የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ

ፌደራል ነጋሪት ጋዜጣ

FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

ሃይ ዘጠንኛ ዓመት ቁዋር ፴፮ አዲስ አበባ መስከረም ፬ ቀን ፪ሺ፲፮ ዓ.ም

በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ 29th Year No. 36 ADDIS ABABA 19th September, 2023

ሻውጫ

አዋጅ ቁጥር ፩ሺ፪፻፹፮/፪ሺ፲፭ የመከላከያ ሠራዊት አዋጅገጽ ፲፬ሺ፰፻፺፰

አዋጅ ቁጥር ፩ሺ፪፻፹፮/፪ሺ፲፭

<u>የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ</u> <u>መከላከያ ሥራዊት አዋጅ</u>

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ የመከሳከያ ሥራዊት ሉዓሳዊነት የአገሪቱን የሚያስከብር፣ የብሔሮች፣ የብሔረሰቦችና የሕዝቦችን ድርጅቶች ሚዛናዊ ተዋፅዖ ያካተተና ከፖለቲካ ወገናዊነት 59 (100P7) ተግባሩን እንዲያከናውን የተደራጀ መሆኑ፤

የኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ የመከላከያ ሠራዊት የሚመራበትንና ከተቋሙ ወቅታዊ ግዳጅ ጋር የሚጣጣም እንዲሁም የወደፊቱን ግዳጅ ታሳቢ ያደረገ የሕግ ማዕቀፍ የሚያስፈልገው በመሆኑ፤

መከላከደ ሠራዊትን በቀጣይነት ሪፎርም የማድረግ ሂደትን አጠናክሮ ለማስቀጠል እንዲረዳ የጡረታ መውጫ ዕድሜ አወሳሰንና የጡረታ ዕድሜ ከማራዘም .ጋር የተገናኙ ጉዳዮች ፣ የሥራዊቱ መብቶች ፣ ዋቅማዋቅሞች እና ማበረታቻዎች የአባር ሕልውና አደጋ ላይ ሲወድቅ ዳግም ዋሪ ማድረግን በተመለከተ ስለሚኖረው የአፈፃፀም ሁኔታና ሂደት ፣ ስለብሔራዊ **とりののか** 1 ለመከላከያ ሥራዊት ስስሚሰጡ ወረቀቶችን ማሻሻል *ሚዳሊያዎች* የምስክር እና በማስፌለጉ፤

PROCLAMATION NO.1286/2023

Defense Forces ProclamationPage 14898

Content

Proclamation No. 1286/2023

A PROCLAMATION ON THE DEFENSE FORCES OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

WHEREAS, the Defense Forces of the Federal Democratic Republic of Ethiopia is organized, to safeguard the country's sovereignty, to embody the equitable representation of nations, nationalities and peoples, and to carry out its functions free of any partnership to any political organization;

WHEREAS, it has been found necessary to have a legal framework for the Defense Forces of the Federal Democratic Republic of Ethiopia by which is directed an consistent with its contemporary commitments and which takes into account its future commitments;

WHEREAs, it has become necessary to improve the issue of the determination of retirement age and extension of retirement age, the rights of Defense Force, benefits and incentives, about the implementation situation and process of national recall in situation of danger to the country's existence, about national service, about medals and certificates to be awarded to members of Defense Force; በሥራ ላይ ያለውን የኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ የመከላከያ ሥራዊት የሕግ ማዕቀፍ ማሻሻልና ማጠቃለል አስራላጊ ሆኖ በመገኘቱ፤

በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ-መንግስት አንቀጽ ፶፭ (፩) መሠረት የሚከተለው ታውጇል፡፡

<u>ክፍል አንድ</u> <u>ጠቅሳሳ</u>

፩. <u>አሞር ርዕስ</u>

ይህ አዋጅ "የመከላከያ ሠራዊት አዋጅ ቁጥር ፩ሺ፪፻፹፮ /፪ሺ፲፭" ተብሎ ሊጠቀስ ይችላል፡፡

<u>፪. ትርጓሜ</u>

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፦

- ፩/ "አዛዥ»" ማለት የጦር ሃይሎች ጠቅላይ አዛዥን ጨምሮ በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ መከላከያ ሥራዊት ውስዋ በማናቸውም ደረጃ ላይ የሚገኝ አንድን የጦር ክፍል ለመምራትና ለማስተዳደር ሥልጣን የተሰጠው ሰው ነው፤
- ፪/ "ሚኒስቴር" ወይም "ሚኒስትር" ማለት እንደ ቅዴም ተከተሉ የአገር መከላከያ ሚኒስቴር ወይም ሚኒስትር ነው፤
- ፫/ "ምልምል ወታደር" ማለት በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ መከሳከያ ሥራዊት በውትድርና ለማገልገል ውስዋ መስፌርቱን አሟልቶ ከሀብረተሰቡ ውስዋ ЪL ወታደራዊ የተመለመለ ስልጠናውን ያሳጠናቀቀና የቅጥር ውል ያልፌረመ ሰው ነው ፤
- ፬/ "የሥራዊት አባል" ማለት በየደረጃው የሚያስፌልገውን የውትድርና ስልጠና ወስዶ በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ መከላከያ ሥራዊት ውስዋ ቢያንስ ለ፯ ወይም ፲ ዓመታት የአገልግሎት ውል ፌርሞ የውትድርና አገልግሎት እየስጠ ያለ ሰው ነው፤

WHEREAS, it has become necessary to revise and consolidate the existing legal framework of the Defense Forces of the Federal Democratic Republic of Ethiopia;

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 "Defense Forces Proclamation No. 1286./2023".

2. Definition

In this Proclamation unless the context otherwise requires:

- 1/ "commander" means a person authorized to direct and administer a military unit formed at any level of the Defense Forces of the Federal Democratic Republic of Ethiopia, including the Commander-in-Chief of the Armed Forces;
- 2/ "Ministry" or "Minister" means the Ministry or Minister of the National Defense, respectively;
- 3/ "recruit" means a person newly drawn from the community to render military service in the Defense Forces of the Federal Democratic Republic of Ethiopia having met the criteria but has not yet completed military training and has not entered into a contract of employment;
- 4/ "member of defense forces" means a person who, after receiving relevant training at the level required, rendering military services upon signing a service agreement for at least 7 or 10 years in the Defense Forces of the Federal Democratic Republic of Ethiopia;

- 78 ፲፬ሺ፱፻
 - "መሥረታዊ ወታዳር" ማለት መሥረታዊ Ĉ/ የውትድርና ስልጠና አጠናቆ ቃለ መዛሳና የቅጥር ሙል የሬጸመና የውትድርና **አ**ገል ግሎት ለመስጠት የተዘጋጀ ወይም በማገልገል ላይ ያለና ማዕረግ ያልለበሰ ወይም ያልተሰጠው የሥራዊት አባል ነው፤
 - ፻/ "መኮንን" ማለት ከምክትል የመቶ አለቃ እስከ ጀነራል ወይም አቻ ወታደራዊ ማዕረግ የለበሰ የሠራዊት አባል ነው፤
 - ፬/ "ጀንራል መኮንን" ማለት ከብር.ኃዴር ጀንራል እስከ ጀንራል ወይም አቻ ወታደራዊ ማዕረግ የለበሰ የሠራዊት አባል ነው፤
 - ፰/ "ፊልድ ማርሻል" አገርን ከከፍተኛ የደህንነት ስ,ጋት ለማውጣት ለሚፈፀም ከፍተኛ የውትድርና አመራር ብቃት በልዩ ሁኔታ በ አገሪቱ ርዕሰ ብሄር የሚሰጥ ከፍተኛው የውትድርና ማዕረግ ነው፤
 - ፬/ "ከፍተኛ መኮንን" ማለት ከሻለቃ እስከ ኰሎኔል ወይም አቻ ወታደራዊ ማዕረግ የለበሰ የሥራዊት አባል ነው፤
 - ፲/ "መስመራዊ መኮንን" ማለት ከምክትል የመቶ አለቃ እስከ ሻምበል ወይም አቻ ወታደራዊ ማዕረግ የለበሰ የሥራዊት አባል ነው፤
 - ፲፩/ "የበታች ሹም" ማለት ከምክትል አስር ዓለቃ እስከ ቺፍ ዋራንት ኦፊሰር ወይም አቻ ወታደራዊ ማዕረግ የለበሰ የሥራዊት አባል ነው፤
 - ፲፪/ "ግዳጅ" ማለት ማንኛውም የሥራዊት አባል ቃለ መሃላ ሬጽሞ የቅጥር ውል ከፌረመበት ጊዜ ጀምሮ ከሥራዊት እስከሚሥናበትበት ጊዜ ድረስ በሚኒስቴር መስሪያ ቤቱ ውስጥ የሚያከናውነው የውትድርና ተግባር ነው፤
 - ፲፫/ "በክብር የተሰናበተ" ማለት ማንኛውም ዓይነት የዲሲፕሊን ጉድለት ሳይኖርበት ተልዕኮውን በአግባቡ ተወዯቶ በመከላከያ ሥራዊቱ አሰራር መሰረት በአግባቡ የተሰናበተ ነው፤

- 5/ "Private soldier" means a military member of the defense forces without rank and who is already serving or who has taken oath or entered into a contract of employment having completed basic military training;
- 6/ "officer" includes those members of the defense forces with military ranks ranging from Second-Lieutenant to General, or equivalent;
- 7/ "general officer" refers to those members of the defense forces with military ranks ranging from Brigadier-General to General, or equivalent;
- 8/ "field marshal" refers to the highest military rank specially given by the President of the Federal Democratic Republic of Ethiopia to a member of the defense forces for military leadership competence of the highest degree demonstrated during a time of great national security emergency;
- 9/ "Higher officer" refers to those members of the defense forces having ranks ranging from Major to Colonel, or equivalent;
- 10/ "Line officer" refers to those members of the defense forces with military ranks ranging from Second-Lieutenant to Captain, or equivalent;
- 11/ "non-commissioned officer" means ranks of those members of the defense forces ranging from Lance-Corporal to Chief Warrant Officer, or equivalent in other services;
- 12/ "mission" means a military duty that any member of the defense forces carries out in the Ministry from the time he has entered into a contract of employment upon taking of an oath till discharged from military service;
- 13/ "honorably discharged" refers to a former member of the defense forces who, having had no disciplinary remarks and served his country properly, was officially and honorably discharged from active service in accordance with the regulations;

18: ፲፬ሺ፱፻፩ ሬ.ደራል ነ ጋሪት ጋዜጣ ቁጥር ፴፬ መስከረም ፬ ቀን ፪ሺ፲፮ ዓ.ም Federal Negarit Gazette No. 36, 19th September, 2023 .page 14901

- ፲፬/ "የጦር ሜዳ ግዳጅ" ማለት በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት በአገር አቀፍ ደረጃ የጦርነት ወይም የክተት አዋጅ ሲታወጅ በጦር ኃይሎች ጠቅላይ አዛዥ በሙሉም ሆነ በክፌል የጦርነት አዴጋ የተጠንቀቅ ትዕዛዝ ሲሰዋ ወይም ሠራዊቱ በጦርነት ግዳጅ ላይ እንደሆነ ሲወሰን ወይም በሕጉ መሠረት በአስቸኳይ ጊዜ አዋጅ የሚከናወን የመከላከያ ሠራዊት ግዳጅ ሆኖ እንደየሁኔታው በአገር ውስዋ ወይም በውጭ አገር ሲሬጸም ይችላል ፣
- ፲፭/ "የብሔራዊ ተጠባባቂ ኃይል አባል" ማለት በሕግ መሰረት ለብሔራዊ ተጠባባቂ ኃይል አባልነት ተመልምሎ አስፈላጊውን ስልጠና ከወሰደ በኋላ የውትድርና አገልግሎት ለመስጠት የሚጠባበቅ ሰው ነው፤
- ፲፮/ "ወታደራዊ የፍተህ አካላት" ማለት ወታደራዊ ፖሊስ፣ ወታደራዊ መርማሪ፣ ወታደራዊ ዐቃቤ ሕግ፣ ወታደራዊ ፍርድ ቤት እና ወታደራዊ ተከላካይ ጠበቃን ያካተተ የ,ጋራ መጠሪያ ነው፤
- ĩ ĩ./ ክልል ማለት በኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ሪፐብሊክ መንግስት ふり አንቀፅ ፵፯ መሠረት ማንኛውም ክልል ሲሆን ከተሞች የአዲስ አበባ 1 የድሬዳዋ አስተዳደሮችን ይጨምራል፤
- ፲፰/ "የፌደራልና የክልል ጸዋታና ደህንነት አካላት ማለት የፌደራል ወይም የክልል ፖሊስ፣ ሚሊሻ፣ የአገር ውስዋ ደህንነት፣ የዐረ-ሽብር፣ የጉምሩክ፣ የኢሚግሬሽን ኃይሎችና በቀዋታም ሆነ በተዘዋዋሪ መንገድ ተመሳሳይ ስራ የሚያከናውኑ አካላት ናቸው፤
- ፲፱/ "መደበኛ የፍትህ አካላት" ማለት የፌደራል እና የክልል ፍርድ ቤቶች፣ ፖሊስ፣ ዐቃቤ ሕግ፣ እና ማረሚያ ቤቶችን ያጠቃልላል፤
- ፟ጞ/ "ወታደራዊ ማረሚያ ቤት" ማለት በወንጀል ተከሰው በወታደራዊ ፍርድ ቤቶች ሁለት ዓመት እና ከዚያ በታች የእስራት ቅጣት የተወሰነባቸውና የዲሲፕሊን ዋፋት ፌፅመው በየደረጃው ባሉ አመራሮች ቅጣት

- 14/ "active combat mission" means a military mission performed at home or abroad, as the case may be, when the House of Peoples' Representatives of the Federal Democratic Republic of Ethiopia declares the nation is in a state of war or a general mobilization, or the Commander-in-Chief of the Armed Forces gives a standby order or when it is decided that the defense force is on active combat duty and deployed accordingly or a duty performed by the defense force in a state of emergency declared according to the law; at home or abroad as deemed necessary;
- 15/ "member of the national reserve force" means a person recruited according to law to be a member of the national reserve force and waiting to give military service upon taking the necessary training;
- 16/ "military justice organs" is a collective name that refers to military police, military investigator, military attorney, military court and military defense counsel put together;
- 17/"Region" means any state specified under Article 47(1) of the Constitution of the Federal Democratic Republic of Ethiopia and includes the Addis Ababa and Dire dawa city Administration;
- 18/ "Federal and Regional security forces" means federal or state police, militia, national security agency, anti-terrorism, customs and immigration forces and organs that directly or indirectly carry out similar activities;
- 19/ "regular justice organs" means federal and regional courts, police, prosecutor and prison centers;
- 20/ "military prison" means correctional institution of imprisonment for the execution of sentencing punishment and correction of members of the military accused of crime and punished with two years and less imprisonment by marital

የተወሰነባቸውን የሥራዊት አባላት የእስራት ቅጣት የሚፈፀምበት ፣ የሚታረሙበት እንዲሁም የቀጠሮ እስረኞች በፍርድ ቤት ውሳኔ መሥረት የሚቆዩበት የመከላከያ ሚኒስቴር የማረሚያ ተቋም ነው፤

- ኟ፩/ "ብሔራዊ አገልግሎት" ማለት ዜጎች በፌቃዳቸው በህይወት ዘመናቸው ለተወሰኑ ዓመታት በተለያየ መንገድ ለአገራቸው የሚሰጡት አገልግሎት ነው፤
- ኟ፪/ "የሰላም ማስከበር ተልዕኮ" ማለት በተባበሩት መንግስታት ድርጅት ወይም በአፍሪካ ህብረት ውሣኔ ወይም በአጋር አገራት ወታደራዊ ትብብር በውም አገር የሚከናወን የሰላም ማስፌን ወይም የሰላም ማስከበር ተልዕኮ ነው፤
- ኟ፫/ "ሲቪል" ማለት ከመከላከያ ሥራዊት አባል ውጪ የሆነ ማንኛውም ሰው ነው፤
- ኟ፬/ ማንኛውም በወንድ ጾታ የተገለፀው የሴትንም ያካትታል።

<u>፫ የተሬየሚነት ወሰን</u>

ይህ አዋጅ በማንኛውም የመከላከያ ሥራዊት አባል ላይ እንዲሁም እንደአማባብነቱ በሲቪሎችም ላይ ተፊፃሚ ይሆናል፡፡

<u>ክፍል ሁለት</u> ስለ ወታደራዊ አገልግሎት

<u>፬. ስለ መከላከያ ሥራዊት አደረጃጀት</u>

- ፩/ የኢፌዲሪ መከላከያ ሥራዊት በሁሉም አውዶች ማለትም በምድር፣ በአየር፣ በባህር፣ በሳይበርና በጠፌር/ስፔስ መዋጋት በሚችል መልኩ ይደራጃል፤፡
- ፪/ በአውዶቹ መሰረት የሚኖሩ አደረጃጀቶች እንዳስፈላጊነቱ የልዩ ዘመቻዎች ኃይልና ተጠባባቂ ኃይል ሲኖራቸው ይችሳል፤:
- ፫/ ሚኒስቴር መስሪያ ቤቱ እንደየግዳጁ አስፌሳጊነት በውስጡ ንዑሳን አደረጃጀቶችን ሊያዋቅር ይችሳል፡፡

courts and those punished by leaders at all level for disciplinary offense as well as prisonres of adjournment upon court order;

- 21/ "national service" means service by citizens to their nation in different ways for some years in their life time;
- 22/ "peace-keeping mission" means a mission of peace-making or peace-keeping carried out in a foreign country by the resolution of the United Nations or the African Union or as per military cooperation agreements with allies;
- 23/ "civilian" means any person who is not a member of the defense forces;
- 24/ Any expression in the masculine gender includes the feminine.

3. <u>Scope of Application</u>

This Proclamation shall be applicable on any member of the defense forces as well as on civilians, as the case may be.

PART TWO MILITARY SERVICE

4. Organization of the Defense Forces

- 1/ The Defense Forces of the Federal Democratic Republic of Ethiopia shall be organized to fight on Land, Air, Naval, Cyber, and Space domains.
- 2/ Each domain, under sub-Article (1) of this Article, may have special and reserve forces as may be necessary.
- 3/ The Ministry may organize subordinate units when military exigencies so require.

I A L		P Federal Negarit Gazette No. 36, 19 th September, 2023 .page 14903
<u>ķ</u> .	<u>የመከላከያ ሥራዊት ተልዕኮዎች</u>	5. <u>The Missions of Defense Forces</u> :
	የኢፌዲሪ መከላከያ ሥራዊቱ የሚከተሉት ተልዕኮዎች ተሰዋተውታል፡-	The following are the missions of the defense forces:
	፩/ የሀገርን ሉዓላዊነት፣ ሕገ-መንግስቱንና ሕ ገ- መንግስታዊ ሥርዓቱን ከውቄ ወራሪና ከውስዋ ፀረ-ሠላም ኃይሎች ስጋትና ዋቃት በአስተማማኝ ሁኔታ መከላከል፣	 Vehemently defend the sovereignty of the nation, the Constitution and the Constitutional system against any threats and attacks by foreign invaders as well as by internal anti-peace elements;
	፪/ አግባብንት ካላቸው የፌደራልና የክልል መስተዳድሮች የደህንንትና የፀዋታ መዋቅሮች ,ጋር ተቀናጅቶ መስራት ሲሆን ዝርዝር የግንኙንት አግባቡ በሚወጣው ደንብ ይወሰናል፣	2/ Work in coordination with the relevant federal and state governments security forces, and the details will be determined by the Regulation;
	፫/ የህዝብን ሀይወት፣ የህዝብ እና የመንግስት የልማት ተቋማትንና አውታሮችን ከማናቸውም ሰው ሰራሽና የተፈዋሮ አደጋዎች መከላከልና ማዳን፣	3/ Defend and protect the lives of the people, public and governmental institutions, and developmental infrastructures from man- made and natural disasters;
	፬/ በአካባቢያዊ፣ አህጉራዊና ዓለም አቀፋዊ የሥላም ማስከበር ግዳጅ/ተግባራት ላይ በብቃት መሳተፍ፣	 4/ Actively participate in international, regional and sub-regional peace-keeping missions;
	ጅ/ በማንኛውም ጊዜ ከላይ የተጠቀሱትን ተልዕኮዎች ለመፌፀም የሚያስችሉ የሥራዊት ግንባታ ተግባራትን በማከናወን ብቁና ዝግጁ ሥራዊት መገንባት፡፡	5/ Build competent and ready armed forces by carrying out capability building activities that enable the forces to execute the missions described above.
2.	ምልመሳ	6. <u>Recruitment</u>
	፩/ ሚኒስቴር መስሪያ ቤቱ በየጊዜው በሚያወጣው መመዘኛ መሠረት ለወታደርነት ብቁና ፌቃደኛ የሆኑ ሰዎችን ሊመለምል ይችሳል፡፡	1/ The Ministry may, in accordance with its criteria issued from time to time, recruit persons fit and willing for military services.
	፪/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሰረት ሚኒስቴር መስሪያ ቤቱ የሚያደርገው ምልመላ የብሔር፣ ብሔረሰቦችና ህዝቦችን ሚዛናዊ ተዋፅዖ ያካተተ ይሆናል፡፡	2/ Recruitment made by the Ministry, under Sub-Article (1) of this Article, shall embody equitable representation of Nations, Nationalities and Peoples.

- ፫/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተገለፀው እንደተጠበቀ ሆኖ የእጩ መኮንንነት ምልመሳ ከሲቪል ከሥራዊት አባላትና በቀጥታ ህብረተሰብ ይካሄዳል፡፡
- 3/ Without prejudice to the provision in Sub-Article (1) of this Article cadets shall be recruited from members of the defense forces and directly from the civilian population.

18 IQADE

፬/ ሚኒስቴር መስሪያ ቤቱ:-

- リ) もよってらもの ĩД ዓመት የሞሳቸው የከፍተኛ ሁለተኛ ደረጃ ትምህርት ቤት ወይም የዩኒቨርሲቲ ትምህርታቸውን ተማሪዎችን በፌቃዳቸው ያጠናቀቁ ወታደራዊ ወስደው ለሁለት ሥልጠና ዓመት ብሔራዊ አገልግሎት እንዲሰጡ ሲያደርግ ይችሳል፤
- ለ) በዚህ ንዑስ አንቀፅ ፊደል ተራ (ሀ) መሥረት ግል.ጋሎታቸውን ያጠናቀቁ ተማሪዎች በፌቃዳቸው በመደበኛ የመከላከያ ወይም የብሔራዊ ተጠባባቂ ተቋሙ ኃይል አባላት የሚሆኑ ከሆነ ተያያዥ መብቶችና ጥቅሞች እንዲጠበቁሳቸው ያደርጋል፡፡
- ፩/ በዚህ አንቀፅ ንዑስ አንቀጽ (፬) የተገለፀሙ እንዴተጠበቀ ሆኖ ለተቋሙ ተልዕኮ አስፌላጊ ናቸው ተብለው በሚለዩ ሙያዎች ተቋሙ ፌቃደኛ የሆኑ ሙያተኞችን መልምሎ በብሔራዊ ተጠባባቂ ኃይልነት ሊይዝ ይችላል።
- 第/ መከላከያ በወታደራዊ አቅም በቀጣይ እራሱን ለማዘመን በሚያደርገው ሂደት ዘመናዊና ፕሮፌሽናል የሰው ኃይል አቅም እንዲኖረው ልዩ ክህሎት ያላቸው ታዳጊ ወጣቶችን አቅፎ የሚይዝ ልዩ አሰራር እንደአስፈላጊነቱ ሊዘረጋ ይችላል::

<u>፯. ስለ ቅተር</u>

ለወታደርነት የተመለመለ ማንኛውም ሰው ሚኒስቴሩ በሚያወጣው መመሪያ መሠረት የቅዋር ውል ይፈፅማል፡፡

፰. <u>ወታደራዊ ሥልጠና</u>

- ፩/ ለወታደርነት የተመለመለ ማንኛውም ሰው የውትድርና አገልግሎት ከመጀመሩ በፊት መሥረታዊ የውትድርና ሥልጠና ይሰጠዋል፡፡
- ፪/ በአገልግሎት ላይ ያለ የሥራዊት አባል እንደየግዳጁ አስፈላጊነት ዝንባሌውና ችሎታው እየተመዘነ በልዩ ልዩ የሙያ መስክ እንዲሰለጥን ወይም እንዲማር ሊደረግ ይችሳል፤:

4/ The Ministry may: .

