PEACEFUL AND DEMOCRATIC TRANSITIONAL CONFERENCE OF ETHIOPIA

NEGARIT GAZETA

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TRANSITIONAL PERIOD CHARTER OF ETHIOPIA

WHEREAS the overthrow of the military dictatorship that has ruled Ethiopia for seventeen years presents a historical moment, providing the Peoples of Ethiopia with the opportunity to rebuild the country and restructure the state democratically;

WHEREAS the military dictatorship was, in essence, a continuation of the previous regimes and its demise marks the end of an era of subjugation and oppression thus starting a new chapter in Ethiopian history in which freedom, equal rights and self-determination of all the peoples shall be the governing principles of political, economic and social life and thereby contributing to the welfare of the Ethiopian Peoples and rescuing them from centuries of subjugation and backwardness;

WHEREAS peace and stability, as essential conditions of development, require the end of all hostilities, the healing of wounds caused by conflicts and the establishment and maintenance of good neighbourliness and co-operation;

WHEREAS for the fulfilment of the aforementioned conditions and for the reign of a just peace, the proclamation of a democratic order is a categorical imperative, and;

WHEREAS to this end, all institutions of repression installed by the previous regimes shall be dismantled, regional prejudices redressed and the rights and interests of the deprived citizens safeguarded by a democratic government elected by and accountable to the People;
Whereas from the peace loving and democratic forces present in the Ethiopian society and having varied views, having met in a Conference convened from July 1-5 in ADDIS ABABA, have discussed and approved The Charter laying down the rules governing The Transitional Government as well as setting down the principles for the transitional period,

NOW THEREFORE, it is hereby proclaimed as follows:

PART ONE

DEMOCRATIC RIGHTS

Article One

Based on the Universal Declaration of Human Rights of the United Nations, adopted and proclaimed by the General Assembly by resolution 217 A (III) of 10 Dec. 1948 individual human rights shall be respected fully, and without any limitation whatsoever. Particularly every individual shall have:

1/ The freedom of conscience, expression, association and peaceful assembly;

2/ The right to engage in unrestricted political activity and to organize political parties, provided the exercise of such right does not infringe upon the rights of others.

Article Two

The right of nations, nationalities and peoples to self-determination is affirmed. To this end, each nation, nationality and people is guaranteed the right to:

a/ Preserve its identity and have it respected, promote its culture and history and use and develop its language;

b/ Administer its own affairs within its own defined territory and effectively participate in the central government on the basis of freedom, and fair and proper representation;

c/ Exercise its right to self-determination of independence, when the concerned, nation/nationality and people is convinced that the above rights are denied, abridged or abrogated.

PART TWO

PRINCIPLES GUIDING FOREIGN POLICY

The Transitional Government will conduct its foreign relations on the basis of the principles of respect for the sovereignty and equality of states and non-intervention and non-interference in internal affairs, as well as the promotion of mutual interests. Accordingly;

Article Three

The policy of destabilization and conflict-promotion hitherto actively pursued by the previous regime with respect to the country's neighbours shall cease forthwith with the issuance of this Charter.
Article Four

It shall abide by all mutual agreements that respect the sovereignty of Ethiopia and are not contrary to the interests of the People.

Article Five

Local governments shall have the right to establish direct contact with relief organizations with respect to relief work.

PART THREE

STRUCTURE AND COMPOSITION OF THE TRANSITIONAL GOVERNMENT

Article Six

There shall be established a Transitional Government consisting of a Council of Representatives and a Council of Ministers.

Article Seven

The Council of Representatives shall be composed of representatives of national liberation movements, other political organizations and prominent individuals, to make up a total of no more than 87 members.

Article Eight

The Transitional Government shall exercise all legal and political responsibility for the governance of Ethiopia until it hands over power to a government popularly elected on the basis of a new Constitution.

Article Nine

The Council of Representatives shall exercise legislative functions as follows and oversee the work of the Council of Ministers:

a/ draw-up its rules of procedure.

b/ election of its Chairperson, who shall also be the Head of State, and a Vice-Chairperson and Secretary, the Head of State shall appoint the Prime Minister, whose appointment shall be approved by the Council of Representatives. The head of state, the Prime Minister, the Vice-Chairperson and Secretary of the Council of Representatives shall be from different nations/nationalities;

c/ approve the Prime Minister's nomination of the members of Council of Ministers drawn-up on considerations of ascertaining a broad national representation, technical competence and unswerving adherence to the Charter;

d/ initiation and promulgation of proclamation and decrees pursuant to the Charter;

e/ adoption of national budget;

f/ provide for the administration of justice on the basis of the Charter; the Courts shall, in their work, be free from any governmental interference with respect to items provided for in Part One, Article One of the Charter;

g/ establish the Constitutional Commission;

h/ ratify international agreements;
PART FOUR
TRANSITIONAL PROGRAMME

The following provisions for a transitional period have been adopted in order to lead the country towards full democracy.

A. POLITICAL

Article ten
The Council of Representatives shall constitute the Constitutional Commission to draw up a draft constitution.

The Constitutional Commission shall submit to the Council of Representatives the draft constitution.

Article eleven
Upon adoption of the draft constitution by the Council of Representatives the Constitution shall be presented to the people for discussion.

The final draft shall be presented for adoption to the Constituent Assembly to be elected pursuant to the final draft of the Constitution.

Article twelve
Elections to a National Assembly shall be held on the basis of the provisions of the new Constitution.

The Transitional Government shall handover power to the party or parties that gain a majority in the National Assembly.

The said national elections shall be held no later than two years after the establishment of the Transitional Government. Provided however, that the period can be extended by the Council of Representatives for no more than six months.

Article thirteen
There shall be a law establishing local and regional councils for local administrative purposes defined on the basis of nationality. Elections for such local and regional councils shall be held within three months of the establishment of the Transitional Government, wherever local conditions allow.

B. RELIEF AND REHABILITATION

The Transitional Government is unequivocally determined to ensure the delivery of relief assistance to areas ravaged by war and drought. In connection with this:

Article Fourteen
It shall give priority to the rehabilitation of those areas that have been severely affected by the war, prisoners of war, ex-prisoners of war as well as those sections of the population that have been forcefully uprooted by the previous regime's policy of villagization and resettlement.
The rehabilitation of those forcibly uprooted by the previous regime’s policy of villagization and resettlement shall be done in accordance with their desire.

Article Fifteen
It shall take immediate steps to reconstruct or repair the infrastructure that has been destroyed or damaged by the war.

Article Sixteen
It shall give special consideration to hitherto neglected and forgotten areas.

Article Seventeen
It shall make special efforts to dispel ethnic mistrust and eradicate the ethnic hatred that have been fostered by the previous regimes.

PART FIVE

LEGALITY OF THE CHARTER

Article Eighteen
This Charter shall serve as the supreme law of the land for the duration of the transitional period. Any law or decision that is contrary to the Charter shall be null and void.

Article Nineteen
The Amharic and the English texts of this Charter have equal authenticity. Where disparity occurs between the two languages the Council of Representatives shall decide.

Article Twenty
This Charter shall be effective upon publication in the Negarit Gazette.