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COLLEGE OF LAW AND GOVERNANCE STUDIES
SCHOOL OF LAW
PUBLIC INTERNATIONAL LAW LLM PROGRAM

THE RIGHT TO SELF-DETERMINATION OF THE AGEW PEOPLE
IN TIGRAY REGIONAL STATE:
A QUEST FOR SECURING TERRITORIAL/NON TERRITORIAL
AUTONOMY

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF MASTER OF LAWS
(LL.M) IN PUBLIC INTERNATIONAL LAW

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MAY, 2024

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Declaration:

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Acknowledgment

First of all I thank the Almighty God for His endless blessing and protection for my life.

My advisor, Dr. Sisay Mengistie deserves my sincere thanks for his important scholarly comments he has given me on each part and idea of the draft of this thesis.

I would like also to express my heartfelt indebtedness to my lovely wife Netsanet Mamo, who carefully motivated me to work hard from the beginning till now; taking the full responsibility of family administration and raising our children, and also for her due care of supporting my morally. My up growing lovely children deserve special thank in giving me pleasure and moral due to their credible school results.

A special thank goes to my friend Getachew Werku (PhD candidate), who was important in my life, for encouragement and emotional support of my day to day activities. He is also my fieldwork assistant who has been instrumental in mobilizing communities, travelling long and difficult journeys and being available whenever I needed. My thanks is also endless for my friends Mesay Tsegaw and Alemseged Dejene for their supports in providing valuable sources for the draft of this thesis.

I also show my gratitude towards my informants/respondents from the study area, inhabitants, experts, politicians and government officials of Wag-Himra Zone, for their kindly support and cooperation providing valuable data for this research work.

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Acronyms

ANRs	Amhara National Regional State
FDRE	Federal Democratic Republic of Ethiopia
HPR	Hose of Peoples Representatives
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
NNPs	Nations, Nationalities and Peoples
OCHA	United Nations Office for Coordination and Humanitarian Affairs
TNRs	Tigray National Regional state
TPLF	Tigray Peoples Liberation Front
UDHR	Universal Declaration of Human Rights
UN	United Nations

Abstract

According to scholars in the contemporary international human rights laws, the right to self-determination is defined as a compound of rights comprising freedom, equality, cultural and democratic rights to make people exist and develop among and between themselves with their respective distinct characteristics respected; and its conception is shifted away from colonial self-determination towards internal self-determination giving due attention for strong protection of political, cultural and language autonomy on a territorial or non-territorial basis. In this regard, the constitution of the Federal Democratic Republic of Ethiopia (1995), recognizes the right to self-determination and grants every Nation, Nationality and Peoples of the republic the right to self-determination up to secession including the right to establish institutions of government in the territory it inhabits and the right to equitable representation at regional and federal governments. Following this the constitution of the Tigray Region provides that the indigenous inhabitants of the region are the Tigray, the Kunama and the Irob ethnic groups but it is silent about the existence of Agew people who are historical inhabitants of the region let alone to allow the right to self-determination. In contrast the Agew people living in the Amhara Region, have territorially defined and established their own self-governing institution. Therefore, this research is intended to examine the legal and practical responses of the TNRs towards the right to self-determination of the Agew people in the regional state. The study has implemented qualitative method of research using descriptive analysis; and for this reason the most notable primary data was obtained from related laws and the most informed members of the study area. The finding of the study shows that for the last 33 years the Agew people in the TNRs could not exercise their constitutional right to self-determination. Hence the writer argues that, the Agew people in the TNRs are historical inhabitants to the region and therefore the regional state has to take measures to recognize their indigenesness; and they have to be enabled to exercise their right to self-determination and combined rights in a territorial or non-territorial framework of autonomy.

Key Words: *the Agew people; the right to self-determination; Territorial Autonomy; non Territorial Autonomy, Tigray Region.*

CHAPTER ONE: INTRODUCTION

1.1. Background of the Study

In the modern International legal system, the right to self-determination has become a customary concept and can be seen throughout international, regional and intra-national legal instruments. Historically, there is no a distinct period of time when the exact origins of the concept of self-determination has begun, and before famous theorists began to talk about the concept in explicit terms, self-determination, as an idea, may have engaged people's minds in different places, during different times in history; even, due to its over broadness, it is difficult to search the exact origins or the roots of the term, for the right of self-determination.¹

In terms of the elements of the right to self-determination that combine it and members to whom it is granted, the definition of the right to self-determination is one of the most debated issues by scholars, writers, policy makers, representatives of states and international organizations. We may face different meanings being given for the term 'the right to self-determination' in academic, legal, and historical writings depending on the historical development of mankind and based on the nature of the right itself.

Depending on legal history, for different periods of time, the definition of the term have been attached to various concepts. In the times of pre-history which was violent and colonizing Homo sapiens; before 1945/1960, which includes the two popular revolutions (the American Declaration of Independence (1776) and the French Revolution (1789)); as well as the Russian Socialist Revolution and colonization; and, after the two World Wars and Decolonization its definition was not the same.² Depending on the above mentioned legal history and chronology, the concept of self-determination had been attached to the standards of western civilization, the idea of self-government and the concept of statehood and independence from colonial state, trusteeship or protectorate.³

¹ Kalana Senaratne, 'A History of Internal Self-Determination', *Internal Self-Determination in International Law*, vol 1 (Cambridge University Press 2021)

<https://www.cambridge.org/core/product/identifier/9781108695688%23CN-bp-2/type/book_part>.

² *ibid*; Arnulf Becker Lorca, 'Petitioning the International: A "Pre-History" of Self-Determination' (2014) 25 *European Journal of International Law* 497.

³ Lorca (n 2); Senaratne (n 1).

Based on its nature, the right to self-determination can be defined as a kind of right that cannot be exercised by an individual, rather it is guaranteed to groups of ‘people ‘and by virtue of this right, a group of people are enabled to determine their political status, pursue their economic, social and cultural development; and the rationale behind this right is to enable the groups of “people” to flourish and preserve the distinctiveness of their culture, language, traditions, etc.⁴ Generally, the right to self-determination can be referred to the group right of people to decide on their political, economic, and cultural destiny.⁵

Self-Determination is a group right and has got a recognition in international legal instruments as a general principle; and it is protected and performed through incorporated international, continental and regional human rights instruments, international organizations and states.⁶ A group of people may want to determine their political destiny within a country and rise a question of self-government within it; in such cases it is referred as internal self-determination; and when the question is to secede from an existing state and to form a new international state, the situation is called external self-determination.⁷

Therefore, the right to self-determination has two aspects: internal and external; and hence it may be referred as internal or external based on the question of the people concerned.⁸ In The United Nations Charter and other related international human rights instruments, the Right to Self-Determination has been given a due emphasis and as a concept, it is incorporated in the constitutions of many nations in the world. In Articles 1(2) and 55 of the UNC, the right to self-determination of peoples have been agreed as one of the principles to be respected for the sake of universal peace; moreover, it is provided in an explicit statement in the common article 1 of The ICCPR and ICESCR that, the right to self-determination of peoples is granted

⁴ NAUJIL and others, ‘Indigenous “People” in the Context of the Right to Self Determination: A Critical Appraisal’ (2021) 13 Rukpatha Journal on Interdisciplinary Studies in Humanities 1 <<https://doi.org/10.1080/21622671.2023.2232410>>.

⁵ BY Tefera Kegnalew Hale, ‘THE ACCOMMODATION OF ETHNIC DIVERSITY IN SNNPRS; A COMPARATIVE STUDY OF ETHNIC ACCOMMODATION BETWEEN THE ETHNIC GROUPS OF D’IRASHE WOREDA AND OTHER ETHNIC GROUPS OF SEGEN’ (2015).

⁶ Charles Okeke, ‘In Search of Consistency in International Law on the Right to Self-Determination, Non-Interference, and Territorial Integrity’ (2022) 34 Technium Social Sciences Journal.

⁷ *ibid.*

⁸ Jamie Trinidad and others, ‘A Critical Appraisal of the Right To Self Determination Under’ (2021) 00 British Yearbook of International Law 127 <<https://doi.org/10.1080/21622671.2023.2232410>>.

to all peoples, through this right they are entitled to freely determine their political status and freely pursue their economic, social and cultural development.⁹

The African Charter on Human and Peoples' Rights has given a special expression for the right to self-determination of peoples connecting it to other rights like the right to existence, the right to be free from being oppressed and colonized (at the time when the charter was adopted many African countries were under colonization), even the right to have assistance of state parties in the struggle against foreign economic, political and cultural dominations.¹⁰ The FDRE constitution of 1995, under Articles 39, 47 and 62, has explicitly incorporated the right to self-determination of its peoples, giving specific articles for the concept, even setting up its external and internal connotations.¹¹ Moreover, it has adopted the principles of self-determination and self-government, and set frameworks for their performance.¹² The same conceptions and principles are provided in the constitutions of National Regional States of The FDRE. Therefore, the Amhara National Regional State and the Tigray National Regional State constitutions (where, the Agew people who are under the discussion of this thesis inhabit), are not different, at least concerning the idea of the Right to Self-Determination.

The ANRs, where the people of Amhara, the Agews, the Wollo Oromo, the Argoba and the Kemant constitute its regional population, in its regional state constitution Article 39 puts the same provision for the right to self-determination of its peoples.¹³ In the constitution the TNRs, concerning the right to self-determination the same legislation is decreed. The In this thesis, The Right to Self-Determination of the Agew people in Tigray Regional State is discussed explaining the status of The Right to Self-Determination of peoples in the Federal Constitution of Ethiopia, as well as comparing the regional state constitutions of Amhara and

⁹ VNIT Ed, 'United Nations: International Covenant on Civil and Political Rights' (1967) 61 American Journal of International Law 870; Thirty-ninth Session and others, 'CCPR General Comment No. 23: Article 27 (Rights of Minorities)' (1994) II 1988.

¹⁰ African Union, 'African Charter on Human and Peoples' Rights, Adopted by the Eighteenth Assembly of Heads of State and Government June 1982 - Nairobi, Kenya' (1981).

¹¹ Constitution, 'FDRE Constitution-of-the-Federal-Democratic-Rep'u' 16.

¹² Zemelak Ayitenew Ayele and Sisay Mengistie Addisu, 'The Political and Cultural Inclusion of Intra-State Ethnic Minorities in Ethiopia: The Case of the Qimant of Amhara State' (2023) 23 Studies in Ethnicity and Nationalism 85.

¹³ Sisay Mengistie Addisu, 'Treatments of the Rights of Minorities Regional State : In Amhara National Law and Practice A Thesis Submitted to the School of Graduate Studies , Addis Ababa University , Faculty of Law in Partial Fulfilment for the Requirements of Addis Ababa University' (Addis Ababa University 2010); *The State of Amhara Constitution (Amharic and English)*.

Tigray where, the Agew people reside. The legal and practical response of the federal and the two regional states is also discussed.

1.2.Statement of the Problem

The International law has developed the right to self-determination to be enjoyed by groups and even by individuals. The UN charter, with its International Human Rights Instruments, specifically the ICCPR and ICESCR and their respective Optional Protocols, and commentaries as well as reports done on these instruments show that the right to self-determination can be invoked by individual and minority groups.¹⁴ However, although the right to self-determination of peoples has been provided in the UN Charter as one of its major principles for the sake of international peace and security, and has been incorporated in several international instruments of the UN and those concluded between States, and even though it is incorporated in national sub-national constitutions, it is not uncommon to face this right is continually being violated in various parts of the world.¹⁵

The FDRE constitution provides a framework for and recognizes both the two elements of Self-Determination (internal and external self-determination) by which it provides ethnic groups a status of local administration within the existing states and/or to secede from the existing state and form a new states.¹⁶ The Regional States' Constitutions, seemingly provide the same principles concerning the right to self-determination of their respective peoples. At least they all declare to protect and grant the same principles provided under the FDRE constitution for their respective ethnic/cultural minorities.¹⁷ Although the conflict in relation to recognition of the Qemant people remains unresolved duly, the constitution of the Regional State of Amhara recognizes the three historical ethnic minorities (Agew Himra, Agew Awi of Gojam and the kemise Oromo of Wollo) ,who inhabit in the regional state.¹⁸

¹⁴ Jennifer Gitiri, 'Protection of Cultural Rights of Indigenous Peoples under the ICCPR/ICESCR and the African Charter: A Comparative Study' (2015) <http://www.etd.ceu.hu/2015/gitiri_jennifer.pdf>; Philip Alston, 'The United Nations' Specialized Agencies and Implementation of the International Covenant on Economic, Social and Cultural Rights' [2016] *The United Nations System for Protecting Human Rights: Volume IV* 377; Session and others (n 9).

¹⁵ NAUJIL and others (n 4).

¹⁶ Ayele and Addisu (n 12); Constitution (n 11).

¹⁷ Tefera Diriba Bopessa, 'PROTECTION OF INTERNAL MINORITIES IN ETHIOPIA: Assessing the Potential of Non-Territorial Autonomy Arrangements'; Constitution (n 11); Mamo Yohannes, 'The Protection of Minority Rights under Regional Constitutions in the Federal Democratic Republic of Ethiopia: The Case of Tigray' (2017) 11 *African Journal of Political Science and International Relations* 249.

¹⁸ Ayele and Addisu (n 12); *The State of Amhara Constitution (Amharic and English)* (n 13).

Besides, the 2001 revised constitution of the Amhara national regional state, under its Art 39 (6), empowers the regional state legislative council to decide on the same issue based on the requests raised by the concerned communities. The constitution of the Tigray Regional State recognizes only three ethnic groups namely Tigray, Kunama and Irob peoples, and according to Tigray Region's constitution two of them (Kunama and Irob) are considered as minority groups inhabiting in the region, and provides special administrative arrangement for both historic ethnic groups although still there is no any local political arrangements except using the name for nomenclature of the local administration (the Saho wereda which is attached to the language of the Irob people).¹⁹ It is a mere fact that the Agew people inhabit in TNRS, but haven't been recognized as inhabitants and have been denied their right to self-determination as well as other social and cultural rights, including the right to education in their mother tongue.