- a) Students who have completed their high school or university education who have reached the age of 18 can voluntarily join military training and perform two years of national service;
- b) If students who have completed their service voluntarily become members of the national reserve force, the institution will provide them with related rights and benefits, the details will be determined by the Regulation.
- 5/ Without prejudice to the provision in Sub-Article (4) of this Article, the Ministry may recruit persons with vocations essential to the accomplishment of its missions and keep them on the ready in the national reserve force.
- 6/ As needed, the defense force can develop a special procedure which embraces youths of special skill to hace modern and professional personel in the process of its modernization to military capacity as it may be necessary.

7. Employment

Any military recruit shall conclude a contract of employment in accordance with a Directive to be issued by the Ministry.

8. Military Training

- 1/ Any military recruit shall receive basic military training before going into service.
- 2/ Membersof the defense forces on active duty shall be trained in diverse skills or educated in diverse fields as the mission requires considering their individual disposition and competence.

፲፬ሽ፲፱፻ራ ፌደራል ነ ጋሪት ጋዜጣ ቁጥር ፴፬ መስከረም ፬ ቀን ፪ሽ፲፮ ዓ.ም Federal Negarit Gazette No. 36, 19th September, 2023 .page 14905

- É/ ማንኛውም ለመኮንንነት የተመለመለና መስፈርቱን ይሟላ አባል በመኮንንነት ለማገልገል የሚያስችለው የዕጩ መኮንንነት ሥልጠና እንዲያገኝ ይደረጋል፣ ስልጠናውን በስኬት ካጠናቀቀም የምክትል የመቶ አለቃ ማዕረግ ይሰጠዋል፡፡
- ፬/ ወታደራዊ የሥራ ኃላፊነት ወይም የማዕረግ ዕድገት በሚሰዋበት ጊዜ የሥራዊት አባሉን ለቦታውና ለደረጃው ብቁ የሚያደርገው ሥልጠና ወይም ትምህርት ሲሰጠው ይችላል፡፡

<u>፱</u>. <u>ወታደራዊ ቃስ መሐሳ</u>

18

- ፩/ ማንኛውም ምልምል ወታደር መሥረታዊ የውትድርና ሥልጠናውን እንዳጠናቀቀ አገልግሎቱን ከመጀመሩ በፌት ወታደራዊ ቃለ-መሐሳ ይፈፅማል::
- ፪/ ማንኛውም አባል መኮንን ሲሆን ቃለ-መሐሳ ይፈፅማል፡፡

<u>፲ የሥራዊተ አባላተ ግዴታ</u>

ማንኛውም የሥራዊት አባል፡-

- ፩/ የአባሪቱን ሉዓላዊነትና ዳር ድንበር የመጠበቅና የመከሳከል ግዴታ አለበት፣
- ፪/ ሕገ-መንግስቱንና ሕገ-መንግስታዊ ሥርዓቱን የማክበርና የማስከበር ግዴታ አለበት፣
- ፫/ የአገሪቱን ሕጕች፣ ወታደራዊ ሕጕች፣ መመሪያዎችና ቋሚ ትዕዛዞችን የማክበር ግዴታ አለበት፣
- ፬/ የአገር ፀጥታ አስጊ ሁኔታ ላይ ይወድቃል ተብሎ በአገር ደረጃ የተጠንቀቅ ትዕዛዝ ሲሰጥ ወይም ተጨባጭ ጦርንት ሲኖር ከውትድርና አገልግሎት ዘመኑ ውጪም ቢሆን በአገልግሎት ላይ የመቆየት ግዴታ አለበት፣
- ፩/ አግባብ ባለው ደንብ መሥረት እንደ አስፈላጊነቱ በአገር ውስጥም ሆነ ከአገር ውሞ ተመድቦ የመስራት ግዴታ አለበት፣
- ½/ ተግባሩን ከፖለቲካ ድርጅት ወገናዊነት ነፃ በሆነ አኳኋን የማከናወን ግዴታ አለበት፡፡

- 3/ Anyone who is drawn from the society and satisfies the criteria to be an officer shall receive training that qualifies him for officer service and shall be bestowed upon the rank of Second-Lieutenant upon successfully completing the training.
- 4/ Whenever any assignment to a military position or promotion is made, the necessary training or education that makes the member of the defense forces qualified for such position may be given to him.

9. Military Oath

- Every recruit, upon completion of the basic military training and before going into service, shall take a military oath.
- 2/ Every member of the armed forces shall take a military oath upon his promotion to officer ship.

10. Duties of Members of the Defense Forces

Every member of the defense forces shall:

- 1/ protect and defend the sovereignty and territorial integrity of the nation;
- 2/ have the duty to obey and enforce the Constitution and the Constitutional Order;
- 3/ have the duty to observe other laws of the country, Military Laws, Rules, Directives and standing orders;
- 4/ be obliged to remain in service, even beyond the respective term of service where a standby order is given at a nationwide level when national security is endangered or during times of war;
- 5/ have the obligation to accept assignments and render services both inside and outside the country, as necessary, in accordance with the relevant regulation;
- 6/ Carry out his functions free of any partisanship to any political organizations.

፲፩. የውትድርና አገልግሎት ዘመንና የጡረታ መውጫ	11 Torm of Service and Detirement Age
<u>ነ</u> ց. <u>ነውተኡርኁ ለነልንለግ በመንጓ ነበር። ዕድሜ</u>	11. <u>Term of Service and Retirement Age</u>
፩/ ማንኛውም የሥራዊት አባል ለውትድርና አገልግሎት ሲቀጠር ቢያንስ ለ፯ ዓመታት ማገልገል አለበት።	 Every member of the defense forces, upon recruitment, shall serve for, at least, 7 years.
፪/ ማንኛውም የሥራዊት አባል መኮንን ከሆነ በኋላ ወይም የልዩ ሙያ ባለቤት ከሆነ ቢያንስ ለ፲ ዓመታት የማገልገል ግዴታ አለበት፣ ሚኒስቴሩ በልዩ ሙያ የሚያካትታቸው ሙያዎች ዝርዝር በመመሪያ ይገለፃል።	2/ Every member of the defense forces, upon being promoted to the rank of an officer, or upon being trained to acquire any special skill, shall serve for, at least, 10 years; the details of what merit special-skill designation in the view of the Ministry will be provided in a subsequent guideline.

እና

አባል የሙረታ

ማዕረግተኛና

ማሯ

ማዕረግተኛ

ሆኖ

አገል ግሎት

ሚኒስቴሩ

- Without prejudice to the provision of Sub-(ĝ) 3/ Articles (1) and (2) of this Article where የሥራዊት the member of the defense forces is willing ለመስጠት to serve for additional time and the ከተስማማ Ministry so agrees, the periods of service <u> ፲</u> እና ፲ may be extended for a further 7 years and 10 years, respectively.
 - 4/ The Ministry may suspend both the 7-year and 10-year retirement requests for up to 3 years in the event that the Ministry deems the country is facing a security threat even if a state of emergency has not been declared.
 - 5/ The following shall be the retirement age of every member of the defense forces:
 - From the rank of Private to Sergeant a) or equivalent, 45 years of age;
 - b) For non-commissioned officers, from Master Sergeant to Command Sergeant Major or equivalent, and, for line officers, from Second Lieutenant to Captain or equivalent, 48 years of age;
 - For Warrant Officer or equivalent, c) and, for higher officers, 52 years of age;
 - For Brigadier General or equivalent, d) 56 years of age;
 - e) For Major General or equivalent, 57 years of age;

ሐ)	ዋራንት	ኦፌሰር	ወይም	ተመባ	በጣኝ
	ማዕረግተኛና	ከፍተ	ኛ መ	ッわうう	9g

ተመጣጣኝ

መስመራዊ መከንን ፵፰ ዓመት፤

፻/ በዚህ አንቀፅ ንዑስ አንቀፅ (፩)

ተጨማሪ

ዓመታት ሲራዘም ይችላል።

ዓመት ሲያራዝም ይችሳል።

የማንኛውም የሥራዊት

መውጫ ዕድሜ የሚከተለው ይሆናል፡-

ተመጣጣኝ

ከሆነና

የአገልግሎት ጊዜው ለተጨማሪ

እንደተጠበቀ

õ/ በአንር ደረጃ የተጠንቀቅ ትዕዛዝ ባይሰምም

ወይም ተጨባጬ ጦርነት ባይኖርም ሚኒስቴሩ

የደህንነት ስጋት አለ ብሎ ሲያምን የ፯ እና

የ፲ አመት የስንብት ዋያቄን እስከ ሶስት

ከመሰረታዊ ወታደር እስከ ሃምሳ ዓለቃ

ከመጋቢ ሃምሳ ዓለቃ እስከ ሻለቃ ባሻ

የተደነገገው

አባሉ

ିଥ/

U)

Λ)

ወይም

ዓመት፣

ወይም

ፊቃደኛ

- ዓመት፤ መ) ብር ኃዴር ጄነራልና ተመጣጣኝ ማዕረግተኛ ፻፮ ዓመት፤
- w) ሜጀር ጄነራልና ተመጣጣኝ ማዕረግተኛ 92 ዓመት፣

ረ) ሌተናል ጄነራልና ተመጣጣኝ ማዕረግተኛ ፲፰ ዓመት፤

18

- ½/ ሚኒስቴሩ ለግዳጅ አስፌላጊ ናቸው ብሎ ያመነባቸውን የሥራዊት አባላት የጡረታ መውጫ ዕድሜ በየሁለት ዓመቱ ለሁለት ጊዜ ሲያራዝም ይችላል::
- 第/ በዚህ አንቀፅ ንዑስ አንቀፅ (፪) የተደነገገው ድን,ኃጌ እንደተጠበቀ ሆኖ ነገር ግን የፊልድ ማርሻል የጡረታ ዕድሜ በጦር ኃይሎች ጠቅላይ አዛዥ ውሳኔ መሥረት ላልተወሰነ ጊዜ ሊራዘም ይችላል፡፡
- ኟ/ የጡረታ መውጫ ዕድሜ የሚራዝመው፡-
 - U) የአባሉ ትምህርት፣ ልዩ ዕውቀት፣ ችሎታና ልምድ ለሚኒስቴሩ ጠቃሚ ሆኖ ሲገኝ፤
 - ለ) በደረጃ ዕድገት ወይም በውስዋ ዝውውር ክፍተቱን ለመሽፈን አለመቻሉ ሲረ.ጋገዋ፤
 - ሐ) አባሉ ለስራው ብቁ መሆኑ የጤናው ሁኔታ በሕክምና ማስረጃ ሲረጋገዋ፤
 - መ) አባሉ አገልግሎቱን ለመቀጠል ሲስማማ ይሆናል፡፡
- ፱/ የጡረታ መውጫ እድሜን የማራዝም ስልጣን፡-
 - ሀ/ የኤታማዦር ሹም፣ የምክትል ኤታማዦር ሹም እና የኃይል አዛዦችን የጡረታ መውጫ ዕድሜ የማራዝም ስልጣን የጦር ኃይሎች ጠቅሳይ አዛዥ ይሆናል፤
 - ለ/ ከኤታማዦር ሹም፣ ከምክትል ኤታማዦር ሹም እና ከኃይል አዛዦች ውጪ የሆኑትን የሥራዊት አባላት የጡረታ መውጫ ዕድሜ የማራዝም ስልጣን የኤታማዦር ሹም ይሆናል፡፡

- f) For Lieutenant General or equivalent, 58 years of age;
- g) For full General, Field marshal and, equivalent ranks, , 60 years of age.
- 6/ The Ministry, when it finds it necessary for its mission execution, may extend for a further two years twice the term of service of a member whom it wishes to retain.
- 7/ Without prejudice to the provision of Sub-Article (6) of this Article , the retirement age of field marshal can be extended for unlimited time with a decision of the Commander-in-Chief of the Armed Forces
- 8/ A term of service shall be extended where:
 - a) the educational qualification, special knowledge, skill and experience of the member of the defense forces is found to be useful for the Ministry;
 - b) it is ascertained that the vacancy could not be filled by promotion or internal transfer;
 - c) it is ascertained by medical his health evidence that the member of the defense forces is fit for the position or service;
 - d) the member of the defense forces agrees to extend the service.
- 9/ The power of extending the age of retirement:
 - a) The power of extending the age of retirement for Chief of Staff, Deputy Chief of Staff, and Force Commanders shall reside with the Commander-in-Chief of the Armed Forces;
- c) The power of extending the age of retirement for all members of the Defense forces, not including the Chief of Staff, Deputy Chief of Staff, and Force Commanders, shall reside with the Chief of Staff.

፲፪. <u>አገልግሎቶችን ስለማግኘት</u>

- ፩/ በሥራዊቱ ውስዋ በውትድርና አገልግሎት ላይ የሚገኝ ማንኛውም የሥራዊት አባል አግባብ ባለው የሚኒስቴር መስሪያ ቤቱ የውስዋ ደንብና መመሪያ መሥረት ቀለብ፣ የመኖሪያ ቤት፣ የደንብ ልብስ፣ የመንንዣና የሕክምና አገልግሎት በነፃ ይገኛል፡፡
- በአገልግሎት ላይ ያለ ማንኛውም የሥራዊት ê/ አባል በሱ አማካኝነት የመታከም መብት ያገኙ የቤተሰቡ አባላት ወይም የአገልግሎት ወይም የጉዳት ወይም የህመም ጡረታ መብት ተከብሮሳቸው ከአባልማሎት የተሰናበቱ ከፌደራልና ከክልል መንግስታት በማደረግ ስምምኑት መሥረት ЭC በሚኖሩበት አካባቢ በሚገኙ የመንግስት የህክምና ተቋማት በነፃ የመታከም መብት ይኖራቸዋል፡፡ ዝርዝሩ በደንብ ይወሰናል፡፡

<u>፲፫. ለሥራዊት አባላት ስለሚደረግ ማበረታቻ</u>

የመከላከይ ሥራዊት አባላት ወታደራዊ አገልግሎታቸውን በላቀ ሞራል እንዲያከናውኑ ለማበረታታት፡-

- 1/ ሰላሳ ዓመትና ከዚያ በላይ ያገለገለ የሥራዊት አባል አንድ የቤት መኪና ከቀረዋና ግብር ነፃ መግዛት ይችላል፣ ዝርዝሩ በደንብ ይወሰናል፣
- ፪ ማንኛውም የመከላከያ ሥራዊት አባል፡-
 - U) ሰላሳ ዓመት እና ከዚያ በላይ ያገለገሉ የሥራዊት አባላት የግል መኖሪያ ቤት የሌላቸው መሆኑ ሲረጋገዋ የግል መኖሪያ ቤት ወይም መኖሪያ ቤት መስሪያ ቦታ እንዲያገኙ መንግስት ያመቻቻል፤
 - ለ) ሃያ ዓመት እና ከዚያ በላይ ያገለገሉ የሥራዊት አባላት የግል መኖሪያ ቤት የሌላቸው መሆኑ ሲረጋገዋ የመኖሪያ ቤት ወይም የመኖሪያ ቤት መስሪያ በታ እንዲያገኙ መንግስት አቅም በፊቀደ መጠን ያመቻቻል:: ዝርዝሩ በደንብ ይወሰናል::

12. Entitlements

- 1/ Any member of the defense forces on active duty shall be entitled, in accordance with the relevant internal regulation and directives of the Ministry, to rations, housing, military uniform, transportation and medical care free of charge.
- 2/ Family members of a member of the defense forces on active duty who have acquired the right of free medical service as well as members of the defense forces who have been discharged from service on the basis of retirement on grounds of injury, ill-health or old age shall have the right of free medical service at public health institutions found in their residential areas in accordance with the agreement to be entered between the federal government and states. The particulars shall be determined by Regulation.

13. Incentives for Members of the Defense Force

In order to boost the morale of members of the defense forces in discharging their military service:

- 1/ Those members of the defense forces having 30 and above years of service shall be entitled to buy one personal automobile free of customs and duties; the details will be provided in a subsequent directive.
- 2/ Any members of the defense forces:.
 - a) the government will facilitate the means toget private residence or land for constraction of privet residential for members of the defense force while they have provided service for thirty years and more, if it has approved, they did not have private residence or land for constraction of private residential;
 - b) the government will facilitate as much as possible, the means to get private residence or land for constraction of private residential for members of the defense force while they have provided service for twenty years and more, if it has approved, they did not have private residence or land for constraction of private residential. The details shall be decided by Regulation.

- <u>ể</u>/ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) የተደነገገው እንደተጠበቀ ሆኖ ለጀነራል መኮንን በአዲስ አበባ ይሆናል፣
- ፬/ በአገልግሎት ላይ ያለ ማንኛውም የሥራዊት አባል የሥራዊቱን መለያ ልብስ እስከለበሰና መታወቂያ ካርዱን እስከያዘ ድረስ በመንግስትም ሆነ በግል አገልግሎት ሰጪ ተቋማት በቅድሚያ አገልግሎት ያገኛል፣
- ፩/ በአገልግሎት ላይ ያለ ማንኛውም የሥራዊት አባል የሥራዊቱን መለያ ልብስ እስከለበሰና መታወቂያ ካርዱን እስከያዘ ድረስ በመንግስት የልማት ድርጅቶች በግሉ ለሚያገኘው አገልግሎት የ ፲% የአገልግሎት ክፍያ ቅናሽ ተጠቃሚ ይሆናል፤
- 第/ የመከላከያ ሚኒስቴር የግል አገልግሎት ሰጪና የንግድ ተቋማትም በበነ ፌቃደኝነት ለመከላከያ ሥራዊት አባላት የቅናሽ፣ የእውቅና እና የማበረታቻ መርሃ ግብሮችን ተግባራዊ እንዲያደርጉ ከሚመለከታቸው አካላት ጋር በመተባበር ይሰራል፣
- 第/ በአገልግሎት ላይ ያለ ማንኛውም የሥራዊት አባል የሥራዊቱን መለያ ልብስ እስክለበስ ወይም መታወቂያ ካርዱን እስክያዘ ድረስ በመንግስት ባለቤትነት በተያዙ የህዝብ የከተማ አውቶቡስና ቀላል ባቡር የትራንስፖርት አገልግሎቶችን በነፃ ያገኛል፣
- 菜/ ሚኒስቴር መስሪያ ቤቱ የሥራዊቱን ኑሮ የሚያሻሽሉ፣ የሥራዊቱን የውጊያ ዝግጁነት የሚያሳስብቱ፣ ሚኒስቴር መስሪያ ቤቱን በተለያዩ ተግባራት የሚደግፉ፣ ለተቋሙም ይሁን ለአገር ኢኮኖሚ ፋይዳ ያላቸው የመከላከያ ሥራዊት ፋውንዴሽንን ጨምሮ በተቆጣጣሪ ባለስልጣንነት የሚመራቸውን ሌሎች የልማት ድርጅቶችን ሊያቋቁም ይችላል።

<u>፲፬ የውትድርና አገልግሎት ስለሚዳረዋበት ሁኔታ</u>

- ፩/ የሚከተሉት የውትድርና አገልግሎትን የሚያቋርጡ ምክንያቶች ናቸው፡-
 - ሀ) የቅጥር ውሉ ዘመን ሲያበቃ፤
 - ለ) ሲሞት፤

- 3/ without prejudice to Sub-Article (2) of this Article, for a general officer, the plot of land to be given for building a private house will be in the city of Addis Ababa.
- 4/ Every active member of the defense forces wearing a military uniform and carrying an identification card shall have precedence of receiving service at any service providing facility, public as well as private.
- 5/ Every active member of the defense forces wearing a military uniform and carrying an identification card is entitled to a 10% discount while purchasing a good or service from government-owned organizations.
- 6/ The Ministry shall work together with stakeholders to induce private service providers and commercial enterprises to voluntarily engage in motivational activities such as extending members of the defense forces price discounts, and showing respect and recognition to their patriotism.
- 7/ Every active member of the defense forces wearing a military uniform and carrying an identification card is entitled to free transportation service on publicly-owned city buses and light trains.
- 8/ The Ministry may establish development enterprises that will improve the life of the army, enhance the combat readiness of the army, support the ministry in various activities, and be beneficial to the institution or the national economy, including the Defense Army Foundation, which will be managed by the supervisory authority of the Ministry.

14. Termination of Military Service

- 1/ The following are reasons for termination of military service for any member of the defense forces:
 - a) expiry of his contract of employment;
 - b) his death;

የአገልግሎት አባሉ የውል *ф*) ጊዜው ሳይጠናቀቅ የስንብት አቅርቦ ዋይቄ ስንብቱ ሲወድቅ፤ መ) አገልግሎት ለመቀጠል የማያስችል ከባድ ሕመም ወይም የአካል ጉዳት ደርሶበት ለውትድርና አባልግሎት ብቁ አለመሆኑ በሐኪሞች ቦርድ ሲረጋገዋ፤ ሥ) በጡረታ ሲገለል፤ በጠሳት ተማርኮ አንልግሎቱን ሲያቋርጥ ረ) ወይም ከጠላት ጋር በተደረገ ውጊያ መሀል ጠፍቶ ከ፮ ወራት ላሳንስ ጊዜ ሁኔታው ያልታወቀ ሲሆን፤ በሚኒስቴር ውስዋ ሰ) መስሪያ Ռե የመዋቅር ለውዋ፣ ወይም የአሰራር ማሻሻ የ በመደረጉ ምክንያት በአባልግሎት እንዲቀጥል ለማድረግ ሳይቻል ሲቀር፤ በመደበኛ የውትድርና ሥራ አሬፃፀም **M**) ወይም በአመራር ብቁ ባለመሆን ወይም በዲስፕሊን ጉድለት ስአባልግሎት አስፈላጊ ያለመሆኑ በተቋሙ ሲረ ጋገዋ፤ ቀ) በወንጀል ተከሶ በፍርድ ቤት ውሳኔ ሞፋተኛ የተባለና ሁለት ዓመትና ከዚያ በላይ የእስር ቅጣት የተፈረደበት ሲሆን፤ በ) የእስር ቅጣት ፍርዱ ከሁለት ዓመት በታች ቢሆንም ማለሰቡ የተፈረደበት ኩብለሳ፣ ክዳት፣ ወይም ሌሎች ለሀሊና እና ሞራል ተቃራኒ የሆኑ ድርጊቶች በመሬወሙ ከሆነ። ፪/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) ፊደል ተራ ዋፋተኛው (**ቀ**) የተደነገገው ቢኖርም ወንጀሉን ግዳጅ የሬፀመው የተሰጠውን በመፈፀም ላይ እያለ ከሆነ ወይም የሰው ህይወት ወይም ንብረት ለመከሳከል ሲል ከሆን፣ ወይም በመልካም ሥነ-ምግባሩ ምስጉን የነበረና ከአስር ዓመት በሳይ በመከሳከያ ሠራዊቱ ውስጥ ያገለገለ ከሆነ

ከሁለት ዓመት በላይ እስር የተፈረደበት ቢሆንም ከእስር ሲሬታ ወደ አገልግሎት

እንዲመለስ ሲደረግ ይችሳል፡፡

- c) the member has requested discharge before the completion of his contractual term of service, and his request has been approved;
- a medical board testifying his unfitness for further military service owing to serious illness or bodily injury;
- e) his retirement;
- f) termination of his service because of being taken as war prisoner or because his condition is unknown for a period of not less than six months after he is reported missing amidst a fight with the enemy;
- g) where the Ministry has found it impossible to retain him due to structural change or reform;
- h) his service being confirmed by the institution undesirable due to incompetence in the performance of regular military duties, failure in leadership or misconduct;
- where criminally convicted by court and sentenced to imprisonment exceeding two years;
- where the crime is desertion, treason or any other morally outrageous acts, the service shall be terminated though the imprisonment is less than two years;
- 2/ Notwithstanding the provision of paragraph (i) of Sub-Article (1) of this Article, the convict who has been sentenced to more than two years of imprisonment may be allowed to return to service upon his release, where he has committed the offence while on active duty or to prevent human life or property from danger or he was of good conduct and had served for more than ten years in the defense forces.

