AWAAMIIRTA ANSHAXA IYO NIDAAMKA DACWADA GARASOOREYA ASHA MAXKAMADAHA DDS.

የሶማሌ ክልላዊ መንግሥት ፍርድ ቤቶች የዳኞች ሥነ-ምግባር እና ሥለ ቅሬታ አያያዝ ስነ-ሥርዓት መመሪያ

DIRECTIVES ON ETHICS AND COMPLAINT HANDLING PROCEDURE FOR JUDGES OF SOMALI REGIONAL STATE COURTS.

Maadaama xuquuqaha iyo xoriyadaha dastuurka lagu qeexay si ku haboon loogaga midho dhalin karo oo kaliya marka ay jirto maxkamad madaxbanaan

Maadaama garsoorayaasha la saaray waajibaadka koobaad oo ah in iyagoo aaminsan sarraynta sharciga iyo ilaalinta karaamada iyo madaxbanaanida garsoorka, ay ilaaliyaan xuquuqaha insaanka ee lagu qeexay dastuurka

Maadaama karaamada iyo madaxbanaanida garsoorkana lagu ilaalin karo oo kaliya marka garsoorayaashu habdhaqankooda shaqo iyo midda gaar ahaaneedba ku muujiyaan akhlaaq sare oo ku dayasho leh iyaga oo maanka ku haya xilka lasaaray iyo jiritaanka hanaan cad oo lagula xisaabtamayo

Maaddaama ay lagama maarmaantahay in la soo saaro awaamiir sharci oo maxakamadaha deegaanku kasimanyihiin, iyada oo laga duulayo khibradihii laga helay barnaamijka dib u hindisida shaqada garsoorka,Awaamiirtaasi oo casri ah qeexaysana waajibaadka iyo anshaxa garsooraha looga baahanyahay islamarkaasna xanbaarsan ciqaabta iyo ganaaxyada ama talaabooyinka ka dhalanaya marka lagu xadgudbo qododbada ay awaamiirtaasi xanbaarsantahay, taasi oo looga gol leeyahay in adeegbixinta garsoorku noqoto mid baaxadeedu deegaanka wada gaadhsantahay, waqti kooban iyo kharash yarna lagu heli karo iyo sidoo kale in go'aanada maxkamaduhu ay noqdaan kuwo tayo leh kuna salaysan sharciga.

Ayaa hadaba gudiga garsoorka ee dds isaga oo kaduulaya awooda lagu siiyay qodobka***7(4)***ee bayaanka tirsigiisuyahay ***37/1994*** waxa uu soo saaray awaamiirtan.

በህግ መንግስት ላይ የተደነገኑት መብቶች እና ነፃነቶች በአግባቡ ተፈፃሚነት ሊኖራቸው የሚችለው ነፃና ገለልተኛ የሆነ ፍርድ ቤት ሲኖር ብቻ በመሆኑ፤

ዳኞች የተጣለባቸው የመጀመሪያ ግዴታ የህግ የበላይነትን በማመንና ገለልተኛና ነፃ ዳኝነት እንዲሁም የዳኝነት ክብርን መጠበቅ መሆኑን በማመን በህግ መንግስቱ ላይ የተደነገጉት ሰብአዊ መብቶች መጠበቅ እንዳለባቸው ማስገንዘብ አስፈላጊ ሆኖ በመገኘቱ፤

የዳኝነት ተግባሩ የተከበረ ሆኖ ልገኝ የሚችለው ዳኞች የእለት ተእለት ተግባሮቻቸው ጥሩ ሥነ-ምግባር ተላብሶ የዳኝነት ክብሩን በጠበቀ አኳኃን ሲያከናውኑና ትምሳሌት ሆኖ የተጣለባቸው ኃላፊነት በመረዳት ግልፅነትና ተጠያቅነት መርህ ላይ ተመስርቶ ስያስተውሉ ብቻ በመሆኑ፤

ባለፉት ጊዜያት ተግባራዊ ከተደረገው የፍ/ቤቶች ማሻሸያ ፕሮግራም ለይ ከተገኘው ልምድ በመነሳት የክልሉ ፍ/ቤቶች በእኩልነት የሚመሩበት ወጥ ሆነ መመሪያ ማወጣት በማስፈለጉና መመሪያው ዘመናዊ በሆነ መልኩ ከዳኛው የሚጠበቀው ስነ-ምግባር ግልፅ አድረጎ የሚያስቀምጥ እንዲሁም የዚህ መመሪያ ድንጋጌዎችን ተላልፎ በተገኘበት ጊዜም የሚጣልበት ቅጣት ወይም እርሚጃ በዝርዝር እንዲቀመጡ ተደርጎ የተዘጋጀ ሲሆን የመመሪያው አላማም ባጠቃላይ በክልሉ ዉስጥ የዳኝነት አገልግሎት ተዳራሽ እንዲሆንና በአጭር ጊዜና በአነስተኛ ወጪ ማገኘት የሚያስችል እንዲሆን ማድረግ ቢሎም ሁሉም የፍ/ቤቶች ዉሳኔዎች በህግና በህግ ብቻ የተመሰረቱ እንዲሆኑ ማድረግ በማስፈለጉ፤

የሶማሌ ክልል መንግስት የዳኞች አስተዳደር ጉዳኤ አዋጅ ቁጥር 37/1994 አንቀፅ 7(4) በተሰጠው ሰልጣን መሰረት በማድረግ ይህን መመሪያ አውጥትዋል::

WHEREAS, theconstitutional rights and freedoms that are specified in the constitution can be an appropriatly a fruitfull only when there is an independent judiciary.

WHEREAS, judges are shouldered, the primary responsibility of upholding the human rights enshrined in the constitution, having in mind their obligationin comfirmingto the rule of law and the protection of the dignity and independence of the judiciary.

WHEREAS, the diginity and independence of the judiciary can only be maintained whenjudges display their professional and personalconduct in a highly ethical manner beering in mind the ground rules put for them with a view to their accountabilities.

WHEREAS, it has become necessary, to issue a common legal directives that applies to all court of the SRS, based on the experience gained from the judicial reform program, which is, contemporary and intended to describe obligations and proffessional ethics that judges must adhere to, when performing their duty, and composes the penalties to be carried out for actions resulting from violating of it's terms, with the view to make the judicial service accessible by all and that can be attained with in short period of time and with less cost, while at the same time, the courts' decision making are to be an effective and based on the law.

NOW, THEREFORE; Somali Regional State Judicial Administration Commission, in accordance with the authority given to it under Article 7 (4) of proclamation No. 37/1994, has issued this directive

Qaybta koowad
Awaamiirta Guud

1. Ciwaan Gaaban

Awaamiirtan waxaa loogu yeedhi karaa awaamiirta anshaxa iyo nidaamka dacwadda garsoorayaasha maxkamadaha dawlad deeganka soomaalida.

2. Qeexid

Haddii aanay weedha eraygu ku jiro micne kale siin- awaamiirtan dhexdeeda erayga: -

1) Guddi" waxaa loola jeedaa gudiga maamulka garsoorka

2) Gole''waxaa loola jeedaa golaha baarlamaanka dawladda degaanka soomaalida

2) Dastuur''waxaa loola jeedaa dastuurka jamhuuriyada diimuqraadiga federaalka itoobiya iyo Kan dawladda deegaanka soomaalida.

3) Garsoore''waxaa loola jeedaa qofkaste oo golaha deegaanku u ansixiyay ama u ansixin doono in uu bixiyo adeegbixin garsoor kaasi oo ka hawlgala qaabdhismeedka kaladuwan ee maxkamadaha dawladda deegaanka soomaalida.

4) Xubnaha magacaabista'' waxaa loola jeedaa masuuliyiinta xafiishoosaadyada, xirfadlayaasha geedisocodyada, rejisteraalada, kalkaaliyayaasha garsoorka iyo kalkaaliyayaasha rejisteraalada

5) Maxkamadd waxaa loo lajeedaa qaab dhismeedka kaladuwan ee maxkamadaha dawladda deegaanka soomaalida

3. Awooda Soo Saarista

Sida ku xusan qodobka***7 (4)*** ee bayaanka tirsigiisu yahay ***37/1994***, awooda soo saarista awaamiirtanwaxaa iska leh gudiga maamulka garsoorkaee dds

4. Xadka Dhaqangalka

Awaamiirtan waxaa lagu dabaqayaa garsoorayaasha maxkamadaha DDSee uu maamulo gudiga maamulka garsoorku, waxaa kale oo awaamiirtan lagu dabaqayaa, masuuliyiinta xafiis hoosaadyada, agaasimada, rejisterraalada, kalkaaliyayaasha rejisteraalada, kalkaaliyayaasha garsoorayaasha iyo qareenada dawlada ee gudigu magacaabo.

5. Dabakhaada Jinsiga

Dhamaan qodobada kujira awaamiirtan ee laxidhiidha labka sidoo kalena waa lagu dabaqayaa dhediga

6. Waaajibaadka Guddiga

Gudiga waxaa waajib ku ah

B) inuu wacyigalin kasiiyo garsoorayaasha iyo xirfadlayaasha magacaabista ahba awaamiirtan

T) inuu xaqiijiyo dhaqangalka awaamiirtan.

ክፍል አንድ
ጠቅላላ መመሪያ

1. አጭር ርዕስ

ይህ መመሪያ የሶማሌ ክልል ፍ/ቤቶች ዳኞች ስነ-ምግባር እና የክሱ ክስ ስነ-ስርዓት መመሪያ ተብሎ ሊጠራ ይችላል።

2. ትርጓሜ

የቃሉ አግባብ ሌላ ትጉም የሚያሰጥ ካልሆነ በስተቀር በዚህ መመሪያ ዉስጥ፡-

1) **ጉባኤ**፡- ማለት የክልሉ የዳኞች አስረዳደር ጉባኤ ማለት ነው፡፡

2) **ምክር ቤት**፡- ማለት የሶማሌ ክልል መንግስት ፓርላማ ምክር ቤት ማለት ነው።

3) **ህግ መንግስት**፡- ማለት የኢትዮጵያ ዲሞክራሲያዊ ፌደራል ሪፐብሊክ ህግ መንግስት እና የሶማሌ ክ/መ/ህግ መንግስት ማለት ነው።

4) **ዳኛ**፡- ማለት ማንኛው ግለሰብ የክልሉ ፖርላማ ምክር ቤት የዳኝነት ስራ አገልግሎት እንዲሰጥ ሹመቱን ያፀደቀው ወይም የሚያፀድቀውና በሶማሌ ክ/መንግስት ፍ/ቤቶች ዉስጥ በፍርድቤቶች መዋቅሩ ዉስጥ እንዲሰማራ የተደረገ ዳኛ ነው።

5) **የተሸሙ አካላት**፡- ማለት የንዑስ መ/ቤቶች ኃላፊዎች፣ የስራ ሂደት ኃለፊዮች፣ ባለሙያዎች ፣ ሬጅስትራሎች፣ ረዳት ዳኞች እና የረዳት ሬጅስትራሎች ናቸው።

6) **ፍርድ ቤት**፡- ማለት የሶማሌ ክልል መንግስት በተለያዩ ደረጃዎች የተዋቀሩ ፍ/ቤቶች ማለት ነው።

3. ስልጣን

በአዋጅ ቁጥር 37/1994 አንቀፅ 7(4) ድንጋጌ መሰረት ይህን መመሪያ የማውጣት ስልጣን የተሰጠው የሶማሌ ክልላዊ መንግስት የዳኞች አስተዳደር ጉባኤ ነው፡፡

4. የተፈፃሚነት ወሰን፡-

ይህ መመሪያ በሶማሌ ክልላዊ መንግስት ፍ/ቤቶች የሚያገለግሉና በክልሉ ዳኞች አስተዳደር ጉባዔ ስር የሚተዳደሩ ዳኞች ላይ እንዲሁም የኑዑስ ጽ/ቤት ሃላፊዎች፣ የስራ ሂደት ኃላፊዎች፣ ሬጅስትራሎች፣ ረዳት ሬጅስትራሎች እና የመንግስት ጠበቆች ላይ ተፈፃሚ ይሆናል፡፡

5. የሥርዓተ-ፆታ ማጣቀሻ

በዚህ መመሪያ ላይ ለወንድ የተገለፀ ሁሉም ድንጋጌዎች በሴት ላይም ተፈፃሚነት ይኖራዋል፡፡

6. የጉባዔው ተግባርና ኃላፊነት

የክልሉ የዳኞች አስተዳደር ጉባዔ የሚከተሉትን ተግባርና ኃላፊነት ይኖረዋል፡-

ሀ) ለዳኞች እና ተሿሚ ለሆኑ ባለሙያዎች ስለመመሪያው ግንዛቤ ማስጨበጥ።

ለ) መመሪያው ተፈፃሚ ስለመሆኑ መረጋገጥ።

CHAPTER ONE
GENERAL PROVISIONS

1. Short Title

This directive may be cited as "Directive on Ethics and Complaint Handling Procedure for Judges of Somali Regional State Courts''

2. Definition:

In this document, unless the context requires otherwise:

COMMISSION: - refers to the Judiciary Administration Commission of Somali Regional State.

COUNCIL: - Refers to Somali Regional State Parliament.

CONSTITUTION: -Refers to the Constitution of the Federal Democratic Republic of Ethiopia and Somali Rregional State Constitution

JUDGE: -Refers to any person who has been or will approved by the council to provide the service of a judge and who operates or will operate in the various structures of the Somali regional state courts.

NOMIINATION MEMBERS: -Refers to heads of sub agencies, core process owners /professionals, assistant judges, registrars, and assistant registerars.

COURT: - Refers to different hierarchy of the Somali Regional State Courts.