This study assesses the right to self-determination of the Agew people in Tigray National Regional State. Tefera Diriba Bopesa, in his LLM thesis titled 'PROTECTION OF INTERNAL MINORITIES IN ETHIOPIA: Assessing the Potential of Non-Territorial Autonomy Arrangements', examined the FDRE constitution and the regional states' constitutions including the constitution of TNRS; assessing non-territorial arrangements for internal minorities and comes with a conclusion that both the federal and regional constitutions have tried to protect minority rights giving a nomenclature of the rights of nations, nationalities and peoples, although there is no clear mechanisms for protection of minority rights.²⁰ In his assessment of the constitution of TNRS, however, Tefera Diriba didn't address the fact of the inhabitation of the Agews in the Region while he examined the protection of the rights of the Kunama and Irob minorities²¹. Yohannes Mamo, in his Article titled 'The protection of minority rights under regional constitutions in the Federal Democratic Republic of Ethiopia: The case of Tigray', have discussed the status of minority rights in the Constitution of TNRS in relation to the Irob and Kunama minorities and found that the constitution recognizes the existence of Irob and Kunama minority groups; but there is lack of political and legal framework for these minorities to promote their culture and develop their history due to the facts of resource constraints, and that the learning and

¹⁹ Yohannes (n 17).

²⁰ Diriba Bopessa (n 17).

²¹ *ibid.*

teaching process in the primary school is undertaken in Tigrigna rather than their mother language; and forwarded possible suggestion that minorities other than Irob and Kunama, have the right to self-determination and should get recognition in the Constitution of the TNRS²².

Both Tefera Diriba and Yohannes Mamo didn't mention the fact of the existence of the Agew people in the TNRS, with recommendation of the later that, minorities other than Irob and Kunama, to have the right to self-determination and get recognition in the Constitution as a difference.²³ This thesis discusses the right to self-determination of the Agew minorities in the TNRS, exploring its legal and practical responses.

1.3. Research Questions:

The thesis tried to answer the following questions:

Is there a legal framework in the constitution of the FDRE to accommodate the right to self-determination of the Agew people?

Does the constitution of the Tigray National Regional State provide the right to self-determination to the Agew people who inhabit in the region? And are there available mechanisms by which the Agew People can exercise their right to self-determination?

What is the experience of the Amhara National Regional State in relation to minorities concerning the right to self-determination of ethnic groups including the Agew people?

What are the main challenges against the right to self-determination of the Agew people in TNRS? And what would be the possible solutions?

1.4. Objectives of the study

1.4.1. Main Objective

The main objective of this study is to assess the legal and practical responses of the TNRS towards the right to self-determination of the Agew people.

1.4.2. Specific Objectives

To examine the current challenges of the Agew people living in the Tigray National Regional State;

To explore whether the Agew people of the TNRS exercise certain elements of the right to self-determination based on the constitution of FDRE;

²² Yohannes (n 17).

²³ *ibid.*

To evaluate the sufficiency of the FDRE Constitution in providing protection the right to self-determination.

To assess the Legal and Practical Responses of TNRS towards the Rights of the Agew people;

To compare and contrast the experiences of legal and practical responses of other Regional States of FDRE, with due emphasis on the ANRS and TNRS in accommodating the right to self-determination of historic ethnic groups.

1.5. Significance of the Study

This research is significant in terms of its attempt to indicate the existing challenges against the Agew people to exercise their constitutional right to self-determination; particularly of the same ethnic communities in the TNRS, and it tries to find possible solutions in which the Agew people may exercise their constitutional rights. Furthermore, the research may contribute and serve as reference to works of policy-makers, practitioners, and researchers concerning the constitutional rights of the Agew people.

The study may indicate the situation of ethnic communities living in two National Regional States and face different treatments in general, and the situation of the Agew people of the TNRS in particular. It also may reveal the legal, political and the practical treatments of TNRS towards the Agew people and their compatibility with the Federal and the Regional Constitutions.

1.6. Scope/Delimitation of the Study

The scope of this study will be limited to the geographic and thematic areas of the title of the thesis. Geographically, it is confined to Agew ethnic communities living in the TNRS, and thematically, it is concerned with the right to self-determination of the Agew people in the aforementioned Regional State.

1.7. Limitation of the Study

The researcher have faced the following incidents in order to accomplish this study. The constraints of time and financial resources were the main problems. It was also hard to find sufficient data as desired from informants and/or respondents. The accuracy of the collected data was influenced by different conditions like fear and hesitation of the participants to freely reflect their true feelings. Affiliation and/or opposition to the ongoing situation and

connection of participants to a specific ethnic group may have had its own impact in generating some sort of bias.

1.8. Research Methodology

The study has investigated the legal and practical responses of the TNRS towards the right to self-determination of the Agew people in the region. So, it has implemented qualitative method of research using descriptive analysis; and for this reason the most notable primary data was obtained from the most informed members of the study area.

1.9. Sources of Data

The study had to use both primary and secondary sources of information. The primary source of data was to be obtained from questionnaire and interviews. Based on the capacity and awareness of the informants, questionnaires were distributed to experts and inhabitants in the study area. Interviews were held with government officials and politically elites of the targeted area. Moreover, some relevant reports (government as well as non-governmental) were used as an important primary sources. As secondary sources, the Constitutions of the FDRE, the revised constitutions of both Tigray and Amhara National Regional States, the United Nations charter and subsequent covenants on human rights, Resolutions, as well as commentaries on the same legal instruments were used. In addition to the above mentioned sources of data the study used secondary sources such as research works including theses and dissertations, books, book chapters and journal articles.

1.10. Data Analysis

International covenants including the UN charter, resolutions and academic journal articles concerning the right to self-determination of peoples were reviewed, and other research theses and journal articles conducted on the subject under investigation were consulted. They were critically analyzed together with the regional state and federal constitutions, other relevant documents that have relation to the right to self-determination of the Agew people. Hence the writer has tried to employ some sorts of filtering the collected data by triangulating them so as to maintain the balance.

1.11. Ethical Considerations

The writer has taken an important ethical consideration into account and tried to avoid bias and to be as objective as far as possible. In the course of data collection, interviewees were

informed the purpose of the study; due care had been taken that the interviewee's and/or respondents' answers shall be protected from unnecessary disclosure in a way abusive to their relationship with their employer. The writer also has provided an accurate account of the information through examining the collected data to build a coherent justification for descriptions.

1.12. Organization of the Study

The thesis is organized into five chapters. The first chapter is devoted to the introduction of the study which includes background of the study, statement of the problem, research questions, and objectives of the study, significance of the study, research methodology, delimitations and limitations of the study. In the second chapter the conceptual and theoretical framework of the right to self-determination of peoples under international law and Ethiopian laws is exclusively dealt.

In this chapter the concept of the right to self-determination under international law before WWII, within the era of the UNC, and the concepts of Autonomy and internal self-determination are discussed. Then the legal and political framework of the Federal Democratic Republic of Ethiopia towards the right to self-determination, history of the Agew people, the relation between the Agew and the Tigray peoples are explained. Under the third chapter the legal and practical responses of TNRS towards the RTSD of the Agew people is examined. Thus, the legal and practical responses of the TNRS are evaluated by using different research tools including the approach of comparative analysis. Therefore, data and information gathered from the respondents of the questionnaire, the interviewees and other documents regarding the right to self-determination of the Agew people was analyzed in relation to the right to self-determination of the Agew people in TNRS.

In chapter four, the writer made a comparative analysis among the states of the FDRE on the responses towards the right to self-determination of internal minorities giving due emphasis between the Amhara and Tigray national regional states on the responses towards the right to self-determination of the Agew people. In the last, which is the fifth chapter of the study, conclusions and recommendations are provided. In this chapter, based on the data and information analyzed in the third and fourth chapters the writer has provided what the legal, political as well as practical responses of TNRS towards the Right to Self-determination of the Agew people looks like in light of the Constitutions of the FDRE and TNRS, as well as

international covenants ratified by Ethiopia. Finally, the writer forwarded possible solutions and measures that should be taken to ensure the right to self-determination of the Agew people living in TNRS.

CHAPTER TWO: CONCEPTUAL AND THEORETICAL FRAMEWORK OF THE RIGHT TO SELF-DETERMINATION

2.1 The concept of self-determination

Writings and academics of international law confirm that the exact origin of the term self-determination is not snippy. The concept of self-determination can be related to the history of Homo Sapience, when a group of human beings organized themselves in a violent and colonizing stories.²⁴ After the 18th Century, politicians and academicians developed the idea of self-determination to the argument that group of people who share common language, history, ethnicity and culture should be allowed to govern themselves rather being under governance of foreign colonizers.²⁵

The concept further, developed to the term ‘the right to self-determination of people’ after the occurrences of the two famous revolutions: the American Declaration of Independence on 4 July 1776, proclaiming that the governments should derive their power from the consent of the governed and signaling the right of people to demolish the government if it is harmful to them.²⁶ And, the other base for the concept the right to self-determination was the French Revolution of 1778-79, by which declared that every political institution shall preserve the natural and imprescriptible rights of man.²⁷

Concerning the historical background of the concept of self-determination, scholars and experts of international politics and international law came up with that, here is no exact time reference when it bore in the minds of human beings but parallel ideas and conceptions go back with the pre-history of modern human beings.²⁸ Modern scholars also try to conceptualize the term ‘self-determination’ based on its comprising words that, the ‘self’

²⁴ Senaratne (n 1).

²⁵ Nancy Namisi Siboe, ‘The Criteria for Self Determination and Recognition as a Sovereign State: Case of Kosovo’ (2020) 5 Open Science Journal.

²⁶ *ibid.*

²⁷ Michael Freeman, ‘The Right to Self-Determination : Philosophical and Legal Perspectives’ (2019) 31 New England Journal of Public Policy 8 <<https://scholarworks.umb.edu/nejpp/vol31/iss2/4>>.

²⁸ Senaratne (n 1); Deborah Whitehall, ‘A Rival History of Self-Determination’ (2016) 27 European Journal of International Law 719.

implying the group of individuals who claim the right and the ‘determination’ implying the claimed right which the group seek to enjoy.²⁹

2.2 The Right to self-determination before WWII

As it has been said earlier, the concept of self-determination have gone along with the history of modern human being and have shared similar developments with the latter.³⁰ Though not with the same expression with the current definition, the concept of the right to self-determination of peoples had been manifested during the era of League of Nations by figurative politicians. President Vladimir Lenin defined the right to self-determination of peoples in relation to achieving political democracy in the socialist concept.³¹ Which is somehow similar to the current definition of the right to internal self-determination of peoples. President Woodrow Wilson also defined it as an establishment of government by the consent of the people³². Wilson’s definition was also related to participatory democracy and is similar to the present idea of internal self-government of peoples.

However, it can be summarized that the concept of the right to self-determination of peoples in both the Lenin’s and Wilson’s definitions is not exactly similar to its current representations; as the former was related to the socialist concepts of the right of independence from oppressive regimes which implies capitalists and imperialists, and the latter was associated with decolonization and democratization in the concepts of western civilization.³³ After the First World War, the International legal system tend to handle the right to self-determination as a means to protect minorities in a multi-ethnic states like Austro-Hungary and Ottoman empires which resulted from continuous bilateral and multi-lateral agreements.³⁴ Therefore, this period of time is mentioned as a treaty time.³⁵

²⁹ Yared Ayalew Zemedede, ‘The Quest for Self-Determination Under Ethiopia’s Ethnic Federalism: The Case of the People of Konso’ [2019] SSRN Electronic Journal.

³⁰ Senaratne (n 1).

³¹ *ibid.*

³² *ibid.*

³³ Rashwet Shrinkhal, ‘“Indigenous Sovereignty” and Right to Self-Determination in International Law: A Critical Appraisal’ (2021) 17 *AlterNative* 71.

³⁴ Rhys Carvosso, ‘Examining the Suitability of the International Minority Rights Regime as an Avenue for Advancing Self-Determination Claims’ (2020) 27 *International Journal on Minority and Group Rights* 675 <https://brill.com/view/journals/ijgr/27/4/article-p675_675.xml>.

³⁵ Z BOGALE, ‘The Accommodation of Minority Rights in Oromia National Regional State: A Case Study of Girar Jarso Woreda Ba’ <<http://etd.aau.edu.et/handle/123456789/6790>>.

2.3 The Right to self-determination after WWII (with in the era of the United Nations Charter)

The concept of the right to self-determination became more widely recognized not only as a political concept but also as a clear legal concept and legally codified in the international legal system after World War II. This can be seen in Article 1(2) of the UN Charter, the 1952 General Assembly Resolution 637(A) and Resolutions 545(VI), and the common Article 1 of the ICCPR and ICESCR, and other declarations.³⁶ In the United Nation regime, even though the concept of the right to self-determination has got accustomed terminology in the international law, as it was repeatedly provided in different literatures, the word “peoples” used in the UN legal instruments doesn’t refer to minority groups, stateless persons, and disabled individual and asylum seekers.³⁷

In the PhD thesis titled “Towards a Human-Centered International Law: Self-Determination and the Structure of the International Legal System” T. Matthew and Sparks concluded that the international legal system is undertaking a process humanization, and self-determination is the structural principle of that the process.³⁸ After WWII and the end of the Cold War, the right to self-determination is related to the concepts of allowing ethnic groups to enjoy their rights in a framework of territorial or non-territorial autonomy.³⁹ However, in the international law, still the law makers are states; and international instruments including the UN charter guarantee to states against intervention in their political self-determination which implies that it is in the hands of states to provide a legal system to govern the right to self-determination of their citizens.

2.4 The Right to self-determination and The African Charter

It is a fact that, the right to self-determination of peoples has been given a due emphasis throughout the African Charter on Human and Peoples’ Rights. Carlson Anyangwe, on the Journal of African Human Rights on the issue of “The normative power of the right to self-determination under the African Charter and the principle of territorial integrity: competing values of human dignity and system stability” wrote affirming that the principle of self-

³⁶ Thomas Matthew and Smith Sparks, ‘Towards a Human-Centred International Law : Self-Determination and the Structure of the International Legal System’ (2017) <<http://etheses.dur.ac.uk>>; Freeman (n 27); Shrinkhal (n 33).

³⁷ Shrinkhal (n 33); Freeman (n 27).

³⁸ Matthew and Sparks (n 36).