18:

፲፭. <u>በሀገራዊ ዳግም ተሪ ስለማገልገል</u>

- በዚህ አንቀፅ ንዑስ አንቀፅ (፩) በተገለፀው ĝ/ አግባብ በዳግም ጥሪው መሰረት ወደሥራዊቱ የተቀሳቀለ የሥራዊት አባል ሚኒስቴር ሆኖ መስሪያ ቤቱ አስፌሳጊ ካገኘው በቀጣይነት *እንዲያገ*ለፃል በነበረበት የማዕረግ ደረጃ መልሶ ሊቀጥረው ይችሳል፡፡
- ፫/ በዚህ አንቀፅ ን/አንቀፅ (፩) እና (፪) የተደነገገው እንደተጠበቀ ሆኖ ዝርዝር አሬፃዐሙ በሚወጣው ደንብ ይወሰናል፡፡

<u>፲፮. ስለአገልግሎት ካሣና ጡረታ</u>

- ፩/ አንድ የሥራዊት አባል የውል ግዴታ የገባበትን የአገልግሎት ዘመን ጨርሶ ከሥራ ሲሰናበት ሚኒስቴር መስሪያ ቤቱ በሚያወጣው መመሪያ መሥረት የአገልግሎት ካሳ ይከፌለዋል፡፡
- ፪/ አንድ የሥራዊት አባል የውል ግዴታ የገባበት የአገልግሎት ዘመን ከማለቁ በፊት በራሱ ፌቃድ ወይም ጉድለት ሳይሆን በሌሎች በተለያዩ ምክንያቶች አገልግሎቱ ቢቋረሞ ሚኒስቴር መስሪያ ቤቱ በሚያወጣው መመሪያ መሰረት ተገቢውን ካሣ ያገኛል፡፡
- É/ በዚህ አዋጅ አንቀጽ ፲፩ ንዑስ አንቀጽ (፩) እና (፮) የተመለከቱት የሥራ መሰናበቻ ዕድሜ ጣሪያዎች ለጡረታ ሕግ አፌፃፀም የጡረታ መገለያ ዕድሜ ሆነው ይቆጠራሉ።
- Ø/ በውተድርና አገልግሎት ላይ በደረስ ጉዳት ወይም በስራ ምክንያት በሚመጣ በሽታ በዝላቂነት ለውተድርና አገልግሎት ብቁ ሆኖ ካልተገኘ ወይም በጉዳቱ ምክንያት አባሉ የሞተ እንደሆነ መብቱ በመንግስት ሠ ራተኞች የጡረታ ሕግ መሠረት ተሬፃሚ ይሆናል::

15. Recall to Active Military Duty

- 1/ Any former member of the defense forces who has been discharged honorably shall return to active duty, when called upon, during a national emergency in which the sovereignty and integrity of the nation is deemed, by the relevant authorities, threatened.
- 2/ Any former member of the defense forces who has rejoined under Sub-Article (1) of this Article may be hired, if found necessary, with the rank he had when he was previously discharged.
- 3/ Subject to the provisions of Sub-Article (1) and (2) of this Article, the detailed execution shall be determined by the Regulation issued.

16. Compensation for Service and Retirement

- 1/ A member of the defense forces shall, in accordance with the Directive to be issued by the Ministry, be entitled to compensation where discharged upon completion of the years of service stipulated in the terms.
- 2/ Where the service of a member of the defense forces is terminated for any reason other than his own motion or fault, before completion of the stipulated term of service he has concluded a contract for, he shall be entitled to fair compensation in accordance with the Directive to be issued by the Ministry.
- 3/ The age limits for termination of service specified under Sub-Articles (5) and (6) of Article 11 of this Proclamation shall also be deemed to be retirement age-limits for purposes of the application of pension laws.
- 4/ Where a member becomes permanently unfit for military service or dies due to an injury suffered while on active duty or an occupational disease, the relevant provisions of the public servants pension law shall apply to his entitlements.

18 「前礼見前前」 ふれん かっとわっれの まれに 前落 monhとか 見 やう 算礼 第 9.5 Federal Negarit Gazette No. 36, 19th September, 2023 .page 14912

- ፩/ በግዳጅ ላይ የተሰዋ የሥራዊት አባል የጡረታ ሂደቱ እስኪጠናቀቅ ድረስ ለሕጋዊ ወራሾቹ ወርሀዊ ደመወዙ እየተከፈለ ይቆያል ፤፡ ይሁን እንጂ የጡረታ ሂደቱ በሶስት ወራት ውስዋ መጠናቀቅ ይኖርበታል።
- ½/ አንድ የሥራዊት አባል በውትድርና አገልግሎት ላይ እያለ በደረሰበት ከፍተኛ ጉዳት ምክንያት እራሱን መርዳት የማይችል መሆኑ በተቋሙ የሜዲካል ቦርድ ሰረ ጋገዋ በመንግስት በሚቋቋም የጀግኖች አምባ በዘላቂነት እንዲጦር ይደረ ጋል፡፡

<u>፲፯. ስለ ፌቃድ</u>

ማንኛውም የሥራዊት አባል ሚኒስቴሩ በሚያወጣው መመሪያ መሰረት የዓመት እረፍት ፌቃድና ልዩ ልዩ ፌቃዶች ይሰጠዋል፡፡

፲፰. <u>ስለወታደራዊ ዲሲፕሊን</u>

ማንኛውም የሥራዊት አባል በወታደራዊ ሕኰች፣ ደንቦች፣ መመሪያዎች ወይም ቋሚ ትእዛዞች ውስዋ የተመለከቱትን የተላለፌ እንደሆነና ዋፋቱ አነስተኛ በመሆኑ ወታደራዊ ፍርድ ቤት የሚያስቀርበው ካልሆነ ጉዳዩ በሥራዊቱ አስተዳደር ደንብ መሥረት እንዲታይ ይደረጋል፡፡

<u>፲፱. አቤቱታ ስለማቅረብ</u>

ማንኛውም የሥራዊት አባል የአስተዳደር በደል የደረሰበት እንደሆነ ወይም በተወሰነበት የዲሲፕሊን ቅጣት ቅሬታ ያደረበት እንደሆነ በሥራዊቱ የዲሲፕሊን ደንብ መሥረት አቤቱታ የማቅረብና ውሳኔ የማግኘት መብት ይኖረዋል፡፡ በየደረጃው የሥራዊቱ አዛዦችም የሚገኙ የሥራዊቱ አባላት ለሚያቀርቡት አቤቱታ በሕፃ መሠረት በወቅቱ ውሳኔ የመስጠት <u> ግዴታ</u> አለባቸው።

<u>ክፍል ሦስት</u>

<u>ስለማዕረግ እድገት፣ ስለአገልግሎትና ስንብት</u>

የምድር ኃይል፣ የአየር ኃይልና የባሀር ኃይል ወታደራዊ የማዕረግ ደረጃዎች ዝርዝር በደንብ ይወሰናል፡፡

- 5/ Where a member has been killed while carrying out his mission, payment of his monthly salary to his legal heirs shall continue uninterrupted; however, the process of transferring the retirement pay to the legal heirs shall be completed within three-month time.
- 6/ Where the medical board of the Ministry has certified that a member cannot support himself due to serious injury sustained while he was still serving, the member shall be entitled to get life-time assistance at a facility for veterans to be established by the government.

17. Leave

Any member of the defense forces shall be entitled to an annual leave and other leaves in accordance with the Directive to be issued by the Ministry.

18. Military Discipline

Where any member of the defense forces violates provisions of Military Laws, Regulations, Directives or standing orders and the offence committed is so minor that it cannot be brought to a military court the case shall be disposed of in accordance with the defense forces' disciplinary regulation.

19. <u>Complaints</u>

Any member of the defense forces shall have the right to make a complaint and obtain a decision, in accordance with the defense forces' Administrative Regulation, where he has suffered an administrative wrong or is aggrieved by a disciplinary measure taken against him. every commander shall have the duty to give timely decisions on such complaints.

PART THREE

PROMOTION, SERVICE AND DISCHARGE

20. <u>Ranks</u>

There shall be military ranks of servicemen in each of the armed services – namely, the Ground Forces, the Air Force and the Navy; the details will be determined in a subsequent regulation.

- ፩/ የማዕረግና የኃላፊነት እድገት ሲሰዋ ብቃትን መሥረት ባደረገ ውድድር በሥራዊቱ ውስዋ የብሄር፣ ብሄረሰቦችና ህዝቦችን ሚዛናዊ ተዋዕዖና የሴቶችን ተሳትፎ በሚያረ,ጋግዋ መልኩ ይከናወናል፡፡
- <u>@</u>/ በወታደራዊ ግዳጅ አፈፃፀም፣ በሥነ-ሥርዓት በአመራር አክባሪነት፣ ችሎታና ብቃት የሥራዊት ብልጫ ያሳየ አባል ክፍት የመሾሚያ ቦታ ሲኖር ሚኒስቴሩ ስለማዕረግ ዕድንት በሚያወጣው መመሪያ መሰረት የማዕረግ እድገት ይሰጠዋል፡፡
- የጦር ኃይሎች ጠቅሳይ ኤታማዦር ሹም፣ Ê/ የአዛዦች ምክርቤት፣ ኃይል አዛዥ፣ ዕዝ አዛዥ፣ የዋና መምሪያና አቻ ክፍሎች <u>ኃላፊዎች</u> የማዕረግ እድነት የመስጠት ይኖራቸዋል፣ ወይም የማፅደቅ ስልጣን ዝርዝሩ በደንብ ይወሰናል፡፡
- <u>õ</u>/ የጀነራል መኮንኖችና የፊልድ ማርሻል የማዕረግ እድገት የጦር ኃይሎች ጠቅሳይ መሆናቸውን አዛዥ መልምስው 们楻 አረጋግጠው ሲያቀርቡ በርዕሰ ብሔሩ የሚወድቅ ይሆናል።

- ፩/ ማንኛውም የሥራዊት አባል ልዩ ሥልጠና ወይም ትምህርት ተከታትሎ ከጨረሰ በኋላ በስልጠና ወይም በትምህርት የቆየበትን ጊዜ እዋፍ የማገልገል ግዴታ አለበት፡፡
- ፪/ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) የተደነገገው እንዴተጠበቀ ሆኖ ከሙያዎቹ ልዩ ባህሪና ከሚያስከትሉት ከፍተኛ ወጪ አኳያ የልዩ ሙያተኞች የአገልግሎት ውል ግዴታ ሚኒስቴር መስሪያ ቤቱ በሚያወጣው መመሪያ የሚወሰን ይሆናል::

<u> ኟ፫. ከውትድርና አገልግሎት የማሰናበት ስልጣን</u>

የጡረታ መውጫ ዕድሜ ከመድረሱ በፊት በመዋቅር ለውጥ፣ በአሰራር ማሻሻያ፣ በአቅም ማነስ ወይም በመሳሰሉት ምክንያቶች አገልግሎቱ የሚቋረጥና የሚሰናበት፡-

21. Procedure of Promotion

- 1/ Any assignment to a military position or promotion to a higher military rank shall be on the basis of compititivness and merit, and it shall ensure equitable representation of all the nations, nationalities, peoples and women.
- 2/ Where there is vacancy for promotion, a member of the defense forces shall be promoted in rank on the basis of excellence in the performance of military duties, the observance of discipline and in qualities of leadership and in accordance with a directive on promotions to be issued by the Ministry.
- 3/ The Chief of the General Staff, the Council of Commanders, Force Commanders, Command Commanders, and the Heads of Main Departments and equivalent units shall have the power to confer promotions.
- 4/ Promotions to the General Officer ranks and to the rank of Field Marshal shall be approved by the Head of State when the names of candidates have been presented by the Chief of the General Staff after careful screening and selection.

22. Obligatory Service

- 1/ Any member of the defense forces having received the benefit of specialized training or schooling shall, subsequent to its completion, have the obligation to serve for double the period the training or schooling took for completion.
- 2/ Without prejudice to the provision of Sub-Article (1) of this Article, given the special nature of the professions as well as the high cost incurred to acquire the skills involved, the time of service for specialists shall be determined by a Directive to be issued by the Ministry.

23. Power to Discharge from Military Service

Discharging of any member from military service before the retirement age due to structural change, reform, incompetence or other similar reasons shall be performed as follows:

- ፩/ ጀንራል መኮንን በጦር ኃይሎች ጠቅላይ
 አዛዥ፣
- ፪/ መስመራዊና ከፍተኛ መኮንኖች በጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም፣
- ፫/ በዚህ አንቀፅ ንዑስ አንቀፅ (፪) የተደነገገው እንደተጠበቀ ሆኖ በሌተናል ኮሎኔልና ኮሎኔል ስንብት ላይ የአዛዦች ምክርቤት አስተያየት እንዲሰጥበት ይደረጋል፣
- ፬/ የበታች ሹሞች በሰው ኃብት አመራር ዋና መምሪያ በኩል የጦር ኃይሎች ጠቅላይ ኤታማዦር ሹምን በማማከር ስንብቱ በኃይሎችና በዕዞች ይፈፀማል።

<u> ፳፬. ወደሌላ የመንግስት መሥሪያ ቤት ስለሚደረግ</u> <u>ዝውውር</u>

- ፩/ መንግስት አስፌሳጊ ሆኖ ሲያገኘው አንድን የሥራዊት አባል ወደ ሌላ የመንግስት መስሪያ ቤት ወይም የመንግስት የልማት ድርጅት በቋሚነት ማዛወር ይችሳል፡፡
- ፪/ ሚኒስቴር መስሪያ ቤቱ አስፈላጊ ሆኖ ሲያገኘውና ተቀባዩ መሥሪያ ቤት እንዲሁም የሚዛወረው አባል ሲስማሙ አንድን የሥራዊት አባል ወደ ሌላ የመንግስት መስሪያ ቤት ወይም የመንግስት የልማት ድርጅት በቋሚነት ማዛወር ይችላል፡፡
- ፫/ መንግስት ወይም ሚኒስቴሩ አስፌላጊ ሆኖ ሲያገኘው አንድን የመከላከያ ሥራዊት አባል ወደ ሌላ የመንግስት መሥሪያ ቤት ወይም የመንግስት የልማት ድርጅት ለተወሰነ ጊዜ አዛውሮ ማሥራት ይችላል::
- ፬/ ከሚኒስቴሩ ወደ ሌላ የመንግስት መስሪያ ቤት ወይም ድርጅት በቋሚነት የተዛወረ የሥራዊቱ አባል መብቱና ግዴታው የተዛወረበት መስሪያ ቤት በሚተዳደርበት ሕግ የሚገዛ ይሆናል ፡፡

<u>ክፍል አራት</u>

<u>የመከላከያ ልዩ ልዩ አካላትና አዛዦች ሥልጣንና</u> <u>ተግባር</u>

- 1/ Decision to discharge a General Officer shall be made by the Commander-in-Chief of the Armed Forces
- 2/ Decision to discharge Line and Higher Officers shall be made by the Chief of the General Staff.
- 3/ Without prejudice to the provision of this Article in Sub Article (2), the Council of Commanders shall give its comment on any proposal regarding the discharge of a Lieutenant Colonel or a Colonel.
- 4/ Decision on discharge of a noncommissioned officer shall be made by Force and Command Commanders in consultation, through the Human Resource Main Department, with the Chief of the General Staff.

24. Transfer to Another Government Office

- 1/ Where the government finds it necessary a member of the defense force may be transferred permanently to another government organization or public enterprise.
- 2/ Where the Ministry find it necessary and where the recipient government organization or public enterprise and the transferee so agrees, a member of the defense force may be transferred permanently to another government organization or public enterprise.
- 3/ Where the government or the Ministry finds it necessary, a member of a defense force may transferred temporarily to another government organization or public enterprise.
- 4/ The rights and duties of any member of the defense force who has been transferred permanently to another government organization or public enterprise shall be governed by the laws that govern the government organization or public enterprise he has been transferred to.

PART FOUR

POWERS AND RESPONSIBLITIES OF VARIOUS DEFFENSE UNITS AND COMMANDERS

§. <u>የሚኒስትሩ ሥልጣንና ተግባር</u>	25. <u>Powers and Duties of the Minister</u>		
ሚኒስትሩ የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-	The Minister shall have the powers and duties to:		
፩/ ሥራዊቱ ለሕገመንግስቱ ተገዥ መሆኑንና ለሕገ መንግስቱ መከበር በጽናት መቆሙን ያረጋግጣል፤	1/ ascertain that the defense forces are loya to, and stand firm in upholding th Constitution;		
፪/ መከላከይን በተመለከተ በሚኒስትሮች ምክር ቤት ሊመከርባቸውና ሊወሰኑ የሚገባቸውን ጉዳዮች እይቀረበ ይስወስናል፤	2/ submit and secure decisions on matters of defense which need to be deliberated upo and decided by the Council of Ministers;		
፫/ ሥራዊቱ የሚተዳደርባቸውን ሕጦች፣ ፖሊሲዎችና ስትራተጇዎች ያመነጫል፣ በሚመለከተው አካል ሲፀድቁም በተግባር ላይ መዋላቸውን ያረጋግጣል፤	3/ initiate laws, policies and strategie governing the defense forces and ensur their implementation upon approval;		
፬/ የሚኒስቴር መስሪያ ቤቱን ዓመታዊ በጀት በማዘጋጀት ጉዳዩ ለሚመለከተው የመንግስት አካል ያቀርባል፣ ሲፌቀድም በተግባር መዋሉን ይቆጣጠራል፤	4/ prepare and submit the annual budget of th Ministry to the concerned governmen organ and supervise implementation of same upon approval;		
፩/ ሚኒስቴር መስሪያ ቤቱ በተቆጣጣሪ ባለስልጣንነት የሚመራቸውን የልማት ድርጅቶችና የመከላከያ ሥራዊት ፋውንዴሽንን ይቆጣጠራል፤ በማቋቋሚያ ሕጎቻቸው ላይ የተደነገገውን <i>ኃ</i> ላፊነቶቻቸውን እየተወጡ ስለመሆናቸው ያረ <i>ጋ</i> ግጣል፤	5/ supervise public enterprises placed under the supervisory authority of the Ministra and Defense Forces' Foundations ar ensure that they are fulfilling the responsibilities provided under the establishment laws;		
፮/ መከላከያን በተመለከተ ከውም አገር መንግስታትና መንግስታዊና መንግስታዊ ካልሆኑ መስሪያ ቤቶችና ድርጅቶች ጋር ግንኙነት ያደርጋል፤	6/ engage in relationships in respect of defense matters with foreign governments ar governmental and non-government offices and organizations;		
፯/ በመንግስት ውሳኔ መሥረት አገር አቀፍ የክተት ዘመቻዎችን ያስተባብራል፤	7/ coordinate nation-wide mobilization campaigns based on government decision.		
፰/ የሥራዊቱን አቅም የሚገንቡ የከፍተኛ ትምህርት፣ የተናትና ምርምር ተቋሞችና አቅሞችን ያደራጃል፣ ይመራል፤	8/ organize and direct higher education an research institutions that shall build an enhance the capabilities and capacities of the defense forces;		
፱/ የሚኒስቱር መስሪያ ቤቱ ሀብት ለታለመለት ዓላማ መዋሉን ይቆጣጠራል፣ ይከታተላል።	9/ ensure that the resources of the Ministr are utilized to accomplish intende purposes.		
፤. <u>የጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም</u> <u>ሥልጣንና ተግባር</u>	 26. Powers and Duties of the Chief of the General Staff The Chief of the General Staff shall have the powers and duties to: 		
የጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-			

፩/ የጦር ኃይሎች ጠቅላይ መምሪያን በበላይነት ይመራል፤ የአዛዦች ምክር ቤትን ይሰበስባል፣

18

- ፪/ የሀገርን ዳር ድንበርና ሉዓላዊነት ያስከብራል፤ የአስቸኳይ ጊዜ አዋጅ ያስፈፅማል፤ ከክልል መስተዳድር አቅም በላይ የሆነ የሰላምና ፀጥታ መደፍረስ ሲያጋጥም በሕጉ መሥረት ሁኔታውን ለመቆጣጠር ዕቅድ ያዘጋጃል፤ ሲፈቀድም ተግባራዊ ያደርጋል፤
- ፫/ የአገር ደህንነትና ሉዓላዊነትን ለማስከበር በሚያስችል መልኩ የአገር መከላከያ ሥራዊትን ያደራጃል፤
- ፬/ ሥራዊቱ በማንኛውም ጊዜ ለውጊያ ብቁና ዝግጁ መሆኑን ያረጋግጣል፤
- ጅ/ የጦር ኃይሎች ጠቅላይ አዛዥ መመሪያና ውሳኔን መሰረት በማድረግ ሥራዊቱን ያዛል፣ ያዋጋል፤
- ፬/ የጦር ኃይሎች ጠቅላይ አዛዥና ሚኒስትሩን በወታደራዊ ጉዳዮች ላይ ያማክራል።

የጦር ኃይሎች ምክትል ኤታማዦር ሹም የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፦

- ፩/ የጦር ኃይሎች ጠቅሳይ ኤታማዦር ሹም በሌለበት ተክቶ ይሰራል፤
- ፪/ ከጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም በሚሰጠው መመሪያ መሠረት የዋና መምሪያዎችን ተግባራት ያስተባብራል፣
- ፫/ በጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም የሚሰጡትን ሌሎች ተማባራት ያከናውናል፡፡

<u> ኟ፰፻መከላከያ አዛዦች ምክር ቤት ሥልጣንና ተግባር</u>

የመከላከደ አዛዦች ምክር ቤት የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

፩/ በኦፕሬሽናልና በስትራቴጂክ እቅዶችና በሥራዊቱ አደረጃጀት ላይ ተወያይቶ ምክረ-ሀሳብ ያቀርባል፤

- lead the Headquarters of the Armed Forces, and preside over the meetings of the Council of Commanders;
- 2/ defend the territorial integrity and sovereignty of the country, execute a state of emergency law, in the event of violations of peace and security beyond the power of regional states, work out a plan for getting the situation under control, and implement same upon approval based on the laws;
- 3/ organize, train and equip the National Defense Forces in a way that safeguards the sovereignty and national security of the country;
- 4/ ensure the readiness of the Armed Forces at all times;
- 5/ command the Armed Forces and direct military operations, subject to theDirective and decision of the Commander-in-Chief of the Armed Forces;
- 6/ advise the Commander-in-Chief of the Armed Forces and the Minister on military matters.

