

**FEDERAL DEMOCRATIC REPUBLIC OF
ETHIOPIA**

**COMBINED REPORT
(INITIAL AND FOUR PERIODIC REPORTS)
TO THE AFRICAN COMMISSION ON HUMAN
AND PEOPLES' RIGHTS**

**IMPLEMENTATION OF THE AFRICAN CHARTER
ON HUMAN AND PEOPLES' RIGHTS**

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List of Acronyms

ACHPR	African Charter on Human and People’s Rights
ACRWC	African Convention on the Rights and Welfare of the Child
ADLI	Agricultural Development Led Industrialization
ADR	Alternative Dispute Resolution Mechanisms
AMIB	African Union Mission in Burundi
ANC	Antenatal Care
ART	Anti Retroviral Treatment
AU	African Union
BCG	Bacilli Calmette Guerin
BPR	Business Process Re-Engineering
CBR network	Community Bound Rehabilitation Network
COMESA	Common Market for East and South Africa
CPU	Child Protection Units
CRC	Convention on Rights of the Child
CSA	Central Statistics Agency
CSOs	Civil Society Organizations
DAs	Development Agents
DDT	Dichlorodiphenyltrichloroethane
DPPA	Disaster Prevention and Preparedness Agency
DPT3	Diphtheria, Pertussis and Tetanus
EIAR	Ethiopian Institute of Agricultural Research
EMS	Environmental Management System
ENI	Ethiopian Nutrition Institute
EPRDF	Ethiopian People’s Revolutionary Democratic Front
FDRE	Federal Democratic Republic of Ethiopia
FTCs	Farmers Training Centers
GDP	Gross Domestic Product
GER	Gross Enrollment Rate
HEP	Health Extension Programme

HEWs	Health Extension Workers
HIV/AIDS	Human Deficiency Virus/ Acquired Immune Deficiency Syndrome
HoF	House of Federation
HPR	House of peoples' Representatives
HSDP	Health Sector Development Program
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRC	International Committee of Red Cross
IDSR	Integrated Disease Surveillance and Response
IGAD	Intergovernmental Authority on Development
ILO	International Labor Organization
IMCI	Integrated Management of Childhood Illnesses
JJPO	Juvenile Justice Project Office
JSRP	Justice System Reform Program
MDG	Millennium Development Goal
MoARD	Ministry of Agriculture and Rural Development
MoLSA	Ministry of Labour and Social Affairs
MoWR	Ministry of Water Resources
MSEs	Micro Small –scale Enterprises
NEBE	National Electoral Board of Ethiopia
NER	Net Enrollment Rate
NGOs	Non- Governmental Organizations
NISS	National Intelligence And Security Service
NLFS	National Labour Force Survey
NPEW	National Policy on Ethiopian Women
OAU	Organization for Africa Unity
OVC	Orphans and Vulnerable Children
PASDEP	Plan for Accelerated and Sustainable Development to End Poverty
PHCU	Primary Health Care Units
PLWH	People Living With HIV
PRS	Poverty Reduction Strategy
PSCAP	Public Sector Capacity Building Program

SDPRP	Sustainable Development and Poverty Reduction Programme
SNNPR	Southern Nation, Nationalities, and Peoples Region
TB	Tuberculosis
TGE	Transitional Government of Ethiopia
TVET	Technical Vocational Educational Training
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNECA	United Nation Economic Commission For Africa
UNESCO	United Nations Economic and Social Council
UNHCR	United Nations High Commissioner For Refugees
USD	United States Dollar
VCT	Voluntary Counseling and Testing
WTO	World Trade Organization

Introduction

1. Since Colonialism in Africa, the State (Ethiopia) has struggled for the liberty of all Africa as reflected in its role in the establishment of the OAU, whose principal purpose was eradication of colonialism. However, the international actions of the State were not matched by similar moves for the domestic protection of human and peoples' rights. For the most part, individual and collective rights in Ethiopia were neglected. Human rights violations were almost the norm. That is now past. For the last decade and half, the Government and the people have traveled a long way towards respect for the rule of law, human rights protection and democratization.

2. As a demonstration of this commitment to human rights protection, the State has ratified and acceded to various international and regional human rights agreements. It has also taken various legislative measures enshrining fundamental human and peoples' rights in its Constitution and other measures ensuring their actual implementation through decisions in the courts and administrative organs. One of the principal measures that have played significant roles in the improvement of human rights conditions in the country has been the State's accession to the African Charter on Human and Peoples' Rights in 1998. This Charter was made part of the law of the State and its provisions have been implemented.

3. On the basis of Article 62 of the Charter, the State understands its obligation to submit reports every two years on the implementation of the Charter's human and peoples' rights. However, without a report, ten years have passed since the Charter came into force to the State. The Government regrets the delay in presenting the reports caused by an inadequacy of resources. Now, through technical and financial assistance received from the United Nations High Commissioner for Human Rights-East Africa Regional Office, however, this constraint has been removed and the Government is able to submit these overdue reports.

4. This combined report constitutes the consolidated report of the initial and periodic reports that have been due since 2000. This report, based on the Guidelines for National Periodic Reports under the African Charter adopted in 1989 and Supplementary Guidelines issued in 1998 by the African Commission on Human and Peoples' Rights, details the various legislative and other measures taken towards the realization of the fundamental human and peoples' rights and freedoms incorporated in the Charter.

General Factual and Statistical Information

Geography

5. The Federal Democratic Republic of Ethiopia (FDRE) is a land-locked country in north east Africa, approximately between 3° and 15° north latitude and 33° and 48° east longitude. Ethiopia is one of the oldest countries in the world and the oldest independent state in Africa. Paleontological studies identify Ethiopia as one of the cradles of mankind. The country is also noted for its pioneering role in the establishment of international and regional inter-governmental organizations. Ethiopia was a member of the League of Nations and a founding member of both the United Nations and the Organization of African Unity (OAU). The headquarters of many regional organizations including the former OAU, the current African Union (AU) and the United Nations Economic Commission for Africa (UNECA) are located in the capital, Addis Ababa.

6. Geographically, the country is the seventh largest country in Africa, covering a land area of 1,133,380 sq km (437,600 sq mi) of which 0.7% is covered by water bodies. It shares international borders with Somalia and Djibouti in the east and south east, Eritrea on the north and north east, Kenya on the south, and Sudan in the west.

7. The topography of the country is largely a high plateau. Elevations range from 100m below sea level in the Dallol Depression (Kobar sink) to the mountain peaks in excess of 4,000m above sea level. The Rift Valley divides the western and the eastern highlands. Much of the country consists of high plateau and mountain ranges, which are dissected by numerous ranges, streams and rivers. Among the biggest rivers are Blue Nile, Awash, Baro, Omo, Tekkezze, Wabe Shebelle, and Genale.

Temperature

8. The climate of Ethiopia is highly influenced by altitude. It also has considerable variations of temperature conditions from cool to cool temperate (*Dega*) where average temperature ranges from freezing to 16°C, and from warm to cool climate (*Woina Dega*) where annual temperature ranges from 16°C to 20°C and from warm to hot climate (*Kolla*) where the average temperature is between 20°C to 30°C and the hot and arid climate

(*Bereha*) where the annual temperature is over 30°C. There are two distinct seasons in Ethiopia: the dry season which is from October to May and the rainy season from June to September.

History

9. Ethiopian history as an organized and independent polity dates back to the beginning of the second century with the kingdom of Axum in the northern state of *Tigrai*. After the collapse of Axum, power shifted south to *Lasta* and later to *Shoa*. In the 18th century, real power was in the hands of provincial nobles from the highlands of Ethiopia where during this period nations, nationalities and peoples of Ethiopia were administered by their own chiefs, rulers, sultans and kings as separate entities.

10. After 1880 Ethiopia was reunited under one centralized government. During 1890s, Italian colonial powers arrived at the northern part of Ethiopia. They were defeated at the battle of Adowa in 1896 but Italy retained control of northern part of Ethiopia and created its colony, Eritrea. Ethiopia never experienced any protracted period of colonialism although the country was occupied by Italians for five years from 1936-1941.

11. In the 1930s, Emperor Haile Selassie came to power and Ethiopia was under centralized autocracy. The first Constitution was adopted by Emperor Haile Selassie in 1931 which had no effect of limiting the power of the Emperor. The second Constitution was adopted in 1955 but Ethiopia still remained essentially feudal. These and other factors provided the impetus for a revolution which led to the replacement of the Imperial regime by the military junta led by Mengistu Hailemariam. During this period there was widespread unrest and civil war and the question of the right of nations and nationalities remained unanswered.

12. On May 29, 1991, the Dergue regime was ousted by the Ethiopian People's Revolutionary Democratic Front (EPRDF). The EPRDF launched the implementation of a political reform process which has transformed the military single party rule into a multiparty federal republic. In the transitional period (1991-1995) several measures were

taken to stabilize the country, to reform the economy and to establish democracy. At the outset in 1991, a Transitional Charter was also adopted which guaranteed the fundamental rights recognized in international human rights agreements. On 21st August, 1995 the Charter was replaced by the Constitution of the Federal Democratic Republic of Ethiopia that guarantees the protection of human rights, democracy and rule of law.

Demography

13. The total projected population of the country for July 2008 is estimated to be 79,221,000 persons, of whom 65,996,000 (close to 85%) are rural and 13,225,000 are urban dwellers. (Since the latest census result will be public very shortly, population figures will accordingly be adjusted in the near future.) This number makes Ethiopia the second most populous country in Africa next to Nigeria. Ethiopia is also one of the least urbanized countries in the world. The average population density is 52.2 per square km with more than 85% of the population concentrated in barely 45% of the total territory. The majority of the population live in the highland areas of the country. Among the nine regional states, Amhara, Oromia and SNNPR comprise about 80% of the total population of the country. At an annual population growth rate of 2.9 percent, Ethiopia is expected to be the tenth most populous country in the world by 2050.

14. Ethiopia is home to more than 80 ethnic groups that vary in population size from more than 18 million people to less than 100. According to the Ethiopian National Census of 1994, the Oromo are the largest ethnic group in Ethiopia (32%). The Amhara represent 30.2% while the Tigray people are 6.2 % of the population. The age structure of the population is extremely young and typical of many developing countries, with children under 15 constituting 45% of the population. The child dependency ratio is 90%. Two point eight percent of the population is composed of persons above the age of 65.

15. Female life expectancy is 57.92, roughly two years higher than the average male life expectancy. The rate of fertility is 5.4 per woman. Rural women have two and a half children more than urban women. The average household size is 4.8. Child birth and death rates stand at 36.89 and 10.75 respectively. Seventy-seven in every 1000 children

die before becoming a year old, whereas 123 children in every 1000 children die before reaching age five. Twenty percent of children between 12 to 23 are fully vaccinated. Nearly 47 % of children are stunted, 11 % wasted and 38% underweight. On average, 14% of married women use a modern method of family planning.

16. Ethiopia ranks highest among HIV/AIDS affected countries with an official estimate of more than 1.5 million people living with HIV/AIDS. A report by the Ministry of Health places the national adult prevalence rate at 4.4% (3.8% male and 5% female). Malaria is a leading public health problem in Ethiopia. Tuberculosis and acute upper respiratory tract also constitute leading causes of morbidity.

17. Ethiopia has 83 different languages with up to 200 different dialects spoken. Ethiopian languages are divided into 4 major language groups, namely Semitic, Cushitic, Omotic, and Nilo-Saharan. Semitic languages are spoken in northern, central and eastern Ethiopia (mainly in Tigray, Amhara, Harrari, and northern part of SNNPRS). The Cushitic languages are mostly spoken in central, southern and eastern Ethiopia (mainly in Afar, Oromia and Somali regions). The Omotic languages are predominantly spoken between the lakes of Southern Rift Valley and the Omo River. The Nilo-Saharan languages are largely spoken in western parts of the country along the border with Sudan (mainly in Gambella and Benishangul - Gumuz regions). Amharic is the official language of the country. Afan-Oromo, Tigrigna and Somali are among the many languages spoken in the country.

Economy

18. Ethiopia has a booming economy with an average growth rate of 11.9 % for the last four years. Ethiopia was the fastest growing non-oil economy among Sub-Saharan African nations in 2007. Agriculture accounts for almost 45 percent of the GDP, 63 percent of exports and 80 percent of the labor force. Many other economic activities depend on agriculture, including marketing, processing, and export of agricultural products. Recently, the manufacturing, construction and service sector have recorded significant expansion. The proportion of poor people in the country was estimated to be

38.7% of the total population in 2004/05. The GDP per capita of the country reached 181 USD in 2006/07. Currently, inflation rate has skyrocketed and caught the utmost attention of the Government.

Constitutional, Political and Legal Structure of the State

The Constitution of the Federal Democratic Republic of Ethiopia

19. The Constitution of the Federal Democratic Republic of Ethiopia was enacted in December 1994 by a Constitutional Assembly of Representatives, elected by the peoples. It was adopted following public debate over the pros and cons of the draft constitution throughout the country, making it the first popular constitution of the land. It entered into force in 1995.

20. The Constitution is the cornerstone for the formation of the federal democratic republic, a fundamental departure from the previous centralized form of government. The Constitution, which is the supreme law of the land, provides that all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia.

21. The Constitution has enshrined the spirit and words of the Universal Declaration of Human Rights (UDHR). It stipulates that all persons are equal before the law and are entitled to equal and effective protection of the law without discrimination on grounds of national or social origin, sex, language, religion, political or other opinion, property, birth or other status. Further, the Constitution provides that everyone has the right of thought, conscience and religion as well as inviolable and inalienable right to life, privacy, liberty and the security of person.

22. The Constitution also ensures democratic rights for every Ethiopian national without discrimination based on nationality, sex, language, religion, political opinion, or any other status. Everyone is entitled to the right to express him/her self freely. Freedom of the press is enshrined in the Constitution. In addition, every Ethiopian has the right to equal access to publicly funded social services. The right to justice in time is also guaranteed.

23. Ensuring the rights of nations, nationalities and peoples to self-determination including the right to secession, the Constitution has guaranteed a democratic condition in which national unity can be forged through the free will of the people rather than by forceful means. Each nation and nationality has also the right to speak, write and nurture its own language, to express, develop and promote its culture as well as to preserve its history.

24. According to the Constitution, state and religion are separate, and all the languages of Ethiopia have won equal state recognition. The Constitution further ensures gender equality. Women are able to own, administer and utilize as well as transfer property equally with men.

Structure of the Federal Government

25. The Federal Democratic Republic of Ethiopia has a parliamentary form of government. The Republic comprises the Federal Government and nine National Regional States established on the basis of settlement patterns, language, identity and the consent of the people concerned. The National Regional States are entitled to equal rights and powers. There are two self-governing city administrations: Addis Ababa and Dire Dawa.

26. The Federal Government and the Regional States have legislative, executive, and judicial powers. The powers of federal and regional governments are defined by the Constitution. It is incumbent upon Regional States to respect the power of the Federal Government which likewise is bound to respect the powers of regional states. All powers not given expressly to the federal government alone or concurrently to the Federal Government and the states are reserved to the states.

27. The federal arrangement, under the Constitution, has guaranteed the rights of Regional States to administer their own affairs. The Regional States have their own constitutions. They are empowered to formulate policies that are appropriate for their

respective development, to lay the foundation for economic and social infrastructures, to directly participate in sectors that are critical for their economic development and to safeguard law and order in their own areas.

The Legislative Body

28. FDRE has two Federal Houses: the House of peoples' Representatives (HPR) and the House of Federation (HOF)

House of People's Representatives (HPR)

29. The HPR is the highest authority of the Federal Government. The House has legislative powers in all matters assigned to federal jurisdiction by the Constitution. Members of the HPR are elected by the people for a term of five years. The members of the HPR, who shall not exceed 550, represent the people as a whole. In order to discharge appropriately the duties entrusted to it by the Constitution, the House has organized 12 standing committees. The committees are formed in accordance with the organizational set-up of the federal government organs. The committees enable the House to have effective legislative procedures. Since the State is a multi-party democracy, people belonging to various political parties, coalitions and independents make up representatives in the House. The working procedure of the Parliament is determined jointly by agreement of representatives belonging to all groups in HPR. In addition to the usual consultation with opposition parties in enacting legislations, there is a day in a month identified as a day for the opposition to set the agenda for HPR. This affords the opportunity for the minority in the parliament to be heard. Reports presented by the Prime Minister and other executive officials and the debates are aired live to the public.

The House of Federation (HOF)

30. The House of Federation (HOF) is composed of representatives of Nations, Nationalities and Peoples. Each Nation, Nationality and People has at least one representative in the HOF. One additional member shall represent every nation or nationality for every one million people. The state councils elect members of the HOF.

The state councils may themselves elect representatives to the HOF or hold elections to elect representatives by the people directly.

31. According to Article 62 of the FDRE Constitution, the HOF has the power, *inter alia*, to interpret the Constitution, decide on the basis of the Constitution on issues relating to the right of Nations, Nationalities and Peoples' to self-determination including secession, to promote and consolidate the unity and equality of peoples and find solution to dispute or misunderstanding that might arise between regional states. However, the HOF does not have any legislative power.

The President of the FDRE

32. The President of the FDRE is the Head of the State. The HPR nominates the candidates for presidency. The President is elected by a joint session of both Houses with the approval of a two third majority vote. The President's term of office is six years. A president can only be elected for two consecutive terms. The President's powers and functions include opening the joint session of the two Houses, appointing ambassadors and other envoys, conferring high military titles upon the recommendation of the prime Minister and granting pardon in accordance with the law.

The Executive

33. A political party or a coalition of political parties that has the greatest number of seats in the HPR forms and leads the executive. The highest executive powers of the Federal Government are vested in the Prime Minister and in the Council of Ministers that are responsible to the HPR. In the exercise of state functions, members of the Council of Ministers are collectively responsible for all decisions they make as a body.

34. The Prime Minister is elected from among members of the HPR and his/her term of office is the duration of the mandate of the HPR. The Prime Minister is the Chief Executive, the Chairman of the Council of Ministers and the Commander-in-Chief of the national armed forces. The Prime Minister follows up and ensures the implementation of laws, policies, directives and other decisions adopted by the HPR. The Prime Minister

submits nominees for ministerial posts, for posts of commissioners, the president and vice-president of the Federal Supreme Court and the Auditor General to HPR for approval. He further submits to the HPR periodic reports on the work accomplished by the Executive as well as on its plans and proposals.

35. Council of Ministers comprises the Prime Minister, the Deputy Prime Minister, Ministers and other members as may be determined by the law. The Council is accountable to the Prime Minister. In all its decisions, the Council is responsible to the HPR. The Council, *inter alia*, ensures the implementation of laws and decisions adopted by HPR, draws up the annual federal budget and implements the same when approved by the HPR, formulates the country's foreign policy and exercises overall supervision over its implementation and submits draft laws to the HPR on any matter falling within its competence. It has the power to declare a state of emergency. In doing so, it submits, within the time limit prescribed by the Constitution, the proclamation declaring a state of emergency for approval by the HPR.

The Judiciary

36. An independent judiciary is established by the Constitution. Supreme Federal judicial authority is vested in the Federal Supreme Court. Judicial powers both at the Federal and state level are vested in the Courts. Courts at all levels are free from any interference or influence of any governmental body, government official or from any other source. Judges exercise their functions in full independence and are directed solely by the law.

37. The HPR has the power to establish the Federal High Court and First-Instance Courts nation-wide or in some parts of the country as it deems necessary. Unless arranged in this manner, the jurisdiction of the Federal High Court and the First-Instance Courts are delegated to Courts of Regional States.

38. The Federal Supreme Court is the highest and final judicial power in federal matters. The Federal Supreme Court has also the power of cassation over any final court

decision from federal and regional courts containing a basic error of law. While regional courts have jurisdiction over cases arising under regional laws, federal courts have jurisdiction over cases arising under the Constitution, federal laws and international treaties.

39. No judge shall be removed from his duties before he reaches the retirement age determined by law except when the Judicial Administration Council decides to remove him for violation of disciplinary rules or on grounds of gross incompetence or inefficiency; or when a judge can no longer carry out his responsibilities on account of illness and the HPR or the concerned state council approves by a majority vote the decisions of Judicial Administration Council.

40. The judiciary is able to discharge powers independently and serves as a balancing power to the executive, by providing the "checks and balances" which are decisive for the observance of the rule of law, good governance and democratization.

Sharia Court

41. Pursuant to chapter three of the Constitution, disputes arising in relation to marriage, personal and family laws are to be adjudicated in accordance with religious or customary laws, with the consent of the parties thereof. The HPR and State Councils can establish or give official recognition to religious and customary courts. Accordingly, Sharia Courts have been established at federal and state levels

42. Federal Courts of Sharia have common jurisdiction over the following matters;
- a) Any question regarding marriage, divorce, maintenance, guardianship of minors and family relationships; provided that the marriage to which the question relates was concluded, or the parties have consented to be adjudicated in accordance with Islamic Law;
 - b) Any question regarding waqf, gift /Hiba/, succession of wills; provided that the endower or donor is a Muslim or the deceased is Muslim at the time of his death;
 - c) Any question regarding payment of costs incurred in any suit relating to the aforementioned matters.

43. The Sharia Courts have jurisdiction over the aforementioned matters only where the parties thereof have expressly consented to be adjudicated under Islamic law. Federal Courts of Sharia adjudicate cases under their jurisdiction in accordance with Islamic law. In conducting proceedings, the courts apply the civil procedure law in force. Where jurisdiction has been agreed, the law prohibits the transfer of a case brought before a Sharia Court to regular courts, or for a case before a regular court to be transferred to a Court of Sharia.

Structure of Regional State Governments

44. Each of the nine Regional States has its own constitution. Regional States are organized in state councils, zones, special woredas or woredas or municipalities and kebelles. However, the State Council of each Regional State may provide other administrative hierarchies and determine their powers and duties.

The State Council

45. The State Council is the highest organ of the state authority. It is responsible to the people of the respective Regional State. Each State Council has legislative power on matters falling under state jurisdiction. The people of respective regions elect members of Regional States Councils for a term of five years by free, direct and fair elections conducted through secret ballots. The Council has the power to draft, adopt and amend the state constitution, which must be consistent with the provisions of the FDRE Constitution.

Council of Nationalities

46. In SNNP Regional State, there are two councils, the State Council and the Council of Nationalities. The State Council has the same power and function as other state councils. What is unique to this region is the Council of Nationalities, which is a feature not found in other states. The Council of Nationalities is composed of representatives of nations, nationalities and peoples of the Regional State. Being represented by at least one

member, each nation, nationality or people is represented by one additional representative for every one million of its population.

47. The Council has the power, *inter alia*, to interpret the regional constitution; organize the council of constitutional enquiry; decide on issues relating to the region's nations, nationalities and peoples right to zone, special woreda and woreda administration according to the state constitution; create favorable condition in which history, culture, and language of nationalities are studied; study disputes between neighboring states and the question of border delimitations, submit reports to the House of Federation and follow up their implementation.

State Executive Organs

48. A political party or a coalition of political parties that has the greatest number of seats in a State Council of a Regional State forms the executive and leads it. The Executive Council is the highest administrative body of a Regional State and is accountable to the State Council. The Executive Council is composed of the Chief Executive, Deputy Chief Executive, Head of Executive Bureaus and other members determined by the law. The Chief Executive is the Chairman of the Regional State's Executive Council.

49. Executive Councils have, *inter alia*, powers and functions to: ensure the implementation of laws and decisions issued by States Councils and the Federal Government; issue directives; draw up the state budgets and when approved by the state councils, implement the same; formulate economic and social policies and strategies of states; submit draft laws to the state councils and, when approved, implement them; and declare a state of emergency.

States' Judiciary

50. Judicial power in the regions is exclusively vested in the courts. The independence of the judiciary of a Regional State is established by the FDRE Constitution and the

concerned region's constitution. Regional courts at all level are free from any interference or any influence of a governmental body, public official or any other source.

51. The judicial organ of a Regional State comprises the State Supreme Court, Zonal High Court, Woreda Courts and Kebele Social Courts. The Social Courts are the lowest and first instance courts of the regions.

52. The Regional Supreme Court has the highest and final judicial power over state matters, except regional matters that are taken to the Federal Supreme Court, cassation division, on the ground of fundamental error of law. It also exercises the jurisdiction of the Federal High Court over federal matters.

53. Regional High Courts, in addition to regional jurisdiction, exercise the jurisdiction of federal first instance courts. Decisions rendered by a Regional High Court exercising the jurisdiction of federal first instance courts are appealable to the Regional Supreme Court.

54. The State Supreme Court draws up and submits, directly to the respective regional state council, the administrative budget of the regional courts and administers the same upon approval. The State Supreme Court requests the Federal Supreme Court compensatory budget for those state courts which concurrently exercise the jurisdiction of federal courts.

Structure of Addis Ababa and Dire Dawa Cities Governments

55. Addis Ababa and Dire Dawa Cities are organized in City Council, Mayor, City Cabinet, and City Judicial Organs.

Addis Ababa and Dire Dawa City Councils

56. The residents of the cities elect members of the Councils for a term of five years. The Cities' Councils have the power to promulgate proclamations on matters such as master plan of the city and establishment of city executive organs.

Addis Ababa and Dire Dawa Cities Executive Body

57. The political party occupying the majority seats of the councils or, where such does not exist, a coalition of political parties constitutes the executive organs of the cities. The Mayor, being accountable to the respective City Council and the Federal Government, is the chief executive officer of the city.

Addis Ababa and Dire Dawa City Court

58. The City Governments of Addis Ababa and Dire Dawa have City Courts and Kebele Social Courts. Addis Ababa or Dire Dawa City Courts comprise First Instance Courts and Appellate Courts. The First Instance Court has first instance jurisdiction over matters falling under the jurisdiction of the respective city courts. The Appellate Courts entertain appeals over the decisions of the First Instance Court and other bodies entrusted with judicial power.

The Legal Framework

59. In Ethiopia, the law consists of:

- i. The Constitution of the Federal Democratic Republic of Ethiopia
- ii. Laws passed by HPR in all matters assigned to the Federal jurisdiction
- iii. International Treaties adopted by Ethiopia
- iv. Laws passed by State Councils on matters falling under state jurisdiction.
- v. All previous laws (laws promulgated before 1991) in force, which are not inconsistent with the Constitution
- vi. Regulations enacted by the Council of Ministers pursuant to the powers vested in it by HPR
- vii. Regional Regulations passed by State Administrations pursuant to powers vested in them by State Councils
- viii. Directives issued by executive organs of the Federal Government and States
- ix. The Decisions of the Cassation Division of Federal Supreme Court that contain binding interpretation of laws
- x. The final decision of HOF on constitutional interpretation, applicable on similar constitutional matters that may arise in the future.

- xi. Religious and customary laws with regard to family and personal matters where the parties consents to be adjudicated accordingly, and in so far as they do not contravene the Constitution.

Acceptance of International and Regional Human Rights Norms

60. Ethiopia is a party to several international and regional human rights treaties. (See table 32-38). The FDRE Constitution provides that all international agreements ratified by Ethiopia are an integral part of the law of the land. Accordingly international human rights treaties ratified by the Parliament form the law of the country. The parliament incorporates these instruments into national law through “ratification proclamation,” a piece of legislation by the Parliament ratifying international agreements. By such proclamation, the Parliament identifies the international instrument, which is the subject of ratification, and declares that the instrument is ratified. So under normal circumstances, international instruments ratified by the State are simply referred to and are not reproduced in the Official Gazette (*Negarit Gazette*). Reproduction in the Official Gazette of all international agreements ratified by Ethiopia is recommended. Preparation is now underway to enact a Special Official Gazette to officially publish all the major human rights instruments including the African Charter on Human and Peoples Rights.

61. Since it is the Parliament that ratifies them, the status of international agreements ranks at least as high as any legislation from the Parliament. However, the Constitution, which requires the use of international human rights instruments (namely the Universal Declaration of Human Rights, the two Covenants, the African Charter, and international instruments adopted by Ethiopia) in interpreting its human rights provisions, affords those instruments a higher status than an ordinary legislation. This means that as far as human rights and fundamental freedoms are concerned, international instruments rank higher than ordinary legislation and are instruments of interpretation for the human rights provisions of the Constitution, the supreme law of the land.

62. In practice, international rules, irrespective of their consensual or customary base and irrespective of their subject matter, are applied beyond and above ordinary legislation. The one and only limitation, which has not so far occurred, is the possibility of the contradiction with the Constitution, in which case they might not be applicable.

Part II: Measures Taken For the Implementation of the African Charter on Human and Peoples' Rights

Article 1: Recognition of the Rights, Duties and Liberties in the Charter

63. The Government of Ethiopia has taken several legislative and other measures with a view to guaranteeing the rights, freedoms and duties enshrined in the African Charter on Human and Peoples' Rights. In addition to the FDRE Constitution which guarantees the rights and freedoms provided in the major human rights instruments including the African Charter, several other laws have been issued with a view to protecting and promoting human rights enshrined in the Charter.

64. Ethiopia has also established several institutions for the protection and promotion of human rights enshrined in the African Charter. In addition to the regular government institutions which play very important role in the promotion and protection of human rights such as the courts, police, prison administration, the HoF and the Council of Constitutional Inquiry, the Ethiopian Human Rights Commission and the Institution of Ombudsperson are the major institutions specifically tasked with the responsibility of promoting and protecting human rights in the country.

65. The legislative measures taken and the institutional framework for the protection and promotion of human rights outlined in the foregoing paragraphs are discussed in detail under the subsequent paragraphs to which they relate.

Articles 2 And 3: The Right to Non-Discrimination, Equality before the Law and Equal Protection of the Law

66. The Ethiopian legal system explicitly guarantees equality before the law and equal protection of the law. The FDRE Constitution states that all persons are equal before the law and are entitled without discrimination to equal protection of the law. In this light, the FDRE Constitution stipulates that the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality or

other social origin, color, sex, language, religion, political or other opinion, property, birth or other status.

67. The constitutions of all the Regional States also guarantee equality and non-discrimination in the same way the FDRE Constitution does. Apart from incorporating provisions dealing with equality and non-discrimination, the FDRE Constitution clearly states that federal and state legislative, executive and judicial organs at all levels shall have the responsibility and duty to respect and enforce its provisions, providing for fundamental rights and freedoms including the rights to equality and non-discrimination. The exercise of this right is not subjected to any limitation and is non-derogable even in time of state of emergency.

68. Similarly, the Criminal Code of Ethiopia prohibits discrimination on the basis of individual's social conditions, race, nation, nationality, social origin, colour, sex, language, religion, political or other opinion, property, birth or other status. All actors involved in the enforcement of the Criminal Code such as the courts, prosecution and Police, have the responsibility to enforce the provisions of the Code on a non-discriminatory basis. Pursuant to the FDRE Constitution, other specific laws have incorporated provisions on equal protection and equality before the law.

69. Different institutions play important roles in combating and preventing discrimination in all its forms. Chief among these institutions are: the courts at all levels, the House of Federation, the Council of Constitutional Inquiry, the Police, the prosecutor, the Human Rights Commission, the Ombudsman and the Anticorruption Commission.

Article 4: The Right to Life, Physical and Moral Integrity

70. The FDRE Constitution guarantees every person the inviolable and inalienable right to life. Accordingly, no person may be deprived of his life except as a punishment for a serious criminal offence determined by law. This means that the Constitution has accepted the possibility of the deprivation of the right to life such as the imposition of the death penalty as long as the measure is taken in accordance with law. What the

Constitution unequivocally prohibits is any arbitrary deprivation of the right to life. Indeed, the Criminal Code allows the imposition of the death penalty but “only in cases of *grave crimes* and on *exceptionally dangerous criminals* ... as a punishment for *completed crimes* and in the *absence of extenuating circumstances*.” In addition, the offender should have attained 18 years of age at the time of the commission of the crime.

71. In all cases, execution of death penalty requires confirmation by the Head of the State, and ascertainment of its non-remission or non-commutation by pardon or amnesty. The Constitution also permits the Head of State to commute the sentence of death penalty against persons committing crimes against humanity, genocide, summary execution, forced disappearances and torture, to life imprisonment. To this effect the Board of Pardon is established by the Procedure of Pardon Proclamation No. 395/2004 to examine cases for pardon.

72. While this general legal framework explains the extreme exceptionality of the imposition of death penalty in Ethiopia, the very limited execution of this penalty in the State illustrates that capital punishment has been practically abolished. During the last 15 years, only three death penalties have actually been carried out within the State. This situation is due to the strict and numerous preconditions set for the imposition of the penalty and the extreme reluctance of courts to impose such a penalty as well as the reluctance of the government to carry out the same.

Article 5: The Right to Respect for Human Dignity and Freedom from Torture, Cruel Inhuman and Degrading Treatment/Punishment

73. Ethiopia has been a party to the International Convention against Torture since 1994 and to the International Covenant on Civil and Political Rights since 1993. The FDRE Constitution prohibits torture and cruel, inhuman, or degrading treatment or punishment, slavery, forced or compulsory labour and trafficking of human beings. Forced or compulsory labour is also considered as inhuman treatment and is prohibited. However any work or service normally required of a person who is under detention in consequence of lawful order, or of a person during conditional release from such

detention, any service exacted in lieu of compulsory military service, any service conducted in cases of emergency or calamity threatening the life or wellbeing of the community and any economic or social development activity voluntarily performed by a community within its locality, will not be considered as inhuman treatment. There is no limitation or suspension in the exercise of this right even in time of state of emergency. In addition, the Constitution provides for every one the right to protection from bodily harm, respect for human dignity, reputation and honor and guarantees the right to recognition everywhere as a person.

74. The Constitution also provides that crimes against humanity (as defined under international agreements ratified by Ethiopia and by other laws of Ethiopia) such as genocide, summary execution, forcible disappearances or torture are not barred by statute of limitation.

75. With regard to arrested and convicted persons the FDRE Constitution provides the right to be treated with respect to their human dignity. Specific laws also provide the need for humane treatment of prisoners. The Prison Administration Proclamation (Proclamation No. 365/2003) asserts prisoners have the right to be treated with conditions of respect for human dignity. The law also envisages the duty of a prison warden to respect fully the human rights and democratic rights enshrined in the Constitution and the international instruments adopted by Ethiopia, and in accordance with other relevant laws while performing his duties.

