



**DAWLADDA DEEGAANKA SOOMAALIDA**  
**DHOOL GAZETA**  
**Somali Regional State**  
**የሶማሌ ክልላዊ መንግሥት**

Qimaha ያንዱ ዋጋ . Unit Price	Dhool Gazeta Waxaa Soo Saara Golaha Xildhibaanada Dawladda Deegaanka Soomaalida	✉ 392
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Bayaan Tirsi 221/2014 Bayaanka Aas-Aasida Komishinka Baadhista Tacaddiyada Ka Dhacay Deegaanka, dib u heeshisiinta iyo Xaalmarinta Dhibaneyaasha (waxka badalka)	<b>አዋጅ ቁጥር 221/2014</b> <b>የሰብዓዊ መብት ጥሰቶች አጣሪ; የሽግግር</b> <b>ፍትህና የተጎጂዎች መልሶ ማቋቋሚያ</b> <b>ኮሚሽን (ማሻሻያ) አዋጅ _____ ገጽ 1</b>	Proclamation No 221/2022 commission to investigate violence occurred in region, reconcile and reparation of victim's (amendment proclamation..... Page 1
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**BAYAAN TIRSI:- 221/2014**

**BAYAANKA WAX KABADALKA**  
**BAYAANKA AAS-AASIDA**  
**KOMISHINKA BAADHISTA**  
**TACADDIYADA KA DHACAY**  
**DEEGAANKA SOOMAALIDA, DIB**  
**U HEESHISIINTA IYO**  
**XAALMARINTA**  
**DHIBANEYAASHA**

Maadaama ay lagama maarmaan noqotay in wax laga badalo bayaanka aasaasida koomishinka baadhista tacaddiyadii ka dhacay deegaanka Soomaalida, si loo ilaaliyo madax banaanida iyo habsami usocodka koomishinka, waxaa muhiim noqotay in bayaanka wax kabadal lagu sameeyo.

Hadaba Golaha Deegaanka oo ka duulaya Qodobka 49 (3 b) ee dastuurka dib loo habeeyay ee DDS, wuxuu bayaaminayaa sidan.

**Qaybta Koowaad**  
**Guud ahaan**

1. **Cinwaan gaaban**

Bayaanka waxaa loogu yeedhi doonaa: “Bayaanka wax kabadalka Bayaanka Aas-aasida komishinka Baadhista Tacaddiyadii Ka Dhacay Deegaanka Soomaalida, dib u Heeshiisinta iyo Xaalmarinta Dhibbaneyaasha”  
 bayaan Tirsi:- 221/2014

**አዋጅ ቁጥር 221/2014**

**የሰብዓዊ መብት ጥሰቶች አጣሪ;**  
**የሽግግር ፍትህና የተጎጂዎች መልሶ**  
**ማቋቋሚያ ኮሚሽን ለማቋቋም የወጣ**  
**አዋጅ ማሻሻያ**

የኮሚሽኑ ተቋማዊ ነጻነት እና የአሰራር ሁኔታ ለማጠናከር በሱማሌ ክልል ውስጥ በተከሰተው የሰብዓዊ መብት ጥሰቶች አጣሪ ኮሚሽን ማቋቋሚያ አዋጅ ማሻሻል አስፈላጊ ሆኖ በመገኘቱ፤

የሱማሌ ክልል ምክርቤት በተሻሻለው የክልሉ ህገ-መንግሥት አንቀጽ 49(3, ሀ) መሠረት የሚከተለው ታውጇል፤

**ክፍል አንድ**  
**ጠቅላላ**

**አንቀጽ 1. አጭር ርዕስ**

ይህ አዋጅ «በሱማሌ ክልላዊ መንግሥት በተፈጠረው የሰብዓዊ መብት ጥሰቶች አጣሪ የሽግግር ፍትህና የተጎጂዎች መልሶ ማቋቋሚያ ኮሚሽን (ማሻሻያ) አዋጅ ቁጥር 221/2014» ተብሎ ሊጠቀስ ይችላል፡፡

**PROCLAMATION NO 221/2022**

**THE AMENDMENT OF THE ESTABLISHMENT OF AN INQUIRY COMMISSION TO INVESTIGATE THE VIOLENCE OCCURRED IN SOMALI REGION, RECONCILIATION AND REPARATION OF VICTIMS PROCLAMATION**

**WHEREAS**, it has become necessary to amend a proclamation to provide for the establishment of an inquiry commission to investigate the violence occurred in Somali region, reconciliation and reparation of victim's proclamation, so as to safeguard and ensure the independency and wellbeing of the commission.

**NOW Therefore**, the State council in accordance with Article 49 (3) (b) of the revised constitution of the Somali Regional State, it is hereby proclaimed as follows: -

**PART ONE**  
**GENERAL**

1. **Short Title**

This Proclamation may be cited as the “amendment of Establishment of the Commission to Investigate Violence occurred in the Somali Region, Reconciliation and Reparation of Victims” proclamation No. 221/2022.