27. <u>Powers and Duties of the Armed Forces</u> <u>Deputy Chief of Staff</u>

The Armed Forces Deputy Chief of Staff shall have the powers and duties to:

- 1/ act on behalf of the Chief of the General Staff in the event of his absence;
- 2/ based on the direction given by the chief of the general staff, coordinate the activities of Main Departments;
- 3/ perform other duties assigned to him by the Chief of the General Staff.

28. <u>Powers and Duties of the Council of Defense</u> <u>Commanders</u>

The Council of Defense Commanders shall have the powers and duties to:

1/ deliberate and advise on military operational, strategic and organizational matters;

- ፪/ በሥራዊቱ የበጀት ድልድል ላይ ሀሳብ ያቀርባል፤
- ፫/ ለብር.ጋዴር ጀንራልነት ማዕረግ በእጩነት በሚቀርቡት ላይ መክሮ ሀሳብ ይሰጣል፤
- ፬/ ለሌተናል ኮሎኔልነትና ለኮሎኔልነት ማዕረግ የታጩ መኮንኖች የስራ አፈፃፀም ሁኔታ ላይ ተወደይቶ ሀሳብ ይሰጣል፣ የማዕረግ እድገት ያፀድቃል፤
- ጅ/ ለሜጀር ጀንራልነት ማዕረግ በታጩ አባላት ጉዳይ ላይ አስፈላጊ ሆኖ ሲገኝ የጦር ኃይሎች ጠቅላይ ኤታማዦር ሹምን ሲያማክር ይችላል፣
- 第/ የጡረታ መውጫ ዕድሜው ከመድረሱ በፊት በአቅም ማነስ፣ በመዋቅር ለውሞ፣ በአሰራር ማሻሻያና በመሳሰሉት ምክንያቶች የሚሰናበት ሌተናል ኮሎኔል ወይም ኮሎኔል ስንብት ላይ መክሮ ሀሳብ ይሰጣል፣
- ፬/ የጦር ኃይሎች ጠቅሳይ ኤታማዦር ሹምን በወታደራዊ ጉዳዮች ያማክራል።

<u> ኟ፱. የመከላከያ አዛዦች ምክር ቤት አባላት</u>

- ፩/ የመከላከያ አዛዦች ምክር ቤት የሚከተሉት አባላት ይኖሩታል፦
 - U) የጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም (ሰብሳቢ)፣
 - ለ) የጦር ኃይሎች ምክትል ኤታማዦር ሹም (አባል)፣
 - ሐ) የኃይል አዛዦች (አባል)፣
 - መ) የዋና መምሪያ ኃላፊዎች (አባል)፣
 - ሥ) የዕዝ አዛገሮች (አባል)፣
 - ረ) ኢንስፔክተር ጀንራል (አባል)፣
- ፪/ የጦር ኃይሎች ጠቅላይ ኤታማዦር ሹሙ እንደስራው አስፌላጊንት ካለድምጽ የሚሳተፉ ተጨማሪ የልዩ ልዩ የሥራዊት ክፍል አዛዦች በምክር ቤቱ ስብሰባ እንዲገኙ ሲጠራ ይችላል::

- 2/ examine the budget requirements of the defense forces;
- 3/ examine the proposal of candidates designated for promotion to the rank of Brigadier General and make recommendations;
- 4/ examine the performance reports of candidates designated for promotion to the ranks of Lieutenant Colonel and Colonel, and approve the promotions;
- 5/ when necessary, give counsel to the Chief of Staff regarding members proposed for promotion to the rank of Major General;
- 6/ approve discharge from service before the retirement age of officers with the rank of Lieutenant Colonel and Colonel where the discharge is necessitated due to incompetence, structural change, reform, or other similar reasons;
- 7/ advise the Chief of the General Staff on military matters.

29. <u>Members of the Council of Defense</u> <u>Commanders</u>

- 1/ The Council of Defense Commanders shall have the following members:
 - a) Chief of the General Staff (Chairperson)
 - b) Deputy Chief of Staff (Member)
 - c) Force Commanders (Member)
 - d) Main Department Chiefs (Member)
 - e) Command Commanders (Member)
 - f) Inspector-General (Member)
- 2/ Where it is deemed necessary for the purpose, the Chief of the General Staff may summon additional commanders of the various units of the defense force to attend without vote at a meeting of the Council of Commanders.

<u>ክፍል አምስት</u>

<u>ስለወታደራዊ ፍትሀ አካላት</u>

፴. <u>መቋቋም</u>

በመከላከይ ሥራዊት ውስዋ የወታደራዊ ፍትህ ሥራን የሚያከናውኑ የሚከተሉት አካላት በዚህ አዋጅ ተቋቁመዋል፡-

- ፩/ ወታደራዊ ፖሊስ፤
- ፪/ ወታደራዊ መርማሪ፤
- ፫/ ወታደራዊ ዓቃቤ ሕፃ፤
- ፬/ ወታደራዊ ፍርድ ቤቶች፤
- ጅ/ ወታደራዊ ተከላካይ ጠበቃ፤ እና
- ፮/ ወታደራዊ ማረሚያ ቤተ፡፡

፴፩. <u>የወታደራዊ ፖሊስ ሥልጣንና ተግባር</u>

የወታደራዊ ፖሊስ የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

- ፩/ በሥራዊቱ ውስዋ ወንጀል እንዳይፈፀም ይከሳከላል፤
- ፪/ የወታደራዊ ካምፖዥና የሥራዊቱ ቢሮዎችን ደህንነትና ሥነ-ሥርዓት ያስከብራል፤
- ፫/ የሥራዊቱን የማረሚያ እና ማቆያ ስፍራዎች ያስተዳድራል፣ ታራሚዎችን ይነንባል፤
- ፬/ የወታደራዊ ወይም የመደበኛ ፍርድ ቤቶች ወይም የአዛዦች ውሣኔዎችና ትዕዛዞችን ያስፈጽማል፡፡

፴፪. <u>ስለተቆማ</u>

- ማንኛውም 6/ የሥራዊት አባል ወታደራዊ የወንጀል ድርጊት ተፈፅሞ ሲገኝ ለቅርብ አመራሩ ለሚገኝ ወይም በአቅራቢያው ወታደራዊ ወይም መደበኛ ፖሊስ ወይም ለዓቃቤ ሕግ ዋቆጣ የማቅረብ ግዴታ አለበት፡፤
- ፪/ በወታደራዊ ፍርድ ቤት የሥረ ነገር ሥልጣን የሚወድቅ ወንጀል በሥራዊት አባል የተፈጸመበት ተበዳይ ወታደራዊ ዓቃቤ ሕግ በጉዳዩ ላይ ክስ ካልመሥረተ ክሱን በግሉ ለወታደራዊ ፍርድ ቤት ሊያቀርብ ይችላል፡፡

PART FIVE

MILITARY JUSTICE ORGANS

30. Establishment

The following military justice organs are hereby established to carry out tasks relating to military justice in the defense forces:

- 1/ Military Police;
- 2/ Military Investigator;
- 3/ Military Prosecutor;
- 4/ Military Courts;
- 5/ Military Defense Counsel; and
- 6/ Military prison.

31. Power and Duties of the Military Police

The Military Police shall have the powers and duties to:

- 1/ prevent the commission of crimes in the defense forces;
- 2/ maintain order and security in and around military camps and offices;
- 3/ administer military correctional and detention sites and rehabilitate inmates;
- 4/ execute and enforce decisions and orders of military or regular courts and of commanders.

32. Reporting

- 1/ Any member of the defense forces shall have the obligation to report the commission of a military offence to an immediate leadership or to the nearest military or regular police or prosecutor.
- 2/ A victim of a crime falling under the jurisdiction of a military court may lodge a charge himself before the military court where the military prosecutor fails to do so.

18 ፲፬ሽ ፲፱፻፲፱ ሬ.ዴራል ነ ጋሪት ጋዜጣ ቁጥር ፴፮ መስከረም ፱ ቀን ፪ሽ ፲፮ ዓ.ም Federal Negarit Gazette No. 36, 19th September, 2023 .page 14919

፫/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሥረት ዋቆማ የቀረበለት አዛዥ፣ መርማሪ ወይም ዓቃቤ ሕግ አግባብ ባለው ጊዜ ውስዋ በወንጀል ሥነ-ስርዓት ሕግና በዚህ አዋጅ የሚጠበቅበትን ተግባር መፈፀም አለበት፡፡

፴፫. <u>ተጠርጣሪን ስለመያዝ</u>

- ፩/ በአገሪቱ የወንጀል ሥነ-ሥርዓት ሕግና በዚህ አዋጅ በተደነገነው መሥረት ተጠርጣሪን የያዘ ማንኛውም የሥራዊት አባል አግባብ ባለው ጊዜ ውስፑ በአቅራቢያው ለሚገኝ የጦር ክፍል አመራር ሪፖርት ማድረግ አለበት::
- ፪/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሥረት ሪፖርት የደረሰው አዛዥ ሕግን ተከትሎ አግባብ ባለው ጊዜ ውስጥ ለወታደራዊ መርማሪ ወይም ለመደበኛ ፖሲስ ተጠርጣሪውን ማስረከብ አለበት፡፡
- ፫/ በወታደራዊ ካምፖች፣ ቢሮዎች፣ ወይም በግል የሥራዊት መኖሪያ ቤቶች ውስፑ ጊዜ የማይሰጥና አደገኛ ወንጀል ወይም የፀጥታ መደፍረስ ሲከሰት ወይም ይከሰታል የሚል በቂ ጥርጣሬ ሲኖር በየደረጃው ያለ አዛዥ እስር ወይም ብርበራ ማካሄድ ይችላል፡፡
- በዚህ አንቀጽ ንዑስ አንቀጽ (፫) መሠረት <u>õ/</u> ወይም የተሬፀመ እስር ብርበራ ለሚመለከተው አካል ሪፖርት መደረግ ያለበት ሆኖ ለማጓጓዝ ያለውን 2Њ ሳይጨምር በ፵፰ ሰዓት ውስዋ የታሰረውን ሰውና በብርበራ የተያዘውን ንብረት ለፍርድ ቤት ወይም እንደነገሩ ሁኔታ ለመደበኛ ፖሊስ መቅረብ አለበት፡፡

፴፬. <u>ስለ ወታደራዊ መርማሪ</u>

- ፩/ ወታደራዊ ወንጀል መርማሪ፣ የሬጅመንት ወይም የሻለቃና ከዚያ በላይ ያለ አዛዥ የወንጀል ድርጊት ሲፌፀም ወይም ተፈፅሟል የሚል በቂ ዋርጣሬ ሲኖረው ወይም ዋቆማ ሲደርሰው ምርመራ የመጀመር ወይም የማስጀመር ኃላፊነት አለበት፡፡
- ፪/ በወንጀል መርማሪውና በአዛዡ መካከል ምርመራን ስለመጀመር ወይም ስለማቋረዋ ልዩነት ከተፌጠረ አንድ ደረጃ ከፍ ብሎ ያለ አዛዥ ውሳኔ ይሰዋበታል፡፡ ውሳኔ ሰጪው አዛዥ ወንጀል ምርመራውን አስመልክቶ

3/ A commander, investigator or prosecutor to whom a crime is reported under Sub-Article (1) of this Article shall carry out his duties within reasonable time and in accordance with the relevant Criminal Procedure Code and this Proclamation.

33. Arresting a Suspect

- 1/ Any member of the defense forces who has arrested a suspect in accordance with the provisions of the Criminal Procedure Code and of this Proclamation shall report to the nearest military unit leadership within a reasonable time.
- 2/ The commander who received the report under Sub-Article (1) of this Article shall hand the suspect to the military investigator or regular police within a reasonable time and in accordance with the law.
- 3/ Where there is sufficient ground for suspicion of an imminent and dangerous act of crime or threat to security in military camps, offices or barracks, commanders at all levels may conduct an arrest or a search.
- 4/ arrest or search made in accordance with Sub Article (3) of this Article, shall be reported to the relevant organ, and the suspect shall be brought to a court of law, or the property seized shall be handed over to the regular police within forty-eight hours excluding the time for transportation.

34. Investigation

- 1/ Where crime has been committed, or there is a tip-off or sufficient ground for suspicion that it has been committed, a military investigator, a regiment commander, or a battalion commander, and above shall investigate or order the investigation of the crime.
- 2/ Where disagreement arises regarding the initiation or discontinuation of the investigation between the investigator and the commander, the stalemate shall be resolved by the final decision of the next higher-ranking commander. The

የሚሰጣቸውን ምርመራ የማስጀመር ወይም የማቋረዋና ሌሎች ተያያዥ ውሳኔዎችን በጽሁፍ ለወንጀል ምርመራ ክፍሉ የመስጠት ግዴታ አለበት፡፡

- ፫/ አዛገዮ ምርመራን ለማቋረዋ የሰጠው ትዕዛዝ ሕገወዋ ሆኖ የተገኘ እንደሆነ ተጠያቂ ይሆናል፡፡
- ፬/ በወታደራዊ ፍርድ ቤቶች የዳኝነት ሥልጣን ስር የሚወድቅ ወንጀል የተሬጸመ እንደሆነ በወንጀል ሥነ-ሥርዓት ሕግና በዚህ አዋጅ በተደነገገው መሥረት ዋልቅና ገለልተኛ በሆነ ምርመራ መጣራት አለበት::
- ጅ/ በወታደራዊ ፍርድ ቤቶች የዳኝነት ሥልጣን ስር የሚታይ ማንኛውም ወንጀል በየደረጃው በተደራጀ የወታደራዊ ወንጀል ምርመራ ክፍል ወይም በልዩ ሁኔታ ሊደራጅ በሚችል የምርመራ ቡድን ወይም በመደበኛ ፖሊስ እንዲጣራ ይደረጋል፡፡
- 第/ በዚህ አንቀጽ በንዑስ አንቀጽ (፩) በተደነገገው መሥረት በመደበኛ ፖሊስ ወይም በመደበኛ ፍርድ ቤቶች ሥልጣን ስር የሚወድቁ ወንጀሎች በካምፖች ወይም በወታደራዊ ይዞታዎች ተፈፅመው ሲገኙ አዛዦች ወይም ወታደራዊ መርማሪዎች በቀላሉ ሊጠፉ የሚችሉ ማስረጃዎችን በመስብሰብና የቅድመ ምርመራ ሥራዎችን በማከናወን ውጤቱን ለሚመለከተው መደበኛ ፖሊስ ያስረክባሉ::

፴፭. <u>ስለ ወታደራዊ ማረሚያ ቤት እና አስር ቅጣት</u> <u>አፈፃፀም</u>

Ø/ ወታደራዊ ማረሚያ ቤት በወታደራዊ ፍርድ ቤት በወንጀል ተከሰው በወታደራዊ ፍርድ ቤቶች ሁለት ዓመትና ከዚያ በታች የእስራት ቅጣት የተወሰነባቸውና የዲሲፕሊን ቅጣት ፈፅመው በየደረጃው ባሉ አመራሮች ቅጣት የተወሰነባቸው የሥራዊት አባላትን በሕጉ መሥረት ይጠብቃል፣ ይይዛል፣ ይከታተላል፣ ያንፃል፣ ያስተዳድራል፣ በወታደራዊ ፍርድ ቤቶች የተሰጡ ትዕዛዞችን ይፌፅማል ወይም ያስፈፅማል፡፡ commander making the final decision shall provide the crime investigation unit with a written report of the decision reached regarding the initiation or discontinuation of the investigation and related matters.

- 3/ Where the decision of the commander to withdraw investigation is found illegal, he shall be liable.
- 4/ Where a crime falling under the jurisdiction of a military court is committed, intensive and impartial investigation shall be carried out in accordance with the relevant provisions of the Criminal Procedure Code and this Proclamation.
- 5/ Any crime falling under the jurisdiction of a military court shall be investigated by military crimes investigation department organized at every level, or by a specially organized investigation team, or by the regular police.
- 6/ Where crimes falling under the jurisdiction of the regular police or regular courts are committed in military camps or military holdings as stated under Sub-Article (1) of this Article, the commanders or military investigators shall gather evidence which could be easily lost and carry out preliminary investigation and submit the finding to the concerned regular police.

35. About Military Prison and <u>Execution of</u> <u>Prison Sentence</u>

1/ Military prison shall keep, hold, follow up, correct and manage in accordance with the law, members of the military accused of crime and punished with two years and less imprisonment by marital courts and those punished by leadres at all level for disciplinary offense as well as execute or cause to be executed the orders of marital courts. 18 ፲፬ሺ፱፻፳፩ ሬ.ዴራል ነ ጋሪት ጋዜጣ ቁጥር ፴፬ መስከረም ፬ ቀን ፪ሺ፲፮ ዓ.ም Federal Negarit Gazette No. 36, 19th September, 2023 .page 14921

- ፪/ በወታደራዊ ፍርድ ቤት ከሁለት ዓመት በታች ቅጣት የተወሰነባቸው የሥራዊት አባላት በወታደራዊ ማረሚያ ቤት፣ ሁለት ዓመትና ከዚያ በላይ ቅጣት የተወሰነባቸው የሥራዊት አባላት ደግሞ በመደበኛ ማረሚያ ቤት ይታረማሉ ፡፡
- ፫/ የታራሚዎች የዝውውር ወይም የይቅርታ ወይም የምህረት ዋያቄዎችና ሌሎች ተዛማጅ መብቶች ታራሚው ባለበት መደበኛ ወይም ወታደራዊ ማረሚያ ቤት ይፈጸማል፡፡

፴፮. <u>የወታደራዊ ዓቃቤ ሥልጣንና ተግባር፣</u>

ወታደራዊ ዓቃቤ ሕፃ የሚከተሉት ሥልጣንና ተፃባራት ይኖሩታል፡-

- ፩/ በወታደራዊ ፍርድ ቤቶች የዳኝነት ሥልጣን ስር በሚወድቁ ማናቸውም የወንጀል ጉዳዮች ላይ ክስ ያቀርባል፣ ይከራከራል፤
- ፪/ የወንጀል ክስ ለመመስረት ሲወስን ለሚመለከተው አዛዥ ሪፖርት ያደርጋል፣ በጉዳዩ ላይ ያማክራል፤
- ፫/ የወንጀል ምርመራን ይመራል፣
- ፬/ በተቋማዊ የሕግ ማዕቀፎች ላይ አስፌላጊ ሆኖ ሲጎኝ ዋናት ያደርጋል፣ ስልጠና ይሰጣል፣ ሀሳብ ያመነጫል፣ ለውሳኔ ያቀርባል፣
- ጅ የፍትሐብሔር ጉዳዮችን በተመለከተ የተቋሙን መብትና ዋቅም በሚመለከት ወኪል ሆኖ ይከራከራል፣
- ፬/ በወታደራዊ ማረሚያ ቤት ቁዋዋር ስር ያሉ አባላትን ይነበኛል፣ አያያዛቸውን በሚመለከት ጉድለቶች ሲኖሩ የማስተካከያ እርምጃ ይወስዳል፣
- ፬/ በተቋማዊ ሰብዓዊ መብት አጠባበቅ ጉዳዮች ላይ አስፌሳጊ ተማባራትን ያከናውናል።

፴፯. <u>የወታደራዊ ወንጀል ክስ እንዲቋረተ የማዘዝ</u> <u>ስልጣን</u>

፩/ ሚኒስትሩ የሚከተሉት መስፌርቶች ከተሟሉ በወንጀል ሕጉ በወታደራዊ ፍርድ ቤቶች የሥረ-ነገር ስልጣን ስር የሚወድቁ የወንጀል ክሶች እንዲቋረጡ ሊያዝ ይችሳል፡-

- 2/ A member of the armed forces sentenced by a military court for less than two years shall serve the sentence in a military prison; whereas a member sentenced for two years and above shall serve the sentence in a civilian prison.
- 3/ Issues relating to the transfer, pardon or amnesty and such other related rights of inmates shall be entertained by civil or military prisons where the inmate is located.

36. <u>Powers and Duties of the Military</u> <u>Prosecutor</u>

A military prosecutor shall have the powers and duties to:

- institute criminal charges on any criminal matters falling under the jurisdiction of military courts;
- 2/ report to and consult the concerned commander where he decides to institute a criminal charge;
- 3/ direct criminal investigations;
- 4/ conduct, when necessary, research on institutional legal frameworks, provide training, generate ideas and submit them for decision by the higher authorities.
- 5/ represent the Ministry in courts of law, and deal with all judicial and legal matters in the Ministry's behalf.
- 6/ regularly visit military prisons and their inmates, inspect their conditions, and take appropriate, corrective measures.
- 7/ Perform proper activities pertaining to any human rights issues within the Ministry.

37. <u>Power to Withdraw Criminal Charges on</u> <u>Military Offence</u>

1/ The Minister may order the withdrawal of a criminal charge on military offence specified in the Criminal Code falling under the jurisdiction of military courts if the following conditions are met:

- U) ተከሳሽ በወታደራዊ የወንጀል ድርጊቱ የተወወተ እንደሆነ፤
- ለ) ክሱ ቢቋረዋ በተቋሙም ሆነ በአገር ላይ የሚያስክትለው ከፍ ያለ ጉዳት አይኖርም ተብሎ የሚገመትና ተከሳሹ መልካም ዜጋ ሆኖ ለተቋሙ ወይም ለአገር በኰ አስተዋፅዖ ያበሪክታል ተብሎ እምነት የሚጣልበት ከሆነ፤
- ሐ) የተከሳሽ የዘወትር ባህሪው መልካም የነበረና የቀድሞ የወንጀል ሪከርድ የሌለበት ከሆነ፤ እና
- መ) ወታደራዊ ወንጀሉ ከተቋሙ ገንዘብ ወይም ንብረት .ጋር የተያያዘ ከሆነና ተከሳሹ በገንዘብ ወይም በዓይነት ወይም በአገልግሎት ለተቋሙ ካሳ የከፌለ ወይም ለመካስ የሚፀና ቃል የገባ እንደሆነ።
- ፪/ ወታደራዊ ወንጀሉ ክሌላ መደበኛ ወንጀል ጋር ተጣምሮ ክስ የተመሰረተበት ከሆነ ክስ የማቋረጥ ትዕዛዙ ለወታደራዊ ወንጀሉ ብቻ ተፈጻሚ ይሆናል::
- ፫/ የወታደራዊ ወንጀል ክስ እንዲቋረዋ የሚሰዋ ውሣኔ ምክንደቱ ተጠቅሶ በጽሁፍ ካልተገለፀ በቀር ተቀባይነት አይኖረውም፡፡

፴፰. <u>ስለ ወታደራዊ ተከላካይ ጠበቃ</u>

- ፩/ ወታደራዊ ተከላካይ ጠበቃ በወንጀል ተጠርዋረው በወታደራዊ ፍርድ ቤቶች ምርመራ ለሚደረግባቸው ወይም ለተከሰሱ ሰዎች የዋብቅና አገልግሎት ይሰጣል፡፡
- ወታደራዊ ተከሳካይ ጠበቃ በፍርድ ቤት ê/ ተከሳሽን ወክሎ የተከራከረበት ጉዳይ በይግባኝ ሰሚም Ľ۶ NAUC ታይቶ የመጨረሻ እስኪሰጥበት ውሳኔ ድረስ አባልግሎቱን የመስጠት ኃላፊነት አለበት።
- ፫/ ማንኛውም የሥራዊት አባል ወይም የመከላከያ ሲቪል ሥራተኛ የመከላከያ ወይም የመንግስት ግዳጅ በመፈፀም ላይ እያለ ከዚህ ጋር በተያያዘ ሁኔታ በወንጀል ተከሶ በፌደራል ወይም በክልል መደበኛ ፍርድ ቤት ቢቀርብ በሚኒስቴር መስሪያ ቤቱ ተከላካይ ጠበቃ ይመደብለታል::

- a) where the accused regretted for the commission of the military offence he has committed;
- b) where it is assessed that withdrawal of the charge would not result in serious damage to the institution and the nation and it is believed that the accused would become a good citizen and contribute positively to the institution or the nation;
- c) where the accused was previously of good character and has no previous criminal record; and
- d) where the accused compensated in cash or in kind or in service for the offence which was committed on the property or money of the institution, or made a binding commitment to provide such compensation.
- 2/ Where the military criminal charge was brought concurrently with ordinary criminal charge, the order for withdrawal shall only apply to the military criminal charge.
- 3/ Any decision to withdraw a military criminal charge shall not have acceptability unless it is made in writing and the reasons thereof are stated.

