

DRAFT PRESS PROCLAMATION

Un-Official Translation

January , 2003

Proclamation No.....

A Proclamation to provide freedom of press

Whereas freedom of expression is guaranteed by the Constitution of the Federal Democratic Republic of Ethiopia.

Whereas the constitution guarantees, the freedom of press to operate freely, without censorship.

Whereas press can only carry out its activities when the right to get information is guaranteed.

Cognizant of the fact that restrictions made on press is to protect people's place and security and other similar rights under article of the constitution, it is hereby proclaimed as follows.

Part One

General

CL 1 Short title

This proclamation may be cited as number

CL 2 Definition

Unless other wise stated,

1. Press means any publishing agency; and its activities include all forms of media mass communication.
2. Publications mean,
 - a. Regularly published, any printed material ready for distribution or any other form of duplicated material, audio or video products or audio video products, television and radio programs, music products produced with or without descriptions, plays, films, pictures, cartoons. Books, pamphlets, posters, advertisements.

- b. News service, newsletters and other similar institutions, any information sent to the press by any kind of technical distributing mechanism, and any information, issues or articles are also included.
3. Regular publishing means and includes newspapers, posters and other publications bearing formal name, and distributed at some intervals, regularly or irregularly and published at least once in a year,
 - a. Permanent daily newspaper means and includes newspapers published daily having issues such as news, features, opinions and views of the people.
 - b. Special daily newspaper means and includes non-political newspapers printed for business, science, religion, education, physical fitness and other similar events printed for disseminating news, reports, views and opinions of the people and printed daily.
 - c. Permanente weekly newspaper means and includes newspapers printed weekly or once in a month or twice in a week with political, economic, social and cultural news, reports, views or opinions of the people.
 - d. Special weekly newspaper means and includes non-political issues, printed to disseminate news, reports, views and opinions for business, science, religion, education, physical fitness and other related activities and includes newspapers printed weekly, twice in a month or twice in a week.
 - e. Special Magazine means publishing that feeds the press excluding political issues but that prints news, views, opinions of business, science, religion, education, physical fitness to the people. It is bound in the form of a book, and published not less than once in a year or not more than once in a month.
 - f. Permanent Magazine is something that is bound in the form of a book, printed not less than once in a year or not more than once in a month and entertains news, critics, views of the people which are either political, economic social or cultural.
4. Governmental body means any governmental institutions, which include both the federal and regional legislatives and the judiciary organs, getting their financial resources from the federal or regional government that are responsible and established for and by these organs.
5. Information means any document of the governmental or administrative organs, which deals with their activities and work evaluation.
6. Document means

- a. any file, manually produced or type-written
 - b. any microfilm microfiche and files released by electronic means and copies of a document.
 - c. any visible or non-visible pictures and copies contained in those microfilms,
 - d. information made on computer or any other machine
7. Journalist means any person who is engaged as an editor, reporter, cartoonist, graphic artist, photographer, camera man, or technician in professional activities seeking, receiving or dissemination news and information.
 8. Publisher means any person or institution representing any press products and collecting and preparing for printing and selling.
 9. Publishing person means any person appointed by the publisher or anyone who has concluded agreement to perform printing activities with the publisher.
 10. News agency means, any institution that monitors, gathers, prepares, follows and investigates commentaries, printed on writhing, sound, picture and distributing by any means for press institutions.
 11. Distributor means any appointee or any person conducting any agreement with the publisher for distribution of the newspapers to retailers or other businesspersons.
 12. Importer means any person or institution that imports foreign publications, or representative of foreign publishers distributed in the country.
 13. Provision of article 1, sub – article 2 and 3 does not include or be applicable to;
 - a. declaration, advertisements, minutes, reports and decisions released by the legislative, judiciary and executive.
 - b. Forms intended for business and transportation, forms printed for personal and business activities, price charts, business and family advertisements, post cards, duplicated pictures with resale values, work reports, election documents.

