

ETHIOPIA

CERD A/34/18 (1979)

66. The initial report of Ethiopia (CERD/C/31) was considered by the Committee together with the information given by the representative of the reporting State in his introductory statement.

67. Ethiopia's accession to the International Convention on the Elimination of All Forms of Racial Discrimination was welcomed by the members and the initial report before the Committee was praised for having included substantial information on measures taken by the Government relating to the implementation of its obligations under the Convention and for having taken account of the Committee's guidelines. Some omissions in the report, which otherwise a member felt to be highly satisfactory, were pointed out; for instance, the constitutional material which had replaced the Constitution suspended in 1974 and the corresponding enforcement legislation had not been provided. A member asked in this regard whether the suspension of the Constitution implied suspension of all the provisions of the Constitution and, if not, whether those clauses had been replaced by new material similar in scope. In the opinion of another member, however, there was no doubt that the successive proclamations of the provisional military Government were constitutional in nature to the extent that they reflected the ideology of the new regime.

68. As regards the statement in the report that all existing laws not contravening successive proclamations of the provisional military Government had been in effect after suspension of the Constitution, it was asked whether that implied that all legislation ensuring respect for human rights, freedoms and the principle of equality continued to apply. Furthermore, it seemed unlikely that no text had been drawn up since 1974 to replace the suspended Constitution and the member asked for fuller information on the subject. One member observed that the Government, when it ratified the Convention, should have taken into account the fact that the revolutionary situation did not allow the full implementation of all of its provisions.

69. Certain short-comings in the report, particularly with respect to the implementation of the provisions of articles 4, 5, 6 and 7 of the Convention, were also noted by members. Some members of the Committee noted the casual reference in the report to the implementation of article 4 (a) and (b) of the Convention and wondered what measures had already been taken in that connection, if no "supplementary" measures were required. A member, admitting that the legislative provisions referred to in the report showed Ethiopia's desire to respect article 5 of the Convention, stated that no example was given of judicial procedures ensuring that those provisions were in fact observed. Specific information was requested in respect of the right to leave the country and to return to it as well as on the right to own property.

70. Members of the Committee noted with regret that the report gave no information about the ethnic composition of the population as requested by the Committee in its general recommendation IV and hoped that the omission would be remedied in the next report.

71. The representative of Ethiopia in replying to the observations of members of the Committee

stated, in particular, that Ethiopia would in due course acquire a Constitution containing all the provisions needed to prohibit racial discrimination. It was, however, to be borne in mind that the revolution had begun less than five years previously and the Ethiopian Government considered that it would be wrong to try to proceed at a faster pace and thus it could not undertake to adopt a proper Constitution before the date of submission of its next report.

CERD A/35/18 (1980)

146. The second periodic report of Ethiopia (CERD/C/46/Add.3) was considered by the Committee together with the information provided by the representative of the reporting State in his introductory statement.

147. Members of the Committee noted with satisfaction the information provided by the report and by the representative of Ethiopia with respect, in particular, to measures which give effect to the provisions of article 5 of the Convention. Referring to the information provided in Ethiopia's initial report, some members asked whether the Ethiopian Government had begun the drafting of the new Constitution which had been announced in 1974. Another member wished to have clarification on the statement included in the report that "all existing laws that do not contravene successive proclamations of the Provisional Military Government remain in effect". Some members renewed a request for information on the demographic composition of the Ethiopian population, already made when Ethiopia's initial report was considered by the Committee.

148. In connection with article 2 of the Convention, it was asked what progress had been made towards the establishment of regional autonomy in Ethiopia.

149. As regards the implementation of article 3 of the Convention, the fact was especially pointed out that Ethiopia condemned apartheid and rejected any relations with the racist regime of South Africa.

150. With reference to article 4 of the Convention, members of the Committee were of the view that the provisions of that article were only partially implemented by Ethiopian legislation, and noted that the report made no mention of measures taken to implement, in particular, paragraphs (b) and (c) of article 4. They wished to reiterate, therefore, the obligation of States parties to enact legislation to combat, specifically, racial discrimination in accordance with the provisions of the Convention regardless of the existence of racial problems in their territory.