38. Military Defense Counsel

- 1/ A Military Defense Counsel shall render advocacy service to persons being investigated or suspected of military offences.
- 2/ A Military Defense Counsel shall render advocacy service in the appellate and cassation courts if he has stood in the primary court representing an accused.
- 3/ If a member of the defense forces or a civil employee of the Ministry is brought before a federal or regional state court in connection with a crime committed while carrying out a military or public duty, the Ministry shall provide him with a defense counsel.

፬/ በወንጀል ተጠርዋሮ በወታዶራዊ ፍርድ ቤት የተከሰሰ ሰው በመረጠው ጠበቃ የመወከል መብት ይኖረዋል።

፩/ በዚህ አንቀጽ ንዑስ አንቀጽ (፬) የተደነገገው ቢኖርም ለአገር ደህንነት ሚስጥር አጠባበቅ ሲባል የሚቆመው ተከላካይ ጠበቃ ከሥራዊቱ አባላት ብቻ እንዲሆን ፍርድ ቤት ሊወስን ይችላል::

<u>፴፱. ስለ ወታደራዊ ፍርድ ቤቶች ደረጃዎች</u>

18

በመከላከያ ሥራዊት ውስዋ የሚቋቋሙት ወታደራዊ ፍርድ ቤቶች የሚከተሉት ደረጃዎች ይኖራቸዋል፡-

- ፩/ ቀዳሚ ወታደራዊ ፍርድ ቤት፤ እና
- ፪/ ይግባኝ ሰሚ ወታደራዊ ፍርድ ቤት፡፡

<u>፵. የቀዳሚ ወታደራዊ ፍርድ ቤት የዳኝነት ስልጣን</u>

- ፩/ ቀዳሚ ወታደራዊ ፍርድ ቤት በሚከተሉት ጉዳዮች ላይ የዳኝነት ስልጣን ይኖረዋል፡-
 - U) በወንጀል ሕጉ ከአንቀፅ ፪፻፹፬ እስከ አንቀፅ ፫፻፴፯ በተደነገጉት ወታደራዊ ወንጀሎች እና በወንጀል ሕጉ ከአንቀፅ ፪፻፴፯ እስከ አንቀፅ ፪፻፴፬ የተደነገጉትን የጣስ የሥራዊት አባል ተጠያቂ ይሆናል፤
 - ለ) በወንጀል ሕጉ ከአንቀፅ ፭፻፴፬ እስከ አንቀፅ ፭፻፴፬ መሠረት በሠራዊት አባላት መካከል በሚፈፀሙ የግድያና የአስገድዶ መድፈር፣ እንዲሁም በወንጀል ሕጉ ከአንቀፅ ፪፻፷፬ እስከ አንቀፅ ፪፻፹፫ በተደነገጉት ዓለማቀፍ የሰብዓዊ ወንጀሎች እና የእጅ እልፊትና የአካል ማጉደል ወንጀሎች፣
 - ሐ) ማንኛውም የሥራዊት አባል በአገር ውስጥ በጦር ሜዳ ግዳጅ ላይ ሆኖ በሚፈፅማቸው ማናቸውምወንጀሎች፤
 - መ) በውጭ አገር ግዳጅ ወይም በጦር ሜዳ ግዳጅ ከተሰማራ የጦር ክፍል ጋር የዘመተ የሥራዊት አባል ወይም ሲቪሎች በሚቆፅሟቸው ማናቸውም ወንጀሎች፤

- 4/ A person charged with an offence before a military court shall have the right to be represented by legal counsel of his own choice.
- 5/ Notwithstanding the provisions of Sub-Article (4) of this Article, for the purpose of keeping confidential information relating to national security, the court may decide that the defense counsel be chosen from among the members of the defense forces.

39. Hierarchy of Military Courts

Military courts to be established in the defense forces shall have the following hierarchy:

- 1/ The Primary Military Court; and
- 2/ The Appellate Military Court.

40. Jurisdiction of Primary Military Court

- 1/ The Primary Military Court shall have jurisdiction over the following matters:
 - a) Any member of the defense force who violates military crime provisions of Articles 284 to 337 and Articles 247 to249 of the Criminal Code shall be liable;
 - b) Offences of murder and rape among the members of the armed forces provided in Article 539 through Article 544 of the Criminal Code; in addition, Offences committed in transgression of international law and offences of bodily assault resulting bodily injury provided in Article 269 through Article 283 of the Criminal Code;
 - c) Any offence committed at home by a member of the defense forces while on active combat duty;
 - Any offence committed by a member of the defense forces or a civilian on mission along with a section of an army deployed abroad while on task or active combat duty;

- ሥ) በጦር ሜዳ ግዳጅ ወቅት ከሥራዊቱ ,ጋር የዘመቱ ሲቪሎች፣ የመደበኛ ፖሊስ አባላትና ሚሊሻዎች በሚሬጽሟቸው ማናቸውም ወንጀሎች፣
- ረ) የጦር ምርኮኞች ከተማረኩ በኋላ በሚፈፅሟቸው ማናቸውም ወንጀሎች፤
- ምልምል ወታደሮች ወደ **(**) ማሰልጠኛ ከገቡ በኋላ ወይም የብሔራዊ ተጠባባቂ ኃይል አባላት ወታደራዊ ወደ ማሰልጠኛ ከባቡ ወይም ከመደበኛ ሥራዊት .**)C** ከተቀላቀሉ 024 በሚፈፅሟቸው በወታደራዊ ፍርድ ቤት የዳኝነት ሥልጣን ሥር የሚወድቁ ወንጀሎች፤
- ሽ) በውጊድ የተማረኩ ሰዎች የጦር ምርኮኞች መሆን አለመሆናቸዉን የመለየት ጉዳዮች፡፡
- ፪/ አንድ ተከሳሽ ከቀረቡበት ክሶች መካከል ከፊሉ በወታደራዊ ፍርድ ቤት የዳኝነት ስልጣን ስር ከፊሉ ደግሞ በመደበኛ ፍርድ ቤት የዳኝነት ስልጣን ስር የሚወድቅ ከሆነ ሁሉም ክሶች በወታደራዊ ፍርድ ቤት ተጠቃለው ይታያሉ::

<u>፵፩. የይግባኝ ሰሚ ወታደራዊ ፍርድ ቤት ሥልጣን</u>

- ፩/ ይግባኝ ሰሚ ወታደራዊ ፍርድ ቤት በቀዳሚ ወታደራዊ ፍርድ ቤት ውሣኔ ያገኙ ጉዳዮችን በይግባኝ የማየት ሥልጣን ይኖረዋል፡፡
- ፪/ ይግባኝ ሰሚ ወታደራዊ ፍርድ ቤት የቀዳሚ ወታደራዊ ፍርድ ቤትን ውሣኔ የማፅናት፣ የማሻሻል ወይም የመሻር ሥልጣን ይኖረዋል፡፡

<u>፵፪. ስለፌደራል ጠቅሳይ ፍርድ ቤት ሥልጣን</u>

የፌደራል ጠቅላይ ፍርድ ቤት መሥረታዊ የሆነ የሕግ ስፀተት ያለበትን በወታደራዊ ፍርድ ቤት የተሰጠ የመጨረሻ ውሳኔ ለማረም በሰበር ችሎት የማየት ሥልጣን ይኖረዋል፡፡

- e) Any offence committed by civilians, members of the regular police force or militia deployed along with members of the defense forces on grounds of general mobilization or the declaration of a state of war;
- f) Any offence committed by prisoner of war after being captured;
- g) Offences falling under the jurisdiction of military courts committed by recruits after entering into training camps or members of national reserve force after entering into military training camps or joining the regular defense forces;
- h) Cases involving whether or not persons taken prisoner during a time of war are prisoners of war.
- 2/ If part of the offences an accused is charged with falls under the jurisdiction of a military court and a part thereof under the jurisdiction of a regular court, all charges shall be brought before the military court.

41. Jurisdiction of an Appellate Military Court

- 1/ The Appellate Military Court shall have appellate jurisdiction on cases disposed of by the Primary Military Court.
- 2/ The Appellate Military Court shall have the power to confirm, vary or reverse the decision of the Primary Military Court.

42. <u>Power of the Federal Supreme Court</u>

The Federal Supreme Court shall have power of cassation over any final decision of military court which contains a basic error of law.

፵፫. <u>ስለወታደራዊ ፍርድ ቤቶች ውሳኔዎች፣ ትዕዛዞችና</u> <u>ብይኖች ተፈፃሚነት</u>

ወታደራዊ ፍርድ ቤቶች ከዳኝነት ሥልጣናቸው ጋር በተያያዝ የሚሰዉቸው ውሳኔዎች፣ ትዕዛዞችና ብይኖች በማንኛውም ሰው ላይ ተፈፃሚ ይሆናሉ፡፡ ፍርድ ቤቶቹ እንዚህን ውሳኔዎች፣ ትዕዛዞች ወይም ብይኖች የማይሬጽም ማንኛውም ሰው ወይም አካል በሕግ መሥረት ተጠያቂ ይሆናል፡፡

፵፬. <u>ስለሞት ቅጣት አፌፃፀም</u>

በወታደራዊ ፍርድ ቤቶች የተወሰነ የሞት ቅጣት በአገሪቱ ርዕሰ ብሔር ካልፀና ተፊፃሚ ሊሆን አይችልም፡፡ በይቅርታ ወይም በምህረት ያልተሻረ ወይም ያልተለወጠ መሆኑ አስቀድሞ ከመመርመሩና ከመታወቁ በፊት ተፊፃሚነት አይኖረውም፡፡

፵፭. <u>ወታደራዊ ፍርድ ቤቶች ስለሚሰሩባቸው የሥነ-</u> <u>ሥርዓት ሕኮች</u>

- ፩/ የወታደራዊ ፍርድ ቤቶች በኢትዮጵያ የወንጀል ሥነ-ሥርዓት ሕፃ እና እንዳስፈላጊንቱም የፍትሀብሔር ሥነ- ሥርዓት ሕፃ እንዲሁም የማስረጃ ሕጎች መሥረት በማድረግ ያስችላሉ፡፡
- ፪/ በወታደራዊ ፍርድ ቤቶች ዳኞች መካከል በውሳኔ አሰጣዋ ልዩነት ሲኖር በድምፅ ብልጫ ይወሰናል፡፡

፵፮. <u>ስለወታደራዊ ፍርድ ቤት ዳኞች ሹመት፣ የሥራ</u> <u>ዘመንና ከዳኝነት ስለመነሣት</u>

- ፩/ በውትድርና አገልማሎት ላይ ያለና የሕግ ዕውቀት ያለው መኮንን ወይም በመደበኛ ፍርድ ቤቶች በዳኝነት በማገልገል ላይ ያለ ሲቪል በወታደራዊ ፍርድ ቤት ዳኛ ሆኖ ሲሾም ይችላል፡፡
- ፪/ የቀዳሚ ወታዳራዊ ፍርድ ቤት ዳኞች በሙከላከያ ሚኒስትሩ ይሾማሉ፡፡
- ፫/ የይግባኝ ሰሚ ወታደራዊ ፍርድ ቤት ዳኞች በሚኒስትሩ አቅራቢነት በጦር ኃይሎች ጠቅላይ አዛዥ ይሾማሉ፡፡

43. <u>Execution of Decisions, Orders and Rulings</u> of <u>Military Courts</u>

Decisions, orders and rulings rendered by military courts in relation to their jurisdiction shall bind every person. The military courts shall have the power to punish, in accordance with the law, any person or organ that disobeys same.

44. Execution of Death Sentence

A death sentence may not be executed unless approved by the Head of State. Death sentence may not be executed prior to ascertaining that it has not been commuted by pardon or amnesty.

45. <u>Procedural Laws to be Applied by Military</u> <u>Courts</u>

- 1/ Military Courts shall in disposing of cases apply the Criminal Procedure Code, and, as necessary, the Civil Code and Evidentiary Law;
- 2/ Where in rendering decision judges of military courts have differences of opinion, the matter shall be decided by majority vote.

46. <u>Appointment, Term of Office and Removal</u> <u>of Military Court Judges</u>

- 1/ An officer rendering military service and having legal skills or any civilian serving as a judge in regular courts may be appointed as judge of a military court.
- 2/ Primary Military Court judges shall be appointed by the Minster.
- 3/ Appellate Military Court judges shall be appointed by the Commander-in-Chief of the Armed Forces upon the recommendation of the Minister.

Ø/ ዳ管ች ከሥራ የሚነሱት በህመም ምክንያት ተግባራቸውን በተገቢው ሁኔታ ማከናወን አይችሉም ተብሎ ሲወሰን ወይም በዲስፕሊን ጉድለት ወይም በወንጀል ጥፋተኛ ሆነው ሲገኙ ነው፡፡

- 第/ በዚህ አንቀጽ ንዑስ አንቀጽ (፬) እና (ξ) የተደነገገው ቢኖርም ማንኛውም የሥራዊት አባል ዳኛ በልዩ ሁኔታ ለሌላ ሥራ አስፈላጊ ሆኖ ከተገኘ የሹመት ዘመኑ ባያበቃም ለሾመው አካል በማሳወቅ በጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም ትዕዛዝ ከዳኝነት ሊነሣ ይችላል፡፡

<u>፵፯ ስለችሎት አሰያየም</u>

- ፩/ እስከ ሶስት ዓመት በሚያስቀጣ ቀላል ወንጀል የተከሰሰ ሰው ጉዳይ በአንድ ዳኛ ሊታይ ይችላል፡፡
- ፪/ ከሶስት ዓመት ፅኑ አስራት በላይ በሚያስቀጣ ወንጀል የተከሰሰ ሰው ጉዳይ ወይም የጦር ምርኮኞችን ሕጋዊ አቋም የመለየት ጉዳይ የሚታየው ከሦስት ባላነሱ ዳኞች ይሆናል፡፡
- ፫/ በይግባኝ ሰሚ ወታዶራዊ ፍርድ ቤት የሚያስችሉ ዳኞች ብዛት ከሦስት ያላነስ ሆኖ ሰብሳቢው ዳኛ ሲቪል ይሆናል፡፡
- ፬/ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) እና (፫) የተደነገገው ቢኖርም የሚከተሉት ተግባራት የዳኞች ቁጥር ባይሟላም በአንድ ዳኛ ሲከናወኑ ይችላሉ:-
 - ሀ) የክስን ሕጋዊ ብቃት ማረጋገዋ፤
 - ለ) የተከራካሪ ወገኖች ማስረጃዎች በበቂ ምክንያት ባልቀረቡ ጊዜ ተለዋም ቀጠሮ መስጠት፤
 - ሐ) ተከሳሽ ወይም ምስክር መጥሪያ ደርሶት ሳይቀርብ ቢቀር ተይዞ እንዲቀርብ ወይም ያልቀረበው መጥሪያ ሳይደርሰው ከሆነ ተገቢውን ትዕዛዝ መስጠት፤

- 4/ Judges shall be removed from office where they are unable to carry out their duties due to illness or where they are found guilty of a disciplinary or criminal offence.
- 5/ Judges shall be removed from office by the organ which appointed them.
- 6/ Notwithstanding the provisions of Sub-Article (4 and), (5)) of this Article, any judge who is a member of the defense forces is needed for another assignment, he may be removed from office before the expiry of his term of office by the order of the Chief of the General Staff upon notifying the organ which appointed him.

47. Sitting at Military Courts

- 1/ The case of an accused person whose offence is punishable by a simple imprisonment not exceeding three years may be tried by one judge.
- 2/ The case of an accused person whose offence is punishable by a rigorous imprisonment exceeding three years or deciding on the legal status of prisoners of wars shall be tried by not less than three judges.
- 3/ The number of judges sitting at the Appellate Military Court may not be less than three and the presiding judge shall be a civilian.
- 4/ Notwithstanding to the provisions of Sub-Article (2) and (3) of this Article, the following issues may be carried out by one judge even if the number of judges to sit at a particular bench is not met:
 - a) Ascertaining the legal adequacy of a charge;
 - b) Adjourning a session or a case where evidences of the parties are not produced on sufficient grounds;
 - c) Giving orders for the arrest and appearance of an accused or a witness who failed to appear having been summoned or giving the appropriate order where the non-appearance is due to failure in serving the summon;

መ) ጉዳዩ በተቀጠረበት ዕለት ያልተሰራ ከሆነ ተለዋጭ ቀጠሮ መስጠትን የሚመለከቱ ትዕዛዞች፡፡

- ጅ/ በዚህ አንቀፅ በንዑስ አንቀጽ (፪) እና (፫) የተደነገገው ቢኖርም የሚከተሉት ተግባራት የዳኞች ቁዋር ባይሟላም በሁለት ዳኞች ሊከናወኑ ይችላሉ፡-
 - U) በክስ ላይ የቀረበን መቃወሚያ በመስማት ወይም የዋስትናን ዋያቄ በመስማት ተገቢውን ትዕዛዝ መስጠት፤
 - ለ) የይግባኝ አቤቱታ መስማት፤
 - ሐ) በሦስት ዳኞች የተሰጠን ፍርድ ለተከራካሪ ወገኖች መግለፅ፡፡
- ፮/ በቀዳሚ ወታደራዊ ፍርድ ቤት ከሚሰየሙ ዳኞች መካከል ቢያንስ ሰብሳቢው ዳኛ በወንጀል ተጠርዋሮ ከተከሰሰው ሰው የበለጠ ወይም አቻ ማዕረግ ሊኖረው ይገባል፡፡
- ፯/ በመከላከያ አቻ ማዕረግ ያልተገኘለት ሰው ተከሳሽ የሆነ እንደሆነ ሰብሳቢው ዳኛ በጦር ኃይሎች ጠቅሳይ አዛዥ ይሰየማል፡፡

<u>፵፰. ስለዳኞች ከችሎት መነሣት</u>

- ፩/ ዳኛው ከተከራካሪዎች ከአንደኛው ወገን ወይም ከጠበቃው የ.ጋብቻ የስ.ጋ ወይም ዝምድና ያለው እንደሆነ ወይም ፍትሃዊ ውሳኔ ለመስጠት የማያስችለው ሌሳ መኖሩን ምክንያት ሲያምን ወይም በማናቸውም ምክንያት እንዳያስችል ማመልክቻ ሲቀርብበትና ማመልክቻው ተቀባይነት ሲያገኝ ከችሎት ይነሳል።
- ፪/ አንድ ወታደራዊ ዳኛ በሚመራው ክፍል አባል የሆነ ተከግሽ ጉዳይ ሲቀርብ ወይም አባሉ ባይሆንም በተለያዩ አ.ጋጣሚዎች ጉዳዩን ቀድሞ ያወቀው እንደሆነ በችሎት አይሰየምም፡፡
- ፫/ አንድን ዳኛ ከችሎት እንዲነሳ ማመልከቻ የሚቀርበው ክርክሩ ከመጀመሩ በፌት ወይም ማመልከቻ ለማቅረብ ምክንያት መኖሩ እንደታወቀ መሆን አለበት፡፡

- d) Order of re-adjourning a case that adjourned for examination but the examination is not completed.
- 5/ Notwithstanding to the provisions of Sub-Article (2) and (3) of this Article, the following issues may be carried out by two judges even if the number of judges to sit at a particular bench is not met:
 - a) Giving the appropriate order on objection to a charge or on application for bail;
 - b) Hearing a petition of appeal;
 - c) Reading a judgment rendered by three judges to the parties.
- 6/ Among the judges sitting at a Primary Military Court at least the presiding judge shall have higher or equivalent rank with that of the accused person.
- 7/ Where there is no equivalent rank with that of the accused person, the presiding judge shall be assigned by the Commander-in-Chief of the Armed Forces.

48. Withdrawal of Judges

- 1/ A judge shall not sit in a case where he is related by consanguinity or affinity with one of the parties or the advocate thereof or where he believes that there is any other reason that prohibits him from rendering a fair decision or an application requesting removal is brought against him for any other reason and the application is accepted.
- 2/ A judge may not sit in a case where the accused is a member of the unit he directs or otherwise knows the case in advance.
- 3/ An application for removal of a judge shall be brought before the trial opens or soon after the party becomes aware of the reason for making such an application.

- Ø/ ከችሎት እንዲነሳ በማመልከቻ ተቃውሞ የቀረበበት ዳኛ የማመልከቻውን አግባብነት ከተቀበለው ከችሎቱ ይነሳል፤ ካልተቀበለው በሌሎች ዳኞች እንዲወሰን ማመልከቻውን ያስተሳልፋል፡፡
- ፩/ ከችሎት እንዲነሳ ተቃውሞ የቀረበበት ዳኛ ከሌሎች ዳኞች ጋር በሚያስችልበት ጊዜ ከሆነ ተቃውሞ የቀረበበት ዳኛ በሌለበት በሌሎች ዳኞች ውሣኔ ያገኛል፡፡

<u>፵፱. ስለዳኝነት ነፃነት</u>

- ዳዋች <u>6</u>/ ቤቶችና የወታደራዊ ፍርድ አካልም ከማንኛውም የመንግስት UP5 ባለሥልጣን፣ መንግስታዊ ካልሆኑ ተቋማት፣ ከግል ድርጅቶች ወይም ከማንኛውም ሰው ሥራዎቻቸውን ተጽዕኖ 59 ሆነው ያከናውናሉ።
- ፪/ የወታደራዊ ፍርድ ቤቶችና ዳኞች የሥነ-ምግባር፣ የሥራ አሬፃፀም ብቃት፣ ተጠያቂነትና ነፃነትን የሚከታተል ከወታደራዊ ፍርድ ቤት ዳኞች ሁለት፣ ከመደበኛ ፍርድ ቤቶች ዳኞች ሁለት እና ከአዛዦች አንድ አባል ያለበት የወታደራዊ ፍርድ ቤት ዳኞች የሥነ-ምግባር ኮሚቴ ይቋቋጣል፡፡
- ፫/ የወታደራዊ ፍርድ ቤት ዳኞች የሥነ-ምግባር ኮሚቴ በሚኒስትሩ አቅራቢነት በጦር ኃይሎች ጠቅላይ አዛዥ ይቋቋማል፡፡
- ፬/ የወታደራዊ ፍርድ ቤት ዳኞች የሥነ-ምግባር ኮሚቴ የሥነ-ምግባር ጉድለት ተፈፅሟል ተብሎ ሞቆማ ወይም አቤቱታ የቀረበበትን ዳኛ ጉዳይ አጣርቶ ውጤቱን ዳኛውን የመሾም ስልጣን ወዳለው አካል ይቀርባል::
- ፩/ የወታደራዊ ፍርድ ቤት ዳኞች የሥነ-ምግባር ኮሚቴ የወታደራዊ ፍርድ ቤት ዳኞችን የስራ አሬፃዐም ይገመግማል፣ የመፍትሄ ሃሣብ ያቀርባል፡፡
- ፮/ የወታደራዊ ፍርድ ቤት ዳኞች የሥነ-ምግባር ኮሚቴ ኃላፊነቱን ለመወጣት የሚረዳው ዝርዝር የስራ መመሪያ ያዘጋጃል፡፡

- 4/ The judge against him an application for removal is made, shall withdraw where he found the application acceptable, or shall refer the matter for decision to other judges where he found the application unacceptable.
- 5/ The remaining judges shall decide on the application without the participation of the judge against whom the application for removal is made.