CL 3 Freedom of the press

- a. Freedom of the press is recognized constitutionally
- b. Any regulation which restricts freedom of the press should be only in accordance with the constitution
- c. Unless, there are legal provisions that restrict press freedom, any administrative measures which hamper or impede the freedom of the press are prohibited by this declaration

CL 4 Purpose of the press

1. Any press stands for the preservation of fundamental freedoms and rights, and for the pursuit of peace, democracy, justice, equality and for the acceleration of social and economic development.
2. Accordingly, press
 - a. gathers and disseminates news
 - b. express opinions on various issues
 - c. forwards criticisms on various issues
 - d. participates in forming public opinion by employing various means
 - e. undertakes other activities necessary for the accomplishment of its purposes.

Part two

The Right to involve in press activities

CL 5 The Right to involve in press activities

1. Ethiopian Citizen, dwelling in Ethiopia, privately or jointly with other Ethiopians, has the right to involve in press activities,
2. Consistent with the provision of sub – Article 1, citizens.
 - a. under the age of 18
 - b. prohibited from any civil or political rights by the court
 - c. who lost, in partial or in full, their legal access
 - d. dwell out side Ethiopia
 - e. due to misbehaving banned from teaching in government, public or private learning institutions or in any institutions established for rehabilitation, partially or in full snatched from the right to patronage
 - f. penalized for serious crimes, or penalized for misbehavior under the provisions of the law, or for theft, mischief, deception, surreptitious leadership, breaking pledges, snatching, barrowing, corruption or in blasphemy or defamation,
 - g. Whose license is banned by the court are prohibited from involving in press activates.
3. The provision under sub – article 2a, do not apply for publications published by the youth.
4. legal persons having more than 50% of the share in an institution involved in press activates, can not hold 1/3rd of the share in another institution involved in the same activity,
5. persons who have up to three generation of blood relationship cannot constitute more than half of the board of directors,
6. ***Publications printed abroad.***

1. *Foreign publications which contribute directly or indirectly to the development or modernization of the country and which do not threaten the nation's peace, security, culture and custom can have free circulation in the country.*
2. *Keeping in mind the provision under sub-article 1, the Ministry of information has the right to prohibit or lift the prohibition when needed. And the Ministry should declare the reason behind the ban or the end of the ban.*
3. *Any prohibited publication should not be duplicated or changed or reproduced in any form.*
4. *The provision of article 5 sub-article 1 does not consider foreign press representatives, or international organizations or Embassies or donors, which collect information for their own objectives.*
5. *Under this article, sub article 1, the ministry of information can prohibit or deny access to entry, circulation or prohibition or cancel any part of the publication when it*

1. *violates the sovereignty of the country.*
2. *deliberately defames government officials or bodies with the intention to ostracize them from the public,*
3. *defame the constitutional system in general and propagates to topple down the system unlawfully*
4. *tries to overthrow the constitutional system by arms or uprisings, or rebellion, chaos and terrorism.*
5. *tries to distort major historical facts*
6. *focuses on sexual practices*
7. *encourages criminal, gruesome and appalling activities*
8. *arouses the sexual interest of under-aged citizens,*
9. *attempts to undermine the effort to create national feeling or becomes obstacle to such acts,*

CL7 Registration

1. Any Ethiopian national who desires to carry on any press activity shall be registered in accordance with the law appropriate to the nature of the press activity that it intends to carry on.
2. If the institution wants to get involved in press activities in order to press ahead with its objectives, for the purpose of this proclamation, it is deemed to have been registered.
3. Where the activity given by law on any government office or organization requires the carrying out of press activity, such office or organization shall, for the purpose of the proclamation, be deemed to have been registered.
4. The relevant provisions of the commercial code shall apply to any press activity carried on professionally and for gain.
 1. unless entitled by the law any person cannot carry on activities stated under article 2 sub article 3, of the provision

2. Unless the license given for the press is prohibited by the court or unless cancelled in accordance with article 9 sub-articles 2 by this organ, the person can get issuance of the license paying the dues, with no conditions attached.
3. The ministry of information shall decide licenses given for different press and dues paid for issuance and the time the issuance serves.

