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Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 February 2023]

* Issued as received, in the language of submission only.



Rights Of Minorities In Ethiopia

First: The right to recognition of existence and self-determination

Ethiopia contains clear constitutional, legal, and factual contradictions regarding the rights to existential recognition and self-determination. Although Article 39 of the Federal Constitution recognizes the right to self-determination for peoples, nationalities and nations in Ethiopia under the Ethiopian ethnic federal system of 9 federal states divided ethnically, this right has not been implemented in Ethiopia. No clear definitions were set for the term minorities. Only 9 regional states were first recognized and in 2021, the number increased to 11 states, regardless of the fact that there are more than 85 ethnic communities there.

These violations are practically evident among the groups and nationalities that are not recognized as dominant groups. Moreover, the constitutions of Benishangul Gumuz, Gambella, Oromia, Harare, Afar, and Sidama do not recognize the right to exist and have a separate identity. Article 2 of the Benishangul constitution states that regardless of the presence of other nationalities, the following are the sole owners of the region: Bertha, Jomoth, Sencha, Mau and Komo. The preamble to the Gambella regional state constitution also states that the Nyuri ethnic groups, Agnoya, Miznegger, Oblo, and Cuomo are listed as the framers of the constitution in such a way that acknowledges them as the owners of the region, opening the door to complex ethnic conflicts, undermining the demands and rights to self-determination of other nationalities, peoples and ethnicities, and forcing them to be assimilated into the identity, language and culture of the recognized ethnic group. This assimilation endangers the existence of some ethnicities such as the Ma Danta, Wolin, Bahruc, Zai and Dubi.

Second: The right to public participation

The constitutional entitlements related to participation in public life are manifested in Articles 25 and 38 of the Federal Constitution. However, like other rights, ethnic minorities suffered from marginalization, discrimination, and lack of enjoyment of that right. At the level of political participation, the federal constitution allocated only 20 seats for ethnic minorities in the Assembly of the Representatives of the People and only one representative for each ethnic group in the Federation Council without setting clear definitions of the term minorities or clarifying any criteria regarding them and their status. It only used the terms nations, peoples, and nationalities as the subjects of the state, framers of the constitution, and owners of the state. Regional constitutions denied the unrecognized or the few ethnic minorities their rights to public participation, whether through holding political office, candidacy, or parliamentary representation. The constitution of the Oromia regional state recognized the sovereign power and dominant power of the Oromo people only without other peoples and ethnicity inhabiting the region. The constitution of the Harare regional state recognized the people of Harare as the sole holder of sovereign power despite representing only 8.65% of the state's population. As a result, the major ethnic groups, such as the Amharic and Oromo, hold the legislative power alone, depriving the minorities from fully enjoying their right to 20 seats in the Assembly of the Representatives of the People. Besides, the minorities represented in the Federation Council decreased to 69, 75, and 76 groups out of 85 ethnic groups in the legislative periods: 2005:2010, and 2011:2015 and 2016:2020, respectively.

Third: Reality of enjoying the right to life

The Federal Constitution guarantees life for nations, peoples, and nationalities in Ethiopia under Articles (14, 15). However, there were many violations of the right to life as a result of the clashes and ethnic violence spread in Ethiopia, which is estimated at 1,266 violent acts and resulted in the killing of 6,651 victims during the period between January 2022 and January 2023. Perhaps the most prominent of these operations are the following: 27 civilians were killed and 42 Tigray residents were injured as a result of a government drone strike on January 7, 2022. 749 civilians were killed, 4,000 schools and 2,400 health facilities were

destroyed in the regions of Afar and Amhara during the period between July 2021 and March 2022. 30 people were killed and more than 100 others were injured in the city of Gondar in the Amhara region on April 26, 2022 and the killing of between 260:500 people as a result of ethnic attacks against the ethnic Amhara tribes in the town of Tol in the West Wollega district of the Oromia region on June 18, 2022. The killing of unknown numbers of ethnically motivated villagers in West Ethiopia on July 5, 2022. The killing of 46 people of the Oromo nationality after the Fano-Amharic militia launched ethnic attacks in September 2022. Indefinite numbers were killed in the Haro Addis Alem area in Kerimo and Woreda on January 11, 2023.

Fourth: The reality of enjoying the right to freedom and personal security

The Ethiopian Federal Constitution, according to Articles (14, 17), recognized the right to freedom and personal security. However, in reality, Ethiopia recorded no fewer than 11,527 cases of arbitrary arrests and detentions throughout the period between November 2021 and February 2022 for ethnic, political and security considerations, not to mention the campaign of arrests as a result of clashes between religious minorities of Muslims and the majority of Orthodox Christians in the Gondar region in April 2022, as well as the extensive campaigns of arrests that took place on January 13, 2023 by the Joint Task Force for Peace and Security against 371 people distributed as 109 and 107 members of the Fano militia and 107 of the Oromo Liberation Front, against the backdrop of ethnic clashes in Ethiopia. On January 13, 2023, the Joint Task Force for Peace and Security announced that The task force detained 371 people, including 109 Fano militia members and 107 OLF members, in the capital Addis Ababa and the surrounding Oromia region.

Fifth: the right to develop culture and language

Cultural rights were captive to entitlements and constitutional texts, along with the prevailing policies of marginalization, exclusion, and deportation in Ethiopia. Although Paragraph 1 of Article 5 acknowledges the right to equal recognition of all Ethiopian languages, its second paragraph, has recognized Amharic as the sole and unique language in Ethiopian institutions including courts, schools and universities. This undermines the cultural rights of other ethnicities; all non-Amharic-speaking ethnicities suffered from the difficulties of obtaining quality education or understanding the curricula in an elaborate and good manner, in a way that increased the level of ignorance among 80% of the people of the Oromo ethnicity - the largest Ethiopian ethnicity, estimated at about 40% of the population of Ethiopia.

Recommendations:

Having analyzed the reality of the rights of Ethiopian minorities, a set of recommendations are made as follows:

- a. Elizka Relief Foundation appeals to the Ethiopian government to bring about constitutional amendments at the regional and federal levels, which would remove the clear constitutional contradiction, define the terminology of minorities, clarify its criteria and conditions for its launch, ensure recognition of their existence in all regional constitutions, and recognize their rights at all levels, especially self-determination, public participation and equal recognition for all languages and cultures.
- b. Elizka Relief Foundation calls on the rapporteur concerned with providing technical support to the Ethiopian government in a way that helps it activate policies that achieve national integration and the correct management of its different ethnicities and prevent discrimination between them, by supporting the rights of minorities on an equal footing in the legislative and executive branches.
- c. Elizka Relief Foundation draws the attention of the Ethiopian government to the need to launch awareness and educational programs about the rights of minorities and their

importance to cultural diversity, preventing hate speech, promoting tolerance and acceptance of others, and achieving social integration.

d. Elizka Relief Foundation recommends the Ethiopian government to update its development plans in accordance with the principles of good governance, democracy and pluralism, and launch comprehensive social, health and educational programs for all ethnicities without discrimination and marginalization.

e. Elizka Relief Foundation sees the need for the Ethiopian government to accelerate transitional justice policies and programs in Ethiopia to achieve national reconciliation, justice and remedies, as well as compensation and reparation for all victims of murder and detention for ethnic purposes.

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