49. Independence of the Judiciary

- 1/ Military Courts and judges shall carry out their duties independent of any influence from any governmental body or official, non-governmental or private organizations, or any person.
- 2/ A judicial disciplinary committee of military court composed of two judges from military courts, two judges from regular courts and one member from commanders shall be established with the power to follow up and monitor the discipline, performance, accountability and independence of military courts and judges.
- 3/ The judicial disciplinary committee of military courts shall be established by the Commander-in-Chief of the Armed Forces upon the recommendation of the Minister.
- 4/ When an application or complaint alleging disciplinary offence against a judge is submitted to the judicial disciplinary committee of military courts, the committee shall investigate the matter and submit its result to the organ having the power to appoint the judge.
- 5/ The judicial disciplinary committee of military courts shall evaluate the performance of military court judges and propose its recommendation thereon.
- 6/ The judicial disciplinary committee of military court shall draw up its own directive to enable it to carry out its responsibilities.

<u> የ ስለ ፍትሀ አካላት ተጠሪነት</u>

በተቋሙ ውስጥ ነፃና ሚዛናዊ የፍትህ ሥርዓት ተግባራዊ ለማድረግ ወታደራዊ መርማሪ እና ወታደራዊ ዐቃቤ ሕግ ተጠሪነታቸው ለጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም ይሆናል፡፡

<u>ክፍል ስድስት</u>

<u>ሜዳይ፣ የምስክር ወረቀትና</u>

<u>የተሸሳሚዎች ልዩ መብቶች</u>

- ፩/ በመንግስት የሚሰጡ፡-
 - ሀ) የጥቁር አንበሳ የላቀ ሜዳይ፤
 - ለ) የአድዋ ድል ከፍተኛ ሜዳይ።
- ፪/ በሚኒስቴሩ የሚሰጡ፡-
 - U) የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ፤
 - ለ) የአውደ ውጊያ ጀግና ሜዳይ ሁለተኛ ደረጃ፤
 - ሐ) የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ፤
 - መ) የታማኝ ጀግና የወርቅ ኮከብ ሜዳይ፣

 - ረ) የሳቀ የሥራ ውጤት ሜዳይ፤
 - ሰ) የትግል ተሳትፎ ሜዳይ ባለዘንባባ፣
 - ሽ) የትግል ተሳትፎ ሜዳይ ያለዘንባባ፡፡
- ፫/ በኃይሎች፣ በዕዞችና ዋና *መምሪያዎች* የሚሰጡ ፡-
 - ሀ) የምርዋ አዛዥ ሜዳይ አንደኛ ደረጃ፤
 - ለ) የምርዋ አዛዥ ሜዳይ ሁለተኛ ደረጃ፤
 - ሐ) የምርጥ አዛዥ ሜዳይ ሶስተኛ ደረጃ፤

50. <u>Reporting Authorities</u>

To ensure fair and independent justice in the institution the Military Investigator and the Military Prosecutor shall report to the Chief of Staff.

<u>PART SIX</u>

MEDALS, CERTIFICATES AND

PRIVILEGES OF AWARDEES

51. <u>Medals and Certificate to be Bestowed upon</u> <u>Members of the Defense Forces</u>

- 1/ Awarded by the Government:
 - a) The Distinguished Medal of the Black Lion;
 - b) The Highest Medal of the Victory of Adwa.
- 2/ Awarded by the Ministry:
 - a) The Medal of Battlefield Heroism First Class ;
 - b) The Medal of Battlefield Heroism Second Class;
 - c) The Medal of Battlefield Heroism Third Class;
 - d) The Medal of Gold Star for Heroic Loyalty;
 - e) The Medal of Silver Star for Heroic Loyalty;
 - f) The Medal of Distinguished Performance;
 - g) The Medal with Palm Leaf for Participation in the Armed Struggle;
 - h) The Medal without Palm Leaf for Participation in the Armed Struggle.
- 3/ Awarded by Forces, Commands and Main Departments:
 - a) The Medal of Distinguished Commandership First Class;
 - b) The Medal of Distinguished Commandership Second Class;
 - c) The Medal of Distinguished Commandership Third Class;

መ) የምርተ ተዋጊ ሜዳይ አንደኛ ደረጃ፤

- w) የምርጥ ተዋጊ ሜዳይ ሁለተኛ ደረጃ፤
- ረ) የምርዋ ተዋጊ ሜዳይ ሶስተኛ ደረጃ፤
- ስ) የምርዋ ውጊያ ድጋፍ ወይም ውጊያ አገልግሎት ድጋፍ ሜዳይ አንደኛ ደረጃ፤
- ሽ) የምርዋ ውጊያ ድጋፍ ወይም ውጊያ አገልግሎት ድጋፍ ሜዳይ ሁለተኛ ደረጃ፤
- ቀ) የምርዋ ውጊያ ድ*ጋ*ፍ ወይም ውጊያ አገልግሎት ድ*ጋ*ፍ ሜዳይ ሶስተኛ ደረጃ፤
- በ) የውትድርና አገልግሎት ሜዳይ አንደኛ
 ደረጃ፤
- ተ) የውትድርና አባልማሎት ሜዳይ ሁለተኛ ደረጃ፤
- ቸ) የውትድርና አባልግሎት ሜዳይ ሦስተኛ ደረጃ፤
- ነ) የውትድርና አባልግሎት ሜዳይ አምስተኛ ደረጃ፤
- ኝ) የውትድርና አባልማሎት ሜዳይ ስድስተኛ ደረጃ፤
- አ) የአውደ ውጊያ ቁስለኛ ሜዳይ፤
- ከ) የውጊያ ተሳትፎ የምስክር ወረቀት፡፡
- ፬/ በዚህ አንቀፅ ንዑስ አንቀጽ (፩) "ህ" እና "ለ" ለተጠቀሱት ሜዳዮች በርዕሰ ብሄር የተፈረመ የምስክር ወረቀት ከሜዳዩ ጋር አብሮ ይሰጣል፡፡
- ፟ዿ/ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) ከ"ረ" በስተቀር ከ"ህ" እስከ "ሰ" ለተጠቀሱት ሜዳዮች በጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም የተፈረመ የምስክር ወረቀት ከሜዳዪ ጋር አብሮ ይሰጣል፡፡

- d) The Medal of Distinguished Combatant First Class;
- e) The Medal of Distinguished Combatant Second Class;
- f) The Medal of Distinguished Combatant Third Class;
- g) The Medal of Distinguished Combat Support or Combat Service Support First Class;
- h) The Medal of Distinguished Combat Support or Combat Service Support Second Class;
- The Medal of Distinguished Combat Support or Combat Service Support Third Class;
- j) The Medal of Military Service First Class;
- k) The Medal of Military Service Second Class;
- The Medal of Military Service Third Class;
- m) The Medal of Military Service Fourth Class;
- n) The Medal of Military Service Fifth Class;
- o) The Medal of Military Service six Class;
- p) The Medal of the Wounded;
- q) Combat Certificate.
- 4/ Certificate signed by the Head of State shall be given alongside the medals indicated in Sub-Article(1) (a) and (b) of this Article.
- 5/ Certificate signed by the Chief of Staff shall be given alongside the medals indicated in Sub-Article (2)(a) through(g) of this Article except(f).

- ½/ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) "ረ" ለተጠቀሰው ሜዳይ በመከላከያ ሚኒስትሩ የተፈረመ የምስክር ወረቀት ከሜዳዩ ጋር አብሮ ይሰጣል፡፡
- 第/ በዚህ አንቀጽ ንዑስ አንቀጽ (፫) ከ"ሐ" እስከ "ቀ" የተጠቀሱት ሜዳዮች የውጊያ ድጋፍ ወይም የውጊያ አገልግሎት ድጋፍ ክፍሉ ስያሜ በሜዳዬቹ ላይ ይፃፍባቸዋል፣ ሜዳዮቹ ስተሰጣቸው አባላት ወይም አህዶችም በሰጪው አካል የተፈረመ ሰርተፍኬት ይሰጣል::
- ፰/ የሜዳዮች፣ ሪባንና የምስክር ወረቀቶች መጠን፣ ቅርጽና ይዘት በደንብ ይወሰናል፡፡

<u> ፶፪. የጥቁር አንበሳ የላቀ ሜዳይ</u>

- ዾ/ የሞቁር አንበሳ የላቀ ሜዳይ የሀገርን ህልውና እና ሉአላዊነት ከከባድ አዲጋ ለመታደግ እጅግ ከፍተኛ አመራር የሰጠ፣ የሀገር አንድነትና ዳር ድንበርንና ሕገ መንግስታዊ ሥርዓትን በታላቅ ጀግንነት ከከባድ አዴጋ የታደገ፣ እጅግ የላቀ ጀብዱና ውለታ ለሀገር ለዋለ ኢትዮጵያዊ ግለሰብ ወይም የሥራዊት አሀድ ወይም ቡድን የሚሰጥ ከፍተኛና የላቀ የጀግና ሽልማት ነው ፡፡
- ፪/ የጥቁር አንበሳ የላቀ ሜዳይ የተሽለመ ሰው፡-
 - U) በብሔራዊ በዓል አከባበር ሥነ-ሥርዓትወቅት ለከፍተኛ የመንግስት ባለስ ልጣኖች በሚዘጋጀው ቦታ ይቀመጣል፤
 - ለ) በርዕሰ ብሔሩ የተፈረመ ልዩ የመታወቂያ ወረቀት ይሰጠዋል፤
 - ሐ) በፌዴራሉ ርዕስ ከተማ ትምህርት ቤት፣ ሆስፒታል፣ መንገድ፣ ድልድይ፣ አደባባይ ወይም ሌላ ተመሳሳይ መጠሪያ በስሙ ሲሰየምለት ይችላል፤ በተጨማሪም መታሰቢያ ሐውልት ሲቆምለት ይችላል።

- 6/ Certificate signed by the Minister shall be given along side the medals indicated in paragraph (f) of Sub-Article (2) of this Article.
- 7/ Sub-Article (3) (c) up to (i) of this Article the names of the combat support and combat services support units in which the awardees of the medals belong shall be inscribed; and certificates signed by the relevant awarders shall be sent to the respective units of the awardees.
- 8/ The dimension, shape and contents of the medals, ribbon and certificate specified under sub-articles (1) to (3) of this Article shall be elaborated in a subsequent Regulation.

52. The Distinguished Medal of the Black Lion

- 1/ The Distinguished Medal of the Black Lion is the highest award that is bestowed to an Ethiopian individual, military unit or group that has made an immense contribution to safeguard the existence and sovereignty of the nation from grave danger, has performed extraordinary feats of heroism and service to protect the territorial integrity and unity as well as the Constitutional Order of the State.
- 2/ An awardee of the Distinguished Medal of the Black Lion will receive the following honors and entitlements:
 - a) To be accorded a sit, during national public ceremonies, at a place designated for senior government officials
 - b) To be issued a special identification card signed by the Head of State
 - c) The possibility that, in the federal capital city, a school, a hospital, a road, a bridge, a public square, or some other similar public property may be named after him; in addition, a monument may be erected for him.

<u> ያ፫. የአድዋ ድል ከፍተኛ ሜዳይ</u> 53. The Medal of the Victory of Adwa 1/ The Medal of the Victory of Adwa is the ፩/ የአድዋ ድል ከፍተኛ ሜዳይ እጅግ የላቀ ጀግንነት በአውደ ውጊያ ስፈፀመ ወይም አመራር ለሰጠ ኢትዮጵያዊ ግለሰብ ወይም የሥራዊት አሀድ ወይም ቡድን የሚሰዋ bravery in the battlefield. ከፍተኛ የጀግና ሽልማት ነው። ፪/ የአድዋ ድል ከፍተኛ ሜዳይ የተሸለመ ሰው፡-2/ Adwa: ሀ) በብሔራዊ በዓል አከባበር ሥነ-ሥርዓት shall take a seat in the place reserved a) ወቅት ለከፍተኛ የመንግስት ባለስልጣኖች national holiday ceremony; በሚከጋጀው ቦታ ይቀመጣል፤ b) shall receive a special identity card A) ()Con ብሔሩ የተፈረመ ልዩ signed by the Head of the State; የመታወቂያ ወረቀት ይሰጠዋል፤ c) may have at his birth place a school, a ሐ) በትውልድ ሥፍራው ትምህርት ቤት፣

- ሆስፒታል፣ መንገድ፣ አደባባይ ወይም ሌሳ ተመሳሳይ መጠሪያ በስሙ ሊሰየምለተ ይችሳል።
- ፻/ የአድዋ ድል ከፍተኛ ሜዳይ ሁለት ጊዜ የተሸለመ ሰው በፌደራሉ ርዕሰ ከተማ ትምህርት ቤት፣ ሆስፒታል፣ መንገድ፣ ድልድይ ፣ አደባባይ ወይም ሌላ ተመሳሳይ መጠሪያ በስሙ ሊሰየምለት ይችላል፤ በተጨማሪም መታሰቢያ ሐውልት ሊቆምለት ይችሳል።
- የአድዋ ድል ከፍተኛ ሜዳይ ተሸላሚ ለሆነ ô/ ወይም ቡድን የሥራዊት 705 በርዕሰ ብሔሩ የተፈረመ ልዩ የምስክር ወረቀት ይሰጣል፡፡
- ନ୍ଦି/ የዚህ አንቀጽ ንዑስ አንቀጽ (፪)(ሐ) እና ንዑስ አንቀፅ (፫) ድንጋጌዎች ለሥራዊት ቡድንም አሀድና ተሬ9ሚ ይሆናሉ። ስለሆነም በትውልድ ሥፍራ ምትክ ጀግንነቱ የተፈፀመበተ ሥፍራ ይሆናል።

፩/ የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ በተሰለፌበት አውደ ውጊያ የዘወትር ወታደራዊ ግዳጅ አሬጻጸም ከሚጠይቀው የሚያኮራ ጀግንነት በላይ እጅግ በጣም ስሬፀመ ወይም ኢትዮጵያዊ ግስሰብ የሥራዊት አሀድ ወይም ቡድን የሚሰዋ ሽልማት ነው።

- highest award that is bestowed to an Ethiopian individual, military unit or group that has performed unparalleled feats of
- An awardee of the Medal of the Victory of
 - for high government officials during

 - hospital, an avenue, a public square or any other similar memorial named after him.
- 3/ A school, a hospital, an avenue, a bridge, a public square or any other similar memorial in the federal capital city may be named after an individual who has been awarded the Medal of the Victory of Adwa for the second time. In addition a statue may be erected for the awardee.
- A military unit or group awarded with the 4/ Medal of the Victory of Adwa shall be entitled to receive a special certificate autographed by the Head of State.
- 5/ The provision of paragraph (c) of Sub-Article (2) and Sub-Article (3) of this Article shall apply to military unit and group, with birth place substituted by the place where the heroic deed was performed.

54. The Medal of Battlefield Heroism First Class

1/ The Medal of Battlefield Heroism First Class is an award that may be bestowed upon an Ethiopian individual, military unit or group that has, beyond the call of ordinary duty, achieved outstandingly honorable feats of bravery in a battlefield.

- ፪/ የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ የተሸለመ ሰው፡-
 - ሀ) በብሔራዊ በዓል አከባበር ሥነ-ሥርዓትወቅት ለከፍተኛ የመንግስት ባለስ ልጣኖች በሚዘጋጀው ቦታ ይቀመጣል፤
 - ለ) በጦር ኃይሎች ጠቅሳይ አዛዥ የተፈረመ ልዩ የመታወቂያ ወረቀት ይሰጠዋል።
- ፫/ የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ ሁለት ጊዜ የተሸለመ ሰው በትውልድ ሥፍራው ትምህርት ቤት፣ ሆስፒታል፣ መንገድ፣ አደባባይ ወይም ሌላ ተመሳሳይ መጠሪያ በስሙ ሊሰየምለት ይችላል፡፡
- Ø/ የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ ሦስት ጊዜ የተሸለመ ወይም የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃና የአድዋ ድል ሜዳይ የተሸለመ ሰው በፌደራሉ ርዕሰ ከተማ ትምህርት ቤት፣ ሆስፒታል፣ መንገድ፣ አደባባይ ወይም ሌላ ተመሳሳይ መጠሪያ በስሙ ሲሰየምለት ይችላል፡፡
- ፩/ የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ ተሸላሚ ለሆነ የሥራዊት አሀድ ወይም ቡድን በጦር ኃይሎች ጠቅላይ አዛዥ የተፈረመ ልዩ የምስክር ወረቀት ይሰጣል::
- ½/ የዚህ አንቀጽ ንዑስ አንቀጽ (Ê) እና (፬) ድን.ንጌዎች ለሥራዊት አሀድና ቡድንም ተፈፃሚ ይሆናሉ፡፡ ስለሆነም በተውልድ ሥፍራ ምትክ ጀግንነቱ የተፈፀመበት ሥፍራ ይሆናል፡፡

፶፭. <u>የአውደ ውጊያ ጀግና ሜዳይ ሁለተኛ ደረጃ</u>

- ፩/ የአውደ ውጊያ ጀግና ሜዳይ ሁለተኛ ደረጃ በተሰለፌበት አውደ ውጊያ የዘወትር ወታደራዊ ግዳጅ አፌፃፀም ከሚጠይቀው በላይ በጣም የሚያኮራ ጀግንነት ለፌፀመ ኢትዮጵያዊ ግለሰብ ወይም የሥራዊት አሀድ ወይም ቡድን የሚሰዋ ሽልማት ነው፡፡
- ፪/ የአውደ ውጊያ ጀግና ሜዳይ ሁለተኛ ደረጃ የተሸለመ ሰው፡-

- 2/ An awardee of the Medal of Battlefield Heroism First Class shall:
 - a) Take a seat in the place reserved for high government officials during national holiday ceremony;
 - b) Receive a special identity card autographed by the Commander-in-Chief of the Armed Forces.
- 3/ A school, a hospital, an avenue, a public square or any other similar memorial in his birth place may be named after an individual who has been awarded the Medal of Battlefield Heroism First Class for the second time.
- 4/ A school, a hospital, an avenue, a public square or other similar memorial in the federal capital city may be named after an individual who has been awarded the Medal of Battlefield Heroism First Class for the third time or the Medal of Battlefield Heroism First Class and the Medal of the Victory of Adwa.
- 5/ A special certificate autographed by the Commander-in-Chief of the Armed Forces shall be given to a military unit or group awarded with the Medal of Battlefield Heroism First Class.
- 6/ The provisions of Sub-Article (3) and (4) of this Article shall be applicable to a military unit and group, with birth place substituted by the place where the heroic deed was performed.

55. <u>The Medal of Battlefield Heroism Second</u> <u>Class</u>

- 1/ The Medal of Battlefield Heroism Second Class is an award that is bestowed to an Ethiopian individual, military unit or group that has, beyond the call of ordinary duty, achieved very honorable feats of bravery in a battlefield.
- 2/ An awardee of the Medal of Battlefield Heroism Second Class shall:
ሀ) በብሔራዊ በዓል አከባበር ሥነ-ሥርዓት ወቅት ለከፍተኛ የመንግስትባለሥልጣኖች በሚዘጋጀው ቦታ ይቀመጣል፤

- ለ) በጦር ኃይሎች ጠቅሳይ ኤታማዦር ሹም የተፈረመ ልዩ የመታወቂያ ወረቀት ይሰጠዋል፡፡
- É/ የአውደ ውጊያ ጀግና ሜዳይ ሁለተኛ ደረጃ ተሸላሚ ለሆነ የሥራዊት አሀድ ወይም ቡድን በጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም የተፈረመ ልዩ የምስክር ወረቀት ይሰጣል፡፡

<u> ፶፮. <mark>የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ</mark></u>

- ፩/ የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ በተሰለፌበት አውደ ውጊያ የዘወትር ወታደራዊ ግዳጅ አፌፃፀም ከሚጠይቀው በላይ የሚያኮራ ጀግንነት ለፌፀመ ኢትዮጵያዊ ግለሰብ ወይም የሥራዊት አሀድ ወይም ቡድን የሚሰዋ ሽልማት ነው፡፡
- ፪/ የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ የተሸለመ ሰው በጦር ኃይሎች ጠቅላይ ኤታማዦር ሹም የተፈረመ ልዩ የመታወቂያ ወረቀት ይሰጠዋል፡፡
- ፫/ የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ ሁለት ጊዜ ወይም ከዚያ በላይ የተሸለመ ሰው በብሔራዊ በዓል አከባበር ሥነ-ሥርዓት ወቅት በተለይ በሚወሰንለት የክብር ሥፍራ ይቀመጣል::
- ፬/ የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ ተሸሳሚ ለሆነ የሥራዊት አሀድ ወይም ቡድን በጦር ኃይሎች ጠቅሳይ ኤታማዦር ሹም የተፈረመ ልዩ የምስክር ወረቀት ይሰጣል፡፡

፩/ የታማኝ ጀግና የወርቅ ኮከብ ሜዳይ ከአውደ ውጊያ ውጪ በተለይ ባልታሰበ ሁኔታ በጠላት ታፍኖ ያለ በየተኛውም ደረጃ ያለ ኢትዮጵያዊ ወታደራዊ አዛዥ የሀገሩን ምስጢር በመጠበቅም ሆነ በሌላ መንገድ ለሀገሩ ባበረከተው የላቀ ታማኝነት የሚሰዋ ሽልማት ነው::

- a) take a seat in the place reserved for high government officials during national holiday ceremony;
- b) receive a special identity card autographed by the General Chief of Staff.
- 3/ A military unit or group awarded with the Medal of Battlefield Heroism Second Class shall be entitled to receive a special certificate autographed by the Chief of the General Staff.

56. <u>The Medal of Battlefield Heroism Third</u> <u>Class</u>

- 1/ The Medal of Battlefield Heroism Third Class is an award that is bestowed to an Ethiopian individual, military unit or group that has, beyond the call of ordinary duty, achieved honorable feats of bravery in the battlefield.
- 2/ An awardee of the Medal of Battlefield Heroism Third Class shall be entitled to receive a special identity card autographed by the Chief of the General Staff.
- 3/ An awardee of the Medal of Battlefield Heroism Third Class for the second or more time shall take a seat specifically reserved for him during national holiday ceremony.
- 4/ A military unit or group awarded with the Medal of Battlefield Heroism Third Class shall be entitled to receive a special certificate autographed by the Chief of the General Staff.