3. Power to Issue the Directive

Pursuant to article 7(4) of the proclamation No: 37/1997, the power to issue directives rests with the judicial administration commssion of the Somali Regional State.

4. Scope of Application

This directive on Ethics and complaint handling procedure shall apply to judges of Somali Regional State courts as administered by the Somali Regional Judicial Adminstration commission. This directive shall also apply to officials of sub-offices, processes owners, registrars, assistant registrars, assistant judges, and public defense lawyers.

5. Gender Reference

Unless the context implies otherwise, the reference made to the masculine gender shall also apply to the feminine gender.

6. Obligation of the commission

The commission is under obligation to: -

a) Mobilize and provide necessary training about this directive for the judges and appointed professionals.

b) Ensure the implementation of this directive.

Qaybta labaad
Habka Shaqo Fulinta

3. Shuruucda oo Si Sax ah Shaqada loogu DHaqangaliyo

Amarkaiyo go'aankasta oo uu garsooruhu bixinayaayiwaa inay dhaqan galinayaan shuruucda uu dalku soo saaray, taasoo ah shaqada ugu horaysa ee garsooraha, gaar ahaan inta uuna dacwada/ garta guda galin ka hor waxaa haboon inuu xaqiijiyo inay awoodiisa tahay iyo in kale

4. Ilaalinta Xuquuqda u Sinaanshaha Sharciga ee Macaamiisha iyo Xaqiijinta Sareynta Sharciga

1. Garsooruhu waa in uu ahmiyad weyn siiyo ilaalinta xaquuqul insaanka iyo sugida nidaamka cadaaladda.
2. Garsooruhu waa inuu si sinaansho leh u eego xuquuqda dhamaan dhincyada doodu kadhaxayso islamarkaana, waa in uusan ogolaanin, in hawsha garsoorka ay saamayn ku yeeshaan arrimaha laxidhiidha qoyska, diinta, qoomiyada, siyaasadda, bulshada ama xidhiidhada kale.

5. **Karti iyo Hufnaan.**

Garsooraha waa inuu shaqada ku muujiyo dadaalka iyo kartida looga baahan yahay, walibana waa inuu ku dadaalaa sidii uu u kobcin lahaa aqoonta uu u lee yahay sharciga

6. **Jiitanka Faylasha/Dacwadaha**

Garsooruhu, waa in arrinta loo soo gudbiyay inta karaan kiisa ah si dhakhso leh u dhameeyaa sidaa daraadeedna, ma aha in sabab aan macquul ahayn uu ku luudiyo arrinta ama kolba balan u siiyo

7. **Ilaalinta Sharafta Iyo Haybada Maxkamada**

1 Garsooruhuwakhti kasta oo uu shaqaynayo ama uu fadhiga hoggaaminayo waa inuu ilaaliyaa sharafta iyo karaamada maxkamada
2 Garsoorahawaxaa kareeban in uu sabab la'aan uga tago xidhashada dharka fadhiga (jiloodka) marka uu dhagaysiga dacwada kujiro
3 Garsoorahawaxaa ka mamnuuc ah in isaga oo daroogaysan uu yimaado goobta shaqada
4 Garsooraha waxaa ka mamnuuc ah in uu ku dhexdagaalamo gudaha jiloodka ama xafiiska

8. **Wada Shaqaynta Bahda Garsoorka**

Garsooruhu waa inuu si Isfahan iyo qadarin leh kula shaqeeyaa garsoorayaasha iyo shaqaahalaha kale ee maxkamada

ክፍል ሁለት
ስራ ክንውን አፈፃፀም ስርዓት

3. ሐጎችን በትክክል በስራ ላይ እንዲውል ማድረግ

በዳኛው የሚተላለፉ ትዕዛዞችማ ሆነ ማናቸውም ውሳኔ በሃገሪቷ የወጡ ህጎችን የሚተገብሩ ሆኖ ዳኛው ክሱን ከማዳመጡ በፊት መጀመሪያ ጉዳዩ/ክሱን መስማት የሱ ስልጣን ስለመሆኑና አለመሆኑ ማረጋገጥ አለበት::

4. **የተገልጋዮችን እኩልነት በሕግ ፊት መቀበልና የሕግ በላይነትን ማረጋገጥደንበኞች**

1. ዳኞው የደንበኞች የህግ ፊት እኩልነትና ሰብአዊ መብቶችን እና የፍትህ ስርዓቱን የመጠበቅ ቅድሚያ መስጠት አለበት::

2. ዳኛ የግራና ቀኝ ተከራካሪ ወገኖችን መብቶች በእኩልነት ማየት እና በዳኝነት ስራው ላይ የሐይማኖት፣ የቤተሰብ፣ የብሄር፣ የማህበረሰብና የፖለቲካ ግንኙነት ወይም ሌላ ግንኙነቶች ተፅእኖ እንዳይኖራቸው ማድረግ አለበት::

5. ብቃት እና ችሎታ

ዳኛ በስራው ላይ የሚጠበቅበትን በብቃት እና በተታሪነት መወጣትና ያለውን የህግ እውቀት ለማሻሻል ጥረት ማድረግ አለበት::

6. ፈይሎች /ክሶችን ማጓተት

ዳኛ የሚቀርቡለትን ጉዳዮች ባለው አቅም ሁሉ በአስቸኳይ እልባት የሚሰጥበት አካሄድ መከተልና አጥጋቢ ባልሁኑ ምክኒ ጉዳዮን ማጓተት ወይም ተደጋጋሚ ቀጠሮ መስጠት የለበትም::

7. የፍ/ቤትን ክብር እና የዳኝነትን አክብሮት መጠበቅ

1) ዳኛ ስራውን በሚሰራበት ማናቸውም ወቅት ወይም ችሎቱን በሚመራበት ጊዜ የፍርድ ቤቱን ክብር እና አክብሮት መጠበቅ አለበት::
2) ዳኛ ክስ በሚያደምጥበት ጊዜ ያለ ምክንያት የችሎት ልብሱን ሳይለብስ መዳኘትም ሆነ ማዳመጥ የለበትም::
3) ዳኛ አደንዛዥ ነገርን ተጠቅሞ ወደ ስራ ቦታ መምጣት ፍፁም የተከለከለ ነው::
4) ዳኛ በችሎት ውስጥ ወይም በቢሮው ውስጥ ፀብ መፍጠር የተከለከለ ነው::

8. ዳኝነት አካላት በጋራ የመስራት

ዳኛው አብረው ከሚሰሩ ዳኞችና ከሌሎች የፍ/ቤቱ የሥራ ክፍሎች ሠራተኞች ጋር ተግባብቶ፣ተባብሮ እንዲሁም ተከባብሮ በጋራ መግባባት መንፈስ መሥራት ይኖርበታል።

SECTION: TWO
WORK PROCEDURE

3. Proper Implementation of the laws

Any order or decision issued by a judge must be in accordance with the laws of the country, which is the first duty of a judge, particularlly before proceeding with a case; everyjudge is under obligation to determine whether it is in his or her jurisdiction.

4. Sustaining clients' equality before the law and Ensuring Supremacy of the law

1. A judge shall give priority to the protection of the human rights and the maintenance of the justice system.
2 A judge must treat the rights of all parties in a case equally, and he must not allow that judicial service are to be influenced by issues relating to family, religion, ethnicity, politics, society or other relationships.

5. Efficiency and Effectivness

A Judges shall act diligently in the exercise of his duties and shall devote his professional promotions in relation to his legal knowledge

6. Draging files / cases

A judge must resolve the matter brought before him as soon as possible and on the bases of his maximum effort. Therefore, he has not expected to drag files in appropriatly or give it unnecessary adjournement/ appointment.

7. **Protecting theJudicial Honor and Prestige of the Court**

1. A judge when ever on duty or presiding over a case must act in a manner that promotes public confidence and protect the judicial honor and prestige of the courts.
2. A judge may not unreasonably refrain or waive from wearing a uniform during the hearing of proceeding.
3 It is forbidden for a judge to come to the workplace in a state of intoxsicated.
4 A judge has not allowed fighting inside the courtroom or even whith in the premises of the court office.

8. Cooperations among Judicial Collegues

A Judge must work in a spirit of respect and mutual understanding with other judges and other staff of the Court.

9. Samir Kudhagaysiga Iyo Dhamystirka Doodaha

1. Wakhtiga geedisocodka dhagaysiga dacwadaha waa inuu garsooruhu si samir iyo dulqaad leh u dhagaystaa ugana dhamaystiraa dhamaan doodaha sharciga waafaqsan ee ay soo jeedinayaan qareenada iyo dhinacyada dacwadu kadhaxayso
2. Garsooraha waxaa looga baahanyahay in uu dhowro, bani'aadan nimda, karaamada iyo xuquuqda dhinacyada dacwadu ka dhaxayso.

10. **Hogaaminta Dooda Dhinacyada**

ı. Garsooraha waxaa ka reeban in uu lamurmo dhinacyada dacwadu kadhaxayso. Waxaana waajib kasaaranyahay in su'aalaha iyo dooda dhinacyada uu uhogaamiyo qaab ay ku dheehan tahay cadaalad iyo xirfada garsoorenimo.

2. Waa in uu qaladaadka doodayaasha saxo, kuna canaanto, marka ay muujiyaan dabeecad xun ama ay sameeyaan fal aan haboonayn ama ay kusoo diyaari garoobi waayaan mudadii loo qabtay ama ay sabab ka abuuraan geedisocodka dhexdiisa si aysan doodu u joogsan, hadii loo baahdana waa inuu ka qaadaa talaabada sharci ee ku haboon,

11. Habka Bixinta Go'aan

ı. Garsoorahawaxaa kareeban in uu tirtiro, masaxo, foorjariyeeyo, cadaymaha, xogta iyo dokumentiyada ama si kutalagal ah u bedello maragfurka markhaatiyada.

2. Garsooruhu amarka iyo go'aanka uu bixinayaa waa in ay waafaqsanaadaan hanaanka lagu xusay hababka sharciyada, kana koobnaadaan nuxurka dacwada, cadaymaha lasoo bandhigay, xaalada dooda dhinacyada iyo qodobada sharci ee loo cuskaday. Islamarkaana faahfaahiyo sababaha go'aankiisa.

12. Ku Dhawaaqida Go'aanka Dambiilanimada Iyo Xadeynta Xukunka

ı. Garsooruhu marka uu bixinayo ga'aanka dambiilanimada ah ee dacwadaha ciqaabta laxidhiihda waa inuu si taxadar leh u miisaamo qodobka quseeya faldambiyeedka ama faldanbiyeedyada lagu soo eedeyay eedaysanaha, caddaymaha la soo gudbiyay iyo difaaca eedaysanaha.

2. Garsooruhu marka uu bixinayo xukunka ciqaabta, waa in isaga oo si taxadarleh umiisaamaya xaalada uu danbiga kugaystay eedaysanuhu raacayana ujeedooyinka ciqaabta iyo awaamiirta xadeynta xukunka ciqaabta iyo waliba xaaladaha culaysinta iyo khafiifinta kana duulaya mabaadiida kuxusan xeerka ciqaabta uu go'aamiyaa ciqaabta eedaysanaha.

9. ክርክሮችን በእርጋታና በትዕግስት ማዳመጥ እና ማጠናቀቅ

ı. በክርክር ሂደት ዉስጥ ዳኛው የሁለቱ ተከራካሪ ወገኖችና ጠበቆቻቸው የሚያቀርቡትን ክርክሮች ህጉነ እሰከተከተሉ በትእግሰት በመከታተልና ማስጨረስ ይኖርበታል።

2. ዳኛው የተከራካሪ ወገኖች ሰብአዊ ክቡርና መብቶችን ማካበርና መጠበቅ ይኖርበታል።

10. የወገኖችን ክርክር ስለመምራት

ı. ዳኛው በሁለቱ ተከራካሪ ወገኖች መካከል በሚካሄደው ክርክር ዉስጥ በመግባት ተከርካሪ ሆኖ መገኘት የተከለከለ ሆኖ የተከርካሪ ወገኖች ጥያቄዎችና ክርክር ፍፁም ብቃትና ፍትሃዊነት በተሞላ አካሄድ መምራት ይጠበቅበታል።

2. ተከራካሪ ወገኖች በክርክሩ ሂደት ውስጥ ያሉ ስህተቶችን ማረምና መቆታትና አልአስፈላጊ የሆኑ ባህሪያት ስያሳዩ ወይም የተሰጣቸው ቀነ ገደብ ላይ ተዘጋጅቶ መቅረብ ሳይችሉ ስቀሩ ወይም ሂደቱን ለማደናቀፍ ሆን ብሎ ሰበብ አስባብ ስፈጥሩ ማስጠንቀቅ አስፈላጊ ከሆነም ህጋዊ እርሚጃ መውሰድ ይገባዋል።

11. የውሳኔ አሰጣጥ ስነ ስርዓት

ı. ዳኛው የምስክሮችን ቃል መለወጥ፣ ማስረጃዎችን፣ ሰነዶችን ሆን ብሎ መፈብረክ ወይም መዘረዝ ወይም መቀየር በህግ ተከልክሏል።

2. የዳኛ ትዕዛዝ እና ውሳኔ በሕግ ሥነስርዓት ላይ በተቀመጠው ሂደት የተመሰረቱና የጉዳዩ ፍሬ ነገር፣፣ የቀረቡ ማስረጃዎች፣ የተከራካሪ ወገኖች ሁኔታ፣ ለዉሳኔው መሰረት ያደረገው የህግ አነቀጾችና ምክኒያቶችን በሚገባ መግለፅ ይኖርበታል።

12. የጥፋተኝነት ውሳኔ አሰጣጥና የቅጣት አወሳሰን

ı. ዳኛው በወንጀል ክስ ጉዳዮችን በጥፋተኝነት ዉሳኔ ሲሰጥ ተከሳሹ የተከሰሰበትን ወንጀል፣ የቀረቡትን ማስረጃዎች እና የተከሳሽ መከላከያ ጉዳዮች ላይ ትኩረት በማድረግና የህግ አንቀፆችን በጥንቃቄ በማመዛዘን መሆን አለበት።

2. ዳኛው የቅጣት ብይን/ዉሳኔ በሚሰጥበት ወቅት ተከሳሹ የወንጀል ድርጊቱን የፈፀመባቸውን ሁኔታዎች ጥንቃቄ በተሞላበት ሁኔታ በመመዘንና የወንጀል ህግ ዓላማዎችን እና የቅጣት አወሳሰን መምሪያ እንዲሁም የማክበጃና የማቃሊያ ሁኔታዎችን በማከል በወንጀል ህጉ መሰረት ወንጀሉ መበይ ይኖርበታል።

9. **Being conscious/patient in listening and completing Arguments**

ı During proceeding Judges shall exercise vigilance and shall pateintly undure the litigation and parties' addresses in accordance with the Rules and give special attention to the right of participants to the proceedings in equal footing and to the benefit of the law

2. A judge should ensure/protect the dignity, human and other rights of the parties in dispute or under litigation.

10. **Leading the Hearings of the Parties**

1. A judge shall not be involved in disputes with the parties to the case. He is duty is to lead the pleadings among the parties, conduct litigations and questions in a fair and professional manner.