151. Referring to information provided on the implementation of article 5 of the Convention, some members felt that the two provisions of article 12 of the Ethiopian Civil Code concerning the right to freedom of residence in the country were contradictory and wished to have some clarification and further information on how they were applied. It was also asked what procedures were used when peasants and urban dwellers' associations were set up and what role the State played in the matter.

152. With regard to the implementation of article 6 of the Convention, members of the Committee considered that articles 100 and 101 of the Ethiopian Penal Code, cited in the report, did not provide sufficient protection for the victims of racial discrimination, and hoped that, in its next report, the Ethiopian Government would give further attention to that matter. Information was requested, in particular, on the remedies available to victims of racial discrimination to secure just and adequate reparations for damages suffered from acts of racial discrimination.

153. Further details were requested in the next report of Ethiopia with regard to the implementation of article 7 of the Convention, as the question was of particular importance due to the many different

nationalities making up the Ethiopian population.

154. In reply to questions raised by members of the Committee, the representative of Ethiopia stated that both the initial and the second reports set out the reasons for suspending the Constitution and gave some information on the procedure to be followed in order to approve a new Constitution. With regard to the request for demographic information, he explained that Ethiopia's present level of development made it difficult to obtain data. As regards regional autonomy in the country, he stated that the matter was closely related to the form which the proposed new Constitution would take. He also provided some information on the participation in, and the functions of, the popular organizations in Ethiopia, on legislation concerning offences relating to racial discrimination and on educational programmes in conformity with article 7 of the Convention. The representative assured the Committee that full replies to various questions would be given in his Government's next report.

CERD A/37/18 (1982)

195. The third periodic report of Ethiopia (CERD/C/73/Add.2) was considered by the Committee together with the introductory statement made by the representative of the reporting State, who pointed out that further basic laws laying down the rights, obligations and duties of citizens and their relations with the State had been enacted, and the consolidation and strengthening of the various basic laws enacted since the Revolution had helped in developing democracy and local self-administration. In doing away with the feudalistic system, the Government had taken all necessary steps to guarantee an end to the oppression of Ethiopian nationalities, and by embarking upon its mission of socialist construction it was on the way to eradicating inequalities, injustices and exploitation.

196. The Committee thanked the Government of Ethiopia for its report which contained important information and showed Ethiopia's determination to fulfil its obligations under the Convention and to promote the equality of all human beings within a framework of non-discrimination and respect for human rights. Some members of the Committee expressed concern that Ethiopia had not yet adopted a Constitution. Although the report stated that a number of proclamations were considered basic laws, there was some confusion over their exact legal position, since the report referred to them sometimes as "an aggregate of legal norms" and sometimes as "prescriptions of a constitutional significance". The Committee expressed the hope that the Government would soon be in a position to provide information on the demographic composition of Ethiopia including, as far as possible, an indication of the size and composition of the different ethnic groups.

197. Attention was drawn in particular to information relating to the provisions of article 2 of the Convention. The Committee noted that the Government of Ethiopia, which had had to face an extremely low level of development, was committed to improving living conditions and was endeavouring to correct the disparities in economic opportunity that had existed before the Revolution. It was asked whether the Government had a special policy in its development strategy for the most backward areas in which a particular ethnic group or groups lived, in order to ensure their adequate development as stipulated in article 2, paragraph 2, of the Convention; whether the Government had any policy of national integration or had established any special commission to bring the various ethnic groups into the national mainstream while enabling them to retain their distinctive cultures; whether there was any language that could serve as a unifying factor; whether the definition of nationality for the purpose of granting regional autonomy was based on linguistic criteria; and whether, in this connection, ethnic groups were still considered to have a right of self-determination; how many languages were taught in schools and what were the officially recognized languages at the national level. Information was also requested on the refugee situation in Ethiopia, on how the rights laid down in articles 2 and 5 of the Convention were guaranteed by legislation to protect refugees and their national and international status, and on any problems that might have arisen as a result of the Government's policy.