57. The Medal of Gold Star for Heroic Loyalty

1/ The Medal of Gold Star for Heroic Loyalty is bestowed to an Ethiopian military commander of any level who, abducted and held captive by the enemy in difficult conditions, has exhibited a great feat of loyalty to his country outside of actual battlefield environment, such as by not revealing national secrets or by similar other heroic deeds. ፪/ የታማኝ ጀግና የወርቅ ኮከብ ሜዳይ የተሸለመ ሰው በአዋጁ መሰረት የትግል ተሳትፎ ሜዳይ ባለዘንባባ ተሸላሚ የሆነ ሰው የሚደገኘውን ክብርና ልዩ መብት ደገኛል::

- ፩/ የታማኝ ጀግና የብር ኮከብ ሜዳይ ከአውደ ውጊያ ውጪ ለሀገሩ ባበረከተው የላቀ ታማኝነት ለኢትዮጵያዊ ግለሰብ ወይም የሥራዊት አሀድ ወይም ቡድን የሚሰም ሽልማት ነው፡፡
- ፪/ የታማኝ ጀግና የወርቅ ኮከብ ሜዳይ የተሸለመ ሰው በአዋጁ መሥረት የትግል ተሳትፎ ሜዳይ ያለዘንባባ ተሸላሚ የሆነ ሰው የሚያገኘውን ክብርና ልዩ መብት ያገኛል::

<u>፶፬. የሳቀ የሥራ ውጤት ሜዳይ</u>

- ፩/ የላቀ የሥራ ውጤት ሜዳይ በአዕምሮ ሥራ ወይም በፌጠራ ወይም በማናቸውም መስክ ለመከላከያ ሥራዊት ተልዕክ መሳካት የላቀና ወደር የሌለው ውጤት ላስገኘ ሰው ወይም የሥራዊት አሀድ ወይም ቡድን የሚሰዋ ሽልማት ነው፡፡
- ፪/ የሳቀ የሥራ ውጤት ሜዳይ የተሸለመ ሰው፡-
 - U) በብሔራዊ በዓል አከባበር ሥነ ሥርዓት ወቅት ለከፍተኛ የመንግስት ባለሥልጣኖች በሚዘጋጀው ቦታ ይቀመጣል፤
 - ለ) በሚኒስትሩ የተፌረመ ልዩ የመታወቂያ ወረቀት ይሰጠዋል።
- ፫/ የሳቀ የሥራ ውጤት ሜዳይ ለተሸለመ የሥራዊት አሀድ ወይም ቡድን በሚኒስትሩ የተፈረመ ልዩ የምስክር ወረቀት ይሰጣል፡፡

ከተባበሩት መንግስታት ድርጅት ወይም ከአፍሪካ ህብረት የሰላም ማስከበር ግዳጅ ውጪ የመከላከያ ሰራዊቱ ለሚሳተፍባቸው ልዩ ግዳጆች የተሳትፎ ሜዳይ ሚኒስቴሩ አዘጋጅቶ ሲሰዋ ይችላል፡፡ 2/ An awardee of the Medal of Gold Star for Heroic Loyalty receives the honor and entitlements of an awardee of the Medal with Palm Leaf for Participation in the Armed Struggle, save the award itself.

58. The Medal of Silver Star for Heroic Loyalty

- 1/ The medal of Silver Star for Heroic Loyalty is bestowed to an Ethiopian individual or military unit or group that has exhibited a great feat of loyalty to the country outside of actual battlefield environment.
- 2/ An awardee of the Medal of Silver Star for Heroic Loyalty receives the honor and entitlements of an awardee of the Medal without Palm Leaf for Participation in the Armed Struggle.

59. The Medal of Distinguished performance

- 1/ The Medal of Distinguished performance is an award that is bestowed to a person, military unit or group that has through mental labor or by way of invention or in any other field scored distinguished and unparalleled achievement for the mission of the defense forces.
- 2/ An awardee of the Medal of Distinguished performance shall:
 - a) be accorded a seat in the place reserved for high government officials during national holiday ceremony;
 - b) receive a special identity card autographed by the Minister.
- 3/ A military unit or group awarded with the Medal of Distinguished performance shall be entitled to receive a special certificate autographed by the Minister.

60. Medal for participation

For special missions carried out by the Ethiopian Defense Forces outside the jurisdiction of either the United Nations or the African Union, the Ministry may arrange for medals honoring the participation of individuals, units or groups.

78

- በዘመኑ ውስብስብ ወታደራዊ 6/ ሁኔታዎች ውስጥ ራሱን በማብቃት ከዘመኑ ወታደራዊ <u>ЭС</u> ዕድንትና አስተሳሰብ ለመሂድ የሚያስችል አቅም በአዛዥንት የፊጠረ፣ ችሎታው ከፍተኛ በአሀዱ ከበሬታና ተቀባይነት ያለው፣ የውጊያ ዝግጁነቱንና የማድረግ አቅሙን በከፍተኛ ደረጃ የኅንባ፣ የተሰጠውን ግዳጅ የአውደ ውጊያ ጀግና ሜዳይ ከሚጠይቀው በመለስ በአቄር ጊዜና በአንስተኛ ጉዳት እጅግ በላቀ ደረጃ የፈፀመ ወይም መሬፀም የሚችል አመራር፣ ስታፍና ተዋጊ ኃይል ለገነባ የሥራዊት አባል የሚሰዋ ሽልማት ነው።
- ፪/ የምርጥ አዛዥ ሜዳይ አንደኛ ደረጃ የተሸለመ ሰው፡-
 - U) በተቋማዊ በዓላት አከባበር ሥነ ሥርዓት ወቅት ለከፍተኛ የተቋሙ ኃላፊዎች በሚዘጋጀው ቦታ ይቀመጣል፤
 - ለ) በኃይል፣ በዕዝ፣ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል፡፡

ሁኔታዎች 6/ በዘመኑ ውስብስብ ወታደራዊ ውስዋ ራሱን በማብቃት ከዘመኑ ወታደራዊ ዕድንትና ለመሂድ አስተሳሰብ <u>ЭС</u> የሚያስችል አቅም የፌጠረ፣ በአዛዥንት ችሎታው ከበሬታና በአሀዱ ተቀባይነት ያለው፣ የውጊያ ዝግጁነቱንና የማድረግ አቅሙን በከፍተኛ ደረጃ የባነባ፣ የተሰጠውን ግዳጅ ጀግና የአውደ @7.S ሚዳይ ስሚጠይቀው በመለስ በአምር **ጊዜና** በአንስተኛ ጉዳት በላቀ ደረጃ የፌፀመ ወይም መፈፀም የሚችል አመራር፣ ስታፍና ተዋጊ ኃይል ለገነባ የሥራዊት አባል የሚሰዋ ሽልማት ነው።

61. <u>The Medal of Distinguished Commandership</u> <u>First Class</u>

- 1/ The Medal of Distinguished Commandership First Class is awarded to a member of the Defense Forces who, by improving his personal capabilities within the existing militarv environment. complex has enhanced the capability of others in his unit, group or the institution thereby enabling them to cope up with contemporary military developments and thoughts; who, because of his exemplary command qualities, has won the respect and acceptance of others; who is able to execute his mission, at the very highest possible degree, in a short time and at little cost (except not to a degree that would win the Medal of Battlefield Heroism); and who has built staff and combat forces.
- 2/ The awardee of the Medal of Distinguished Commandership First Class shall have the following honors and entitlements:
 - a) To be accorded a seat, during ceremonies and events held by the Ministry, at a place reserved for senior officials of the Ministry;
 - b) To receive a special certificate autographed by Force Commanders, Command Commanders, Main Department Heads or others with equivalent rank or position.

62. <u>The Medal of Distinguished Commandership</u> <u>Second Class</u>

1/ The Medal of Distinguished Commandership First Class is awarded to a member of the Defense Forces who, by improving his personal capabilities within the existing complex military environment, has enhanced the capability of others in his unit, group or the institution thereby enabling them to cope up with contemporary military developments and thoughts; because of his exemplary qualities, has won the respect and acceptance of others; who is able to execute his mission at the highest degree, in a short time and at little cost (except not to a degree that would win the Medal of Battlefield Heroism); and who has built staff and combat forces.

- ፪/ የምርጥ አዛዥ ሜዳይ ሁለተኛ ደረጃ የተሸለመ ሰው፡-
 - U) በተቋማዊ በዓላት አከባበር ሥነ-ሥርዓት ወቅት ለከፍተኛ የተቋሙ ኃላፊዎች በሚዘጋጀው ቦታ ይቀመጣል፤
 - ለ) በኃይል፣ በዕዝ፣ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል፡፡

- ፩/ ሁኔታዎችን በማገናዘብ ለሁኔታዎች ተገቢ ምሳሽ የሚያስችል ለመስጠት የውጊያ ዝግጁነትና የማድረግ አቅም በግሉም ይሁን በሚመራው አሀድ በከፍተኛ ደረጃ የኅንባ፣ ዋሩ የአዛዥንት ችሎታ ያለው፣ የተሰጠውን ግዳጅ የአውደ ውጊያ ጀግና ሚዳይ ስሚሐይቀው በአቁር በመለስ **LR**E በአንስተኛ ጉዳት በከፍተኛ ደረጃ የሬፀመ ወይም መሬፀም የሚችል አመራር፣ ስታፍና ተዋጊ ኃይል ለገነባ የሥራዊት አባል የሚሰዋ ሽልማት ነው።
- ፪/ የምርዋ አዛዥ ሜዳይ ሶስተኛ ደረጃ የተሸለመ ሰው፡-
 - U) በተቋማዊ በዓላት አከባበር ሥነ-ሥርዓት ወቅት በተለይ በሚወሰንለት የክብር ሥፍራ ይቀመጣል፤
 - Λ) በኃይል፣ በዕዝ፣ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል።

፩/ ማንኛውንም ውስብስብና ፌታኝ ወታደራዊ ግዳጆችን ለመወጣት በሰላም ጊዜ በወታደራዊ ክህሎት፣ በአካልና በስነ-ልቦና እጅግ የላቀ የዝግጁነት ደረጃን ያረ.ጋገጠ፣ ለየተኛውም ዓይነት ግዳጅ በአመራሩ ተመራጭ የሆነ፣ የተሰጠውን ግዳጅ የአውደ ውጊያ ጀግና ሜዳይ ከሚጠይቀው በመለስ

- 2/ The awardee of the Medal of Distinguished Commandership First Class shall have the following honors and entitlements:
 - a) To be accorded a seat, during ceremonies and events held by the Ministry, at a place reserved for senior officials of the Ministry;
 - b) To receive a special certificate autographed by Force Commanders, Command Commanders, Main Department Heads or others with equivalent rank or position.

63. <u>The Medal of Distinguished Commandership</u> <u>Third Class</u>

- 1/ The Medal of Distinguished Commandership Third Class shall be awarded to a member of the Defense Forces who has built in his unit as well as in himself a high level of competence that enabled him and the unit to respond appropriately to situations by thoroughly understanding them; has mastered good command skills; because of his exemplary qualities, has won the respect and acceptance of others; who is able to execute his mission at a higher degree, in a short time and at little cost (except not to a degree that would win the Medal of Battlefield Heroism; and who has built staff and combat forces.
- 2/ The recipient of the Medal shall have the following honors and entitlements:
 - a) To be accorded a seat, during ceremonies and events held by the Ministry, in a place of honor to be designated for him;
 - b) To receive a special certificate autographed by Force Commanders, Command Commanders, Main Department Heads or others with equivalent rank or position.

64. <u>The Medal of Distinguished Combatant First</u> <u>Class</u>

1/ The Medal of Distinguished Combatant First Class shall be awarded to a member of the Defense Forces who has demonstrated during peace time a high level of military, physical and psychological readiness that ensures the success of missions under complex and challenging circumstances; earned the honor of being the first to be እጅግ በላቀ ደረጃ ለፌፀመ ወይም ሊፌፅም እንደሚችል በአመራሩና በአሀዱ ለሚታመንበት የሥራዊት አባል የሚሰዋ ሽልማት ነው፡፡

- ፪/ የምርጥ ተዋጊ ሜዳይ አንደኛ ደረጃ የተሸለመ ሰው፡-
 - U) በተቋማዊ በዓላት አከባበር ሥነሥርዓት ወቅት ለከፍተኛ የተቋሙ ኃላፊዎች በሚዘጋጀው ቦታ ይቀመጣል፤
 - ለ) በኃይል፣ በዕዝ፣ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል፤
 - ሐ) የምርጥ ተዋጊ ሜዳይ አንደኛ ደረጃ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) ከተቀመጠው መመዘኛ ,ጋር ተዛማጅ የሆነ ብቃት ላረ,ጋገጠ አህድም ሊሰጥ ይችላል::

- ፩/ ማንኛውንም ውስብስብና ፌታኝ ወታደራዊ ማዳጆችን ለመወጣት በሰሳም 2.Њ በወታደራዊ ክህሎት፣ በአካልና በሥነ-ልቦና እጅግ የላቀ የዝግጁነት ደረጃን ያረ.ጋገጠ፣ ለየትኛውም ዓይነት ግዳጅ በአመራሩ ተመራዌ የሆኑ፣ የተሰጠውን ግዳጅ የአውደ ውጊያ ጀግና ሜዳይ ከሚጠይቀው በመለስ በላቀ ደረጃ *δ6.θσ*υ ወይም ሲራፅም እንደሚችል በአሀዱ በአመራሩና ለሚታመንበት የሥራዊት አባል የሚሰዋ ሽልማት ነው፣
- ፪/ የምር**ጥ ተዋጊ ሜዳይ ሁለተ**ኛ ደረጃ የተሸለመ ሰው፡-
 - U) በተቋማዊ በዓላት አከባበር ሥነ-ሥርዓት ወቅት ለከፍተኛ የተቋሙ ኃላፊዎች በሚዘጋጀው ቦታ ይቀመጣል፤

selected for any mission; won the trust and confidence of his superiors as well as his colleagues as a soldier capable of carrying out any assigned missions at the very highest degree, (except one that accords the Medal of Distinguished Battlefield Heroism).

- 2/ A recipient of the Medal shall have the following honors and entitlements:
 - a) To be accorded a seat, during ceremonies and events held by the Ministry, at a place reserved for senior officials of the Ministry;
 - b) To receive a special certificate autographed by Force Commanders, Command Commanders, Main Department Heads or others with equivalent rank or position;
 - c) The Medal of Distinguished Combatant First Class may be awarded to a unit that demonstrated accomplishments that meet the criterion described in Sub-Article (1) of this Article.

65. <u>The Medal of Distinguished Combatant</u> <u>Second Class</u>

- 1/ The Medal of Distinguished Combatant Second Class shall be awarded to a member of the Defense Forces who has demonstrated during peace time a high of military, physical level and psychological readiness that ensures the success of missions under complex and challenging circumstances; earned the honor of being the first to be selected for any mission; won the trust and confidence of his superiors as well as his colleagues as a soldier capable of carrying out any assigned missions at the highest degree, (except one that accords the Medal of Distinguished Battlefield Heroism).
- 2/ A recipient of the Medal shall have the following honors and entitlements:
 - a) To be accorded a seat, during ceremonies and events held by the Ministry, at a place reserved for senior officials of the Ministry;

- ለ) በኃይል፣ በዕዝ፣ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል ፣
- ሐ) የምርጥ ተዋጊ ሜዳይ ሁለተኛ ደረጃ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) ከተቀመጠው መመዘኛ ,ጋር ተዛማጅ የሆነ ብቃት ሳረ,ጋገጠ አሀድም ሊሰጥ ይችሳል::

<u> ኇ፮. ምርጥ ተዋጊ ሜዳይ ሶስተኛ ደረጃ</u>

- ፩/ ጣንኛውንም ውስብስብና ፌታኝ ወታደራዊ ግዳጆችን ለመወጣት በሰላም 2.Њ በወታደራዊ ክህሎት፣ በአካልና በ ሥነ-ልቦና እጅግ የላቀ የዝግጁነት ደረጃን ያረጋገጠ፣ የተሰጠውን ግዳጅ የአውደ ውጊያ ጀግና ሜዳይ ከሚጠይቀው በመለስ በከፍተኛ ደረጃ 16.000 ወይም ሲራፅም እንደሚችል በአመራፋና በአሀዱ ለማታመንበት የሥራዊት አባል የሚሰጥ ሽልማት ነው፣
- ፪/ የምርጥ ተዋጊ ሜዳይ ሶስተኛ ደረጃ የተሸለመ ሰው፡-
 - U) በተቋማዊ በዓላት አከባበር ሥነ-ሥርዓት ወቅት በተለይ በሚወሰንለት የክብር ስፍራ ይቀመጣል፤
 - ለ) በኃይል፣ በዕዝ፣ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል፡፡
 - ሐ) የምርጥ ተዋጊ ሜዳይ ሶስተኛ ደረጃ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) ከተቀመጠው መመዝኛ ,ጋር ተዛማጅ የሆነ ብቃት ሳረ,ጋገጠ አህድም ሊሰጥ ይችሳል::

፩/ የዘመኑ ውስብስብ ወታደራዊ ተልዕኮዎች የሚጠይቁትን ዝግጁነትና የማድረግ ችሎታ መሠረት በማድረግ የሚደግፌውንና የሚያገለግለውን ሠራዊት ሙያዊ ግዴታው

- b) To receive a special certificate autographed by Force Commanders, Command Commanders, Main Department Heads or others with equivalent rank or position;
- c) The Medal of Distinguished Combatant Second Class may be awarded to a unit that demonstrated accomplishments that meet the criterion described in Sub-Article (1) of this Article.

66. <u>The Medal of Distinguished Combatant</u> <u>Third Class</u>

- 1/ The Medal of Distinguished Combatant Third Class shall be awarded to a member of the Defense Forces who has demonstrated during peace time a high level of military, physical and psychological readiness that ensures the success of missions under complex and challenging circumstances; won the trust and confidence of his superiors as well as his colleagues as a soldier capable of carrying out any assigned missions at a higher degree, (except one that accords the Medal of Distinguished Battlefield Heroism).
- 2/ A recipient of the Medal shall have the following honors and entitlements:
 - a) To be accorded a seat, during ceremonies and events held by the Ministry, in a place of honor to be designated for him;
 - b) To receive a special certificate autographed by Force Commanders, Command Commanders, Main Department Heads or others with equivalent rank or position;
 - c) The Medal of Distinguished Combatant Second Class may be awarded to a unit that demonstrated accomplishments that meet the criterion described in Sub-Article (1) of this Article.

67. <u>The Medal of Distinguished Combat Support</u> <u>or Combat Services Support First Class</u>

1/ The Medal is awarded to an individual member or unit of the Defense Forces that, based on the readiness and competence required by the complex contemporary military missions and beyond what is ከሚጠይቀው አፌፃፀም በላይ በሰላም ጊዜ በወታደራዊ ሳይንስ፣ በቴክኖሎጂና በ ሥነ-ወቅት ልቦና ዝግጁ 98671 በውጊያ በማንኛውም ፌታኝ ሁኔታ ውስዋ ሥራዊቱ ግዳጁን በአስተማማኝ ደረጃ እንዲወጣ እጅግ የላቀ የውጊያ ድጋፍ ወይም የውጊያ **አ**ገል ግሎት ድጋፍ በቀጣይነት መስጠት ለቻለ የሠራዊት አባል ወይም አሀድ የሚሰጥ ሽልማት ነው።

<u>ê</u>/ የምርዋ ውጊያ ድ.ጋፍ ወይም ውጊያ **አ**ገልግሎት ድጋፍ ሚዳይ አንደኛ ደረጃ የተሸለመ አባል ወይም አሀድ በኃይል፣ በዋና መምሪያ 0641 ወይም ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል።

ኟኟ. <u>የምርዋ ውጊያ ድጋፍ ወይም ውጊያ አገልግሎት</u> <u>ድጋፍ ሜዳይ ሁለተኛ ደረጃ</u>

- ፩/ የዘመኑ ውስብስብ ወታደራዊ ተልዕኮዎች የሚጠይቁትን ዝፃጁነትና የማድረፃ ችሎታ መሠረት በማድረግ የሚደግፌውንና የሚያገለግለውን ሥራዊት ሙያዊ ግዴታው ከሚጠይቀው አፈፃፀም በላይ በሰላም ጊዜ በወታደራዊ ሳይንስ፣ በቴክኖሎጂና በሥነ-ልቦና ዝግጁ 98671 በውንያ ወቅት በማንኛውም ፌታኝ ሁኔታ ውስዋ ሥራዊቱ ግዳጁን በአስተማማኝ ደረጃ እንዲወጣ የላቀ የውጊያ ድጋፍ ወይም የውጊያ አገልግሎት ድጋፍ በቀጣይነት መስጠት ለቻለ የሥራዊት አባል ወይም አሀድ የሚሰጥ ሽልማት ነው፡፡
- የምርተ <u>ê</u>/ ውጊያ ድጋፍ ወይም ውጊያ አባልግሎት ድጋፍ ሜዳይ ሁለተኛ ደረጃ የተሸለመ አባል አሀድ በኃይል፣ ወይም กงาะ ወይም በዋና መምሪያ ወይም ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል።

፩/ የዘመኑ ውስብስብ ወታዳራዊ ተልዕኮዎች የሚጠይቁትን ዝግጁነትና የማድረግ ችሎታ መሠረት በማድረግ የሚደግፌውንና የሚያገለግለውን ሠራዊት ሙያዊ ግዴታው ከሚጠይቀው አሬዓዐም በላይ በሰላም ጊዜ በወታደራዊ ሳይንስ፣ በቴክኖሎጂና በሥነ- professionally demanded, has helped the defense forces in peace time to be fit and ready militarily, technologically and psychologically; that, during combat and under difficult situations, has continually delivered the highest level of combat support or combat service support thereby enabling the forces to effectively carry out their missions.

2/ An awardee, whether individual member or unit, shall receive a special certificate signed by a force commander, command commander, head of a main department or an official with equivalent rank or position.

68. <u>The Medal of Distinguished Combat Support</u> or Combat Services Support Second Class

- 1/ The Medal is awarded to an individual member or unit of the Defense Forces that, based on the readiness and competence required by the complex contemporary military missions and beyond what is professionally demanded, has helped the defense forces in peace time to be fit and ready militarily, technologically and psychologically; that, during combat and under difficult situations, has continually delivered a higher level of combat support or combat service support thereby enabling the forces to effectively carry out their missions.
- 2/ An awardee, whether individual member or unit, shall receive a special certificate signed by a force commander, command commander, head of a main department or an official with equivalent rank or position.

69. <u>The Medal of Distinguished Combat Support</u> or Combat Services Support Third Class

1/ The Medal is awarded to an individual member or unit of the Defense Forces that, based on the readiness and competence required by the complex contemporary military missions and beyond what is professionally demanded, has helped the defense forces in peace time to be fit and ready militarily, technologically and

ልቦና ዝግጁ 9867: በውጊያ ወቅት በማንኛውም ፌታኝ ሁኔታ ውስዋ ሥራዊቱ በአስተማማኝ እንዲወጣ ደረጀ ከፍተኛ የውጊያ ድጋፍ ወይም የውጊያ አባልግሎት ድጋፍ በቀጣይነት መስጠት ለቻለ የሠራዊት አባል ወይም አሀድ የሚሰጥ ሽልማት ነው።

<u>@</u>/ የምርተ ውጊያ ድ.ጋፍ ውጊያ ወይም አባልግሎት ድጋፍ ሜዳይ ሶስተኛ ደረጃ የተሸለመ አባል ወይም አሀድ በኃይል፣ ወይም กงาร ወይም በዋና መምሪያ ተመጣጣኝ ኃላፊ የተፈረመ ልዩ የምስክር ወረቀት ይሰጠዋል።

በሥነ-ምግባርና በወታደራዊ ሥነ-ሥርዓት የጐላ እንክን የሌለበት ማንኛውም የሥራዊት አባል እንደየአገልግሎት ዘመኑ የሚከተሉት የሜዳይና ሪባን ሽልማቶች ይሰጡታል፡-

- ፩/ የውትድርና አገልግሎት ሜዳይ አንደኛ ደረጃ
 ከ፵ ዓመት ሳሳኑስ ጊዜ ሳገለገለ፤
- ፪/ የውትድርና አገልግሎት ሜዳይ ሁለተኛ ደረጃ ከ፴፩ ዓመት ሳሳነስ ጊዜ ሳባለገለ፤
- ፫/ የውትድርና አገልግሎት ሜዳይ ሶስተኛ ደረጃ ከ፴ ዓመት ሳሳነስ ጊዜ ሳገለገለ፤
- ፬/ የውትድርና አገልግሎት ሜዳይ አራተኛ ደረጃ ከ፳፫ ዓመት ላላነስ ጊዜ ላገለገለ፤
- ፩/ የውትድርና አገልግሎት ሜዳይ አምስተኛ ደረጃ ከኛ ዓመት ሳሳንስ ጊዜ ሳገለገለ፤
- ፮/ የውትድርና አገልግሎት ሜዳይ ስድስተኛ ደረጃ ክ፲፪ ዓመት ሳሳኑስ ጊዜ ሳገለገለ፣
- ፯/ የውትድርና አገልፃሎት ሪባን ለ፯ ዓመት አገልፃሎት።

<u> ፸፩. የአውደ ውጊያ ቁስለኛ ሜዳይ</u>

የአውደ ውጊያ ቁስለኛ ሜዳይ በአውደ ውጊያ ተሰልፎ የመቁሰል አደጋ ለደረሰበት ሰው የሚሰጥ ሽልማት ነው፡፡ psychologically; that, during combat and under difficult situations, has continually delivered a high level of combat support or combat service support thereby enabling the forces to effectively carry out their missions.