2. He should correct the mistakes of the parties in litigation, and reprimand them, when they behave, inappropriately or do not prepare for the deadline or when they are about to create a reason in the process so that the hearing does not stop, and if necessary he must take appropriate legal action.

11. Determination Procedure

1. A judge may not delete, forge or falsify evidence, data, documents intentionally or to alter the testimony of witnesses.

2. The order and decision of the judge shall be in accordance with the procedure set out in the legal procedures, and shall include the pleadings of the parties, issues framed, the evidence presented, and the legal provisions on which is based. At the same time, explain the reasons for his decision.

12. Pro nouncement of Conviction and Sentencing Procedure

1. A judge, in issuing the criminal conviction in criminal proceedings, must carefully weigh the provisions of the criminal code against which the accused is charged, the evidence presented and the defense of the accused.

2. A judge when pronouncing judgment of conviction shall carefully weigh the circumstances under which the accused has committed the crime, and he must take in to acoun the general objectives of the criminal law and the sentencing guideline as well as the aggravating and extuniating cicumstances of the case set out in the penal code.

13. Kala Duwanaanshaha Fikirka

Garsooruhu kasakow xaqa uu u leeyahay, in uu qaadan karo fikir kaduwan ayaa hadana si loo helo cadaalad degdeg ah waa in uu fikirkiisa/keeda gaarka ah si dhakhso leh usoo gudbiyaa/saa waana in uusan fikirka uu qorayo/qorayso usoo jeedinin, qaab wax u dhimaya dareenka iyo sharafta asxaabtiisa shaqada iyo tan cidkale toona

14. Kaantaroolida Habka Shaqo Fulinta Shaqaalaha Fadhiga

1. Garsooraha mudada badan shaqeeyay waa in uu garsoorayaasha iyo shaqaalaha kaleba kacaawiyo, xogna kasiiyo anshaxa iyo dhaqanka shaqo ee larumaysanyahay

2. Garsooruhu waa inuu kaantaroolo, canaanta ku haboon iyo talana siiyo marka shaqaalaha taakulayntu ay nusqaamiyaan, dhayalsadaan ama ay shaqadooda u isticmaalaan danahooda gaarka ah. Hadii loo baahdana waa inuu tallaabo sharci ah ka qaado isaga oo u maraya wadada sharci.

15. Ka Ilaalinta Diiwaanada Maxkamada Erayo Aan Haboonay Kuwa Ceebta Ah Iyo Fikiradaha Gaarka Ah

1. Garsooruhu waan in, amarada, go'aanada, iyo qoraal kaste oo uu samaynayo ka ilaaliyaa erayada aan haboonayn ama ceebta ah hadiiba aanan cadaaladda darteed loogu baahan

16. Xaqiijinta in Si Haboon Loo Soo Gudbiyay Dacwada, Jawaabta Dacwada Iyo Cabashooyinka

1. Garsooruhu waa in uu xaqiijiyo in dacwada, jawaabta iyo cabashooyinka loosoo gudbiyo loo soo diyaariyay si waafaqsan hanaanka ay farayaan hababka sharcigu islamarkaasna ay kareeban yihiin erayada aan haboonayn ama aan munaasibka ahayn, hadii aanan iftiiminta cadaalada darteed loogu baahan

13. የውሳኔ ሃሳብ ልዩነት

ዳኛው የውሳኔ ሃሳብ ልዩነት የመስጠት መብት እንዳለው ሆኖ የተቃውሞ አስተያየትም ካለው ፍትህ እንዲሰፍን በማሰብ የራሱን አስተያየት ወዳዉኑ ማቅረብ አለበት፤ በጽሑፉ የሚያቀርብ ከሆነ በጽሁፉ ላይ የባልደረቦቹን ወይም የሌላውን ሰው ስሜት እና ክብር የሚነዱ ሃሳቦችን ማቅረብ የለበትም።

14. የችሎት ስርዓት የስራ ክንውን አስፈፃሚ ድጋፍ ሰጪ ሰራተኞች ቁጥጥር

1. ለረጅም ጊዜ ያገለገለ ዳኛ ለሌሎች ዳኞችና ሠራተኞችን መርዳት አለበት፣እንዲሁም በሥነ ምግባር እና ፍርድ ቤቱን ዋና እሴቶች ለይ ግንዛቤ የማስጭበጥ ድጋድና ትብብር ይሰጣል።

2. ድጋፍ ሰጪ ሰራተኞችን የስራ ተግባራቸውን ካልተወጡ እና የሚሰጡት የስራ ድጋፍ ክንውን ዝቅተኛ ሲሆን ስራቸውን ለራሳቸው የግል ጥቅም ሲውሉ ዳኛው ተገቢውን ድጋፍና ምክር ይሰጣል፡፡ አስፈላጊ ሆኖ ሲገኝ በህጉ መሰረት ተመርቶ ህጋዊ እርምጃ ሊወስድባቸው ይገባል፡፡

15. ፍ/ቤት መዝገቦች ላይ አስነዋሪ እና አስፈላጊ ቃሎች እና የግል ሃሳቦችን እንዲይገልፅ ስለመጠበቅ

1. ዳኞች ትዕዛዝ ውሳኔዎች እና ማናቸውም የሚፅፉቸው ሰነዶች ላይ ተገቢ ያልሆነ ቃላቶችን ወይም አስነዋሪ ቃሎች በመግለፅ መጠንቀቅ አለበት ለፍትህ አሰጣጥ አስፈላጊ ሆነው ካልተገኙ በስተቀር

16. ክሶች፣መልሶችና አቤቱታዎች በአግባቡ ማቅረባቸውን ማረጋገጥ

1. ዳኞው ክሶች፣ መልሶችና አቤቱታዎች በሥነ-ስርዓቱ ላይ በተደነገነው ድንጋጌዎች መሰረት መዘጋጀታቸውና መቅረባቸው እንዲሁም አቸላስፈላጊ የሆኑ ቃላቶች ያልታከሉበት መሆናቸውን የማረጋገጥ ኃላፊነት አለበት፤፡

13. Dissenting Opinions

A judge, a part from his right to have a dissenting opinion, must submit his / her own opinion as soon as possible with the view of promoting immediate justice. In his writing, He should not suggest ideas that in a way offends or harms the feelings and dignity of his collegues or anyone else.

14. Overseeing the Performance of the Sitting/bench Staff

1. The long-serving judge should assist both the judges and staff, and provide information on ethics and the core values of the court.

2. The judge shall supervise, give appropriate reprimand and advice when support staff underestimate, or use their work for personal gain. If necessary, he must take legal action through legal channels.

15. Protecting Court records from inappropriate language and Special ideas.

1. The judge shall all in his writing orders and decisions, refrain from inappropriate or shameful remarks unless absolutely intended for clarification of justice.

16. Ensuring that Statement of claim, Statement of Defence and other Bleadings properly filed.

1. The judge must ensure that statement of claims, satatement of deffence, and all other bleadings are prepared in accordance with the procedures prescribed by law and are free from inappropriate language or unnecessary remarks unless absolutely intended for clarification of justice.

QAYBTA 3AAD
AKHLAAQDA

17. Ka Fiirsashada Iyo Taxadar Samaynta

1. Garsooruhu waa inuu noqdaa mid ixtaraam, samir iyo ka fiirsasho leh shaqadiisana si taxadar leh u qabta.
2. Waa in uu gacan kagaystaa dhaqan galka awaamiirtan, tusaale lagu daydana unoqdaa isaga oo muujinaya dhaqan wanaag markasta oo uu hayo shaqada garsoorka.

18. **Asluub Wanaag**

1. Garsooruhu waa inuu hagaajiyo qaab labiskiisa iyo dabeecadiisa islamarkaana ka fogaadaa kana taxadaraa inuu taggo goobaha xun xun ee wax u dhimi kara sharaftiisa garsooranimo.
2. Waan in uu leeyahay islamarkaana kobciyo isku kalsoonidiisa.
3. Garsooraha waxaa kareeban in uu caadeysto isticmaalka mukhaaadaraadka wax u dhimi Kara shaqada, sharafta iyo karaamada garsoorenimo.
4. Garsooraha waxaa kamamnuuc ah in uu sicad gudaha xafiiska ugu dhexcaytamo.

19. Kushaqaynta Sharciga

1. Garsooruhumarka uu shaqada garsoorka fulinayo, isagoo kafogaanaaya amaanta maalaayacniga ah, laab lakacna samaynayn, waa in uu si cabsi la, aan ah sharciga ugu shaqeeyaa.
2. Waa in uu dadaal kamuujiyaa in nidaamka maamul ee cadaalada laxidhiidha iyo guud ahaanba hanaanka dacwad qaadistu ay kusalaysan yihiin dastuurka iyo shuruucda kaleba.

20. Xakamaynta Akhlaaqda Shaqaalaha Maxkamada

Garsooruhu waa in uu meesha kasaaro xidhiidhada abuuraya in ay shaqaalaha maxkamada dhexdoodu is xiniyaan sidoo kale waxaa laga filayaa inuu suurta galiyo in shaqaaluhu dhowraan sharafta maxkamada iyaga oo dabacsanaan umuujinaya danlayaasha iyo makhraatiyada maxkamada u imanaya danaha iyo arimaha kale ee muhiimka ah.

21. Ilaalinta Saacadaha Shaqada Iyo Dhawrista Hantida Dawlada

1. Maadaamo garsooraha laga rabo inuu dhinaca ilaalinta saacadaha shaqada tusaale ugu noqdo kuwa kale, waa inuu san sabab la'aan ama fasax la'aan uga maqnaan goobta shaqada.

2. Garsooraha waxaa kareeban in uu kutagrifalo hantida dawlada ee gacantiisa ku jirta ama uu masuulka kayahay.

ክፍል ሶሥት
ሥነ-ምግባር

17. መገንዘብ እና ጥንቃቄ ማድረግ

1. ዳኛው ስራው ላይ ጥንቃቄ በተሞላበት አካሄድ፣ አክባሪነት፣ ጨዋነትና ታጋሽ በመሆን ግዴታዎቹ በጥንቃቄ መወጣት ይኖርበታል።

2. ዳኛው ይህንን መመሪያ ተግባራዊ እንዲሆን የበኩሉን አስተዋፅዖ ማበርከትና የዳኝነት ስራዉ በሚያከናውንበት ጊዜም ጥሩ ስብዕና ኖሮት መፈፀም ይኖርበታል፤፤

18. መልካም ባህርያት

1. ዳኛ አለባበሱና ፀባዩን ማስተካከል እና የዳኝነት ክቡሩን ሊያንቋሽሹ የምችሉ ቦታዎች ጠንቅቆ መራቅ ይጠበቅበታል።

2. በራሱ የመተማመን ብቃት ሊኖረው እና ማዳበር አለበት።
3. ዳኛው የዳኝነትሥራዉን ወይም የፍትህ ሥርዓቱን መልካም ስነ-ምግባሩን ሊጎዱ የሚችሉ ሱስ ነገሮችና ዕፆች መጠቀም የተከለከለ መሆኑን መገንዘብ ይኖርበታል።
4. ዳኛው በፍ/ቤቱ ቢሮ ውስጥ በሚሆንበት ጊዜ ከሰው ጋር መሳደብ በፍጹም የተከለከለ ነው።

19. በህጉ መሰረት መስራት

1. ዳኛው የዳኝነት ሥራውን በሚፈጽምበት ጊዜ አላስፈላጊ ካልሆኑ ዝንባሌዎች እና አዋራጅ ንግግሮች መቆጠብና ከፍራቻ ነፃ ሆኖ በህጉና ደምቡን ብቻ ተመስርቶ ስራውን መስራት አለበት፡

2. ዳኛው የሚከናወኑ የክስ ሂደቶች የፍትህ አስተዳደር ስርዓት የተከተሉና ባጠቃላይ በህገ መንግስቱና በሌሎች ህጎች መሰረት የሚከናወኑ እነዲሆኑ ጥረት ያደርጋል፡፡

20. የፍ/ቤት ሠራተኞች ሥነምግባር መቆጣጠር

ዳኛው በፍርድ ቤት ሰራተኞች መካከል የሚቀንሷነት አዝማሚያ ሊፈጥሩ የሚችሉ መጥፎ ግንኙነት እንዳይኖር ማድረግና ሠራተኞች የፍ/ቤቱ ክቡር ለመጠበቅ ለተገልጋዮችና ምስክሮች መልካም ስነ-ምግባር በማሳየት በስራቸው የተመዘገኑ እንዲሆኑ ማድረግ ይጠበቅበታል፡፡

21. የሥራ ሰዓትን ማክበርና የመንግስት ንብረት መጠበቅ

1. ዳኛው የሥራ ሰዓትን ማክበርና ለሌሎች ግንባር ቀደምመሆን ይጠበቅበታል።ዳኛው ያለ ምክንያት ወይም ያለ ፈቃድ ከስራ ቦታመቅረት የለበትም።

2. ዳኛው በእጁ የሚገኙትን የመንግስት ንብረቶች ወይም በኃላፊነት የያዟቸው ንብረቶች አላግባብ መጠቀም አይገባዉም፡፡

SECTION: THREE
PROFFESSIONAL ETHICS

17. Cautious and Deligency

1. The judge must be respectful, courtsy, patient and considerate to perform his or her duties carefully.

2. The Judge shall assist for the implementation of these directives and set an example by showing good manners when ever performing his judicial duties.

18. Good Manners

1. A judge must physically be well deressed and improve his/her attitude, behavior and so on, and he must avoid and beware of going to bad places that could damage his reputation as a judge.
2. He must have and develop his self-confidence
3. A judge shall refrain from the habit of using drugs that may be harmful to the work, honor and dignity of the judiciary.

4. A judge is prohibited from engaging in defamatory misconduct whith in the premises of the court.

19. Proper Application of law

1. A judge, when performing judicial duty, must refrain from unnecessary motives and remarks of fame and shall aply the law based on the legitimate power rested in courts.
2. He shall endeavor to ensure that the administration of justice and the judicial services shall generally based on the Constitution and other laws.

20. Controlling the Ehical Conduct of Court Staff

A judge must eliminate relationships, which create tensions between court staff and expected to enable staff to ensure the judicial honor of the court by being lenient with clients and witnesses who come to court for matters of judicial service and other interests.

21. Respecting the Working hours and Protection of Public Property

1. As the judge is required to be a precursor for others in terms of working hours. He must not be absent from the workplace without a reasonable or acceptable grounds.

2. A judge shall also refrain from misappropriating public propertyin his or her control.

22. Dhowrista Sharciga

1. Garsooraha waxaa waajib kasaaranyahay in uu sharciga dhowro. Sidoo kalana kashaqeeyo in la dhowro.
2. Garsooraha waxaa waajib kasaaranyahay in uu dhaqan galiyo amaradda ama go'aanada ay soo gaadhaan maxkamadaha kasareeya {maxkamadaha racfaanka.
3. Garsoooraha waxaa kareeban in xogaha sirta ah aanu uga faa'iidaysan dano shaqsi ah
4. Garsooraha waxaa waajib ku ah in dacwad kaste oo uu dhagaysanayo ku qaado fadhi furan marka laga reebo arimaha sicad sharcigu u xeeriyay
5. Garsooraha waxaa kareeban in uu uga doodo ama wakiil uga noqdo cid kale arin kasocota maxkamada.

23. Ilaalinta Sirta Shaqada Maxkamada.

1. Garsooruhu, marka laga reebo garsoorayaasha la shaqeeya waa in arrimaha horyaala ee aanan wali go'aan laga gaadhin uusan kala xaajoonin cid kale, warbaahinta uusan lawdaagin, macluumaad shaqada maxkamadaha laxidhiidha si aan haboonayn ugu baahinin baraha bulshada sida inistigraamka, tiwiiterka iyo faysbuuga, sidoo kalena aanu sitoos ah iyo sidadban toona faalo ka bixinin.
2. Garsooraha waxaa kareeban in aanu si toos ah iyo si dadban toona u bixinin arimaha sirta ah mudada uu shaqada kujiro iyo hadii uu shaqada katagaba.
3. Garsooraha waxaa kareeban in xogaha sirta ah aanu uga faaiideysan dano shaqsi ahaaneed.

24. Fadhi kabixinta garsooraha

1. Garsooraha, hadii sharcigu ka mamnuucayo dhagaysiga arrin loo soo gudbiyay waa in mar ka uu arrinta ogaado, isagoon sugin in cabasho laga keeno, intuu sababta sharaxo fadhiga iskaga baxaa.
2. Garsooruha, hadii aanay jirin sifo sharci oo kareebaysa dhagaysiga dacwada hortaala ama loosoo gudbiyay, majirto sabab kale oo uu u diidi karo in uu dhagaysto dacwada loo soo gudbiyay.

25. Kamadaxbanaanida Laaluushka /Musuqa

1. Garsooruhu arrin lahorkeenidoono, mid hortaala ama mid la go'aamiyay arimo laxidhiidha darteed waa in uusan danlayaasha si toos ah iyo si dadban uga qaadanin laaluush, hadiyad ama dano dhaaqaale oo kaleba.

2. Garsooraha waxaa kareeban in aanu dano laaluush darteed ugu qalqaalin garsoore kale in ay wada jir laaluush u qaataan.

22. ሕግን ስለማክበር

1. ዳኛው ሕግን የማክበርና የማስከበር ግዴታ አለበት።

2. ዳኛው በከፍተኛ ፍርድቤት/በይግባኝ ሰሚ ፍርድ ቤት የተሰጡ ውሣኔዎች ወይም ትዕዛዞች የመፈፀም ግዴታ አለበት።
3. ዳኛው ሚስጢራዊ መረጃዎችን ለግል ጥቅም እንዲዉሉ መፍቀድ የለበትም።
4. በሕግ ከተደነገገው ክርክሮች በስተቀር ዳኛዉ ሁሉንም ክርክሮች በክፍት ችሎት ማካሄድ አለበት።
5. ዳኛው በፍርድ ቤት ዉስጥ ለሌሎች እንዲከራከር ወይም እንዲወክል አይፈቀድለትም።

23. ምስጢርን መጠበቅ

1. ዳኛው አብረዋቸው ከሚሰሩ ዳኞች በስተቀር በመጠባበቅ ላይ ባሉ ጉዳዮች ላይ ከማንም ጋር መወያየት አይገባዉም::እንዲሁም በፍርድ ሂደቶች ላይ ተገቢ ባልሆነ አካሄድ በቀጥታም ሆነ በተዘዋዋሪ መንገድ ከመገናኛ ብዙሃን ወይም ከማህበራዊ ሚዲያወች ጋር ማለትም ኢንስታግራም፣ትዊተር፣ፌስቡክ መረጃዎችን ማሰራጨትም ሆነ ኮሜንት ማድረግ የለበትም።

2. ዳኛው የፍርድ ቤቶችን ሚስጣራዊ ጉዳዮች በሥራው ላይ እያለም ሆነ ከሥራው ከተነሣ በኋላ በቀጥታም ሆነ በተዘዋዋሪ መግለፅ አይችልም።

3.ዳኛው ለግል ጥቅም ሚስጥራዊ መረጃችን አይጠቀምም።

24. ከችሎት ስለ መነሳት

1. ዳኛው ጉዳዩን ለመዳኘት ህጉ የማይፈቅድለት ሲያረጋግጥ ማንኛውንም አቤቱታ ሳይጠብቁ በራሱ ተነሳሽነት ከችሎት በመውጣት ለዚህም ተገቢዉን ማብራሪያ መስጠት ይኖርበታል።

2. ዳኛው በቂ የሕግ መሠረት ከሌለው በስተቀር ለፍ/ቤቱ በቀረበው ክስ ላይ ለመዳኘት እምቢ ማለት የለበትም።

25. ከጉቦ/ሙስና ነፃ

1. ዳኛው በእጁ ላይ ባለው ጉዳይ ወይም የሚመራለት ወይም ቀደም ብሎ ዉሳኔ በተሰጠው ጉዳይ ላይ ተከትሎ በቀጥታም ሆነ በተዘዋዋሪ መንገድ ከባለ ጉደዩ ለሚቀርቡለት ጉቦ፣ስጦታ ወይም ሌላ ገንዘብ ተቀብሎ ለማስተናገድ በፍጹም የተከለከለ ነው።

2. ዳኛው ከሌሎች ዳኞች ጋር ጉቦ መጋራትም ሆነ እንዲቀበሉ ማሳመን ድርጊት መፈጸም የለበትም።

22. Respecting the law

1. A judge has a duty to respect and enforce the law.
2. A judge shall have an obligation to enforce judgements or orders passed by the higher courts/court of appeal.
3. A judge shall not allow using confidential information for personal gain.
4. A judge shall conduct all hearings in an open court except as expressly provided by law.
5. Its not allowed a judge to advocate or represent others in the courts.

23. Confidentiality

1. A judge, apart from the judges working with him, shall not discuss pending cases with anyone else, and shall not share information concerning judicial proceedings inappropriately in broadcastings or on social Medias such as Instagram, Twitter, Facebook, and shall as not comment directly or indirectly.

2. A judge may not directly or indirectly address the confidential isuues of the courts during and after employment.

3. A judge shall not utilize confidential informations for personal gains.

24. Removal from bench

1. A judge, shall remove himself from the bench on his own initiation when ever he come to know that it is so directed by the law with out waiting any petiotion to that effecet and by so doing he will provide explanations for it.
2. A judge shall not refuse to adjudicate a case brought before him unless there is a sufficient legal ground.

25. Free from bribery / corruption

1. A judge must not accept bribery, gifts or other financial interests directly or indirectly from clients for matters related to a case at hand or to be brought before him or has already been determined.

2. A judge shall not engage or persuade bribery with other judges.

26. Kamadaxbanaanida Siyaasada

1. Garsooraha waxaa ka reeban in uu kamidnoqdo urur siyaasadeed iyo in uu u ololeeyo urur siyaasadeed ama uu galo olole doorasho isaga oo matalaya musharax ama xisbi.

2. Iyadaoo aan waxba loo dhimaynin xuquuqaha iyo xoriyadaha muwaadiniinta ee ku xusan dastuurka, hadana, garsooraha waxa kareeeaban in uu faalo kabixiyo ama dhaleeceeyo dawlada iyo siyaasadeeda iasaga oo adeegsanaya baraha bulshada, wargeysyada, idaacadaha iyo wixii lamida.

3. Garsooraha waxaa kareeban in uu kamidnoqdo ururada ama gudiyada qabiilka

27. KafogaanshahaErgo Ku Shaqaynta

1.Garsooraha waxaa waajib kasaaranyahay in uu dhowro balanqaadkiisa islamarkaana kamadaxbanaanaado madmadow iyo musuqmaasuq. sidoo kale waxaa kareeban in uusan ergo kushaqaynin ama isagu uusan ergo noqonin.

2. Garsoorahawaxaa kareeban in uu dadweynaha talo bixin kasiiyo dacwadaha kasocda maxkamadaha ama u diyaariyo asbaabta ama jawaabta asbaabta marka laga reebo dadka ehelkiisa ah ee lagu xusay qodobka 58aad ee HXMI.

28. U Adeegsiga Awooda Garsooranimo Dano Gaar Ahaaneed

Garsooruhu si uu u helo dano gaar ah ama qof kale in uu helo uga faa'iideeyo waa inuusan awoodiisa iyo karaamadiisa u adeegsan hub ahaan.

29. Isku Dhaca Shaqada Garsoorka Iyo Danaha Gaarka Ah

Garsooraha waxaa kareebanin uusan qabanin shaqooyinka aan joogtada ahayn hadii ay tahay mid kahor iminaysa amaaanay iswaafaqaynin shaqada garsoorenimo ama karaamada garsoorka Sidookalena garsooraha lagama filayo in uu labo shaqo dawladeed oo joogto ah hal mar kawada hawlgalo.

26. ከፖለቲካ ወገንተኝነት ነፃ መሆን

1. ዳኛው የፖለቲካ ፓርቲአባል መሆን ወይም ለፖለቲካ ፓርቲ ቅስቀሳ ማድረግ ወይም እጩን ወክሎ በምርጫ ዘመቻ ላይ መሳተፍ የለበትም።

2. ዳኛው በሕገ-መንግስቱ የተደነገጉትን የዜጎችን መብቶች እና ነፃነቶች ማክበር ግዴታ እንደተጠበቀ ሆኖ በማኅበራዊ ሚዲያ፣ በጋዜጣ፣በሬዲዮ እና በሌሎች የመገናኛ ብዙሃን በኩል በመንግስት እና ፖሊሲዎቹ ላይ አስተያየት መስጠት ወይም መተቸት የለበትም።

3. ዳኛው የማኅበር ወይም የጎሳ አደረጃጀቶች አባል መሆን የለበትም።

27. አደራዳሪ/ወኪል ወይም ድላላ የመሆን የተከልከላ

1. ዳኛው በቃሉ መገኘትና በማያሻማ ሁኔታ በመስራት ከሙስና የፀዳ መሆን አለበት። በተመሳሳይ ሁኔታ አደራዳሪ/ወኪል ወይም ድላላ ሆኖ በሌሎች ዳኞች ላይ ጫና መፍጠር የተከለከለ ነው።

2. ዳኛው በፍ/ሃ/ስ/ስ/ቁጥር 58 ላይ ከተጠቀሱት ዘመዶቹ በስተቀር በፍ/ቤቶች ዘንድ ያሉ ክሶችን በተመለከተ ለህዝብ ምክር መስጠት ወይም ለሌላ አካል ክስ ወይም መልስ ማዘጋጀት አይችልም።

28. የዳኝነት ሥልጣንን ለግል ጥቅም ማዋል

ዳኛው ለራሱ ወይም ለሌላ ሰው የግል ጥቅሞችን ለማስግኘት የዳኝነት ሥልጣኑን እንደ መሣሪያነት መጠቀም የለበትም።

29. የዳኝነት ሥራና በግል ጥቅም ሀንድ የሚከሰት ግጭት

ዳኛው ከዳኝነት ሥራው ጋር የሚቃረኑ ወይም ከዳኝነት ክቡር ጋር የማየመጥኑና ቋሚ ባልሆኑ ሥራዎች ላይ መስራት የለበትም። በተመሳሳይ ሁኔታ ዳኛው በሁለት ቋሚ የመንግስት ስራዎች ላይ በተመሳሳይ ወቅት መሥራት አይጠበቅበትም።

26. Free from Politics

1. A judge shall not be a member of political party or campaign to run in an election campaign on behalf of a candidate.

2. Without prejudice to the rights and freedoms of the citizens as enshrined in the Constitution, the Judge shall not comment on or criticize the Government and its policies through social media, newspapers, radio and through other media out lets.

3. A judge shall not be a member of association or clan committee

27. Prohibition of acting as a client envoy/broker

1. A judge has a duty to keep his promises and to be free from ambiguity and corruption. He also prohibited acting as clinet envoy/ negotiator and pressure to other judges

2. A Judge shall refrain from advising the public on the proceedings of the courts or prepare bleadings (statement of calaim& defense) except for his immediate relatives as provided under Article 58 of the civil procedure code

28. Exercising of judicial power for personal gain

A judge should not use his judicial power and dignity as a weapon in order to gain personal benefits for hims self or for someone else.

29. Conflict of the judicial work and private interests

A judge may not perform permanent duties if it precludes or is inconsistent with the judicial proffession nor is a judge expected to work in two permanent government positions at the same time.

QAYBTA 4AAD
HAB RAACA SOO GUDBINTA GEEDISOCODKA IYO GO'AAMINTA DACWADAHA LAXIDHIIDHA ANSHAXA
30. QAABKA LOO SOO GUDBIYO DACWADA ANSHAXA

1. Qofka kasta oo ku andacoonayo in lagu xadgudbay anshaxa wanaaga laga doonayo xirfada garsooranimo ayaa dacwad soo gudbisankara

2. Xubin kasta oo gudiga kamid ah ayaa soo gudbinkara dacawad anshaxa isaga oo soo dhaweynaya cadeynteeda

3. Guddiga marka uu hayo sabab kufilan wuxuu amri karaa in garsoore kasta lagu oogo dacwad anshaxa.

31. Habka soo Gudbinta Dacwadaha Anshaxa

1. Arrintalagu sheegay 30/1 /2 iyada oo ay sideed tahay, waa in soo gudbiyaha cabashadu uu dacwada qoraal ku soo diyaariyo cadaymahana ku soo lifaaqo, haday jiraancadaymo qof sadexaad uu hayana waa in uu qoraalka kudhex sheego.

2. Qofkas oo ku andacoonaya in garsoore katirsan maxkamada guud ee DDS uu ku xadgudbay habka shaqo fulineed ama anshax wanaga la xidhiidha xirfada garsooranimo waxa uu cabashada u soo gudbinayaa gudoomiyuha maxkamada, gudoomiyahuna waxuu cabashadaas u gudbinayaa xafiiska maamulka garsoorka.

3. Qofkasta oo ku andacoonaya in garsoore katirsan maxkamadaha sare ee goballada DDS uu ku xadgudbay habka shaqo fulineed ama anshax wanaga la xidhiidha xirfada garsooranimo waxa uu cabashada u soo gudbinayaa gudoomiyaha maxkamada sare ee gobalkaas, gudoomiyuhuna waxuu cabashadaas u gudbinayaa xafiiska maamulka garsoorka.

4. Qofkastaoo ku andacoonaya in garsoore katirsan maxkamadaha dagmoyinka magaalooyinka DDS uu ku xadgudbay habka shaqo fulineed ama anshax wanaaga la xidhiidha xirfada garsooranimo waxa uu cabashada u soo gudbinayaa gudoomiyaha maxkamadaas, gudoomiyuhuna waxauu cabashadaas u gudbinayaa xafiiska maamulka garsoorka.

ክፍል አራት
ከሥነ-ምግባር ጋር ተያያዥነት ያላቸው ክሶችና ዉሳኔዎች አቀራረብ ሥነ ሥርዓት
30. የስነ-ምግባር ክስ አቀራረብና አወሳሰን

1. ከዳኝነት ሙያ የሚፈለገው ሥነ-ምግባርን መጣሱን የሚያምን ማንኛውም ሰው የሥነ-ምግባር ክስ ማቅረብ ይችላል።

2. እንዲሁም ማንምኛው የኮሚቴው አባል በቂ ማስረጃዎችን በማቅረብ የዲስፕሊን ክስ ማቅረብ ይችላል።

3. ኮሚቴው በቂ ምክንያት ሲኖረው በማንኛውም ዳኛ በሥነምግባር ጉዳዮች እንዲከሰስ ትዕዛዝ ማስተላለፍ ይችላል።

31. ስለ-ሥነ-ምግባር ጉዳዮች ክስ አቀራረብ ሥነ-ሥርዓት

1. በአንቀጽ 30/1/2 ላይ የተመለከቱት ድንጋጌዎች እንደተጠበቁ ሆነው ተከሳሹ በሦስተኛ ወገን እጅ የሚገኝ ማስረጃ ካለ መጠቀስ ያለበት አቤቱታውን በፅሁፍ ማዘጋጀት እና ማስረጃዎችን ማያያዝ አለበት።

2. በሶማሌ ክልል ጠቅላይ ፍ/ቤት ዳኛ ከዳኝነት ሙያ ሚጠይቀውን የሥራ አሠራርና ሥነምግባር ተጥሷል የሚል ክስ የሚያቀርብ ማንኛውም ሰው አቤቱታውን ለጠቅላይ ፕሬዚዳንት በማቅረብ የጠቅላ ፍርድ ቤት ፕሬዚዳንት ደግሞ ቅሬታውን ለዳኞች አስተዳደር ጉዳኤ ጽ/ቤት ያስተላልፋል።

3. በሶማሌ ክልል ዞን ከፍተኛ ፍ/ቤት ዳኛ ከዳኝነት ሙያ የሚጠይቀውን የሥራ አሠራርና ሥነምግባር ተጥሷል የሚል ክስ የሚያቀርብ ማንኛውም ሰው አቤቱታውን ለዞን ከፍተኛ ፍ/ቤት ፕሮዝዳንት በማቅረብ የዞን ከፍተኛ ፍርድ ቤት ፕሬዚዳንት ደግሞ ቅሬታውን ለዳኞች አስተዳደር ጽ/ቤት ያስተላልፋል።

4. በሶማሌ ክልል የወረዳ ፍ/ቤት ዳኛ ከዳኝነት ሙያ የሚጠይቀውን የሥራ አሠራርና ሥነምግባር ተጥሷል የሚል ክስ የሚያቀርብ ማንኛውም ሰው አቤቱታውን ለወረዳ ፍ/ቤት ፕሮዝዳንት በማቅረብ የወረዳ ፍርድ ቤት ፕሬዚዳንት ደግሞ ቅሬታውን ለዳኞች አስተዳደር ጽ/ቤት ያስተላልፋል።

SECTION: FOUR
PROCEDURES FOR FILLING ETHICAL RELATED CASES AND DECIDING PROCESSESS
30. ETHICAL CASES FILLING PROCEDURE

1. Any person who alleges a breach of ethical conduct required from judicial profession can file a complaint.

2 Each member of the commission may Submitt a disciplinary case by presenting the evidence.

3. The Commission, upon good reason, may order that any judge to be accused of an ethical case.

31. Procedure for filing ethical cases

1. without prejudice to the provisions stated on article 30/1/2, the alledging party must prepare his complaint in written and attach evidences, if there is any evidence in the hands of a third party an expression to that effect should be mentioned

2. Any one who alleges that a judge in the Somali Regional State Supreme Court has violated the work procedure and ethical conduct required from judicial profession shall file a complaint to the president of the supeme court and the president of the Supreme Court shall forward the complaint to the office of the judicial administration commission.

3. Any person who claims that a judge in the Somali Regional State High Court have violated the work procedure and ethical conduct required from the judicial profession shall file a complaint to the president of the high court and the president shall refer the complaint to the Office of the Judicial administration commission.

4. Any person who claims that a judge in the Somali Regional State woreda courts have violated the work procedure and ethical conduct required from the judicial profession shall file a complaint to the president of the woreda court and the president shall refer the complaint to the Office of the Judicial administration commission.

5. Qof kastoo ku andadacoonaya in garsoore katirsan maxkamada darajada koowaad ee maamul magaalooyinka DDS oo ku xadgudbay habka shaqo fulineed ama anshax wanaga la xidhidha xirfada garsooranimo wuxuu cabashada u soo gudbinayaa gudoomiyaha maxkamadaas, gudoomiyuhuna wuxuu cabashadaas u gudbinayaa xafiiska maamulka garsoorka.

6. Qof kaste oo ku andacoonaya in gudoomiyaha maxkamada sare ama gudoomiyaha maxkamada degmadu ama gudoomiyayaasha maxkamadaha maamul magaalooyinku ku xadgudbeen habka shaqo fulineed ama anshax wanaga la xidhiidha xirfada garsooranimo waxa uu cabashadiisa u gudbinayaa gudoomiyaha, gudoomiye ku xigeenka maxkamada guud ama xafiiska maamulka garsoorka.

7 Iyadaoo xaaladaha sare lagu sheegay ee qodobka 31 ay sidoodayihiin, dacwad kasta oo la xidhiidha in lagu xadgudbay habka shaqo fulineed ama anshax wanaaga xirfada garsooranimo waxaa si toos ah loogu gudbinkaraa xafiiska maamulka garsoorka.

32. Mudada Lagu Dacwoon Karo

1. Laga bilaabo maalinta la ogaaday in falku dhacay danbiyada fudud ee laxidhiidha anshaxa waxaa lagu dacwoon karaa mudo 3 bilood gudahood ahsidoo kale danbiyada dhexe iyo kuwa culusna waxaa lagu dacwoon karaa mudo lix bilood gudahood ah.

2. Sinnaba wax dacwad anshax ah lasoo oogi maayo hadii ay 2-sano kasoo wareegto maalinta uu falka laga dacweenayo ee anshax xumada ahi uu dhacay.

33. **Mudada Loo Baahanyahay in Go'aan Lagaga Gaadho Arimaha anshaxa**

1. Arinkasta oo anshax xumo laxidhiidha waa in laga bilaabo maalinta gudiga ay soo gaadho mudo sadex bilood gudaheed ah go'aan ku heshaa.
2. Mudada ku xusan qodobhoosaadka 1aad ee qodobkan hadii lagu xalinwaayo arinta anshax xumada waxaa looqaadan in aanay jirin ficil anshax xumo oo lasameeyay, arintuna halkaas ayay ku hadhaysaa.

3 iyada oo ay sideeda tahay arinta lagu qeexay qodob hoosaadka 2aad ee qodobkan, marka uu garsooraha lasoo dacweeyay aanu jawaabta ama difaaciisa keenin waqtigii loo baahnaa ama uu siyaabo kale sabab ugu noqdo dib udhaca arrintan mudada kuxusan qodob hoosaadka 2aad ee qodobkani malaha wax dhaqan gala.

4. Hadii soo dhaweeyihii cabashadu uu wax cadayn ah u keeni waayo cabashadiisa waxaa lagu qaadi talaabooyinka anshax marinta ee kuxusan qodobka 481 ee hxmi

5. በሶማሌ ክልል የመጀመሪ የከተማ አስተዳደር ፍ/ቤቶች ዳኛ ከዳኝነት ሙያ የሚጠይቀውን የሥራ አሠራርና ሥነምግባር ተጥሷል የሚል ክስ የሚያቀርብ ማንኛውም ሰው አቤቱታውን ለመጀመሪ ፍ/ቤት ፕሮዝዳንት በማቅረብ የመጀመሪ ፍ/ቤት ፕሬዚዳንት ደግሞ ቅሬታውን ለዳኞች አስተዳደር ጽ/ቤት ያስተላልፋል።

6. በዞን ከፍተኛ ፍ/ቤት ፕሬዝዳንት ወይም በወረዳ ፍ/ቤት ፕሬዝዳንት ወይም በከተማ ፍ/ቤት ፕሬዝዳንቶች ከዳኝነት ሙያ የሚጠይቀውን የሥራ አሠራርና ሥነምግባር ተጥሷል የሚል ክስ የሚያቀርብ ማንኛውም ሰው አቤቱታውን ለጠቅላይ ፍ/ቤት ፕሬዝዳንት ወይም ም/ፕሬዝዳንት ወይም ለክልሉ ዳኞች አስተዳደር ጽ/ቤት ማቅረብ ይችላል።

7. በአንቀፅ 31 ላይ የተመለከቱት ድንጋጌዎች እንደተጠበቁ ሆኖ ከዳኝነት ሙያ የሚጠይቀውን የሥራ አሠራር እና ሥነምግባርን የሚመለከቱ ማናቸውም ክሶች በቀጥታ ለዳኞች አስተዳደር ጉባኤ ጽ/ቤት ሊቀርቡ ይችላሉ።

32. የይርጋ ጊዜ/እርምጃ የሚወሰድበት ቀነ-ገደብ

1. ለአነስተኛ የሥነ-ምግባር ጥፋቶች/ጉዳዮች ይህ ዓይነቱ ወንጀል መፈጸሙ ከታወቀበት ጊዜ አንስቶ በሶስት ወራት ውስጥ መቅረብ ያለበት ሲሆን ለመካከለኛና ከባድ ጥፋቶች መፈጸማቸው ከታወቀበት ቀን ጀምሮ በ6 ወራት ውስጥ መቅረብ አለበት።

2. ክስ የሚቀርብበት የሥነ-ምግባር ወንጀል ከተፈፀመበት አንስቶ ለሁለት ዓመት ጊዜ ካለፈ በኋላ በምንም መንገድ ክስ ማቅረብ አይችልም።

33. **በሥነ-ምግባር ጉዳዮች ላይ ውሳኔ ለመስጠት የሚያስፈልገው ጊዜ**

1. ማንኛውም የስነ-ምግባር ጉዳዮች ጋር ተዛማጅ ሆኖ የቀረቡ አቤቱታና ቅሬታ ለዳኞች አስተዳደር ጉባኤ ከቀረበበት ጊዜ አንስቶ በሶስት ወራት ውስጥ ዉሳኔ ማገኘት ይኖርበታል።

2. ጉዳዩ በዚህ አንቀጽ ንዑስ አንቀጽ 1 በተጠቀሰው ጊዜ ካልተፈታ የሥነ-ምግባር ጉድለት እንዳልተፈፀመ በመቅጠር ጉዳዩ ባለበት እነዲያበቃ ይደረጋል::

3. የሥነ ምግባር ጉዳይ የተከሰሰበት ዳኛ በሚጠየቀው ጊዜ ምላሹን ካላመጣ ወይም በሌላ ምክንያት ለጉዳዩ ማራዘሚያ ምክንያት ከሆነ በዚህ አንቀጽ ንዑስ አንቀጽ 2 መሠረት የተደነገገው እንደተጠበቀ ሆኖ ፣ በንዑስ አንቀጽ 2 ስር የተጠቀሰው የአንሰር ገደቦች ጊዜ ውጤት አይኖረውም።

4. የሚነሳው ወገን ለክሱ የቀረበውን ማንኛውንም ማስረጃ የማይደግፍ ከሆነ በፍትሐብሔር ሥነ ሥርዓት ሕግ ቁጥር 481 በተደነገገው የዲሲፕሊን ሕግ መሠረት ይቀጣል።

5. Any person who claims that a judge of the first instance courts of Somali regional state, city administration courts have violated the work procedure and ethical conduct required from the judicial profession shall file a complaint to the president of that court and the president shall refer the complaint to the Office of the Judicial administration commission.

6. Any person who alleges that the president of the high court, or the woreda court or the presidents of the city adminstartion courts have violated the work procedure and ethical conduct required from the judicial profession shall file his complaint to the president and vice president of the Supreme Court or to the office of the judicial commission.

7. With out prejudice to the provisions lay down in article 31 any allegation related to breach of the work procedure and ethical conduct required from the judicial profession can be directly referred to the office of Judicial Administration commission.

32. Time to institute the action/period of limitation

1. Minor ethical offences/cases it has to be instituted with in 3 months from the date such an offense was known to have been committed and for the medium and serious offences the institution must be carried out within 6months from the date such an offense was known to have been committed.
2. In no case may action be instituted after the expiry of 2 years from the date such an offense was known to have been committed

33. **The time required to make a decision on ethical issues**

1. Any ethical related case must be considered and decided with in 3 months from it's submission to the commission

2. If the case is not resolved with in the period specified under sub article 1 of this article it will be deemed as if no ethical case is committed and the matter eds there.
3. without prejudice to the provision laid down under sub article 2 of this article if the judge against whom an ethical case filled did not bring his response with in the required period of time, or for some other reason causes the prolongement of the case, the period of limitations specified under sub article 2 shall have no effect.

4. If the party initiating fails to support any evidence for his/her allegation, he shall be penalized as per the disciplinary rules set out in Article 481 of the civil procedure code.

34. Geedisocodka dacwad Eegista Gudiga.

B. Gudigu haddii uu aamino in baadhitaan lagu sameeyo dacwada anshaxa ee loo soo gudbiyay, wuxuu gudigu usaari xubno gudi hoosaad ah oo arintaa soo baadha inta laga aas aasayo waaxda baadhista go'aanada iyo shaqada garsoorka.

T. Haddii uu gudigu dacwada macquul u arki waayo waxuu dhinacii soo gudbiyay ku ogaysiinayaa qoraal ahaan.

J. Hadiiuu gudigu dacwadii loo soo gudbiyay macquul u arko waxuu la dacweeyaha ku amri in jawaabta iyo cadeymaha uu usoo gudbiyo gudiga.

X. Kadib marka gudigu uu baadho dacwada iyo jawaabta loosoo gudbiyay waxa uu qaban mudo si arinta loo dhagaysto isaga oo eegaya hadba xaaladu sidaytahay waxa uuna dhinacyada ogeysiin mudada dhagaysiga loo cayimay.

Kh. Hadiiladacweeyuhu kusoo dhawaan waayo yeedhista loo geeyay, waxaa arinta ladhagaysan isaga oo maqan, kadib marka laxaqiijiyo in yeedhitaanka si habsami leh loo gaadhsiiyay.

D. Gudi hoosaadkii loo saaray soo baadhista arinta kadib marka ay baadhista soo dhamaystiraan waxay natiijada baadhistooda oo qoraal ah usoo gudbinayaa gudiga garsoorka.

R. Guddiga garsoorku kadib markuu baadho ayuu go'aan ka kuhaboon kasoo saari.

35. Shaqo Ka Joojin

Garsooraha laga soo gudbiyay dacwad ku saabsan inuu sameeyay qalad anshax oo culus, ilaa arrintiisa laga soo hubinayo, go'aan kamadambays ahna laga siinayo ama lahor gaynayo golaha, guddiga ayaa wuxuu amri karaa in shaqada laga sii joojiyo;

A. Shaqo ka joojintu waa in aysan ka badnaanin mudo lix bilood ah.
B. Haddii garsooraha shaqada laga joojiyay uu dacwada lagu soo oogay xor ka noqdo, shaqadaii laga joojiyay waa loo fasaxayaa.

36. Xilka Iyo Waajibaadka Guddi Hoosaadka:

A Marka uu guddiga maamulka garsoorku amro:
1. Waxaa la suurogelin in la dacweeyaha la gaadhsiiyo arjiga iyo caddeynta dacwada, sidoo kalena waxaa la guddoomi la dacweeyaha jawaabtiisa qoraalka ah iyo caddeyntiisaba.
2. Waxaa la suurogelin in qofkasta oo arrinta sharixi karaayi uu soo dhawaado ama uu soo gudbiyo dukumentiga gacantiisa ku jira ee arrinta la xidhiidha.
3. Waxaa la suurto-gelin in la keeno diiwaanada iyo g/socodyada maxkamadda ee arrinta la xidhiidha si loo baadho.
B. Waxaa si hagaagsan loo xafidayaa dokementiyada iyo diiwaanada baadhista lagu sameeyey, marka guddiga maamulka garsoorku amrana waa loo dhawaynayaa.
T. Waxaa warbixinta baadhista oo qoraal iyo talo-bixinba loo gudbinayaa guddiga maamulka garsoorka, marka faahfaahin looga baahdana uu sharaxaad ka bixinayaa.
J. Waxay guddiga baadhistu ka taxadari dhawrista sirta arrintaasi loo xilsaaray haddii aanay guddiga maamulka garsoorku fasixin shaacinteeda.

34. ሥለ ጉባዔ ክስ አያያዝ ሂደቶች

ሀ. ጉባዔው በፊታቸው የቀረበውን የሥነ ምግባር ጉዳይ ምርመራ ማድረግ አስፈላጊ መሆኑን ካመነበት የዉሳኔዎችና የዳኝነት አሰራር መርመራ መመሪያ እስከቋቋምበት ከአባላቱ ንዑስ ኮሚቴ በማዋቀር ጉዳዩን እንዲመረምሩ ያደርጋል፡፡

ለ. ጉባዔው ክሱ ተገቢነት የጎደለው መሆኑን ካማነ ለአቤቱታ አቅራቢው በጹሁፍ ያሳውቃል፡፡

ሐ. ጉባዔው ጉዳዩን ተገቢ ሆኖ ካገኘ ደግሞ ተከሳሹ ለጉዳዩ ያለው መልስና የመከላኪያ ማስረጃዎቹ ለኮሚቴው ማቅረብ ትዕዛዝ ያስተላልፋል፡፡

መ. ጉባዔው የቀረበለት ክስ እና መልስ ከመረመረ በኃላ ለሁለቱም ተከራካሪ ወገኖች ጉዳዩን የሚሰማ ቀን በመወሰን ቀነ-ቀጠሮው ያሳውቃል፡፡

መ. ተከሳሹ በተያዘለት ቀነ-ቀጠሮ ካልቀረበና መጥሪያው በአግባቡ መድረሱነ ከተረጋገጠ እሱ በሌለበት ጉዳዩ እንዲታይ/እንዲዳመጥ ይደረጋል።

ሠ. ጉዳዩ ለመመርመር የተሰጠው ንዑ ኮሚቴ ምርመራቸውን ካጠናቀቁ በኋላ የምርመራ ውጤታቸውን ለዳኞች አስተዳደር ጉባኤ በጽሑፍ ማቅረብ ይኖርበታል።

ረ. ጉባዔው በበኩሉ ጉዳዩን አጣርቶ ከመረመረ በኃላ ተገቢውን ውሳኔ ይሰጣል።

35. ከሥራ ስለ ማገድ

ከባድ የስነ-ምግባር ጥሰት የተከሰሰበት ዳኛ ክሱ ተጣርቶ ተገቢዉን ዉሳኔ እስክሰጥ ድረስ ከሥራ እንዲታገድ ጉባዔው ትዕዛዝ ሊሰጥ ይችላል።

ሀ. እገዳው ከስድስት ወር ጊዜ መብለጥ የለበትም።

ለ. ከሥራ የታገደው ዳኛ ጥፋተኛ ሆኖ ካልተገኘ፣ ሥራውን እንዲቀጥል ይፈቀድለታል።

36. የንዑስ ጉባዔ ተግባርና ኃላፊነት

ሀ. የዳኞች አስተዳደር ጉባኤ የስራ ተግባር;

ነ. ክሱ መግለጫ ከዚህ ጋር ተያይዞ የቀረበ ማስረጃ (በፅሁፍ የቀረበ የመሀላ ቃል) ለተሰበሰበው ይሰጣል።በተመሳሳይ የጽሑፍ ምላሹ እና ማስረጃዎቹም ይቀበላሉ።

2. ጉዳዩን የሚያስረዱ ሁሉ ለፍርድ ቤቱ እንዲቀርቡ ወይም በእጃቸው ያሉትን አግባብነት ያላቸውን ሰነዶች እንዲያቀርቡ ይደረጋል።

3. ከጉዳዩ ጋር ተያያዥነት ያላቸው የፍርድ ቤቱን መዝገቦች እና ሂደቶች ለማምጣት ይቻል ይሆናል።

ለ. የተመረመሩ ሰነዶች እና መዝገቦች በተገቢው ሁኔታ ተጠብቀው ለዳኞች አስተዳደር ጉባኤ ኮሚሽኑ መመሪያ ሲቀርቡ መቅረብ አለባቸው።

ሐ. የመርመራው ሪፖርትና የውሳኔ ሃሳቦች በጽሑፍ ለዳኞች አስተዳደር ጉባኤ የሚቀርብ ሲሆን አስፈላጊ ከሆነ ንዑስ ጉባኤ ማብራሪያ ይሰጣል።

መ. የዳኞች አስተዳደር ጉባዔው እንዲገለጥ ካልፈቀደ በስተቀር ንዑስ ኮሚሽኑ የጉዳዩን ሚስጥራዊነት ለመጠበቅ ጥንቃቄ ያደርጋል።

34. Proceedings of the commission

A. If the commission is convinced to investigate an ethical case brought before them it can do so by appointing a sub commission for that matter until the judicial sub commission for investigation/examination of court cases and appraisal is established.

B. If the commission does not find the case reasonable, it shall notify to the other party (the initiating party) in writing.

C. If the commission finds the complaint to be reasonable; it shall give an order to the respondent to submit to the commission his response (statement of deffence) and evidences

D. After the commissions have investigated the complaint and the response, it will fix a day for the hearing as the case may be and inform it to the parties.

E. If the respondent/the accused does not appear with in the required period of time the hearing will proceed exparte after comfirming that the summons were duely served.

F. The sub-commission assigned for the investigation will have to submit their findings in writting to judiciary commission after finalizing their investigation.

G. the Judicial administration commission, after examining it, will give the appropriate decision.

35. Suspension from duty

A judge against whom a serious ethical offense is instituted shall have his duty suspended by the commission until his case is thoughrouly examined and decided over or until his case is being submitted to the council.

A. The suspension shall not exceed a period of six months.

B. If the judge suspended found not guilt. He will allowed resuming his duty.

36. Duties and Responsibilities of the sub-commission:

A when so directed by the judicial administration comission: -

1. The statement of allegation together with it is attached evidence (affidavit) will be served to the acussed. Similarly, his written response and evidences will also received.
2. It will made possible to make every one who can explain the matter to appear before the court or submit the relevant documents in his possession.
3. It will made possible to bring the records and proceedings of the court that related to the matter.

A. Documents and records investigated shall be kept appropriety and shall be submitted when so directed by the judicial adminstartion commission.

B. The investigation report in writing and recommendations will be submitted to the judicial adminstraion commission and if need be the the sub-commission will provide explanations.

C. the sub- Commission shall be careful to maintain the confidentiality of the matter unless the judicial administration Commission allowes its disclosure.

37. Noocyada Ciqaabta

Marka la xaqiijiyo in ladacweeyuhuuu galay fal anshax daro sida ay dhigayso awaamiirtan, ayaa waxaa lagu qaadi ciqaabaha hoos kucad midkood ama isku darka laba ciqaabood iyo wixii kabadan iyada oo laga duulayo hadba culayska falka

B. Digniin afka ah
T. Digniin qoraal ah
X. Ganaax mushaar oo 3 bilood gaadhaya
Kh. In darajada iyo mushaarka hoo looga dhigo
D. In shaqada laga sii joojiyo golahana loo dhaweeyo.

38. Cadaynta Shaqo Katagista Iyo Khibrada

1. Garsooraha dacwada anshaxa laga soo gudbiyay, hadii iskii shaqada uu uga tagayo intaan go'aan la siinin, warqad shaqo ka tagida lama siinayo.

2. Garsooraha lagu helay dambi anshaxa hadii uu soo waydiisto in caddayn shaqo katagis ah la siiyo. Dhamaan ciqaabihii lamariyay ayaa lagu xusayaa cadaynta, marka lagareebo digniinta afka.

Qaybta 5aad
Anshax Marinta Iyo Ciqaabaha
39. Qodob Guud

1. Garsoore kaste oo ku xadgudba qodobada anshax ee kor ku xusan waxaa lagu ciqaabi laguna qaadi talaabo anshax marineed sida ay dhigayso awaamiirtan.

2. Iyadaoo ujeedada ciqaabta iyo anshax marinta ay tahay in garsooraha lagu saxo ama shaqada lagaga caydhiyo hadii danbigu yahay mid culus, ayaa ciqaabaha waxaa lookala soocayaa iyada oo laga duulayo noocyada iyo heerarka danbiga.

3. Talaabo kaste oo laxidhiidha anshax marinta garsoorku kuma xadgudbayso in sharciga loo raaco arimaha xasaalada iyo dhawrsanaantiisa laxidhiidha.

37. ሥለ ቅጣት ዓይነቶች

በዚህ መመሪያ የተመለከቱትን የሥነ-ምግባር ጥሰቶች መሠረት የጣሰ መሆኑን ሲረጋግጥ፣እንደ ጉዳዩ ክብደት በሚከተሉት ሁለት ወይም ከዚያ በላይ የተላለፈ ከሚከተሉት ቅጣቶች በአንዱ ወይም በማጣመር ይቀጣል።

ሀ. የቃል ማስጠንቀቂያ፣

ለ. የጽሁፍ ማስጠንቀቂያ፣

ሐ. እስከ ሶስት ወር ደሞወዝን ይቀጣል፣

መ. ከነበረበት ደረጀ ዝቅ ይደረጋል፣

ሠ. መታገድ እና ለዳኞች አስተዳደር ጉባዔ ማቅረብ፣

38. ስለ ሥራ መልቀቅና የስራ ልምድ ምስክር ወረቀት ስለመስጠት

1. የሥነምግባር ጉዳይ የተከሰሰበት ዳኛ ውሳኔ ከመሰጠቱ በፊት ሥራውን በፈቃደኝነት ለመልቀቅ ከፈለገ የሥራ መልቀቂያ ደብዳቤ አይሰጠዎም።

2. የሥነምግባር ጥሰትን የፈጸመ ዳኛ የልምድ ምስክር ወረቀት ካቀረበ/ጠየቀ፣ከቃል ማስጠንቀቂያዎች በስተቀር ሁሉም ቅጣቶች የሚሰጠው የምስክር ወረቀት ውስጥ መጠቀስ አለባቸው።

ክፍል አምስት
ስለ ዲሲፕሊን ጥፋቶችና ቅጣቶች
39. ጠቅላላ ድንጋጌ

1. ከላይ የተጠቀሱትን /የተመለከቱትን የሥነ-ምግባር ድንጋጌዎችን የጣሰ ማንኛውም ዳኛ በዚህ መመሪያ መሠረት ይቀጣል።

2. የቅጣትና የዲሲፕሊን ዓላማ ዳኛውን ለማረም ወይም ለማሰናበት ሲሆን ነገር ግን ወንጀሉ ከባድ ከሆነ ቅጣቶቹ እንደየ ወንጀሉ አይነቶች እና ደረጃዎች ይመደባሉ።

3. ከሀጋዊ ዲሲፕሊን ጋር የተያያዘ ማንኛውም እርምጃ በህግ አግባብ በመታየቱ ከቡሩም ሆነ በስብዕናው ላ ጥሰት ሚፈፀሚበት አይሆኑም።

37. Kinds of Punishment

When so proved that the acussed have violated the ethical offences described under this directive, he shall be penalized on one or the combination of two or more of the following penalities according to the gravity of the case: -

a. Oral warning;
b. Written warning;

c. Fine of up to three months' salary;

d. One step demotion
e. Suspension and submission to the council

38. Leave work and Certificate of Experience

1. If the judge against whom an ethical case made wishes to leave the work svoluntarily before a decision made, a resignation letter will not be issued.

2. If the judge found to have commited an ethical offence applies for certificate of experience. All punishments given shall be mentioned in the certificate, with the exception of verbal warnings.

SECTION: FIVE
ETHICAL PENALTIES AND PUNISHMENTS
39. General Article

1. Any judge who violates the above mentioned ethical provisions shall be punished in accordance with these directives.

2. Provided that, the purpose of the ethical penality is to correct or dismiss the judget if he commits aserious offense, penalties will however be classified according to the types and degree of the crime.

3. Any action related to ethical penality shall not preclude procedural matters relating to immunity.

40. Danbiyada Fudud

1. Waa iyada oo lagu xad gudbo arimaha lagu sheegay qodobka 6aad (1) (2) ee awaamiirtan.

2. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 4aad, 7aad iyo 9aad ee awaamiirtan.
3. waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka iyo 12aad ee awaamiirtan
4. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 13aad, 14aad iyo 15aad ee awaamiirtan**.**
5. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 16aad iyo 17aad ee awaamiirtan.
6. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 18aad iyo 19aad ee awaamiirtan

Sidaa daraadeed garsoorahaas ciqaabtiisu waxay noqonaysaa sida soo socota: -

B. Digniin AF ah marka uu garsooruhu danbiga galo marka ugu horaysa. Haddu mar labaad galo mid qoraal ah oo loo galiyo faylkiisa shaqsi ahaaneed.

T. Hadii uu garsoorruhu danbiga soo celceliyana ciqaabtiisu waxay u gudbaysaa heerka danbiyada dhexe ee lagu xusay qodobka 41 ee awaamiirtan.

41. Danbiyada Dhexe

1. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 28aad ee awaamiirtan.

2. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 20aad ee awaamiirtan.

3. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodob ka 12aad ee awaamiirtan.
4. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 8aad ee awaamiirtan.

5. Waa iyada oo lagu xad gudbo arimaha lagu qeeaxy qodobka 26aad (2) ee awaamiirtan.
6. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 3aad ee awaamiirtan
7. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 2aad iyo 5aad ee awaamiirtan
8. Waa iyada oo lagu xad gudbo arimaha lagu qeexay qodobka 6aad (3) ee awaamiirtan
9. Waa iyada oo lagu xad gudbay arimaha lagu qeexay qodobka 21aad (4) ee awaamiirtan.

Sidaa darted, garsoorahaas ciqaabtiisu waxay noqonaysaa sida soo socota: -

B. waxaa la ganaaxi sadex meeloodoow meel mushahaarkiisa mudo aan kabadnayn afar bilood

T. waxaa laga soo celin haday jirto hanti dawladeed ama lacag dadweyne oo uu si sharci darro ah ku qaatay

J. waxaa hal darajo hoos loo dhigi darajadiisa shaqo hadii uu danbiga kucelceliyana waxa ciqaabtiisa ama ganaaxiisu uu u guurayaa dabiyada culus ee lagu qeexay qodobka 41aad ee awaaamiirtan.

40. ቀላል ወንጀሎች

1. በዚህ *መመሪያ* ላይ በአንቀጽ 6(1) እና (2) የተመለከቱ ድንጋጌዎች ሲጣሱ፤

2. በዚህ *መመሪያ* ላይ በአንቀጽ 4፣ 7 እና 9 የተመለከቱ ድንጋጌዎች ሲጣሱ፤

3. በዚህ *መመሪያ* ላይ በአንቀጽ 12 ላይ የተመለከቱ ድንጋጌዎች ሲጣሱ፤

4. በዚህ *መመሪያ* ላይ በአንቀጽ 13፣14 እና 15 የተመለከቱ ድንጋጌዎች ሲጣሱ፤

5. በዚህ *መመሪያ* ላይ በአንቀጽ 16 እና 17 የተመለከቱ ድንጋጌዎች ሲጣሱ፤

6. በዚህ *መመሪያ* ላይ በአንቀጽ 18 እና 19 የተመለከቱ ድንጋጌዎች ሲጣሱ በመሆኑ: የዳኛው ቅጣት እንደሚከተለው ይሆናል::

ሀ) ዳኛው ወንጀሉን ለመጀመሪያ ጊዜ የፈጸመ እነደሆነ ቃል ማስጠነንቀቂያ ይሰጧል፤፤ለሁለተኛ ጊዜ ከሆነም በግል ማህደሩ ዉስጥ ተያይዞ የሚቀመጥ የጹሁፍ ማስተንቀቂያ ያገኛል::

ለ) ሆኖም ግን ዳኛው ወንጀሉን ደጋግሞ ቢፈጽም ጉዳዩ ወደ *መካከለኛ* ወንጀል በመሸጋገር በዚህ *መመሪያ* አንቀጽ 41 ላይ የተመለከቱ ድንጋጌዎች እንደጣሰ ይቆጠራል::

41. *መካከለኛጥፋቶች*

1. በዚህ *መመሪያ* አንቀጽ 28 ላይ የተመለከቱ ትን ድንጋጌዎች *መተላለፍ* ነው።

2. በዚህ *መመሪያ* አንቀጽ 20 ላይ የተመለከቱትን ድንጋጌዎች መጣስ ነው።

3. በዚህ *መመሪያ* አንቀጽ 12 ላይ የተመለከቱትን ድንጋጌዎች መጣስ ነው።

4. በዚህ *መመሪያ* አንቀጽ 8 ላይ የተመለከቱትን ድንጋጌዎች *መተላለፍነው* ።

5. የዚህ *መመሪያ* አንቀጽ 26 ንዑስ አንቀፅ 2 የተመለከቱትን ድንጋጌዎች መጣስ ነው።

6. በዚህ *መመሪያ* አንቀጽ 3 የተመለከቱትን ድንጋጌዎች መጣስ ነው።

7. በዚህ *መመሪያ* አንቀጽ 2 እና 3 ላይ የተመለከቱትን ድንጋጌዎች መጣስ ነው።

8. በዚህ *መመሪያ* አንቀጽ 6 ንዑስ አንቀጽ 3 ላይ ትየተመለከቱትን ድንጋጌዎች መጣስ ነው።

9. በዚህ *መመሪያ* አንቀጽ 21 ንዑ ስአንቀጽ 4 ላይ የተመለከቱትን ድንጋጌዎች *መተላለፍ* ነው።

ስለዚህ የዳኛው ቅጣት እንደሚከተለው ይሆናል፦

ሀ. ከአራት ወር ለማይበልጥ ጊዜ የደሞወዙን አንድ ሦስተኛ ቅጣት ይጣልበታል።

ለ. የወሰደው የመንግሥት ወይም የህዝብ ንብረት ካለ ይመልሣል።

ሐ. በዚህ *መመሪያ* አንቀፅ 41 ላይ በተመለከቱት ከባድ ጥፋት ከፈጽመና እንደገና ጥፋቱን ከደገመ በአንድ ደረጃ ዝቅ እንድል ይደረጋል።

40. Minor crimes

1. It is in violation of the provisions specified under Article 6 (1) (2) of this directive.
2 It is in violation of the provisions specified under Articles 4, 7 and 9 of this directive.

3. It is in violation of the provisions specified under Article 12 of this directive

4. It si in violation of the provisions specified under Articles 13, 14 and 15 of this Directive.
5. It is in violation of the provisions specified under Articles 16 and 17 of this directive.

6. It is in violation of the provisions specified under Articles 18 and 19 of this directive.
Given this, therefore, the judge's penality will be as follows:

A} A verbal warning for the first time the judge is found to have committed an ethical offense. For the Second time, he will be given a written warning and that will be attached to his personal file.

{B} if the judge is found to have committed the offense repeatedly, the punishment will be promoted to the medium penalities referred to in Article 41 of this directive.

41. Mediem Crimes

1. It is in violation of the provisions specified under article 28 of this directive.

2. It is in violation of the provisions specified under article 20 of this directive.
3. It is in violation of the provisions specified under article 12 of this directive.
4. It is in violation of the provisions specified under article 8 of this directive.
5. It is in violation of the provisions specified under article 26 (2) of this directive.

6. It is in violation of the provisions specified under article 3 of this directive.
7. It is in violation of the provitions specified under articles 2 and 3 of this directive
8. It is in violation of the provisions specified under article 6 (3) of this directive.
9. It is in violation of the provisions specified under article 21 (4) of this directive.

Thus, the judge's penality will therefore be as follows:

{A} fine for one third of his salary for a period not exceeding four months.

(B} Restitution for government or public money or proberty he/she has taken, if any.

{C} He will be demoted by one degree, and if the judge is found to have committed the offense repeatedly, the punishment will be promoted to the serious offences specified under article 41 of this directive.