**Qaybta Labaad**

**Wax kabadal**

**2. Qaab Dhismeedka Koomishinka**

Qodabka 8 aad, firqadiisa 1aad ee xarafka “B” ee bayaankan waxaa dib loogu habeeyay habkan,

b). Lix Koomishineer kuxigeen oo ugu yaraan laba kamid ah ay yihiin dumar.

**3. Shuruudaha xulashada koomishineerka guud iyo Koomishineer kuxigeenada**

1. Qodabka 10aad, firqadiisa 1aad ee bayaankan waxaa dib loogu habeeyay habkan,

“1”. Waa in uu yahay qof asal ahaan Itoobiyan ah oo ka soo jeedda deegaanka.

2. Qodabka 10aad, firqadiisa 6aad ee bayaankan waxaa dib loogu habeeyay habkan,

6” waa in uunan ahayn shaqaale rayida ama shaqaale hay’ad dawladeed;

**4. Ujeedoovinka Koomishinka**

Qodabka 6aad, firqadiisa 3aad ee bayaankan waxaa dib loogu habeeyay habkan,

3” inuu soo saaro oo xusuus-reebo dhibanayaashii loo gaystay tacadiyada ama gabood faladaas, wuxuuna bixinayaa talo bixin ku haboon xaalmarinta dhibanayaasha;

**5. Mudada jiritaanka Koomishinka**

Qodabka 12aad, firqadiisa 1aad ee bayaankan waxaa dib loogu habeeyay habkan,

1” Mudada jiritaanka Koomishinku waa afar sano, hase ahaatee hadii lagama maarmaan loo arko iyadoon wax kabadal sharci loo baahan waxaa loo kordhin karaa mudada shaqo iyadoo la eegayo baaxada shaqo.

**ክፍል ሁለት**

**ማሻሻያ**

**አንቀፅ 2. ስለኮሚሽኑ አደረጃጀት**

የአዋጅ አንቀጽ 8 ንዑስ አንቀፅ (1) ተራ ቁጥር «ሀ» እንደሚከተለው ተሻሽሏል፡-

ሀ) ስድስት ምክትል ኮሚሽነሮች ኖሮት ከነዚህ ውስጥ ቢያንስ ሁለቱ ሴት መሆን አለበት፡፡

**3. ለዋና ኮሚሽነሪነትና ምክትል ኮሚሽነሪነት የሚያበቁ መስፈርቶች**

1. የአዋጅ አንቀጽ 10 ንዑስ አንቀጽ (1) እንደሚከተለው ተሻሽሏል፡-

“1) በትውልድ ኢትዮጵያዊ የሆነ የክልሉ ተወላጅ

2. የአዋጅ አንቀፅ 10 ንዑስ አንቀጽ (6) እንደሚከተለው ተሻሽሏል፡-

“6). ማንኛውም የመንግሥት ወይም የሲቪል ሰርቪስ ሠራተኛ ያልሆነ”

**4. የኮሚሽኑ ዓላማዎች**

የአዋጁ አንቀጽ (6) ንዑስ አንቀጽ (3) እንደሚከተለው ተሻሽሏል፡-

«3). በተጎጂዎች ላይ የተፈጸመባቸው የመብት ጥሰቶች በመለየት የአሻራ መዝገብ አደራጅቶ ለተጎጂዎች ማድረግ ያለበትን ተገቢ የመልሶ ማቋቋሚያና መካስ ላይ ምክር ይሰጣል፡፡

**5. ኮሚሽኑ የሚቆይበት ጊዜ**

የአዋጁ አንቀጽ 12 ንዑስ አንቀጽ (1) እንደሚከተለው ተሻሽሏል፡-

«1). ኮሚሽኑ የሚቆይበት ጊዜ ለአራት አመት ሆኖ አስፈላጊ ሆኖ ሲገኝ ያለተጨማሪ የህግ ማሻሻያ ሳያስፈልግ የኮሚሽኑ የሥራ ጊዜ ላልተወሰነ ጊዜ ሊራዘም ይችላል፡፡

**PART TWO**

**AMENDMENT**

**2. Organization of the Commission**

Sub-article (1), A) of Article 8 of the proclamation is deleted and replaced by the following new alphabet (A).

“a). Six Deputy Commissioners, which at least two of them shall be female.

**3. Criteria for the selection of the General commissioner and Deputy Commissioners**

1. sub-Article (1) of Article 10 of the Proclamation is deleted and replaced by the following new sub -Article (1)

1)”. Whosoever is an Ethiopian national by origin, and belong to Somali state.

2. sub-Article (6) of Article 10 of the Proclamation is deleted and replaced by the following new sub-article (6).

6”. not a civil servant nor an employee of any public body;

**4. Objectives of the Commission**

Sub-Article 3 of Article 6 of the Proclamation is deleted and replaced by the following new sub-article (3):-

3”). To document victims of gross human right violations and to make recommendation on any effective and appropriate reparations to be provided to the victims.