CL 8 Requirement of press license

1. Any person registered in accordance with article 7 of this proclamation who is prepared to commence any press activity shall have to obtain a license issued by the Minister of Information or, in the case of any press where circulation is confined within the limits of a regional self-government, it has to be provided by the Information Bureau of the regional self-government.
2. Any person's application that is engaged to carry out activities stated under article 2 sub-articles 3 of this proclamation shall contain the following particulars.
 - a. Name and permanent address of the press institution, and addresses of the branches, if available, and names and addresses of board members
 - b. Maintaining the issues stated in this proclamation under article 5, those persons appointed by the institution's board members and who are not free from accusations, the editor – in – chief and the deputy editor – in – chief, name of the journalist, permanent address and date of birth and conforming letter which stated their acceptance of the job and agreements of employments,
 - c. Stated under article 3 of this proclamation, the type of press activity, name and logo of the press which distinguishes it from other press,
 - d. The language the media uses,
 - e. The name of the printing press, and 6 months agreements concluded with this institution or the name of the printing press
 - f. the objectives of the press and its focus,
 - g. its capital and financial sources,
 - h. date and time of print,
 - i. distribution time and means of distribution,
 - j. constitution and by-laws of the institution,

CL 9 Reasons For Denial of Registration or De-registration

- 1- The Ministry of Information or Regional Information Bureau

- a- If the applicant does not meet the requirements and responsibilities declared by this proclamation
- b- If applicant ask to have a permit while a previous permit has been suspended and awaiting decision
- c- If a natural person or a legal person who holds more than half of the share in an existing broadcasting, print media or any other press attempts to have more than half of the share in a newly established press related activity.

Registration of press can be denied.

2- The Ministry of Information or Regional Information Bureau

- a- For publications which appear occasionally When the publisher informs that it has been discontinued
- b- If the publisher have not started publishing within one year of obtaining a permit
- c- If ownership of the publication has been transferred to other body according close 5 of this proclamation
- d- If found that the permit was granted by provision of false information

Registration permit can be taken away

Part Three

CL 10 The Right to get Information

- 1- Unless it is stated in this proclamation or other proclamations all citizens including press have the right to ask, obtain, and disseminate information for either publishing the information and/or for increasing personal knowledge.
- 2- This clause sub clause 1 indicates that information available in any governmental bodies

For conducting research, taking note or re writing quotations
 Documents ascertained by relevant government authorities
 Diskette copies obtained from computers,

Includes the right to get the information from any governmental body

- 3- So that citizens can obtain information
 - a. the way the office is structured

- b. the duties and responsibilities of the officers and the decision making process
 - c. the by-laws of the office
 - d. the internal regulations that employees are abided by and other documents
 - e. ways and means of how citizens can obtain information,
 - f. the address of the public relations officer or any other person who does the job, is supposed to put out this information periodically
- 4 Any government office
- a whenever it disseminates important policies and decisions, is also obliged to provide necessary documents
 - b when it provides administrative and court decisions, it also has to provide the reasons behind the decisions,
 - c based on the principles of transparency and accountability, the details of a project have be known before implementation,

CL 11 Questions asked to get Information

- 1 Anyone seeking information has to specify the type of information he is looking for either in writing or electronically and send it to the public relations officer. If the public relations officer is unable to provide the response orally, he has to make all efforts so that he can get the request in writing,
- 2 Whenever the public relation officer gets a request that is based on the above clause and after determining the fee, he has to respond as fast as possible or he has to decline to provide the information citing the clauses mentioned in this proclamation. Anyhow, excluding public holidays and weekends, he has to respond within 30 days,
- 3 After paying the fee, if it is decided that the information is going to be released, the public relation officer will provide the methods and details of payment. The time elapsing when sending the procedure of payment and payment made, is not considered as part of the 30 day waiting period,
- 4 Unless it incurs unreasonable time, material and man power or it causes damage to the documents, the information requested is given according to the procedure mentioned above,

- 5 Any employee is obliged to cooperate with the public relations officer or his rep.
- 6 Even though it was decreed in article 10, the public relations officer
 1. if the request is too general, or because of the volume of the request it becomes cumbersome to copy or gather information or it incurs cost on the office or it brings difficulty for the normal operation of the office
 2. if the public relations officer is unable to accept the request because of its generalized presentation and the applicant is unable to fix the problem,
 3. if there is a ruling that orders that the information has to be provided at a specific date and it is published within the 30 days waiting period
 4. if the information is made publicthe relevant authority will decline to respond to the request.