³⁹ IB Sanakoev, LT Kulumbegova and ML Ivleva, ‘National Self-Determination: Features of the Evolution and Functioning of the Phenomenon’ (2023) 27 RUDN Journal of Philosophy 153.

determination and principle of territorial integrity as two opposite norms and in most of the cases having clashing rules due to the facts that the peoples struggle to achieve independence (external self-determination) and in most cases the intent of states is to preserve their territorial integrity; as most African states fear that the questions of self-determination after decolonization may disturb the continent.⁴⁰

The ACHPR is even an extra original concerning the right to self-determination of peoples and other group rights known as third generation rights, as it clearly provided in its Article 20 that all peoples have an unquestionable and inalienable right to self-determination and freely determine their political status as well as pursue their economic and social development according to their freely chosen policy.⁴¹ According to Anyangwe, self-determination has two dimensions; on the one hand political autonomy in the form of local government, be it within the sovereign state (Territorial internal self-determination) or it may be question of sovereign statehood (external self-determination).⁴² Therefore, when the right to self-determination is discussed we are exploring different mechanisms by which ‘the people’ under discussion enjoy different kinds of Autonomy.

2.5 The Right to Self-Determination and the concept of Autonomy

2.5.1 The concepts of Autonomy

Etymologically of the word ‘Autonomy’ is derived from the Greek terms “auto” and “nomos” which gives the meaning of ‘self-determination?’, By which therefore it can be concluded that the concept of Autonomy is an alternative expression of self-determination and vice-versa.⁴³ A community of people in a sovereign country or in a regional state within a country may claim the right to self-determination whether the majority of the community who ask the right by way of majority rule or the minority who requires the right in the form of autonomy⁴⁴.

⁴⁰ Carlson Anyangwe, ‘The Normative Power of the Right to Selfdetermination under the African Charter and the Principle of Territorial Integrity: Competing Values of Human Dignity and System Stability’ (2022) 2 African Human Rights Yearbook / Annuaire Africain des Droits de l’Homme 47.

⁴¹ Valerie Muguoh Chiatoh, ‘Recognition of Minority Groups as a Prerequisite for the Protection of Human Rights: The Case of Anglophone Cameroon’ (2019) 19 African Human Rights Law Journal 675; Bertrand G Ramcharan, ‘African Charter on Human and Peoples’ Rights (Banjul Charter, 1981)’, *Africa and the Universality of Human Rights* (2023).

⁴² Anyangwe (n 40).

⁴³ Peter Hilpold, ‘Self-Determination and Autonomy: Between Secession and Internal Self-Determination’ (2017) 24 International Journal on Minority and Group Rights 302.

⁴⁴ Anyangwe (n 40).

The minority in its claim, the community will seek a right to freely determine its constitutional political status as a form of local government (territorial autonomy), and a right to manage its own affairs in pursuit of its economic, social and cultural development within a given Federal or Regional State requesting legal frameworks and institutional arrangements (non-territorial autonomy).⁴⁵ Therefore, the concept of Autonomy shall be discussed as Territorial and Non-Territorial.

2.5.1.1 Territorial Autonomy

Territorial Autonomy is a mechanism by which a group of community granted a right to institute different political and legal organs so as it can determine its own affairs in pursuit of its economic, political, social and cultural development⁴⁶. The mechanism of Territorial Autonomy suggests a community under discussion to establish territorially integrated self-government and regulate its own affairs.

TA enables the community to establish and control legal and social institutions like educational and social institutions which provide learning in their mother tongue, maintain, promote and preserve its culture and traditions; institutions of land resource administrations for the community to have a full control over its traditional land and natural resources.⁴⁷

2.5.1.2 Non-Territorial Autonomy

Non-Territorial Autonomy is a mechanism advised to be exercised by ethno-culturally diversified states creating state institutions and legal frameworks to secure the non-dominant groups' national cultural, ecumenical and social representations focusing on personality principles irrespective of territorial bases and when it impossible to apply Territorial Autonomy.⁴⁸ The present International legal system gives NTA a strong protections in Its Instruments. Article 27 of the ICCPR provides that:

'In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their

⁴⁵ *ibid.*

⁴⁶ Diriba Bopessa (n 17).

⁴⁷ Natalija Shikova, 'The Possibilities and Limits of Non-Territorial Autonomy in Securing Indigenous Self-Determination' (2020) 31 *Filozofija i društvo* 363 <<https://doiserbia.nb.rs/Article.aspx?ID=0353-57382003363S>>.

⁴⁸ *ibid*; Ayele and Addisu (n 12).

own language. In a NTA different frameworks may be designed so as to make ‘the people’ who assert the Right to Self-determination enjoy their cultural, social, linguistic and religious autonomy.

2.5.1.2.1 Political Representation

One of the NTA mechanisms to accommodate the right to self-determination of internal minorities is political representation within the state institutions.⁴⁹ In such a kind of representation specific seats can be reserved for the asserting ‘people’ in the legislature bodies and administrative institutions that run education, resource management, health care and cultural affairs of the state.⁵⁰ This kind of arrangement enables the state in question to accommodate the cultural, social and linguistic distinctiveness of minorities without a need of territorial self-governments through Consociation Democracy.⁵¹

2.5.1.2.2 National cultural Autonomy

NCA is a framework to accommodate cultural self-determination of national minorities employing different national mechanisms. In some contexts, NCA may refer to distribution of political powers based on the cultural self-determination of nationalities (cultural affiliation of individuals may be one of the criteria for political positions).⁵² The other mechanism of NCA is enacting national legislations with provisions of defining NCA, promoting education in mother tongue, culture and language; (the experience of the Russian Federation).⁵³ The Legal and Political Framework of the Federal Democratic Republic of Ethiopia towards the Right to Self-Determination. The constitution of the FDRE, grants every nation, nationality and people of Ethiopia the right to self-determination as it is provided in international instruments, both in its external (the right to secede and form a new sovereign state which is somehow beyond the accepted international experience⁵⁴), as well as internal notions (the right to develop and preserve one’s own language and history including to establish governmental institutions.

⁴⁹ Shikova (n 47).

⁵⁰ *ibid*.

⁵¹ Peter Hilpold, ‘Self-Determination and Autonomy’ (2017) 24 *Source: International Journal on Minority and Group Rights* 302; Ayele and Addisu (n 12).

⁵² Österreichische Akademie der Wissenschaften and Rainer Bauböck, ‘IWE-WORKING PAPER SERIES Territorial or Cultural Autonomy for National Minorities? Territorial or Cultural Autonomy for National Minorities? *’ (2001) <<http://www.iwe.oeaw.ac.at/>>.

⁵³ Alexander Osipov, *National Cultural Autonomy in Russia: A Case of Symbolic Law*, vol 35 (2010).

⁵⁴ Christophe van der Beken, ‘Balancing between Empowerment and Inclusion: Multinational Federalism and Citizenship Rights in Ethiopia’ (2019) 27 *African Journal of International and Comparative Law* 588.

Tefera Diriba, in his thesis ‘Protection of Internal Minorities in Ethiopia: Assessing the Potential of Non-Territorial Autonomy Arrangements’, evaluated the FDRE constitution as well as constitutions of the then existing nine national regional states in relation to protection of their respective minorities, and winded up with conclusion of the failure of the existing mechanisms of the federal and the regional state constitutions to protect the territorial autonomy of minorities.⁵⁵ Concerning the case under investigation (the right to self-determination of the Agew people in the TNRS), Tefera Diriba concluded that, the Oromo, Awi, and Agew Himra people are among those territorially integrated minorities that have been given the right to self-determination under the Amhara National Regional Constitution ; and the (only) Irob and Kunama people are territorially integrated recognized minorities under the Tigray Regional state Constitution and have been given the right to self-determination.⁵⁶

Assefa Fiseha, in an Article titled ‘Intra-Unit Minorities in the Context of Ethno-National Federation in Ethiopia’, concluded that the current constitution of FDRE provided constitutionally protected self-government for the major nine ethno-national groups (Tigray, Afar, Amhara, Oromo, Benishangul Gumuz, Gambella, SNNP, Somali and Harari); which were the only National Regional States of the Ethiopian Federation at the time when the article was published, and he has pointed out that the Federal constitution is silent about the cases of Internal minorities leaving them within the discretions of the Regional States.⁵⁷ Concerning the Agew people in TNRS, he has tried to show that the TNRS recognizes the existence of the Agew Himra minorities with in the Region; however, he didn’t provide any evidence of this recognition.⁵⁸ But, can it be concluded that the constitution of FDRE is silent in relation to the right to self-determination of peoples?

The preamble of the FDRE constitution, starts its first paragraph providing that the Nations Nationalities and Peoples of Ethiopia are strongly committed to fully and freely exercise their Right to self-determination.⁵⁹ Moreover, the right to self-determination is clearly provided

⁵⁵ Diriba Bopessa (n 17).

⁵⁶ *ibid.*

⁵⁷ Assefa Fiseha, ‘Intra-Unit Minorities in the Context of Ethno-National Federation in Ethiopia’ (2017) 13 Utrecht Law Review 170.

⁵⁸ *ibid.*

⁵⁹ Tessema Simachew Belay and Habtamu Simachew Belay, ‘The Procedure for the Creation of New Regional States under the FDRE Constitution: Some Overlooked Issues’ (2019) 13 Mizan Law Review 91; Constitution (n 11).

in its internal as well as external forms giving special provisions for each as we read Article 47(2) and Article 39(4) respectively, even though the procedure is unclear in relation to the role of the federal as well as the regional council in the formation of a new national regional state and doesn't say any if the concerned regional state council rejects the question of forming a new state.⁶⁰

Yohannes Mamo, in his Article titled 'the protection of minority rights under regional constitutions in the Federal Democratic Republic of Ethiopia: The case of Tigray', addressed that the TNRS constitution gives due recognition to the Irob and Kunama minorities with limitations like absence of special representations in the regional council and lack of learning with their mother tongue of the children of these minorities.⁶¹ However, He didn't indicate or couldn't understand that the TNRS constitution denied the existence of the Agew people in the region.

2.6 History of The Agew people

The Agäw people are one among the Cushitic speaking peoples of Ethiopia. According to C. Conti Rossini and E. Ullendorff, the Agäw people had been pushed out of their original settlements and formed a number of scattered enclaves, where they are now assimilated with Semitic speaking people and adopted the culture the later.⁶² The Aksum kingdom had played a significant role in the assimilation and integration of the Agäw people with other Semitic speaking ethnics groups in the process of unifying the kingdom which had been taken through military expansion; thus, the Agew people had to be cooperating with the kingdom to be brought to the socio-economic life of it.⁶³

According to Taddesse Tamrat, the Agäw people were forced to adopt the culture and language of Semitic people so as to participate in the economic, administrative, political and military affairs of the kingdom; besides, the Aksum kingdom succeeded in converting the people into Christianity, which greatly affected the Agäw culture.⁶⁴ The Agäw people, who used to live beyond the Abay and Täkäzé River in northern Ethiopia, and those living around the Abay River in north central Ethiopia over a period of centuries, had been influenced by

⁶⁰ Belay and Belay (n 59); Constitution (n 11).

⁶¹ Yohannes (n 17).

⁶² Wudu Tafete, "The Political History of Wag and Lasta, 1543-1919" (Addis Ababa University 1995).

⁶³ Harold G Marcus, 'The Decline of the Solomonic Dynasty, to 1769' [2023] A History of Ethiopia 30.

⁶⁴ CF Beckingham, 'Church and State in Ethiopia' (1974) 15 The Journal of African History 137 <https://www.cambridge.org/core/product/identifier/S0021853700013293/type/journal_article>.

organized political reactions of Semitic speaking Tigre and Amhara ethnic groups.⁶⁵. According to Ayalaw Sisay, the earliest reference to the Agäw people is found in an Adulis inscription dated back to the second half of the 3rd century A.D that, an inscription makes reference to the “Athagus” to have been come from the Agäw land, and similar reference also had been found in one of the early inscriptions of the famous Aksumite king Ezana; and the name ‘Agäw’ is also found in Cosmos Indicoplaustes’ Christian Topography (6th century), in which he has stated that a major gold trade route passed through the territory of the governor of Agau; which may indicate that the Agäws were the protectors of trade routes during the Aksumit period.⁶⁶

Seminal works carried out by Tadesse Tamrat and Sergew Hable Selassie have given an insight for the dominance of the Agaw people in different pre-Aksumite areas including north and northern central Ethiopia.⁶⁷. The Current Agew peoples can be classified into four categories:

Northern Agews are Bilens who inhabit in Eritrea around Kärän;

Western Agews which include Qimants and Quara Agews who inhabit in Chilga woreda, La’y Armachiho wereda, Quara wereda, parts of Dembiya weredas, Metemma wereda and Wegera wereda of the Amhara National Regional State.⁶⁸. The current political situation of the Qemant Agäws is endangered. Most of the remaining speakers of the Qemant language live near Aykäl, about 60 km west in the town of Gondar and North to Lake Tana. They are known as Armachəho Qemants. The Quara is close to extinct, who used to live in the Quara region.

Eastern Agew are Agew-himra who inhabit around Tirari and Tekeze river basins in the present Wag-Himra Nationality Administration of ANRs and in adjacent weredas of the TNRs.

Southern Agews include Awi and Kunfal; The Awi Agews inhabit southwest of Lake Tana, in Awi Nationality Administration of Amhara region.⁶⁹.

According to Taddese, the Agews are the native inhabitants of the Ethiopian plateau north of the river Jäma to the Red Sea, then the immigrants from South Arabia settled in the northern

⁶⁵ *ibid.*

⁶⁶ አያሌው ሲሳይ, የአገው ህዝቦችና የዛጉዌ ስርወ መንግስት ታሪክ (ንግድ ማተሚያ ድርጅት 1993).

⁶⁷ Sergew Hable, ‘Ancient-and-Medieval-Ethiopian-History-to-1270-1972.Pdf by Sergew-HableSelassie (z-Lib.Org)’; Tadesse Tamrat, *Church and State in Medieval Ethiopia, 1270-1527* (oxford, Clanderon Press 1970).

⁶⁸ Ayele and Addisu (n 12).

