

Few Highlights on Defense Forces

Description

By Mahlet Mesganaw, Partner at DMLF



The FDRE Defense Force Proclamation No 1286/2023 (the Proclamation), done as of September 19, 2023, repealed Defense Force Proclamation Nos. 1100/2019 and 1232/2021, for the purpose of consolidating laws on retirement age, rights, benefits and incentives for defense forces, national recall and medals and certification.

The Proclamation embodies seven parts and 87 articles.

The FDRE Defense Force is organized to fight in 5 domains namely on land, air, naval, cyber and space. The mission includes to defend the sovereignty of the nation, the **constitution and constitutional system against any threats and attacks by foreign invaders as well as internal anti-peace elements**

. The defense forces have also the obligation to defend and protect the lives of the people, public and governmental institutions and developmental infrastructures from man made and natural disasters.

Depending on the rank from private to field marshal, the retirement age ranges from 45-60 years. There is a possibility of extension for further two years twice, with the possibility of unlimited extension for field marshals.

When the sovereignty and integrity of the nation is threatened, any member of the defense forces who has been discharged honorably may be recalled to return to active duty.

Any assignment to a military position or promotion to a higher military rank shall be on the basis of **competitiveness and merit**. Promotion shall ensure equitable representation of all the nations, nationalities and peoples and women.

The Proclamation has established military justice organs. These are the military police, the military investigators, the military prosecutors, military courts, military defense council and military prisons. On Article 42, the Federal Supreme Court is granted power of cassation over any final decision of the military court which contains basic errors of law.

There are medals and certificates awarded to those members of the defense forces for outstanding heroism. Amongst the medals, the **Distinguished Medal of the Black Lion and the Medal of the Victory of Adwa** are the highest awards given by the government.

Finally the Ethiopian Army Day shall be celebrated annually on **October 25** as a National holiday.

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[New Precedent Establishes Three Years as a Period of Limitation for “Petitio Haereditatis”](#)

By Mahlet Mesganaw, Partner at DMLF Background There were Federal Supreme Court Cassation Division Decisions that give contradictory interpretations on periods of limitation as to the time of filing of suit to partition of inheritance property or get share of the inheritance. Cassation File Number 186329(including 26422,20295, and others) accepts three years of limitation...

October 26, 2024

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[Things to Know when Buying Urban Land or](#)

Immovable Property in Ethiopia

By DMLF This brief article is intended to give picture to those who wants to know about the process of purchase of land or immovable property in Ethiopia. Thus, the article focuses on giving few informative procedures on immovable property purchase. The article attempts to shed light of the property law structure from the FDRE...

October 19, 2024

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Residential House Rental Dispute Handling Procedure

By DMLF Team The Rent Control and Administration Proclamation Number 1320/2024 (hereafter referred to as this Proclamation) governs the lessor and lessee relationship when it comes to residential house rent. The Proclamation is done on May 9th 2024. The focus of this article is on disputes resolution procedures incorporated in the proclamation. The Proclamation...

October 12, 2024

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Administrative Independence of the Judiciary

By Dagnachew Tesfaye, Managing Partner at DMLF The House of Peoples' Representative has enacted a Regulation namely "the Federal Courts Administrative Employees Regulation Number 1/2023", (hereafter referred to as the Regulation). The Regulation is effective from the date of publication in the Federal Negarit Gazette. The Regulation was signed into law by the Speaker of the...

October 5, 2024

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Foreign National Spouse Adopting the Child of their

Ethiopian Spouse: Cassation Division Decision

By Dagnachew Tesfaye, Managing Partner at DMLF The Federal Supreme Court Cassation Division on Cassation File Number 215383 on 30/05/2022 (Volume 26 pages 232-236) between Applicants 1. Mrs. Arsema Elias 2. Yergen Vandra Vade (rough translation from Amharic), Respondent-None, gave a binding decision on the fact that a foreigner spouse can adopt the child of...

September 28, 2024

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Major Amendments to Immigration Proclamation

By Mahlet Mesganaw, Partner at DMLF Immigration Proclamation No. 354/2003 has been governing the immigration procedures of the country since July 3rd, 2003. Quite recently, the House of Peoples' Representative of Ethiopia endorsed an amendment to the Immigration Proclamation No 354/2003. The new amendment proclamation can be referred to as Immigration Amendment Proclamation No.1339/2024. This new...

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