76. Police Officers have to perform their activities in accordance with the Criminal Procedural Code and other relevant laws by fully observing human and democratic rights ensured by the Constitution. In addition any act of inhuman or degrading treatment by police officials is prohibited and amounts to a breach of discipline and is punishable. These prohibitions are also found in regional laws. A police officer who commits the act of inhuman and degrading treatment will be liable under the disciplinary offences and under the Criminal Code.

77. An act of cruel, inhuman and degrading treatment or punishment is punishable under the Criminal Code, which states: "Any public servant charged with the arrest, custody, supervision, escort or interrogation of a person who is under suspicion, under arrest, summoned to appear before a Court of justice, detained or serving a sentence, who, in the performance of his duties, improperly induces or gives a promise, threatens or treats the person concerned in an improper or brutal manner, or in a manner which is incompatible with human dignity or his office, especially by the use of blows, cruelty or physical or mental torture be it to obtain a statement or a confession , or to any other similar end, or to make him give a testimony in a favorable manner" is punishable. Where the crime is committed by the order of an official, the punishment will be aggravated.

78. The Criminal Code also punishes the act of enslavement in the form of slavery, trading, trafficking or exploiting another in any manner and any manner of keeping or maintaining another in a condition of slavery in a disguised form. The Ethiopian law also requires impartial and prompt investigations when there are reasonable grounds for believing cruel, inhuman and degrading treatment or punishment has been committed.

Article 6: The Right to Liberty and Security

79. The FDRE Constitution provides for every person to have inviolable and inalienable right to liberty. The Constitution provides that no one shall be deprived of his/her liberty except on such grounds and in accordance with such procedures as are established by law. No person may be subjected to arbitrary arrest and be detained without charge or conviction.

80. The right to be released on bail is also a right guaranteed under the Constitution. However, if the offence with which the suspect is charged carries death penalty or rigorous imprisonment for fifteen years or more and if the person against whom the offence has been committed dies, right to bail is denied. In addition, an arrested person charged with a corruption offence punishable for more than 10 years may not be released on bail.

81. Unlawful detention or arrest is also a crime under the Criminal Code. Hence any public servant, who, contrary to law or in disregard of the forms and safeguards prescribed by law, arrests, detains or otherwise deprives another of his freedom, is subject to punishment. Persons arrested also have the right to file for *habeas corpus* and the right to be released.

Article 7: The Right to Fair Trial

82. The rights of accused and arrested persons set out in the Constitution and other laws of the country are fundamental aspects of the criminal justice system. The Constitution lays down the right of persons arrested to be informed promptly in a language they understand of the reason of their arrest and of any charge against them. Apart from this, they have the right to full access to any evidence presented against them, to examine witnesses testifying against them, to adduce or to have evidence produced in their own defense, and to obtain the attendance and examination of witness on their behalf before the court.

83. Accused persons also have the right to be represented by legal counsel of their choice; and if they do not have sufficient means to pay for it and if miscarriage of justice would result, to be provided with legal representation at state expense. They have also the right to request assistance for an interpreter at the state expense if they don't understand the language where the court proceedings are conducted. An attempt has also been made to provide free legal representation to individuals accused of serious crimes and do not have the resources to hire legal counsel of their choice.

84. During proceedings, accused persons have the right to be presumed innocent until proved guilty in accordance with the law. Moreover, all persons have the right of appeal to the competent court against an order or a judgment of the court, which first heard the case.

85. Persons arrested have the right to avoid self-incrimination i.e. they have the right not be compelled to make confessions or admissions which could be used in evidence against them. This means evidence obtained under coercion is inadmissible before the court of law.

86. The concept of speedy trial is also provided in the Constitution. Accused persons have the right to be brought before a court within 48 hours of their arrest. They have also the right to a public trial by an ordinary court of law within a reasonable time after having been charged. The personal nature of punishment is also manifested in the Criminal Code.

87. The principle of non-retroactivity of criminal laws is provided in the Constitution. Hence no one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence at the time when it was committed. A heavier penalty cannot be imposed on any person other than the one that was applicable at the time when the criminal offence was committed. However, if a law promulgated subsequent to the commission of the offence is advantageous to the accused or convicted person then it will be applied.

88. The principle of non retroactivity of criminal laws is directly invoked in the Criminal Code. Courts cannot treat as a crime and punish any act or omission which is not prohibited by law. They cannot also impose penalties or measures other than those prescribed by law. They cannot also create crimes by analogy.

Article 8: Freedom of Opinion, Religion and Conscience

89. The Constitution provides for freedom of religion. Thus every one has the right to freedom of thought, conscience and religion. This right includes freedom to hold or to adopt a religion or belief of one's choice and the freedom to manifest his religion or belief in worship, observance, practice and teaching either individually or commonly with others and in public or private. Any restriction to this effect is against the law unless it is prescribed by the law and is necessary to protect public safety, peace, health,

education, public morality or the fundamental rights and freedoms of others and to ensure the independence of state from religion. State and religion are separate and there shall be no state religion; besides, the state does not interfere in religious matters and vice versa. Religious influence in education is prohibited.

90. In Ethiopia there is a strong tolerance among various religions; and peoples from different religions lived in harmony for a very long time. In order to show religious tolerance and recognition, government media transmits celebrations of religious holidays giving due focus on how they exercise it with its cultural significance. Traditional religious practices are also respected. For instance, the Oromo practice of "*Erecha*", neglected in the past, is now recognized and practiced every year with wide publicity.

Article 9: The Right to Information and Freedom of Expression

91. The rights to receive information and to express and disseminate opinions are ensured in the Constitution. The Constitution provides that everyone has the right to hold opinions without interference and has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice. Freedom of the press and other mass media and freedom of artistic creativity is guaranteed in the Constitution. Freedom of the press shall specifically include the following elements: Prohibition of any form of censorship and access to information of public interest.

92. In the interest of the free flow of information, ideas and opinions which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions. Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion. These rights can be limited only through laws which are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to

protect the well-being of the youth, and the honour and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law. Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law. Freedom of the Mass Media and Access to Information Proclamation (Proclamation No. 590/2008), which ensures the rights to receive information and to express and disseminate opinions, has been issued in order to facilitate the enjoyment of this right.

93. Due to the country's history of State's monopoly of the media, government-owned media channels were the principal sources for information for the public until recently. With the government's commitment to democratization and human rights, press and media laws were issued, aiming at the free ownership of media channels. As a result, more and more private and community channels have started and presently constitute major sources of information and entertainment to the public. Most of the channels operating nation-wide use the major languages of the country such as Amharic, Afan-Oromo and Tigrigna. Foreign languages such as English and French are also used. (See Table 1 and 2)

Article 10: The Freedom of Association

94. The right to freedom of association is laid down in the Constitution. The Constitution provides that every person has the right to freedom of association for any cause or purpose. However organizations formed in violation of appropriate laws or to illegally subvert the constitutional order or which promote such activities are prohibited.

95. The Associations chapter of the Civil Code, the Associations Registration Regulations of 1966 and the Code of Conduct of Associations of 1996, among others, are the relevant legal regimes under which associations operate in Ethiopia. On the basis of these laws, the Ministry of Justice, at federal level, is empowered to register associations (which are generally classified into professional, civic, religious, development and others). Up to 22 January 2008, 3,582 associations were registered at the Ministry. Among these, 121 are civic associations which are directly involved into human rights

promotion and protection. New legislation is under consideration to improve recognition and licensing of associations (charities and societies) that are involved, among others, in promotion and protection of human rights.

Article 11: Freedom of Assembly

96. The right to assemble freely with others is enshrined in the Constitution. Everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition. The Constitution, however, allows the imposition of restriction on the manner of exercise of this right. Appropriate regulations may be made in the interest of public convenience relating to the location of open-air meetings and the route of movement of demonstrators or, for the protection of democratic rights, public morality and peace during such a meeting or demonstration. This right does not give exemption from liability under laws enacted to protect the well-being of the youth or the honour and reputation of individuals, and laws prohibiting any propaganda for war and any public expression of opinions intended to injure human dignity.

97. Restrictions permitted by the Constitution are allowed under the African Charter on Human and Peoples' Rights. A proclamation has been issued to establish the procedure for peaceful demonstration and public political meeting. The restrictions and requirements imposed by this proclamation are also concordant with the provisions of the Constitution and facilitate the enjoyment of this right without infringing other rights.

Article 12: Freedom of Movement, Right Of Asylum, and Prohibition of Mass Expulsion

98. The Constitution stipulates that any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to. Any Ethiopian national has the right to return to his country. A person may only be prohibited from departing by an order of a court given in accordance with the law.

99. The definition of refugee in Ethiopia is the same with the definition of refugee in international refugee instruments. Any person shall be considered as refugee under the law where: owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion he is outside his country of nationality and is unable or, owing to such fear, is unwilling, to avail himself of the protection of that country; not having a nationality and being outside of his former habitual residence, he is unable, or owing to a well-founded fear of being persecuted for reasons of race, religion, membership of a particular social group or political opinion, he is unwilling to return to it; or owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, he is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality, in case of refugees coming from Africa.

100. An asylum-seeker is any person who presents himself at the border or frontier claiming to be a refugee or any person is in Ethiopia and who has lodged an application with the competent authorities for recognition as a refugee and is awaiting a final decision on his application. In deciding asylum application, the NISS shall ensure that every applicant is given reasonable time to present his case; ensure the presence of a qualified interpreter during all the stages of the hearing; cause the person concerned to be notified of its decision and the reason thereof in writing; decide on every application or case referred to it within reasonable period of time; and invite the United Nations High Commissioner for Refugees to participate as an observer. Any asylum-seeker, who is aggrieved by the decision of the Security, Immigration and Refugee Affairs Authority may within thirty days of being notified of such a decision, appeal in writing to the Appeal Hearing Council.

101. The principle of *non-refoulement* is incorporated in the Ethiopian law. No person shall be refused entry to, expelled or returned from Ethiopia where as a result of this act if he may be subject to prosecution or torture on the account of his race, religion, nationality, membership of a particular social group or political opinion or his life,

physical integrity or liberty would be threatened on account of external aggression, occupation, foreign domination of events seriously disturbing public order in part or whole of the country.

102. As a rule, a refugee who is a lawful resident of Ethiopia shall not be expelled except on the ground of national security and public order. The execution of any expulsion order may, if the concerned refugee requests, be delayed for a reasonable period to enable such refugee, to seek admission to a country other than the country to which he is to be expelled. An order to expel can only be done by the head of the NISS and the concerned refugee is also allowed to present his/her case.

103. Deportation of foreigners is done in accordance with the law. The grounds for deportation are: the foreigner has no visible means of support or is likely to become a public burden or is found to be a notorious criminal or has been declared to be a drug addict or has been suspected of suffering from a dangerous contagious disease or has been a treat to the security of the state or has furnished fraudulent information or has violated the provision of the immigration proclamation and regulations. And decisions of deportation are appealable. The mass expulsion of non-nationals is prohibited. Expulsion or deportation is carried out in conformity with the law in exceptional cases discussed above.

Article 13: The Right to Participate in Public Affairs and Access to Public Property and Services

104. The right to vote, to be elected and to participate in elections on the basis of universal suffrage and to take part in the conduct of public affairs is a right for every Ethiopian national to be exercised without discrimination on the ground of colour, race, nation, nationality, sex, language, religion, political or other opinion or other status.

105. Every Nation, Nationality and People according to chapter three of the Constitution has the right to be represented in State and Federal governments which includes the right to be proportionally represented in the parliament, government offices and in the law

enforcement officials. In effect, Nations, Nationalities and Peoples are represented in the parliaments at the federal and regional level. The need for special representation is also established by the Constitution where minority Nation, Nationalities and Peoples shall have at least 20 seats in the House of Peoples Representative. The criteria of who shall fall with in this category are to be determined by the House of Federation decision.

106. The Constitution stipulates the establishment of a National Election Board. Accordingly, the National Electoral Board of Ethiopia (NEBE) has been established by Proclamation No. 111/1995. This Proclamation has been recently amended and repealed by Proclamation No. 532/2007 (The Amended Electoral Law of Ethiopia Proclamation). The Proclamation, in addition to establishing NEBE and enumerating its tasks, deals with the process and principles of elections. On this basis every election must be free, direct and based on equal participation of the people. Moreover, it has been principally declared that the secrecy of the voting process must be respected. The amended proclamation also reiterates the same principle regarding the electoral systems.

107. The NEBE handles all election matters at both Federal and State levels. As an electoral executive body of the nation, the board is entrusted with the responsibility of ensuring that all elections are held in accordance with the Constitution and the Electoral Proclamation of the country. The Board is accountable to the HPR. This, however, does not mean that the House can interfere with the work of the Board. The House has the mandate only to follow up whether the board is doing its job according to the relevant laws. To this effect the Board has a duty to submit to the House of Peoples' Representatives periodic reports on its activities. Members of the Board are appointed by the House of People's Representatives, upon nomination by the Prime Minister

108. The Board has a number of powers and responsibilities necessary for the implementation of the Proclamation. It has the duty to facilitate and ascertain that elections held periodically and at every level are conducted in a free and fair manner; investigate, cancel election results, order re-election or order injunction of the act and

bring perpetrators before the court of law, where it has received information about violation of law in the election process among others.

109. Complaints regarding elections can be raised and presented in accordance with election laws. Initially they shall be directed to the Election Board, followed by an appeal to the Federal High Court by a party dissatisfied with the Board's ruling. Although there is no organized data regarding types of complaints and their numbers, several complaints have been raised by almost all participants of previous elections: by the ruling party, opposition political parties, and independent candidates. The overwhelming majority of complaints presented in the last few elections lacked *prima facie* evidence. However, some complaints of irregularities alleged to have been caused in connection with voter and candidates' registrations or the methods and means of campaigns and in connection with the casting and counting of votes were investigated and resolved through various measures. These included the holding of a re-election in a constituency where the irregularity was found to affect the outcome of the election.

110. The law has provided that every Ethiopian above the age of eighteen is eligible to vote. The only exceptions are persons incapable of making decision due to mental disorder, serving a term of imprisonment passed by a court of law or whose electoral rights the law restricts. According to election statistics, 50 % of the population is believed to be eligible to vote. This figure represents Ethiopian citizens- citizenship is a requirement for participation under election laws and hence non-citizens are not allowed to vote - that are 18 years of age and above. Regarding persons falling under the exceptions, there is no organized data. Still it is believed that their number is small to significantly affect the percentage of eligible voters. Voter turnout in the country is among the highest by world standards. In the three successive elections carried out for both national and regional assemblies, the average voter turnout has been more than 85%. (See Tables 3 and 4)

111. For the purpose of holding elections, the territory of the country is divided into permanent constituencies that may be arranged in accordance with census results by

taking the *Woreda* (district) as a base and without affecting state boundaries. According to the electoral system, a candidate who receives more votes than other candidates within a constituency is declared a winner (simple plurality system).

112. In accordance with the Constitution, elections at the national level take place every five years. Regional States have also issued the periods of elections for their Councils seats. At State Council level, the period of election, like the Federal Parliament, is every five years. The first regular election took place in 1995 for the HPR and Regional Councils seats. Two further national and regional elections took place in 2000 and 2005. Other elections such as local elections (for instance at *Woreda* and *Kebele* levels), re-elections and by-elections took place at different times depending on circumstances and depending on the periods specified in the Constitutions of Regional States.

113. Regular elections at national and regional levels were almost all conducted as scheduled. Some delays in a few parts of the country have been necessary in conducting local elections and in exceptional cases in a few constituencies at national and regional levels due mostly to logistics. For instance, elections for 2005 in the Regional State of Somali were held on 21 August 2005, while the rest of the country voted in May. This deferral was due to logistical reasons, as the people in this region are pastoralists and mobile registration units are needed to register voters. Because this requires intensive use of the Board's resources, elections in this region could not be held at the same time as the other regions.

114. Election laws allow political parties to register at national or regional levels. Presently there are 22 political parties recognized at national level. (See Table 5) In the first two regular elections, legislative seats, especially the seats in the federal parliament, were substantially controlled by EPRDF, taking more than 85% of the seats. Nevertheless, the situation has been changing and in the last national election that took place in 2005, the share of EPRDF, the incumbent, fell to 60%, while other parties and independent candidates took the rest. The share of women in the legislature presently

stands at 21% in the HPR and 26.1% on average in Regional Councils. (See Tables 7 and 8)

115. The Constitution guarantees every citizen the right of equal access to public services. It provides that Ethiopian nationals have the right to equal access to publicly funded social services. The principle of equality in the exercise of human rights is enshrined in the Constitution. The right of every individual to access public property and services in strict equality of all persons before the law is, hence, ensured.

Article 14: The Right to Property

116. The right to property is guaranteed in the Constitution and other enabling laws. Every Ethiopian citizen has the right to the ownership of private property. Unless prescribed otherwise by law on account of public interest, this right shall include the right to acquire, to use and, in a manner compatible with the rights of other citizens, to dispose of such property by sale or bequest or transfer.

117. The right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and is not subject to sale or to other means of exchange.

118. Ethiopian peasants have right to obtain land without payment and the protection against eviction from their possession. Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands. Without prejudice to the right of Ethiopian Nations, Nationalities, and Peoples to the ownership of land, government shall ensure the right of private investors to the use of land on the basis of payment arrangements established by law.

119. Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labour or capital. This right shall include the right to alienate, to bequeath, and, where the right of use expires, to remove his property, transfer his title, or claim compensation for it. Without prejudice to the right to private property, the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property.

120. The Constitution ensures the right of women to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall also enjoy equal treatment in the inheritance of property.

Article 15: The Right to Work under Equitable and Satisfactory Conditions

121. The right to work is constitutionally guaranteed right of every Ethiopian. The Constitution provides that any Ethiopian can freely choose in which economic activity, livelihood, occupation or profession to be engaged. There can be no compulsion in the choice of employment. Any attempt to impose this would be regarded as inhuman and degrading treatment under the Constitution.

122. Equal protection of the law without any discrimination based on grounds of race, nation, nationality, or other social origin, colour, sex, language, religion, political or other opinion, property, birth or other status is a cross-sectional notion applicable to effective implementation of all rights incorporated in the Constitution. According to the economic objectives provided under the FDRE Constitution, assurance for any Ethiopian to get equal opportunities for improving economic conditions is one of the fundamental considerations in framing economic policies. Opportunities of employment cannot be denied to an individual on prohibited discriminatory grounds.

123. Legislations for effective implementation of these rights have been promulgated. The Labour Proclamation, Civil Servants Proclamation, Public Servants' Pensions Proclamation, Private Employment Agency Proclamation, and the Right to Employment

of Persons with Disability Proclamation makeup the legislations which have laid the bases for protecting the rights of workers in different economic activities and service-providing institutions. Collective agreements in so far as they do not detract from the minimal protection provided by the law for workers, are considered as valid legal instruments governing the relation between employer and employee. There are also regulations and directives that provide for the rights of civil servants.

124. Ethiopia is one of the earliest and most active members of the International Labor Organization and has ratified the ILO's Constitution. It has been a member of the organization since 1923 and ratified 21 ILO Conventions including the eight core ILO Conventions.

Policies

125. Various policies for the achievement of steady economic and social development and full productive employment have been formulated to safeguard the fundamental political and economic freedom of individuals. Prominent in this regard are rural development policies, strategies and programs, the industrial development strategy and the urban development policy.

126. The development direction Ethiopia pursues is known as Agricultural Development Led Industrialization (ADLI), a strategy that places agriculture and rural areas at its core. The policy has, among other things, the objective of ensuring fast economic growth. Currently, there is acute scarcity of capital needed for development, but Ethiopia has a hard working people as well as ample land. The policy is therefore highly focused on labour and land to ensure the realization of high employment in the agriculture sector.

127. The industrial development strategy upholds the basic principle encouraging industry to focus on labour intensiveness. The labour intensive industrial development strategy stems from the availability of an affordable and hardworking labour force in the domestic market which gives local companies comparative advantage and the opportunity

to be competitive. The Strategy is a way to achieve full employment by consuming the unemployed in larger amount.

128. An urban development policy has also been formulated, among other things, to help build accelerated economic opportunities to create jobs. The policy is addressing unemployment problems in urban areas through different schemes, the most important of which are loan schemes for individuals organized to encourage small and micro enterprises.

129. A National Strategy for implementation of the above and other developmental policies has been formulated. These poverty reduction strategies include the recently expired Sustainable Development and Poverty Reduction Programme (SDPRP) and its successor Plan for Accelerated and Sustained Development to End Poverty (PASDEP). One of eight pillars of PASDEP is creating employment opportunities.

Employment profile

Employment to Population Ratio

130. Employment to Population Ratio is calculated as a percentage of total employment to that of the total working age population. According to the data in Table 20, the employment to population ratio for the country is reported to be 76.7%. This means about 77.0 % of the total population of the country aged 10 years and above were working during the reference period. The employment to population ratio (male) is 84.7%, which is substantially higher than the ratio for females (69%).

131. The proportion employed in rural areas (82 %) is substantially higher than urban areas (50.2 %). The illiterate had higher working population (81.4 %) as compared to literate population (68.7 %).

132. In the 2005, NLFS the highest employment to population ratio was observed for Amhara and SNNP regions, (80.5 and 79.8 %), respectively. The lowest employment to population ratio was recorded for Harari Region (38.1 %).

Table I Table I Employment to Population Ratio

Background Variables	Total Population			Total Employed Population			Employment to Population Ratio		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Country	41,018,088	19,908,690	21,109,398	31,435,108	16,860,264	14,574,844	76.6	84.7	69.0
Urban	6,867,045	3,185,720	3,681,325	3,446,092	1,838,313	1,607,779	50.2	57.7	43.7
Rural	34,151,043	16,722,970	17,428,073	27,989,016	15,021,951	12,967,065	82.0	89.8	74.4
Literacy Status									
Literate	15,477,691	9,816,315	5,661,376	10,638,271	7,615,191	3,023,080	68.7	77.6	53.4
Illiterate	25,540,397	10,092,375	15,448,022	20,796,836	9,245,072	11,551,764	81.4	91.6	74.8
Regions									
Tigray	2,682,727	1,261,203	1,421,524	1,963,356	1,011,124	952,232	73.2	80.2	67.0
Affar	143,432	72,309	71,123	93,064	56,364	36,700	64.9	77.9	51.6
Amhara	10,917,015	5,368,956	5,548,059	8,791,120	4,752,810	4,038,310	80.5	88.5	72.8
Oromia	15,999,486	7,872,142	8,127,344	12,396,534	6,724,541	5,671,993	77.5	85.4	69.8
Somali	391,667	192,265	199,402	257,198	146,581	110,617	65.7	76.2	55.5
Benishangul - Gumuz	462,675	221,003	241,672	345,214	181,905	163,309	74.6	82.3	67.6
SNNP	8,265,977	3,928,745	4,337,232	6,597,567	3,434,222	3,163,345	79.8	87.4	72.9
Gambella	18,878	9,279	9,599	7,196	4,147	3,049	38.1	44.7	31.8
Harrari	110,767	53,014	57,753	63,845	35,361	28,484	57.6	66.7	49.3
Addis Ababa City Admin.	1,800,669	822,427	978,242	799,562	448,258	351,304	44.4	54.5	35.9
Dire Dawa Adm. Council	224,796	107,348	117,448	120,453	64,951	55,502	53.6	60.5	47.3

SOURCE: Report on the 2005 National Labour Force Survey, CSA May 2006.

Unemployment Rate

133. The survey result reveals that in March 2005 there were 1,653,685 unemployed persons, out of whom males were 427,915 and females were 1,225,770. The rate of unemployment in the current status approach for urban areas of the country is 20.6 %. Unemployment rate for rural areas is only 2.6 %. Unemployment rate for the male and

female are 13.7% and 27.2 %, respectively, indicating unemployment is significantly greater for females than males.

134. The results show that the unemployment rate is highest in Addis Ababa City Administration (31.2%) followed by Gambella Region (25.6 %) and Dire Dawa Administrative Council (23.9 %). The lowest unemployment figures are found in the SNNP, Amhara and Oromia regions. The highest discrepancy between female unemployment rate (22.8 and 18.0 percentage point) are observed in Gambella and Dire Dawa Administrative Council.

135. In the 1994 Population and Housing Census, the urban unemployment rate was 22%; it has increased to 26.4% by 1999 (CSA, 1997, 2000). The unemployment rate as registered in the Urban Biannual Employment and Unemployment surveys of October 2003 and April 2004 were 26.2 % and 22.9%, respectively. In the March 2005 NLFS (National Labour Force Survey, 2005), the rate declined to 20.6 %, either due to the creation of jobs or to a shift from unemployment to inactive status.

Table II Unemployment Rate

Variables	Total Unemployed Population			Unemployment Rate		
	Total	Male	Female	Total	Male	Female
National	1,653,685	427,915	1,225,770	5.0	2.5	7.8
Urban	894,177	292,709	601,468	20.6	13.7	27.2
Rural	759,508	135,206	624,302	2.6	0.9	4.6
Regions						
Tigray	110,711	34,220	76,491	5.3	3.3	7.4
Afar	12,003	3,104	8,899	11.4	5.2	19.5
Amhara	293,367	71,496	221,871	3.2	1.5	5.2
Oromia	533,502	114,889	418,613	4.1	1.7	6.9
Somalia	32,080	11,128	20,952	11.1	7.1	15.9
Benishangul Gumuz	15,734	4,135	11,599	4.4	2.2	6.6
S.N.N.P	241,031	42,933	198,098	3.5	1.2	5.9
Gambella	2,480	688	1,792	25.6	14.2	37.0
Harari	12,899	4,021	8,878	16.8	10.2	23.8
Addis Ababa City Admi.	361,964	130,021	231,736	31.2	22.5	39.8
Dire Dawa Council	37,915	11,073	26,842	23.9	14.6	32.8

Source: Report on the 2005 National Labor Force Survey, CSA May 2006.

Progress and challenges

136. About 85% of the population in Ethiopia is engaged in agricultural activity, the main source of employment. But recent developments have shown that the prospects for employment generation in other sectors are promising and many new jobs have been created. There is a conducive investment environment as well as appropriate policy and strategies designed by the Government. There is a focus on strengthening Micro Small-scale Enterprises (MSEs) as a source for creating employment generation for those not engaged in the agricultural sector. In 2005/06, a total of up to 124,711 new employment opportunities were created in different sectors. Many of these were in the areas of textile and garment production, metal and woodwork, food processing, construction, municipality services and low cost housing. This has greatly contributed towards reducing the unemployment rate in Addis Ababa and other urban areas.

137. To address the unemployment problem and assist in job creation, in 2004/05, credits worth 109.4 million Birr were given to loan applicants; of these, 39.6% was accounted for by the construction sub-sector.

138. Nevertheless, underemployment and unemployment in Ethiopia, especially in urban areas and among the youth, remain serious challenges. In 2004/05 the working age population (labour force) made up 54 % of the population. It is growing by about 1.2 million people per year. The pressure on the labor market comes directly from the supply of labour, which in turn is induced by the growth rate of the population.

Right to Just and Favorable Conditions of Work

Remuneration

139. The right to fair remuneration is a relative notion. It takes into consideration the economic strength of the government as well as the private sector which ultimately determines the economic viability of a nation. The remuneration for civil servants is determined based on studies conducted by the Civil Service Agency which tries to accommodate the needed amount of income to live sufficiently, and resource constraints of the government.

140. The labour law provides that wages should be determined by the contract of employment. The wage may be either fixed by the employer in accordance with the organization's scale or as a result of negotiation between employer and employee. It may also be the result of collective bargaining. The scale provided by the government seems to be *de facto* minimum on which the private sector bases its wage scale.

Remuneration other than wages

141. Workers can also receive other payments in addition to standard wages. The labour law allows for these payments to include over-time pay, amounts received by way of per-diem, hardship allowance, transport allowance, transfer expenses, and allowances payable to workers on the occasion of travel or change of his residence, bonuses, commissions, other incentives paid for additional work results, and service charges received from customers. The civil service law also provides for different allowances to be paid to workers.

Equal pay for equal work

142. The civil service law provides that all positions of equal value deserves an equal base salary. The labour law also follows this principle. Women workers have a constitutional guarantee of equal pay for equal work. The Constitution further stipulates that working conditions for women may not be inferior to conditions of work for men.

Safe and healthy working conditions

143. Ensuring a safe and healthy working environment has been given due attention by the government. The health policy provides that the safety of working conditions and the health of workers are areas of concern and attention. Equally the labour law and civil service law has provisions for ensuring occupational safety and health. The preventive measures required from the employer are enumerated together with the employee's obligations. Employer's liability for occupational injury (either occupational accident or occupational disease), irrespective of fault, has been established.

144. The HIV/AIDS policy stated that PLWH should not suffer discrimination based on their health status in obtaining jobs. Any request for an HIV test before employment is legally unacceptable.

145. In June 2006, about 96 public enterprises and government institutions, 89 private organizations, and 28 non governmental organizations (a total of 213 institutions) formulated directives on HIV/AIDS prevention and control in the work place and designed a programme for its implementation. MoLSA has prepared National Work Place HIV/AIDS Prevention and Controlling Guidelines which enables organizations to prevent HIV/AIDS in combination with their daily business.

146. Ethiopia has ratified the Convention on Occupational Health and Safety No. 155/1981. A national occupational health, safety and working environment protection policy is being drawn up and will be issued for effective implementation of the Convention.

147. Each organization shall establish an occupational health and safety bilateral committee consisting of at least 10 workers. MoLSA has issued detailed directives for the operation of such committees and for their smooth working. These have been sent to all stakeholders. The core element of the directive is vesting the task of prevention and control of occupational injury and disease to the organization on a permanent basis.

148. A directive on occupational health, safety and working environment protection has been issued following a series of consultations among stakeholders. In addition, directives determining the working conditions for young and women workers have been issued.

149. Tripartite consultations among employers, employees and government on labour administration and occupational health, safety and working environment protection are gaining momentum. These are pivotal to ensure smooth industrial relations and productivity.

150. With financial assistance from ILO, a country profile of occupational safety and health has been prepared. The Ministry, through its supervisory services, undertakes control, training and advisory activities.

Equal opportunity for promotion

151. Any civil servant is eligible to compete for promotion. However, preference, as part of an affirmative action package, is given to female candidates, candidates with disabilities and members of nationalities comparatively less represented in government office provided they have equal or close scores to those other candidates.

Factors and difficulties

152. The biggest challenge to promotion of civil servants according to the law is corrupt practices within government institutions. The promotion of civil servants for reasons of loyalty or blood relation to some 'key person' in those institutions is not uncommon practice.

Weekly Rest, leisure, limitation of working hours, and holiday with pay

153. Constitutionally, workers have the right to reasonable working hours, to rest, to leisure, to periodic leave with pay, and to remuneration for public holidays.

154. A worker is entitled to a weekly rest period consisting of not less than twenty four non-interrupted hours in the course of each period of seven days. Unless otherwise determined by a collective agreement, the weekly rest period, whenever possible, falls on Sunday and is given simultaneously to all the workers of the undertaking.

155. Where the nature of the work or the service performed by the employer is such that the weekly rest cannot fall on a Sunday, another day may be made a weekly rest as a substitute. A worker may be required to work on any weekly rest day only where it is necessary to avoid serious interference with the ordinary working of the undertaking in the case of accident (actual or threatened), *force majeure* or urgent work to be done. In such cases, a worker is entitled to overtime payment and a compensatory rest period

(which shall be replaced with money if a worker's contract of employment is terminated before he is granted the compensatory rest period).

156. In same token, any civil servant is entitled to a weekly rest day. A civil servant ordered to work on a weekly rest day due to compelling circumstances is entitled to overtime payment and compensatory leave during working days of the next week.

157. Under the labour law, normal hours of work may not exceed eight hours (8) a day or forty-eight (48) hours a week. Regular working hours of civil servants is determined on the basis of the conditions of their work and does not exceed 39 hours a week.

158. Work done in excess of the normal daily hours of work fixed in accordance with the provisions of the labour law is considered to be 'overtime'. A worker may not be compelled to work overtime. However, overtime may be permissible whenever the employer cannot be expected to resort to other measures but only where there is an accident (actual or threatened), force majeure, urgent work or substitution of absent workers assigned to work that runs continuously without interruption. In addition to his normal wage, a worker who works overtime is entitled to overtime payments calculated at different rates depending on whether the work is done in day time, night time, weekly rest day or on a public holiday. Any civil servant who has worked overtime is entitled to compensatory leave or overtime pay based on his preference.

159. Public holidays provided by law, which may be religious holidays or other national holidays, are paid holidays. There are eleven public holidays provided by law, six of which are religious holidays for either Christians or Muslims, three victory holidays, one new year holiday and one workers day (on May 2).

Remuneration for public holidays

160. In labour law, a worker who is paid on a monthly basis shall incur no reduction in his wages on account of having not worked on a public holiday. A worker shall be paid his hourly wages multiplied by two for each hour of work on a public holiday. Any civil

servant ordered to work on a public holiday, due to compelling circumstances, shall be entitled to overtime pay or compensatory leave based on his preference.

Trade Union Rights

161. The right to form and join trade unions is constitutionally guaranteed for factory and service workers, farm laborers, other rural workers and for government employees whose work compatibility allows it and who are below a certain level of responsibility. The labour law affirming this right provides the procedures for exercising the right.

162. A trade union may be established in an undertaking where the number of workers is ten or more provided that the number of members of the union shall not be less than ten. Workers who work in undertakings which have less than ten workers may form a general trade union, provided, however, that the number of the members of the union shall not be less than ten.

163. No worker may belong to more than one trade union at any given time in the same employment. Where this provision is not observed, the latest membership shall cancel any previous membership; where the formalities of membership were simultaneous, they shall be without effect.

164. Trade unions may jointly form federations and federations may jointly form confederations. No trade union may form a confederation without forming federations. Any federation or confederation of trade unions may join international organizations of trade unions.

165. The Constitution provides that factory and service workers, farm laborers, other rural workers and government employees whose work compatibility allows for it and who are below a certain level of responsibility have the right to express grievances, including the right to strike. The conditions to be fulfilled for exercising the right to strike including giving advance notice to employers and concerned government offices, exhausting conciliatory efforts and securing 2/3 of the support of the members of trade unions, are itemized under the labour law.

166. There are situations where exercising the right to strike is prohibited. These include a situation when the disputed matter is pending before Labor Relations Board or a court. In the exercise of the right to strike, criminal actions such as violence are prohibited. The right to strike does not extend to members of the armed forces, the police or the administration of the State.

Article 16: The Right to Enjoy the Best Attainable State of Physical and Mental Health

167. The Constitution imposes an obligation on the state to allocate ever-increasing resources to provide for public health services under the provision enumerating the economic, social and cultural rights of the people. Further, under the social objectives stated in the Constitution, the Government has the obligation to frame policies with a view to providing all Ethiopians with access to public health facilities to the extent the country's resources permit.

168. The Government gives priority to the right to health and to the commitment to attain the goals set in the health sector by the formulation of policies and strategies as well as establishing mechanisms necessary for their implementation. The Health Policy of the Transitional Government adopted in September 1993 was the result of a critical examination of the nature, magnitude and root causes of the prevailing and newly emerging health problems in the country.

169. The policy accords appropriate emphasis to the needs of the less privileged rural population which constitute the overwhelming majority of the population and the major productive force of the nation. It sets out realistic goals and the means for their attainment based on the fundamental principles that health, constituting physical, mental and social well being, is a prerequisite for the enjoyment of life and optimum productivity.

170. Believing that health policy cannot be considered in isolation from policies addressing population dynamics, food availability, acceptable living conditions and other

requisites essential for health, the government aspires to develop an effective interrelation of these factors for a policy of comprehensive betterment of life.

In general this policy incorporates, among others, the following basic components: -

- Development of a preventive health system and promotion of the components of health care;
- Development of an equitable and acceptable standard of health service system accessible to all segments of the population within the limits of resources;
- Assurance of accessibility of health care for all segments of the population; and
- Provision of health care for the population on a scheme of payment according to ability with special assistance mechanisms for those who cannot afford to pay.

171. The policy emphasizes control of communicable diseases, epidemics and diseases related to malnutrition and poor living conditions; the promotion of occupational health and safety; rehabilitation of health infrastructure and the development of an appropriate health service management system. In the course of implementing the policy special attention is given to the health needs of the family, particularly women and children, to those at the forefront of productivity and to the victims of man-made and natural disasters.

The Public Health Proclamation

172. Each Regional State has issued health service delivery, administration and management proclamations to provide standardized health services to the people and to strengthen the quality of service and capacity of health institutions. The proclamations contain a principle of medical service rendition which stipulates that the government health institutions shall render service upon payment; but no person shall be denied of medical service in public health institutions due to incapacity to pay the fees. Any person who produces fee waiver certificate issued by the relevant organ is entitled to medical services free of charge.

173. The proclamation imposes responsibility on all health institutions, public or private, of providing emergency health services without requesting advance payment.

Moreover, the proclamation enumerates services the public can use for free or which are exempted from payment of fee. These include:

- Family planning service in primary health care units
- Prenatal, delivery and post natal services in primary health care services in primary health care units
- Immunization of mothers and children against six childhood illnesses
- Diagnosis, treatment and follow-up of tuberculosis
- Voluntary counseling and testing for HIV/AIDS and prevention of HIV/AIDS transmission from mother to child
- Leprosy management
- Epidemic follow up and control
- Fistula management

Accordingly every citizen gets these services free of charge.

Other Plans, Programmes and Strategies Related to the Health Sector

174. In addition to the above, the legal framework for the right to health is laid out in international instruments that the country has endorsed over the years. These instruments include the IC on E Social and Cultural Rights, ACHPR and the Millennium Declaration. The government has framed policies and programmes in compliance with its obligations under these international instruments.

175. The plan for Accelerated and Sustained Development to End Poverty (PASDEP) is a legal document defining the national development plan and is a strategic framework guiding the development policies of the country for the five-year period, 2005/06-2009/10. It carries forward important strategic directions pursued under the Sustainable Development and Poverty Reduction Program (SDPRP) in place before the adoption of PASDEP.

176. Under the PASDEP, the Government focuses on accelerated expansion of primary health care with the goal of ensuring access to basic health care for all rural people. It also continues carrying out programs under the Health Sector Development Program

(HSDP) I and II. HSDP started six years and now extends into HSDP III, with a clear focus on poverty-related health conditions – communicable diseases such as HIV/AIDS, tuberculosis, malaria and diarrhea, and health problems that affect mothers and children.

Measures Taken to Reduce Infant Mortality

177. Reducing child mortality is one of the goals under the MDG. Accordingly, the country is exerting considerable efforts to meet the objective of reducing under-five and infant mortality rate by increasing immunization coverage and expanding health care facilities. In addition, the national policy framework that guides programming in the health sector includes the National Child Surviving Strategy with the overall objective of reducing under-five mortality to 67/1,000 by 2015 to achieve the Millennium Development Goals. The strategy addresses the major causes of child mortality that account for 90% of under-five deaths i.e. pneumonia, neonatal conditions, malaria, diarrhea, measles, malnutrition and HIV/AIDS.

Measures Taken for the Healthy Development of Children

Immunization

178. Immunization of children against six childhood illnesses is provided free of charge in public health institutions. Improving child health is one of the priorities of HSDP III, which has its own explicit target for the reduction of under five mortality rate from 123 to 85 per 1000 live births and infant mortality rate from 77 to 45 per 1000 live births. One of the indicators used to monitor progress towards these targets is coverage of immunization.

179. Child immunization is one of the most cost effective public health interventions for reducing child morbidity and mortality. The goal of immunization programs is to reduce the incidence of vaccine-preventable diseases in children through high coverage of immunization with potent vaccines. The target set for the year 2006/2007 was to increase DPT3 coverage from 70% to 80% by vaccinating 2.5 million children. In order to achieve this target pentavalent vaccine, to vaccinate 2.3 million children was distributed to the Regional States. In addition, 4.8 million doses of polio vaccine and 6.9 million doses of

measles vaccines were delivered. The procurement of 1.7 million doses of measles and BCG vaccine for 3 million children is currently underway.

The Integrated Management of Childhood Illnesses (IMCI)

180. IMCI is a strategy adopted by Ethiopia to improve the quality of the management of childhood illnesses. In the Ethiopian fiscal year 1999 (2006/2007), it was planned to expand IMCI to 96 health centers. The reported achievement was 83 (87%) health centers. As part of this activity, training was given to 322 health professionals to provide IMCI services to 1.5 million children under five years of age. In order to ensure the sustainability of the program through integrating the training of pre-service training, 46 teachers from higher institutes attended the IMCI case management training. In addition to this, 45 sets of audiovisual materials and teaching aids were distributed to 13 teaching institutions.

Environmental and Industrial Hygiene

181. The development of environmental health is one of the priority areas of the health policy. The policy calls for the development of safe disposal of human, household, agricultural, and industrial waste, and encouragement of recycling in order to prevent pollution. Prevention of environmental pollution with hazardous chemical wastes is one of the activities addressed in this policy.

182. One of the major components of the 1995 Health Sector Strategy for strengthening the prevention and the promotion of health services is environmental health and safety. Accordingly, agricultural schemes and industries are expected to have a strong health prevention and promotion program, by seeking appropriate health advice from inception and incorporating it into, projects relevant to such activities. The government has prepared standards and legislation in order to assist the community, planners, builders, agricultural schemes and industries on the safe disposal of waste and minimizing environmental pollution.

183. Major achievements in this area so far include the establishment of environmental agencies or the assignment of environmental responsibilities to existing agencies in all regional states. Several proclamations, strategies, standards and guidelines have been prepared. Various environmental awareness activities have been undertaken at the federal and regional levels and environmental audit has been conducted in 36 industrial enterprises, 11 of which have subsequently prepared their respective Environmental Management System (EMS).

184. An Environment and Social Management Framework for the Productive Safety-net Program has been prepared and 81 drought-prone *woredas* are implementing the Sustainable Dry Land Management Program to reverse land degradation and prevent desertification. Action plans for the enforcement of the Montreal Protocol on the Protection of the Ozone Layer, the Convention on Biological Diversity and the Convention to Combat Desertification have been prepared and are being implemented.

185. The preparations of waste management and pollution reduction to provide for healthy life and ecological integrity have been undertaken. National economic development programs and national environmental regulatory systems have been harmonized in order to optimize the initiatives of the government to reduce air pollution and degradation of resources.

186. One of the organs established by the government is the Environmental Protection Authority. The objective of the Authority is to formulate policies, strategies, laws and standards, which foster social and economic development in a manner that enhance the welfare of humans and the safety of the environment, and to spearhead ensuring the effectiveness of implementation. The authority, in collaboration with the Ministry of Economic Development and Cooperation, framed and adopted the Environmental Policy. Prevention of the pollution of land, air and water in the most cost effective way is one of the objectives of the policy. The policy contains detailed plans related to minimizing pollution and the establishment of a system for monitoring compliance with pollution control standards.

Prevention, Treatment and Control of Epidemic, Endemic and Other Diseases

187. The control of communicable diseases, epidemics and the promotion of occupational health and safety are matters duly emphasized by the health policy. In addition, the health sector strategy aims to focus on prevention of common infectious and communicable diseases and the control of outbreaks of major epidemics by enhancing information, education and communication about health and well being, through provision of basic immunizations and promotion of environmental and personal hygiene. This approach was chosen because most of the epidemic diseases occur in populated areas such as irrigated agricultural schemes. This indicates potentially preventable and it is cost effective to spend the limited resources on preventive and promotional action. Moreover the prevention, treatment and control of epidemics, endemic and all other types of disease, are the priority of the current HSDP, which the government is implementing.

Prevention and Control of Communicable Diseases

Prevention and Control of HIV/AIDS

188. HIV/AIDS is a major health and development challenge for Ethiopia, not only because of its direct effects, but also because it places extra strain on health services. The Government of Ethiopia recognizes this and is committed to confronting and overcoming this challenge. Pursuant to this objective, it has put into effect a Multi-Sectoral HIV/AIDS Plan, key elements of which include expansion of service delivery facilities and introduction of prevention programs along with a Social Mobilization Strategy against HIV/AIDS, and a clear policy for supplying Anti Retroviral Treatment (ART) to AIDS cases.

189. Furthermore, the Government launched the National HIV/AIDS Forum to deal with coordination issues. Similar structures have been formed in the regional states, down to the *kebele* (the lowest administrative unit) level. In addition, at the federal level, 15 government institutions have established HIV/AIDS revolving funds. There is evidence that the plan is beginning to bear fruit. Trend analysis of HIV/AIDS prevalence rates show that the urban epidemic appears to have leveled off in recent years. The rural

epidemic is still increasing but with a reduced rate of progression, resulting in a slowly growing overall prevalence.

190. The original SDPRP target was to keep the prevalence rate at 7.3% (2001/02); by 2005/06, the rate had decreased to 3.5%. The prevalence rate between the ages of 15 and 24 declined to 8.6% in 2004/05 from 12% at the beginning of the SDPRP period. Owing to the expansion in the number of health centers, the rate of HIV-positive pregnant women from Antenatal Care (ANC) receiving complete course of ART has reached 42% significantly better than the planned target of 15% by the end of the SDPRP period. About 35,000 orphans and vulnerable children (OVC) had received support by the end of 2004/05.

191. With respect to the provision of ART, 45,595 patients received treatment in 2005/06. Successes have been attributed to the provision of treatment at no cost to 94% of patients. The encouraging results with respect to stemming and reversing the spread of HIV/AIDS are due to Voluntary Counseling and Testing (VCT) before marriage, reducing early marriage, avoiding harmful traditional practices, provision of support to HIV/AIDS orphans and vulnerable children and community mobilization for HIV/AIDS prevention AIDS and support for people with the disease.

192. Additional explanations for the success include new programs to control mother-to-child transmission, improve blood safety, and the control and the treatment of sexually transmitted diseases as well as the adoption of rules to protect those who are infected or living with AIDS and efforts to stamp out the stigma. However, HIV/AIDS remains of particular concern with serious social and economic consequences.

193. The observed positive results are vulnerable to reversal given that about 85% of the population lives in rural areas where the epidemic is still on the increase. Increasing people's participation in awareness-creating activities. The high turnover of medical staff, and the imbalance between services demanded and service delivery capacity, continue to be major challenges in this cross cutting area. Hence, the government believes that it is

very important to scale up efforts significantly to contain the spread of the epidemic on a national scale.

Malaria Prevention and Control

194. The malaria prevention and control program in Ethiopia is guided by a five year strategic plan that has been developed in the context of the Health Sector Development Plan (HSDP) and in line with the objectives of the international movement of Roll Back Malaria. Malaria prevention and control is an integral part of the PASDEP and feeds into the MDG s. The first five year strategic plan covering periods from 2001-2005 has been successfully completed and the second five year plan covering periods 2006-2010 is now in the implementation phase. Moreover, the government has adopted a Special Malaria Programme, encompassing spraying houses, distributing bed nets, and involving communities in prevention and control of malaria, and providing early diagnosis and treatment mechanisms.

195. The three implementation approaches for the prevention and control of malaria under the HSDP, consist of:

- i. Selective vector controlling including the use of long lasting insecticide treated nets, indoor residual spraying with insecticides (DDT) and environmental management.
- ii. Early diagnosis and treatment of cases.
- iii. Epidemic prevention and control.

196. Environmental control and protection activities were implemented by the health extension workers through community mobilization who have been provided with the necessary in-service training to build their capacity to undertake this task. The other approach in the prevention and control of malaria is the use of Insecticide Treated Nets, and more than 5.8 million of those were distributed in 2005/06.

Tuberculosis and Leprosy Prevention and Control

197. With the aim of strengthening the prevention and control of TB and leprosy, the government has launched a TB and Leprosy Control Programme, to diagnose TB and leprosy patients at the early stages of the diseases, and achieve a success rate of 85% in treating new cases. Under the HESDP III, drugs estimated to be sufficient to provide treatment for 130,000 patients have been purchased and distributed in 2006/07 alone.

198. Information, education and communication materials have been developed for the Health Extension Program in the pastoral regions of the country. A task force with Training of Trainers to design a five-year social mobilization strategy for the prevention and control of TB has been established. Moreover, regular media spots in different languages have been aired to raise public awareness on how to prevent and control these health problems. The diagnosis, treatment and follow up of tuberculosis and leprosy management are among the health services rendered free of charge under the public health proclamation.

Epidemic Prevention and Control

199. The Ministry of Health has been addressing health emergency issues through the Integrated Disease Surveillance and Response (IDSR) team. An Emergency Operation Center was established in order to specifically deal with the international threat of Avian Human Influenza and other emergency situations. Moreover reduction of the occurrence of Epidemics has been identified as one of the selected seven core processes for Business Process Re-Engineering (BPR). Epidemic follow up and control is one of the health services given free of fee in public health institutions. Moreover in order to put epidemic outbreaks under control, the government uses different approaches including the following:

- Raise public awareness through various channels of communication
- Ensure sustainable availability of drugs and medical supplies
- Provide technical assistance
- Enhance surveillance and preventive activities
- Plan for epidemic prevention and control

200. In addition the government has established Health Emergency Preparedness and Response Units in different areas and developed an Epidemic Preparedness and Response Action Plan. The government program also includes mobilization of resources and the strengthening of an information communication system in order to achieve its plan regarding controlling epidemics.

Prevention and Control of Non-Communicable Diseases

201. In order to decrease the occurrence of non-communicable diseases such as diabetes, hypertension, all forms of malignancies, etc., a task force consisting of representatives from Addis Ababa University, responsible governmental and non-governmental organizations, and individual experts has been established. The task force is designing strategies on ways and means of protecting the community from predisposition to risk factors and on improvements in the treatment and care of sick individuals.

202. Similarly, to minimize health problems associated with accidents, a task force comprising members of governmental and non-governmental organizations, Addis Ababa University and individual experts has been set up. This task force is now working on the designing of strategies to help assess the severity and prevalence of the problem.

Health Care for Neglected Segments of the Society

203. The health policy requires special attention to be given to the health needs of the most neglected regions and segments of the population. These include a majority of the rural population, pastoralists, the urban poor and national minorities. Currently the government, under PASDEP, has been working towards extending primary health care and preventative services to those who have not had access to such services in the past. One of the goals of the health policy is to cover all rural *kebeles* by the Health Sector Extension Program with a view to achieving universal primary health care coverage.

204. The Accelerated Expansion of Primary Health Care Coverage program developed by the government proposes a faster rate of establishment of primary health care facilities for the successful implementation of Health Sector Extension Program. The program

aims to provide one low-level health facility within 10 km for almost all the population by 2010. Accordingly, 12,249 health posts and 563 health stations will be constructed; 2,167 clinics will be upgraded to the level of health stations. These facilities will be fully staffed and equipped in order to support the provision of preventive and promotive health service. This program will enable all section of the population to get adequate medical attention.

Health Care System and Financing Mechanism

205. The primary responsibility for the provision of health care services has traditionally rested with the public sector, and it has been estimated that nearly two thirds of all health care services are provided through government-owned facilities. However, in recent years the role of the private sector has been growing. Today, facilities managed by non-governmental organizations, private for-profit clinics, traditional practitioners and rural drug vendors together make up about one third of all health services provision. The main objective of public sector service provision, as stated in the National Health Policy, is “to give comprehensive and integrated primary health care services in a decentralized and equitable fashion”. This is built on the concept of devolution of power to regional and *woreda* level administration, as well as on meaningful participation of the population in local development.

206. To ensure the delivery of primary health services throughout the country, the health care delivery system has been reorganized from a six- to a four-tiered system. This system includes: (i) primary health care units (PHCU) comprising health centers and five satellite health posts designed to serve 25,000 people, (ii) district hospitals that give comprehensive care and training to catchments populations of 250,000 people, (iii) zonal hospitals providing services in the four basic specialties to 1,000,000 people and clinical training for nurses, and (iv) specialized hospitals that provide sub specialist care and clinical training.

207. Following recent assessments that identified systemic shortcomings hampering the delivery of health services, the government is reinforcing the Health Sector Development

Program (HSDP) with strong community-based components centered on the Health Extension Programme (HEP). The HEP will make essential health care universally available through a package of preventive, promotive, minimum curative and rehabilitation services provided by Health Extension Workers (HEWs). Frequently described as a “Flagship Program”, the HEP includes four major components: i) Family Health ii) Disease Prevention and Control iii) Personal Hygiene and Environmental Health, and iv) Health Education and First Aid.

208. Cognizant of the fact that among the major reasons for the poor state of health service previously prevalent in the country are under-funding, inefficient utilization and inequitable distribution; the government undertook several measures to cure these problems. It has provided a realistic and sustainable budget and created an enabling environment for community and private participation in the health care delivery.

209. Over the past 10 years the budgetary allocations for the health sector have risen significantly. The increase has been supported by fiscal decentralization and broad reforms in the administration and management of public finance. Moreover the government has been encouraging the private sector and non-governmental organizations to invest in health care delivery and participate in government and community efforts to strengthen and diversify health services. The increased number of private and non-governmental actors in the sector over the past years shows that the effort is meeting its objective.

210. In addition the Health Care Financing Strategy currently adopted by the government proposes alternative financing methods, mechanisms of resource mobilization, efficient utilization, and ensuring sustainability. The Health Care Financing Strategy and the subsidiary guidelines that have been produced to execute the strategy include the following elements for the implementation of HSDP III regarding financial management: -

- To increase over all health expenditures per capita from US\$5.6 to US\$9.6;

- To ensure retention and utilization of 100% of revenue generated at hospitals and health centers;
- To expand special pharmacies to cover 100% of public hospitals from the current level of 82% and 100% of health centers from the current level of 58%; and,
- Encourage establishment of community health care insurance schemes in 50% of *woredas* of the country.

The Right to an Adequate Standard of Living

211. The government has taken several measures in order to achieve an adequate standard of living and continuous improvement of living conditions of the Ethiopian people. These measures range from constitutionally guaranteeing the right to taking specific measures in order to carry out its obligation of promoting the right to an adequate living standard.

212. The rights of the peoples of Ethiopia as a whole, and of each nation, nationality and people in particular, to improved living standards and to sustainable development is set out in chapter 3 of the of the Constitution as one of the fundamental rights and freedoms enumerated in that chapter. The rights specified in that chapter are interpreted in a manner conforming to the principles of the UDHR and the international covenants on human rights and international instruments adopted by Ethiopia.

213. Ethiopia is a party to all fundamental international human rights instruments including the ICESCR, which contains the right to an adequate standard of living. Accordingly the right enshrined in the Constitution is interpreted in line with the rights found in the convention. In addition to ratifying international instruments, in order to widen the legal frame work under which the right can be exercised, the government has adopted development policies and devised strategies necessary for the provision of an adequate standard of living.

214. From the outset, it is important to note that Ethiopia's development policy goal is to fight and eradicate poverty, and to raise the living standard of the people. Ethiopia's

Poverty Reduction Strategy (PRS) is the primary vehicle for achieving this goal. To date, two PRS have been formulated: the Sustainable Development and Poverty Reduction Programme (SDPRP) and the Plan for Accelerated and Sustained Development to End Poverty (PASDEP). The SDPRP was launched in 2002 following wide-ranging public consultations in the previous year. It focused on improving human and rural development, food security, and capacity building through transformation of the agricultural sector; reforms in both the justice system and the civil service; decentralization and empowerment and; capacity building in the public and private sector.

215. The present PASDEP is a five-year (2005/06-2009/10) strategic framework that builds on the strategic directions pursued under SDPRP but also embodies some bold new directions including a major focus on growth with particular emphasis on commercialization of agriculture, private sector development, and the scaling up of resources to achieve the developmental goals to which the government aspires.

The Right to Food

216. In addition to being party to international human right instruments like ICESCR that asserts the right to food, Ethiopia is among the countries which have adopted the millennium declaration at the UN summit. Goal number one in the Millennium Development Goals is eradication of extreme poverty and hunger. Accordingly, recognizing the importance of agriculture for food security and emphasizing its focus on the agricultural sector, in order to deal with its responsibility under these instruments and others related to the right to food, the government of Ethiopia has undertaken measures to eradicate poverty and hunger. The initiatives of the government to achieve food security and promote the right of every one to adequate food are enumerated below.

Food Security Program

217. The Ethiopian Nutrition Institute (ENI) estimates a calorie level of 2,100 kcal per person per day is the minimum energy requirement for a person to lead a normal physical life. During the drought years of 2001/02-2002/03, about 13 million people (nearly one-

fifth of the population) were victims of food insecurity. This was especially severe and critical in remote areas where many households' basic food and income is heavily dependent on rain-fed agriculture. The trends in total food aid portrayed a serious deterioration in the food security situation of the country. This, as noted above, was due to crop failure primarily caused by low rainfall and poor harvest in most of the regions in 2002/03.

218. Ethiopia is constantly dependent on international aid for nearly 10% of its annual food needs. This can rise to about 25% in drought years. This means that 4 to 5 million people are living under continuous risk of food shortages and their very existence is directly related to external help. The country has in fact a persistent chronically undernourished population.

219. It is clear that vulnerability remains a major challenge in Ethiopia. The effort to reduce vulnerability is a central part of the PASDEP strategy. Measures are being put in place to reduce variations in crop production and food availability overall – through more irrigation and water control, diversification of crops, and better integration of markets, transport, and information links. Key components of these measures are maintaining macroeconomic stability, expanding off-farm employment and income-earning opportunities, and the better functioning credit markets, improving health services and nutrition, and, introducing innovative measures such as experiments with crop and weather-based insurance mechanisms.

220. Furthermore, the National Food Security Program, launched during the SDPRP, is designed to manage the shift away from the cycle of dependence on emergency relief. It seeks to ensure food security for five million chronically food insecure-people and a further 10 million who are badly affected by shortages in drought years. The Program rests on three pillars: increasing the availability of food through domestic production; ensuring access to food for food deficit households; and, strengthening emergency response capabilities.

221. As the Government recognizes the importance of improved credit services for food-insecure rural and urban households in order to address both supply and demand problems, the Program lays strong emphasis on improving rural financing systems aimed at catering to the needs of Micro Small Scale Enterprises (MSEs) as well as small, resource poor farmers. In this regard, the Government has already taken measures to strengthen the operation of the financial sector through expanding rural micro financing institutions and cooperatives to provide banking services especially in food insecure areas.

222. The Government will continue to increase the availability of rural financing and provide special support to reduce credit administration costs for food-insecure communities. Alongside the Government's initiative towards developing income-generating and price support schemes, targeted interventions are also envisioned in the areas of health and nutrition in rural areas. The need for carefully planned food assistance has also been underscored in the Government's rural development strategy.

223. The Government has gradually shifted from food assistance (assistance in kind) towards financial assistance for the purchase of food from the domestic market. This has helped augment the stocks for food security reserves in good times. This in turn has contributed to the creation of effective demand through stabilization of prices. Since the launching of the Program, remarkable achievements have been made in narrowing the overall food gap from domestic production. The recent report by the Disaster Prevention and Preparedness Agency (DPPA) shows that the number of people requiring emergency assistance stood at 1.36 million in 2006/07, evidence that the overall food security situation in the country has improved significantly.

Productive Safety Net Program

224. Another measure introduced by Government is the Productive Safety Net Program designed to serve the dual purpose of helping bridge the income gap for chronically food-insecure households, and engaging such households in community asset-building efforts to earn income, especially during the lean season and times of drought. The program

started in 2005 and covers 287 *woredas*. It has two components - labor-intensive public works and direct support for labor-poor households. The able-bodied are engaged in public works for which they are paid a minimum amount, while the less-able poor are provided the same amount free. A program implementation manual has been prepared; training and awareness creation activities have been undertaken at different levels.

225. The communities supported have identified target groups for public works and direct support. Programs to buildup the capacity of those identified have been implemented and it is envisaged that training and capacity building efforts will continue where required. A key feature of the Safety Net Program is its household focus. It is linked to the household asset-building efforts of the Food Security Program as the priority for household asset-building interventions is assigned to those covered by the Safety Net Program, as the most chronically food-insecure. The Safety Net Program, through its transfer of resources, will help prevent asset depletion, an important factor for the attainment of food security. This is in addition to the community assets it helps to build.

Non-Agricultural Income

226. As food insecure households are resource poor and living in drought prone and degraded areas, focusing on crop and livestock production alone may not entirely solve the problem of food insecurity in all areas. Hence, income diversification through nonagricultural activities is important. To this effect, the Food Security Program supports alternative or supplementary income sources from non-farm activities. This intervention involves strengthened market effectiveness, credit services through micro-finance institutions, establishment of marketing cooperatives, and provision of training, all of which are important for both agricultural and non-agricultural activities.

Voluntary Resettlement Program

227. Over many years a large portion of the country's population has lost the capacity to be productive due to land degradation and high population pressure at the same time Ethiopia has a considerable amount of land currently under-utilized but still suitable for

farm activities. To rationalize resource use, and thereby help food insecure households, the Government is supporting voluntary resettlement as part of its food security program. To date, over 149,000 households have been resettled.

228. Resettlement is on a purely voluntary basis, and each settler household is guaranteed a package of assistance that includes provision of up to 2 hectares of fertile land, seed, oxen, hand tools, utensils, and food rations for the first eight months. Settlers are also provided with access to essential social infrastructure (clean water, health posts, feeder roads), and logistics support. To ensure the efficient and effective implementation of the program, an implementation manual has been prepared, and extensive training and awareness works have been carried out at federal, regional, *woreda* and *kebele* levels.

229. Despite some problems encountered early in the implementation, especially during the first year, the resettlement program has proved itself as a crucial and reliable alternative that can produce food-security within a very short period of time. Recent assessments have shown that the majority of the settlers have attained food self-sufficiency and their livelihoods have improved considerably. The program will therefore be expanded to accommodate as many settlers as possible.

Measures Taken to Develop or Reform Existing Agrarian Systems

230. In Ethiopia agriculture is the main driver of the economy and is a source of income for the majority of the population. The sector contributes about 50% to total GDP, generates about 90% of export earnings and supplies about 70% of the country's raw material requirements for large and medium sized agro-based industries. Ethiopia's total land area is about 1.1 million square kilometers; of which about 73.6 million hectares (66%) is estimated to be potentially suitable for agricultural production, in the cultivated area is estimated at no more than 16.5 million hectares (22%).

231. About 96% of the cultivated land area is under smallholder farming, and only 4% is used for commercial farming (both state and privately owned). For over 80% of peasants, the average per capita land holding, including grazing land is less than 2

hectares. Per capita cultivated land holding averages around 0.5 hectare. In some densely populated high land areas it is substantially less.

232. Land suitable for irrigation amounts to about 3.5 million hectares. According to the data obtained from the Ministry of Agriculture and Rural Development (MoARD) and the Ministry of Water Resources (MoWR), the total area of irrigated land in 2005/06 was 603,359 hectares; of which traditional irrigation accounted for 479,049 hectares with 124,569 hectares developed through modern irrigation.

233. Recognizing the importance of agriculture for food security the government has taken several measures to adopt policies and strategies and implement them. These place major emphasis on the Agricultural Development Strategy as strategic pillar of the country's development.

234. The Agricultural Development Led Industrialization (ADLI) strategy is the government's overarching policy response to Ethiopia's food security and agricultural productivity challenge. The ADLI's distinctive features include: commercialization of smallholder agriculture through product diversification; a shift to higher-value crops; the promotion of high-value niche export crops; support for the development of large-scale commercial agriculture; effective integration of farmers with domestic and external markets; and the tailoring interventions to address the specific needs of the country's varied agro-ecological zones.

235. The strategy mainly focuses on agriculture and rural development with the major objectives of strengthening of human resource capacity and effectively utilizing it; ensuring prudent allocation and use of existing land; adoption of development path compatible with different agro-ecological zones; specialization, diversification and commercialization of agricultural production; integrating development activities with other sectors; and the establishment of an effective agricultural marketing system.

236. The strategy states that to promote agricultural development, it is important to use labor-intensive methods to increase output and productivity by applying chemical inputs, diversifying production, and utilizing improved agricultural technologies. Emphasis is also given to promoting quality and quantity of outputs by the close monitoring of agricultural processes. This is mainly achieved through improvements in productivity using the existing agricultural experience (indigenous knowledge) and integrating activities with other socio-economic sectors.

237. The specific policy measures taken by the government to improve agricultural productivity and promote food security include: agricultural extension services and research; the design and operationalization of growth corridors; agricultural export promotion; a National Food Security Program; a Productive Safety Net Program; and a Voluntary Resettlement Program.

Agricultural Extension Services and Research

238. A key feature of these innovative policy measures is the deployment of extension workers to every rural *kebele* in Ethiopia to facilitate sustained knowledge and the transfer of skills to smallholder farmers. This has contributed significantly to increased agricultural productivity.

Growth Corridors

239. To enhance agricultural commercialization and diversification, the government is designing growth corridors to integrate complementary centers of production and marketing. Growth corridors facilitate integrated development by creating value chains within and across regional boundaries.

Measures Taken to Improve Production and Productivity

240. The government has introduced various new policies, strategies and new extension packages to increase the use of fertilized and improved seeds, which has in turn increased total production and productivity. Moreover, the introduction of a new approach that

deploys three extension workers in each rural *Kebele*, to live with smallholder farmers, has contributed to the creation of awareness in raising productivity among farmers.

241. As can be seen from Table III below, total cultivated area has been increasing since 2001/02 with a slight decline in 2006/07. In general, total production and productivity have been improving. This is related to measures taken by the government. The trend in cultivated area under major crops, the yield, and volume of production over the period 2003/04 to 2006/07 is presented in Table IV.

Table III Area Cultivated, Total production and productivity

Year	Total cultivated land (Million hectare)	Total production (Million quintal)	Productivity (Quintal/hectare)
2000/01	10.37	110.4	11.0
2001/02	8.79	103.5	12.9
2002/03	9.27	77.2	8.55
2003/04	9.54	106.2	11.1
2004/05	12.28	167.0	14.35
2005/06	12.40	235.0	20.03
2006/07	10.5	155.0	14.76

Table IV Trends in Cultivated Area, Volume of Production and Yield of Major Crops for the Main Season (% Change over Previous Year)

Item	Years				Average
	2003/04	2004/05	2005/06	2006/07	
Area cultivated under crops	9.1	14.6	3.6	3.5	7.7
Cereals	10.7	9.2	5.7	6.1	7.9
Pulses	-5.6	34.6	-4.2	-7.1	4.4
Oil seeds	20.5	44.5	-3.4	-5.9	13.9
Production	39.4	16.1	12.4	15.8	20.9
Cereals	41.8	11.6	15.9	17.5	21.7
Pulses	15.8	41.5	-5.8	4.5	14.0
Oil seeds	59.2	68.3	7.6	4.3	34.9
Yield/hectare (productivity)					
Cereals	3.5	26.5	9.4	10.8	12.6
Pulses	22.7	5.0	-1.6	12.5	9.7
Oil seeds	32.1	16.4	-4.2	10.6	13.7

242. As shown in Table IV, the recovery from the 2002/03 drought season took place in 2003/04 when crop production increased by 9.1% and volume of production by 39.4%. There has been a sustained increase in the volume of output, driven largely by the increase in productivity between 2003/04 and 2006/07.

243. Over the same period, annual productivity (yield per hectare) for cereals, pulses, and oil seeds on average increased by 12.6%, 9.7% and 13.7% per annum, respectively. Total crop output of major crops has shown an annual average increase of 20.9% over the period 2003/04 to 2006/07. In 2006/07, the overall volume of crop production increased by 15.8%, although the crop area for major crops only grew by 3.5%. During the same period, productivity for cereals (which accounted on average for about 87% of major crops production) increased by 10.8%.

244. As productivity has increased much faster than area cultivated for all three groups, the increase in yield has been the major factor for the rise in volume of crop output over the period. This increase can be attributed mainly to improved seed application, favorable weather conditions, particularly in 2005/06 and 2006/07, and the support by agricultural development agents and expansion of the agricultural extension program for farmers. Irrigation, a critical component in reducing climate risk, also encouraged the use of modern inputs, and contributed to the increase in productivity.

245. In addition the government, to increase productivity and avoid problems, took measures in the promotion of agricultural research and extension. As noted, the main focus of the Government's agricultural development strategy is to produce enough food to ensure self-sufficiency in food production at household level and to support the intensification of marketable farm products, both for the domestic and export markets.

246. To help achieve this, the extension service is currently being strengthened through various means. The number and education level of Development Agents is being increased significantly through the operation of an Agricultural Technical, Vocational and Educational Training Program; thousands of Farmer Training Centers are being

established to transfer improved agricultural technology and ensure adequate services are within the reach of individual farmers.

Agricultural Extension

247. Improved extension package services that are geared towards addressing specific problems of production and productivity and respond best to farmers' needs, have been implemented in accordance with existing environmental and market conditions. The transformation of Ethiopian agriculture from its current subsistence orientation into a market oriented commercial production system forms the basis of the Government's agricultural development strategy. To help achieve this, the extension service is currently being strengthened in various ways. In a situation where many farmers are illiterate, acquiring competence in production, adding value and marketing present difficult challenges.

248. Recognizing this fact, the Government's response has included increasing the number and education level of Development Agents providing extensive TVET in agriculture and through the establishment of Farmers Training Centers (FTC s) to transfer improved agricultural technologies and adequate services closer to the farmers. To date, 25 Agricultural Technical Vocational Educational Training colleges have been established and a total of 23,378 Development Agents (DAs) have graduated and assigned to FTC s in all regions.

249. In 2005/06, 233,108 farmers, who had acquired earlier experience, took household training packages. In addition, a further 3,065,927 farmers were given minimum package training, chosen from available technology menus. The duration of the packages ranges from 5 to 15 days. The extension of training is mainly attributed to extra efforts made by the regional states.

250. Extension and training programs are also designed to pay particular attention to enhancing farmers' capacity to use water resources efficiently, and to help build the community-level institutional structures necessary for effective irrigation and water resource management. During the PASDEP period, it is envisioned that all farmers will acquire access to agricultural extension services.

Agricultural Research

251. Effective agricultural research is also at the core of improving productivity and is central for making progress under PASDEP. The major output of the public research system has been varieties with improved agronomic and protection values, useable in crop diversification and specialization, both for traditional food crops, and for high value crops including vegetables, spices and other crops. Research is also being conducted on food science, socioeconomic and post harvest technology as well as farm implements.

252. The research centers maintain improved varieties and multiply breeder and pre-basic seeds and seedlings of released varieties of crops. These are distributed to different stakeholders. A special effort will be made to improve the research coverage of dry land and pastoral agro-ecologies over the next five years. Emphasis will also be given to the introduction and adaptation of high value crops to support specialization and diversification programs.

253. Additional areas of research include livestock research, with a focus on improved forage varieties, and the generation and better information on husbandry, health care, and breed improvement as well as research on land and forestry management, fisheries, and biotechnology. Biotechnology innovations have a substantial potential to enhance productivity: Agricultural biotechnology research in the Ethiopian Institute of Agricultural Research (EIAR) focuses on the technologies of tissue culture, mass propagation, marker-assisted breeding in crops and livestock, and the promotion of useful microbial processes. Soil calibration of the major soil types of Ethiopia will also be conducted by the research system, to better assess the amount of fertilizer required by different types of crops.

Dissemination of Knowledge on the Use of Improved Agricultural Equipments

254. The government has taken extensive measures to raise awareness of farmers in the overall improved agricultural system. The following are among the measures taken:

TVET Program

255. As mentioned (paragraph 248) 25 agricultural TVET colleges have been established. During the first phase of the TVET program, it is planned to train 55,000 development agents, of which, 45,000 will be placed at FTCs to provide direct support to farmers; 5,000 will provide veterinary services, and 5,000 will support cooperatives ventures.

Farmer Training Centers (FTCs)

256. The core function of FTCs is the provision of extension services through training and demonstration. The training given by the centers includes entrepreneurship and skill development to produce business-oriented farmers. So far 5,493 Farmers Training Centers have been completed and are ready to commence services. During the plan period, it is intended to construct a further 3,000 FTCs in addition to the 15,000 already planned, bringing the total number to 18,000 by 2010. The training at the FTCs is focused on two major categories: farmers training on agricultural extension packages and modular training.

i. Training on Agricultural Extension Package

257. This training package is a short-term training package to be given to each individual farmer and livestock producer. The training includes a minimum package and a household package. The minimum package will be given at each farmer's training centers four times a year for 190 farmers at a time. By the end of the programs a total of 10,393,380 farmers will have benefited under the minimum package and 4.5 million farmers will have benefited under the household package.

ii) Modular Training

258. Modular training is specialized training for farmers who have reached 4th grade education or above, and who are working in agriculture with their families, and farmers currently owning their own land. Since this training program requires training materials, it was concentrated in a limited number of centers at the beginning of 2006/07. The

number will be increased in subsequent years. Each FTC will train 60 trainees per year for a period of three months (two days a week). The total number of farmers to be trained during the planning period will be over 2,952, 540.

259. Appropriate training is also being given in Post-Harvest Loss Management to pest-control personnel and to farmers. Methods for post-harvest loss management have been developed and disseminated through extension packages. The aim is to promote improved practices and storage structures.

Measures Taken to Improve Food Consumption Levels and Nutrition

260. Malnutrition remains a widespread problem in Ethiopia, despite encouraging improvements in recent years, and the government has taken a number of measures to improve it. According to assessments, the cause of malnutrition is due to insufficient food production, drought, and low incomes, as well as the effects of a lack of knowledge and of a poor diet mix. There is a vicious cycle of ill health and malnutrition, especially among children: intestinal parasites and diarrheal diseases limit the retention of nutrients, while malnutrition increases the susceptibility of children (and others) to disease. Recognizing the importance of nutrition, a National Nutrition Strategy and Action Plan has been developed. A concerted effort is being made to improve the nutritional status of the under-5s during PASDEP. A zero-draft nutrition strategy document has been completed, and a coordination agency established. In the first year of PASDEP implementation, a major workshop was held on the draft strategy and pilot nutrition elements of the Food Security Program were developed in 3 regions, linked to the community-based outreach nutrition elements of the health extension program.

Measures Taken To Reduce Food Adulteration and Increase Quality and Safety of Food

261. The Ministry of Health is the body vested with responsibility of devising and following up the implementation of strategies for preventing food contamination. The Ministry has the further duty to supervise and certify and supervise the safety of foodstuffs. The ministry has a separate department to follow up this task.

262. In addition, the FDRE Criminal Code makes manufacturing, adulteration and sale of injurious food staff punishable. Whoever intentionally manufactures food provisions, foodstuffs or products unfit for human consumption or who adulterates food in such a way as to endanger public health, is punishable with simple imprisonment for not less than six months or in serious cases with rigorous imprisonment for not less than five years. Following the rise of food prices this year, some vendors have attempted to adulterate foods, and items like vegetable oils, butter and other items in daily use, have been the target of contamination. The government has established a notice task force to deal with such activities.

263. The Ethiopian Health and Nutrition Research Institute is an institute established with the objective of conducting research, *inter alia*, on the causes and spread of diseases and nutrition, thereby supporting the improvement of health in the country. The Institute has the duty to research ways of preventing diseases of malnutrition and nutritional deficiencies as well as identify nutritional improvements at family level. Its responsibilities include undertaking studies the impact distribution of disease and doing nutritional science and technology research on food items in collaboration with other necessary bodies.

264. The Public Health Proclamation (Proclamation No. 200/2002) contains provisions regarding food quality control. It is prohibited to prepare, import, distribute, or make available to consumers any food that is unhygienic, contaminated, unwholesome or mislabeled and does not meet the standards of food quality. The Proclamation demands any food intended for human consumption must meet the standards of food quality and to be labeled and preserved in a proper manner.

265. Any person engaged in the activity of selling, producing for sale, storing, preparing or preserving of any food intended for human consumption, is expected to meet the standards set by the Ministry of Health. In addition to food quality control, the

Proclamation also sets standard of water quality control that must be followed by any body involved in water supply activities.

Measures Taken to Disseminate the Principles of Nutrition

266. The principles of nutrition are introduced in schools as part of the curriculum from primary levels. Students are given courses to acquaint them with these principles. Educational institutions post these principles on the walls of classrooms and in the school compound.

267. In addition to educational institutions, health institutions also contribute in the same way to the dissemination of nutrition principles. The Ministry of Health publishes books and brochures on the subjects, and places billboards containing a similar message in public places.

268. Media channels are another important organ for the dissemination of the principles of nutrition. The Mass Media produces programs on balanced diets and healthy food intake. Different press outlets have columns containing similar advice.

269. Cognizant of the fact that its own endeavors are not enough to rule out hunger, the government works closely with international organizations in order to minimize food insecurity, collaborating in particular with Food and Agriculture Organization and the World Food Program.

The Right to Housing

270. The Constitution provides for the right to property including immovable property on land. Although, the Constitution does not contain an explicit article guaranteeing the right to housing, it contains provisions under which the right is included. The Constitution states that the state has the obligation to allocate increasing resources to give to the public social services including education and health. It is no doubt that the right to housing falls under this open ended provision. Moreover, the Constitution, under the social objectives set to be followed by the government, demands the framing of policies,

as far as resources allow, including the provision of access to housing, among other social services, for all.

271. Ethiopia is also a party to the ICESCR that contains explicit provision for the right to adequate housing. According to the Constitution this international human rights instrument is part of the law of the land. Hence the rights contained in the Convention constitute the legal framework for the right to housing.

272. The government has taken measures towards curing the problem of housing prevalent in the country and in particular in urban areas. Among the initiatives it has taken are the current construction of condominiums and their distribution to lower income groups. This project has been confined to major towns so far, but plans are underway to expand coverage to all urban areas countrywide. In order to promote the construction of houses, the government provides credit facilities for those who form cooperatives to build condominiums.

Social Security

273. Provision of social security by government within the limit of resources available is one of the objectives stated in the Constitution (Article 90). To provide social security, several laws have been passed. Under the present social security system, two categories are identified: one is of government employees; and the other, all those employed by other institutions.

Social Security for Government Employees

274. One of the laws providing social security is the Social Security Agency Re-establishment Proclamation No. 495/2006 which creates the Social Security Agency with an objective to strengthen and expand social security programs. Its principal powers are implementation of social security laws, regulations and directives and the administration of social security funds, mainly collected from the government and its employees. The principal document providing for social security benefits for government employees is

the Public Servants' Pensions Proclamation No. 345/2003. This proclamation provides for various types of social benefits.

275. These include: the Retirement Pension/invalidity pension. Under this, a government employee who has completed 10 years of service and retires upon attaining retirement age (or because he does not fulfill the medical condition of service) is entitled to a retirement pension for life. The amount of entitlement, which is to be paid monthly, ranges from 30% to 70% of the salary of the employee, depending on the number of years of service.

276. The Retirement Gratuity/Invalidity Gratuity is lump sum given to an employee who has not completed 10 years of service and retires on attainment of retirement age/due to medical conditions. The minimum amount is a monthly salary multiplied by years of service.

277. An Incapacity Pension is paid to an employee who sustains employment injury and is forced to retire due to absolute incapacitation. He/she is entitled to an incapacity pension for life. The amount to be paid monthly is 45% of salary or the normal retirement pension, whichever is better.

278. An Incapacity Gratuity is a lump sum payment to be made to an employee who sustains employment injury without loss of capacity to work. The amount is 45% of monthly salary for 5 years multiplied by the % age of injury.

279. A Survivor's pension (widow's or widower's pension, orphan's pension, and parent's pension) is a pension paid to a widow/widower, the children of the deceased under 18 years of age, and to parents wholly or mainly supported by the deceased.

280. A Survivor's gratuity is the amount of gratuity payable to survivors in a case where an employee who is entitled to gratuity passes away.

281. The other important legislation on social security is the Federal Civil Servants Proclamation 515/2006. This provides for maternity benefits including paid leave for medical examination, paid leave before delivery if recommended by a doctor, and 3 months paid leave, 1 month before confinement and 2 months after the birth.

282. For all employees of civil service, the Proclamation also provides sick leave with pay for 8 months in a year or twelve months in four years. The right to obtain medical benefits including medical services in government medical institutions without incurring additional cost and at half cost for a spouse and children is also provided. Leave is also provided for employment injury, medical benefits and injury leave. Medical expenses associated with employment injuries including expenses of general and special medical treatment or surgical care, hospital and pharmaceutical expenses, and any necessary prosthetic or orthopedic appliances are also covered by the relevant government institution.

Employees Other than Government Employees

283. For employees working for private institutions and others not covered under the Pension Proclamation, rights are regulated principally by the Labour Proclamation 377/2003. The most important benefits include severance pay, maternity leave, and employment injury benefits. If employment is terminated through no fault of an employee, the employee is entitled to severance pay up to the amount of one year's wages depending on length of service. The severance pay shall be paid to survivors if the employee dies. In cases of unlawful termination, the employee, in addition to severance pay, is entitled to compensation amounting to 6 months wages. Sick leave (for the first month with full pay, for the next two months on half salary and the remaining three months without pay) is allowed. Three months maternity leave with pay, and other leave with pay for medical examination, is available for pregnant women. Employment injury benefits include medical benefits (unless and until a Medical Board decides otherwise) and cash payments while the employee is temporarily disabled, and disablement compensation, where the employee sustains permanent disablement, or survivor's compensation.

284. While the above benefits, which apply to private employment relationships, are minimum benefits, there are a number of collective agreements that provide for better benefits than provided in the Proclamation. Collective agreements apply in preference to the Proclamation. In many collective agreements, a provident fund is established by contributions both from the employer and the employee, and is paid to an employee when he leaves the job.

Unemployed Persons

285. Within the limit of resources, the government is also committed to provide social security for people who do not fall under any of the categories covered in existing employment laws. One such manifestation is the establishment of the Ethiopian Social Rehabilitation and Development Fund (Proclamation 19/1996). The objectives of the Fund, clearly stated in the Proclamation, include:-

- i. To improve the living standards of rural communities through the provision and strengthening of basic social services;
- ii. To enhance the income generating capacity of poor communities by laying down an economic infrastructure and providing services;
- iii. To assist in the formation and development of self-sustaining micro-finance institutions to provide credit services to the poor;
- iv. To assist grassroots organizations and communities develop their technical and managerial capabilities in all aspects of project activities.

Article 17: The Right to Education and to the Freedom of Cultural Life

286. Recognizing education as a fundamental human right and in line with International Declarations, Conventions and Policies, the FDRE Constitution establishes a universal right to education and emphasizes the need to allocate resources to provide education for all. It also laid down policies to provide for all Ethiopians to have access to education to the extent that the country's resources permit. The education policy aims at ensuring equity and fair distribution of educational opportunities across regions, religion, gender, social class and any other considerations. The Constitution also provides for state

education to be free of any religious influences, political partisanship or cultural prejudices.

287. Ethiopia as a signatory to the Child Rights Convention (CRC) and African Charter on the Rights and Welfare of the Child (ACRWC), accepts primary education to be compulsory and free. The Family Code at Federal and Regional level also provides for guardians to ensure that a minor be given general education and professional training commensurate with his age. There are awareness creation programs launched by the government to sensitize parents of the need to send their children to school.

288. Previously, the education system faced challenges of access, quality and content. To rectify this, the Transitional Government of Ethiopia issued the Education and Training Policy in 1994 with the objective of:-

- Bringing up citizens who respect human rights, stand for the well being of peoples as well as for equality, justice and peace and are endowed with democratic culture and discipline.
- Providing education that promotes a democratic culture, tolerance and peaceful resolutions of differences and that raises the sense of societal responsibility.
- Recognizing the rights of nation/nationalities to learn in their own language, while at the same time providing one language for national, and another for international, communication.

289. The formulation of the Education and Training Policy was transparent and participatory. As a result twenty two government institutions and sixty two experts from Addis Ababa University served on various committees and contributed to the drafting of the policy. It primarily provides for the need to improve curricula and for the preparation of education materials as a priority action. The revision of curriculum was undertaken to enhance the quality of education. The primary level (1-8) curriculum was evaluated by external evaluators to ensure that it met quality standards. Accordingly, the syllabi for primary grades (1-8) and first cycle secondary grades (7-10) has been revised and endorsed by the respective subject teachers and curriculum experts to increase the

provision of quality and gender sensitive education in terms of content and approach. It is enriched by incorporating the contents of the new government strategy on rural development values and ideals to help produce ethically good and HIV/AIDS conscious citizens.

290. The Ministry of Education is mandated to oversee the implementation of the right to education at all levels. Programs, also implemented in education, are discussed further in this report.

291. Measures are also taken to adopt civics and ethical education within the education system, to promote and incorporate the ideals of human rights, democracy and constitutionalism into school curricula in 1993. The civics education curriculum was revised in 2002/03 and a new Civics and Ethical Education curriculum, based on major social values, has been adopted across all grade levels. Appropriate textbooks have been prepared for each grade and teachers given specialized training to build capacity. As a result, Civics and Ethical Education is now taught at primary, secondary and tertiary level throughout the nation, in public or private schools, secular or religious institutions. In addition, to further strengthen the development of democratic culture and respect of human rights and fundamental freedom among the young and the public at large, all stakeholders and in particular the Ministry of Education, have been working hard to ensure the effectiveness of civic and ethical education..

292. To strengthen the development of teaching on human rights, the Ethiopian Human Rights Commission has prepared a draft study on incorporating human rights education in the curriculum for primary schools. A forum for developing the draft curriculum on human rights education involving the major stakeholders, officials of Ministry of Education and Education Bureaus, curriculum designers, teachers and the professionals of the Commission, has been organized.

293. To promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, measures have been taken to introduce into school

curricula ideals of respect for the identity of all nations, nationalities and peoples in accordance with the principle of equality. This mark a break from the embedded messages of previous textbooks, and any derogatory languages which demeaned the image of different nations and nationalities has been removed.

294. In line with the Education and Training Policy, the government launched a series of Education Sector Development Program ESDP I, ESDP II and ESDP III. These programs aim at improving educational quality, relevance, efficiency, equity. They expand access to education with special emphasis on primary education in rural and underserved areas, as well as the promotion of education for girls, as a first step to achieving universal primary education by 2015.

295. The ESDPI was prepared and implemented between 1997 and 2002. The second ESDP covered the period 2002/03-2004/05.

296. These programs substantially increased primary enrollment, improved access to education for girls and reduced levels of school dropout and repetition. In addition, they have minimized the gender gap. The increase in enrollment in rural areas has brought significant change. Although there has been significant achievement, levels of net enrollment and disparities between male and female enrollment, as well as regional gaps and differences between urban and rural enrollment still need to be addressed.

297. ESDP III (2005/06-2009/10) has been developed in line with Second Poverty Reduction Strategy Paper, the SDPRP and MDG. The goal of the third program is in line with the priorities of SDPRP and the MDGs. Some of the goals of ESDP III are: to produce responsible and competent citizen through good quality universal primary education by 2015; to meet qualitative and quantitative demands for human power by increasing access to quality secondary education; to narrow the gender gap; to improve the overall quality of education; to enhance efficient use of resources wisely; and to increase access to adult and non formal education.

298. Under the Education and Training Policy the government has made primary and secondary education and related training (up to grade ten) free of charge. It practically launched a big push to increase primary school enrollment as part of its promotion of universal free primary education. It has increased spending on education, both for construction of schools and the provision of textbooks. It doubled spending on education from 35 birr in 2001/02 to 72 birr in 2004/2005. It has continued to rise.

299. The gross enrolment rate (GER) and net enrollment rate (NER) of primary education at national level has been increasing continuously. It reached 91.6% and 78.6% in 2006/07 respectively. On the other hand, the gender gap by GER has been decreasing with the exception of the 2006/07 academic year. The drop out rate for children at primary level has also been going down nationally, with the exception of 2005/2006, and at the same rate for both genders over the last five years. (see table 21 and graph 2)

300. Alternative basic education programs are also designed in ESDP II and continued in ESDP III, allowing for basic education through alternative modes of delivery. This program is critically important as an emergency short term measure to achieve universal primary education by 2015 and in reaching out to the more remote and dispersed communities, pastoralists, and semi-pastoralist's societies in the state. Several alternative basic education centers have been established in the regions. The government, in order to increase primary enrolment for pastoralist and semi-pastoralist people, has designed mechanisms including boarding schools and school feeding programs for chronically food insecure and vulnerable children. As a result of this program about over half an million primary school children were fed in 2004/2005.

301. The program also succeeded in increasing the enrollment rate of children, and has minimized the dropout rate of school children especially in those pastoralist and semi agriculturalist regions. The alternative mode of delivery is properly suited to the socio-economic and cultural realities of the regions. It has also enhanced the children's ability to learn and helped in narrowing the gender gap. The program has been implemented in the region of Afar, Somali, Oromia, Amhara, Tigray, and the SNNPR. Schools have also

been established for refugees. The GER in alternative basic education for first cycle primary is 10.5% for both sexes, 9.7% for female and 11.6% for males in the year 2006/07. Centers for alternative basic education are being built at an increasing rate. (see table 23 and 24)

302. The programs have also succeeded in providing for substantial expansion of secondary education. Secondary education (up to grade ten) is also free from charge. The secondary school secondary cycle involves cost sharing with students paying a minimal amount. Secondary first cycle (9-10) education is expanding inline with the high coverage in primary education; the secondary second cycle is expanding on the basis of the required intake of higher educational institutions. Hence NER in secondary education first cycle has increased from 8.4 to 14.7 from 2002/2003 to 2006/2007. The enrollment rate for secondary second cycle school (11-12) increased by 22% between the year 2002/03 and 2006/07.(see table 25)

303. TVET was perhaps the most neglected area in the history of the Ethiopian education system. Now, however, it has massively expanded. The new education and training policy gives special attention to TVET, producing broad and multilevel foundations. This program is essential to meet middle level education demand for industry, the service sector and for commercial agriculture. It is the most important prerequisite for social and economic development.

304. The number of TVET institutions both governmental and non-governmental has increased from 17 in 1996/97 to 388 in 2006/07. The total enrollment rate in TVET in the year 2002/03 has 72,162. It had increased to 191,151 in 2006/07. In this Program, gender balance is 43.9% but a real imbalance can be observed in the fields of specialization. (See table 28)

305. In order to strengthen the quality of education, a system of Information Communication Technology has been introduced.

306. with the increasing demand for highly skilled labour in the country, a rapid expansion of higher education has been undertaken during the implementation of ESDP I and ESDP II and in the ongoing implementation of ESDP III. In addition to the previous eight Universities, expansion has taken account of the need for equitable distribution of higher learning institutions among different regions of the country. The Government has established 13 new higher education institutions and upgraded the existing ones. There are also over 34 colleges and universities run by private institutions in the year 2006/07.

307. Higher education is accessible on the basis of capacity for all, but affirmative measures are taken to increase the enrollment of female students and students from least advantaged regions. To augment female student participation in higher education institutions, the government through Higher Education Proclamation (Proclamation no. 351/2003) introduced a positive discrimination policy at the point of entry. As a result, the enrollment of female students in higher education is increasing. In addition it has provided special support to be undertaken for girls and boys from emerging regions. The entrance requirement is lessened by two points for students coming from less-developed regions such as Benishangul, Gambela, Afar and Somali, and for those coming from the pastoralist and semi-pastoralist areas of Southern Region and Oromia Regional States. This has, in turn, resulted in an increase in enrollment from these regions.

308. With regard to payment for higher education, the government, in line with the Education and Training Policy, enacted the Higher Education Cost-Sharing Regulation (Regulation No 91/2003). This allows for a cost-sharing arrangement under which students repay some of the costs of their education once they are employed.

309. GER in higher education (undergraduate degree enrollment) shows a systematic increase from 54,285 in 2002/03 to 203,399 in 2006/07; female enrollment has been increasing over the last five years, jumping from 8,659 to 52,869 for the years 2002/03 and 2006/2007 respectively. It still remains relatively low. (See table 29)

310. Adult and non formal education programs include a range of education and training components for children and adults who are older than the primary school attendance ages (7-14). They are aimed primarily at literacy and numeracy in order to enhance the skills and develop problem-solving abilities of those who are enrolled. The program has three sub components: a scheme for out-of-school children between the ages of 7-14, a literacy program for youth and adults who are older than 15, and basic skill training for youth and adults in community skill training centers. Enrollment in this sector is high in Oromia and Addis Ababa. The community skill training centers offer training programs related to the specific needs of the rural community. This is a sector in which problems of inadequate budget, trained manpower and equipment, and poor organization of programs, is prominent.

311. To alleviate the length of travel to schools, the Government launched a program for construction of schools, 80% in rural areas, with the objective of bringing schools closer to the children. The number of governmental and non governmental schools are increasing at an average annual growth rate of 13.5% (primary), 18.0 %(secondary), 26.2% (TVET), and 23.4 %(higher) levels of education. This trend shows that the enrollment rate at all levels of education is proceeding at an increasing rate. A comparison of urban and rural enrollment indicates that 78.0% of primary enrollment (regular and evening) comes from rural areas and 22.0 % from urban areas.

312. With regard to teaching materials, much has been done to improve the pupil/textbook ratio. Six regions have achieved the level of one text book for each student and efforts are being made to extend this nation wide.

313. With regard to choice of school, every one has the right to learn in his school of choice. At present the teaching-learning process in primary school education is conducted in the local mother tongue. From formative evaluations of the mother tongue is a medium of instruction, the measures taken have significantly raised the quality of the teaching-learning process and increased students' classroom participation. Complete realization of this policy has been delayed by shortages of qualified professionals and the limited

development of some languages has, to some extent, affected the preparation of textbooks in the various vernaculars. Efforts have been made to mitigate the problem by providing short-term training for writers. Since the new curriculum became operational, over 25 languages (see the Table of Medium of Instruction) have been used as mediums of instruction up to grades 4, 6, or 8, depending on the real conditions in each region. In regions or zones where the language is relatively well developed and has a sufficient number of teachers trained in that language, education in the mother tongue is given up to grade 8. This is the situation in Oromia, Amhara, and Tigray Regional States. The medium of instruction in higher and tertiary education is principally English. The study of one additional language is also encouraged.

314. Despite these achievements in the education sector, it is inevitable that constraints exist. Some of these arise from institutions with inadequate human resources or the lack of an effective and functional working system. Realizing that the goal of education cannot be accomplished through the limited resource of the government alone, the government has been working in cooperation with international organizations like UNESCO, the local community and Non-governmental organizations. The community provides direct financial assistance in the construction of additional class rooms and support for school maintenance.

315. Non-governmental organizations and the private sector have a great role to play in the provision of education at all levels of the education strata in addition to their financial, material and technical support to ESDP. Lack of qualified teachers is another problem which is being addressed by increasing the supply and their professional capacity by providing for the expansion of higher institutions to produce the necessary manpower.

Cultural rights

316. Every individual has the right to culture. Under the Constitution, equality of languages and preservation of historical and cultural legacies are guaranteed. Each individual has the right to speak his language and practice his culture. This is enshrined in the Constitution through the right of regional and local governments to freely determine their respective educational and work languages. In an article providing for the rights of nationalities, the Constitution states that “Every nation, nationality, and people in Ethiopia has the right to speak, to write and to develop its own language.” They have also the right to express, to develop and to promote their culture and preserve their history.

317. The cultural policy also reflects the above entitlements to the peoples. The policy aims at, among others, enabling all languages, heritages, histories, fine arts, oral literatures, and other features of nations, nationalities and peoples receive equal recognition, respect, preservation and conservation; creating conducive conditions to carry out scientific research on these features and ensuring their prosperity; and promoting the culture of the different nations, nationalities and peoples. Strategies for implementation of the policy include: taking a scientific inventory of cultures, including the languages and dialects of the country and making a scientific study; while determining the language for use, developing alphabets to those languages that do not have script and put these into service taking into account the psychological attitude of the speakers.

318. For the implementation of the policy, a Culture and Tourism Ministry (with its counter-part Bureaus at regional levels) was established. The powers and duties of the ministry, among others, are:

- a) The study and preservation of history, cultural heritages and values of the nations, nationalities and peoples of Ethiopia; and
- b) Expansion of cultural institutions to institutionalize public participation in the field of culture;

319. The Ministry, in collaboration with regional organs, has been organizing cultural festivals representing the nations and nationalities with one of the declared objectives being “introducing the arts and crafts of the nations, nationalities and peoples of Ethiopia on equal basis thereby nurturing equality, tolerance and togetherness among them with a view to encouraging the building of democratic system in Ethiopia.” Regional Bureaux have also been organizing their own festivals at regional level.

320. Also notable is the establishment of an Institute of History, Culture, and Language under the Council of Nationalities in SNNPR, where more than 60% of the total nations and nationalities reside. While the main objective of the Council is to respect and protect the rights of nations, nationalities and peoples of the region and to maintain their history, culture and language, the Institute, which is composed of experts and is structured in three departments of Culture, Language and History, envisions the scientific study and promotion of the identities of the nations, nationalities and peoples, such as culture, language, history and other historical heritages and values thereby consolidating their unity and harmonious co-existence among the people. Studies are being made to rescue languages on the verge of extinction.

321. Broadcasting service, which is overseen by the Ethiopian Broadcasting Authority, has to contribute for development and promotion of the cultures and artistic values of the public. Community broadcasting, which shall among others promote and develop the language, culture and artistic values of the community is allowed for those interested in the promotion of cultures. Broadcasting directives require that 50% of musical programs have to be allotted to the cultures and musical programs of nations and nationalities. In addition to the Proclamation, the Ethiopian Broadcasting Agency endorsed a directive to guide the broadcasting service program and method of functioning. According to the directive any broadcasting program should promote the culture of all nations, nationalities and peoples and tolerance among them. Furthermore any program should be free from partiality and the language used should not offend any culture and should not be against morality

322. Radio and Television channels owned by the government have also programs exclusively intended to promote and preserve the culture, language, historical and natural heritages of nations and nationalities. Every effort is exerted to make peoples aware of each others culture and language. Programs include *exploring Ethiopia, our towns, my country*, which show to the public well researched and documented films featuring nations and nationalities. In entertainment programs such as *our music, arts and culture*, practices of marriage, dressing, mourning and others of nations and nationalities are introduced. The national programs aim at languages widely spoken such as Amharic, Oromifa, Tigrigna, and Somali. In areas where there are dissemination centers, other languages such as *Hadari, Agnwak* and *Nuwer* are used. In national programs, people are encouraged to express their opinions in native languages while translations are made to the audience. Technical assistance by government is frequently extended to those interested in making programs that promote culture and language of nationalities. There are also programs on pastoralists and semi-pastoralists.

Institution for Promotion and Protection of Culture

323. In addition to the Ministry of Culture and Tourism, outlined earlier, the Government has established several institutions to ensure the exercise of cultural rights by individuals and peoples. Some of them are:-

The Authority for Research and Cultural Heritage established by Proc.209/2002: the objectives of the Authority are to:-

- 1) carry out a scientific registration and supervision of Cultural Heritage so that, Cultural Heritage, as bearing witnesses to history, may be handed down from generation to generation;
- 2) protect Cultural Heritage against man-made and natural disasters;
- 3) enable the benefits of Cultural Heritage assist in the economic and social development of the country; and
- 4) discover and study Cultural Heritage.

324. Ethiopian Conference Center (Proclamation 23/97): The objective of the Center is to serve as a venue for the presentation of the artistic works of nations/nationalities and

peoples with a view to helping the peoples of Ethiopia know each other and develop harmonious interaction amongst themselves.

325. The National Archives and Library Agency (Ethiopian National Archives and Library Proclamation No. 179/1999) is another institution established with the objectives to collect, systematically organize, preserve, and make the information resources of the country available for study and research purposes.

326. The other is the Information and Culture Affairs Standing Committee of the HPR which is established to formulate and practice working mechanisms that could facilitate ways for the preservation of cultural and historical heritages and pass to posterity. The Committee supervises the following government organs that play significant roles in implementation of cultural rights:-

- (a) Ministry of Information;
- (b) Ministry of Culture and Tourism;
- (c) Broadcasting Agency;
- (d) Mass Media Training Institute;
- (e) Ministry of Youth and Sports;
- (f) Heritages Study and Conservation Authority;
- (g) National Archives and Library;
- (h) Ethiopian Convention Center;
- (i) Ethiopian National Theater;

Science and Technology

327. The government assumes the duty, to the extent its resources permit, to support the development of the arts, science and technology. Ethiopian Science and Technology Commission is established with the objectives (Ethiopian Science and Technology Commission Establishment proclamation No.7 (1995)):-

- To encourage and enhance Science and Technology activities that enable realization of the country's socio- economic development objectives;
- To support and encourage research and development centers and institutions that have contribution in the promotion of science and technology;

- To provide awards/incentives to individuals and institutions that have contributed to the development of science and technology;
- To initiate a patent law that encourages and supports technology transfer, enhances the practical application of inventions and encourages the development of inventions and innovation; to implement same upon authorization;

328. The Ethiopian Intellectual Property Office (established by Proclamation No. 320/2003) also plays significant roles in the development of science and technology in the country. The major objectives of the Office include:

- to facilitate the provision of adequate legal protection for and exploitation of intellectual property in the country;
- to collect, organize and disseminate technological information contained in patent documents and encourage its utilization;
- to study, analyze and recommend policies and legislations on intellectual property to the Government;
- to promote knowledge and understanding of intellectual property among the general public

329. There are also two principal legislations protecting the rights to intellectual property: one is the Copyright and Neighboring Rights Protection Proclamation No. 410/2004. According to this law, the author of a work shall, irrespective of the quality of the work and the purpose for which the work may have been created, be entitled to protection, for his work without any formality and upon creation. The other is Inventions, Minor Inventions, and Industrial Design Proclamation No. 123/1995 which is designed to protect inventions of individuals. So persons that are involved into such kinds of creations are protected by law.

Article 18: Protection of the Family, Elimination of Discrimination against Women and Protection of the Rights of the Child

330. The FDRE Constitution recognizes the family as the natural and fundamental unit of the society. It is entitled in to protection by the society and the state. The government has taken several measures ranging from legislation to the adoption of policies to establish institutions to see the family gets the appropriate protection. Taking into account the fact that one of the means of protection is effected by regulating and governing family relations by law and to banning previous laws in line with the aspirations of the Constitution, legislative measures have been taken to revise and enact family codes at federal and state level.

331. In order to broaden the framework under which the family is protected and given the fact that directly and indirectly all social and economic problems of society affect the family, the Developmental Social Welfare Policy considers the family as a segment of society whose social welfare is a priority concern. In light of conditions prevalent in Ethiopian families, the policy has set objectives to be achieved regarding the welfare of the family, demanding formulation and implementation of programs and services designed to promote family welfare.

332. Taking into account the existence of disintegrated families, due to natural and man made disasters, poverty and other related social and economic problems, the policy calls for the development of strategies and the establishment of mechanisms to facilitate the extension of economic and social assistance to families in especially difficult circumstances.

333. The policy further calls for the enactment of laws to ensure the social welfare of the family as an institution and strengthen matrimonial bonds and for the revision of existing laws to this effect. One result is the revision and enactment of family laws throughout the country.

334. Equally, the health policy provides for special attention to be given to the health needs of the family. It sets central strategies for the promotion of family health, giving focus especially on maternal and child health care. In order to achieve this objective, the policy requires the expansion, optimization of access and utilization of immunization services and the encouragement of early utilization of available health care facilities for the management of common childhood diseases particularly diarrhoeal diseases and acute respiratory infections.

335. The policy also addresses the special health problems and needs of adolescents, identifying and discouraging harmful traditional practices while encouraging beneficial aspects towards the development of the family as part of its promotion of family health.

336. The Ministry of Labour and Social Affairs is the organ vested with the duty of undertaking the facilitation and implementation of studies on ensuring and improving the social well being of citizens and in particular the protection of family and marriage. The Ministry has undertaken many activities towards promoting the welfare of the family, conducting numerous studies on the problems Ethiopian families face to provide inputs for policy.

337. The right of men and women, who have attained marriageable age as defined by law, to marry and found a family is guaranteed under the FDRE Constitution. The Constitution further lays down that marriage may be entered into only with the free and full consent of the intending spouses, and asserts the freedom for would-be married couples. Since the Constitution is the supreme law of the land, any law or customary practice that contravenes this principle, has no legal effect.

338. The Revised Family Code applicable for the two federal Cities (Addis Ababa and Dire Dawa) makes free and full consent of spouses' one of the essential conditions for a valid marriage. This principle is reiterated in all state family codes.

Maternity protection

339. In order to address the difficulties arising from pregnancy and childbirth and to safeguard the health of women, the Constitution guarantees the rights of women for access to family planning education, and information and capacity.

340. The Developmental Social Welfare Policy is one of the policy documents that call for arrangements that make it possible for women to receive appropriate and timely pre-natal and post-natal care. In addition, the health needs of the family, particularly women and children, are among the priorities of health policy. As a central strategy for the promotion of maternal health in the family health service context, the policy sets the following methods

- Assuring adequate maternal health care and referral facilities for high risk pregnancies
- Intensifying family planning for the optimal health of the mother, child and family
- Inculcating principles of appropriate maternal nutrition

341. In addition to the health policy, the health sector strategy seeks to accord special attention to maternal and childcare with provision of antenatal, prenatal and postnatal care, family planning advice and service, growth monitoring, nutrition education and immunization.

342. More recently, the countries' policies and strategies towards the protection of maternal health have been formulated within the framework of the MDGs. The fifth goal is improving maternal health. The National Reproductive Health Strategy developed by the National Reproductive Health Taskforce in 2006 has made improving maternal health one of its priorities. Ethiopia's rate of maternal morbidity and mortality are among the highest in the world. One of the key factors contributing to this situation is the low rate of skilled care during pregnancy and delivery.

343. According to a survey made by the Ministry of Health in 2005 nation wide, majority of pregnant women, almost 60%, never seek any type of antenatal care. Reasons

include poverty and the low status of women which discourage households from investing resources in skilled prenatal care, delivery assistance, or postnatal care. The low access to primary health coverage, skilled delivery or emergency obstetric care contributes to the problem. A strategy has now been developed to set targets to reduce maternal mortality and increase the maternal health status of women.

344. One of the targets is ensuring increased access to a core package of maternal and neonatal health services, especially in rural areas where health facilities are limited. This core package will include focused antenatal care, essential obstetric care and neonatal care.

345. In addition to the Reproductive Health Strategy, maternal health is another priority area of concern for the governments' 20-year health sector development program. Currently HSDP III, which is under implementation following the successful completion of HSDP II and I, has registered improving results in this sector.

346. The table below shows the achievements under the two-year implementation of HSDP III compared to the strategy targets for the most common maternal health indicators.

Table V Maternal health indicators, Ethiopia, 2005/06-2006/07

Indicators	HSDP III Target (Year 2009- 2010)	Year 2005/06	Year 2006/07
Contraceptive acceptance rate	45%	36%	34%
Antenatal care coverage	80%	50%	52%
Proportion of deliveries attended by skilled health personnel	32%	15%	16%
Postnatal coverage	31%	16%	19%
TT2 coverage for pregnant women	75%	52%	49%

347. In order to achieve the targets set for maternal health, the government has taken several measures including the distribution of necessary materials free of charge and construction of health centers in different *woredas*.

The Rights of Working Women to Maternity Leave

348. The right of women to maternity leave with full pay, including prenatal leave with full pay is, constitutionally guaranteed. This right of working women has also been elaborated in other laws guiding employment relationship. The Labor Proclamation sets out a long list of the rights of women workers during pregnancy and after giving birth. No pregnant women can be assigned to night work between 10 p.m. and 6 a.m. or be employed on overtime. It is prohibited to assign pregnant women outside their permanent place of work, unless an employer transfers her to another place of work, if her job is dangerous to health or to the pregnancy according to a medical doctor. The termination of the contract of employment of a woman during her pregnancy and within four months of confinement is prohibited save for exceptional circumstances. In addition to the Labour Proclamation, the Civil Servant Proclamation contains similar provisions on maternity leave.

Equality and non-discrimination of women

349. Despite the multifaceted and significant role women play in society, they have not enjoyed the fruits of their contribution, lagging behind men because of past political, economic and cultural bias. Women have often been considered inferior to men and subject to discrimination.

350. To rectify this, the FDRE Constitution has provided different provisions dealing with the rights of women. It has enshrined the right to equality of men and women in the enjoyment of rights and protections provided by the Constitution as well as equal rights of women with men in marriage, in employment and in property ownership and administration. The Constitution imposes an obligation on the state to eliminate customs

harmful to women and prohibits laws, customs and practices that oppress or cause bodily or mental harm to women.

351. The FDRE Constitution also recognized the historical legacy of inequality and discrimination suffered by women has provided for affirmative measures with a view to remedy this legacy. These measures provide for special attention to women to enable them to compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions. The provisions of the FDRE Constitution on economic objectives impose a duty on the government to ensure the participation of women with men in all economic and social development efforts. The constitutional provision on affirmative action has been translated into practice in different areas including employment and the entrance to higher learning institutions.

352. The Constitutional provisions dealing with the rights of women have further been elaborated in the specific laws of the country. Chief among these laws are the Revised Family Law, the Criminal Code and the employment laws. The Revised Family Law has brought a revolutionary change to parts of the Civil Code dealing with marriage, abolishing most of the discriminatory provisions of the 1960 Civil Code. The fundamental underpinning of the Revised Family Code is thus the principle of equality of men and women. This is reflected in the different provisions dealing with relation between spouses. It, for example, provides that marriage should be based on mutual respect, support and assistance, and entitles both spouses to administer and direct family affairs including the upbringing of children.

353. At the regional level Amhara, Tigray, and Southern Nations and Nationalities and Peoples regions have similarly adopted revised family codes based on the principle of equality of women and men.

354. The Revised Criminal Code of Ethiopia, which came into force in May 2005 replacing the 1957 Penal Code, includes new and revised provisions relevant to the protection of women's human rights in general. Accordingly, the Criminal Code

addresses violence against women in its different forms either in the form of elaborating existing vague provisions or by introducing new offences. Furthermore, the Criminal Code has redefined elements of some existing offences, added aggravating circumstances, and revising penalties applicable in cases of violation.

355. Both the new Labor Proclamation (Proclamation No.262/2002) and the new Federal Civil Servants Proclamation (Proclamation no. 515/2007), the currently applicable laws governing employment, have fully incorporated the concept of equality of men and women in employment. They outlaw discrimination in employment on the grounds of, among other things, sex. The Federal Civil Servants Proclamation has actually gone a step further by providing affirmative action in favor of women in employment. Accordingly, priority is given to female candidates in particular employment with the same qualification as men.

356. In 1993, a National Policy on Ethiopian Women (NPEW) was adopted by the Transitional Government of Ethiopia (TGE). The NPEW was the first policy document showing the intention of the government to promote and protect the rights of women in Ethiopia. The NPEW made an assessment of the situation of women in Ethiopia and concluded that discrimination against women had been perpetuated in various forms depending on ethnic background, culture and religion. It further noted that Ethiopian women experienced a ban owning means of production, victims of natural as well as man-made disasters, faced prejudicial attitudes in the country's political social and economic life and were still subjected to discriminatory laws. The main objectives of the NPEW include:

- Facilitating conditions conducive to speeding up equality between men and women
- Facilitating the necessary conditions whereby rural women can access basic social services and ways and means of lightening their work load
- Eliminating prejudices as well as customary and other practices that are based on male supremacy, enabling women to head public offices and participate in decision making processes at all levels

357. The NPEW also states that government policies, laws and regulations, as well as other activities, should be guided by the objective of ensuring equality between men and women, with a particular attention paid to rural women to enable them to participate equally with men in the field of development.

358. The Ethiopian government in formulating its policy, strategy and program has taken due notice of gender mainstreaming. As such, various policies, strategies and programs adopted by the government have taken gender issues into consideration. Some of the major policies, strategies and programs that comprise gender friendly provisions include:

- Development and Social Welfare Policy
- Sustainable Development and Poverty Reduction Program
- Micro and Small Enterprise Development Strategy
- National Agricultural Policy
- Environmental policy
- Population policy
- Health policy
- The policy on HIV/AIDS
- Comprehensive Education and Training Policy

The Aged and people living with disabilities

359. The Constitution contains an umbrella provision for the protection of the aged and the disabled. In chapter three, under the provision enumerating economic, social and cultural rights, the obligation of the state to allocate resources, within available means, for the provision of assistance and rehabilitation to the physically and mentally disabled and the aged is laid down.

360. As one of its general strategies for promoting health in the country the health policy demands emphasis to be made in the development of community based facilities for the care of physically and mentally disabled and the aged through intersectoral collaboration. The health sector strategy includes health care for the aged and people living with

disability in the family health care context and seeks for health care to be provided for them in the family and in specialized institutions.

People living with disability

361. The Constitution has imposed an obligation on the state to allocate resources in order to provide rehabilitation and assistance for the physically and mentally disabled. The government has adopted policies and laws and established appropriate institutions in order to carry out this obligation. Particular rules have been adopted by a Proclamation on The Right of Disabled Persons to Employment with the aim of deterring discrimination and ensuring the protection of disabled persons to enable them to compete for employment on the basis of qualification. (Proclamation no.568/2008, the Right to Employment of Persons with Disability). In order to widen the framework under which people living with disability can exercise their rights, the government is on the way to ratify the International Convention on the Rights of Persons with Disabilities, adopted in 2006.

362. Welfare of persons with physical and mental impairment is one of area of focus for the Developmental Social Welfare policy. The policy calls for conditions to be facilitated to enable persons with disability to use their abilities as individuals, or in association with others to contribute to the development of society as well as become self-supporting by participation in the political, economic and social activities of the country. It demands the creation of mechanisms by which persons with physical and mental impairment can receive appropriate medical/health services and supportive appliances.

363. The policy requires all efforts to be made to establish special centers where persons with physical and mental impairment and without any family or other support, will be cared for. It further calls for appropriate and sustainable educational programs to be launched to significantly raise the level of public awareness concerning the determinants and consequences of the problems of physical and mental disability as well as change prevailing harmful traditional attitudes, norms and practices in respect to persons with physical and mental impairment.

364. The Ministry of Labour and Social Affairs is vested with the duty to undertake and facilitate the implementation of studies on ensuring and improving the social well-being of citizens and in particular, the creation of equal opportunities for persons with disabilities.

365. The Ministry is charged with implementation of the *national plan of action for the rehabilitation of peoples living with disability*, adopted in order to implement international conventions, and constitutional provisions regarding people living with disability. In order to facilitate these, it has carried out promotional activities and the organization of implementation strategies in all parts of the country. The Ministry has given the necessary technical and professional assistance to strengthen the coalition forum and community bound rehabilitation network (CBR Network) to help stakeholders in the sector to work together.

366. Buildings have been constructed in order to strengthen the capacity of six artificial and supportive bodypart manufacturing institutions in cooperation with the World Bank and the International Committee of Red Cross. For the same purpose the provision of equipment and the training of professionals for physiotherapy and orthopedics, have been undertaken.

367. The Ministry is conducting research in order to establish similar institutions in regional states currently without one (Gambella Benishangul Gumuz, Afar and Somali). According to the plan to establish for the first time a special national rehabilitation center, construction of the center in the compound of the Black Lion Hospital in Addis Ababa has been finalized. This will provide medical assistance and training for orthopedics professionals up to degree level. In order to implement the 10 year African Action Plan for peoples living with disability at national level, and in cooperation with the African Decade Secretariat, training is being given to participants selected from all stakeholders in the sector and in regional bureaus of labour and social affairs, on the execution and supervision of the project, and for advocacy and lobbying.

368. In order to change negative attitudes towards people living with disability and to create awareness of the real situation of disability, a manual has been provided and disseminated to the public. Based on this manual, training has been given and media programs have been provided. In cooperation with a non-governmental organization, Handicap National, a forum of stakeholders has been held to discuss the environmental accessibility of peoples living with disability. Similarly in cooperation with the charity, Land Mine Survival Network, an awareness-creating workshop focused on the victims of land mine. Information on the addresses of stakeholders working on the sector is now available and has been disseminated to the public.

369. In order to avert the negative influence that HIV/AIDS has on peoples living with disability, educational forums have been provided to promote awareness. Research has been undertaken on the needs of people living with disability, and begging, in order to provide them with artificial body parts and fulfill sign language educational needs.

370. There is a National Association of Persons With Disabilities, members of which include persons affected by leprosy, visually impaired persons, hearing impaired persons, persons with physical disabilities, mentally retarded children and youth and autistic children.

- These associations include services for adults as well as children with disabilities, and the programs undertaken for persons with disabilities include:
- Awareness raising,
- Information and education on HIV/AIDS
- Production of orthopedic appliances, including provision of new equipment and maintenance especially for children.

The aged

371. The elderly make a great contribution to the welfare and harmony of the society by sharing with the rest their accumulated knowledge and experience. In Ethiopia the role of elderly people in settling disputes and counseling is undeniable. Besides the constitution the developmental social welfare policy of the country gives special attention to the

elderly. This policy, recognizing that almost all elderly persons need special care and assistance, calls for priority to be given to women, the physically disabled, the displaced and those who have no form of support.

372. In order to guarantee the material and social well-being of the elderly, the policy demands the extension of social security programmes and the promulgation of appropriate laws and enforcement of these. The policy calls for arrangements to be made in order to give material and psychological support for elderly people who have no means to support themselves and no relatives to maintain them, in the communities where they live.

373. The duty to undertake and facilitate the implementation of studies on ensuring and improving the social well-being of the elderly and the provision of care and the encouragement of their participation, is imposed on the Ministry of Labour and Social Affairs. In order to reduce the problems elderly people face, the Ministry in collaboration with regional bureaus of labour and social affairs and other relevant governmental and non-governmental organizations, has undertaken a number of measures.

374. The Ethiopian National Plan of Action for the elderly has been adopted. The plan has been developed based on two crucial points; contribution of the elderly to development; and basic necessities and human rights of the elderly. Following the adoption of the action plan, an implementation manual has been drafted in order to put the plan into effect.

375. A model institute for the elderly will be constructed. The institute will serve as a bureau for conducting experience-sharing activities. It will contain a recreational center and a place to carry out fund raising activities. The Ethiopian National Association of the Elderly has been established in order to coordinate and supervise the activities of associations organized by the aged. To date more than 80 associations has been established and are working in the country.

376. In order to diminish the negative influence HIV/AIDS has on the elderly anti-AIDS clubs for the elderly have been instituted in eight regional states. Billboards showing the difficulties that face elderly people because of AIDS have been placed in public avenues. Awareness creation work shops on the issue have been conducted.

377. In order to assess the condition of elderly people who maintain themselves by begging, researches has been conducted and reports prepared. A directory that provides information on the address of stakeholders working on the amelioration of the social problems the elderly are facing, has been provided and disseminated to the public. Each year International Day of the Aged is celebrated colorfully by providing a motto and by airing educational programmes to promote awareness on the condition of the elderly. On international day, brochures and posters will be disseminated containing messages related to the celebration.

Measures for the protection of children and young person

378. The federal constitution provides the umbrella articles for the protection of the rights of the child. The constitution enumerates the rights that children possesses including the right to life, for which no exception or derogation has been set like that of the right to life set in the other section, the right to a name and nationality.

379. The Constitution calls for all actions undertaken concerning children, by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, to make the primary consideration the best interests of the child. The constitution further demands that children born out of wedlock have the same right as children born of wedlock with out any discrimination being made in the course of exercising these rights.

380. In order to widen the legal context under which the right of children in the country can be protected, the government has endorsed relevant international instruments. Among them are the African charter on the Rights and Welfare of the Child and the International Convention on the Right of the Child.

381. Taking into account the fact that, although social problems in one way or another affect all segments of the society, children are among the most vulnerable, the Developmental Social Welfare Policy has made their social welfare a priority. Accordingly, the policy calls for appropriate and comprehensive care and services to be extended to children to ensure their all round and harmonious development.

Special Measures for Vulnerable Children

Children without Family

382. The obligation of the state to allocate resources within available means to provide assistance to children who are left without parents or guardian is set in the constitution. Under the provision that enumerates constitutional guarantees of the rights of the child including the right of every child to know and be cared for by his or her parents or legal guardians, a duty is imposed on the state to accord special protection for orphans and encourage the establishment of institutions which ensure and promote their adoption and advance their welfare.

383. In addition to the Constitution, the Developmental Social Welfare Policy contains detailed activities be undertake for the protection of orphaned or abandoned children. It calls for the facilitation of conditions that will enable orphaned and abandoned children to get the assistance they need and to eventually be self-sufficient. The policy asserts that any efforts that are being made towards the establishment and operation of child welfare and development organizations and services by appropriate organs of government, the community, non-governmental agencies, voluntary association and individuals should be supported.

384. The Central Statistical Agency, although deprivation of family environment may come for a variety of reasons, delineates three categories of especially difficult circumstances for children. These are orphans bereft of both parents, children who do not live with their biological mothers, and children who reside in single adult households. The government has taken several measures ranging from adoption of polices to

establishing institutions to facilitate the care of children found in such especially difficult circumstances.

385. Taking into consideration, the high number of children orphaned by AIDS and fully cognizant of the problems children are facing, the government in collaboration with NGOs, has been implementing child-focused intervention in basic health-care, education and protection services. In line with the Developmental Social Welfare Policy, the Ministry of Labour and Social Affairs has formulated five guidelines to improve the quality of services delivered to orphaned and vulnerable children. The five guidelines dwell on institutional childcare, community based child care, reunification, foster family care and adoption.

Children in Conflict with the Law

386. The Juvenile Justice Project Office (JJPO) was established in the middle of 1999 within the Federal Supreme Court, with financial and technical support from donor organizations with the following objectives.

A. Long-term objectives

- i. To propose ideas towards reforming the juvenile justice system of the country to protect adequately the rights of children in line with the international child rights standards;
- ii. To enable the juvenile justice system of the country to develop the necessary infrastructure and specialized capacity for the realization of the provisions of the international conventions, the constitution and the working laws of the country pertaining to children.

B. Short term objectives

- i. To improve the existing mode of operation of the judiciary, the police and reformatory organizations in dealing with cases of children;
- ii. To improve the institutional linkage between the judiciary, the police, reformatory organizations and other concerned bodies for the effective realization of the provisions prescribed in the working laws of the country pertaining to children;

- iii. To enable the judiciary, the police and staff members of reformatory organizations to acquire adequate professional knowledge and skills on child protection and influence their attitude and practices towards children.

387. The office has undertaken many activities since its establishment, including reviewing existing laws pertaining to child rights and assessing the structural framework of the judiciary and the police with regard to the protection of children. In addition workshops on juvenile justice system reform in the country and administration of juvenile justice have been repeatedly conducted. Training of trainers for the handling of young offenders have been given to judges, police officers and prison personals at every level.

388. The Constitution states that juvenile offenders admitted to corrective or rehabilitative institutions should be kept separate from adults. Child Protection Units (CPU) have been established in most police stations at the federal and regional level. CPUs have yet to be set up in all major urban centers, but they have been inserted into police structures and are operational in several towns. Community-based centers have been established as a subcomponent of the child protection program to serve as an alternative to the protection of petty and first-time offenders reported to the CPU. Children convicted of petty offences are protected from detention with adults at police stations and with hardened criminals in remand homes. Children in fact are transferred to community-based correction centers, which centers focus on educational support to motivate children in their schooling and prevent them from becoming involved in delinquent activities and truancy.

389. The community-based correction centers also provide reading materials, apprenticeship and skill training programs, and recreational facilities as well as guidance and counseling services. The child can be rehabilitated without interruption to schooling and while staying with his family. A Juvenile Delinquents Rehabilitation Institute has been constructed to house suspected female offenders.

Measures to Protect Children from all Kind of Exploitation, Neglect and Abuse

390. The Constitution guarantees the right of children not to be subject to exploitative practices. They have the right to be free from corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for their care. The Developmental Social Welfare Policy likewise, calls for all efforts to be made in order to provide protection against child abuse and neglect.

391. Maltreatment of minors is punishable act under criminal code. Whoever, while having the custody or charge of a minor, ill treats, neglects, over tasks or beats him or her, for any reason or in any manner, can be punished. If the crime causes grave injury to the health, wellbeing, education or physical or psychological development of the minor, the punishment will be increased.

392. One of the forms of exploitative practices pervasive in the country is sexual exploitation of children. The major factors contributing to the increase in sexual abuse and child prostitution are poverty, rural-urban migration, family breakdown, early marriage and displacement.

393. The penal code provides for rigorous prison terms for those engaged in the sexual abuse of children. A national steering committee against sexual exploitation of children was established comprised of representatives from relevant stakeholders, the Ministry of Labour and Social Affairs, the Ministry of Finance and Economic Development, Ministry of Health, the Ministry of Education, the Ministry of Justice Ministry of Youth and Culture, UNICEF, Radda Barnen and ANPPCAN-Ethiopia. Having been established with the objective of implementing policies, laws and programs pertinent to the abolition of sexual exploitation of children, the steering committee has accomplished the following tasks:

- i. Conducted a study on sexual exploitation of children
- ii. Translated the concept of the English term "sexual exploitation" into the local national language in order to create a clear understanding of the term by the officials and the population at large.

- iii. Convoled a workshop to discuss the situation of sexual abuse and exploitation of children, identifying research areas for further analysis on the magnitude of the problem in the country;
- iv. Conducted research in two regional towns regarding sexual abuse and exploitation;
- v. Developed a national action plan on sexual abuse and exploitation.

394. A number of NGOs in the country have formulated a program with a view to tackle the problem of sexual exploitation and begun implementation. The services provided by the NGOs include the delivery of professional assistance, community counseling, medical, legal and financial support.

395. Run by the government with financial and technical assistance from NGOs, the Child Abuse and Neglect Unit is attached to the pediatrics section of Yekatiti 12 Government Hospital and provides comprehensive medical and psychological treatment for sexually abused children.

396. Trafficking in human beings for whatever purpose is a prohibited act under the Constitution. Furthermore, trafficking in children is a punishable act under the criminal code. Despite this child trafficking is reported to be widely practiced in Ethiopia. In response the government has intervened to increase its control of such activities.

Child Labour

397. The Constitution guarantees the right of children neither to be required nor permitted to perform work that may be hazardous or harmful to his or her education, health or well being. The labour proclamation also provides for a separate chapter to govern the working conditions of young workers. It explicitly prohibits the employment of persons less than 14 years of age and defines what it means by a young worker, a person who has attained the age of 14 but is not over the age of 18.

398. Reiterating the constitutional guarantee, the law also prohibits the employment of young workers in any job which endangers the life or health of those involved. The

proclamation sets maximum hours of work for young workers at seven hours a day. It prohibits young workers from night work between 10 p.m. and 6 a.m., from overtime work and from working on weekly rest days or public holidays.

399. In addition, the government has ratified international instruments on child labour including, the Convention with Respect to Prohibition and Immediate Elimination of the Worst Forms Of Child Labour, the ILO convention no. 182 and the ILO Convention on Minimum Age, no 138, 1973. After their ratification a National Strategy has been drafted for implementation of the provisions of these conventions.

400. Given the extreme level of impoverishment in the country, it is inevitably the use, or abuse, of child labour has become a common practice. While there is no recent data, the table below indicates the practices prevalent seven years ago.

401. In fact the exploitation of child labour is a long-standing problem. Many children are engaged in activities in which safety and working conditions are below international standards. The following are the commonest forms of child labour,

- i. Child shepherds working for long hours contracted or subcontracted to owners;
- ii. Children working in numerous small industrial workshops and service establishments;
- iii. Children in street trades.

402. According to the survey carried out by the CSA in 2001, 83 per cent of Ethiopian children in the age cohort of 5-14 are engaged in either a productive activity or the performance of household chores. When the age group is pushed to 15-17, the proportion rises to 97 per cent. More appalling is the fact that 62 per cent of children aged 10-14 and 39 per cent of children aged 5-9 are engaged in at least one type of employment besides household chores. The survey revealed that all in all, 15.5 million of the 18.13 million children are working either in the household or outside. In other words, only 14 per cent of the Ethiopian children in the age cohort of 5-17 are not working.

Table VI Percentage of working children aged 5-17 years by work status (in percentage)

Age	Total children	Working		Total	Not working
		Children engaged in productive activities (%)	Engaged in housekeeping activities only (%)		
5 to 9	100	38.90	35.40	74.30	25.70
10 to 14	100	62.40	32.90	95.30	4.70
Sub-total (5 to 14)	100	49.03	34.32	83.35	16.65
15 to 17	100	67.50	29.70	97.20	2.80
Total (5-17)	100	52	34	86	14

Source: Children labour Survey Report, CSA, 2001.

403. When looked at it in terms of employment status, an average of 92 percent of the children work in households without pay while another 3 per cent are engaged in jobs other than domestic chores.

Table VII Employment status of children: percentage distribution of children who were engaged in productive activities aged 5-17 years by status of employment

Total children engaged in productive activities	Male	Female	Total
	5 745 886	3 737 724	9 483 610
Employment status			
Domestic employee	0.4	1.8	0.9
Employee other than domestic	4.1	1.3	3.0
Self-employed	2.2	4.1	3.0
Unpaid family worker	92.6	91.7	92.3
Apprentice	0.1	0.0	0.1
Others	0.3	0.6	0.4
Not stated	0.3	0.4	0.3

Source: Child labour survey, 2001.

404. This situation was a reflection of the wider socio-economic impoverishment that has been prevalent in the country. Development initiatives taken by the government in recent years has brought significant changes but this have yet to be itemized.

Article 19: The Right of Peoples to Be Treated Equally

405. The provisions on equality and non-discrimination in the Constitution, stated above, also apply in the exercise of the rights of peoples guaranteed under the African Charter on Human and Peoples' Rights.

406. In regard to respect for the identity of Nations, Nationalities and Peoples, the Government assumes the duty to strengthen ties of equality, unity and fraternity as enunciated under Article 88 of the Constitution. The principal objective for the establishment of the House of Federation, one of the two Houses of the Federal Government, is to “promote the equality of the Peoples of Ethiopia” and “promote and consolidate their unity based on their mutual consent”, pursuant to Article 62 of the Constitution.

407. Under the Constitution as well as the Flag and Emblem Proclamation, it is asserted that the national emblem on the flag shall be designed in such a way that it reflects the hope of the Nations, Nationalities, and Peoples, as well as religious communities of Ethiopia, to live together in *equality* and unity. Moreover, the straight and equal lines of the emblem on the Flag, signify the *equality* of Nations, Nationalities, and Peoples as well as of religions.

Affirmative Support to Achieve Equality among Nations and Nationalities

408. In regard to the advancement in economic and social development, the Constitution imposes a duty on the government to provide special assistance to the Nations, Nationalities and Peoples who are least advantaged in economic and social development. This duty is triggered by the historical situations that left some regions of the country with relatively low economic and social infrastructure. The less developed regions Afar, Somali, Gambella, and Benishangul Gumuz as well as pastoral areas in Oromia and the

SNNPRS, have been identified and regulation issued to implement this affirmative support. Institutionally, a Federal Board has been established by regulation to coordinate and provide affirmative action for less developed regions with the objective of giving the necessary support for these regions in their efforts to carry out democratization, sustainable development and capacity building. The Ministry of Federal Affairs, whose Minister chairs the Board, plays a significant role in the actual implementation of the support extended to these less developed regions.

409. Constant awareness raising campaigns have been carried out with a view to eradicate ethnic prejudices and intolerance. The achievement due to this measures has been very considerable though forms of prejudices still linger to a certain extent. Campaigns, through education and the media, therefore encourage equality and tolerance among peoples. Eye-catching and massive billboards depicting nations and nationalities, reflecting their diversity, and at the same time their equality and unity are displayed in all public places. Almost all media programs including entertainment and educational programs, work towards the eradication of prejudices and intolerance among people.

Article 20: The Right to Self-Determination

410. The right to self-determination of Nations, Nationalities, and Peoples is guaranteed under the Constitution (Article 39.1). The exercise of the right to self-determination can be manifested in several ways. Four principal ways of exercising this right deserve special mention.

411. First, the rights of nations, nationalities, and peoples to speak, write and develop their own *languages*, and to express, develop and preserve their *culture* and preserve their *history*, are guaranteed under the Constitution. These rights are considered as the inherent rights of nations and nationalities. Regardless of the administrative level of the territory inhabited by the nations and nationalities concerned, the latter have the fundamental right to develop their culture and preserve their history. If a nation or nationality believes that its identity is being denied, or that the promotion of its culture, language and history is not respected, or in general its rights as enshrined in the Constitution are not respected, it

may present an application to the House of Federation. The House has recognized this form of self-determination through referendums undertaken to determine the right to have a distinct identity recognized. For instance, a referendum was undertaken in the case of *Selte* people who live in the SNNPRS to determine their distinct identity as opposed to other adjacent nations and nationalities. The *Seltes* can now develop their own culture, language and history distinct from other ethnic groups. The decision, recognized by the HoF, took into account the wishes and aspirations of the people to be identified in ways they wanted. It was a prime example of the exercise by a group of the right of self-determination in terms of identity, culture and language.

412. Another manifestation of the exercise of self-determination is the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits. Under Article 88 of the Constitution, the Government shall promote and support the people's self-rule at all levels guided by democratic principles as specified in the Constitution and House of Federation Consolidation Proclamation. Under this, nations and nationalities have the right to establish their own local governments such as zones or *woredas* or their own national regional states. Currently all Regional States, zones, and *woredas* have their own government structure allowing them to administer their day-to-day affairs by themselves. This right of self-administration extends to forming a regional state to become a member of the federation. The question of any Nation, Nationality, or People forming its own State is carried out through the approval by a two-thirds majority vote of the members of the Council of the Nation, Nationality, or People in question and majority vote in a referendum. If this right is violated, an appeal to the HoF may be lodged.

413. The third manifestation of the exercise of self-determination is secession, by which a nation or nationality may form its own sovereign state under international law. Given the unity in diversity of the federal states of Ethiopia, the brotherhood of the peoples of Ethiopia, and the protection of fundamental individual and group rights, the question of secession is not likely to arise. Equally a nation or nationality may secede if its people opt for secession. The procedure of secession, carried out under the direction of the House of

Federation, is set out in the Constitution and House of Federation Consolidation Proclamation. The principal requirements are two-thirds support by the legislative council of the concerned Nation, Nationality, or People and a referendum.

414. The fourth form of manifestation of the exercise of self-determination is representation of peoples at all levels of the government structure. According to the Constitution, every Nation, Nationality, or People has the right to be represented in State and Federal governments. This representation embraces the right to be represented in the legislative organs, government offices and law enforcement offices both at federal and state levels. Hence, the Nations, Nationalities and Peoples are represented in the two houses of the federal parliament. The members of the HPR, who shall not exceed 550, are representatives of the Ethiopian people as a whole. While the seats are allocated on the basis of the number of people belonging to each of the Nations, Nationalities and Peoples, nationalities and peoples that do not meet the number requirement have special representation in the House. Accordingly, at least 20 seats are reserved for such nationalities and peoples. This is a special representation established by the Constitution. The criterion of who falls within this category is established by the decision of House of Federation. The House of Federation is composed of representatives of all Nations, Nationalities and Peoples of Ethiopia. The House of Federation currently has 112 members from 69 Nations, Nationalities and Peoples across the country. (See table 9)

415. There is also a fair representation of Nations, Nationalities and Peoples of Ethiopia in other government institutions. In all law enforcement bodies such as the police, state prosecutors, and the judiciary, efforts are exerted to ensure the proportional representation of all Nations, Nationalities, and Peoples. Although complete data is not available representation, the law requires fair representation of Nations and Nationalities. The recruitment for police officers is, for example, be based on the equitable representation all of Nations, Nationalities and Peoples. Under the law, the Defense Force shall also be composed of equitable representation of Nations, Nationalities and Peoples. Special measures are adopted in all government institutions to ensure the fair representation of all peoples of the country. The usual measure is to give priority at the

time of recruitment or promotion to candidates from a Nation or Nationality with relatively less representation from among candidates with equal results. The Police Commission makes special efforts to enable members of a Nation or Nationality with less representation to become members. In the judiciary as well, Nations and Nationalities are fairly represented. At the federal level for instance, 39.2% of the judges are from Amhara, 15.5% from Oromia, 22.4% from Tigray and 22.9% from the remaining ethnic groups of the country.

Assistance to Colonized or Oppressed Peoples to Help Them Free Themselves

416. Ethiopia has consistently condemned racial segregation and apartheid. It has worked for their elimination and has been at the forefront of actions by the international community in this regard. It contributed significantly for the struggles against colonialism and apartheid through the provision of human, material and financial assistance as well as training for African liberation movements. Moreover, it played a crucial role in the League of Nations and the United Nations in airing its voice for the liberation of Africa, and earning great respect from the peoples of Africa and African origin. The signing in Ethiopia of the Charter of the OAU, whose prime objective was the extrication of the African continent from the scourge of colonialism and apartheid, demonstrated the extent of Ethiopia's assistance to free the peoples of Africa.

Article 21: The Right of Peoples' to Freely Dispose of Their Wealth and Natural Resources

Ownership and Possession of Wealth and Natural Resources

417. According to Article 41.3 of the Constitution, the right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State. Ethiopian farmers have the right to obtain land without payment and to have the protection against eviction from their possession (Article 41.4). Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands (Article 41.5)

418. Under the Mining Proclamation 52/1993, all mineral resources are public property with the state ensuring the conservation and development of those resources for the benefit of the people. By the same Proclamation, foreign companies cannot prospect, explore or mine unless they hold a license. The licensee is also required to pay royalties for all minerals produced, in addition to income tax and a surface rental for the license area. The Proclamation gives priority to domestic investors who fulfill the preconditions for mining in acquiring license.

Lawful Recovery and Adequate Compensation

419. Dispossessing people of their natural resources is prohibited. The Criminal Code provides for the punishment of “disturbance of possession”. If anyone is dispossessed illegally, they have the right to initiate criminal proceedings as well as civil ones which will at least lead to restitution. Lawful expropriation, however, may be authorized for public purposes. According to the Expropriation of Land Holdings for Public Purposes and Payment of Compensation 455/2005, such expropriation is allowed with payment in advance of compensation. There are detailed guidelines for the determination of compensation. Generally, the compensation shall include compensation for the property situated on the land (on the basis of replacement cost), for permanent improvements to the land (the value of capital and labour expended), and for displacement compensation (if the dispossession is permanent) or for compensation for lost income (for provisional dispossession). Substitute land may be given depending on circumstances.

Wealth and Natural Resources and International Economic Cooperation Based on Mutual Respect, Equitable Exchange and The Principles of International Law

420. The foreign policy of Ethiopia is based among other things on mutual respect (Article 86 of the Constitution). The use of natural resources takes into account this policy. Ethiopia, as a member of IGAD and COMESA, is working towards the economic integration of the sub-region with the ultimate objective of an integrated African economy. Ethiopia is also on its way to become a member of the WTO. It is also fully cooperating in the use of international rivers such as the Nile with other African countries. Efforts are exerted to cooperate with neighboring countries in connection with the supply of electricity.

Use of Resources and African Unity and Solidarity

421. The Constitution provides forging and promoting ever-growing economic union and fraternal relations with peoples of Ethiopia's neighbors and other African countries. This is one of the objectives of the country's external relations. Ethiopia has been in the forefront to achieve African Unity for this very reason it has been hosting the Headquarters of the OAU/AU, and the hosting of AU meetings and other major regional and international meetings has always been one of its principal contributions to African Unity. As a sign of its strong commitment to the Union, Ethiopia has donated plots of land for the construction of the new Headquarters of the Union, an African village and for the building of embassies of African States. The newly signed headquarters agreement also provides privileges and immunities. It has named the streets of the streets of Addis Ababa after African States.

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Elimination of Foreign Exploitation

422. The foreign policy of the country rests upon the promotion of foreign relations based on the protection of national interests and respect for the sovereignty of the country (Article 86.1 of the Constitution). The country's foreign policies are based on mutual interest and the equality of states, to render the country's bilateral as well as multilateral relations immune to foreign exploitation. To avoid the possibility of exploitation by foreign companies, even those which are believed to contribute to the country's development, their investment is regulated in a way beneficial to the people. These regulations may be found in the investment laws. Some areas of investment are exclusively reserved to domestic investors, and foreign investors are required to obtain permission from the government to buy existing enterprises.

Article 22: Right to Development

423. Under Article 43.1 of the Constitution, all peoples of Ethiopia, and Nation, Nationality and People, in particular, have the right to improved living standards and to sustainable development. Under Article 89.5, the Government has the duty to hold, on behalf of the people, land and other natural resources and to deploy them for their

common benefit and development; the Government shall at all times promote the participation of the people in the formulation of national development policies and programmes. It shall also have the duty to support the initiatives of the people in their development endeavors.

Article 23: Peoples' Right to National and International Peace and Security

424. One of the objectives set forth in the Constitution is that of seeking and supporting peaceful solutions to international disputes. The Government of Ethiopia has consistently expressed its commitment to the international principles concerning the maintenance of international peace and security and the promotion of friendly relations and cooperation among states. This is reflected in the numerous regional and international agreements ensuring international peace and security to which Ethiopia is a party.

- i. The role Ethiopia has been playing in Africa in various peace processes and peacekeeping operations in Africa bears to testimony to the country's commitment in building peace and security. These include, inter alia:-
- ii. Ethiopia deployed its forces, as part of the United Nations peacekeeping force, to diffuse the crisis in former Zaire (now Democratic Republic of Congo) in the immediate aftermath of its independence;
- iii. The deployment of Ethiopian peacekeeping forces in Rwanda in 1994 under the auspices of the UN, which contributed to the restoration of peace and stability in that country;
- iv. The deployment in Burundi, first as part of the African Union Mission (AMIB) and later under the umbrella of the UN peacekeeping forces to monitor the Ceasefire Agreement reached between the Transitional Government and the rebel groups;
- v. The deployment in Liberia, under the auspices of the United Nations, of a peacekeeping force to restore law and order in that country.
- vi. Currently, Ethiopia has launched deployment of a peacekeeping contingent as part of the hybrid African Union / United Nations peacekeeping force in Darfur;

Prohibition of Subversive Activities

425. Refugees, as explained earlier, can fully enjoy fundamental human rights and freedoms. Side by side with the enjoyment of rights, refugees are expected to obey international and domestic laws. The duties provided in the 1951 Convention Relative to Refugees and the OAU Refugee Convention, which are part of Ethiopia's law, automatically apply to persons that have acquired the status of refugee in Ethiopia. The former provides the duty of refugees to conform to the laws and regulations of the state of refuge, i.e. Ethiopia. The laws and regulations of Ethiopia prohibit subversive activities against other states in line with the AU Convention. (See Annex)

426. The Criminal Code also provides for "crimes against foreign states" which penalizes criminal acts hostile to neighboring states. Article 261 of the Criminal Code enumerates criminal activities that would endanger peaceful relations of Ethiopia with foreign countries, including

- i. Attempts to disturb, by subversive activities, by slander, by malicious propaganda or by violence, the internal political order or security of a foreign state; or
- ii. Infringements against any governmental decision...taken for the purpose of safeguarding Ethiopia's neutrality during a foreign war; or
- iii. Provoking, undertaking or encouraging acts hostile to a foreign belligerent power.

427. Article 263 provides for the punishment of any person who enters into the territory of another state for the purpose of engaging in unlawful, subversive or dangerous activities contrary to public international law. All these subversive activities, punishable under the law, apply to all persons irrespective of their status in Ethiopia, citizens, refugees, or temporary residents.

Article 24: Peoples' Right to Satisfactory Environment

428. The Constitution provides that: "All persons have the right to a clean and healthy environment. It also states that all persons who have been displaced or whose livelihoods have been adversely affected as a result of state programs have the right to commensurate monetary or alternative means of compensation, including relocation with adequate state

assistance. The Government is also required to try and ensure that all Ethiopians live in a clean and healthy environment. It has to make sure that the design and implementation of programmes and projects for development do not damage or destroy the environment. In short, the Government and citizens have the duty to protect the environment. In addition to the Constitutional provisions, the Government has entered into various international agreements assuming the obligation of protecting the environment. (See Annex)

429. A number of laws have been issued to ensure the protection of the environment based on the Constitution as well as international agreements. The principal ones include:-

- Environmental Pollution Control Proclamation 300/2002
- Environmental Impact Assessment Proclamation (299/2002)
- Environmental Protection Organs Establishment Proc. 295/2002
- Public Health Proclamation 200/2000
- Ethiopian Water Resources Management Proclamation No. 197/2000
- Development, Conservation and Utilization of Wild Life Proclamation 541/2007
- Forest Development, Conservation and Utilization Proclamation No.542/2007

430. Environmental pollution control proclamation 300/2002, the most comprehensive of the environmental legislation, provides detailed rules for the protection of the environment. It prohibits the violation of environmental standards by any person. Anyone engaged in any field of activity is required to “install a sound technology that avoids or reduces, to the required minimum, the generation of waste and, when feasible, apply methods for the recycling of waste.” They may also be required to clean up or pay the cost of cleaning up the polluted environment. Where there is possible risk to human health or to the environment, a plant may be closed or relocated. Regarding hazardous waste, chemical and radioactive substances, the generation, keeping, storage, transportation, treatment or disposal of any hazardous waste without a permit from the Environmental Protection Authority or the relevant regional environmental agency, is prohibited. Persons engaged in such activities shall take appropriate precaution to prevent any damage to the environment or to human health or well-being. The importation,

preparation, mining, processing, keeping, distribution, storage, transportation or use of radioactive substances or a chemical categorized as hazardous or of restricted use shall be subject to a permit from the competent agency. According to applicable standards, those chemicals may be required to be registered, packed and labeled. This law has also details the rules over the management of municipal waste.

431. Regarding environmental standards, the Authority, based on scientific and environmental principles, is empowered to issue standards including:-

- i. Standards for the discharge of effluents into water bodies and sewage systems.
- ii. Air quality standards that specify the ambient air quality and the allowable amounts of emission for both stationary and mobile air pollution sources.
- iii. Standards for the type and amount of substances that can be applied to the soil or be disposed of in or on it.
- iv. Standards for noise providing for the maximum allowable noise level taking into account the settlement patterns and the availability of scientific and technological capacity in the country.
- v. Waste management standards specifying the levels allowed and the methods to be used in the generation, handling, storage, treatment, transport and disposal of various types of waste.

432. The Authority may also prescribe different environmental standards for different areas as necessary to protect or rehabilitate the environment. National regional states may, based on their specific situation, adopt environmental standards that are more stringent than those determined at the Federal level. However, they shall not adopt standards which are less rigorous than those determined at the Federal level.

433. On the basis of this Proclamation, environmental inspectors to ensure compliance with environmental standards and related requirements are assigned by the Authority or by the relevant regional environmental agency. Incentives such as exemption from payment of custom duty for the introduction of methods that enable the prevention or minimization of pollution have also been introduced. For the sake of ease of enforcement,

any person is entitled to lodge a complaint with the Authority or the relevant regional environmental agency, against any person allegedly causing actual or potential damage to the environment without a need to show any vested interests. Regarding offences and penalties, environmental offences, depending on factors, are punishable in accordance with the Criminal Code or this Proclamation.

434. The Environmental Impact Assessment Proclamation (299/2002) aims at ensuring that any project that requires environmental assessment for its implementation will carry out the required assessment. Permission for the project (where the project fulfils environmental pre-conditions), conditional permission (permission granted after fulfillment of further environmental requirements), or denials of the project (where the project is going to cause unacceptable environmental damages) are all carried out on the basis of such assessment.

435. The Environmental Protection Organs Establishment Proc. 295/2002 provides for the institutions that are entrusted with the protection of the environment. These include the Environmental Protection Authority with the objective of formulating policies, strategies, laws and standards, and which fosters social and economic development in a manner that enhances the welfare of humans and the safety of the environment in a sustainable, manners and of ensuring the effectiveness of the process of implementation. Another body is the Environmental Council, which forms part of the Authority and is composed of the Prime Minister, other government representatives, representatives from Regional States, non-governmental environmental organizations, and the Confederation of Ethiopian Trade Unions; and also the Regional Environmental Agency (established by Regional States to ensure the fulfillment of environmental standards at regional levels).

436. In the Public Health Proclamation 200/2002, disposal of solid, liquid or any other waste in a manner which contaminates the environment or affects the health of the society, is prohibited.

437. The Ethiopian Water Resources Management Proclamation No. 197/2000 was also issued to ensure that the water resources of the country are protected and utilized for the highest social and economic benefits of the people of Ethiopia to follow up and supervise that these resources are duly conserved, to ensure that any harmful are prevented, and that the management of water resources is carried out properly. In the proclamation, public ownership of water resources is ensured and hence “all water resources of the country are the common property of the Ethiopian peoples and the state.”

438. The major objectives of the Development, Conservation and Utilization of Wild Life Proclamation 541/2007 are:

- i. To conserve, manage, develop and properly utilize wildlife resources;
- ii. To create conditions necessary for discharging government obligations assumed under treaties regarding the conservation, development, and utilization of wildlife;
- iii. To promote wildlife-based tourism and to encourage private investment;

439. The Forest Development, Conservation and Utilization Proclamation No.542/2007 aims at making the “sustainable utilization of the country's forest resources possible through ensuring the participation of, and benefit sharing by, the concerned communities as well as by harmonizing forest policies and programs with those of other economic sectors, particularly with agriculture and rural development policy.”

440. The HPR, the supreme authority of the State, has a Standing Committee on Natural Resources and Environmental Protection Affairs. (The House of Peoples Representatives of the Federal Democratic Republic of Ethiopia Rules of Procedures and Members Code of Conduct Regulation No 3/2006) The *Natural Resources and Environmental Protection Affairs Standing Committee*, established with the objective of preserving and conserving the nation's natural resources, ensuring sustainable development, investigating and supervising the effective implementation of policies, strategies and programs environment.

441. In addition to this legislation, there are a number of environmental rules enshrined in other laws. For instance, in investment laws ensuring environmental protection and safety conditions are a prerequisite for investment permit and licensing and registration. Most importantly, government organs, in discharging their powers and responsibilities, are required to ensure the protection of the environment.

Article 25: Promotion of Human Rights

Trainings and Education on the Promotion and Protection of Human Rights- The Justice System Reform Program

442. Recognizing the lack of capacity on the part of various actors engaged in the implementation of the poverty reduction strategy and other development programs, and in building the democratization process, the Government has launched a series of nationwide capacity-building program. One of these National Capacity Building Programs is the five-year federal program called the Public Sector Capacity Building Program (PSCAP). PSCAP which was launched in November 2004 was designed with the objectives of improving the scale, efficiency, and responsiveness of the public service delivery federal, regional and local levels, and to empower citizens to participate more efficiently in economic development and to promote good governance and accountability.

443. A Justice System Reform Program (JSRP) is also designed as a subprogram under PSCAP. Its objective is to promote the rule of law as well as efficient and effective functioning of the justice system as part of Ethiopia's broader democratization and public sector development process. At the design stage, the justice system reform program comprised enhancing the effectiveness of law making organs and affiliated bodies, efficient delivery of justice by judicial organs, the efficient law enforcement, and the training of legal professionals and researchers, in sum putting in place an efficient justice system.

444. During the first year's implementation it was realized that the judicial reform program should be undertaken separately as the judiciary is an independent state organ. Currently, the judicial reform program is undertaken by the Federal Supreme Court while

JSRP is under the Justice and Legal System Research Institute which is accountable to the Ministry of Capacity Building. At regional state level, the JSRP is coordinated by the Capacity Building Bureaus and the judicial reform programs by the Regional State Supreme Courts of each state.

445. Conducting extensive training and education on human rights for legislators, judges, public prosecutors, police officials and prison administration officials is one component of the JSRP. Accordingly, trainings has offered to the members of the federal and regional parliament by the Ethiopian Human Rights Commission, the organ responsible for conducting training on human rights under the JSRP. In 2006/07, a year after it started functioning, the Commission conducted training for federal and regional legislators on such topics as an introduction to human rights and freedoms and corresponding duties, the role of the legislative organs in the promotion and enforcement of human rights, and women’s and children’s rights.

Table VIII Trainings on human rights for members of legislative organ, 2006/07

Participants’ Constituencies	No. of Members of the Legislative organs			No. of other participants			Total
	Female	Male	Total	Female	Male	Total	
HPR 1 st Round	77	100	177	0	5	5	182
HPR 2 nd Round	14	213	227	6	14	20	247
SNNPR State Council	78	302	380	1	21	22	402
Amhara NRS State Council	70	152	222	2	38	40	262
Total							1093

Source: Ethiopian Human Rights Commission, March 2008

446. Similar training on human rights, targeting 877 members of the Councils of Tigray, Gambella, Oromia and Benishangul- Gumuz Regional States and their staff members, have conducted in the second half of 2007. Journalists have been one of the main beneficiaries of the training in respect of their role in the promotion and protection of human rights. One hundred and fourteen reporters and editors of the government and

private mass media have received training on these topics. Eight hundred and fifty *Woreda* Election executives were also been trained in election procedures and human rights. TV spots promoting human rights are produced and are being televised.

447. A project to make schools the centers for human rights promotion has been designed. Ten model schools in Mekelle, the capital of Tigray Regional State and Hawassa, the capital of the SNNP Regional State have been selected for this implementation of the project. Teachers, students, parents and administrators of the schools have been trained to be equipped with the knowledge and skills necessary to implement the project.

448. Under the JSRP, the regional states also undertake repeated training courses for the members of their respective State Council, judges, prosecutors, polices and prison administration officials. In Tigray, a six day training for 142 members of the State Council were trained on human rights, democratization within the context of federalism, and challenges for the implementation of human rights. Within the last two years, 282 prosecutors attended workshops and seminars on the role of prosecutors in the promotion and protection of human rights.

449. In Oromia Regional State, a 15-day training in the revised Criminal Code from a human rights perspective has been given for 980 judges, prosecutors and legal experts. In the SNNP Regional State, about 1300 police and prison administration officials and about 128 high ranking government officials have received training on the promotion and protection of human rights. In Benishangul Gumuz Regional State, 40 prison police officials, and one hundred members of the State Council were trained on the promotion of human rights and their respective responsibilities for the protection and enforcement of human rights. Similarly, 65 judges were trained on the promotion and protection of human rights. The training mentioned is all part of the training conducted under the auspices of the Capacity Building Bureaus of the regional states through the JSRP.

450. With financial assistance from the Norwegian government, the Ethiopian government has also undertaken a nationwide human rights training for law enforcement officials at different levels with the view of enhancing their competence to enforce human rights norms enshrined in the FDRE Constitution and international human rights instruments ratified by Ethiopia. The project envisages to train 4000 judges, prosecutors and police officers on the national and international human rights standards applicable in the administration of justice.

451. several rounds of training have been conducted in all regions of the State in several rounds. So far 4,300 law enforcement officers have attended these ten-day courses, and only a few more rounds of trainings remain to be carried out. A manual was prepared for the training under the title Human Rights in the Administration of Justice. The manual covers issues such as basic features of human rights, the development of human rights, human rights and the Ethiopian legal system, human rights at the pre-trial stage and during trial, and the rights of women and the child.

452. In addition to the training manual, all participants were provided with reference materials necessary for enforcing human rights norms. These materials include: A copy of the FDRE Constitution and the Universal Declaration of Human Rights in Amharic; a compilation in the Amharic language of the major international and regional human rights agreements ratified by Ethiopia and other instruments. Reference material on human rights standards applicable during investigation and imprisonment was also distributed to the trainees and made available for sale to the public.

453. Copies of the compilation of major human rights instruments in Amharic were also donated to institutions engaged in the protection and promotion of human rights such as the Ethiopian Human Rights Commission and the Ethiopian Institute of the Ombudsman. The booklet was also made available for sale to the public.

454. A comprehensive impact assessment of the project has yet to be carried. However, feedback from the trainees at the completion of the training sessions, testimony of their

supervisors, and an early joint preliminary assessment by the Ethiopian and the Norwegian governments, indicates that the project has been a success.

455. The federal government is now preparing to takeover the project by establishing a human rights institute under the Ministry of Justice with the objective, among others, of enhancing the human rights awareness of law enforcement officials. Various government organs have also organized awareness raising activities for their respective professionals, up on their own initiative, founded from their own budget or with the assistance of outside financial or technical sources.

Incorporating human rights education in school curricula

456. The Ethiopian Human Rights Commission has conducted a study on the extent of incorporation of human rights education in to the primary school curricula. The findings were presented and discussed in a forum in which the officials of the Ministry of Education and Regional Education Bureaus, curriculum designers, teachers and professionals of the Commission were participants. A consensus was reached to the need incorporate more human rights concepts into the curricula in the event of a revision of textbooks.

Legal education

457. Law students are provided with special knowledge of fundamental human rights and freedoms. Human Rights Law, Public International Law, Ethiopian Constitutional Law, Humanitarian Law, Law and Gender Issues, Family Law, Law of Persons, and Criminal Procedure Law are some of the Courses that provide for a huge accumulation of human rights knowledge and which are given to law students undergraduate legal education programs.

Justice Professionals Training Center

458. The Justice Professionals Training Center, a governmental training center for prospective judges and public prosecutors, is playing a crucial role in promoting human rights through its training programs. The Center has four training programs: training for

nominee judges and prosecutors of High Court, training for nominee judges and prosecutors of *Woreda* Court, training for judges and prosecutors serving at different levels; and a special custom-designed training.

459. The duration of the first two programs is two years; and the curricula have been designed and are in the process of being implemented. They comprise various law courses and are accompanied by practice. Courses such as Human Rights Law, Family Law, Criminal Procedure Law and many other human rights related courses are included in the curricula. The Human Rights Law course is particularly designed to give trainees deep insight into the constitutional and international basis of human rights norms, domestic application of human rights law and women's and children's rights. The trainees have to hold a law diploma or degree in order to be admitted to the program.

460. The other two programs are short-term training programs on different legal topics. The Center has been giving thematic trainings for judges and prosecutors on various human rights issues. In addition, special training has been organized on human rights and related issues for judges, prosecutors, police officers and prison administration officials.

Members of the Defence Force

461. The Ministry of Defense promotes human rights through the formal military training courses it offers and via the workshops and awareness programs it conducts through the mass media. The Ministry transmits a regular radio program whose target audiences are members of the military. One of the objectives of the program is to raise the awareness of the military personnel regarding their roles in the protection and promotion of human rights. Topics covered in the program include people and the military, prisoners of war, the loyalty of the military to the Constitution and rights and freedoms of citizens, human rights trainings delivered by the ICRC, laws of war, the core values of the military, and lessons on the Constitution.

462. The Ministry also publishes and circulates among members of the military a biweekly newspaper entitled *Wugagen* (The Dawn). The news, articles and columns in

the newspaper mainly raise issues related to the protection of the fundamental human rights and freedoms enshrined in the Constitution. Human rights norms such as equality of religion, equality of nations and nationalities, freedom of opinion and other individual and group rights are featured in the paper. There is also a column in the newspaper dedicated to humanitarian law—prepared in collaboration with the ICRC.

463. Various workshops and training on human rights have also been offered for high ranking military officers, military justice professionals, officials that participate in international peace keeping missions, and military media workers. As part of a campaign to educate the military on the norms of international humanitarian law, documentary films of the two world wars have been translated into Amharic and are being shown to members of the military.

464. The human rights training given at military schools are extensive. Substantive human rights are included in the curricula of all military colleges and institutions. In these lessons, emphasis is placed on the role of the military in the protection of human rights and in the implementation of the laws of war. Pocket-size copies of the Constitution are handed out to all candidates to enable them to study, debate, and fully understand the fundamental human rights of citizens. Human rights related conferences and seminars are frequently organized in all military training centers in collaboration with the ICRC.

Dissemination of the Charter

465. The Ministry of Justice, in cooperation with the French Embassy, published a compilation of major African and international human rights instruments in English at the 50th anniversary of the UDHR and made this available free of charge to public prosecutors, law schools and law enforcement officers at various levels.

466. The Ministry of Justice with the financial support of Norwegian Embassy also published another compilation of the major international human rights instruments in the Amharic language. 5,000 copies are printed. The Ministry of Justice and the Norwegian Embassy distributed them to over 4,000 trainees who participated in the extensive human

rights training program organized jointly. The compilation has been widely distributed through sale and donation to various institutions and professionals. The Ethiopian Human Rights Commission has re-published 10,000 copies of this Compilation and been distributing them to training participants, law enforcement officials and other government institutions in other courses.

467. There are also translations and distributions of international human rights and humanitarian law instruments by CSOs. In this regard, the translation into local languages and publication of the major international human rights instruments by Ethiopian Human Rights Council is noticeable. The UNHCR has also translated the major international human rights instruments into the Somali language and distributed them widely among the Somali community.

Article 26: Independence of the Judiciary and Establishment of National Human Rights Institutions

Independent Judiciary

468. An independent judiciary is established by the Constitution. Courts at all levels are free from any interference or influence of any governmental body, government official or from any other source. Judges exercise their functions in full independence and are directed solely by the law.

469. No judge shall be removed from his duties before he reaches the retirement age determined by law except when the Judicial Administration Council decides to remove him for violation of disciplinary rules or on grounds of gross incompetence or inefficiency; or when a judge can no longer carry out his responsibilities on account of illness, and only when the HPR or the concerned state council approves by a majority vote the decisions of Judicial Administration Council.

National Human Rights Institutions

Ethiopian Human Rights Commission

470. The Ethiopian Human Rights Commission was established as an autonomous organ of the government in July 2000. The objectives of the Commission are educating the public about human rights; ensuring that human rights are protected, respected and fully enforced; and taking necessary measure where human rights are found to have been violated. It is established pursuant to the Paris Principles on the Status of National Human Rights Institutions. Accordingly, it maintains its autonomous status and is accountable directly to the House of People's Representatives. Such a structure protects the Commission from any form of influence and interference by the executive.

471. The top leadership of the Commission is composed of the Chief Commissioner, the Deputy Chief Commissioner and the Commissioner for Children and Women Affairs all of whom are directly appointed by HPR. The Commissioners and investigators of the Commission are provided with immunity from arrest or detention. They may not be arrested or detained without the permission of HPR or the Chief Commissioner except where they may be caught *flagrante delicto* for serious offences.

472. The commission has the following duties and responsibilities in connection with its mandate of overseeing the implementation of human rights:

- To promote awareness of human rights to the public, to ensure that human rights are protected, respected and fully enforced and to take measures against violation.
- To ensure that laws, regulations, directives, government decisions and orders do not contravene the human rights of citizens guaranteed by the Constitution.
- To undertake investigation, upon complaint or on its own initiative, in respect of human rights violations
- To make recommendations for the revision of existing laws, enactment of new laws and formulation of policies.
- To provide consultancy services on matters of human rights.
- To translate into local vernaculars, international human rights instruments adopted by Ethiopia and distribute the same

Institute of Ombudsman

473. The Institution of Ombudsman is a governmental institution established by the federal parliament to oversee the protection of the rights and freedoms of citizens by the executive, to ensure good governance and rule of law and to duly rectify or prevent unjust decisions and orders of executive organs and officials. With a view to bring about good governance, the Ombudsman makes recommendations for revision of existing laws, practices or directives and for the enactment of new laws and formulation of policies.

474. The Institution of the Ombudsman was established as an autonomous government organ directly accountable to the HPR. By doing so, the integrity of the Institution is guaranteed from the interference of the executive organ of the government. The Institution has a Chief Ombudsman, a Deputy Chief Ombudman and an Ombudsman heading the children's and women's affairs, investigators and other staff. The Ombudsman's and the investigators have immunity from arrest or detention to ensure their independence and smooth functioning.

475. The Ombudsman has the power to supervise administrative directives issued and decisions given by executive organs, and ensure the practices thereof do not contravene the constitutional rights of citizens and the law. Moreover the Institution is authorized to conduct supervision with a view to ensure the executive carries out its functions in accordance with the law and to prevent maladministration. The Institution receives and investigates complaints of maladministration and seeks remedies in case where it believes that this has occurred.

476. The investigative mandate of the ombudsperson does not, however extend to the following matters

- Decisions given by councils established by election in their legislative capacity
- Case pending in courts of law at any level
- Matters under investigation by the office of the Auditor –general

- Decisions given by security forces and units of defense forces in respect of matters of national security or defense

Article 27: Limitations on Rights and Freedoms

477. The Constitutional guarantee of human rights and fundamental freedoms is not absolute. The Bill of Rights in the Constitution is framed in such a way that the exercise of rights carries with it responsibilities. Limitations are provided in the constitutional provisions with a view to make sure of its legitimate objectives including the protection of rights or freedoms of others, human dignity, honor or reputation of individuals, national security, public health, public order, public morality, public peace, prevention of crimes and protection of democratic values on which the state is founded.

478. Limitations to fundamental human rights under the Constitution are not made arbitrarily but should be justifiable within the grounds provided above. Furthermore, constitutional rights can only be justifiably limited upon determination of a specific law. Accordingly, limitation clauses are themselves further qualified by provisions such as ‘...except under compelling circumstances and in accordance with specific laws whose purpose shall be to safeguard national security...’, ‘...as determined by law’, ‘in accordance with such procedures as are established by law’ and ‘...appropriate regulations shall be made in the interest of public convenience, protection of democratic rights’. Most importantly, only those limitations which are believed to be necessary in a democratic society are prescribed as the Constitution is based on precepts of openness, broadmindedness, tolerance and pluralism.

479. Article 29 (6) of the Constitution on freedom of thought, opinion and expression illustrates this point very well when it provides: ‘These rights can be limited only through laws which are guided by the principle that freedom of expression and information can not be limited on account of the content or effect of the point of view expressed. Legal limitation can be laid down in order to protect the well-being of the youth, and honour and reputation of individuals.’

Article 28: The Duty to Respect and Not to Discriminate

480. The Constitution provides that “human and democratic rights emanating from the nature of human beings are inviolable and inalienable.” In addition, “human and democratic rights of citizens shall be respected.” The observance of these provisions is expected from every citizen. All citizens are constitutionally bound to ensure the observance of the Constitution. It is the obligation of citizens to respect the human rights of other fellow individuals. The duty of respecting human rights is not only in the realm of government actions. It is evident that individuals have role in the protection of human rights within the state.

481. In particular the Constitution obliges everyone to respect other individuals’ dignity, honor and reputation. Each individual has the right to recognition as a human being under the Constitution. Citizens have the right to development of their personality in compliance with the rights of other citizens.

482. Equality of every individual is guaranteed under the Constitution and anyone is legally assured not to suffer discrimination whether by individual, community or government agent.

483. Respect for human beings and tolerance among individuals has long been part of the national identity of Ethiopia. It is commonplace to find individuals with different religion and convictions living peaceably within a family. Social gatherings consisting of individuals with different religious, political, ethnic, wealth and other affiliations are common. Respect for human dignity and tolerance for diversity is the common heritage of all Ethiopians.

Article 29: Duties and Responsibilities

The Duty to Protect the Harmonious Development of the Family

484. Everyone is constitutionally duty bound to ensure the institution of the family is preserved and protected. Respecting the institution of the family is a moral, social and legal duty of each Ethiopian citizen. According to Article 34 of the Ethiopian

Constitution, the family is the natural and fundamental unit of society and is entitled to protection by society and the state.

485. Citizens owe duties to their families as provided by the law. During marriage, the husband and wife are required to owe fidelity to each other, respect, support and assist each other. The spouses are bound to live together and have a normal consummation in marriage. The non-compliance of some of these duties may entail criminal liability. Violating the duty of fidelity may be penalized as the offence of adultery. Each parent is obliged to bring up his/her children appropriately.

486. The obligation to supply maintenance which exists between family members, between persons related by affinity in direct line, and brothers and sisters is also worthy of mention. The person bound to supply maintenance has the duty to provide means to feed, lodge, clothe, and to care for health and education, as the case may be, in a decent manner having regard to social conditions and local custom. Likewise, the law of succession stated that the children are heirs to the property of their parent and a parent cannot disinherit their children unless they he/she have justifiable reason. The Criminal Code penalizes such offences against the family such as incest and adultery.

Duty to Place Ones' Capabilities at the Service of the National Community

487. Citizens also owe duties to the society. The principal duty in this regard can be a duty not to be corrupt and depraved. The Criminal Code has identified the kind of actions and behavior which constitute corrupt morals under the Chapter on Crimes against Morals. These duties include abstention from injury to sexual liberty and chastity (rape, sexual outrages on minors and infants), not to deviate sexually (homosexual and other indecent acts), exploitation of the immorality of others (traffic in women and minors) and other crimes tending to corrupt morals including obscene or indecent publications and performances.

488. In addition, the Criminal Code imposes duties on every individual to abstain from other actions that prejudice the interests of the society. These prohibitions include

abstention from dangerous vagrancy, disturbances of meeting or assemblies, arson and crimes against security of communications.

489. Voluntary contribution of individuals to the society has the highest moral ground and social respect in Ethiopia. Youth associations and associations of PLWHA are known for their voluntary assistance to patients of HIV/AIDS. Voluntary service by persons organized under religious institutions including religious services and developmental activities are common practices. Higher institution students usually spend their vacation time giving tutorials to high school and other students in their locality free of charge.

The Duty of not compromising the Security of the State

490. It has been stated that fundamental rights and freedoms may be limited by law for protecting certain national interests, one of which is national security. Citizens are duty bound not to compromise the national security of the State. The failure to comply with this duty entails serious criminal liability. The Criminal Code enumerates offences for contravention that may compromise the security of the State under the Chapter Crimes against the National State.

491. A person is also bound to abstain from committing acts that may constitute Crimes against the State. These crimes include outrages against the Constitution or the Constitutional order, armed up rising and civil war, attacks against the State and Nation treason and espionage.

The Duty of Protecting National Social Solidarity

492. Formation of legal communities is a fundamental democratic right recognized under the Constitution. Any person shall observe the rights recognized under the Constitution and thus respect the right legally recognized communities to association and may not intervene unlawfully in their activities. Such unlawful interference including disturbance of meetings or assemblies entails criminal liability.

493. Every citizen is duty bound to ensure the observance of the Constitution. The Constitution is the expression of the vision of the Ethiopian peoples to live in one economic and political polity. Such a polity can only be established when strong social and national solidarity exists. It can be submitted that the duty to ensure the observance of the Constitution ultimately is the duty to strengthen social and national solidarity.

494. Ethiopia has traveled far along the path of building one political and economic community based on democratic values. The move has been strengthened by the social and national solidarity of the people. This growing solidarity has gained solid momentum it preserves itself by refusing to accept the agenda of anti-democratic forces which have threatened to incite one people against another and endanger the constitutional order hinged on social and national solidarity.

The Duty to Contribute to the Defence of Ones' Country

495. Every Ethiopian is duty bound to preserve and strengthen the national independence and the territorial integrity of Ethiopia. The duty is not mere a legal duty but has profound social, cultural, historical and moral value. Ethiopians are distinguished by their allegiance to their motherland despite any internal differences. They have forged strong nationalistic feelings towards the independence and the territorial integrity of the motherland Ethiopia.

496. Failure to observe the duty to preserve and strength the national independence and territorial integrity of Ethiopia entails serious penal sanctions. Such act or omission may be regarded as an attack on the political or territorial integrity of the State or violation of its territorial or political sovereignty. Such acts are culpable pursuant to the Section of the Criminal Code on Crimes against the External Security and Defensive Power of the State.

497. Every Ethiopian is duty bound to contribute to the defence of his country. Performing ones' duty to pay taxes is the normal one way of contributing to the defence of the country. However, under exceptional circumstances a need may arise for compulsory military service. A person may either contribute any service (in the case of

conscientious objectors) or through compulsory military service. Refusal to perform military service when one is legally bound to perform it may constitute a crime.

The Duty to Work and to Pay Tax to the State

498. There are duties owed to the State imposed by law on an individual. Primarily, an individual is duty bound to pay taxes to the State according to the taxation laws. Non-compliance with the duty of paying legally due taxes may entail criminal liability and punishment. The law pertaining to Civil Servants provides that an employee shall perform his duty to the best of his abilities and competence. Duty to work to the best of one's abilities and competence emanates from the contract of employment. In contracts for performance of service, the service provider is duty bound to exert his efforts to the best of his ability. In any contract, the contracting parties under the law assume the duty to perform their obligations in good faith which indicates their obligation to do their best in the performance of their contractual obligations.

499. Ethiopians have the right and the duty to pay taxes. Taxes are levied on individual income, sale transactions and custom duties and tariffs. Citizens pay taxes on a variety of taxable incomes provided by law including income from employment, rent of buildings and business activities. Moreover, they are required to pay value added tax or turnover tax as sales taxes. Excise tax shall be paid on imported goods.

The Duty of Protecting African Cultural Values

500. Ethiopia is a country where smooth interpersonal and communal relations are given respect. There are plenty of traditional mechanisms for individuals and peoples to resolve disputes through dialogue and consultations. Nowadays, resolving disputes through alternative dispute resolution mechanisms is given the utmost attention by the government as these are believed to be effective methods to resolve disputes, especially in the case of business relations. Courts encourage disputes between litigants to be resolved through ADR mechanisms.

The Duty of Contributing to the Promotion and to the Realization of African Unity

501. Ethiopians like their fellow African brothers strongly desire the economic, social and political unification of Africa. The effects of globalization have made the people press for such unification more than ever. Every Ethiopian is eager and determined to see a prosperous and peaceful Africa. Ethiopians have played significant role in promoting and achieving African unity in inspiring and assisting African brothers to fight for liberation and initiating the formation of Organization for African Unity and actively participate in its activities. The transformation of the OAU into the African Union has been made possible with active participation of Ethiopians and fellow Africans. Ethiopians, despite any internal differences have common sentiment towards African solidarity.

ANNEX

Table. 1 Broadcasters (Television and Radio) Registered and Authorized by the Ethiopian Broadcasting Agency

NO.	Broadcaster	Ownership	Date Licensed	Coverage
1	Ethiopian Television	Government	1972	All-over the nation
2	Ethiopian radio	» »	1943	All-over the country
3	Amhara National Regional State Government Radio	» »	2005	Amhara Region and Few Oromia zones
4	SNNPR government (South FM)	» »	» »	150 k.m.
5	Addis Ababa City Administration (FM Radio Addis)	» »	» »	Addis Ababa
6	Diredawa City Administration (FM Dirre)	» »	» »	Diredawa and surroundings
7	Diredawa Provisional Administration (Dire Television)	» »	2008	Diredawa and Surroundings
8	Harrari People National regional State (FM Harrar)	» »	» »	15 k.m surrounding
9	Oromia Regional State (Oromia Radio Channel)	» »	» »	Adama
10	Oromia Regional State (Oromia Television)	» »	» »	Adama and the Region
11	Ethiopian Radio (FM Addis)	» »	2005	Addis Ababa
12	Addey Peoples' Relations and <i>Tensae</i> Art (FM Sheger)	Commercial	» »	Addis Ababa
13	Radio Fanna	Commercial	1992	All-over the country
14	Radio Fanna (Fanna FM)	Commercial	2007	Addis Ababa
15	Voice of Tigray Liberation PLC	Commercial	2005	Mekelle
16	Zami Public Connection (Zami Radio)	» »	2006	Addiss ababa
17	Kore Society (Radio)	Community	2005	All-over Amaro Special Zone
18	Kanbata Community (Radio)	» »	2008	Kanbata

Source: Ethiopian Broadcasting Agency

**Table. 2 Press Products that Circulate beyond the Confinement of One Region
(From 10th March 2008 to 8th April 2008)**

News Papers

No	Name of the Press	Ownership	Language	Schedule	Content	Average Circulation
1	Addis Zemen	Public	Amharic	Daily	Political, Economic & Social Issues (Current Affairs)	18443
2	The Ethiopian Herald	Public	English	'	' " "	9930
3	Barrissa	Public	Oromifa	Weekly	' " "	2000
4	Al-alem	Public	Arabic	'	' " "	1000
5	Abiotawy Democracy (APDM)		Amharic	Fotnightly	' " "	63230
6	Abiotawy Democracy (SPDM)		'	'	' " "	10670
7	Woyien		Tigrigna	'	' " "	19934
8	Oromiya		Oromifa	"	' " "	77709
9	Reporter	Private	Amharic	BiWeekly	' " "	11000
10	Addis Admas	Private		Weekly	' " "	31000
11	Addis Nagar	Private	'	'	' " "	20000
12	Hedasse		'	'	' " "	30000
13	Capital	Private	' English	Weekly	Economic & Business	5000
14	Fortune	Private	'	'	'	7000
15	Lambadina	Private	Amharic	'	' Social Issues	25000
16	Medical	Private	'	'	Medical	14200
17	What is up Addis	Private	English	'	' " "	16000
18	World Sport	Private	Amharic	Weekly	Sport	18500
19	Ethio Sport	Private	'	'	' " "	22500
20	Inter Sport	Private	'	'	' " "	15500
21	Zegernerse	Private	'	'	' " "	11000
22	Sematsidek	Private	'	'	Religion	10000

Magazines

No	Name of the Press	Ownership	Language	Schedule	Content	Average Circulation
1	Negrsete	Private	Amharic	Monthly	Culture & Art	18000
2	Kalkidan	Private	'	'	' " "	22000
3	Rodas	Private	'	'	' " "	11000
4	Kum Neger	Private	'	'	' " "	12000
5	Rose	Private	'	'	' " "	15000
6	Royal	Private	'	'	' " "	11000

7	Life	Private	'	'	'	"	"	19000
8	Hamrawi	Private	'	'	'	"	"	10000
9	Enku	Private	'	'	'	"	"	13000
10	Lamrot	Private	'	'	'	"	"	10000

Source: Ministry of Information

Average Voter Turnouts in the National and Sub-National Elections by Administrative Unit

Table. 3 Voter Turnouts by Regions for 2005 Elections for National Parliament and Regional Councils

Regional States	Voter Turnouts (%)		
	Female	Male	Total
Addis Ababa	90	90	90
Afar	79	84	82
Amhara	77	82	80
Benishangul Gumuz	90	91	91
Dire Dawa	86	85	86
Gambella	40	97	71
Harar	91	87	89
Oromiya	85	88	86
SNNPR	71	76	73
Somali	83	86	85
Tigray	91	94	93
Total	81	84	83

Table. 4 Average Voter Turnout Nation-wide for the Three Regular Elections*

Year	1995	2000	2005
Average (%)	94.1	89.8	83

*The decline in voter turnout in the later elections is attributed to the gradual increase in the number of registered voters.

Table. 5 Number of Recognized Political Parties at National Level

Level	1995	2000	2005
National	7	8	22
Regional	57	57	66
Total	64	65	88

Table. 6 Medium of Instructions in Current Use

No.	Region	Languages
1	Tigray	Tigrigna
2	Afar	Afar, Amharic
3	Amhara	Amharic, Awigna, Hamtagna, Affan Oromo (in Oromia Zone)
4	Oromia	Afaan Oromo, Amharic
5	Somali	Somaligna
6	Benidahngul – Gumuz	Amharic
7	Harari	Aderigna (Harai language), Afaan Oromo, Somaligna, Amharic
8	Gambella	Agnuwak, Nu'eir, Mezenger
9	SNNP	Sidamgna, Wolaytigna, Hadiygna, Kembatigna, Gediogna, Dawro, Keficho, Silite, Amharic, Kebena, Korotie, etc.(in non- formal and lower classes)

Table. 7 Seats for the House of Peoples Representatives in 1995 and 2000*

Parties	1995	2000
EPRDF	483	481
Others	46	50
Independents	8	16

*These were the first two regular elections since the multi-party democracy has started in the State and these elections were mostly boycotted by opposition political parties.

Table. 8 Distribution of Legislative Seats by Party and Percentage of Women in the House of Peoples Representatives and Regional Councils For 2005

No	Region	For Federal Parliament					For Regional Council				
		Party	M	F	Total	Women %	Party	F	M	Total	women %
1	Addis Ababa	CUD	21	2	23	8.7	CUD	118	19	137	13.9
							EPRDF	1	0	1	0
2	Afar	ANDP	7	1	8	12.5	ANDP	77	7	84	8.3
							APDM	3	0	3	0
3	Amhara	EPRDF	58	29	87	33.3	EPRDF	115	71	186	38.2
		CUD	50	0	50	0	CUD	95	13	108	12.0
		ANDO	1	0	1	0				0	
4	Benshangul	BGPDUF	7	1	8	12.5	BGPDUF	74	11	85	12.9
		CUD	1	0	1	0	CUD	11	0	11	0
							INDEP.	2	0	2	0
							EBPDO	1	0	1	0
5	Dire Dawa	SPDP	1	0	1	0				0	
		CUD	1	0	1	0				0	
6	Harari	HNL	1	0	1	0	EPRDF	8	6	14	42.9
		EPRDF	1	0	1	0	HNL	12	6	18	33.3
							CUD	3	0	3	0
							UEDF	1	0	1	0
7	Oromiya	EPRDF	73	36	109	33.0	EPRDF	196	186	382	48.7
		CUD	15	1	16	6.3	CEDF	105	5	110	4.5
		UEDF	39	1	40	2.5	CUD	31	2	33	6.0
		OFDM	10	1	11	9.1	OFDM	7	3	10	30.0
		INDEP.	1	0	1	0	GSAP	2	0	2	0
8.	SNNPR	EPRDF	64	28	92	30.4	EPRDF	171	85	256	33.2
		CUD	17	1	18	5.6	CUD	42	3	45	6.7
		UEDF	12	0	12	0	SLM	7	0	7	0
		SMPD UO	1	0	1	0	SMPD UO	1	0	1	0
							UEDF	36	3	39	7.7
9.	Somali	SPDP	22	1	23	4.3	SPDP	169	3	172	1.7
							INDEP.	10	1	11	9.1

10	Tigray	EPRDF	24	14	38	36.8	EPRDF	77	75	152	49.3
11	Gambella	GPDM	3	0	3	0	GPDM	69	12	81	14.8
							CUD	1	0	1	0
Total			430	116	546	21.2		1445	511	1956	26.1

Source: Electoral Board

Table. 9 Representation of Nation, Nationalities and Peoples of Ethiopia in the House of Federation

No	Regional State	Members Represented In the House	Number of Nation, Nationalities and Peoples represented in the House
1	Tigray	6	3
2	Afar	2	1
3	Amhara	17	5
4	Oromia	19	1
5	Harari	1	1
6	Somali	4	1
7	Benishangul- Gumuz	5	5
8	S NNP	54	48
9	Gambela	4	4
	Grand Total	112	69

Table. 10 Infant Mortality Rate Per 1000

Regions	2000	2002/03	2005/2008
Tigray	103.6	102.2	67
Afar	129.2	99.9	61
Amhara	112.4	96.0	94
Oromia	116.2	98.0	76
Somali	99.4	83.0	57
Ben-Gumz	97.6	117.0	84
SNNPR	113.4	107.0	85
Gambela	122.6	80.0	92
Hararie	118.3	93.0	66
Addis Abeba	81.0	61.0	45
Diredawa	105.6	94.0	71
National	112.9	96.8	77

Source: Vital statistics of health and health indicators 1999, 1998, 1995 EDHS 2000p.121 and 2005,127

Direct Estimates of Maternal Mortality

Table. 11 Direct Estimates of Maternal Mortality for the Period 0-6 Years Prior To the Survey, Ethiopia 2000

Age	Maternal deaths	Exposure years	Mortality rates ¹	Proportion of maternal deaths to female deaths
15-19	32	34,277	0.919	18.8
20-24	63	34,082	1.843	30.6
25-29	56	28,641	1.957	31.8
30-34	61	23,757	2.585	31.6
35-39	34	17,445	1.940	22.9
40-44	12	10,968	1.102	13.3
	5	7,164	0.690	8.6
Total	263	156,334	1.680	25.3
General Fertility Rate (GFR) Maternal			0.190	
Mortality Ratio (MMR) ²			871	
¹ Expressed per 1,000 woman-years of exposure				
² Expressed per 100,000 live-births; calculated as the maternal mortality rate divided by the general fertility rate Age-adjusted rate				

Table. 12 Direct estimates of maternal mortality for the period 0-6 years prior to the survey, Ethiopia 2005

	Maternal	Exposure	Mortality	Proportion of maternal deaths to female
Age	Deaths	Years	rates ¹	deaths
15-19	15	32,168	0.470	12.1
20-24	44	32,171	1.353	25.4
25-29	53	28,305	1.870	29.0
30-34	45	22,881	1.960	24.4
35-39	35	16,170	2.170	26.6
40-44	4	9,742	0.433	5.7
45-49	1	5,997	0.202	2.1
Total	197	147,433	1.336a	21.3
General fertility rate (GFR) Maternal			0.193a	673
mortality ratio (MMR) ²				
1 Expressed per 1,000 woman-years of exposure 2 Expressed per 100,000 live births; calculated as the maternal mortality rate divided by the general fertility rate a Age-adjusted rate				

Source: EDHS, 2000 and 2005

HIV Prevalence

Table. 13 HIV Prevalence among Women and Men and disaggregated by age Percentage HIV positive among women age 15-49 and men age 15-59 who were tested, by age, Ethiopia 2005

Age	Women 15-49		Men 15-59		Total 15-49	
	Percentage		Percentage		Percentage	
	HIV	positive	HIV	positive	HIV	positive
	Number		Number		Number	
15-19	0.7	1,397	0.1	1,175	0.4	2,572
20-24	1.7	1,025	0.4	929	1.1	1,954
25-29	2.1	1,004	0.7	640	1.6	1,645
30-34	1.5	734	1.9	664	1.7	1,398
35-39	4.4	650	1.8	581	3.2	1,231
40-44	3.1	487	2.8	438	3.0	925
45-49	0.8	439	0.0	376	0.5	815
50-54	na	na	0.9	293	na	na
55-59	na	na	0.3	208	na	na
Total age 15-49	1.9	5,736	0.9	4,804	1.4	10,540
Total age 15-59	na	na	0.9	5,306	na	na

na = Not applicable

Table. 14 HIV prevalence for the year of 2006/2007/

Regions	HIV prevalence					
	2005			2006/07		
	Male	Female	Total	Male	Female	Total
Tigray	1.6	2.6	2.1	2.2	3.2	2.7
Afar	2.4	3.3	2.9	1.5	2.3	1.9
Amhara	1.6	1.8	1.7	2.2	3.2	2.7
Oromia	0.4	2.2	1.4	1.2	1.8	1.5
Somali	0.0	1.3	0.7	0.6	0.9	0.8
Ben-Gumz	0.0	0.9	0.5	1.5	2.2	1.8
SNNPR	0.4	0.1	0.2	1.2	1.7	1.4
Gambela	6.7	5.5	6.0	1.9	2.8	2.4
Hararie	2.2	4.6	3.5	2.6	3.8	3.2
Addis Abeba	3.0	6.1	4.7	6.0	8.9	7.5
Diredawa	1.9	4.4	3.2	3.3	5.0	4.2
National	0.9	1.9	1.4	1.7	2.6	2.1

Source health and health related indicators 2006/07, MOH

Table. 15 Top Ten Leading Causes of Death 1995(2002/2003)

Rank	Diagnosis	Cases	%
1	All Types Of Malaria	1,204	27.0
2	All types of TB	511	11.5
3	Bronchopneumonia	278	6.2
4	Primary Atypical, Other And Unspecified Pneumonia	194	4.4
5	tetanus	101	2.3
6	Relapsing Fever	42	0.9
7	Lobar Pneumonia	89	2.0
8	Dysentery	82	1.8
9	Hypertension with out mention of heart	90	2.0
10	Pyrexia unknown origin(fever)	68	1.5
	Total Of 10 Leading Causes	2,659	59.6
	Total Of All causes	4,459	100

Table. 16 Top Ten Leading Causes of Death for Female, 1995(2002/2003)

Rank	Diagnosis	Cases	%
1	All Types Of Malaria	524	26.7
2	All Types Of TB	231	11.8
3	Bronchopneumonia	98	5.0
4	Primary Atypical, Other And Unspecified Pneumonia	92	4.7
5	Relapsing Fever	45	2.3
6	Other Complication Of Pregnancy, Child Birth And Puerperium	42	2.1
7	Dysentery	38	1.9
8	Hypertension With Out Mention Of Heart	38	1.9
9	Labor Pneumonia	36	1.8
10	Typhoid Fever	33	1.7
	Total Of 10 Leading Causes	1,177	60.0
	Total Of All causes	1,961	100.0

Source form health and health related indicators, 1995

Table. 17 Top Ten Leading Major Causes of Death, 1998(2005/2006)

Rank	Diagnosis	cases	%
1	All Types Of Malaria	1,434	21.8
2	Tuberculosis Of Respiratory System	671	10.2
3	Bronchopneumonia	435	6.6
4	Primary Atypical, Other And Unspecified Pneumonia	358	5.4
5	Gastro-Entries And Colitis	269	4.1
6	Hypertension Without Mention Of Heart	199	3.0
7	Other Meningitis (Except Men In Gococcal)	178	2.7
8	Lobar Pneumonia	164	2.5
9	Tetanus	161	2.4
10	Intestinal Obstruction With Out Hernis	149	2.3
	Total Of 10 Leading Causes	4,018	61.1
	Total Of All Disease	6,591	100

Table. 18 Top Ten Leading Causes Of Death for Females, 1998(2005/2006)

Rank	Diagnosis	Cases	%
1	All Types Of Malaria	729	25.5
2	Tuberculosis Of Respiratory System	280	9.4
3	Bronchopneumonia	196	6.6
4	Primary typical And Other Unspecified Pneumonia	161	5.4
5			
6	Hypertension Without Mention Of Heart	72	2.4
7	Other Meningitis(Except Men In gonococcal)	57	1.9
8	Lobar Pneumonia	56	1.9
9	Other Unspecified Anemia	51	1.7
10	Other Complication Of Pregnancy	46	1.6
	Total Of 10 Leading Causes	1,648	55.4
	Total Of All causes	2,976	100

Percentage Distribution of Immunized Children under Five**Table. 19 Years of Age by Type of Immunization and Background Variables, Year - 2004**

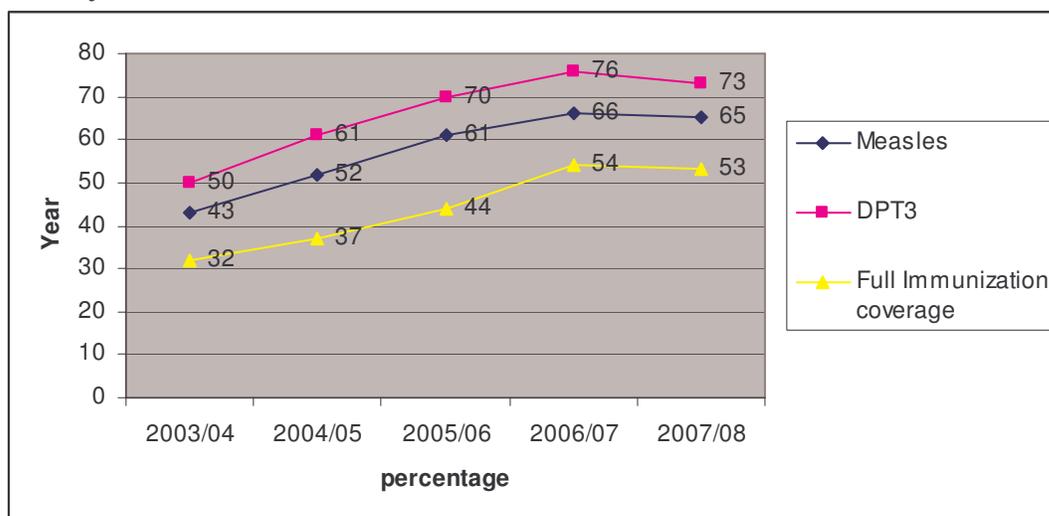
Place Of Residence And	Survey year	Type of immunization			
		Measles	BCG	DPT	Polio
Country	1996	39.1	40.1	40.0	-
	1998	46.9	50.9	51.6	79.4
	2000	48.1	49.1	50.5	83.6
	2004	56.8	54.9	58.1	83.1
Rural	1996	34.6	35.1	35.0	-
	1998	43.4	47.2	48.0	77.9
	2000	44.8	45.9	47.4	82.6
	2004	54.7	52.5	55.5	82.1
Urban	1996	77.6	82.5	82.4	-
	1998	80.8	86.6	86.8	94.0
	2000	82.9	83.0	83.8	94.1
	2004	77.8	78.8	83.6	93.0

Source welfare monitoring survey, 2004

Note: 1. Data in 1996 and 1998 WMS surveys pertains to children aged 3 to 59 months, while the 2000 and 2004 surveys cover all children under five years of age.

2. Vaccination coverage of DPT and Polio pertains to any type of the different levels (i.e. DPT1-3 and Polio 0-3 and campaign).

Graph 1 Trend in DPT 3 Coverage, Measles Immunization Coverage and Percentage of Fully Immunized Children



Source from Health and Health related indicators 1999 EC (2007/2008)

Statistics on Health Facilities

Table. 20 Distribution of Health Infrastructure, 2006/2007

Regions	Hospital				Health Center					Health post	Private clinic not for profit
	MOH	Others**	Total	Beds	MOH	Other*	Total	Beds	NHC+HS		
Tigray	13	3	16	1,417	41	1	42	380	113	529	16
Afar	2	0	2	122	14	0	14	0	45	154	6
Amhara	16	3	3	1,615	169	0	169	369	122	2,590	69
Oromia	22	8	8	3,513	197	5	202	NA	701	1,985	195
Somali	6	0	0	436	20	0	20	276	95	149	0
Ben-Gumuz	2	0	0	205	15	0	15	150	94	88	8
SNNPR	14	6	6	1,897	176	4	180	NA	167	4,258	77
Gambella	1	0	0	100	5	4	9	50	26	64	0
Hararie	2	2	2	710	3	0	3	30	3	22	10
Addis Ababa	5	25	25	927	24	5	29	180	7	37	8
Dire Dawa	1	3	3	232	7	0	7	60	3	38	8
Central	4	5	5	2,460	0	0	0	0	0	0	0
National	88	55	55	13,677	671	19	690	1495	1,376	9,914	397

**Private, Other Governmental Organizations and NGO hospital

*Facilities owned by OGA & NGO

Note: no. of beds from Addis Ababa & Dire Dawa does not include private and other hospitals
NHC=nucleus health center

Table. 21 Net Enrollment Ratio in Primary School

Region	2002/03			2003/04			2004/05			2005/2006			2006/2007		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
Tigray	-			63.6	68.7	66.1	73.8	78.9	76.3				90.0	92.8	91.4
Afar	-			12.6	9.0	11.0	13.9	11.0	12.6				17.9	14.6	16.4
Amhara				54.6	53.1	53.9	68.9	67.7	68.3				83.4	83.5	83.4
Oromia				70.7	52.4	61.6	82.8	67.0	75.0				83.7	72.5	78.2
Somali				14.8	7.8	11.6	25.0	17.2	21.4				39.6	29.3	34.8
Ben-Gumz				86.3	65.2	76.0	92.2	74.6	83.6				107.7	89.8	98.9
SNNPR				74.2	52.6	63.5	78.6	59.3	69.0				92.9	78.0	85.5
Gambela				89.6	54.2	72.5	97.9	73.3	86.0				142.7	100.9	122.4
Hararie				91.7	72.9	82.5	80.0	65.8	73.5				101.9	89.0	95.6
Addis Ababa				90.3	97.6	94.0	91.4	100.7	96.2				92.0	105.3	98.7
Dire Dawa				67.6	52.8	60.4	68.0	55.7	62.0				66.3	58.1	62.3
National	60.6	47.2	54.0	62.9	51.8	57.4	73.2	63.6	68.5	81.7	73.2	77.5	82.6	75.5	79.1

N.B The net enrollment in Addis Ababa and Gambela is more than hundred due to the time difference between the census and the data collection.

Graph 2 Drop out Rate for Primary Education

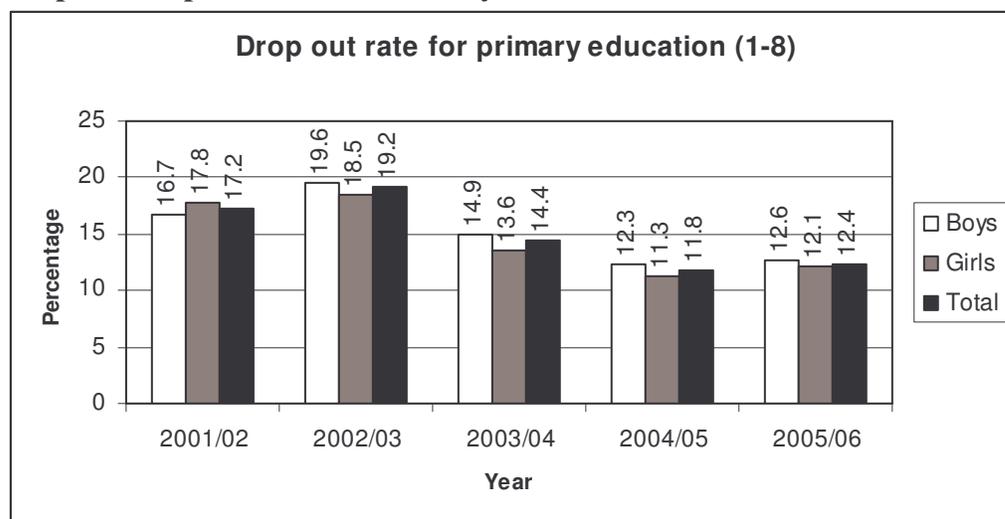


Table. 22 Schools for All Levels of Education (Government and Non-Government)

Schools	2002/03	2003/04	2004/05	2005/06	2006/07	Average Annual Growth Rate
Kindergarten	1,067	1,244	1,497	1,794	2,313	21.3%
Primary	12,471	13,181	16,513	19,412	20,660	13.5%
Secondary	491	595	706	835	952	18.0%
TVET	153	158	199	264	388	26.2%
Higher Education	13	21	23	40	55	43.4%

Table. 23 Enrolment in Alternative Basic Education

Year	2002/03	2003/04	2004/05	2005/06	2006/07	AAGR
Male		215,315	250,243	426,036	311,427	9.75%
Female		175,120	491,525	391,296	271,339	11.6%
Total		390,435	741,758	817,332	582,766	10.5%

Table. 24 Number of centers for Alternative Basic Education

Regions	Number of Centers	
	2005/06	2006/07
Tigray	54	98
afar	-	113
Amhara	1883	3,745
Oromiya*	4147	3,498
Somali	-	-
Benishangul Gumuz	184	292
SNNP	1026	1,115
Gambela	-	16
Harari	-	-
Addis Ababa*	211	193
Dire Dawa	-	-
Total	6425	9,070

*under reporting

Table. 25 Net enrolment ratio in secondary first cycle (9-10)

Year	Net Enrollment Ratio for Secondary School		
	Boys (%)	Girls (%)	Total (%)
2002/03	10.1	6.7	8.4
2003/04	12.0	7.5	9.8
2004/05	14.2	9.3	11.8
2005/06	15.5	10.7	13.2
2006/07	16.8	12.6	14.7

Table. 26 Gross Enrollment in preparatory program (second cycle) (11-12)

Year	Enrollment		
	Boys	Girls	Total
2002/03	56,680	22,475	79,155
2003/04	69,189	25,471	94,660
2004/05	67,413	25,070	92,483
2005/06	91,889	31,794	123,683
2006/07	117,000	58,219	175,219
AAGR	19.9%	26.9	22.0%

Graph 3 Enrollment in preparatory program (11-12)

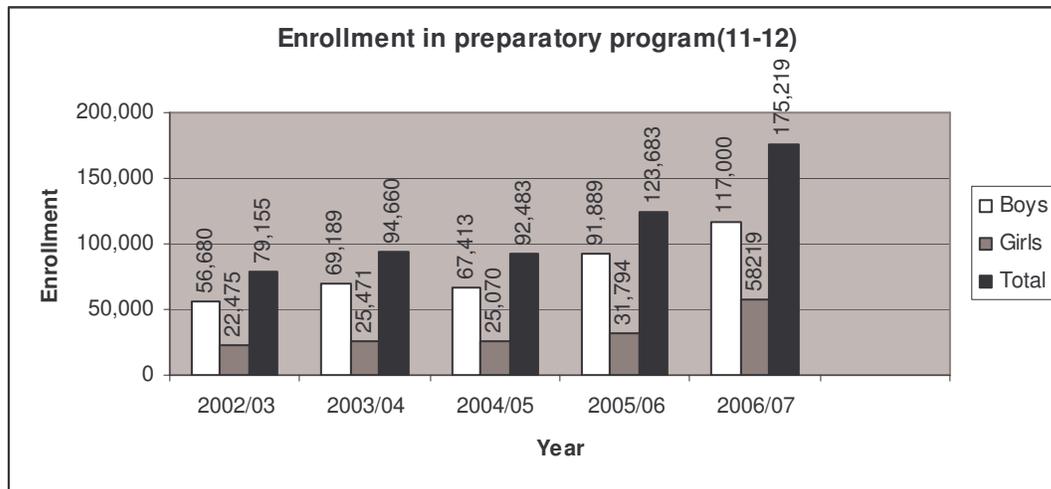


Table. 27 Urban Rural disparity by level

	urban enrollment					Rural enrollment				
2003/05										
Level	Male	female	%male	%female	%urban	male	female	%male	%female	% rural
primary (1-8)	1598038	1365869	53.9	46.1	31.1	3880083	2698648	59.0	41.0	68.9
secondary (9-10)	422575	233138	64.4	35.6	95.6	21204	9059	70.1	29.9	4.5
secondary (11-12)	68714	25258	73.1	26.9		475	213	69.0	31.0	
2004/05										
Level	Male	female	%male	%female	%urban	male	female	%male	%female	% rural
primary (1-8)	1607527	1434252	52.8	47.2	26.6	4783934	3622928	56.9	43.1	73.4
secondary (9-10)	512437	288932	63.95	36.05	91.3	41477	17888	69.9	30.1	6.9
secondary (11-12)	65036	242226	72.9	27.1		2377	844	73.8	26.2	

2005/06										
Level	Male	female	%male	%female	%urban	male	female	%male	%female	% rural
primary (1-8)	1604061	1481499	52.0	48.0	24.3	5335108	4236674	57.7	44.3	75.7
secondary (9-10)	612630	356511	63.2	36.8	90.9	66086	31196	67.9	32.1	9.1
secondary (11-12)	86159	30274	74.4	26.0		5730	1520	79.0	21.0	
2006/07										
Level	Male	female	%male	%female	%urban	male	female	%male	%female	% rural
primary (1-8)	1,575,201	1,505,813	51.1	48.9	22.0	6,008,224	4,925,038	55.0	45.0	78.0
secondary (9-10)	688,613	426,295	61.8	38.2	91.1	72,061	36,693	66.3	33.7	8.9
secondary (11-12)	112,408	56,364	66.6	33.4	96.3	4,592	1,855	71.2	28.8	3.7

Table. 28 Enrolment in vocational school (TVET)

year \ sex	2002/03	2003/04	2004/05	2005/06	2006/07	Average Annual Growth Rate
Male	37,377	45,798	51,940	61,415	107,327	30.2%
Female	34,785	41,360	54,396	62,142	83,824	24.6%
Total	72,162	87,158	106,366	123,557	191,151	27.6%
%Male	51.8	52.5	48.8	49.7	56.1	
%Female	48.2	47.5	51.2	50.3	43.9	

Table. 29 Enrollment in Higher Education (Gross)

Undergraduate Enrollment In Higher Education			
year	Male	Female	Total
2002/03	45,626	8,659	54,285
2003/04	75440	19,330	94,770
2004/05	102,251	30,617	132,868
2005/06	130,835	43,066	173,901
2006/07	150,530	52,869	203,399
Post Graduate Enrollment In Higher Education			
2002/03	1,814	135	1,949
2003/04	2,388	172	2,560
2004/05	3,274	330	3,604
2005/06	5,746	639	6,385

Table. 30 Characteristic of Adult and Non Formal Basic Education

Region	Enrollment			Number of Facilitators			Number of Centers
	Male	Female	Total	Male	Female	Total	
Tigray	1,769	867	2,636	22	10	32	25
Amhara	468	384	852	37	16	53	37
Oromiya	45,969	22,318	68,287	1151	322	1473	441
Beni-Gumuz	401	223	624	12	2	14	11
SNNP	2,658	3,283	5,941	178	50	228	164
Gambela	365	294	659	26	1	27	13
Addis Ababa	9,186	18,643	27,829	301	485	786	264
Total	60,816	46,012	106,828	1727	886	2613	955

*No data for Afar, Harari, and Somalia regional states

Human Rights Instruments to which Ethiopia is a party

Table. 31 Regional Human Rights Conventions

No.	Name of the Instrument	Party Since
1	African Charter on the Rights and Welfare of the Child, 11 July 1990	02/10/2002
2	OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, 10 September 1969	15/10/1973

Table. 32 Main International Human rights Conventions to which Ethiopia is a Party

No.	Name of the Instrument	Party Since
1.	International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	11 June 1993
2.	International Covenant on Civil and Political Rights (ICCPR), 1966	11 June 1993
3.	International Convention on the Elimination of All Forms of Racial Discrimination, (ICERD), 1965	23 June 1976
4.	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979	8 July 1980
5.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984	14 March 1994
6.	Convention on the Rights of the Child (CRC), 1989	14 May 1991

Table. 33 Other United Nations Human Rights and Related Conventions

No.	Name of the Instrument	Party Since
1.	Convention on the Prevention and Punishment of the Crime of Genocide, 1948	1 July 1949
2.	Slavery Convention, 1926 as amended 1955	21 January 1969
3.	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949	10 Sep 1981
4.	Convention relating to the Status of Refugees, 1951, and its 1967 Protocol	10 Nov 1969
5.	United Nations Convention against Transnational Organized Crime, 2000, and its Protocols against the smuggling of migrants by land, sea and air, and to prevent, suppress and punish trafficking in persons, especially women and children	23 Jul 2007

Table. 34 Conventions of the International Labor Organization

No.	Name of the Instrument	Party Since
1.	Weekly Rest (Industry) Convention, 1921 (No. 14)	28Jan1991
2.	Forced or Compulsory Labour Convention, 1930 (No. 29)	02:09:2003
3.	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	04:06:1963
4.	Right to Organize and Collective Bargaining Convention, 1949 (No. 98)	04:06:1963
5.	Equal Remuneration Convention 1951 (No. 100)	24:03:1999
6.	Abolition of Forced Labour Convention, 1957 (No. 105)	24:03:1999
7.	Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	28:01:1991
8.	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	11:06:1966
9.	Minimum Age Convention, 1973 (No. 138)	27:05:1999
10.	Occupational Safety and Health Convention, 1981 (No. 155)	28:01:1991
11.	Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities Convention, 1981 (No. 156)	28:01:1991
12.	Worst Forms of Child Labour Convention, 1999 (No. 182)	02:09:2003

Table. 35 Geneva Conventions and Other Treaties on International Humanitarian Law

No.	Name of the instrument	Party since
1.	Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949	02.10.1969
2.	Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and	02.10.1969

	Shipwrecked Members of Armed Forces at Sea, 1949	
3.	Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949	02.10.1969
4.	Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949	02.10.1969
5.	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I),	08.04.1994
6.	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977	08.04.1994
7.	Ottawa (Oslo?) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction, 1987 (1997?)	17.12.2004

Table. 36 International agreement on peace and security

1	Pacific Settlement of International Disputes (1899)
2	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents (1973)
3	-The International Convention against the Taking of Hostages (1979)
3	Comprehensive Nuclear Test-Ban-Treaty (1996)
4	-The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction (1997)
5	International Convention for the Suppression of Terrorist Bombings (1998)
6	The OAU Convention on the Prevention and Combating of Terrorism (1999)

Table. 37 International Environmental Agreements

<i>No.</i>	<i>Name of the Instrument</i>
1	The Kyoto Protocol on the reduction of greenhouse gases, (1977);
2	- The Bamako Convention on the Ban of the import into Africa and the Control of Trans-boundary Movements and Management of Hazardous Wastes within Africa (1991)
3	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (1993)

4	United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (1994);
5	Kyoto Protocol to the United Nations Framework Convention on Climate change (1997)
6	The Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)
7	The Cartagena Protocol on Biosafety to the Convention on Biological Diversity, adopted on the 29th day of January, 2000;
8	The Cartagena Protocol on Biosafety to the Convention on Biological Diversity (2000)
9	The Stockholm Convention on Persistent Organic Pollutants (2001);
10	The International Treaty on Plant Genetic Resources for Food and Agriculture (2001)
	Framework Convention on Climate Change;

Table. 38 Cultural Agreements

<i>No.</i>	<i>Name of the Instrument</i>
1	Convention on the means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970)
2	Convention for the Safeguarding of the Intangible Cultural Heritage at Paris (2003)

The Constitution of the Federal Democratic Republic of Ethiopia (Selected Articles)

Preamble

We, the Nations, Nationalities and Peoples of Ethiopia:

Strongly committed, in full and free exercise of our right to self-determination, to building a political community founded on the rule of law and capable of ensuring a lasting peace, guaranteeing a democratic order, and advancing our economic and social development;

Firmly convinced that the fulfillment of this objective requires full respect of individual and people's fundamental freedoms and rights, to live together on the basis of equality and without any sexual, religious or cultural discrimination;

Further convinced that by continuing to live with our rich and proud cultural legacies in territories we have long inhabited, have, through continuous interaction on various levels and forms of life, built up common interest and have also contributed to the emergence of a common outlook;

Fully cognizant that our common destiny can best be served by rectifying historically unjust relationships and by further promoting our shared interests;

Convinced that to live as one economic community is necessary in order to create sustainable and mutually supportive conditions for ensuring respect for our rights and freedoms and for the collective promotion of our interests;

Determined to consolidate, as a lasting legacy, the peace and the prospect of a democratic order, which our struggles and sacrifices have brought about;

Have therefore adopted, on 8th December 1994 this constitution through representatives we have duly elected for this purpose as an instrument that binds us in a mutual commitment to fulfill the objectives and the principles set forth above.

CHAPTER ONE GENERAL PROVISIONS

Article 1

Nomenclature of the State

This Constitution establishes a Federal and Democratic state structure. Accordingly, the Ethiopian State shall be known as the Federal Democratic Republic of Ethiopia.

Article 5 Languages

All Ethiopian languages shall enjoy equal state recognition.

Amharic shall be the working language of the Federal Government.

Members of the Federation may by law determine their respective working languages.

Article 6

Nationality

Any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian.

Foreign nationals may acquire Ethiopian nationality.

Particulars relating to nationality shall be determined by law.

Article 7

Gender Reference

Provisions of this Constitution set out in the masculine gender shall also apply to the feminine gender.

CHAPTER TWO FUNDAMENTAL PRINCIPLES OF THE CONSTITUTION

Article 8

Sovereignty of the people

1. All sovereign power resides in the nations, nationalities and peoples of Ethiopia.
2. This Constitution is an expression of their sovereignty.
3. Their sovereignty shall be expressed through their representatives elected in accordance with this Constitution and through their direct democratic participation.

Article 9

Supremacy of the Constitution

1. The Constitution is the supreme law of the land. Any law, customary practice or a decision of an organ of state or a public official that contravenes this Constitution shall be of no effect.
2. All citizens, organs of state, political organizations, other associations as well as their officials have the duty to ensure observance of the Constitution and obey it.
3. It is prohibited to assume state power in any manner other than that provided under the Constitution.
4. All international agreements ratified by Ethiopia are an integral part of the law of the land.

Article 10

Human and Democratic Rights

1. Human rights and freedoms, emanating from the nature of mankind are inalienable and inviolable.
2. Human and democratic rights of citizens and peoples shall be respected.

Article 11

Separation of State and Religion

1. State and religion are separate.
2. There shall be no state religion.
3. The State shall not interfere in religious affairs and religion shall not interfere in state affairs.

Article 12

Conduct and Accountability of Government

1. The conduct of affairs of government shall be transparent.
2. Any public official or an elected representative is accountable for any failure in official duties.
3. In case of loss of confidence, the people may recall an elected representative. The particulars of recall shall be determined by law.

CHAPTER THREE FUNDAMENTAL RIGHTS AND FREEDOMS

Article 13

Scope of Application and Interpretation

1. All Federal and State legislative, executive and judicial organs at all levels shall have the responsibility and duty to respect and enforce the provisions of this Chapter.
2. The fundamental rights and freedoms specified in this Chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights, International Covenants on Human Rights and International instruments adopted by Ethiopia.

PART ONE

HUMAN RIGHTS

Article 14

Rights to life, the Security of Person and Liberty

Every person has the inviolable and inalienable right to life, the security of person and liberty.

Article 15

Right to Life

Every person has the right to life. No person may be deprived of his life except as a punishment for a serious criminal offence determined by law.

Article 16

The Right of the Security of Person

Every one has the right to protection against bodily harm.

Article 17

Right to Liberty

1. No one shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law.
2. No person may be subjected to arbitrary arrest, and no person may be detained without a charge or conviction against him.

Article 18

Prohibition against Inhuman Treatment

1. Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment.
2. No one shall be held in slavery or servitude. Trafficking in human beings, for whatever purpose is prohibited.
3. No one shall be required to perform forced or compulsory labour.
4. For the purpose of sub-Article 3 of this Article, the phrase "forced or compulsory labour" shall not include:-
 - a) Any work or service normally required of a person who is under detention in consequence of a lawful order, or of a person during conditional release from such detention;
 - b) In the case of conscientious objectors, any service exacted in lieu of compulsory military service;
 - c) Any service exacted in cases of emergency or calamity threatening the life or well being of the community;
 - d) Any economic or social development activity voluntarily performed by a community within its locality.

Article 19

Rights of Persons Arrested

1. Persons arrested have the right to be informed promptly, in a language they understand, of the reasons for their arrest and of any charge against them.
2. Persons arrested have the right to remain silent. Upon arrest, they have the right to be informed promptly, in a language they understand, that any statement they make may be used as evidence against them in court.
3. Persons arrested have the right to be brought before a court within 48 hours of their arrest. Such time shall not include the time reasonably required for the journey from the place of arrest to the court. On appearing before a court, they have the right to be given prompt and specific explanation of the reasons for their arrest due to the alleged crime committed.
4. All persons have an inalienable right to petition the court to order their physical release where the arresting police officer or the law enforcer fails to bring them before a court within the prescribed time and to provide reasons for their arrest. Where the interest of justice requires, the court may order the arrested person to remain in custody or, when requested, remand him for a time strictly required to carry out the necessary investigation. In determining the additional time necessary for investigation, the court shall ensure that the responsible law enforcement authorities carry out the investigation respecting the arrested person's right to a speedy trial.
5. Persons arrested shall not be compelled to make confessions or admissions that could be used in evidence against them. Any evidence obtained under such coercion shall not be admissible.
6. Persons arrested have the right to be released on bail. In exceptional circumstances prescribed by law, the court may deny bail or demand adequate guarantee or the conditional release of the arrested person.

Article 20

Rights of Persons Accused

1. Accused persons have the right to a public trial by an ordinary court of law within a reasonable time after having been charged. The court may hear cases in a closed session only with a view to protecting the right to privacy of the parties concerned, public morals and national security.
2. Accused persons have the right to be informed with sufficient particulars of the charge brought against them and to be given the charge in writing.
3. During proceedings accused persons have the right to be presumed innocent until proved guilty according to law and not to be compelled to testify against themselves.
4. Accused persons have the right to full access to any evidence presented against them, to examine witnesses testifying against them, to adduce or to have evidence

- produced in their own defense, and to obtain the attendance of and examination of witnesses on their behalf before the court.
5. Accused persons have the right to be represented by legal counsel of their choice, and, if they do not have sufficient means to pay for it and miscarriage of justice would result, to be provided with legal representation at state expense.
 6. All persons have the right of appeal to the competent court against an order or a judgment of the court that first heard the case.
 7. They have the right to request the assistance of an interpreter at state expense where the court proceedings are conducted in a language that they do not understand.

Article 21

The Rights of Persons Held in Custody and Convicted Prisoners

1. All persons held in custody and persons imprisoned upon conviction and sentencing have the right to treatments respecting their human dignity.
2. All persons shall have the opportunity to communicate with, and to be visited by, their spouses or partners, close relatives, friends, religious counselors, medical doctors and their legal counsel.

Article 22

Non-retroactivity of Criminal Law

1. No one shall be held guilty of any criminal offence on account of any act or omission that did not constitute a criminal offence at the time when it was committed. Nor shall a heavier penalty be imposed on any person than the one that was applicable at the time when the criminal offence was committed.
2. Notwithstanding the provisions of sub-Article 1 of this Article, a law promulgated subsequent to the commission of the offence shall apply if it is advantageous to the accused or convicted person.

Article 23

Prohibition of Double Jeopardy

No person shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the criminal law and procedure.

Article 24

Right to Honour and Reputation

1. Everyone has the right to respect for his human dignity, reputation and honour.
2. Everyone has the right to the free development of his personality in a manner compatible with the rights of other citizens.
3. Everyone shall have the right to recognition everywhere as a person.

Article 25

Right to Equality

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, colour, sex, language, religion, political or other opinion, property, birth or other status.

Article 26

Right to Privacy

1. Everyone has the right to privacy. This right shall include the right not to be subjected to searches of his personal possession.
2. Everyone has the right to the inviolability of his notes and correspondence including postal letters, and communications made by means of telephone, telecommunications and electronic devices.
3. Public officials shall respect and protect these rights. No restrictions may be placed on the enjoyment of such rights except in compelling circumstances and in accordance with specific laws whose purposes shall be the safeguarding of national security or public peace, the prevention of crimes or the protection of health, public morality or the rights and freedoms of others.

Article 27

Freedom of Religion, Belief and Opinion

1. Everyone has the right to freedom of thought, conscience and religion. This right shall include the freedom to hold or to adopt a religion or belief of his choice, and the freedom, either individually or in community with others, and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. Without prejudice to the provisions of sub-Article 2 of Article 90, believers may establish institutions of religious education and administration in order to propagate and organize their religion.
3. No one shall be subject to coercion or other means that would restrict or prevent his freedom to hold a belief of his choice.
4. Parents and legal guardians have the right to bring to up their children ensuring their religious and moral education in conformity with their own convictions.
5. Freedom to express or manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public

safety, peace, health, education, public morality or the fundamental rights and freedoms of others, and to ensure the independence of the state from religion.

Article 28
Crimes against Humanity

1. Criminal liability of persons who commit crimes against humanity, so defined by international agreements ratified by Ethiopia and by other laws of Ethiopia, such as genocide, summary executions, forcible disappearances or torture shall not be barred by statute of limitation. Such offences may not be commuted by amnesty or pardon of the legislature or any other state organ.
2. In the case of persons convicted of any crime stated in sub-Article 1 of this Article and sentenced with the death penalty, the Head of State may, without prejudice to the provisions herein above, commute the punishment to life imprisonment.

PART TWO
DEMOCRATIC RIGHTS

Article 29
Right of Thought, Opinion and Expression

1. Everyone has the right to hold opinions without interference.
2. Everyone has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice.
3. Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:
 - (a) Prohibition of any form of censorship.
 - (b) Access to information of public interest
4. In the interest of the free flow of information, ideas and opinions that are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.
5. Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion.
6. These rights can be limited only through laws which are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the well being of the youth, and the honour and reputation of individuals. Any propaganda for war, as well as the public expression of opinion intended to injure human dignity, shall be prohibited by law.

7. Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law.

Article 30

The Right of Assembly, Demonstration and Petition

1. Everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition. Appropriate regulations may be made in the interest of public convenience relating to the location of open-air meetings and the route of movement of demonstrators or, for the protection of democratic rights, public morality and peace during such a meeting or demonstration.
2. This right does not exempt from liability under laws enacted to protect the well-being of the youth or the honour and reputation of individuals, and laws prohibiting any propaganda for war and any public expression of opinions intended to injure human dignity.

Article 31

Freedom of Association

Every person has the right to freedom of association for any cause or purpose. Organizations formed, in violation of appropriate laws, or to illegally subvert the constitutional order, or which promote such activities, are prohibited.

Article 32

Freedom of Movement

1. Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to.
2. Any Ethiopian national has the right to return to his country.

Article 33

Rights of Nationality

1. No Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will. Marriage of an Ethiopian national of either sex to a foreign national shall not annul his or her Ethiopian nationality.
2. Every Ethiopian national has the right to the enjoyment of all rights, protection and benefits derived from Ethiopian nationality as prescribed by law.
3. Any national has the right to change his Ethiopian nationality.
4. Ethiopian nationality may be conferred upon foreigners in accordance with law enacted and procedures established consistent with international agreements ratified by Ethiopia.

Article 34

Marital, Personal and Family Rights

1. Men and women, without any distinction as to race, nation, nationality or religion, who have attained marriageable age as defined by law, have the right to marry and found a family. They have equal rights while entering into, during marriage and at the time of divorce. Laws shall be enacted to ensure the protection of rights and interests of children at the time of divorce.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental unit of society and is entitled to protection by society and the State.
4. In accordance with provisions to be specified by law, a law giving recognition to marriage concluded under systems of religious or customary laws may be enacted.
5. This Constitution shall not preclude the adjudication of disputes relating to personal and family laws in accordance with religious or customary laws, with the consent of the parties to the dispute. Particulars shall be determined by law.

Article 35 Rights of Women

1. Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men.
2. Women have equal rights with men in marriage as prescribed by this Constitution.
3. The historical legacy of inequality and discrimination suffered by women in Ethiopia taken into account, women, in order to remedy this legacy, are entitled to affirmative measures. The purpose of such measures shall be provide special attention to women so as to enable them to compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions.
4. The State shall enforce the right of women to eliminate the influences of harmful customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited.
5.
 - a. Women have the right to maternity leave with full pay. The duration of maternity leave shall be determined by law taking into account the nature of the work, the health of the mother and the well being of the child and family.
 - b. Maternity leave may, in accordance with the provisions of law, include prenatal leave with full pay.
6. Women have the right to full consultation in the formulation of national development policies, the designing and execution of projects, and particularly in the case of projects affecting the interests of women.

7. Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall also enjoy equal treatment in the inheritance of property.
8. Women shall have a right to equality in employment, promotion, pay, and the transfer of pension entitlements.
9. To prevent harm arising from pregnancy and childbirth and in order to safeguard their health, women have the right of access to family planning education, information and capacity.

Article 36 Rights of Children

1. Every child has the right:

- a) To life;
- b) To a name and nationality;
- c) To know and be cared for by his or her parents or legal guardians;
- d) Not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being;
- e) To be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of children.

In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interest of the child.

Juvenile offenders admitted to corrective or rehabilitative institutions, and juveniles who become wards of the State or who are placed in public or private orphanages, shall be kept separately from adults.

Children born out of wedlock shall have the same rights as children born of wedlock.

The State shall accord special protection to orphans and shall encourage the establishment of institutions that ensure and promote their adoption and advance their welfare, and education.

Article 37 Right of Access to Justice

1. Everyone has the right to bring a justiciable matter to, and to obtain a decision or judgment by, a court of law or any other competent body with judicial power.

2. The Decision or judgment referred to under sub-Article 1 of this Article may also be sought by:
 - (a) Any association representing the Collective or individual interest of its members; or
 - (b) Any group or person who is a member of, or represents a group with similar interests.

Article 38

The Right to Vote and to be Elected

1. Every Ethiopian national, without any discrimination based on color, race, nation, nationality, sex, language, religion, political or other opinion or other status, has the following rights:
 - a. To take part in the conduct of public affairs, directly and through freely chosen representatives;
 - b. On the attainment of 18 years of age, to vote in accordance with law;
 - c. To vote and to be elected at periodic elections to any office at any level of government; elections shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.
2. The right of everyone to be a member of his own will of a political organization, labour union, trade organization, or employers' or professional association shall be respected if he or she meets the special and general requirements stipulated by such organization.
3. Elections to positions of responsibility with any of the organizations referred to under sub-Article 2 of this Article shall be conducted in a free and democratic manner.
4. The provisions of Sub-Articles 2 and 3 of this Article shall apply to civic organizations that significantly affect the public interest.

Article 39

Rights of Nationalities, and Peoples

1. Every Nation, Nationality and People in Ethiopia has an unconditional right to self-determination, including the right to secession.
2. Every Nation, Nationality and People in Ethiopia has the right to speak, to write and to develop its own language; to express, to develop and to promote its culture; and to preserve its history.
3. Every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government that includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in State and Federal governments.
4. The right to self-determination, including secession of every Nation, Nationality and People shall come into effect:

- (a) When a demand for secession has been approved by a two-thirds majority of the members of the Legislative Council of the Nation, Nationality or People concerned;
 - (b) When the Federal Government has organized a referendum which must take place within three years from the time it received the concerned council's decision for secession;
 - (c) When the demand for secession is supported by majority vote in the referendum;
 - (d) When the Federal Government will have transferred its powers to the council of the Nation, Nationality or People who has voted to secede; and
 - (e) When the division of assets is effected in a manner prescribed by law.
5. A "Nation, Nationality or People" for the purpose of this Constitution, is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.

Article 40

The Right to Property

1. Every Ethiopian citizen has the right to the ownership of private property. Unless prescribed otherwise by law on account of public interest, this right shall include the right to acquire, to use and, in a manner compatible with the rights of other citizens, to dispose of such property by sale or bequest or to transfer it otherwise.
2. "Private property", for the purpose of this Article, shall mean any tangible or intangible product that has value and is produced by the labour, creativity, enterprise or capital of an individual citizen, associations which enjoy juridical personality under the law, or in appropriate circumstances, by communities specifically empowered by law to own property in common.
3. The right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and peoples of Ethiopia and shall not be subject to sale or to other means of exchange.
4. Ethiopian peasants have the right to obtain land without payment and the protection against eviction from their possession. The implementation of this provision shall be specified by law.
5. Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands. The implementation shall be specified by law.
6. Without prejudice to the right of Ethiopian Nations, Nationalities, and Peoples to the ownership of land, government shall ensure the right of private investors to

- the use of land on the basis of payment arrangements established by law. Particulars shall be determined by law.
7. Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labour or capital. This right shall include the right to alienate, to bequeath, and, where the right of use expires, to remove his property, transfer his title, or claim compensation for it. Particulars shall be determined by law.
 8. Without prejudice to the right to private property, the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property.

Article 41

Economic, Social and Cultural Rights

1. Every Ethiopian has the right to engage freely in economic activity and to pursue a livelihood of his choice anywhere within the national territory.
2. Every Ethiopian has the right to choose his or her means of livelihood, occupation and profession.
3. Every Ethiopian national has the right to equal access to public funded social services.
4. The State has the obligation to allocate ever increasing resources to provide to the public health, education and other social services.
5. The State shall, within available means, allocate resources to provide rehabilitation and assistance to the physically and mentally disabled, the aged, and to children who are left without parents or guardian.
6. The State shall pursue policies that aim to expand job opportunities for the unemployed and the poor and shall accordingly undertake programmes and public works projects.
7. The State shall undertake all measures necessary to increase opportunities for citizens to find gainful employment.
8. Ethiopian farmers and pastoralists have the right to receive a fair price for their products, that would lead to improvement in their conditions of life and to enable them to obtain an equitable share of the national wealth commensurate with their contribution. This objective shall guide the State in the formulation of economic, social and development policies.
9. The state has the responsibility to protect and preserve historical and cultural legacies, and to contribute to the promotion of the arts and sports.

Article 42

Rights of Labour

1. (a) Factory and service workers, farmers, farm labourers, other rural workers and government employees whose work compatibility allows for it and who are below a certain level of responsibility, have the right to form associations to improve their conditions of employment and economic well-being. This right includes the

- right to form trade unions and other associations to bargain collectively with employers or other organizations that affect their interests.
- (b) Categories of persons referred to in paragraph (a) of this sub-Article have the right to express grievances, including the right to strike.
 - (c) Government employees who enjoy the rights provided under paragraphs (a) and (b) of this sub-Article shall be determined by law.
 - (d) Women workers have the right to equal pay for equal work.
2. Workers have the right to reasonable limitation of working hours, to rest, to leisure, to periodic leaves with pay, to remuneration for public holidays as well as a healthy and safe work environment.
 3. Without prejudice to the rights recognized under sub-Article 1 of this Article, laws enacted for the implementation of such rights shall establish procedures for the formation of trade unions and for the regulation of the collective bargaining process.

Article 43
The Right to Development

1. The peoples of Ethiopia as a whole, and each Nation, Nationality and People in Ethiopia in particular have the right to improved living standards and to sustainable development.
2. Nationals have the right to participate in national development and, in particular, to be consulted with respect to policies and projects affecting their community.
3. All international agreements and relations concluded, established or conducted by the State shall protect and ensure Ethiopia's right to sustainable development.
4. The basic aim of development activities shall be to enhance the capacity of citizens for development and to meet their basic needs.

Article 44
Environmental Rights

1. All Persons have the right to a clean and healthy environment.
2. All persons who have been displaced or whose livelihoods have been adversely affected as a result of State programmes have the right to commensurate monetary or alternative means of compensation, including relocation with adequate State assistance.

CHAPTER NINE
STRUCTURE AND POWERS OF THE COURTS

Article 78
Independence of the Judiciary

1. An independent judiciary is established by this Constitution.
2. Supreme Federal judicial Authority is vested in the Federal Supreme Court. The House of Peoples' Representatives may, by two-thirds majority vote, establish nationwide, or in some parts of the country only, the Federal High Court and First Instance Courts it deems necessary. Unless decided in this manner, the jurisdictions of the Federal High Court and of the First-Instance Courts are hereby delegated to the State courts.
3. States shall establish State Supreme, High and First-Instance Courts. Particulars shall be determined by law.
4. Special or *ad hoc* courts that take judicial powers away from the regular courts or institutions legally empowered to exercise judicial functions and which do not follow legally prescribed procedures shall not be established.
5. Pursuant to sub-Article 5 of Article 34 the House of Peoples' Representatives and State Councils can establish or give official recognition to religious and customary courts. Religious and customary courts that had state recognition and functioned prior to the adoption of the Constitution shall be organized on the basis of recognition accorded to them by this Constitution.

Article 79 **Judicial Powers**

1. Judicial powers, both at Federal and State levels, are vested in the courts.
2. Courts of any level shall be free from any interference or influence of any governmental body, government official or from any other source.
3. Judges shall exercise their functions in full independence and shall be directed solely by the law.
4. No judge shall be removed from his duties before he reaches the retirement age determined by law except under the following conditions:
 - a) When the Judicial Administration Council decides to remove him for violation of disciplinary rules or on grounds of gross incompetence or inefficiency; or
 - b) When the Judicial Administration Council decides that a judge can no longer carry out his responsibilities on account of illness; and
 - c) When the House of Peoples' Representatives or the concerned State Council approves by a majority vote the decisions of the Judicial Administration Council.
5. The retirement of judges may not be extended beyond the retirement age determined by law.
6. The Federal Supreme Court shall draw up and submit to the House of Peoples' Representatives for approval the budget of the Federal courts, and upon approval, administer the budget.
7. Budgets of State courts shall be determined by the respective State Council. The House of Peoples' Representatives shall allocate compensatory budgets for States whose Supreme and High Courts concurrently exercise the jurisdiction of the Federal High Court and Federal First-Instance Courts.

Article 80
Concurrent Jurisdiction of Courts

1. The Federal Supreme Court shall have the highest and final judicial power over Federal matters.
2. State Supreme Courts shall have the highest and final judicial power over state matters. They shall also exercise the Jurisdiction of the Federal High Court.
3. Not with standing the Provision of sub-Articles 1 and 2 of this Article;
 - a) The Federal Supreme Court has a power of causation over any final court decision containing a basic error of law. Particulars shall be determined by law.
 - b) The State Supreme Court has power of causation over any final court decision on State matters that contain a basic error of law. Particulars shall be determined by law.
4. State High Courts shall, in addition to State jurisdiction, exercise the jurisdiction of the Federal First-Instance Court.
5. Decisions rendered by a State High Court exercising the jurisdiction of the Federal First-Instance court are appealable to the State Supreme Court.
6. Decisions rendered by a State Supreme Court on Federal matters are appealable to the Federal Supreme Court.

CHAPTER TEN
NATIONAL POLICY PRINCIPLES AND OBJECTIVES

Article 85
Objectives

1. Any organ of Government shall, in the implementation of the Constitution, other laws and public policies, be guided by the principles and objectives specified under this Chapter.
2. The term "Government" in this Chapter shall mean a Federal or State government as the case may be.

Article 86
Principles for External Relations

1. To promote policies of foreign relations based on the protection of national interests and respect for the sovereignty of the country.
2. To promote mutual respect for national sovereignty and equality of states and non-interference in the internal affairs of other states.
3. To ensure that the foreign relations policies of the country are based on mutual interests and equality of states, as well as that international agreements promote the interests of Ethiopia.
4. To observe international agreements which ensure respect for Ethiopia's sovereignty and are not contrary to the interests of its Peoples.

5. To forge and promote ever-growing economic union and fraternal relations of Peoples with Ethiopia's neighbors and other African countries.
6. To seek and support peaceful solutions to international disputes.

Article 87
Principles for National Defence

1. The composition of the national armed forces shall reflect the equitable representation of the Nations, Nationalities and Peoples of Ethiopia.
2. The Minister of Defence shall be a civilian.
3. The armed forces shall protect the sovereignty of the country and carry out any responsibilities as may be assigned to them under any state of emergency declared in accordance with the Constitution.
4. The armed forces shall at all times obey and respect the Constitution.
5. The armed forces shall carry out their functions free of any partisanship to any political organization(s).

Article 88
Political Objectives

1. Guided by democratic principles, Government shall promote and support the People's self-rule at all levels.
2. Government shall respect the identity of Nations, Nationalities and Peoples. Accordingly Government shall have the duty to strengthen ties of equality, unity and fraternity among them.

Article 89
Economic Objectives

1. Government shall have the duty to formulate policies that ensure that all Ethiopians can benefit from the country's legacy of intellectual and material resources.
2. Government has the duty to ensure that all Ethiopians get equal opportunity to improve their economic condition and to promote equitable distribution of wealth among them.
3. Government shall take measures to avert any natural and manmade disasters, and, in the event of disasters, to provide timely assistance to the victims.
4. Government shall provide special assistance to Nations, Nationalities, and Peoples least advantaged in economic and social development.
5. Government has the duty to hold, on behalf of the People, land and other natural resources and to deploy them for their common benefit and development.
6. Government shall at all times promote the participation of the People in the formulation of national development policies and programmes; it shall also have the duty to support the initiatives of the People in their development endeavors.
7. Government shall ensure the participation of women in equality with men in all economic and social development endeavors.

8. Government shall endeavor to protect and promote the health, welfare and living standards of the working population of the country.

Article 90
Social objectives

1. To the extent the country's resources permit, policies shall aim to provide all Ethiopians access to public health and education, clean water, housing, food and social security.
2. Education shall be provided in a manner that is free from any religious influence, political partisanship or cultural prejudices.

Article 91
Cultural Objectives

1. Government shall have the duty to support, on the basis of equality, the growth and enrichment of cultures and traditions that are compatible with fundamental rights, human dignity, democratic norms and ideals, and the provisions of the Constitution.
2. Government and all Ethiopian citizens shall have the duty to protect the country's natural endowment, historical sites and objects.
3. Government shall have the duty, to the extent its resources permit, to support the development of the arts, science and technology.

Article 92
Environmental Objectives

1. Government shall endeavor to ensure that all Ethiopians live in a clean and healthy environment.
2. The design and implementation of programmes and projects of development shall not damage or destroy the environment.
3. People have the right to full consultation and to the expression of views in the planning and implementations of environmental policies and projects that affect them directly.
4. Government and citizens shall have the duty to protect the environment.

CHAPTER ELEVEN
MISCELLANEOUS PROVISIONS

Article 93
Declaration of State of Emergency

1. (a) The Council of Ministers of the Federal Government shall have the power to decree a state of emergency, should an external invasion, a break down of law and order which endangers the Constitutional order and which cannot be controlled by the regular law enforcement agencies and personnel, a natural disaster, or an epidemic occur.

- (b) State executives can decree a statewide state of emergency should a natural disaster or an epidemic occur. Particulars shall be determined in State Constitutions to be promulgated in conformity with this Constitution.
2. A state of emergency declared in accordance with sub-Article (a) of this Article:
 - (a) If declared when the House of Peoples' Representatives is in session, the decree shall be submitted to the House within forty-eight hours of its declaration. The decree, if not approved by a two-thirds majority vote of members of the House of peoples' Representatives, shall be repealed forthwith.
 - (b) Subject to the required vote of approval set out in (a) of this sub-Article, the decree declaring a state of emergency when the House of Peoples' Representatives, shall be submitted to it within fifteen days of its adoption.
 3. A state of emergency decreed by the Council of Ministers, if approved by the House of Peoples' Representatives, can remain in effect up to six months. The House of Peoples' Representatives may by a two-thirds majority vote, allow the state of emergency proclamation to be renewed every four months successively.
 4. (a) When a state of emergency is declared, the Council of Ministers shall, in accordance with regulations it issues, have all necessary power to protect the country's peace and sovereignty, and to maintain public security, law and order.
 - (b) The Council of Ministers shall have the power to suspend such political and democratic rights contained in this Constitution to the extent necessary to avert the conditions that required the declaration of a state of emergency.
 - (c) In the exercise of its emergency powers the Council of Ministers cannot, however, suspend or limit the rights provided for in Articles 1, 18, 25, and sub-Articles 1 and 2 of Article 39 of this Constitution.
 5. The House of Peoples' Representatives, while declaring a state of emergency, shall simultaneously establish a State of Emergency Inquiry Board, comprising of seven persons to be chosen and assigned by the House from among its members and from legal experts.
 6. The State of Emergency Inquiry Board shall have the following powers and responsibilities:
 - a) (a) To make public within one month the names of all individuals arrested on account of the state of emergency together with the reasons for their arrest.
 - b) (b) To inspect and follow up that no measure taken during the state of emergency is inhumane.
 - c) (c) To recommend to the Prime Minister or to the Council of Ministers corrective measures if it finds a case of inhumane treatment.
 - d) (d) To ensure the prosecution of perpetrators of inhumane acts.

- e) (e) To submit its views to the House of Peoples' Representatives on a request to extend the duration of the state of emergency.