⁶⁹ Adera Getaneh, ‘A History of Wag, 1941-1991’ (Addis Ababa University 2014).

parts of this region and lived among the Agew population who latter gradually adopted the language of the new settlers.⁷⁰ In the face of continuous cultural and identity onslaught coming from the new settlers, they managed to retain at least their linguistics identity in some isolated even if dwindling islands, dispersed unevenly from Keren of Eritrea to Agew Mider, Gojam, Ethiopia.⁷¹ Sources of history indicate the contributions of the Agews to the Aksum kingdom was high in relation to the consolidation, preserve and continuity of Aksumite civilization; there is even an assertion that the name ‘Aksume’ is derived from the Agew language words of Aqu (አቁ) and Shim (ሽግግ) which in Agew language literally means chief of a water well.⁷²

The Agew people thus seemed to have benefited from the gradual southward shift of the political center from Aksum since the mid of 8th century⁷³. In the 12th century, the dynasty of Agew called Zagwe dynasty, emerged in this region making Lasta its political center, and Zagwe rulers continued the Aksumit traditions of Christianity and politics, and ruled until 1270 though the duration of the period has still been debated.⁷⁴ There is however acute dearth of substantive studies on the history of the region, the people and the rulers⁷⁵.

The term ‘Zaguwe’ is derived from the Geez word “Ze-Agäyäye” to mean “the chaser.” The alternative meaning ‘Zaguwe’ also said to be derived from the geez language ‘Ze-Agäw’, which means “of Agews dynasty.” Official documents suggest that they ruled Ethiopia for at least 130 years before the rise of the so-called “Solomonic” dynasty.⁷⁶ It the year 1270 AD, power shift from Zaguwe dynasty to the “Solomonic” dynasty is done by the influence of Abbots of Dabrä Hayq Aba Eyäsus moa and Abunä Täklähaymanot one of the results of which is the areas of Wag and Lasta had been left to be ruled by their own rulers called ‘Wagšumes’ even though there is no unanimous agreement with regard to when the title of “Wagšum” is started to be used.⁷⁷

According to Sergew, after power was transferred to the “Solomonic” dynasty, Wag and Lasta became a self-administered region, ruled by the families of Zagwe rulers who took the

⁷⁰ Tadesse Tamrat, ‘Z w OXFORD AT THE CLARENDON PRESS 1972’ (Oxford University Press 1972).

⁷¹ Beckingham (n 64).

⁷² Wudu Tafete (n 62).

⁷³ አዳላው ሲሳይ (n 66).

⁷⁴ *ibid.*

⁷⁵ *ibid.*

⁷⁶ Sergew Hable (n 67).

⁷⁷ *ibid.*

title ‘Wagšume’.⁷⁸ A tradition suggest that power was transferred from the last king of Zaguwe kings to Yekuno Amlak through a peaceful agreement with the followers of Zagwe rulers.⁷⁹ , and as per this agreement, “Solomonic” rulers have granted to the Wagšumes the following privileges:

Self-administrated ruling of Wag and Lasta;

The Wagšumes to enter to the court/palace of the “Solomonic” kings on horseback and beating a silver drum called ‘Nägarit,’

The Wagšumes’ seat to be on the right side of that of the king’s and not prostrated to the king at the time of meeting,

The Wagšumes to wash their hand with kings in a golden basin,

The Wagšumes not to pay tribute or tax for the kings.

The establishment of political centers around the region of Lake Tana, resulted in the rise of Sekoṭa as a center for a salt trade which was one of the dominant trading activities of northern Ethiopia; the salt bar extracted in the Afar region found its route through Endärta (the present South-Eastern Zone of the TNRs) to Sekoṭa (the Center of Wag-Himra Nationality Administration of the ANRs), And The rise of Sekota as a trade center and the continued growth of salt trade began to erode the autonomous status the Wagšums especially when the Gondar Town became permanent political, economic and cultural center for the Christian highland Kingdom.

Due to the reasons that, the Gondarine rulers most importantly for economic purposes wanted to have direct influence on the areas through which the salt trade route passed; and it is obvious that Lasta and Wag were the call of attention.⁸⁰ During the ‘zemene-mesafint’ (Era of princes), the Region of Wag and Lasta had been strongly challenged by the two guardians of the royal court of the Gonderine rulers; these are the regional power of Tigre from immediate north and the warlords of Yejjju from south.⁸¹

After the end of ‘zemene mesafin’, Emperor Tewodros II came to power and Wag and Lasta continued to be governed by the Wgashume rulers even though they were rebelling against the Emperor; Moreover, the influence of the Wagshumes was extended to Tigre during that

⁷⁸ *ibid*; Wudu Tafete (n 62).

⁷⁹ Sergew Hable (n 67).

⁸⁰ Adera Getaneh (n 69).

⁸¹ Wudu Tafete (n 62).

time, and after the distressing death of Emperor Tewodros II, Emperor Tekleiyorgis II (the former Wagshum Gobezie came to power⁸². The dawn of the twentieth century in Ethiopian history, brought several changes that had significant impact in the development of a centralized state at the expense of the power held by local political elites of the country.

Following on the repairs of the Kefu Qän (the drought occurred before the War of Adwa), the Adwa episode itself and territorial expansions to south ward from Addis Ababa in the late nineteenth century and related events lead to the situation that Addis Ababa play the central role of the political, social and economic life of the country, and moreover, due to its long established political tradition following the ousting of the Zagwé dynasty from power, Wag and Lasta continued to be under the ‘look after’ of the central government⁸³. History tells us that, the Wagshumes had played significant role in the political history of Ethiopia especially in the battle fields.

During the battle of Adwa, the famous Wagshum Guangul was ordered by Emperor Menilik II to mobilize his forces from his center Sekota, to Tigray and has mobilized 30,000 soldiers, and took the first action at Ambalage (a known battle point found in the South-Eastern Zone of the TNRs, around the town of Michew) in December 1895; and at the main battle of Adowa, fought in the front of ‘Maryam Shewito’, joined with other Ethiopians, Wagšum Gwangul captured over 400 Italian soldier captives.⁸⁴ In their administrative system, wagshumes used to try to accommodate language differences in their regional government hood; Wagshum Biru has been said to conduct Agewigna (Himtagna), Amharic and Tigrigna in His court affairs.⁸⁵

During the second Ethio-Italian War, The people of Wag province also played a significant role in fighting against the army of the Fascist, under the prominent patriotic leadership of Dejazmach Hailu Kebede (the post humus Lieutenant General), the son of Wagshum Kebede, and used to live for a long time with his uncle Wagšum Guangul (who was one of the heroes in the Battle of Adwa); and therefore, taking into account his uncle’s experiences, He

⁸² *ibid.*

⁸³ Adera Getaneh (n 69).

⁸⁴ Wudu Tafete (n 62); Adera Getaneh (n 69).

⁸⁵ Wudu Tafete (n 62).

participated at the different battle fields the second Ethio-Italian war the boldly known battle that the forces of Dejazmach Hailu succeeded is the battle of Temben.⁸⁶

Finally since the overall battle was between the unbalanced forces (the Italians using even the forbidden mustard gas while the Ethiopian forces use almost similar equipment used in the battle of Adwa), at the bloody battle with Italian troops led by General Murator at the front of Wolläh, 12 kilometers south of Sekota (the center of Wag), He had been killed and beheaded on Sept. 12, 1938; His head sent to Rome and put in a Museum.⁸⁷ When Emperor Haileselassie returned from exile and his power was restored, he immediately started to work where he left off before the Italian invasion imposing strongly centralized policies and strategies on the politics and national administrations throughout the empire; therefore, in 1946 he made an administrative reshuffle making Wollo a 'Teqlay Gizat' and the Wga (Historically a self-Administrative province including Lasta) one of the 12 Awrajas of the Wollo Teqlay gizat; which has been a major source of dissatisfaction for the people of Wag and its traditional political rulers (Wagshumes) who felt bitterly offended.⁸⁸

The political change resulted from the revolution of 1974 (in Ethiopia known as the 66 revolution) also put its effect to the political situation of the Wag bringing the political tradition of Wag and Wagshumes into an end.⁸⁹ In the present Federation of Ethiopia, the Wag, or Wag-Himra (Agew-Himra) Nationality Administrative Zone, is located in North-Eastern Ethiopia, in the ANRs geographically, with the coordination of 12045' N and 39045' E;⁹⁰ in a geographically less area than the previous Wag Awraja (until the times of the down fall of the Dergue regime) which includes the Areas of Ofla (wefla) wereda of the present Southern and South-Eastern Zones of TNRs.⁹¹

2.7. The Relationship between the Agew and the Tigray Peoples

The relation of the two ethnic groups (the Tigray and The Agew) can be described in different ways. It is better to begin with the fact that they have coexisted in the northern part of Ethiopia (parts of the present Eritrea, Tigray Regional State of Ethiopia and Amhara

⁸⁶ Adera Getaneh (n 69).

⁸⁷ *ibid.*

⁸⁸ *ibid.*

⁸⁹ *ibid.*

⁹⁰ *ibid.*

⁹¹ *ibid.*

Regional State of Ethiopia etc.)⁹² it is not a mere coexistence but the two ethnic groups have undergone continuous ethnic affiliations for a long period of time and it is continuous.⁹³

The Agews were also meanness of socio-economic integration of the northern and southern parts of Ethiopia creating an Agew-Tigre-Amhara political leadership tradition in the empire, even though later it has been changed to Amhara or Amhara-Tigre due to the fact that the Agews had been pushed from the central political leadership of the empire after the fall of the Zagewe dynasty.⁹⁴ In the present federation of Ethiopia, the Agew people coexist in a mixture with the Tigre and Amhara people; And notwithstanding the fact that the two Nationality Zonal administrations of Agew-Awi Zone and Wag-Himra (Agew-Himra) Zone of the ANRs, no Agew ethnic group in the present federation of Ethiopia secures a status of Regional State.⁹⁵ In the TNRs, the Agew-Himra people inhabit territorially integrated among themselves with in the three Administrative Zones of the Regional State (Southern, South-Eastern and Central Zones); as well as in an integrated adjacent with the Agew-Himra Nationality Administrative Zone of the ANRs.⁹⁶ Unfortunately according to informants they lack any recognition by the regional state notwithstanding that they are inquiring the concerned government bodies to exercise their right to self-determination.⁹⁷

⁹² John D H\rgreaves and George Shepperson, 'OXFORD STUDIES IN AFRICAN AFFAIRS General Editors CHURCH AND STATE IN ETHIOPIA'; Berhe Aregaw, 'A Political History of the Tigray People ' s Liberation Front (1975-1991): Revolt , Ideology and Mobilisation in Ethiopia'.

⁹³ Tadesse Tamrat, 'Process of Ethnic Interaction and Integration in Ethiopian History : The Case of the Agaw Author (s): Tadesse Tamrat Source : The Journal of African History , Vol . 29 , No . 1 , Special Issue in Honour of Roland Published by : Cambridge University Pre' (2011) 29 Journal of African History 5 <<http://about.jstor.org/terms>>; Ministry of Science and Higher Education, 'History of Ethiopia and the Horn for Students of Higher Learning Institutions' 1.

⁹⁴ Melakneh Mengistu, 'Reconstructing Zagwe Civilization' (2016) 4 Journal of Cultural and Religious Studies 655; Tadesse Tamrat (n 93).

⁹⁵ Melakneh Mengistu (n 94); Berhe Aregaw (n 92).

⁹⁶ Berhe Aregaw (n 92).

⁹⁷ 'Interview with Megabemistir Aemere Tsehayu'; 'Interview and Group Discussion with Educated and Inhabitants'.

**CHAPTER THREE: LEGAL AND PRACTICAL RESPONSES OF TIGRAY
NATIONAL REGIONAL STATE TOWARDS THE RIGHT TO SELF-
DETERMINATION OF THE AGEW PEOPLE**

3.1 Introduction

The Agew people are the indigenous inhabitants in the areas of the present TNRs starting from the pre-Aksumite civilizations and the major contributors for the Aksumite civilization.⁹⁸ Even though they are Cushitic speaking, they have assimilated and get into ethnic affiliations with Semitic speaking Tigres and Amharas of the present ANRs and TNRs respectively which leads them to leave their language and adopt the Semitics due to several prolonged socio-economic reasons.⁹⁹

During the medieval periods the Agew people used to inhabit a vast territory extended from Bogos (an Eritrean Province) to Gojam; and to the areas of south and east of the Bashilo river the highlands of South-Wollo (North-Central highlands of the Present Ethiopia).¹⁰⁰

In the present federation of Ethiopia, distinguished the Agew people coexist in a mixture with the Tigre and Amhara people; And notwithstanding the fact that the two Nationality administrations of Agew-Awi and Wag-Himra (Agew-Himra) of the ANRs, no Agew ethnic group secures a status of Regional State.¹⁰¹ In the TNRs, the Agew-Himra people inhabit territorially integrated among themselves with in the three Administrative Zones of the Regional State (Southern, South-Eastern and Central Tigray Zones); as well as in the adjacent with the Agew-Himra Nationality Administration of the ANRs¹⁰².

Unfortunately they lack any recognition by the regional state notwithstanding that they are requesting the concerned government bodies to exercise their right to self-determination. Therefore, in this chapter an in-depth discussion will be made on the legal and practical responses of the TNRs towards the right to self-determination of the indigenous Agew-Himra people. The writer uses the data gathered from informants (experts and inhabitants of the study area) to make analysis based on international law norms (and constitutional provisions

⁹⁸ Sergew Hable (n 67); Adera Getaneh (n 69).

⁹⁹ Melakneh Mengistu (n 94); Beckingham (n 64).

¹⁰⁰ Tamrat (n 70); Melakneh Mengistu (n 94).

¹⁰¹ Melakneh Mengistu (n 94); Berhe Aregaw (n 92).

¹⁰² Berhe Aregaw (n 92).

since they are incorporated in the constitution of the FDRE and that of the regional states) about the concept of the right to self-determination, and based on its contents.

3.2 The Study Area

The study area includes the area inhabited by the Agew-Himra people territorially integrated among themselves in the NTRs, and adjacent to the Wag-Hmra (Agew-Himra) Nationality Administration of the ANRs that is: Zata wereda, Ofla wereda and Endamehoni wereda of Southern Tigray Zone, Samre wereda of South-Eastern Tigray Zone and Abergele wereda of Central Tigray Zone.¹⁰³

According the population and housing census 2007 of Ethiopia, the Agew himra population of the Southern Zone of Tigray region is numbered 7368.¹⁰⁴ Among these population, 6930 reside in the rural weredas of the zone, which is one of the show cases that, the Agew people are indigenous to the study area¹⁰⁵. In South-Eastern Tigray Zone, their number was 158 and in the Central Tigray zone the Agew himra population was 283.¹⁰⁶

¹⁰³ OCHA, 'Zone (Admin 2) Map for Region': <<https://reliefweb.int/map/ethiopia/ethiopia-zone-admin-2-map-region-27-jun-2023>> accessed 3 September 2024.

¹⁰⁴ statistics cerviice of ethiopia, 'Ethnic Group2007' <<http://www.statsethiopia.gov.et/>>.

¹⁰⁵ *ibid.*

¹⁰⁶ *ibid.*

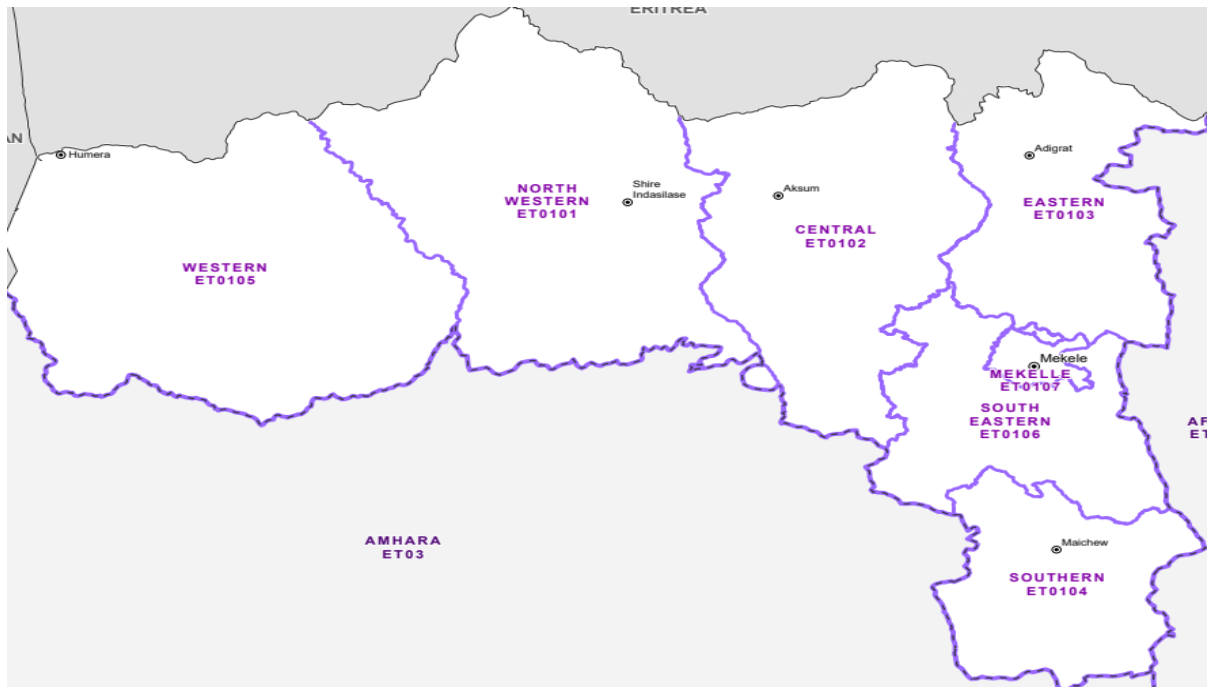


Figure 1 Map of Tigray National Regional State

Downloaded online and clipped from:

<https://reliefweb.int/map/ethiopia/ethiopia-zone-admin-2-map-region-27-jun-2023>

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Figure 2 Map of Wag-Himra Nationality Administrative Zone

Downloaded online and clipped from:

<https://reliefweb.int/map/ethiopia/ethiopia-zone-admin-2-map-region-27-jun-2023>



Figure 3 Map of the study Area

Downloaded online and clipped from:

<https://reliefweb.int/map/ethiopia/ethiopia-administrative-map-october-2020>

3.2 The Right to Self-Determination

In the contemporary international law the right to self-determination is conceptualized as a spectrum of rights comprising freedom and equality right as well as cultural and democratic

rights to make people exist and develop among and between themselves based on their respective distinct characteristics.¹⁰⁷ The constitution of the TNRs, explicitly recognizes the Tigray people as a nation, and the Kunama and the Irob as Nationalities; this implies that therefore, the nation, nationalities and people recognized in the constitution can enjoy the right to self-determination in its all aspects.¹⁰⁸

When we see the case of the Agew people, Aregawi Berhe, in his PhD thesis titled ‘A Political History of the Tigray People’s Liberation Front (1975-1991): Revolt, Ideology and Mobilization in Ethiopia’ wrote that, in 1960s, the Agew people were among the inhabitants of the Tigrai with tigre, Afar, kunama and Irob; even, in the so called manifesto-68 of the TPLF, the same is declared officially.¹⁰⁹ As it is known, when the TPLF led EPRDF government attains power, it established a federal political system of multiple states, on the basis of ethnicity with the aim maintaining social, cultural, linguistic autonomies at regional and sub-regional levels.¹¹⁰

However, the constitution of the TNRs excludes the Agew people from the notion of indigenusness of the regional state merely so, they can’t ask their right to self-determination from the regional state legally. The Agew people in the TNRs, didn’t remain silent and they frequently bring their question to whom they assume are concerned to answer that, as long as the political system is ethnic federalism they have to attain territorially integrated administration with the Agew people in the ANRs or even to have territorial autonomy within the TNRs. According to informants, in 1985 Ethiopian calendar when they have been aware of the fact that they are demarcated within the TNRs, carrying dry woods each participant (there is a tradition that when local inhabitants have to visit local governors to bring their questions to the latter, they take at least dry cooking woods for the governors), they went to the Wag-Himra Nationality Administration asking to be demarcated territorially integrated with the same Administration, but they were told to take the question to the TNRs as it is the concerned body to answer their question; when they went to the TNRs, three of them were

¹⁰⁷ S James Anaya, ‘A Contemporary Definition of the International Norm of Self-Determination’ 132
Copyright Statement A Contemporary Definition of the International Norm of Self-Determination
<<https://scholar.law.colorado.edu/faculty-articles/854>>.

¹⁰⁸ Yohannes (n 17); ‘The Constitution of the Federal State of Tigray’ (1995).

¹⁰⁹ Berhe Aregaw (n 92).

¹¹⁰ Alem Habtu, ‘Ethnic Pluralism as an Organizing Principle of the Ethiopian Federation’ (2004) 28 *Dialectical Anthropology* 91.

leveled as ‘ጸረ ወያኔ’ (a group who acts against the political programs of TPLF), punished with imprisonment of three years; two of them one from neqsegie (nivisig in the Agew-Himra language) and one from maymado (in Ofla/Wefla Wereda) didn’t return home. The remaining of them had been told that they couldn’t bring a public question with an individual status and for this reason they were threatened to be criminalized due to political instigations; therefore, frustrated of being criminalized, they couldn’t continue their question of the right to self-determination.¹¹¹

3.3 The Right to Promote and Develop Culture

In the contemporary international legal system, human rights instruments and covenants, including the constitution of the Ethiopian Federation as well as the Regional States’ constitutions, measure the application of the right to self-determination based on the rights of individuals as well as people ‘to freely pursue their economic, social and cultural development.’¹¹²

The Agew people in the TNRs have legal right to reflect their culture in any cultural festivals of the people of the region. In the regional state there are cultural festivals one of them the ‘Ahsenda’ in Tigrigna, ‘Shadey’ in Agewigna, and also ‘Ashendye or Solele’ in Amharic, which is celebrated by all the young ladies dressed with cultural clothing, makeups, music and cultural dances just after the end of ‘Tsome Filseta’ (fasting season by the Ethiopian Orthodox Church from August 1-15, in Ethiopian calendar with the Assumption of St. Mary). Then the celebration of Ashenda takes place from 16-21 of August in Ethiopian calendar at Regional or national levels.¹¹³ In the ANRs, in North Wollo Zone and Wag-Himra (Agew-Himra) Nationality Administration, the same cultural festival Shadey/ Ashendye/Solele is celebrated by young ladies with they all are called to appear with their unique cultural clothing, marks, song as well as cultural music and dances.¹¹⁴ According to informants from the study, the girls of the Agew people in the study area are not allowed to present before the

¹¹¹ ‘Interview with Megabe Mistre Aemere Thehayu and Others’; ‘Interview and Group Discussion with Educated and Inhabitants’ (n 97).

¹¹² Anaya (n 107); Freeman (n 27).

¹¹³ Berihu Fitsum Hagos, ‘Faculty of Business & Economics Department of Tourism Management Masters in Tourism and Heritage Management Community Based Ecotourism (CBET) Development Potentials and Prospects : In Case of Lake Hashenge and Its Surroundings Community Based Ecotourism’ (2015); Atsedo Tefera, Tesfaye Fentaw and Kassa Nigus, ‘Historical Roots and Significances and Challenges of Shadeye/Ashendeye/Solele Festival: The Case of North Wollo and Waghamera Zones’ (2021) 8 Ethiopian Renaissance Journal of Social Sciences and Humanities 29.

¹¹⁴ Tefera, Fentaw and Nigus (n 113).

official celebration of Ashenda dressed with their unique cultural clothing styles, use their unique cultural marks, and sing as well as dance in Agewigna (Himtagna), because they are order by kebele and wereda officials (lower level political officials) that, they can only be dressed with the unique clothing styles of the Tigray people, and sing in Tigrigna language before the celebration of senior officials and gusts.¹¹⁵.

Informants tolled in their interview and explained in the group discussion that, those who have to participate in official cultural festivals are recruited by ‘Circus Tigray’ a non-governmental cultural organization which participate in the Regional state in the development of sport and culture?; therefore, cultural music and dances begun to be performed when the federal forces inter the area after the war between Tigray forces and the federal forces.¹¹⁶

3.4 The Right to Language Autonomy

In the contemporary international human rights law, the conception of self-determination is shifted away from colonial self-determination towards internal self-determination; therefore, strong protection of political and language autonomy on a territorial or non-territorial basis is given a due attention; And governments national as well sub regional are expected to respect and protect political and language autonomy of minority groups within their jurisdiction.¹¹⁷.

According to a comment on Article 27 of the ICCPR, it is asserted that the language rights provided under this Article are individual human rights distinguished from other language rights guaranteed by the covenant (freedom of expression, equality before the law or not to be discriminated based on race, language etc.) in a way that they are they right of individuals of a linguistic minority to use their language among themselves, in private or in public.¹¹⁸.

The constitution of the Ethiopian Federation on Article 5 provides that, all Ethiopian languages to have enjoy equal status of recognition, and member states only allowed only to determine their respective working languages; moreover, in Article 39 (2) it grants every nation, nationality and people of Ethiopia, a right to speak, to write and to develop its own language, and in Article 25 it also provides legal guarantee to all persons not to be discriminated on the ground of nationality, social origin, language etc.

¹¹⁵ ‘Interview and Gruop Discussion with Educated and Inhabitants’ (n 97).

¹¹⁶ *ibid*.

¹¹⁷ Gaetano Pentassuglia, ‘Self-Determination, Human Rights, and the Nation-State: Revisiting Group Claims through a Complex Nexus in International Law’ (2017) 19 *International Community Law Review* 443.

¹¹⁸ Session and others (n 9).

According to the constitution of FRDE Article 9 and 13, the constitutions of the National Regional States following the constitution, have duty to respect and enforce the provisions of chapter three of the Federal constitution, which are also fundamental human rights and freedoms adopted by Ethiopia. In fact, the constitution of the TNRs provides the above mentioned fundamental human rights and freedoms granting for the nations, nationalities and peoples of the Regional state who have got a status of recognition by it, provides the equality of languages of the regional state and the right to write and develop one's own language explicitly even though it lacks practical frameworks.¹¹⁹

When we examine the experience of the Agew people in the regional state concerning their language autonomy, from the very beginning the constitution of the regional state doesn't recognize the inhabitants of them in the region since it recognizes only three ethnic groups namely (Tigray, Kunama and Irob ethnic groups), as indigenous of the Regional state.¹²⁰ Practically, the Agew people in the regional state are not allowed to speak, write and use their language in social, political and cultural public participations¹²¹.

According to the informants, any assembly from starting from the lower administration levels kebeles (Tabyas) as they named in Tigrigna, is mandatory to be held in Tigrigna language and no participant is allowed to speak in a other language different from Tigrigna; Agewigna (Himtagna) speaking using mother tongues who ought to visit local health stations can't explain their pain to health workers due to the language barrier, and the confidently told that, heath workers, officers of local administrations are not members of the locality; instead, they came from the Northern and central Tigray Zones of the Regional state, more of from Adwa and Shire which is also another language barrier of the community.¹²²

Concerning the language constraints in the courts against the Agew people in the TNRs, among 16 interviewees and 6 participants of the focus group discussion, 3 participants respond that they have experienced occasions when wereda courts of the regional state which have jurisdiction in the study area employing a translator for the Agew clients, and the remaining participants responded negatively; moreover, they narrated the story of a women that can't understand Tigrigna language that, her case was started in the wereda court with jurisdiction of the Agew-Himra speaking people; then after several ups and downs she took

¹¹⁹ Yohannes (n 17); 'The 1995 Tigray Constitution (Tigrigna Version)'.

¹²⁰ 'The 1995 Tigray Constitution (Tigrigna Version)' (n 119); Yohannes (n 17).

¹²¹ 'Interview and Gruop Discussion with Educated and Inhabitants' (n 97).

¹²² *ibid.*

her case to the Regional Supreme court in Mekelle; there, she can't get an advocate due to economic problem, and also she was not aware of asking for free legal service; in fact, if she were aware, she couldn't explain her case of court; finally she went to the court, and used to cry aloud for help, and the security officials took her out of the court carrying; that is the end the story of her court case .¹²³ One of the interviewees told that when his relative was under custody of police for legal reasons, he went to visit his relative and ordered by the police officer to communicate with in Tigrigna language only, other ways he will be forced to get out.¹²⁴ Surprisingly, even the writer is an eyewitness that, in wereda court of Abergele Wereda of the Wag-Himra Nationality Administration as well as in the Nationality administration High court, Tigrigna speaking clients can get a translator without any bureaucratic complications.¹²⁵

To conclude, the responses of the participants show that, constitutional right to justice and rights of persons under custody as well as the right of accused persons of the Agew people of the TNRs who can't understand the working language of the Regional state (Tigrigna), are endangered at all.¹²⁶

3.5 The Right to Education in Mother Tongue

In the present International human rights Instruments, even though there is no explicitly stated legally binding provision in relation to the right to education in the mother tongue, it can be concluded that, the rereading of soft laws like Article 26 of the UDHR and with positive interpretation of Article 13 of the ICESCR, the state parties agree to recognize the right to education of every one and to be directed on the basis of full development of human personality, sense of dignity and equality irrespective of race, ethnicity and religion; and primary education to be compulsory moreover, in sub Articles 3 and 4 of Article 13, State parties have agreed to respect the free choice of parents to establish schools for their children other than those established by governments, only to impose minimum standards to safeguard public morality and they have also agreed to achieve the full realization of the right

¹²³ *ibid.*

¹²⁴ *ibid.*

¹²⁵ 'Interview with Megabe Mistre Aemere Thehayu and Others' (n 111).

¹²⁶ 'Interview and Group Discussion with Educated and Inhabitants' (n 97).

to education; which implies one the right to education is to learn with the mother tongue of the children.¹²⁷.

The right to education in mother tongue can be inferred from the constitutional equality of all Ethiopian languages and the right of parents to choose through which language their children to be educated. When we see the right to education in mother tongue of the Children of the Agew people in the TNRs, just like other rights discussed above it is totally impossible to educate them or learn for them in Agewigna (Himtagna) language. According to the informants, Even though the people have tried to raise the question that their children have to be learn in their mother tongue the concerned governmental officials answered that they couldn't find teachers who speak Agewigna (Himtagna language, and teaching materials prepared in the same language.¹²⁸. According to the informants, there are some villages of Tigrigna speaking people which are demarcated with in the Wag-Himra Nationality Administration of the ANRs may for political reasons?,¹²⁹ and for the children in these villages whose mother tongue is Tigrigna, with a appositve communication of the concerned government of the two Regional states and that of the Wag-Himra Nationality Administration, teaching materials and teachers who can held the education in Tigrigna were recruited, and the children enjoy learning in their mother tongue, Tigrigna.¹³⁰

Even following the above mentioned scenario, in 1990s of E.C, the Wag-Himra Nationality Administration brought the question to the concerned body of TNRs and couldn't get appositve response¹³¹. According to the informants, the Agew community, as well as politicians who are members of the same, even had been trying to convince the concerned bodies of the TNRs in a way that, not to correlate the question to learn in mother tongue of the children the question of the Right to self-determination of the Agew people in the Tigray regional state, to take into account only the fate of the children on their educational future; however, still their question doesn't appositve response.¹³²

¹²⁷ Frank Howard and others, 'No 主観的健康感を中心とした在宅高齢者における健康関連指標に関する共分散構造分析Title' [1976] the New Englans Journal of Medicine 259; Karolina Mendeka, 'The Right To Mother Tongue Education for Indigenous Peoples: An Overview of International and Regional Standards' [2023] Studia Iuridica 208.

¹²⁸ 'Interview and Gruop Discussion with Educated and Inhabitants' (n 97).

¹²⁹ 'ደለተኛዱ_ዓመታት'.

¹³⁰ 'Interview with Ashenafi Fentie'; 'Interview and Gruop Discussion with Educated and Inhabitants' (n 97).

¹³¹ 'Interview with Ashenafi Fentie'.

¹³² ibid; 'Interview and Gruop Discussion with Educated and Inhabitants' (n 97); 'Interview with Politicians'.

What is the impact on the children if they do not learn in a language of their mother tongue? The above question is addressed to all the respondents of the study (the interviewees as well as those who gave their answer for the distributed questionnaires). The answers were similar with different expressions of speech. According to the informants, their children speak Agewigna (Himtagna) at home and when they go to school the medium of instruction is in Tigrigna, and then the children's attention is to understand the language which is the medium of education, not the content of the education itself.¹³³

Some of the respondents answered that most the children whose mother tongue is Agewigna, learning in Tigrigna, will be promoted to the next grade until they take grade 8th national junior school leaving exam; there it is rare to see the Agewigna students promoted to the next high school grade; and no student from this community had joined special schools of the Regional state like 'Qalamino' or (ቀላሚኖ); this in turn, makes the next students to be discouraged of learning and move for labor work leaving their home to avoid nagging against them of learning.¹³⁴ Some of the respondents also explain that, prohibiting children from learning in their mother tongue will result in identity degradation of the community; even, one of the respondents who engaged in another research in a research in the study area, explained that, He has experienced an occasion that He has heard shouting of Agewigna speaking kids in their playing and when he asked his Agewigna speaking friends to translate the shouting, they told him that the kids were saying 'we are not Amhara, but Tigrians' in Agewigna (Himtagna) language; so, according to informants, not only prohibition of learning in mother tongue, but also there has been deliberate identity infliction on the Agew people of the TNRs. To conclude the situation in relation to the right to education in mother tongue of the Agew people in the TNRs:

Their children are prohibited from learning in their mother tongue, which results that the constitutional right to access to education of the people is endangered or all most near to begin deprived.¹³⁵

The right to education of their children is under the sphere of influence of politics, and this in turn may result identity crisis on the children in particular as well as on the people in general. Positive measures are taken for the children whose mother tongue is Tigrigna and inhabitants in the Agew-Himra Nationality Administration of ANRs so, they enjoy learning in their

¹³³ 'Interview and Group Discussion with Educated and Inhabitants' (n 97).

¹³⁴ *ibid.*

¹³⁵ HPR of ETHIOPIA, *Proclamation (No. 1)* (1995).

mother tongue, Tigrigna; while children who inhabit in the TNRs specifically, whose mother tongue is Agewigna (children of the study), are prohibited from learning in their mother tongue.

3.6 The Right to Territorial Autonomy

The constitution of the FDRE, under Article 39 (3) provided that NNPs have the right to territorial autonomy therefore, can take measures to establish territorially integrated institutions for the right to self-government, and have the right to equitable representation of that self-governing entity in the federal as well as the regional governments. From this constitutional provision, the Agew people in TNRs can request to establish a territorially integrated self-governing mechanism with in the Regional state, or they can seek the same mechanism joined with the adjacent Agew-Himra people of the Wga-Himra Nationality Administration.

The above mentioned alternative territorially integrated mechanisms were begin raised by the Agew people of the study area continuously for 30 years till the present. According to informants, and observing the territory where, the Agew people of the TNRs inhabit (the study area), undoubtedly it is possible for them to establish territorially integrated self-government with in the Regional state; however, practically the latter will not accept the fact that they are Agews merely; and this practice continued for 30 years, which makes the possibility of territorial autonomy for the Agew people in the regional state with in the it.¹³⁶

According to the informants, and observing the online maps of the study area, the weredas, kebeles and villages where the Agew-Himra people inhabit territorially integrated among themselves with in the three Administrative Zones of the Regional State (Southern, South-Eastern and Central Tigray Zones) are the following:

In the Southern Tigray Zone;

Four Weredas such as: - Zata, Wofla, Endamehoni and Selewa (Silewa) are in Agewigna/Himtagna language or Bora Selewa Wereda. The following villages and/or community centers which all most entirely inhabited by the Agew people or at least they outnumbered the other communities; these are: Zata, Dara, Deqol, Gual Merqorewos, Sesela, Beqela, Jaa, Adir, Dem, Welakho, Neqsegie (nivisg) in Agewigna/Himtagna, Dinqa/Diqa, Ashena, parts of Mimado area, Awshera, Bora, Silewa/Selewa

¹³⁶ 'Interview with Ashenafi Fentie' (n 131); 'Interview with Politicians' (n 132).

In South-Eastern Tigray Zone:

Samre Wereda: Wodisemro and surrounding villages

In the Central Tigray Zone:

Abergele Wereda of TNRs (there is Abergele Wereda of Wag-Himra Zone of ANRS):- Finarwa, Giveena, Aritata. The writer wants to notify that, the above listing of community centers and villages is not exhaustive; but the lists are show cases; because due to different reasons, the study couldn't address all the villages where the Agew-Himra people reside. Throughout the above listed villages and community centers, the Agew-Himra people live in a settlement pattern territorially integrated among themselves, by which they can assert a territorial autonomous self-government with in the Regional state. The other alternative for the territorial autonomy of the Agew people in the TNRs is to seek their right to territorial autonomy joined with the adjacent Agew-Himra people of the Wga-Himra Nationality Administration; all most all of the respondents of the study recommend that, to grant the right to territorial autonomy of the Agew people in the TNRs, even though their settlement and territorial integrity of the area where they inhabit is suitable to establish self-government institution with in the Regional state, since the latter doesn't recognize them as they are, the remaining and the final solution is to establish a territorially integrated autonomy with the same people of Wag-Himra Nationality Administration of ANRs.¹³⁷

¹³⁷ 'Interview with Ashenafi Fentie' (n 131); 'Interview with Megabe Mistre Aemere Thehayu and Others' (n 111); 'Interview with Politicians' (n 132).

CHAPTER FOUR: COMPARATIVE ANALYSIS AMONG THE STATES OF THE FDRE ON THEIR LEGAL AND PRACTICAL RESPONSES TOWARDS THE RIGHT TO SELF-DETERMINATION OF INTERNAL MINORITIES

4.1 Introduction

In the common Article one of both ICCPR and ICESCR, it is provided that the right to self-determination enables all peoples to freely determine their political status and freely pursue their economic, social and cultural development.¹³⁸ Therefore, it can be understood that when a group of people exercised their right to self-determination, it means that their interests are reflected in the external as well as internal affair of their state, and can participate in the domestic administration or demand for local self-government.¹³⁹ As it is expressed in several human rights instruments and discussions up on them, human rights are indivisible and interdependent, and due to this nature of human rights the respect and protection of one type of them depends up on the protection of other type.¹⁴⁰

In the present international legal system, there is an accepted conception that, the main role of states shall be to serve the interests of their citizens; so, concerning human rights the duty of states is to protect, provide and respect the rights of their citizens (individuals, minorities, groups, communities, and so on.)¹⁴¹ that is why the present international is denominated as ‘human-centered international law’.¹⁴² Article 27 of the ICCPR lists out types of minorities as ethnic, linguistic and religious minorities, and provides that states in which these minorities inhabit shall protect and respect the cultural, religious and linguistic rights of individuals of these types of minorities.¹⁴³

Concerning the right to internal self-determination, the African Charter on Human and Peoples’ Rights, puts strong provisions giving special emphasis for them; although practically most of the African states reserve themselves from these issues rather than facing them with a proper administration, due to reasons of fear of disturbance and foreign interventions.¹⁴⁴ When we examine the practical response towards the protection of the right

¹³⁸ Alston (n 14); Howard and others (n 127).

¹³⁹ NAUJIL, ‘A Critical Appraisal of the Right To Self Determination Under’ (2021) 12 127.

¹⁴⁰ Chiatoh (n 41).

¹⁴¹ Matthew and Sparks (n 36).

¹⁴² *ibid.*

¹⁴³ Session and others (n 9); Legesse Tigabu Mengie, ‘Federalism as an Instrument for Unity and the Protection of Minorities: A Comparative Overview: Ethiopia, India and the US’ (2017) 10 Mizan Law Review 265.

¹⁴⁴ Diriba Bopessa (n 17); Anyangwe (n 40).

of internal self-determination of minorities, the FDRE is not different from other African states, notwithstanding that it is an ethno-linguistic federal system.

4.2. Comparative Analysis among the National Regional States of the FDRE on the Responses towards the right to self-determination of internal minorities

The present Ethiopian government system is ethno-linguistic Federal system which is established with a goal of building the nation based on equality of all its ethnic groups;¹⁴⁵ notwithstanding that some new regional states (South West Ethiopian Peoples Regional State, South Ethiopia Regional State and Central Ethiopia Regional State, which are instituted on geographical basis.¹⁴⁶ The constitution of FDRE, in its preamble begins that the nations, nationalities and peoples of Ethiopia are committed to fully exercise their right to self-determination and for the accomplishment of this commitment, they are promised to fully respect individual and people's fundamental rights and freedoms.¹⁴⁷

Furthermore, under Article 39(1) it is provided that every Nation, Nationality and peoples of Ethiopia has the right to self-determination including secession (external self-determination), and under 39 (3) the right to establish institutions of government in the territory it inhabits (Territorial internal self-determination) and the right to equitable representation in a regional as well as the federal governments (article 61(2)), which is the mechanism of non-territorial internal self-determination.¹⁴⁸ Under Article 54 (2 and3), of the constitution special protection for the representation of minority nationalities and peoples (different from nations) is provided.¹⁴⁹ Under Article 13, it is provided that all Federal as well as Regional legislative, executive and judicial organs to respect and enforce the rights of nations, nationalities and peoples which are provided under chapter three of the federal constitution which is also proclaimed as the supreme law of the country as provided under Article 9.¹⁵⁰

Therefore, the regional constitution follow the same legislation with the federal constitution especially concerning the rights of nations (the majority of the regional state), nationalities

¹⁴⁵ Tefera Kegnalew Hale (n 5); Kshipra Vasudeo, 'Ethnic Federalism in Ethiopia: Reflecting on Diversity and Ethnic Identity' (2021) 3 East African Journal of Arts and Social Sciences 147.

¹⁴⁶ Ayele and Addisu (n 12).

¹⁴⁷ Constitution (n 11).