2/ An awardee, whether individual member or unit, shall receive a special certificate signed by a force commander, command commander, head of a main department or an official with equivalent rank or position.

70. The Medals and Ribbon of Military Service

The following medals and ribbon are awarded to any member of the Defense Forces who has not exhibited any serious ethical and disciplinary shortcomings provided that the length of service indicated in each case is met:

- The Medal of Military Service First Class for not less than 40 years of service;
- 2/ The Medal of Military Service Second Class – for not less than 35 years of service;
- 3/ The Medal of Military Service Third Class - for not less than 30 years of service;
- 4/ The Medal of Military Service Fourth Class – for not less than 25 years of service;
- 5/ The Medal of Military Service Fifth Class for not less than 20 years of service;
- 6/ The Medal of Military Service Sixth Class– for not less than 12 years of service;
- 7/ The Military Service Ribbon for 7 years of service.

71. The Medal of the Wounded

The medal of the wounded is an award that is bestowed to a person who has been wounded in a battlefield.

፲፬ሺ.፱፻፵፪ - ፌደራል ነ ኃራት ኃዜጣ ቁተር ፴፮ መስከረም ፱ ቀን ፪ሺ.፲፮ ዓያ	P Federal Negarit Gazette No. 36, 19th September, 2023 .page 14942		
<u> </u>	72. Additional Privileges of the Medal Awardees		
የዚህ አዋጅ ሌሎች ድንጋጌዎች እንደተጠበቁ ሆኖ በዚህ አዋጅ አንቀጽ፶፩(፩) እና (፪) እንዲሁም በዚሁ አንቀፅ (፫) ፊደል ተራ (ኘ) ሜዳይ ተሸላሚ፡-	Proclamation, an awardee who is bestowed		
፩/ በመንግስት ሆስፒታሎችና የሕክምና ተቋማት ውስዋ ነፃ ሕክምና ይገኛል፤	 receive free medical treatment in public hospitals and health centers; 		
፪/ በመንግስት የትምህርት ተቋማት ውስዋ ለመማር ቅድሚያ ያገኛል፤	2/ be given priority to pursue education in public educational institutions;		
፫/ በመንግስት መሥሪያ ቤቶች፣ ድርጅቶችና ተቋማት ውስፑ ችሎታው ለሥራ መደቡ ተስማሚ ሆኖ ሲገኝ የመቀጠር ቅድሚያ ይሰጠዋል፡፡	3/ be given priority to employment where his qualification satisfies the job descriptions required by government offices, organizations and institutions for a given position.		
<u> ፸፫. ለሜዳይ ሽልማት የሚያበቃ ሥራ ሥርቶ ስለሞተ</u> <u>ሰው</u>	73. <u>Posthumous Award of Medals</u>		
፩/ ለሜዳይ ሽልማት የሚያበቃ ሥራ ሥርቶ የሞተ ሰው አግባብ ያለው ሜዳይ በስሙ ይመዘገባል፡፡	1/ The appropriate medal shall be registered in the name of a person who dies after having accomplished a feat worthy of medal award.		
፪/ በዚህ አንቀፅ ንዑስ አንቀፅ (፩) የተደነገገው እንደተጠበቀ ሆኖ ሜዳዩ ሊታላቅ ልጁ ይሰጣል፡፡ ልጅ ከሌለው ለባለቤቱ፣ ባለቤት ከሌለው አግባብ ባለው የውርስ ሕግ መሥረት ለውርስ ባለመብቱ ይሰጣል፡፡	2/ Without prejudice to the provision of Sub- Article (1) of this Article the medal shall be given to his elder descendant; in the absence of a descendant to his spouse; in the absence of a spouse to his heir in accordance with the relevant law of succession.		
<u> ፸፬. ከውጭ አገር ሜዳይ ወይም ሌላ ሽልማት</u> <u>ስለመቀበል</u>	74. <u>Receiving Foreign Medals or Other Prizes</u>		
ማንኛውም የመከላከያ ሥራዊት አባል ከሚኒስቴር መስሪያ ቤቱ ፌቃድ ሳያገኝ ከውጭ አገር ሜዳይ ወይም ሽልማት ሊቀበል አይችልም፡፡ ሆኖም ይህ ድንጋጌ የሥላም ማስከበር ሜዳይና ሽልማት ለመቀበል አይከለክልም፡፡	Any member of the defense forces shall not receive medal or other prize from foreign country without permission from the Ministry. However, this provision does not prohibit receiving a medal or prize awarded for participating in peace keeping missions.		
<u>፸፩. ሜዳይ፣ ሪባንና የምስክር ወረቀት መልሶ</u> <u>ስለመውሰድ</u>	75. <u>Forfeiture of Medals, Ribbons and</u> <u>Certificates</u>		
ተሸሳሚው፡-	The medal, ribbon or certificate shall be		

The medal, ribbon or certificate shall be forfeited from an awardee, and rights and benefits followed these award also be Stripped, where:

าห	ĨĨĨĹŨĽŸĹ	ሬደራል ነ ጋሪት ጋዜጣ ቁተር	፴፮ መስከረዎ	' ፬ ቀን ፪ሺ፲፮ ዓ.ም Fede	eral Negarit Gazette No. 3	6, 19th September, 2023	.page 14943
----	----------	--------------------	----------	----------------------	----------------------------	-------------------------	-------------

- ፩/ ሜዳዩ፣ ሪባኑ ወይም የምስክር ወረቀቱ የተሰጠው በተሳሳተ ማስረጃ መሆኑ ሲታወቅ፣ ወይም
- ፪/ በወንጀል ሕጉ ከአንቀፅ ፪፻፵፮ እስከ አንቀፅ ፪፻፶፪ የተመለከቱትን ወንጀሎች መሬጸሙ በፍርድ ቤት ውሣኔ ሲረጋገጥ፤

የተሰጠው ሜዳይ፣ ሪባን ወይም የምስክር ወረቀት ይወሰድበታል፡፡ በሜዳዩ ወይም በሪባኑ ወይም በምስክር ወረቀቱ ምክንያት ሲጠበቅለት የነበረው መብትና ዋቅም አብሮ ይነሳል፡፡

<u> ፸፮. የሜዳዮች ደረጃ ቅደም ተከተል</u>

የሜዳዮች ደረጃ ቅደም ተከተል በዚህ አዋጅ አንቀጽ ፶፩ በተመለከተው ዝርዝር ቅደም ተከተል መሠረት ይሆናል፡፡

በዚህ አዋጅ የተመለከቱት ሜዳዮች አሰጣዋ ሥርዓትና አለባበስ በመመሪያ ይወሰናል፡፡

የገንዘብ ወይም የዓይነት ሽልማት የሚያስገኙ ሜዳዮች የሚከተሉት ናቸው፡-

- ፩/ የጥቁር አንበሳ የላቀ ሜዳይ፣
- ፪/ የአድዋ ድል ከፍተኛ ሜዳይ፤
- ፫/ የአውደ ውጊያ ጀግና ሜዳይ አንደኛ ደረጃ፤
- ፬/ የአውደ ውጊያ ጀግና ሜዳይ ሁለተኛ ደረጃ፤
- ጅ/ የአውደ ውጊያ ጀግና ሜዳይ ሦስተኛ ደረጃ፤
- ፮/ የታማኝ ጀግና የወርቅ ኮከብ ሜዳይ፣
- ፯/ የታማኝ ጀፃና የብር ኮከብ ሜዳይ፣
- ፰/ የሳቀ የስራ ውጤት ሜዳይ፣
- ፬/ የምርዋ አዛዥ ሜዳይ አንደኛ ደረጃ፤
- ፲/ የምርጥ አዛዥ ሜዳይ ሁለተኛ ደረጃ፤

- 1/ it is discovered that the medal, ribbon or certificate was bestowed upon the awardee on the basis of wrong evidence; or
- 2/ such an awardee has been found guilty, by a court, of offences provided from Article 246 to Article 252 of the Criminal Code.

76. Medals Precedence

The order of rank of medals shall be in accordance with the order of lists provided under Article 51 (1) of this Proclamation.

77. Award and Wearing of Medals and Ribbons

The award and wearing of medals and ribbons provided under this Proclamation *and* the details of implementation criteria shall be determined by a directive.

78. <u>Medals Entitling Monetary or in Kind</u> <u>Awards</u>

Medals entitling monetary or in kind awards shall be:

- 1/ The Medal of the Black Lion;
- 2/ The Medal of the Victory of Adwa;
- 3/ The Medal of Battlefield Heroism First Class;
- 4/ The Medal of Battlefield Heroism Second Class;
- 5/ The Medal of Battlefield Heroism Third Class;
- 6/ The Medal of Gold Star for Heroic Loyalty;
- 7/ The Medal of Silver Star for Heroic Loyalty;
- 8/ The Medal of Distinguished Labor;
- 9/ The Medal of Distinguished Commander ship First Class;
- 10/ The Medal of Distinguished Commander ship Second Class;

፲፩/ የምርዋ አዛዥ ሜዳይ ሶስተኛ ደረጃ፤

፲፪/ የምርዋ ተዋጊ ሜዳይ አንደኛ ደረጃ፤

፲፫/ የምርዋ ተዋጊ ሜዳይ ሁለተኛ ደረጃ፤

፲፬/ የምርተ ተዋጊ ሜዳይ ሶስተኛ ደረጃ፤

- ፲፭/ የምርዋ ውጊያ ድጋፍ ወይም ውጊያ አገልግሎት ድጋፍ ሜዳይ አንደኛ ደረጃ፤
- ፲፮/ የምርዋ ውጊያ ድ*ጋ*ፍ ወይም ውጊያ አገልግሎት ድ*ጋ*ፍ ሜዳይ ሁለተኛ ደረጃ፤
- ፲፮/ የምርዋ ውጊያ ድጋፍ ወይም ውጊያ አገልግሎት ድጋፍ ሜዳይ ሶስተኛ ደረጃ፡፡

- ፩/ ለማለሰብ ወይም ለቡድን የሚሰጠው የገንዘብ ሽልማት በህይወት ካለ ለራሱ፣ ከሞተም ለወራሾቹ ለአንድ ጊዜ ብቻ የሚከፈል ይሆናል፡፡
- ፪/ ለሥራዊት አሀድ የሚሰዋ ሽልማት በዓይነት ይሆናል፣ አጠቃቀሙን በተመለከተ በሚኒስቴር መስሪያ ቤቱ መመሪያ ይወሰናል፡፡
- ፫/ ለእያንዳንዱ ሜዳይ የሚሰጠውን የገንዘብ ሽልማት መጠን ወይም ሌሎች ዋቅማ ዋቅሞች በተመለከተ በደንብ ይወሰናል፡፡
- ፬/ በዚህ አንቀጽ ከንዑስ አንቀጽ (፩) እስከ (፫) የተደነገጉት እንደተጠበቁ ሆኖ በዚህ አዋጅ የሜዳዮች ደረጃ አመዳደብ ብልጫ ያለው ሜዳይ ተሽላሚ የበለጠ ገንዘብ ተከፋይ ይሆናል፡፡

<u>ክፍል ሰባት</u>

<u>ልዩ ልዩ ድን.ጋጌዎች</u>

፹. <u>ስለ በጀት</u>

፩/ የሚኒስቴር መስሪያ ቤቱ ዓመታዊ በጀት በመንግሥት ይመደባል፡፡

- 11/ The Medal of Distinguished Commander ship Third Class;
- 12/ The Medal of Distinguished Combatant First Class;
- 13/ The Medal of Distinguished Combatant Second Class;
- 14/ The Medal of Distinguished Combatant Third Class;
- 15/ The Medal of Distinguished Combat Support or Combat Service Support First Class;
- 16/ The Medal of Distinguished Combat Support or Combat Service Support Second Class;
- 17/ The Medal of Distinguished Combat Support or Combat Service Support Third Class.

79. Type of the Award and Beneficiaries

- 1/ A monetary award to an individual or a group shall be given in whole to the awardee himself if surviving or to his heir if deceased.
- 2/ An award to a military unit shall be in kind and utilization thereof shall be determined by the Directive of the Ministry.
- 3/ The amount of monetary award to each medal shall be determined by a Regulation.
- 4/ Without prejudice to the provisions from Sub-Article (1) to (3) of this Article, an awardee of a medal of higher rank in accordance with this Proclamation shall be entitled to higher monetary award.

<u>PART SEVEN</u>

MISCELLANEOUS PROVISIONS

- 80. Budget
 - 1/ The annual budget of the Ministry shall be allocated by the government.

- ፪/ የዚህ አንቀጽ ንዑስ አንቀጽ (፩) ድንጋጌ ቢኖርም ሚኒስቴር መስሪያ ቤቱ ከሚከተሉት ምንጮች የሚገኘውን ገቢ ጠቅላይ ሚኒስትሩን እያስፌቀደ ለመከላከያ አቅም ግንባታ እንዲውል ሊያደርግ ይችላል፡-
 - U) የመከላከደ ተቋማት በሰላም ጊዜ የሚኖራቸውን የማምረትእና አገልግሎት የመስጠት አቅም ለገቢ ማስገኛ ተግባር እንዲውል በማድረግ የሚገኘውን ገቢ፤
 - ለ) ለመከሳከይ ጠቀሜታ የማይስራልጉ ንብረቶችን በማስወገድ የሚገኘውን ነቢ፤
 - ሐ) በተቆጣጣሪ ባለሥልጣንነት ከሚመራቸው ድርጅቶች የሚገኘውን የትርፍ ድርሻ፤
 - መ) ከሰላም ማስከበር ስምሪቶች የሚገኘውን ንቢ፤እና
 - *w*) ሌሎች ልዩ ልዩ *ነ*ቢዎች።
- É/ ሚኒስቴር መስሪያ ቤቱ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) እና (፪) የተመለከቱትን በጀትና ነቢዎች አስተዳደር በተመለከተ በፌደራል መንግስት የፋይናንስ አስተዳደር ሕግች የተደነገጉትን ሥርዓቶችና መመዘኛዎችን ተከትሎ መፈዐሙን ያረጋግጣል፤ በውስዋ ኦዲተር፣ በዋናው ኦዲተር ወይም ዋና ኦዲተር በሚሰይማቸው ኦዲተሮች በየዓመቱ እንዲመረመር ያደርጋል::

<u> ፹፩. ስለግዢና ንብረት አስተዳደር</u>

- ፩/ ሚኒስቴር መስሪያ ቤቱ በፌደራል መንግሥት የግዢና ንብረት አስተዳደር ሕግጋት መሥረት ግዢ ይፈጽማል፣ ንብረቱን ያስተዳድራል፣ ያስወግዳል፡፡
- ፪/ በዚህ አዋጅ ንዑስ አንቀጽ (፩) የተደነገገው እንደተጠበቀ ሆኖ ሚኒስቴር መስሪያ ቤቱ የአገር ደህንነትእናወታደራዊ ሚስጥርን በማያጋልጥ አኳኋን የፌደራል መንግሥት የግዢ ሕግጋትን ተከትሎ ግዢዎችን ሊፈፅም ይችላል::

- 2/ Notwithstanding to the provision of Sub-Article (1) of this Article, the Ministry may utilize the following revenues for purposes of building defense capacity upon obtaining the approval of the Prime Minister:
 - a) revenue generated by engaging idle facilities of defense institutions in peace times, in income generating activities;
 - b) the proceeds of disposal of properties which are no more required for defense purposes;
 - c) dividends from enterprises put under its supervisory authority;
 - d) revenues generated from peace keeping deployments;
 - e) revenues generated from other miscellaneous revenues.
- 3/ The Ministry shall ensure that the procedures and standards provided in the federal government financial administration laws are complied with in respect of the administration of the budget and revenues referred to in Sub-Article (1) and (2) of this Article and cause the auditing of same by the Auditor General or an Auditor designated by him.

81. Procurement and Property Administration

- 1/ The Ministry shall, procure, administer and dispose property in accordance with the federal government procurement and property administration laws.
- 2/ Without prejudice to the provision of Sub-Article (1) of this Proclamation, the Ministry can make purchases, in compliance with the procurement laws of the federal government, in the matter that do not affect the security of the country and reveal military secrets.

- ፻/ ሚኒስቴር መስሪያ ቤቱ ከውጭ አገር ወደ አገርውስጥ የሚያስገባቸውን ለአገር መከላከል ዓላማ የሚውሉ ዕቃዎችና መሣሪያዎችን በተፌቀደው አሰራር መሠረት ከጒምሩክ ቀረጥና ታክስ ነፃ ማስገባት ይችላል፡፡
- ፬/ ሚኒስቴር መስሪያ ቤቱ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) የተመለከቱትን ዕቃዎችና መሣሪያዎች በሚመለከት የጉምሩክ ዲክላራሲዮንና አባሪ ሰነዶችን እንዲያቀርብና ዕቃዎቹን ወይም መሣሪያዎቹን እንዲያስፌትሽ ወይም ሰነዶች እንዲያስመረምር አይገደድም፡፡

፹፪. <u>የሂሳብ መዛግብት</u>

- ፩/ ሚኒስቴር መስሪያ ቤቱ የተሟሉና ትክክለኛ የሆኑ የሂሳብ መዛፃብት ይይዛል።
- ፪/ በዚህ አዋጅ አንቀጽ ፹፩ንዑስ አንቀጽ (፬) የተደነገገው እንደተጠበቀ ሆኖ የሚኒስቴር መስሪያ ቤቱ የሂሳብ መዛግብትና ገንዘብ ነክ ሰነዶች በውስዋ እና በፌደራል ዋና ኦዲተሮች የሚመረመሩ ይሆናሉ፤ የፌደራል ዋና ኦዲተሮች ምርመራን በተመለከተ ልዩ አሰራር ይዘረ.ጋሊታል፡፡ ዝርዝሩ በሚወጣው ደንብ ይወሰናል፡፡
- É/ በሚኒስትሩና በጠቅላይ ኤታማዦር ሹሙ አቅራቢነት ጠቅላይ ሚኒስትሩ አገራዊ ጥቅምንና ደህንነትን ለመጠበቅ ሲባል እጅግ ጥብቅ ሚስጥር ብሎ የሚሰይማቸውን የጦር መሳሪያና የውጊያ ቁሳቁስ የግዢ የሂሳብ መዛግብትና ሰንዶች፣ ለመረጃ የወጡ የክፍያ ማስረጃዎች እንዲሁም የሥራዊት ፕሮፋይል ወይም መገለጫ እንዳይገለው ሲያደርግ ይችላል::

<u> ፹፫. ስለ መከላከያ ሥራዊት ቀን</u>

የኢትዮጵያ መካለከያ ሠራዊት ለአገሩና ለሀዝቡ ሰሳምና ደህንነት መረጋገዋ ለከፌለውና በመክፈል ሳይ ሳስው オンちから መስዋሪትነት บาษ ተባቢውን እውቅና ክብር በመስጠት፣ እና የሥራዊቱ ሞራሳዊና ዝግጁንተ ሥነ-ልቦናዊ እንዲቀዋል ለማድረግ፣ የሥራዊቱን ተጠብቆ ወታደራዊ ታሪክና ተጋድሎ ለመዘከር፣ ሥራዊቱ **VILL** የገባውን ቃል-ኪዳን የሚያድስበትና ከሀዝቡ ጋር ያለውን ግንኙነትና አንድነት ይበልጥ የሚያጠናክርበት ሁኔታን ለመፍጠር በየዓመቱ

- 3/ The Ministry can import goods and materials free of customs duties and taxes for the purposes of defending the country.
- 4/ The Ministry may not be required to present customs declaration and documents to be attached thereto with respect to equipment and weapons referred to in Sub-Article (2) of this Article, to present the equipment and weapons for inspection and documents for examination.

82. Books of Accounts

- 1/ The Ministry shall keep complete and accurate books of accounts.
- 2/ Without prejudice to the provision of Article 81 (4) of this Proclamation the ministry's financial statements and finance related documents may be investigated by internal Auditors and Auditors from the federal Auditor General. Special procedure shall be developed for the federal Auditor General investigation. The details shall be decided by Regulation.
- 3/ Documents regarding military weapons and combat equipment procurement books of accounts, and payment documents for intelligence, and defense force profile, which are designated as top secret for the purpose of defending national interest and security by the Prime Minister upon the recommendation of the Minister and the Chief of the General Staff, may not be disclosed to anybody.

83. <u>Army day</u>

In order to maintain the moral and psychological readiness of the Ethiopian Army through due recognition and respect by the people for the struggle and sacrifices that it has paied and is paying, to ensure the peace and security of its country and the people; and to commemorate the history and struggle of the Army, renew its promise to the people, strengthen the Army's relationship and its unity with the people; The Ethiopian Army day shall be celebrated annualy on October 25 as national holiday. ጥቅምት 15 ቀን አገራዊ የኢትዮጵያ መከላከያ ሥራዊት ቀን ሆኖ ይከበራል፡፡

<u> ፹፬ ደንብ የማውጣት ሥልጣን</u>

የሚኒስትሮች ምክር ቤት ይህን አዋጅ ለማስፈፀም ደንብ ሊያወጣ ይችላል፡፡

<u> ፹፭. የመተባበር ግዴታ</u>

- ፪/ ሁሉም የፌደራልና የክልል አስፊፃሚ አካላት በዚህ አዋጅ በተሸፌኑ ጉዳዮች የመተባበር ግዴታ አለባቸው።

<u>፹፮. የተሻሪ ሀግ</u>

የመከላከያ ሠራዊት አዋጅ ቁጥር ፩ሺ፩፻/፪ሺ፲፩ እና ፩ሺ፪፻፴፪/ ፪ሺ፲፫በዚህ አዋጅ ተሽረዋል፡፡

<u> ፹፯. አዋጁ የሚወናበት ጊዜ</u>

ይህ አዋጅ በፌደራል ን*ጋሪት ጋ*ዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል፡፡

አዲስ አበባ መስከረም ፱ ቀን ፪ሺ፲፮ዓ.ም

ሳህለወርቅ ዘውዴ

የኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ሪፐብሊክ መንግስት ፕሬዚዳንት

84. Power to Issue Regulation

The Council of Ministers may issue Regulation necessary for the implementation of this Proclamation.

85. Duty to Cooperate

- 1/ All Federal Justice Organs, including the Federal Supreme Court, the Attorney General, the Federal Police Commission and the Federal Prisons Administration, shall, in their respective field of assignment, have the responsibility of cooperating with and building the capacity of the Military Justice Organs, and supporting and making them take part in the various justice sector reform programs.
- 2/ All the Federal and Regional State Executive Organs shall have the obligation to cooperate on matters covered under this Proclamation.

86. <u>Repealed Law</u>

The Defense Force Proclamation No. 1100 /2019 and 1232/2021 are hereby repealed.

87. Effective Date

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

Done at Addis Ababa, on this 19th day 0f September, 2023.

SAHLEWORK ZEWDE

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA