PPP COUNTRY PROFILE – ETHIOPIA

GENERAL INFORMATION


LEGAL AND INSTITUTIONAL FRAMEWORK

PPP Law
No dedicated PPP Law.

Other Applicable Sectoral Law
The Ethiopian Federal Government Procurement and Property Administration Proclamation No. 649/2009 (GPPAP Act, 2009)

PPP Unit
No dedicated PPP Unit.
PPPs are launched, implemented and governed by relevant line Ministries.

Definition (GPPAP Act, 2009)
The GPPAP defines a PPP:
«Public Private Partnership» means investment through private sector participation by a contractual arrangement between a public body and a private sector enterprise, as the concessionnaire, in which the concessionnaire:

a) Undertakes to perform or undertake any construction project or service or lease concession;

b) Assumes substantial financial, technical and operational risks in connection with the performance of a public function or use of government property; and;

c) Receives consideration for performing a public function or utilizing government property, by way of fees from any public funds, user levies collected by the concessionnaire from users or customers for a service provided by it, or a combination of such consideration.

General Principles (Art. 24 of GPPAP Act)
Principle of non-discrimination between all the candidates during the proceeding of public procurement on the basis of nationality, race or any other criterion not having to do with their qualifications.

Tendering and contracting procedures/ Choice of the private partnership (Art. 34 of GPPAP Act, 2009)
The [relevant] Minister may issue directive prescribing the rules governing the formation of Public Private Partnership and the modes of implementation of such partnership.

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Project Evaluation (Art. 34 of GPPAP Act, 2009)

The [relevant] Minister may issue directive prescribing the rules governing the formation of Public Private Partnership and the modes of implementation of such partnership (Art. 34)

Negotiation and Signature of PPP Contracts

No provision in the Law.

Rights and Obligations of the public partner

No provision in the Law.

Rights and Obligations of the private partner

No provision in the Law.

Obligations of both public and private partners

No provision in the Law.

Applicable Law/ Dispute resolution

No provision in the Law.

EXAMPLES OF PROJECTS STRUCTURED AS PPP

Energy

Daewoo Aysha 60MW Wind Farm
Corbetti 1,000 MW Geothermal Power Project
Encom 30MW Temporary power plant
Aggreko 30MW Temporary power plant

Information and Communication Technology

Ethio Telecom