activities for gain.

54. Loans

1) The City Government may, as per authorization by the Federal Government, borrow from domestic sources directly or by way of selling bonds, on short and long repayment terms.
2) In case of any loan, account should be taken of the non-endangerment of the country’s macro-economic stability as well as of the City Government’s financial capability to discharge its functions and obligations both intermittently and perpetually.
3) The City Government shall identify international credit sources and solicit the Federal Government to take loans therfrom on its behalf.
4) Sub-Cities and Kebeles may not take loans.
5) The City Government may, in accordance with the law, establish a Savings and Development Bank in partnership with governmental and nongovernmental organizations as well as with sub-Cities and Kebeles. The operations of the Bank shall be as that of any other common bank.

55. Financial support from the Federal Government

1) The City Government may, as found necessary for it to properly discharge its responsibilities, be granted with emergency, rehabilitation and development aid by the Federal Government. It may also receive financial assistance from the Federal Government for expenditures on programmes having a developmental value of countrywide effect.
2) The Federal Government shall have auditing and supervision powers in respect of the proper utilization of the financial support and loans it extends to the City Government.
Foundations

The City Government may establish trusts and foundations and authorize others to establish same in accordance with the law.

Decentralized Financial System

1) The revenue-sharing system for sub-Cities shall be effected according to a formula which enhances competitiveness and effectiveness as well as rests on equity.

2) Sub-Cities shall receive, from the City Council, budgetary subsidy allocated for a particular task of special nature. A certain amount of such budgetary subsidy shall be apportioned to executive organs and Kebeles respectively constituted under the Sub-Cities. The apportionment shall take account of service delivery and Kebeles that are under-developed.

3) The City Council may grant special subsidy to sub-Cities and Kebele to cover the expenditure of projects that it desires to promote exceptionally.

4) Public enterprise of the City Government shall be allocated with initial capital.

5) Such revenues of the City Government as are to be collected and directly utilized by sub-Cities shall be specified by the City Council.

Financial Administration

1) The financial administration of the City shall be in accordance with accepted accounting norms, the country’s finance laws and with the respective law to be issued by the City Council.

2) The City Government shall have an internal control system to ensure the safeguarding and lawful utilization of the City’s resources.

3) The Mayor shall submit periodic and annual reports to the City Council. Sub-city chief executives shall similarly submit reports to the respective sub-City Council.

4) The City Government and sub-Cities shall maintain complete and orginal financial documents as well as accurate and complete books of account.

5) All funds collected shall, as per stipulations under finance laws, be deposited in bank accounts.

6) The City Government and sub-Cities shall have bank accounts opened in their respective names.

7) The City Government shall have power to waive payment of taxes, interests and fines as well as to write off debts, in accordance with the law.

Budget Preparation and Administration

1) The City’s budgetary administration shall follow the budgetary principles of the Federal Government.

2) The City’s budget shall be prepared transparently and through the participation of residents. Budgeted offices and other concerned organs shall comment on a budgetary proposal before it is approved. Mass media shall be used for the participation of residents. Budgetary meetings of the Council shall be open to residents. Its deliberations on new work programmes, capital expenditures and incomes shall be notified to residents.

3) The City Council shall allocate a contingency budget. The Mayor shall, subject to notifying the City Cabinet, appropotion such budget for necessary works properly expend it thereon and subsequently report the matter to the City Council.
60. Public Enterprises of the City
1) Public enterprises of the City shall be directed by a board.
2) Public enterprises of the City shall be subject to applicable laws.
3) The Mayor shall designate the chairpersons and members from among candidates nominated by the City; the boards shall be accountable to the City Manager.
4) Public enterprises shall report to the City Manager.

PART NINE
INTERGOVERNMENTAL RELATIONSHIP

61. The City Government and the Federal Government
1) The relationship that the City Government maintains with the Federal Government shall take cognizance of the responsibilities of the latter.
2) The City Government is a component part of the Federal Government. It shall be accountable to the Federal Government concerning security, diplomatic relations as well as policies, laws and standards thereof.
3) The Federal Government has the power to dissolve the City Government and to constitute a transitional government, as per the decision of the House of Peoples' Representatives, where an act endangering the Constitution is committed by the City Council or where the City Government fails to manage security matters and emergency situations.
4) The Federal Government shall remove the City Government in power and organize a transitional government thereof, where decided as under sub-Article (3) of this Article. The Prime Minister shall ensure that such execution conforms to the decision given by the House of Peoples' Representatives and to the time-limit thereby set.
5) The Ministry of Federal Affairs shall, by way of representing the Federal Government, follow up the activities of the City Government and support the capacity-building undertakings of the City.
6) The City Government shall submit to the Ministry of Federal Affairs annual and periodic performance reports on its plan, budget and the overall state of affairs of the City.
7) Federal Government organs situated in the City shall have the duty to observe proclamations and regulations enacted by the City Government.
8) Services provided to the City by Federal organs shall be run in collaboration and agreement with the City Government.