198. With regard to measures for the implementation of article 4 of the Convention, it was observed that the Committee had requested further details concerning the implementation of article 4 (a), (b) and (c), but unfortunately the present report did not contain the required information. It was asked whether the Government of Ethiopia had enacted special legislation in order to implement the

provisions of article 4. Referring to article 480 of the Penal Code, it was pointed out that that article did not fully cover the requirements of article 4 (a), since it made no mention of any assistance to racist activities, and it did not meet the requirements of article 4 (b) at all.

199. With respect to article 5 of the Convention, questions were asked concerning the conditions for movement within the country and the procedures required for leaving the country; whether there were any agreements governing the emigration of Ethiopian workers, the working conditions of expatriates or the treatment of stateless persons; and if there was any provision for a minimum wage policy or for social security. Referring to the information provided on co-operatives, one member of the Committee asked for clarification on how a person who was not a member could exercise his profession, whether there was freedom of association or whether labour unions - as distinct from co-operatives - could be formed. A number of questions concerning the judicial organization of the country were also asked, in particular whether the right of defence existed under the old regime; whether the "Kebeles" had a single judge or a collegial system, and if they were competent to hear both civil and criminal matters; whether a person involved in a legal case had the option of bringing his case before either a local or a national tribunal.

200. With regard to article 7 of the Convention, it was noted that the national literacy campaign was the most striking development, and broadcasts in the major languages were particularly important. However, more details on the implementation of this article was requested in the next periodic report.

201. Replying to some of the questions raised by the members of the Committee, the representative of the reporting State noted that in his Government's view regional autonomy must not be allowed to be divisive and Ethiopia's problems had to be solved within a national framework and that the trend was towards integration rather than separation. He also stated that the lack of demographic statistics and of a written constitution had to be seen in the context of the country's formative stage of development. Ethiopia had already asked for United Nations assistance in that regard. Similarly, the basic laws would lead to the establishment of a proper constitution. Some of those laws were weak and would not be incorporated into the Constitution, while others were being revised.

202. Replying to the questions concerning the labour legislation, he stated that during the discussion of the second periodic report it had been pointed out that the entire labour force of Ethiopia had been organized into the All-Ethiopian Trade Union, in close co-operation with international organizations such as the International Labour Organization. He also said that the labour laws, which were constantly being revised, would take the provisions of the Convention into consideration.

203. The representative finally assured the Committee that future reports would provide more accurate and up-to-date information.

CERD A/39/18 (1984)

517. The fourth periodic report of Ethiopia (CERD/C/104/Add.3) was considered by the Committee together with the introductory statement made by the representative of the reporting State, who explained that, since the last periodic report of Ethiopia, developments in political, socio-economic and educational fields had been accelerating, that the most prominent progress in relation to the Convention was the establishment of the Institute for the Study of Ethiopian Nationalities in March 1983 and that essential efforts had been made to reduce illiteracy.

518. The Committee welcomed the report of Ethiopia and congratulated the Government on the positive steps it had taken to implement the provisions of the Convention. Particular satisfaction was expressed with the transformation of Ethiopia from a feudal, backward and autocratic society into a modern socialist State as well as with the progress in the literacy campaign.

519. In connection with the implementation of article 2, members expressed the view that the Ethiopian Government had been quite right to adopt the principle of starting from the “periphery to the centre” in formulating its development strategy. They requested further information on how that strategy was applied in practice, and whether the official goal was national integration with people moving from different areas to work together. Details were also asked for in the next report concerning, in particular, the number of nationalities, the national regions and local languages in the country, and on how Ethiopia was tackling its refugee problem.

520. The Committee noted with satisfaction that the position expressed by the Ethiopian Government in connection with article 3 was quite consistent. One member, however, asked what relations, if any, it had with the racist regime in South Africa in the diplomatic, military and commercial fields.

521. Noting the indication in the report regarding “the enactment of a number of basic laws”, it was observed that there was no information on the implementation of article 4, which was one of the most important provisions of the Convention. The hope was expressed that the relevant information would be included in the next periodic report.

522. As far as article 5 was concerned, members welcomed the information in the report on the organization of peasants’ associations and the establishment of small-scale industries. Further clarification was requested regarding trade unions and the content of the educational programme, in particular, whether workers had the right to found trade unions in addition to the right to membership and how the literacy campaign was linked to the question of employment. With regard to the political, religious and cultural autonomy of the various nationalities referred to in the report, it was asked whether members of the proposed regional councils would be elected or appointed by the Government.

523. With reference to article 6, the Committee pointed out that procedures should be established whereby anyone whose rights were violated could seek just reparation from a tribunal in accordance with international norms. The hope was expressed that appropriate information thereon would be included in the next periodic report. It was asked what remedies were currently available to victims

of racial discrimination and the procedures they had to follow to obtain redress.

524. Regarding the implementation of article 7 the Committee noted with satisfaction the Ethiopian Government's emphasis on the importance of preserving and promoting the various languages of the country. More information was requested on the teaching of the purposes and principles of the United Nations, on the action taken to promote the various cultures and on how the various ethnic or linguistic groups were informed about one another's language and culture.

525. In reply to the questions raised by members of the Committee, the representative of Ethiopia stated that the Government had stressed the importance it attached to the strategy for economic development; the National Supreme Revolutionary Council had referred to the need for short-term, medium-term and long-term development programmes. A system of yearly planning had been adopted, on a flexible basis, with adjustment depending on the progress made, including regional development. Other practical measures taken in connection with the question of nationalities had been the national literacy campaign using 15 different languages. It was difficult to state how many different nationalities there were in the country; once the census currently being prepared with United Nations assistance had been completed, a better picture would be available.

526. With regard to refugees, the Government's efforts to alleviate the situation included attempts to reach suitable agreements with neighbouring countries. Pursuant to an agreement with Djibouti, some 26,000 of the roughly 30,000 Ethiopian refugees in that country had already been repatriated, with the assistance of UNHCR. In considering the refugee problem and Ethiopia's efforts to fulfill its relevant obligations under the Convention, it should be borne in mind that there were over 5 million displaced persons throughout the region and that further enormous difficulties had been caused by the drought.

527. In connection with article 3, the representative said that Ethiopia's second periodic report had already enumerated the measures the Government had taken against apartheid. They included prohibition of trade with South Africa, refusal of access to Ethiopian ports for South African shipping, non-recognition of the independence of bantustans and the severing of sporting ties. Since the submission of its previous report, the Ethiopian Government had adopted further measures to strengthen its stand against apartheid.

528. Replying to other questions, he explained that the Government had taken measures relating to trade unions which acknowledged the right of trade-union members to organize trade unions, to vote and to conduct meetings and activities.

529. Finally, the representative of Ethiopia assured the Committee, that the questions raised by the Committee members would be referred to his Government for a comprehensive reply in its next periodic report.

CERD A/42/18 (1987)

834. The fifth periodic report of Ethiopia (CERD/C/129/Add.1) was considered by the Committee at its 801st meeting on 18 March 1987 (CERD/C/SR.801).

835. The report was introduced by the representative of Ethiopia, who informed the Committee of developments relating to the drafting of a constitution that had taken place in his country since the report had been submitted. A constitutional drafting commission consisting of members representing party and State organs, mass organizations, professional associations, religious bodies and nationalities, together with well-known personalities, had produced proposals relating to articles of the draft constitution. The draft constitution had been published in 15 local languages and three foreign languages for popular discussion and comment. The revised draft constitution had been adopted by referendum with the approval of 81 per cent of the population.

836. Members of the Committee welcomed the report of Ethiopia, since it provided an opportunity for maintaining the dialogue between the Committee and the State party. They pointed out, however, that the report did not conform to the Committee's guidelines (CERD/C/70/Rev.1) and lacked information on the implementation of substantive articles of the convention, in particular, articles 4 and 6.

837. Members of the Committee welcomed the information provided by the representative of Ethiopia on the development of the Ethiopian Constitution. They asked for further details of the effects of the new Constitution on the restructuring of Ethiopian society and stressed the need to be provided with the text of the relevant parts of the new Constitution in order to assess the extent to which the Convention was being implemented. It was also asked whether arrangements for regional autonomy, mentioned in the previous report, had been reflected in the new Constitution and what the relationship between regional autonomy and self-determination was.

838. Members expressed the hope that the next periodic report of Ethiopia would include information on the ethnic composition of the population. Further information was requested regarding the Institute for the Study of Ethiopian Nationalities. Members also wished to receive information on the situation of refugees in Ethiopia and about the agreements with neighbouring countries for dealing with the refugee problem.

839. In relation to article 3 of the Convention, members of the Committee congratulated Ethiopia on its active policy against apartheid and requested further information on the solidarity fund to assist victims of apartheid.

840. Regarding article 4 of the Convention, members expressed the hope that the Government would enact specific legislation to give effect to that article.

841. Concerning article 5 of the Convention, members requested information on the policies, programmes and composition of the Workers' Party of Ethiopia, the levels of education in the country and the measures taken by the Government to resettle villagers.

842. Replying to questions put by members of the Committee, the representative of Ethiopia said that a census had been taken with the assistance of the United Nations and it was hoped that all the required information would be available by the time the next periodic report was prepared. The arrangements for regional autonomy were dealt with in articles 60 to 62 of the Constitution. An agreement on the refugee problem had been reached with Djibouti and had been mentioned in the previous periodic report. Since then, an arrangement for the repatriation of refugees had been made with Somalia, through UNHCR.

843. In the ten-year plan, special emphasis was placed on rural development through the provision and extension of electricity supplies, health services, roads, postal services and other facilities. A three-year medium-term plan was being implemented to make the country self-sufficient in food. Since the revolution, the emphasis in education had been on practical aspects, with science-oriented curricula designed to provide manpower for development.

844. All other questions that he had been unable to answer would be referred to his Government.

CERD A/45/18 (1990)

152. The sixth periodic report of Ethiopia (CERD/C/156/Add.3) was considered by the Committee at its 871st and 872nd meetings, held on 10 and 13 August 1990 (CERD/C/SR.871-872).

153. The report was introduced by the representative of the reporting State, who pointed out that the Constitution guaranteed and protected the rights and freedoms of all Ethiopians and enabled the government to discharge its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. Since the submission of Ethiopia's sixth periodic report in 1988, significant political, economic and social reforms had been made, reflecting the prevailing situation in the country, as well as the major events that had taken place in the rest of the world. On 6 March 1990, the Central Committee of the Workers' Party of Ethiopia had adopted resolutions declaring that Ethiopian economic and social development would henceforth be guided by the principles of a mixed economy and that political life would be restructured to reflect the democratic unity of all classes, nationalities and groups. Emphasizing that peace and respect for the unity and territorial integrity of Ethiopia were prerequisite for the realization of the new policy objectives, the Central Committee had urged opposition groups to come forward and participate in efforts to achieve peace and the implementation of the newly adopted policies. The representative of the reporting State said that those reforms contained basic provisions guaranteeing equal rights, equality before the law and equal participation in political, economic, social and cultural affairs that would further promote the implementation of the provisions of the Convention.

154. Members of the Committee thanked the representative of Ethiopia for his introduction and noted that the report had been prepared in accordance with the Committee's guidelines. Referring to the fact that Ethiopia was a multi-ethnic country, they requested statistics providing a breakdown of the population in order to assess the situation and the treatment of the various nationalities. In that connection, members suggested that the Centre for Human Rights might be in a position to provide technical assistance to Ethiopia for carrying out a general census of the population. They requested the representative of the reporting State to clarify the meaning of the term "nationalities" used in the report.

155. Pointing out that there were still some 4 million persons threatened with famine in the north of the country, members asked what steps the Ethiopian Government was contemplating to prevent famine in view of the fact that half of Eritrea and the whole of northern Wollo were in the hands of the rebels. They also inquired whether Ethiopia's internal difficulties had an ethnic background and what measures were envisaged to mitigate the effects of the fighting.

156. Referring to the reforms under way in Ethiopia in the context of the implementation of article 2 of the Convention, members asked whether that new approach would cause unemployment and how, in the process of carrying out those reforms, the Ethiopian Government intended to ensure the adequate development of particular ethnic groups. Further information was requested concerning the impact of the constitutional changes on minorities and the means envisaged for protecting those groups.

157. With reference to article 3 of the Convention, members of the Committee commended

Ethiopia's very active stance of opposition to the South African regime.

158. With regard to article 5 of the Convention, members wished to receive more detailed information on the participation of the various nationalities in the country's economic, political and social life. They also inquired whether minority languages were taught in the schools and whether all Ethiopian citizens had the possibility of expressing themselves in their mother tongue before the courts.

159. With reference to article 6 of the Convention, members of the Committee requested further information on the number of cases of racial discrimination which had been brought before the courts.

160. In connection with article 7 of the Convention, members of the Committee requested further information about the manner in which information on the Convention and other human rights instruments was disseminated in Ethiopia.

161. The representative of the State party, replying to the questions raised by members of the Committee, stated, with regard to demographic composition, that Ethiopia, which was among the least developed countries, did not have either the financial resources or the know-how needed to conduct a census of its population and noted with interest the suggestion made on that subject by members of the Committee.

162. With regard to the economic reform and the shortage of food, the representative, after acknowledging that 4 million persons were currently threatened by famine in the north of the country, said that the main difficulty was not obtaining food but bringing it to the regions affected by the fighting and that his Government was doing its utmost to save the threatened populations. He described the measures taken by the Ethiopian Government to that end. As to the term "nationality", he stated that the expression referred to any ethnic group of persons speaking the same language and inhabiting a specific region.

163. Concerning the questions raised in connection with article 2 of the Convention, the representative stated that the disparity in levels of development was essentially a legacy of the former regime, since no modern infrastructure had existed in the outlying areas of the country in 1974. The Ethiopian Government had set itself the aim of helping those previously neglected regions to catch up and had introduced a number of projects and initiatives in order to remedy the situation.

164. With respect to article 5 of the Convention, the representative said that his Government accorded high priority to education and that, since the literacy campaign had been launched in 1979, the proportion of the population who knew how to read and write had increased from 7 per cent to 75 per cent. Under that campaign, which was receiving support from the United Nations Educational, Scientific and Cultural Organization (UNESCO), educational material had been printed in 15 different languages. Ethiopia's official language was Amharic, which at the same time was the only common language for the vast majority of Ethiopians. However, an Ethiopian could express himself before the courts in his mother tongue and have recourse to an interpreter. As to the participation of minorities in political life, the representative of Ethiopia noted that the 1974

revolution had overthrown the feudal system which had kept 86 per cent of the population - in other words, the entire peasantry - in a state of ignorance and dependence. Since that time, those populations had elected their representatives both locally and nationally.

165. Referring to the questions raised in connection with article 7 of the Convention, the representative of the State party said that, while Ethiopia did not have an educational programme dealing solely with human rights and action to combat discrimination, the Ethiopian media gave broad coverage to activities along the lines desired by the Convention.

CERD A/52/18 (1997)

406. At its 1217th meeting, held on 5 August 1997 (see CERD/C/SR.1217), the Committee reviewed the implementation of the Convention by Ethiopia based upon its previous report (CERD/C/156/Add.3) and its consideration by the Committee (see CERD/C/SR.871-872). The Committee noted with regret that no report had been submitted to the Committee since 1989.

407. The Committee regretted that Ethiopia had not responded to its invitation to participate in the meeting and to furnish relevant information. The Committee decided that a communication should be sent to the Government of Ethiopia setting out its reporting obligations under the Convention and urging that the dialogue with the Committee should be resumed as soon as possible.

408. The Committee suggested that the Government of Ethiopia may wish to avail itself of the technical assistance offered under the advisory services and technical assistance programme of the United Nations High Commissioner for Human Rights/Centre for Human Rights, with the aim of drawing up and submitting by the fifty-second session a report prepared in accordance with the reporting guidelines.