Cl. 12 Forbidden Information

1. Though decreed in different form by this proclamation

- a. Information considered secret and/or concerns the country's sovereignty, strategic, scientific or economic interest or International Relation by the House of Representatives or Council of Ministers,***
- b. Information that law enforcing institutions consider will hinder peace and stability of the people; or on-going investigation and follow up that might instigate criminal activities,***
- c. Guidelines and internal regulations of government institutions related to controlling and investigating activities,***
- d. Information considered secret by other laws.***
- e. In the decision-making process, documents detailing intra-office activities and or letter exchanges between two offices.***
- f. Information that deals with cases that are being seen in the court and are considered to create problem on court ruling; any issue of the civil code that is banned by court from being reported,***
- g. Information that could hurt federal and regional states relationship, secret information exchanges between federal and regional states offices,***
- h. Except those information subject to publicity, any document of the cabinet, council of minister, discussion and minutes of ministers and other authorities or any document of these offices,***
- i. Unofficial minutes of federal and zonal legislative bodies, federal and regional legislation committees or between bodies of any governmental offices or minutes recorded in the process of decision making between***

governmental offices; any advice including legal opinions given by an authority or personnel of a certain governmental office, documents carrying professional advices and decisions and letter and exchange of memorandum,

- j. Information that could violets legal protection of business secrets or endangers the offices' economic and business interest or illegally makes the information available to other bodies and could bankrupt it,*
- k. Unless the court decides, information that deals with closed court cases or information about issues that are dealt in closed meetings of federal or regional legislations.*
- l. Documents, gagging orders, orders or any other cases that are still being investigated and were not presented to any of federal or regional courts,*
- m. unauthorized investigations and works of the president and vice president of the Supreme Court,*
- n. Information concerning issues that are being seen by administration councils.*
- m. It is forbidden to give license and or broadcast information that deal with discussions of the judges or other legal bodies.*

2 Though decreed on sub article 1 of this article,

- 1. About forbidden information protection and classification or how information is declassified shall be decided by the House of Representatives or Council of Ministers*
- 2. According to sub article 11 (a) of this proclamation, information concerning any thing that was performed or occurred or took place before 25 years should be given to a person who requested it. The debate that arises on the timing will get a final resolution by concerned federal government body.*
- 3. It is forbidden to hold to any document in secret with the aim of covering up the scandals, illegal actions, official problems of any individual or organization,*

CL 13 Denied press news or reports

Any press

- a. on a court case defending accusation on blasphemy, or cases of the history of a victim, or referring to events that happened a decade ago or a crime pardoned, or cases where the victim appeared before the court,*
- b. Referring birth conformation case proceedings to implement duties of giving remuneration, cases related to dispute between spouses and divorce, breaking marriage and investigations related to abortion*
- c. unless permitted by their guardians or foster parents information regarding the identity and characters of street teenagers, who left their parents, guardians or foster parents,*
- d. With out the consent of the prosecutor, written or graphic reports related to children or teenagers who committed suicide.*

- e. information revealing the true parents of the child without the consent of the child in written form and before 25 years pass following the death of his adopter,*
- f. information on sexual assault of a name of a victim or his identity, without a written consent of the victim,*
- g. judgment passed by the civil or criminal court on fines or any compensation or related expenses, revealing financial collecting lists or bank accounts to donors or appealing to anyone or printing out publications that hinder prosecution,*
- h. On Adjudications related to divorce or decisions*
- i. In pursuant of provisions article 19 sub-article 1, decrees, essays or reports of political parties, not registered by the law or, that decided to topple down the constitutional government by force or revolt, organizations or members or supporters, and persons penalized for crime and whose cases are pending,*
- j. Press targeting the youth to spoil their mind through organized crimes, theft, laziness, betrayal, contempt, and sex related behaviors.*
- k. Witness given by a person before the law and criticisms related to his personality are forbidden for print and distribution.*

CL 14 Documents to be given separately

Even though it was decreed in this proclamation, it is possible to provide a section of a document after separating it from the rest,

CL 15 Information concerning a third party

1. If the information in the hands of the government is regarding a third party or it is an information that the third party passed on provided it remained secret, the public relations officer within 15 days has to provide the reasons why the information should not be declared,
2. after weighing the relevance of the information to the public and its effect on the third party, legally protected commercial and business secrets can be release,

CL 16 Appeal

1. Anyone who is disappointed by the decision of the public relation officer can complain to the concerned government within 30 days,
2. If the person complaining is unable to do so right away and if he comes up with evidence explaining the case, and if he comes up with evidence, the grievance committee can accept his complaint even after the period mentioned in article 12(1) has expired.
3. The government body should give response to the complaint in 30 days.

CL 17 The right not to declare sources

It is forbidden to force someone to declare his/her name or penname for his/her press products.

1. Even if it is presented on sub-article 1 of this article
 - a. If the press product destroys governmental administration, defense force, governmental peace and national security and causes short term accidents and
 - b. If the source is the only one for the cause of heavy crime the publisher or editor-in-chief is forced to declare the sources for the court.

CL 18 The right to give response

1. If a press reported about a person or a certain situation the concerned body has the right to give response with out any payment.
 - a. In a daily newspaper, the editor-in-chief or his rep. should publish the response with out any correction with in three days after receiving the reply or within nine days if it is a weekly paper. If it doesn't fall within the above categories, it has to put out the response on the upcoming issue. If it is a radio or television program the editor, the journalist who produced this program and the producer have to present the response in the next program or in a similar program with in 14 days from the day they received the response.
 - b. The response should have relation with the report or the information and it should keep its legality and balance. The response should not be more that twice of the report.,
 - c. As presented on sub-article 1 of this article, if the report or the information is disseminated through the election process the deadline is shortened to 24 hours for 3 days period and the 14 day time gap is shortened to 48 hours. However, this sub-article will be applied if the press received the response 6 hours before the press products goes to print or the program was transmitted.
2. Anyone prohibited from responding can open his case to the court to force the editor or the reporter or program producer to publish his paper.
3. The court has to give decision within 10 days after receiving the application. But when any type of election is held, the court has to decide within 24 hours.
4. The court gives decision based on the application, in addition to giving order the response should be printed the producer of the press should be punished the punishment stated by the law for obeying the rule.
5. The rules stated in this article will not violate civil code number 2049.

6. issues related to responding rights and that are mentioned in the above articles will be implemented only three months following the publication of the paper,
7. The rules related to this article will be applied if anyone tables complaints regarding the amendment of wrong information.
8. Anyone prohibited from responding can open his case to the court to force the editor or the reporter or program producer to publish his paper.

Section 4

Obligations of the Press

CL 19 Mainlining the legality of press activities

1. Any and all outcomes of the press had to be ascertained about their legality and truthfulness of the news before it become public. Trespassing this law will result in prosecution according to the criminal and civil code of the country.
2. The obligations mentioned in Cl. 1 will be implemented as follows:
 - a. If it is related to publications, either the editor or his rep.
 - b. If it is a publication other than the regular one, the publisher or author,
 - c. If it is to be distributed through the TV, radio or other means of communication, the relevant journalist or program director,
 - d. If it is printed abroad the importer or the distributor will be responsible.

Cl. 20 The Press Council

1. *It is proclaimed that a Press Council is formed. Keeping in mind Cl. 19/1/2, the task of the council is to originate and provide council to the government. It will also look into complaints regarding the press.*
2. *The Press Council,*
 - a. *It will promulgate regulations and guidelines that will be used to make decisions regarding complaints forwarded on the press. It is also obliged to come up with solutions regarding harmful practices of the press.*
 - b. *It will make sure that the press gets information, that its independence is not curtailed. Furthermore, it should find remedies for practices that hinder the flow of information among the people.*
3. *The Press Council is composed of 29 members of the Federal government, journalist associations, journalists, publishers and members of the community.*
4. *The duties and obligations of the council and the election of officers will be decided by a regulation to be promulgated by the Council of Ministers.*

Cl. 21 Keeping file of authors

- 1 The press is obliged to keep the full names and addresses of the producers of articles.***
- 2 If a pen name is used in the publication, that information has to be printed in a visible place.***

Cl. 22 Cases that have to be mentioned in publications

- 1 The press is obliged to state the address of the author, publisher and printer.
- 2 The names of the board members, chief editor, the assistant editor or other editor, or any responsible person for putting out the publication should come out on the paper.
- 3 The names of the responsible manager of the news agency, reporter and special correspondent should be mentioned along with the article,
- 4 Whenever the publication comes out, the name of the chief-editor, or his assistant, the name of the publisher, the names and addresses of the board of directors, the number of circulation and the date has to come out.

CL 23 About Advertisement

- 1. Advertisements should not violate the ethics and law of the society,***
- 2. Advertisements should appear in a way that can clearly be identified from columns and other texts that the press prepares***
- 3. The editor – in – chief of the press has the duty to check out whether the advertisers are licensed to do advertising or not. He has also the duty to show the address of the advertisers when asked by those bodies that have legal authority to do so.***
 - a. Though it is decreed on sub article 4 of this article, the press cannot print and distribute advertisements on medicine, food or cosmetics without getting confirmation from the concerned governmental bodies.***
- 4. Reports or press releases sent to a press by foreign countries governments, or organization or international organization or institution are considered as advertisements.***
- 5. With the expressed permission of the ministry of information, it is possible to carry out educational, physical fitness training, religion, humanitarian or activities related to international brotherhood. However it is forbidden to receive money and any form of donation for the purpose of the press from foreign organizations or governments.***
- 6. Any press, receiving payment for advertisements from any foreign government or organization or international institute or any foreign country, should inform***

to the Ministry of Information about its work contract and payment within 8 days.

Cl. 24 Providing free copies

1/ 6 hours after the publication comes out, it has to be signed by the responsible person and,

a/ if the publication is limited to a certain zone, it has to be given to the information desk and justice department of the region,

b/ if the publication covers more than one region, a free copy has to be given to the ministry of information and justice,

2/ anyone importing any publication should provide two free copies to the ministry of information and justice,

Cl. 25 Responsibility of the Press regarding harmful practices

1. Any crime that the press commits is to be prosecuted according to the criminal and civil code,

2. Even though stated elsewhere,

a. The publisher is responsible for any crime committed by the press

b. If the press appears before the court and the damage it inflicted is ascertained according to cl. 2/a, depending on the severity of the case, it is liable to pay upto 50,000 birr.

Part five

Taking of Lawful Measure

CL 26 powers of the prosecutor

1. The prosecutor of the federal Government or of a region as the case may be, may where he has sufficient reason to believe that a press is ready to disseminate any illegal press product causing serious damage, enjoin the dissemination of such press product

2. Whenever any measures of enjoinder is taken pursuant to sub-article 1 of this article, such measures shall be submitted to the Federal Government High Court, with in not more than twenty four (24) hours of taking the measure.

3. The prosecutor shall be legally liable for any unjustified exercise of his powers under this Article.

CL 27 Powers of the High Court

2. Where the Federal or regional High Courts, may up on receipt of a measure of an enjoinder in accordance with article 15 sub-article 2 of this proclamation.

- a. Where it finds that the press product is illegal and can cause serious damage, prohibit the dissemination of the press product or, where necessary, order its seizure and its destruction within a fixed time, or
 - b. Where it finds that the press product is not illegal or that it cannot cause serious damage, lift the measure of enjoinders taken by the prosecutor of the Federal Government or by a regional prosecutor
3. The court shall render its decision with in fourty - eight(48) hours of the submission of the case.
 4. The decision of the court shall be executed with in seventy-two (72) hours unless a stay of execution is ordered by an appellate court.
 5. Any court order issued in accordance with sub-article 1(a)of this Article, shall not affect any criminal and/or civil suits against the person responsible under criminal and/or civil law.

CL 28 Presentation and hearing of press suits

1. Crimes committed by the press, unless the prosecutor decides for investigation, shall directly appear before the court, according to the provisions of the penal code, with out any further investigation.
2. The Court, authorized to hear the Suit, shall make the case heard utmost within 20 days, from the day the first application appeared before the court.
3. The Court shall make the defendant receive the version or the copy of the application and except the press product all other documents appeared before the court, at least five days before the court hears the case.
4. The court shall give verdict, utmost with in one month, from the very day of hearing the charge.
5. If the defendant fails to appear within seven days before the court or fails to appear at all, the court shall announce in newspaper, in order to give decision in the absence of the defendant
6. The defendant has the right to appeal according to article 27, before the court for the decision passed in his absence
7. The victims, either individuals or organizations, of blasphemy or false charges by the press, can appeal to any court they prefer to appeal.
8. The court shall order, according to sub-article 4 in this article, its decision reach at the Ministry of Information or the region's information bureau.

CL 29 Appeal

1. Disinterested or resenting body with the decision given should present his appeal, with in three (3) days to the court, and the court which passed the decision, shall give the copy of the decision to the applicant with in 24 hours.
2. The appellate court shall give decision with in 10 days.

CL 30 Penalty

When the press released has no legal content, keeping the applicability of the relevant provisions

1. Where any press board member official, editor-in-chief or deputy or journalist, publisher, editor or television or radio program, importer, fails to fulfill the duties stated under article 5 sub-article 8, and engaged on press activities, giving false statements, he is punishable with imprisonment not less than 2 (two) years or with a fine not less than 20,000 birr or both,
2. Any press editor or deputy, publisher, importer fails to give the copies of the press to governmental bodies stated in this proclamation, or submits after the deadline, he is punishable up to 500 birr, but when he repeats the action the punishment may extend up to birr 2000
3. any press that failed to announce the charges made to things registered under article 8, is punishable with a fine of birr 1000 to 3000. when repeated actions occur the punishment may go up to birr 10,000.
4. any press editor or deputy, publisher, journalist and program editor, fails to print the corrections, in accordance with article 18 he punishable with a fine up to 1000. If the action committed is during election period, in addition of fine, the penalty may extend to 1 year imprisonment.
5. Any press editor or deputy, publisher, journalist, program editor, importer, distributor or street vendors disseminates or makes to disseminate press prohibited for distribution according to article 6 sub-article 1 and 2 of this proclamation, he is punishable with imprisonment reaching from 2 to 5 years and when the pres distributor or vendor knowing such facts but cooperates in the distribution he is punishable in a similar fashion.
6. If any press distributor or street vendor unless recognized by the Ministry of Information distributes or circulates press in an area beyond what he was already registered, the press will be collected and the person will be punishable with imprisonment reaching from seven to ten days or with fine reaching up to 300 birr. But if a repeated action occurs the imprisonment may extend up to 6 months. Any press, bestowing press products to distributors or vendors unrecognized by the law, shall be punishable in a similar way.
7. Any press editor or deputy, publisher, journalists, program editor fails to announce the fee received from foreign governments or organizations, vis-à-vis advertisements, he is punishable with a fine reaching from 5000 to 10,000 birr
8. If any publisher, editor or journalist receives money either in the form of support or funds, or contributions in kind foreign states or organizations or international organization, he punishable with imprisonment extending from 2 to 5 years and with a fine reaching 2000 birr.

9. Any press, involving in other areas beyond the objectives and the kind of press registered, in addition to the enjoinder of the press from 1 to 3 months, the editor is punishable with a fine reaching from 10000 to 15,000 birr.
10. Any press shall be punishable with a fine reaching from 2000 to 5000 birr, if it disseminates its products beyond the schedule already registered, in accordance with article 8 sub-article 2(e).
11. Where any press fails to issue the license and continues to involve on press activities shall be punishable with relevant penal codes.

CL 31 Additional penalties and repeated mistakes

1. When the court gives decisions of mistakes, according to article 11/1/ and /2/, in addition to the formal decision, the court shall decide the removal of the press seized and prohibit the press from publication from 3 months to 3 years. But the court shall pass the verdict considering it has repeated the action more than once.
2. Any prohibition as a reason to deny fulfilling the pledges it incurred with the third party.

CL 32 Scope of election

1. This proclamation will be applicable if
 - a. Given the license for press activities in accordance with the proclamation
 - b. The print contains the identify of the publisher, address and year of publication
2. Published works considered as press if only they are printed. Published works are considered as prints only if distributed, or presented for sale or broadcasted.
3. Pursuant of the decrees stated in another context, although not released with articles, any picture shall be considered as a print.
4. In any press, disseminated freely or with fees, holding sexual contents, this proclamation shall not be applicable. For these prints' distribution and publication details will be decided by the law.

CL 33 Transitional provisions

Any press, engaged in press activities before this proclamation shall enter in to force, should register and receive license within 90 days in accordance with article 7 and 8 of this proclamation.

CL 34 Conflict with other laws

Any law, regulations, directives, orders or practices inconsistent with this proclamation shall not apply in respect of matters provided for here in.

CL 35 Discarded proclamation

Press proclamation number 35/85 (35/19992) is discarded

CL 36 Effective date

This proclamation shall be effective starting from the day of publication in

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