

**THE PROTECTION OF MINORITY NATIONALITIES UNDER  
THE FDRE CONSTITUTION: AN OVERVIEW**

Wondwossen Hagos Gebreegzi, MA student at Addis Ababa University Graduate  
Studies, Ethiopia

## Table of Contents

1. Introduction.....	1
2. The Right to Representation.....	2
2.1. Representation in the House of Peoples Representative.....	5
2.2. Representation in the House of Federation.....	8
3. The Right to Self-Determination.....	9
3.1. Internal Self-Determination.....	10
3.2. External Self-Determination.....	11
4. The Right to Education in the Minorities' own Vernacular Language.....	12
5. Conclusion and Recommendations.....	14
6. Bibliography.....	16

## **1. Introduction**

The term “minority” is a very broad and complex term. It is complex in the sense that no consensus has been reached as to what it pertains to and is broad for it incorporates diverse groups which have ethnic, religious or linguistic features.

As far as the protection of minorities is concerned, apart from the various UN conventions, in many countries, constitutional provision which are directly or indirectly designed to protect and meet the needs of minorities are laid. These constitutions, in addition to ensuring the equal treatment of minorities with other nationalities, provide special guarantees to specified linguistic or other minority groups within the states regarding their right to education, language, representation and so on.

Ethiopia being a home of various nations, nationalities and peoples, the FDRE constitution has laid important guarantees for the protection of a sort of minority called ‘minority nationalities’ together with other nationality groups.

It is, however, sad to say that this unique and diverse culture of the different nations and nationality groups had always been considered by the past ruling classes as source of all troubles and a treat to a country’s unity. Instead of making concerned efforts to develop their indigenous culture and preserve what was inherited from their forefathers, the past regimes had been taking covert and overt actions to eliminate them altogether (The Ethiopian Herald, 1994). That is, they were forced to forgo their identity, culture and language, and were subjected to forced assimilation with the ruling nationality group.

As regards the situation of minority nationalities in the Transitional period, though, owing to their numerical inferiority, “they were not capable of establishing their own Woreda self- government” (Negarit Gazeta, 1992), they were eligible for a fair representation in the council of Woreda self-governments established by adjoining nationals. Accordingly, it is provided that “...minority nationals within the Woreda council, irrespective of the small size of their population, shall have appropriate representation in the Woreda council” (Ibid).

In addition to the right of appropriate representation, the minority nationalities’ right to preserve their identity, culture and history was as well guaranteed.

Coming to the FDRE constitution, the constitution treats minority nationals in Ethiopia with special favor as regards their representation and affords them some other safeguards, including the right to self-determination and the right to use and learn in their own vernacular language, in par with other nations, nationalities and peoples.

The aim of this short paper, therefore, to discuss an over view of how Ethiopia tries to addresses and safeguards minority nationalities as envisaged in the FDRE constitution. Therefn the following sub topics, therefore, the constitutional guarantees which safeguard minority nationalities, i.e., the right to representation, the right to self-determination and the right to learn in their own vernacular language, will be discussed.

## **2. The Right to Representation**

It is agreed by many writers that no legal guarantee of human rights can be effective unless the minority group has its own share in the political fate of the country. To this end it is necessary to recognize to the

minority nationalities a proportional possibility of having their word in the destiny of their country through what is called proportional representation (Duchacek, 1970:101).

Representation aims at preventing the majority from depriving a minority of its proportional share in the legislative, administrative and judicial bodies so that the minority's presence at different levels of decision making will be guaranteed (Ibid). Moreover, the equitable representation of minorities will create harmony and peaceful relation among nationalities and strengthens the unity of the country which they inhabit.

The representation of minorities may be effected both at the center and in the regional legislatures or alternatively. For instance, in India for Scheduled Casts and Tribes and for Anglo Indians, in Nigeria for special interests and communities and in Trinidad for the opposition minority groups, the right to representation in the second chamber of central legislature (Watts, 1976:157). In Ethiopia, some minority nationalities are entitled to representation both in the center (in the House of People's Representatives and in the House of Federation) and in their respective regional councils. Whereas some others who do not satisfy the criteria for representation in the House of People's Representatives, as we shall see it later, are to be represented in the House of Federation and in the regional councils.

In this connection, a question may arise as to whether or not it is necessary to recognize the representation right of minorities at constitutional level. Here there are two lines of arguments. Some says that it is just enough to place this guarantees in any ordinary legislation while others argue that in order to bring about the effective protection of minorities, this guarantee is to be placed at the constitutional level (Rohmer and Hardeman, 1994:91). The writer supports the latter argument because the fact that this guarantee is placed in any ordinary legislation may jeopardize its official recognition and enables the government to abrogate or breach it easily and hence it minimize this possibility of breach it is necessary to place this guarantee at constitutional level.

However, despite the importance of representation as a means to safeguard minorities, this right is "scarcely classed among the guarantees which should be extended to the present day minorities" (Ibid). Neither the international instruments nor the various treaty regimes concluded among different states contain any provision expressly securing such a guarantee (Ibid). The UN, for instance, do not guarantee this right to minorities. The only exception to these instruments is the UN declaration on the Right of Persons Belonging to Ethnic, National, Religious and Linguistic Minorities<sup>1</sup> which imposes on the state parties an obligation to ensure the proper representation of their respective minorities.

But, there are few countries which recognize the right to effective parliamentary representation of minorities at the constitutional level. In this connection mention can be made of the practice of some East European countries where a number of minorities are found. Accordingly, Art. 34 of the Slovak constitution, Art. 68 of the Hungarian constitution, Art. 6 of the constitution of the Czech Republic, Art. 64 of the Slovenian constitution secure to all of their minorities, irrespective of their size, a right to representation in parliament.

When we see the practice of India, which is more like to Ethiopia, it is a home of diverse nationalities, protection of the right of minorities against intolerant majorities, the 1950 constitution in its Art. 16 and

---

<sup>1</sup> The General Assembly, A/RES/47/135, 92nd plenary meeting, 18 December 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

335 assured to the Indian minorities a quota of seats in the parliament. For instance, for the representation of the Indian untouchable minorities, seventy-five seats out of the total five hundred are reserved.

Besides, so as to ensure the observance of the representation and other right of minorities or, in other words, to see the safeguards given to the minorities are observed and did not remain just as paper safeguards, the framers of the 1950 constitution of India thought that some sort of mechanism be provided. For this purpose, therefore, Art 338(1) provides for the establishment of a vigilance or watch group in different constitute states so that defects or drawbacks in the protection of the minorities could be brought to the notice of the government and the legislature.

Coming to Ethiopia, members of the minority nationalities would not regard Ethiopia as their country if they do not have an equal position and an active role in decision making on all public affairs. For this reason, therefore, the Federal Democratic Republic of Ethiopia (FDRE) constitution has created a conducive atmosphere so as to enable minority nationalities to participate in decision making on public affairs directly and through their representatives in the organs of government not only in the questions relating to their special interests as members of minority nationalities but also on all matters affecting a country as a whole.

The Constitution's Art. 39(3)<sup>2</sup> guarantees the right of each nation, nationality and people, including the minority's equitable representation in regional and national governments. The regional self-government in which the minority nationalities are to be represented may be found in the regional state, zone or Woreda self-government. Rather, by virtue of this constitutional provision, they are entitled to equitable representation in the Woreda, Zone or regional state council established by their neighboring nationalities.

According to informant, those minority nationalities who have their own special Woreda self-government, to be specific, the Gidole (Derashe) the Dizi and the Burgi minority nationality, as will be discussed in the coming sub-topics, are the only minority nationalities having their own special Woreda self-government, are directly accountable to the Southern Nations Nationality and peoples Region (SNNPR) state council and have their own respective special representatives in the council.

In addition to guaranteeing the right of minority nationality to be represented in the Woreda, Zone or regional state council, the constitution has created a suitable condition for these nationalities so as to enable them to be represented in the center. Accordingly, Art. 54(2) provides for the special representation of minority nationalities in the House of People's Representatives. To this end, as per Art. 54(3) provides for the reservation of the minimum of twenty seats out of the total five hundred fifty for these nationalities. Furthermore, as already stated, the constitution stipulates that each nation, nationality and people has a right to representation in the House of Federation. As per this provision, therefore, minority nationalities are entitled to representation in the Federal Council as well.

In general, minority nationalities are entitled to be represented in the two layers of government. This is, in the regional self-governments (Woredas, Zones or regional states) and in the center (in the House of People's Representatives if they satisfy the minimum population number requirement, and in the House of Federation).

---

<sup>2</sup> The Federal Democratic Republic of Ethiopia (FDRE) constitution, 1995 Proc. No. 1, *Negarit Gazeta*.

In the following discussion the writer will examine the representation of minority nationalities in the House of People's Representatives and in the House of Federation and an attempt will be made to identify those minority nationalities whose constitutional right of representation is respected and those who do not.

## **2.1. Representation in the House of People's Representatives**

The members of the House of People's Representatives, as per Art. 54(1) cum 54(3) of the FDRE constitution, are elected on the basis of universal suffrage by direct, free and fair elections. They are elected, on the basis of population, from each electoral district by a plurality of the vote casted. Its members shall not exceed five hundred fifty out of which minority nationalities have at least twenty seats which is reserved through special representation.

In this House, the basis of representation as can be understood from the reading of Art. 54(3) is proportional representation according to the number of people. The proportional representation system, as opposed to the simple plurality or the majority vote system opens the way for all nationalities in general, for minority nationalities in particular, to gain representation. That is, it enables minority nationals, despite their minor number, to have representatives there by to have a say in the central legislative organ.

In the Transitional period, as far as the representation of minority nationalities is concerned, the charter provide that the council of People Representatives or its successor shall make minority nationalities that require special representation to elect and send their respective representatives. According to this, up on making a thorough discussion in the 89<sup>th</sup> regular secession of the study jointly presented to it by the election board and the study group established by the Council of People's Representatives, the council decides that the minimum population number of minority nationalities who are eligible for special representation for the for the Constitutional Assembly shall be ten thousand and the maximum shall be less than one hundred thousand. On the basis of this, members of the council come to agreement to give special representation for twenty two minority nationalities so as to enable them to express their views and opinions as regards there would be constitution of the country.

Then after, the representatives of the aforementioned minority nationalities came to the Constitutional Assembly and approve the constitution together with others drawn from various nationalities. In this connection, it is legitimate to ask as to what the fate of these minority nationalities after the adoption of the constitution is.

After the adoption of the constitution, Proc. 111/95 of the electoral law<sup>3</sup>, which was proclaimed to make the electoral law of Ethiopia conform to the FDRE constitution, provides that the purpose of holding elections, the territory of the country shall be divided in to constituencies each of which has a population number of one hundred thousand. This, in effect, means that each one hundred thousand people shall be represented by one person.

As we have discussed in chapter one, one of the distinguishing characteristics of minority nationalities is their numerical inferiority. Owing to their numerical inferiority, therefore, it may not be possible to establish a constituency for them in accordance with Art. 15(2) of Proc. 111/95 and hence they may not have representative in the House of People's Representatives. But, in order to alleviate the problem of representation of minority nationalities in accordance with Art. 15(2), conducive atmosphere is created for

---

<sup>3</sup> Proclamation to make the Electoral law of Ethiopia conform to the constitution, 1995, Proc. No. 111, *Negarit Gazeta*, 54<sup>th</sup> years, No. 9.

them by virtue of Art. 54(2) of the constitution and Art. 15(3) of Proc. 111/95, according to which minority nationalities are ensured to be specially represented in this House.

Here again, a question may arise as to which organs of the government is mandated to determine the minority nationalities who are eligible for special representation and as to what standards are to be employed by this organ to sort out those minority nationalities who are to be specially represented from those who are not.

In this regard, Art. 54(2) of the constitution simply states that ‘provisions shall be made by law for the special representation of minority nationalities.’ When it says ‘law’, it is referring to the electoral law which is issued to govern the election process and the election board established in accordance with Art. 102 of the constitution. But when we make reference to the electoral law, i.e. Proc. 111/95, it does not give us a clue as to how the election board determines those minority nationals who are eligible for special representation.

As per the statement of informants from the election board, the board has determined those minority nationalities that are to be specially represented by using a standard similar to the one employed during the transitional period to represent minority nationalities for Constitutional Assembly. This is the same as saying those minority nationalities who have a total population number of ten thousand (10,000) or more and less than one hundred thousand (100,000) are identified as eligible for special representation in the House of People’s Representatives in accordance with Art. 54(2) of the constitution. On such basis twenty two minority nationalities were identified for the purpose of representation in the Constitutional Assembly and some other two minority nationalities, namely, Geleb and Chiri, are identified as eligible to enjoy their constitutional right of special representation in the House of People’s Representatives (Ibid).

In general, therefore, twenty four minority nationalities are eligible for special representation in the House of People’s Representatives in accordance with Art. 54(2) cum 54(3) of the constitution. However, out of these numbers, three minority nationalities are not yet represented. They are: Dasnech (South Omo Zone) and Nao (Keficho-Shekicho Zone) minority nationalities of the SNNPR state and the Mezinger nationality of the Gambela regional state.

The breach of these constitutional guarantees of minority nationalities will result in some undesirable consequences-it will erode their feeling of an Ethiopian and pave the way for instability and clashes. So, the writer would like to suggest the unreserved efforts must be made to enable these minority nationalities to exercise their constitutional guarantees of representation.

## **2.2. Representation in the House of Federation**

The House of Federation is designed to reflect the much diversified character of the Ethiopian society. It is with this objective that the constitution clearly provides for the representation of each nation, nationality and people without any consideration of the number which they constitute. Moreover, for each one million of its population, every nation and nationality and people entitled to one additional representation in the House as per Art. 61(1) cum 61(2). This means that the more the number of population that the nation, nationality or people constitutes; the more will be the number of representatives which it will have in the House of Federation. Members of this house are elected by state councils in accordance with Art. 61(3) of the constitution.

In connection with the representation of minority nationalities and, for that matter, other non-minority nationalities, in the House of Federation, one may argue that since the power to elect members of the Federal Council is vested in each state council, state councils are not under obligation to elect the representative of each and every minority or other nationality and thereby send them to the House of Federation to represent their respective nationality. This, in other words, means that not all nationalities in general, minority nationalities in particular, may necessarily be represented in this House.

However, in order to give effect to Art. 61(1) cum 61(2) which provides for the representation in the House of Federation of each nation, nationality and people, the writer of this paper is of the opinion that it is the obligation of each regional state council to elect members of the minority nationalities and send them to the House of Federation, i.e., minority nationalities, among others, are entitled to representation in the Federal Council.

To put it in a nut shell, the aforementioned constitutional provision does not put any minimum population number requirement that the nation, nationality or people should be satisfy so as to be represented in this House. That is, every nation, nationality and people, respective of its number or without any distinction on the basis of its status, the constitution guarantees this right to all of the identified nation nationalities and peoples in the country.

However, at present, only seventy four (69)<sup>4</sup> nations, nationalities and peoples are represented in the House of Federation. In Ethiopia, there are over eighty (80) nationalities and hence, the representation of only sixty nine nations, nationalities and peoples is not good enough.

When the writer asked as to why the other nations, nationalities and peoples are not represented, most of the answers become erroneous and unsatisfactory. Hence, in this respect, the writer suggests that a mechanism has to be created to effectuate the representation of these nationalities.

### **3. The Right to Self-Determination**

Self-determination is commonly defined as the right allowing a people to freely determine their political status and freely pursue their economic, social and cultural development (Bely, 1994:275).

During its revolutionary stages, the beneficiaries of the principle had been distinct minorities or peoples who were not self-governing or subject to rule by other nationalities (Ibid:282). With the emergence of colonialism and the subsequent need for decolonization, however, colonial people come to be identified as the only beneficiaries. That is to say, “the character of self-determination in the post World War II period is narrowly confined to the case of peoples under colonial rule” (Ibid). Nevertheless, there is still controversy among international lawyers as to whether this right is a recognized legal norm outside the colonial context.

Different school presented different perspectives about self-determination and divided it as internal and external. For the purpose of this paper it is impossible to go through it and the writer forced to escape.

When we come to the FDRE constitution, the right to self-determination is guaranteed to each nation, nationality and people. Since minority nationalities fall within this purview, they as well are guaranteed to

---

<sup>4</sup> House of Federation official website:  
[http://www.hofethiopia.gov.et/index.php?option=com\\_content&id=100&task=view&Itemid=104&lang=en](http://www.hofethiopia.gov.et/index.php?option=com_content&id=100&task=view&Itemid=104&lang=en)  
accessed on September 1, 2009.

exercise this right. Accordingly, as per Art. 39(3) they are guaranteed the right to "...a full measure of self-government in the respective territory which they inhabit." Moreover, as per 39(1) they are entitled to exercise their right to self-determination of independence without any condition being attached to it. To be specific, they are entitled to both internal self-determination, which is also regarded as self-government, and external self-determination which includes the right to succession. So, the FDRE constitution unconditionally ensures this right to minority nationalities as well.

### **3.1. Internal Self-Determination**

In view of this merits of self-government then, the FDRE constitution guarantees this right to minority nationalities. In the Ethiopian context, this right can be exercised by establishing Woreda, Zone or regional self-governments at a state level. However, not all minority nationalities have established their own self-government. Accordingly, as per the interview which the writer has conducted with one of the informants of the election board, only four minority nationalities, namely, the Harari, the Burgi, the Dizi and the Derashe(Gidole), have established their own self-government. Of these four, as can be seen from Art. 47(1)(9) of the constitution, the Harari minority nationality has its own self-government at a regional state level. The rest three nationalities, on the other hand, have their own special Woreda self-governments.

As far as the other minority nationalities are concerned, instead of forming their own self-governments, they are only taking part in the Woreda self-governments, established by their adjoining nation/nationalities. In the Transitional Period, of course, the very proclamations which established national regional self-governments i.e. Proc. 7/92<sup>5</sup>, does not grant this right of establishing Woreda self-government to minority nationalities since "...they are not capable of establishing their own Woreda self-government owing to the small size of their population..." (Negarit Gazeta, 1992). Rather, it granted to them "the right to have appropriate representation in the Woreda council (established by the adjoining nationalities)" (Ibid, Art. 5(3)).

In general, during the transitional Period, the right of minority nationalities did not go to the extent of forming self-government; rather, it was limited to equitable representation in the Woreda self-governments established by other nationalities. Likewise, though the constitution provides for full measures of self-government to each nation, nationality and people, most minority nationalities, rather than forming their own self-governments are only represented in the self-governments established by other nationalities. This is the same as saying that minority nationalities, rather than separately deciding on their own fate, participate in such process along with the members of the Woreda council of the adjoining nationalities. It is together with other Woreda council member that they decide on their own fate. This clearly goes against the very concept of self-determination since it is not the minority nationalities themselves who decide on their own affairs to the exclusion of others; rather, it is with other selves that decision is made.

Here, therefore, concrete measures must be taken to ensure the proper implementation of this constitutional right of forming self-government so that minority nationalities will be able to have control on their own affairs to the exclusion of others.

---

<sup>5</sup> Proclamations to Provide for the establishment of National/Regional Self-Governments, 1992, Proc. No.7, Negarit Gazeta 1<sup>st</sup> year No.2.

### **3.2. External Self-Determination**

As already stated, external self-determination consists of the right of each people to secede and to establish its own independent national state. In light of this, Art. 39(1) of the FDRE constitution expressly provides that each nation, nationality or people have an unconditional right of secession.

When we see the transitional period charter, it provides that each nation, nationalities or people has the right to exercise this right to self-determination of independence is a conditional right which may be exercised in the event where the government violates the right of these nations, nationalities and peoples. But, no procedure was provided as to how this right could be exercised.

However, the FDRE constitution, in addition to making these right unconditional, clearly puts the procedure according to which the right can be exercised. In this respect Art. 39(4) (a) provides that the right to secession can be exercised when these demands has been approved by a two-third majority vote of the member of the ‘Legislative Council of the nation, nationality or people concerned’ (emphasis added) and when the other procedural requirements in the subsequent provisions are complied with.

What we can infer from Art.39(4)(a) is that in order of a nation, nationality or people to exercise its rights of external self-determination of independence(secession), it must have its own legislative council to whom the demand is to be submitted. Nevertheless, when we see this in light of the situation of minority nationalities, we can conclude that the minority nationalities who can exercise this right of secession are the Hararies, the Burgies the Dizis and the Derashes(Gidoles) since these four are the only minority nationalities which have their own separate legislative council.

As far as the other minority nationals are concerned, we may not extend the same provision of the constitution on self-determination of independence to be applicable for them since they do not have their own self-government and thereby their own separate legislative council. That is to say, they do not have their own Woreda or zone council to whom they may submit their claim of secession. If at all they submit their claim to the Woreda or zone legislative council established by the adjoining nationals and in which they have their own representatives, this legislative council is less likely to approve this claim by the required two-thirds majority vote.

To conclude, though the constitution clearly provides that each nation, nationality and people has the right to external self-determination of independence, most minority nationals are not the beneficiaries of this right. This is attributable to the fact that most minority nationalities do not have their own self-government. In this regard, therefore, the same kind of suggestion can be made as the one in the preceding sub-topic. To be specific, in order to ensure the proper implementation of the right of minority nationals to external self-determination of independence, they should be enabled to establish their own self-government.

### **4. The Right to Education in the Minorities’ own Vernacular Language**

In a multi-lingual society like Ethiopia, basic education can be achieved through the use of vernacular language policy is very crucial for the educational, social, economic and political advancement of a given nationality thereby to the country at large.

This opportunity of education in one’s own vernacular language is one of the traditional demands of minority nationalities since it is the corner stone for their social and economic development (Jonic, 1986:10). They demand this right because it is obvious that mostly the children of a minority who receive

an instruction in a language that is not their own do not drive the same benefits as those who are educated in their own vernacular or mother tongue. Moreover, from the point of view of minority nationalities, vernacular language is justified by fact that it serves as "...an important tool of preserving and enhancing the culture, identity and history of a given minority group" (Ibid).

Despite these merits of vernacular education, in the past regimes of Ethiopia, there was a fear against its development. Accordingly, there was a fear provincialism and separatism since it was felt that the use of various languages as medium of education would create differences and antagonisms among different ethnic groups thereby endangering the unity and integrity of the country (The Ethiopian Herald,1994).

As of the establishment of the Transitional Government, however, some positive measures have been taken to encourage each nation, nationality and people to learn in its own vernacular language.

When we come to the FDRE constitution, Art. 39(2), which is the domestic counterpart to Art. 27 of the International Covenant on Civil and Political Rights<sup>6</sup> to which Ethiopia is a party, guarantees to each nation, nationality and people, without any discrimination what so ever, to use and develop its language. This instrument further state all languages should be given equal state recognition and hence no language is superior to other. This being the case, since minority nationalities are among the nationalities of the country, they are also entitled to enjoy this right in par with other nationalities.

Unfortunately, at present, some minority nationalities in Ethiopia are not the beneficiaries of this right due to many reasons. Most of minority nationals are still using Amharic whereas others are using the language of their adjoining nationality.

In general, despite the clear wording of the constitution as to the language right of each nation, nationality and people, the enforcement of this right in favor of minority nationalities is far from satisfactory. Hence, of course, it is obvious that in order to ensure the minorities' right to learn in their own vernacular language a large amount of money is involved. However, when it is weighed against the usefulness of the spread of education, the expense for the translation and adoption of text books and that of training teachers, in the opinion of this writer, must be considered negligible since, as we have said above, the ensuring of the minority nationalities' right to learn in their own vernacular language is the core for the preservation of their culture, identity and history and is the vehicle for their economic, social and political development.

Thus, as part of the execution of the country's obligation under the UN Convention on the Elimination of All Forms of Racial Discrimination, the Ethiopia government, since it is ratified by the country, should take some special measures so as to enable these long neglected minority nationalities to use their own vernacular language as a medium of instruction.

---

6 International Covenant on Civil and Political Rights Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, in accordance with Article 49

## **5. Conclusion and Recommendations**

### **5.1. Conclusion**

Ethiopia is a land of various nations and nationality groups, each maintaining its own distinct culture, language, traditional values and heritages. In various times different governments respond about the safeguarding of the right of minority nationals differently.

The purpose of minority protection is not merely the granting of equality with the majority, Ethiopian minority nationals should be enabled to preserve their own distinctive characteristics. Nevertheless, the maintenance of their distinctness and their equality with the majorities cannot be achieved unless they are guaranteed special rights that help them to emerge from their inferior status. Taking this in to consideration, the FDRE constitution in its Art 89(4) provides that the government has the duty to provide special assistance to these and other nations, nationalities and peoples which are least advantaged in economic and social development. As can be understood from the experience of India, Hungary and Canada, this special assistance can be made in the area of education, health and in the construction of other facilities. But, in this respect, the measures which have so far been taken by the Ethiopian government are needed to be improved. In light of this the writer would like to recommend the following general issues for the betterment of the situation.

### **5.2. Recommendations**

Apart from the provision of other facilities, in area of education, which is the core for the preservation of the identity of minority nationalities, the government should provide assistance so as to enable them to use and develop their vernacular language with any means so as to bring about the true or real equality of these nationalities with other nations, nationalities and people.

Secondly, to ensure the observance of the guarantees which minority nationalities are entitled to, offices which follow up the proper implementation or respect of these guarantees must be established in each constituent state where minority nationalities are found so that the guarantees will not remain only as mere paper safeguards.

Thirdly, as mentioned above, Ethiopia has not yet ratified the Optional Protocol to the ICCPR and the 1992 Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities. The optional protocol enshrines a provision which allows individual members of a minority group to make a complaint in the international fora in the event where they are mistreated by their home state. Hence, the writer suggests that the country should ratify this instrument so that Ethiopian minority nationals will get access to these international fora with international standard and when the government abridges or abrogates this right in violation of its international duty. Also it provides protection from ethnocide or cultural genocide.

Fourthly, while some minority nationals who have a relatively smaller number of populations have established their own self-government, some other minority nationals have not yet established their own self-government. This in turn may invoke a feeling of being discriminated and neglected among these nationalities thereby impairing national unity and security and it may ultimately lead them to opt to secession. Therefore, in order to avert these dangerous consequences, the writer recommends that unreserved efforts must be made to enable them to establish their own self-government.

Finally, there are still some other minorities who are represented neither in the center nor in their respective regional state council. The mistreatment by state of their minorities, as can be realized from the current situation of some east European countries, is a fertile source of domestic and international source of conflict. Likewise, the mistreatment of our minority nationalities, apart from eroding their feeling of being an Ethiopian, may impair the national unity and security of the country thereby opening up a dangerous road to the secession of these groups. Therefore, the writer suggests that if it is not possible to represent all of them in the center, they should, at least, be represented in their respective regional state councils.

## 6. Bibliography

- Alfradeson G. (1993) *Minority Rights and a New World Order*. Np: Scandinavian University press.
- Anderson, George (2008) *Federalism: An introduction*. Ontario: Oxford University Press.
- Asnake Kefale (2004) 'Federalism: Some Trends of Ethnic Conflicts and their Management in Ethiopia.' In Nhema, Alfred G.(ed.), *The Quest of Peace in Africa: Transformations, Democracy and Public Policy*, pp 51-68. Utrecht: International Books.
- Befekadu Z. and Diribssa A. (2005) 'Inter-State Ethnic Conflict: Theory and Implications for Ethiopia.' In *Conflict in the Horn: Prevention and Resolution*. Addis Ababa: Image Printing Press.
- Blay S. (1994) "Self-Determination: A Reassessment in the Post Communist Era," *Denver Journal of International Law and Policy*, Vol.22 No.2.
- Capotorti F. (1979) *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*. N.p: Martinis Nijhoff Publishers.
- Dinisten Y. (1992) *The Protection of Minorities and Human Rights*. Dordrecht: Martinis Nijhoff Publishers.
- Donald, L. Horowitz (1985) *Ethnic Groups in Conflict*. Berkley and Los Angeles: California Press Ltd.
- Duchacek, I.D (1997) *Comparative Federalism: The Territorial Dimensions of Politics*. New York: Holt Inc.
- Duchacek, I.D. (1970) *Comparative Federalism: The Territorial Dimentions of Politics*. New York:Holt, Rinehast and Winston Inc.
- FARM-Africa (2001) *Terminal Report on Employment Generation Scheme in Konso Ethiopia*. Addis Ababa: FARM-Africa.
- Fukui, K. (1994) 'Conflict and Ethnic Integration.' In Fukui, K and Markakis, J (Eds), *Ethnic Conflict in the Horn of Africa*. Great Britain: Ohio University Press.
- Hussein, J. (2005) 'Ethnic Conflict as a Global Problem: Review of Conceptual and Theoretical Perspective.' In *Conflict in the Horn: Prevention and Resolution*. Addis Ababa: Image Printing Press.
- International (1998) *International Encyclopedia of the Social Science*. Vol. 10.
- Jonic K. (1986) *Nationalities in Yugoslavia*. N.P: Jugoslavenska Stvatnost.
- Lerner N. (1991) *Group Rights and Discrimination in International Law*. Dordrecht: Martinis Nijhoff Publishers.
- Ministry of Federal Affairs and German Technical Cooperation (2004) *First National Conference on Federalism, Conflict and Peace Building*. Organized by Ministry of Federal Affairs and German Technical Cooperation May 5-7, 2003 at Addis Ababa. Addis Ababa: United Press Ltd.
- Modden T. (1969) *The International Protection of National Minorities in Europe*. Np: Abbo Academy.
- Rohmer F.B. and Hardeman H. (1994) "The Representation of Minorities In Parliaments of Centarl and Eastern Europe," *International Journal of Group Rights*, Vol.2 No.2.

Watts, Ronald L. (1976) *New Federations: Experiment in the Commonwealth*. N.P: Claredon Press.

Watts, Ronald L. (2008) *Comparing Federal Systems*. 3<sup>rd</sup> ed. Montreal: McGill-Queens University Press.

Watts, Ronald L. and Rupak Chattopadhyay (eds.) (2008) 'Building on and Accommodating Diversities,' Vol. 1, *Unity in Diversity: Learning from Each Other*. New Delhi: Viva Books Private Limited.

## **Laws**

### **Ethiopian**

1. The Federal Democratic Republic of Ethiopia (FDRE) constitution, 1995 Proc. No. 1, *Negarit Gazeta*.
2. Proclamations to Provide for the Establishment of National/Regional Self-Governments, 1992, Proc. No.7, *Negarit Gazeta* 1<sup>st</sup> year No.2.
3. Proclamation to make the Electoral law of Ethiopia conform with the constitution, 1995, Proc. No. 111, *Negarit Gazeta*, 54<sup>th</sup> years, No. 9.

### **International**

1. The Genocide Convention, United Nations, 1948.
2. The UN Convention on the Elimination of Racial Discrimination, United Nations, 1965.
3. The international covenant on civil and political rights, United Nations, 1967.
4. Declaration on the Rights of Persons Belonging to National, Ethnic Religious and Linguistic Minorities, United Nations, 1992.

### **Newspaper**

The Ethiopian Herald, Saturday, 12 November 1994, Vol. LI. No. 052.