**5. Duration of the Commission**

sub -Article (1) of article 12 of the proclamation is amended as follows: -

1. The Duration the Commission is for Four years. However, if not and become necessary it can be extended working period depending on the workload.

**6. Sad-dheeriga Koomishineerada**

Qoybta 5aad ee bayaankan waxaa lagu soo kordhiyay qodabka soo socda oo tirsigiisu noqonayo 27 oo hal tirsi dib ugu uriixaya qodabada qaybta 6aad ee kabilaabmayay 27 ee bayaankan,

1. Komishinneerka laguma soo oogi karo dacwad madani ah oo la xidhiidha arimo uu si niyad-sami ah u qabtay ama ugatay komishinner ahaan.
2. Komishinneerka laguma dacweyn karo arrin la xidhiidha cod uu bixiyay ama fikir uu dhiibtay marka uu ku guda jiro gudashada waajibkiisa, sidoo kale, lagama qaadi karo tallaabo maamul iyada oo laga duulayo arimahaas.
3. Komishineerka lama dacweyn karo ama lama xidhi karo iyada oo aan fasax laga haysanin golaha deegaanka, hadii aan la qabanin isaga oo fal-dambiyeed faraha kula jira.

**7. Dib urarida qodabada 27, 28, 29, 30, 31, 32 iyo 33 ee Bayaankan**

Qodabada 27, 28, 29, 30 iyo 31 ee bayaankani wuxuu qodab walbaa dib ugu guurayaa hal tirsi, maadaamoo qodobo dheeraadi kusoo biiray bayaanka oo qodobadiisa gaadhsiinaya 34.

**8. Mudada dhaqangalka Bayaanka**

Bayaankani wuxuu dhaqangalayaa marka uu golaha Xildhibaanada Deegaanku ansixiyo.

**Mudane Mustafe Muxumad Cumar  
Madaxwaynaha DDS**

**6. የኮሚሽነሮች ልዩ ጥብቃ**

በአዋጁ ክፍል አምስት ሥር የሚከተሉትን አዲስ አንቀጾች ከአንቀጽ 27 ተጨምሮ የአዋጁ የቀድሞ ክፍል አምስት ወደ ክፍል ስድስት ሆኖ የእያንዳንዱ አንቀጽ በአንድ ረድፍ ወደ ኋላ ተራ ቁጥር ይይዛሉ፡፡

1. ዋና ኮሚሽነሩ በቅን ልቦና የፈፀመው ማንኛውም ተግባር በፍትህ-ብሄር ክስ ተጠያቂ አይሆንም፤
2. ዋና ኮሚሽነሩ ሥራውን በሚፈጽምበት ጊዜ በሚሰጠው ድምጽ ወይም አስተያየት ምክንያት አይከሰስም፤ አስተዳደራዊ እርምጃም አይወሰድበትም፤
3. ዋና ኮሚሽነሩ ከባድ ወንጀል ሲፈጽም እጅ ከፍንጅ ካልተያዘ በስተቀር ያለ ምክር ቤቱ ፈቃድ አይያዝም በወንጀልም አይከሰስም፡፡

**7. የአዋጁ አንቀጾች 27፣ 28፣ 29፣ 30፣ 31፣ 32 እና 33 እንደገና ስለማሸጋሸግ**

የአዋጁ የቀድሞ አንቀጾች 27፣ 28፣ 29፣ 30፣ 31፣ 32 እና 33 እንደ ቅደም ተከተላቸው አንቀጽ 28፣ 29፣ 30፣ 31፣ 32፣ 33 እና 34 ሆነዋል፡፡

**8. አዋጁ የሚፀናበት ጊዜ**

ይህ አዋጅ በክልሉ ምክር ቤት ከጸደቀበት ቀን ጀምሮ የፀና ይሆናል፡፡

**ሙስጠፌ ሙሀመድ ኡመር  
የሱማሌ ክልላዊ መንግሥት ፕሬዝዳንት**

**6. Privileges of Commissioners**

Part five of the proclamation under Article 27 is added the following new article 27 by renumbering the former article 27 as article 28 of the proclamation.

1. A Commissioner shall not be liable to any civil action or suit for or in respect of any matter he done in good faith as a commissioner.
2. No commissioner may be prosecuted on account of any vote he casts or opinion he expresses in the discharge of his function as a commissioner, nor shall any administrative action be taken against any commissioner on such grounds.
3. No commissioner may be arrested or prosecuted without the permission of the State Council except in the case of flagrante delicto.

**7. Renumbering of Articles of 27, 28, 29, 30, 31, 32 and 33 of the Proclamation**

Articles of 27, 28, 29, 30, 31, 32 and 33 of the proclamation are renumbered as Article 28, 29, 30, 31, 32 33 and 34 of the proclamation respectively.

**8. Effective Date**

This Proclamation shall enter into force as of the day approved by the State Council.

**MUSTAPHE MOHOMED UMER  
PRESIDENT, SOMALI REGIONAL  
STATE**