62. The Relationship of the City Government and the Oromia Region
1) The City Government shall have such a relationship with the Oromia Region as rests on fruitful cooperation.
2) The special interest of the Oromia Region shall be respected as provided under Article 49(5) of the Constitution of the Federal Democratic Republic of Ethiopia. The details thereof shall be set out by agreement to be made between the City Government and the Oromia Region or by law to be issued by the House of Peoples' representatives.

63. Relations with Other Cities and Regions
1) The City Government may establish relations with other local cities and the regions as well as with foreign cities.
2) The City Government may undertake, locally, exchange of experience and cooperation with other cities and the regions in respect of policies, infrastructure and service delivery in order to promote the interest of residents.
3) The City Government may establish such relations with foreign sister cities as would, particularly, involve economic and technical cooperation cultural exchange, voluntary service exchange of goods, training as well as promotion of tourism and investment opportunities.

PART TEN
MISCELLANEOUS PROVISIONS

64. Experimentation
The City Government may be authorized by the City Council to undertake experimentation in connection with its powers and functions. The undertaking and evaluation of such experimentation shall be effected as per the time table the Council sets thereto.

65. Amendment of the Charter
Amendment proposals on this Charter may be initiated by the City Council or by the appropriate organ of the Federal Government. The Prime Minister shall, subject to bringing such proposals before the Council of Ministers and approval thereof, forward the matter to the House of Peoples’ Representatives for its decision thereon.

1) Councils and Executive Committees of different levels, constituted under the City Government before the coming into force of this Charter, shall be dissolved upon establishment of the Provisional Government of the City in accordance with sub-Article (2) of this Article.

2) A Provisional City Government to stay in power until the next City Council election shall be designated by the Prime Minister. It shall take-over the powers and functions of the City Government and assume the respective powers and functions hereby vested in the City Council and the City Cabinet. The Mayor of the City under the Provisional Government thereof shall exercise the powers and functions herein given to the office of the Mayor.

3) The Provisional Government:
(a) shall designate sub-City and Kebele Provisional Government;
(b) shall effect sub-City and Kebele delimitations in accordance with this Charter;
(c) shall reorganize the administrative offices of the City Government as well as reassign, hire and dismiss employees in conformity with the organizational structure it is to approve;
(d) may establish during the transition period City as well as sub-City and Kebele Advisory organs of the City Government as are supplanted or amalgamated by law as per the organizational structure to be approved by the Provisional City Government, shall be transferred to the corresponding offices or juridical organs thereby established or, where found appropriate, the matter shall be decided by the Provisional Government.
6) The Provisional City Government shall:
   (a) enact Civil Service Laws; Federal Civil Services Laws shall, therefore, be inapplicable to the City Government during the transition.
   (b) issue labour relations Regulations which set out, in detail, the circumstances under which the Labour relations Proclamation No. 42/1993 (as amended) is to be applied.

7) Proclamations, Regulation, decisions, orders and directives consistent with the provisions of this Charter shall remain in force so long as the City Government does not have them replaced.

8) Cases pending before Federal Courts and falling under the jurisdiction of the City Courts, in accordance with this Charter, shall continue to be adjudicated by the Federal Courts.

9) The Municipal First–Instance Court and Appellate Court as well as Social Courts in operation shall have the respective jurisdiction given to corresponding courts under Articles 41 and 50 hereinabove.

67. Repealed Laws

1) The Addis Ababa City Government Revised Charter Proclamation No. 311/2003, having been published with its contents changed without following the Legislative Procedure, is hereby deleted and replaced by this Charter.

2) No law or customary practice inconsistent with this Charter shall be applicable in respect of matters provided for herein.

68. Effective Date

This Charter shall come into force as of the 23rd day of January, 2003.

Date at Addis Ababa, this 24th day of July 2003.

GIRMA WOLDE GIORGIS

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA