

የኢትዮጵያ ተቃዋሚ የፖለቲካ ድርጅቶች ኅብረት The Coalition of Ethiopian Opposition Political Organizations (CEOPO)

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DEMOCRATIZATION AND FREE ELECTIONS INITIATIVE IN ETHIOPIA(DFIE)

The first and major bottleneck for durable peace, democracy and national unity in Ethiopia top this date is the failure of opposition forces to create unity of purpose and action.

- ◆ Undoubtedly if the inability to forge unity of purpose and action among the country's opposition forces continued, unabated, the anti-democratic policy of the TPLF would lead our country to greater disaster;
- ◆ Believing that the invasion of the EPLF coupled with the misguided policy of the EPRDF would lead to greater national catastrophe;
- ◆ Understanding the need for unity among the country's opposition forces so as to enable them to create a common front and lead the struggle to solve the country's fundamental problems democratically;
- ◆ We, the undersigned opposition political organizations of Ethiopia, gathered in Paris from September 11-13.1998, conscious of our unity of purpose and struggle and the historic responsibility of saving our country;
- ◆ 1. That our people saved from a dictatorial rule of a minority and build a democratic order by this free will our country is transformed from the endless culture of war and conflict to durable peace for the first time in its history and through such a transition create a constitution that trusted given that due respect to and protected by the people, which in turn could ensure the rule of law;
- ◆ 2. As far as our openly stated objective is to struggle against the country's authoritarian regime and to facilitate the creation of a democratic atmosphere which enables the peoples of Ethiopia to determine their destiny by themselves and believing that failing to leave for the future judgment of our people issues such as differences of ideology, economic and social policy programs which could undermine our unity of purpose and sense of unity directly helping the enemies of peace and democracy;
- ◆ 3. Conscious of the fact that differences of strategies and political stands drawn by each group from their own experiences should not be the basis of division and conflict since the objective of our struggle is for free and fair election and far beyond a democratic constitution;
- ◆ 4. Convinced that making known in concrete terms what we mean by free election and democratic constitution deals for which those struggling for democracy in Ethiopia have paid for long the necessary sacrifices, and further continued that the Ethiopian peoples, the members of each organization, members of the international community who have good wishes for our country will help our struggle;
 - to remove the danger of war once and for all from Ethiopia so as to ensure durable peace and stability;
 - safeguard Ethiopian unity and sovereignty;
 - guarantee the rights and equality of nations and nationalities strengthen the unity of Ethiopians through a sense of brotherhood;
 - the democratic and human rights of all citizens of Ethiopia be guaranteed, economic and social justice assured and finally to work for the precondition of democracy by changing the balances of forces so as to build a democratic order where the rule of law is respected;
 - we hereby declare our plan of action as follows:

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A. Free, Fair and Genuine Election

When we demand free, fair and genuine election, we are not making any extra demands than what are today accepted as international standards and the principles the EPRDF itself is advancing in theory. The problem is the political gimmicks of the EPRDF which openly undermine some of the principles, while accepting others in theory but nullifying in practice.

Further more, the sources of the problems are not only the issue of one of the competing parties controlling the army and the police forces; government institutions; the mass media; public purse and other services as well as the country's diplomatic relations for narrow and sectarian interests. But this party which is in control of the state, as if this is not enough wants to control the whole electoral process alone and by doing so seriously hinders both the preparation and the process of the election with the resultant effect that would distort the election from reflecting the balance of forces on the ground as well as the popular will of the people.

Looking at issues from the above angle, when we say our country's problems should be resolved through the will of the people expressed in free, fair and genuine election, first, we mean that internationally accepted standards the EPRDF is nullifying should be respected. Secondly, we mean, we cannot stop at saying that the principles be respected while the EPRDF only says lip service to the principles it is claiming to have accepted. We unequivocally say that elections should be undertaken outside the control of the ruling elite for the first time in our country's history.

In other words, to solve our country's problems through peaceful and democratic means and for the institutionalization of free, fair and genuine election we continue our struggle for the following principles:

1st. Establishment of a responsible body that would oversee the democratic process and elections

What has made fruitless our hitherto efforts is that the election processes were undertaken under a condition where there were no respect for human rights, their preparations were by our rulers as they suit them and their implementation under their strict control.

Although democracy and the respect for human rights are necessary under all circumstances, in time of elections due emphasis should be given to the pre-requisite rights for free, fair and genuine elections in accordance with the universally accepted criteria. Furthermore, if an election is to be accepted as a democratic election, etc; cannot be left for one player under any democratic practice.

Therefore, first of all in order to ensure the prerequisite rights pertinent to elections and to create a general democratic atmosphere in the country, and secondly to ensure a free, fair and genuine elections, establishment of a responsible body would be necessary. This body must consist of all main contenders, or must be a body whose independence is acceptable to all parties and must include international observers that are mutually agreeable to all parties.

2nd. For an Election to be Free

Especially today, there is a general agreement on the provisions of the Universal Declaration of Human Rights article 21/1/ which declares that any citizen should be allowed to participate in the affairs of his State either directly or indirectly through his freely elected representatives.

The question of whether a given election is free or not can be measured only when the condition that allows the expression of the free will of the people is met. For an election to reflect the free will of the people concerned and to be defined as free according to universally accepted principles, a given election should be:

- a) undertaken under democratic atmosphere where human rights are duly respected and when it is free from both the intervention of the government and other forces;

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- b) undertaken under a condition where the universally accepted standards are respected, when the pre-requisites for free elections such as freedom of thoughts, expression, assembly, organization etc. are equally respected;
- c) conducted where there is no intimidation and secret balloting, is maintained; goes beyond declarations to get the approval of the people and a broad voter education is given to the people; respect for the due process of law observed, and in general supervision is made for the strict observance of the preconditions for free elections.

3rd. For a Given Election to be Fair

The Universal Declaration of Human Rights article 21/3/ declares that for a given election to be fair, the equality of citizens and their participation guaranteed, while in article 22 it declares such participation should not be discriminatory on the bases of race, religion, language, color, political opinion, national identity and class. According to these criteria the EPRDF elections do not meet the criteria of:

- a) citizens equal participation
- b) one man-one vote
- c) legal and administrative guarantees to all the participants, etc.

By openly nullifying the legal and administrative guarantees, the EPRDF which controls the Ethiopian state and is also the only player has prepared an election which it controls through creating its own electoral machinery.

4th. For a Given Election to be Called Genuine

The Universal Declaration of Human Rights article 21/3/ and the other International civil and Political Rights declare that for a given election to be fruitful, it must be genuine. Because of its military might the EPRDF is seriously undermining these accepted standards. To us, for a given election to be genuine the basic criteria needed and which the EPRDF is undermining are the following:

- a) the need for presenting alternative choices to the people;
- b) the need to freely present the alternative choices;
- c) the need for the neutrality (independence) of government institutions and
- d) the need for voter education etc.

Sadly, these basic criteria for genuine elections have never been fulfilled in all the elections held so far in our country. And the EPRDF which is forced to accept multi-party democracy in theory is repeating the same old mistake.

B. The need for a Democratic Constitution

Regarding this issue too, we demand nothing other than the fulfillment of the universally accepted principles which the EPRDF government openly undermines. Our demands are the inclusion of the following principles in a transparent way in the making and amending the national constitution;

1st. On the Question of Respecting the Fundamental Democratic and Human rights

Any constitution to be called a Democratic constitution should be created in a way that gives a constitutional guarantee to the principles enshrined in the Declaration of Universal Human Rights. The EPRDF-authored constitution like the constitutions of Haile Selassie's and Dergue regimes only declared the principles without creating the necessary institutional mechanisms to guarantee their implementation.

2nd. The need for Constitutionalism and Constitutional Guarantees

For any constitution to be called democratic there should be an independent supervising body. This means an independent constitutional court which operates independently and is free from any

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government interference is needed to oversee that the supreme law of the land is implemented and respected. The EPRDF constitution, although it declares the supremacy of the law failed to create such a mechanism which is free from government control and has the power to pass authoritative decisions.

3rd. Putting to practice the Separation of Powers Principle

For any constitution to be defined as democratic there should be checks and balances in the workings of the legislative, executive and judiciary branches of government. The separation of powers should be made in a way that guarantees popular representation and accountability. The EPRDF constitution like the constitution of the Dergue instead of adopting the principles of separation of powers, follows the concentration of power in the hand of one branch and by so doing nullifies the separation of powers principles.

4th. Respect for the independence of the judiciary

When any democratic constitution decrees the rule of law, the necessary mechanism which guarantees the independence of the judiciary should be created. The independence of the judiciary means the independence of the judges. This means the creation of an independent body that guarantees the freedom from government interference which supervises the assignment of judges, their dismissals, transfer, promotion and discipline. The EPRDF constitution like the Dergue even if it accepts the principle of judicial independence in theory, has no provision for such an independent body.

5th. Genuine Application of the Rule of Multi-party System

Any constitution to be called democratic must be based on the rule of multi-party system and must enable the realization of such a system. This means the constitution must promote different ideologies, political positions, and social and economic policies (programs) where parties freely and fairly compete publicly, and those who win majority vote should be allowed to seize power in order to implement their policies and programs. But the constitution that has been sponsored by the EPRDF, similar to that of the Dergue, promotes a minority organization's political position and socio-economic policies.

What is more, the constitution was prepared in a complicated manner that even if organizations that oppose the EPRDF's program seize political power by winning the majority support of the electorates, they will be forced to undertake the task of modifying/amending the constitution. unless this task is accomplished, there is no condition for different parties to operate within the frame work of the EPRDF's constitution.

6th. Democratization of Constitution Making and Amendment Process

For a constitution to be the main law of the land that enjoys acceptance and respect (to be a legitimate national document) of the society, it has to be drafted and ratified by full participation of the whole people. As democratic constitution is one which is written with the consensus of different sections of the society, its amendment also requires popular consent. This means constitutional amendment requires absolute majority or referendum, nor a simple majority. Needless-to-say, the true face of anti-democratic and dictatorial governments lie here; they do not only make constitutions by their own discretion, but also make their constitution in such a way that it would be difficult for the society to amend them.

The EPRDF's constitution is not an exception. The manner the constitution was drafted and ratified has made it a document that empowers a minority group and its political program. What is worst is also the existence of Veto power for groups of less than 5% on important issues that may make difficult for the amendment of the constitution.

7th. Realize the Rights of Nations/ Nationalities, Rights of Individuals and Rights of Citizens

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A democratic constitution is that which guarantees full Rights of Individuals, Rights of Citizens full rights of the nations/ nationalities to decide on all matters of their special concern on one hand and advances the sense of unity and brotherhood for their peaceful co-existence by allowing their full and equal participation in all matters of common national intent. This means that within the framework of a democratic system in which Individual, Nationality and Citizenship rights would be recognized, there will be the affirmation of their rights to determine their administrative structure and chart their social and economic policies. In light of this, the EPRDF's constitution is not one that guarantees the rights of nations and nationalities in the first place. Although the constitution claims to have created a federal structure that enables the peoples' participation in decision making on national interests, in reality it does not allow the federal parliament to fully participate in the law-making process of the country.

As has been repeatedly mentioned above, in Ethiopia's political history there has never been a favorable political atmosphere for free and fair election. The elections that have been conducted under the EPRDF's sponsorship during the so-called transitional period also do not qualify for internationally accepted yardstick for free and fair elections, save for the EPRDF's rhetoric. Although the EPRDF claims that Ethiopia has never been blessed with such kind of "democratic situation" still today Ethiopia does not have democratic constitution, even not one that takes the country a step towards that.

As we take a common stand to commonly struggle for a democratization and free election initiative, no one should mistakenly suspect our position as sheer lust for power. Without free and fair elections no where in the world any people expressed their will and achieved their goals. In the same token there is no way the Ethiopian people could express their will without democratic constitution. As there are no people in the world who were able to establish the rule of law and build a better life in peace and democratic atmosphere, in the absence of a democratic constitution there is no other alternative for the Ethiopian people too.

If there are people who maintain that there is a way other than through democratic elections and a democratic constitution that a democratic transition can be made, they should be able to tell us what that is!

On our part, we say that there is no alternative solution to such a method. Not only us, but all democratic forces in the country who have chosen any organization they want, follow any method of struggle, etc., we believe would have the same stand on this issue. This means as our struggle is to create a platform where all Ethiopians would determine their fate and as our aim is not to replace one anti-democratic government with yet another repressive one, we say all democratic forces should stand with us for this common cause.

Therefore, we call on all the democratic forces of the country to cooperate and rally around this minimum common platform: **DEMOCRATIZATION AND FREE ELECTIONS INITIATIVE.**

THE STRUGGLE FOR PEACE, JUSTICE AND DEMOCRACY SHALL CONTINUE!!

THE COALITION OF ETHIOPIAN OPPOSITION POLITICAL ORGANIZATIONS

**SEPTEMBER 13, 1998
PARIS**

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