42. DanbiyadaCulus

1. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 24aad ee awaamiirtan.
2. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 25aad ee awaamiirtan
3. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 26aad iyo 27aad ee awaamiirta
4. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 22aad iyo 23aad e awaamiirtan.
5. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobada 2aad iyo 21aad (1) (2) & (5) ee awaamiirtan.
6. Waa iyada oo lagu xad gudbay arimaha lagu qaeexay qodobada 10aad iyo 11aad ee awaamiirtan.
7. Waa iyada oo lagu xadgudbo arimaha lagu qeexay qodobka 6aad (4) ee awaamiirtan.

Sidaasidaraadeed garsooraha ciqaabtiisu waxay noqonaysa sidan soo socota.
B, Inshaqada laga lagasii joojiyo
T. Sidookalena laga soo celiyo wixii hanti dawladeed ah iyo mid shacaba ah ee Gacantiisa kujira
J. Ciqaabtasare lagu xeeriyay Kamareebayso in garsooraha lagu helay in uu galay fal danbiyeed lagu xeeriyay xeerka ciqaabta ee dalka in maxkamad la horgeeyo iyada oo loo marayo wadada sharciga.

QAYBBTA LIXAAD
QODOBO KALADUWAN
43. ILAALINTA SIRTA

1. In guddiga uu ogalaado mooye, arrin kasta oo dacwad anshaxa laxidhiidha oo gudiga hortaala geedi socodkeeduna socdo, waa in sirteeda la ilaaliyo.
2. In guddiga mamnuuco mooyee, arrinta la go'aamiyay dhowristeeda laguma qasbana.

44. Faylka Garsooraha Oo Lagu Xidho Go' Aanka Ciqaabta

1. Go'aanka ciqaabta ee gudiga ayaa waxaa lagu xidhayaa faylka garsooraha.
2. Hadii go'aanka la bixiyay uu yahay shaqo ka caydhin, waxaa go'aanka faylka garsooraha lagu xidhi karaa oo kaliya marka ay soo ansixiyaan golaha wakiilada shacabka ee dds.
3. Arrimaha anshaxa ah ee aan la go'aaminina ama garsooraha lagu waayay laguma xidhikaro faylka garsooraha

45. Codsiga Ka Laalista go'anka Ciqaabta

1. Ciqaabta la saaray garsooraha hadii aysan ahayn shaqo ka caydhin, wuxuu guddiga u soo gudbisan karaa codsi ah in laga laalo go'aanka ciqaabta

2. Guddiga waxuu garsooraha kaga laali karaa go'aan ka ciqaabta arimaha soo socda:

B, Hadii ciqaabtu ay tahay mid kadhalatay danbiyada anshaxa ee culus waxaa laali karaa ugu yaraan marka la soo dhaafo 5 sano hadii ciqaabtu ay tahay mid kadhalatay danbiyada anshax ee dhexe ama fududna 2 sano ka dib.

42. ከባድ ጥፋቶች

1. በዚህ *መመሪያ* አንቀጽ 24 የተደነገጉትን ድንጋጌዎች መጣስ ነው።
2. በዚህ *መመሪያ* አንቀጽ 25 የተመለከቱትን ድንጋጌዎች በመተላለፍ ነው።
3. በዚህ *መመሪያ* አንቀጽ 26 እና 27 የተመለከቱትን ድንጋጌዎች መጣስ ነው።
4. በዚህ *መመሪያ* አንቀጽ 22 እና 23 የተደነገጉትን ድንጋጌዎች በመተላለፍ ነው።
5. በዚህ *መመሪያ* አንቀጽ 2፣21 እና ንዑስ አንቀፅ (1) (2) እና (5) ላይ የተመለከቱትን ድንጋጌዎች በመጣስ ነው።
6. በዚህ *መመሪያ* አንቀጽ 10 እና 11 ላይ የተመለከቱትን ድንጋጌዎች መጣስ ነው።
7. በዚህ *መመሪያ* አንቀጽ 6 ንዑስ አንቀፅ 4 ላይ የተመለከቱትን ድንጋጌዎች መጣስ ነው።:

ስለዚህ የዳኛው ቅጣት እንደሚከተለው ይሆናል፦
ሀ. ከሥራ መሰናበት
ለ. እንዲሁም ማንኛውንም የመንግስት እና የግል ንብረት ለማስመለስ።
ሐ) ከዚህ በላይ የተጠቀሰው ቅጣት መስረት ዳኛው ወንጀለኛ ከሆነ ጥፋቱ የሚያግድ እና በፍርድ ቤት ፊትየሚቀርብ አይሆንም።

ክፍል ስድስት
ልዩልዩ ድንጋጌዎች
43. ምስጢር መጠበቅ፣

1. ጉባዔው እስካልፀደቀ ድረስ በሂደት ላይ ያለ ወይም በኮሚሽኑ ፊት የቀረበው ማንኛውም የዲስፕሊን ጉዳይ ምስጢራዊ ሆኖ ይጠበቀል።

2. ጉባዔው ካልከለከለው በስተቀር ውሳኔው አስገዳጅ አይሆንም።

44. በዳኛው ማህደር ላይ የቅጣት ዉሳኔው ማያያዝ

1. ጉባዔው ቅጣት ውሳኔ ከዳኛው ፋይል ጋር ይያያዛል።
2. የተሰጠው ውሳኔ ከሥራ መባረር ከሆነ የዳኛውን ፋይል ሊዘጋ የሚችለው በሶማሌ ክልል መንግስት ለዳኞች አስተዳደር ጉባኤ ይሁንታ ብቻ ነው።
3. ያልተወሰኑ ወይም የጠፉ የዳኛ ዲሲፕሊን ጉዳዮች ሳይፈቱም የዳኛውን ፋይል መዝጋት ይችላል

45. ስለ ፍርድ ውሳኔ የመሻር ጥያቄ

1. ዳኛው የተጣለው የቅጣት ዉሳኔ ከስራ ማሰናበት ካልሆነ በስተቀር ዉሳኔው እንዲሻሪለት ለኮሚቴው ማመልከት ችላል::
2. ጉባዔው በዳኛው ላይ የተወሰነው ቅጣት የሚሸረው ከዚህ በታች በተገለጹት ጉዳዮች ይሆናል፦
ሀ) ቅጣቱ ከባድ ወይም ጥብቅ ከሆነ ቢያንስ ከ5 ዓመት በላይ ሲደርስ ሊያገድ ይችላል ቅጣቱ ቀላል ከሆነ ከ2 ዓመት በኋላ ሊቋረጥ ይችላል።

42. Serious Crimes

1. It is in violation of the provisions specified under in Article 24 of these directives
2. It is in violation of the provisions specified under Article 25 of this Directive
3. It is in violation of the provisions specified under Articles 26 and 27 of this directive
4. It is in violation of the provisions specified under Articles 22 and 23 of this directive
5. It is in violation of the provisions specified under Articles 2 and 21 (1) (2) & (5) of this directive.
6. It is violation of the provisions specified under Aarticles 10 and 11 of this directive
7. It is in violation of the provisions specified under article 6 (4) of this directive.

The judge's penality will therefore be as follows
A) Termination of employment
B) Restitution of public and private property if any
C) The above-mentioned punishment shall not preclude a judge from being instituted of a criminal offence punishable under the criminal law provided that all necessary legal processes are observed.

SECTION SIX
MISCELLENEOUS
43. Confidentiality

1. Unless the commission approves its disclosure, any matter relating to an ethical case, which is under proceeding and pending before the commission shall be kept confidential
2. Unless so prohibited by the commission, no secret shall ever be invoked confidential in respect of any case having been determined by the commission.

44. Attaching penal decision with personal file

1. The decision of the Commission shall be attached to the judge's personal file.
2. If the decision entails termination it will only be attached to the Judge's personal file when so approved by the council of the SRS
3. Ethical offences not found to have been committed by the judge or are not yet decided over shall not be attached to the personal file.

45. Request for suspension of penality decision

1. If the punishment imposed on the judge is not a dismissal, he may apply to the commission to suspend the decision.

2. The Commission may suspend the judge from the sentence on account of the following grounds:
a) If the punishment is a serious ethical offense, it can be suspended at least after an expiration of a period of 5 years and if the punishment is a medium or minor ethical offense it can be suspended after 2 years.

T. Waana in mudadaas gudaheeda garsooraha lamariyay ciqaabtu uu muujiyo anshax wanaaga, islamarkaana qabtay shaqo ku dayasho muddan.

3. Marka guddiga uu go'aamiyo inuu laalo go'aanka ciqaabta, waxaa loo qaadanayaa inaan eedaysanaha la ciqaabin oo kale.

Sida ku xusan qodobka 43aad ee awaamiirtan, go'aanka uu guddigu bixiyay faylka ayaa lagu xidhayaa.

46. Ujuurada Adeega

wax ujuura ah laga qaadimaayo dacwad qaadista cabashooyinka laxidhiidha anshaxa.

47. ShuruucdaAan Dhaqan Galka Lahayn

1 waxaa halkan lagu nasakhay awaamiirttii hore ee laxidhiidhay anshaxa garsooreyaasha ee tirsigeedu yahay no 1/2002.

2 sharci iyohabdhaqan kaste oo kahor imanaya arimaha lagu xusay awaamiirtan gudihiisa malaha wax dhaqan gal sharciya

48. Cabashooyinka Aan Wali La Go'aamin

Cabashooyinka la soo oogay awaamiirtan kahor, islamarkaasina geedissocodka ku jirawaxaa lagu dhamaystiri iyada oo laraacayo sharcigii hore

49. WaxkabedelkaAwaamiirtan

Awaamiirtan waxaa wax lagaga badali karaa marka ay xubnaha gudigu sadex meeloodow laba meelood u codayso wax kabedelkiisa

50. Dhaqangalka Awaamiirtan

Awaamiirtani waxay dhaqangalayasaa marka guddiga maamulka garsoorku ansixiyo isla markaana gudoomiyaha maxkamada guud saxeexo.

Jigjiga
Tahsaas 06, 2013 T. I.
Cabdillaahi Siciid Cumar
Gudoomiyaha Maxkamdda Guud ee DDS

ለ) ዳኛው በቅጣት ላይ ባለበት በዚህ ወቅት ዉስጥ መልካም ባህሪና ጥሩ ስነ-ምግባር በማሳየት ለሌሎች ትምሳሌት የሚሆን ስራ መስራት ይጠበቅበተል፡፡

3. ጉባዔው ዉሳኔውን ከወሰነ በኃላ ተከሳሹ በወንጀል እንዳልተቀጣ ይቆጠራል።

በዚህ መመሪ አንቀጽ 43 ላይ በተደነገገው መሠረት ጉባዔው ዉሳኔ ከዳኛው ግል መህደር ጋር ይያያዘል፡፡

46. የአገልግሎት ክፍያ

ስነ-ምግባር ጉዳይ ላይ በተመለከተ ምንም ዓይነት የአገልግሎት ክፍያ አይጠየቅም፡፡

47. ተፈፃሚነት የሌላቸው ህጎች

1. ቀደም ሰል የወጣው የዳኞች ስነ-ምግባር መመሪያ ቁጥር 1/2002 በዚህ መመሪ ተሸሯል፡፡

2. በዚህ መመሪያ ዉስጥ የተደነገጉ ጉዳዮች የሚቃረን ማንምኛው ድንጋጌ፣ መመሪያ ወይም ህግ የህግ ተፈጻሚነት አይኖረዉም፡፡

48. ዉሳኔ ያልተሰጣቸው አቤቱታዎች

ይህ መመሪያ ከመውጣቱ በፊት ቀርቦ የነበሩ አቤቱታዎችና ገና በሂደት ላይ ያሉ ጉዳዮች በቀድሞ አሰራር መሠረት የሚፈቱ ይሆናሉ፡፡

49. መመሪያው ስለማሻሻል

ይህ መመሪ ለማሻሻል አስፈላጊ ሆኖ ስገኝ በኮሚቴ አባላት 2/3ኛ ድምፅ ድጋፍ ሊሻሻል ይቻላል፡፡

50. መመሪያው የሚፀናበት ጊዜ

ይህ መመሪያ በዳኞች አስተዳደር ጉባዔ ስጸድቅና በጠቅላይ ፍ/ቤቱ ፕሬዝዳንት ስፈሪም የጸና ይሆናል፡፡

ጅግጅጋ
ታህሳስ 06/2013 ዓ.ም.
አብዱላሂ ሰዒድ ኡመር
የሶማሌ ክልላዊ መንግስት ጠቅላይ ፍ/ቤት ፕሬዝዳንት

B. Whith in the period of time the judge is serving penality he must show good manners and improve his ethical conduct, he should also undertake exemplary performances penality decision, it shall be deemed as if no case has been made against the judge

3. When the committee decides to suspend the penalty decision against the judge, the decision latter shall be attached with judge's personal file.

As stated in article 43 of this directive, the decision of the commission shall be attached to the file.

46. Service fees

There will be no service fee charged for complaints relating to ethical cases.

47. Inapplicable laws

1. The previous Code of Conduct for Judges No. 1/2002 has been hereby repealed.

2. Any law or practices inconsistent with this directive or matters provided under this directive shall not be applicable.

48. Complaints not yet resolved/ pending cases

Complaints instituted before coming in to force of this directive and pending before the commission shall completed in accordance with previous laws

49. Amendment of this Directive

This directive can be amended when a two-thirds of the members of the commission votes in favor of the amendment.

50. Effective Date

This directive shall come into force when approved by the Commision and signed by the president of the supreme court of Somali Regional State።

Jigjiga
Tehsas 06, 2013 E.C.
Abdillaahi Saed Omer
Somali Regional State Supreme Court President