¹⁴⁸ *ibid.*

¹⁴⁹ *ibid.*

¹⁵⁰ *ibid.*; Yonatan Tesfaye Fessha and Christophe Van Der Beken, 'Ethnic Federalism and Internal Minorities: The Legal Protection of Internal Minorities in Ethiopia' (2013) 21 African Journal of International and Comparative Law 32.

and peoples (internal minorities).¹⁵¹. Except the Somali National Regional State (where there are no at least claiming indigenous internal minorities), almost in all other Regional their population is composed of two and above ethnicities (indigenous as well as non-indigenous).¹⁵². Therefore, regional states of the FDRE whether or not voluntary, have to deal the issue of ethnic accommodation and protection of internal minorities.

The Constitution of the National Regional State of Oromia and that of Somali grant sovereign power to the people of the Oromo nation and the Somali nation exclusively without giving any due attention for the right to self-determination of other minority citizens be it indigenous or non-indigenous.¹⁵³. The constitution of the Afar National Regional State also grants sovereign power to the Afar people and refers the Argoba people as ‘indigenous’ of the Regional State while it is silent concerning the rights of non-indigenous inhabitants.¹⁵⁴.

The constitution of the National Regional state of Beni Shangul- Gumuz categorizes the inhabitants of the region as ‘indigenous’ (ethnicities like Berta, Gumuz, Shinasha, Mao and Komo) and non-indigenous (Agews, Amharas, Tigrians, Oromos etc.), irrespective of the fact that some of the minorities are claimed to have long historical attachment with the region, and for this reason the ‘Agew wereda’ of the Beni Shangul-Gumuz National Regional state is an evidence.¹⁵⁵. With the same framework of the Beni Shangul-Gumuz’s constitution, the constitution of the Gambela National Regional State has categorized the composition of its population as founders (ethnic groups of Agnuak, Nuwer, Majang, Komo and Opo) and non-founders (other citizens) and both the constitutions of Beni Shangul-Gumuz and Gambela are silent in relation to the right to self-determination of internal minorities of their respective Regional state.¹⁵⁶.

The constitution of the Harari National Regional State especial by which the name of the state is vested to the Harari minority; and the regional state is belonged to the Harari minorities and the Oromo majorities while it is silent concerning other nations, nationalities

¹⁵¹ Fessha and Van Der Beken (n 150).

¹⁵² Habtu (n 110).

¹⁵³ Fessha and Van Der Beken (n 150); Habtu (n 110).

¹⁵⁴ van der Beken (n 54).

¹⁵⁵ Gizachew Wondie, ‘ADDIS ABABA UNIVERSITY COLLEGE OF LAW AND GOVERNANCE CENTER FOR HUMAN RIGHTS “Indigenous” and “Non-Indigenous” People’s Rights in Benishangul-Gumuz Regional State: The Right to Political Participation of “Non-Indigenous” People in Bambasi Woreda’ (2015); Fessha and Van Der Beken (n 150).

¹⁵⁶ Wondie (n 155).

and peoples residing in the Regional State.¹⁵⁷. Concerning the right to self-determination of internal minorities, throughout the regional states of Ethiopia, the following conclusions can describe the conditions:

In the constitutions of all the regional states, the fundamental human rights and freedoms adopted by Ethiopia are provided even though the practice shows that in some of the Regional States there is no any legal framework, and the existing mechanisms are not uniform¹⁵⁸.

In the constitutions of some of the National Regional States, the rights of internal minorities are deprived with silence, and the right to self-determination is exclusively given to those ‘people’ to whom the regional state is belong. For example the constitutions of the Regions of Oromia and Somali.¹⁵⁹

The constitutions of some National Regional States categorize the population of the region as indigenous and non-indigenous, or ‘founders and others’ and apparently grant the right to self-determination to the indigenous or founders. Examples of these constitutions are the constitutions of Beni Shangul-Gumuz and Gambela¹⁶⁰.

The constitutions of some National Regional States grant sovereign power including the right to self-determination to those people whom referred as ‘indigenous’ of the Regional State and are silent concerning the rights of non-indigenous inhabitants. Examples of these constitutions are the constitutions of Afar and Harari (irrespective of its other special characters).¹⁶¹.

4.3. Comparative Analysis between the Amhara and Tigray National Regional States on the Responses towards the Right to Self-Determination of the Agew people:

Several literatures, confirm that almost all regional states of Ethiopia are composed of two and above ethnic groups.¹⁶². Because of this fact, according to the provisions of Article 9 and 13 of the Federal constitution, in the constitutions of the National Regional States of Amhara

¹⁵⁷ Ayele and Addisu (n 12); Tesfaye Yitbarek, ‘Protection of Minority Rights in Harari Region: Case Study of Local Governments’ (2017).

¹⁵⁸ Constitution (n 11); Diriba Bopessa (n 17); Fessha and Van Der Beken (n 150).

¹⁵⁹ Fessha and Van Der Beken (n 150); Wondie (n 155).

¹⁶⁰ Wondie (n 155); Fessha and Van Der Beken (n 150).

¹⁶¹ van der Beken (n 54); Ayele and Addisu (n 12).

¹⁶² Fiseha (n 57); Ephrem Ahadu, ‘Does Democracy Affect Ethnic Minority Rights? Evidence from Ethiopian Minorities’ (2020) 11 *Agathos: an international review of the humanities and social science* 391 <[https://www.agathos-international-review.com/issue11_1/30.Ephrem Ahadu author.pdf](https://www.agathos-international-review.com/issue11_1/30.Ephrem%20Ahadu%20author.pdf)>.

and Tigray the provisions of chapter three of the Federal constitution, which are also fundamental human rights and freedoms are incorporated.¹⁶³

Among the indigenous inhabitants of both of the two Regional States, the Agew people comes in the front line that starting from the pre-Aksumite civilizations to the present they inhabit the area covering the regions.¹⁶⁴ In the present Ethiopian Federation, the area where Agew people (the subjects of the study) inhabit is demarcated between the Tigray and the Amhara National Regional States; while the legal as well as political framework of the former denies their existence, in the latter they exist with remarkable territorial as well as non-territorial autonomy.¹⁶⁵ The writer tries to compare and contrast the responses of the two national regional states towards the right to self-determination of the Agew people using different approaches employed to treat the right (recognition, Territorial Autonomy representation, cultural Autonomy).

4.4. The Right to Recognition

Recognition of an ethnic group is a baseline to deal with their rights. The constitution of FDRE, in Article 39 (5) gives equal definitional status for The Nations, Nationalities and people of the country with the following expression; *"Nation, Nationality or People" for the purpose of this Constitution, is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.*

In article 5 of FDRE constitution all Ethiopian languages are recognized, and in Article 25 all Individual citizens of Ethiopia also are given the right of recognition. And in Article 39 (1-3), it provides the right to internal as well as external self-determination for all nations, nationalities and people of the federation. Therefore, it can be concluded that the federation of Ethiopia requires all regional state to respect and ensure plurality of ethnicity in their respective constitutions.¹⁶⁶ The constitution of the ANRs, with similar legal framework and

¹⁶³ 'The Constitution The Constitution OF OF The Federal State of Tigray The Federal State of Tigray Mekelle Mekelle' (n 108); *The State of Amhara Constitution (Amharic and English)* (n 13); Seyfu Tadesse Samrawit, 'A Comparative Analysis of the State Constitution of Tigray in Light of the FDRE Constitution and Amhara State Constitution'.

¹⁶⁴ Tadesse Tamrat (n 93).

¹⁶⁵ Addisu (n 13); Ayele and Addisu (n 12); 'The Constitution The Constitution OF OF The Federal State of Tigray The Federal State of Tigray Mekelle Mekelle' (n 108); *The State of Amhara Constitution (Amharic and English)* (n 13).

¹⁶⁶ Fessha and Van Der Beken (n 150).

expressions, defines nations, nationalities and people, and provides the right to internal as well as external self-determination for the five group of people of the Regional State including the recognized minorities (Agew Himra, Wolo Oromo, Agew Awi, Argoba and Qemant).

Concerning the right to self-determination of the Agew people from the above insights it can be concluded that, it grants clear legal as well as political recognition. The constitution of TNRs, giving equal definitional status for the nations, nationalities and peoples of Ethiopia, grants the right to self-determination to the three ethnic groups (recognizing the Kunama and Irob ethnicity as indigenous minority of the regional state.)¹⁶⁷. Concerning the right to self-determination of the Agew people who are also the pre-inhabitants of the area where they live, three Zones of the Region, it doesn't recognize the Agews as indigenous to the region, and even some officials deny the inhabitants of the Agews.¹⁶⁸.

4.5. The Right to Representation

Concerning the representation of its nations, nationalities and peoples of the Ethiopian Federation, the constitution provides representation frameworks in the two houses in Articles 54(3) and 61(2) that in the HPRs 20 seats are reserved for minority nationalities and peoples and in the HoF, each nation, nationality and people has at least one representative.¹⁶⁹. And as it is discussed above, the Federal constitution requires all regional states to follow the similar constitutional framework. The ANRs, following the same framework to the Federal government, provides internal minorities including the Agew people to have representations in the Regional State Council and the Regional Constitutional Interpretation Commission.¹⁷⁰.

The TNRs, even though there is no special framework of representations for the internal minorities of the region whom the regional constitution grants recognition these minorities (the Kunama and Irob) have representatives in the Regional State Council and the Regional Constitutional Interpretation Commission as normal as other weredas of the Region do.¹⁷¹. Concerning the Agew people in the TNRs, since they haven't granted any legal, political, as

¹⁶⁷ Diriba Bopessa (n 17); Fessha and Van Der Beken (n 150); 'The Constitution The Constitution OF OF The Federal State of Tigray The Federal State of Tigray Mekelle Mekelle' (n 108).

¹⁶⁸ Tadesse Tamrat (n 93); Addisu (n 13); Berhe Aregaw (n 92).

¹⁶⁹ Constitution (n 11); Honelign Hailu, 'ADDIS ABABA UNIVERSITY SCHOOL OF GRADUATE STUDIES THE PROTECTION OF NATIONAL MINORITIES IN AMHARA NATIONAL REGIONAL STATE: THE CASE OF OROMO MINORITIES IN ANGOLLELA AND TERA WOREDA' (2010).

¹⁷⁰ *The State of Amhara Constitution (Amharic and English)* (n 13); Hailu (n 169).

¹⁷¹ Diriba Bopessa (n 17).

well as practical recognition, there is no any issue of representation of them in the governmental organizations of the region.

4.6. The Right to Cultural Autonomy

Cultural Autonomy refers the condition of making minorities to be politically represented with individuals of their culture, custom and language; and designing legal framework which promote non-governmental institutions to participate in promoting, sponsoring and enabling minority to preserve their culture in language through learning with their mother tongue, have mass media of their language and undergo social practice using their own language.¹⁷².

The constitution of the Ethiopian Federation in Article 39(2) provides that every NNP has the right to develop its own language, promote its culture and preserve history and in Article 5 it empowers the regional states to determine their respective working languages.

It also puts a duty on to support the cultural developments based on the fundamental human rights and the provisions of the constitution under Article 91. The ANRs designs similar legal framework of accommodation of language and cultural rights that the Nationality councils including the Agew Nationality Administrations, have a power to determine their working language and promote their language.¹⁷³ The TNRs determines that its working language is Tigrigna, and puts no any legal framework for accommodation of language and cultural rights of other indigenous minorities including the Agew people whom it doesn't recognize them as indigenous while history and reality show they are.¹⁷⁴.

4.7. The Right to Territorial Autonomy

The Ethiopian Federation under Article 39 (1 and 3) of the constitution grants all NNPs the right of territorial autonomy providing that they can establish self-government institutions in the territory where they inhabit.¹⁷⁵. The ANRs, sets territorially integrated self-governing autonomous administrations for ethnic minorities in the regional state, they are the Argoba Nationality wereda, The Wag-Himra Nationality Administration, The Oromia Nationality Administration and The Agew-Awi Nationality Administration.¹⁷⁶. When we examine the

¹⁷² Will Kymlicka, 'National Cultural Autonomy and International Minority Rights Norms' (2007) 6 *Ethnopolitics* 379; Akademie, Wissenschaften and Bauböck (n 52).

¹⁷³ Christophe Van der Beken, 'Ethiopia: Constitutional Protection of Ethnic Minorities at the Regional Level' (2007) 20 *Afrika Focus* 105; *The State of Amhara Constitution (Amharic and English)* (n 13).

¹⁷⁴ Van der Beken (n 173); 'The Constitution The Constitution OF OF The Federal State of Tigray The Federal State of Tigray Mekelle Mekelle' (n 108); Tadesse Tamrat (n 93).

¹⁷⁵ Constitution (n 11); Tefera Kegnawale Hale (n 5).

¹⁷⁶ Honelign Hailu, 'ADDIS ABABA UNIVERSITY SCHOOL OF GRADUATE STUDIES THE PROTECTION OF NATIONAL MINORITIES IN AMHARA NATIONAL REGIONAL STATE: THE CASE

TNRs in relation to the issue of territorial autonomy, even though it recognizes the Irob and The Kunama minorities as indigenous inhabitants of the Regional state of Tigray.

It can be concluded that it doesn't grant them a territorial autonomy; since the argument of the 'Irob wereda', which is not more than nomenclature, can't stand any.¹⁷⁷. Concerning the Territorial autonomy of the Agew people inhabiting in the TNRs, even though they live territorially integrated the regional government denies this fact. To generalize the responses of the ANRs and TNRs towards the right to self-determination of the Agew people:

The constitution of the federation of Ethiopia respects and also requires that all regional state to respect and ensure ethnic plurality in their respective constitutions providing that they are obliged to respect and support the right to self-determination of NNP in ways of territorial as well as non-territorial mechanisms.

The ANRs sets territorial and non-territorial constitutional legal frameworks therefore, it enables the NNP of the regional state including the Agew people (the focus of the research) are entitled to enjoy their right to self-determination.

The TNRs doesn't design any territorial or non-territorial constitutional legal frameworks to support the indigenous minorities as well as the Agew people who inhabit in the regional state from the times of pre-history.

OF OROMO MINORITIES IN ANGOLLELA AND TERA WOREDA' (2010); Wondie (n 155); Diriba Bopessa (n 17).

¹⁷⁷ Yohannes (n 17); Fessha and Van Der Beken (n 150).

CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1. Concluding Remarks

The study was concerning the right to self-determination of the Agew people in Tigray National Regional state whether they can be granted of this right in frameworks of territorial or non-territorial autonomy. The right to self-determination can be referred as internal and external based on the intention the people concerned, and the framework how their question is treated.¹⁷⁸ In the UN legal system, it is agreed as one of the principles to be respected for the sake of universal and incorporated in the international legal instruments including the UN Charter itself in explicit manner.¹⁷⁹

Moreover, in the contemporary international human rights laws, the right to self-determination is defined as a compound of rights comprising freedom, equality, cultural and democratic rights to make people exist and develop among and between themselves with their respective distinct characteristics respected.¹⁸⁰ Further, the conception of self-determination is shifted away from colonial self-determination towards internal self-determination provided that, strong protection of political and language autonomy on a territorial or non-territorial basis is given a due attention. And governments national as well sub national are expected to respect and protect political and language autonomy of minority groups within their jurisdiction.¹⁸¹

The constitution of the Federal Democratic Republic of Ethiopia, in Articles 39(1 and 3), grants every Nation, Nationality and Peoples of the republic with the right to self-determination including secession and to establish institutions of government in the territory it inhabits by which every NNPs can enjoy this right either as it is conceptualized in external as well as internal legal frameworks. The non-territorial treatment of the right to self-determination is provided that, every NNPs have the right to equitable representation in a regional as well as the federal governments.

¹⁷⁸ Trinidad and others (n 8).

¹⁷⁹ Ed (n 9); Session and others (n 9).

¹⁸⁰ Anaya (n 107).

¹⁸¹ Pentassuglia (n 117).

Since the constitution established National Regional States for those who are considered as Nations, concerning minority nationalities and peoples, a special protection for their representation is provided under Article 54 (2 and3). As the supreme law of the republic, the constitution also requires that all the regional states to set similar protections for their respective NNPs.¹⁸² furthermore under Article 13, it is provided that all Federal as well as Regional legislative, executive and judicial organs to respect and enforce the rights of NNPs which are provided under chapter three of the federal constitution.¹⁸³ When we examine the constitutions of the NRSs in relation to the right to self-determination of NNPs, it can be concluded as follows. In the constitutions of all the regional states, the fundamental human rights and freedoms adopted by Ethiopia are provided as a principle; However, the practice shows that in some of the Regional States there is no any legal framework, and the existing mechanisms are not uniform; that of some regional states the rights of internal minorities are deprived with silence, and the right to self-determination is exclusively given to those ‘people’ to whom the regional state is belong.

Some of them also categorize the population of the region as indigenous and non-indigenous, or ‘founders’ and ‘others’ and apparently grant the right to self-determination to the indigenous or founders; the constitutions of the Harari NRs and that of the Amhara NRs are somehow different from the rest for the reason that, in the former, the name of the state is vested to the Harari minority; and the regional state is belonged to the Harari minorities and the Oromo majorities while it is silent concerning NNPs residing in the Regional State. In case of the latter, it has stepped up further than the rest NRSs, setting legal frameworks to accommodate the right to self-determination of all internal minorities, even though there are still unsolved issues of the same¹⁸⁴.

The legal and practical responses of the TNRs towards the right to self-determination of the Agew people who inhabit in the region can be summarized as follows:-

From the very beginning the constitution of the TNRs doesn’t recognize the inhabitants of the Agew people in the Regional state, and excludes them from the notion of indigenesness of the regional state while history and literatures tell us that they are indigenous to region; and it declares that, only the Tigrai, the Konama and the Irob are indigenous to the region.

¹⁸² Constitution (n 11).

¹⁸³ *ibid*; Fessha and Van Der Beken (n 150).

¹⁸⁴ Constitution (n 11); Diriba Bopessa (n 17); Fessha and Van Der Beken (n 150); Addisu (n 13); Ayele and Addisu (n 12).

So, the Agews are not recognized and hence can't ask their right to self-determination from the regional state.¹⁸⁵

As explained earlier, the right to self-determination is combination of rights and therefore, can be said exercised when other related freedoms and human rights of the requesting group of people are respected and enforced.¹⁸⁶ therefore, it is better to see the response of the TNRs towards the right to self-determination of the Agew people examining the response to related human rights and freedoms.

5.1.1. The Right to Promote and Develop Culture

The Agew people in the TNRs do not have any legal right to reflect their culture in any cultural festivals of the people of the region; because, in addition to the fact that they are not recognized as indigenous inhabitants of the regional state, practically they are prohibited from dressing with their unique cultural clothing styles, using their unique cultural marks, and singing as well as dancing in Agewigna (Himtagna) language before official festivals of the regional state.¹⁸⁷

5.1.2. The Right to Language Autonomy

According to the respondents for the study, any governmental assembly in the study area starting from the lower administrative levels such as kebeles (Tabyas), is mandatory to be held in Tigrigna language; and no participant is allowed to speak in other language including Agewgna different from Tigrigna; the workers of social sectors like health stations, courts, and so on, do not understand the language of the study area which is Agewigna (Himtagna). Therefore, the deprivation of the language rights of the Agew people in TNRs is disrespect of the related rights like access to public health, social security and related third generation rights by default.

5.1.3. The Right to Education in Mother Tongue

In relation to the right to education in mother tongue of the study area, all the respondents approve that even though the communities of the study area, as well as stake holders have tried to convince the concerned bodies of the regional state to make the children of the study

¹⁸⁵ 'The 1995 Tigray Constitution (Tigrigna Version)' (n 119); Yohannes (n 17); Tadesse Tamrat (n 93); Berhe Aregaw (n 92).

¹⁸⁶ Anaya (n 107).

¹⁸⁷ 'Interview and Group Discussion with Educated and Inhabitants' (n 97); 'Interview with Politicians' (n 132).

area to learn in their mother tongue, there is no positive response, and in contrast the intent of pushing the children towards changing their identity is observable.¹⁸⁸

5.1.4. The Right to Territorial Autonomy

According to the data gathered from the respondents of the study, and observing the online maps of the study area, the Agew people in the TNRs inhabit throughout not less than 6 weredas of the three administrative Zones of the regional state (Southern, South-Eastern and Central Tigray Zones) in a settlement pattern of territorially integrated among themselves; their settlement is also adjacent to the Wag-Himera Nationality Zone Administration of the ANRs. Therefore, they can achieve their right to territorial autonomy either within the TNRs or joining the Agew-Himra Nationality Administration of the same people. According to the respondents, the former mechanism is requested for 30 years and its possibility of achievement is near to zero; it is better for the right to territorial autonomy of the people under the study to request the other alternative.¹⁸⁹

When we compare and contrast the responses of the TNRs and that of the ANRs towards the right to self-determination of the Agew people, (since the Agew-Himra people inhabit territorially integrated among themselves and in an adjacent area of each other in both of the Regional states), it can be concluded as follows:-

The constitution of the ANRs, recognizes and provides the right to internal as well as external self-determination mechanisms for the Agew-Himra and Agew Awi ethnic groups; while that of the TNRs doesn't recognize from the very beginning the inhabitants of the Agew people in the regional state, even though they are indigenous inhabitants of the region.¹⁹⁰

The TNRs doesn't respect and grant for the Agew people the rights of culture, language, the right to territorial as well as non-territorial autonomy, while the ANRs grants and respects setting constitutional frameworks for the right to territorial autonomy of the Agews respecting to establish self-governing institutions, framing representation mechanisms in the regional council and the regional constitutional interpretation council.¹⁹¹

¹⁸⁸ 'Interview with Ashenafi Fentie' (n 131); 'Interview with Megabe Mistre Aemere Thehayu and Others' (n 111).

¹⁸⁹ 'Interview with Ashenafi Fentie' (n 131).

¹⁹⁰ Berhe Aregaw (n 92); Tadesse Tamrat (n 93); Addisu (n 13).

¹⁹¹ Hailu (n 176); *The State of Amhara Constitution (Amharic and English)* (n 13).

5.2. Recommendations

According to scholars in the contemporary international law the right to self-determination is conceptualized as a combination of rights related to freedom, equality, cultural and democratic rights to make people exist and develop among and between themselves based on their respective distinct characteristics; and it is shifted away from the notion of colonial self-determination towards internal self-determination requesting governments of sovereign state as well sub national governments strong protection of political and language autonomy on a territorial or non-territorial basis.

The current Ethiopian government system is basically an ethno-linguistic Federal system which is restructured with the aim of building the nation based on equality of all its ethnic groups notwithstanding that, some new regional states (Gambela, Benshangul Gumuze, South West Ethiopian Peoples Regional State, South Ethiopia Regional State and Central Ethiopia Regional State, which are instituted on geographical basis. The constitution of the Ethiopian Federation in an explicit manner grants to every NNPs, the right to develop its own language, promote its culture, preserve history and other related social and cultural rights to be enjoyed in both territorial and/or non-territorial framework of autonomy; it also puts a duty on the governmental organs of the Federal as well as that of the federating state to respect and enforce the rights of nations, nationalities and peoples which are provided under chapter three of the federal constitution of the country as provided under Article 9 of FDRE¹⁹².

Even though the Agew people are indigenous inhabitants to the region, the constitution of the TNRs excludes them with silence from the notion of indigenusness of the regional state merely so, they can't ask their right to self-determination from the regional state legally; And practically they do not remain silent and frequently bring their question of the right to self-determination to whom they assume are concerned to answer that, as long as the political system is ethnic federalism they have to achieve their right to self-determination, territorially integrated administration among themselves or alternatively with the Agew people in the ANRs.¹⁹³ Based on the above insights, the writer wants to forward to following recommendations:

¹⁹² Constitution (n 11); Fessha and Van Der Beken (n 150).

¹⁹³ Tadesse Tamrat (n 93); Yohannes (n 17); 'The State of the Tigray People Constitution Amendment 1998 (Tigrigna and Amharic Version)'.

It will be better that, if all the concerned bodies and stakeholders, especially the federal government, play their respective role for the respecting and enforcement of the constitutional right to self-determination in all its aspects of the Agew people in the TNRs.

The government of the TNRs, taking the historical and practical realities in to account, should take some political and legal measures of constitutional arrangements to recognize the Agew people of the study area as indigenous inhabitants of the regional state together with other indigenous peoples to whom the status is granted.

The government of the TNRs should take legal and political measures to recognize, respect and enforce the right to self-determination of the Agew people in the regional state, based on both territorial and/or non-territorial frameworks of autonomy.

The government of the TNRs shall also take positive measures to respect, the cultural, linguistic, and social rights of the Agew people in the Regional state; moreover, it can take measures that some basic human rights specifically, the right to education in mother tongue to be free from political sphere of influence.

The government of the TNRs, cooperating with all the concerned bodies and stakeholders, especially with the federal government, should take measures for the enforcement of the right to territorial autonomy of the Agew people in the region among themselves with in the regional state; or the other alternative to enable them to enjoy the same right with the territorially integrated Wag-Himra (Agew Himra) Nationality Administration of the ANRs.

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F. Interviews and Group Discussions

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Interview with Megabe Mistre Aemere Thehayu , an elite of the Orthodox church and

former resident of Shouthern Tigray Zone August 27/2024

Interview with Political Head of Wag Himra zone of Amhara Regional state, August 22/2024

7. Annexes

Annex 1, Questionnaires

በትግራይ ብሔራዊ ክልላዊ መንግሥት እና በዋግ ከምራ ሆነ ብሀረሰብ እስተዳደር ውስጥ ለሚኖሩ አገሮችና አገራዊ ተናጋሪዎች የሚሰራጭ መጠይቅ

አጠቃላይ መመሪያዎች

የተከበራችሁ መልስ ሰጪዎች እኔ በአዲስ አበባ የኒዩርሲቲ ሆግና አስተዳደር ኮሌጅ፣ በሆግ ትምህርት ቤት በፕብሊክ ዓለማዊ ሕግ የድግሪ ምረቃ መርሐ-ግብር ተማሪ ነኝ። በአሁኑ ሰዓት በሆግ ሁለተኛ ድግሪ (LL.M) መመረቂያ ጽሁፍ/ቴስትን "በትግራይ ክልል የሚኖሩ አገሮች የራሱን እድል በራስ የመወሰን መብትን ማስጠበቅ እና የራስ ገዝ አስተዳደርን የማስከበር መብት" "The right to self-determination of the Agew people in Tigray National Regional State: A quest for Securing Territorial/Non-Territorial Autonomy" በሚል ርዕስ እየሰራሁ ነው። የዚህ መጠይቅ ዓላማ ከላይ ለተጠቀሰው ርዕስ ግብዓት የሚሆን መረጃ መስጠት ነው።

ስለዚህ እንደጥያቄዎቹ ሁኔታ ዝግ ለሁኑት መልስዎን በማክበብ ወይም ከፍት ለሆኑት ዝርዝር የሆኑ ማብራሪያ በመጻፍ መልስ እንዲሰጡልኝ ስል በትህትና እጠይቃለሁ።

ለትብብረዎ ክልብ አመሰግናለሁ!

I. የመልስ ሰጪው ግላዊ መረጃ

ስም (መጻፍም አለመጻፍም ይቻላል) _____

አድራሻ:- ክልል ባጋራ ሆነ ደቡብ ወረዳ ጸጋ ቀበሌ 03
መጠይቁን ለመሙላት ፈቃደኛ ስለሆኑ በድጋሚ አመሰግናለሁ።

ጾታ:- ሀ ወንድ ለ/ ሴት

እድሜ:- ሀ/ 10-20 ለ 20-30 ሐ/ 30-40 መ/ 40 እና ከዛ በላይ

የትምህርት ደረጃ:- ሀ/ ዲፕሎማ ለ ድግሪና ከዛ በላይ ሐ/ እንደኛ ደረጃ (1-4)
መ/ መካከለኛ ደረጃ (6-8) ሀ/ ሁለተኛ ደረጃ (9-12)

ያልበት የሰራ ድርሻ/የሰራ ሃላፊነት:- ገ/ገ/ገ

II. በአስተዳደር አካላት፣ በወረዳ ምክር ቤት እና በአስተዳደር ምክር ቤት ውስጥ የአገው ሕዝቦች እውቅና መስጠትን በተመለከተ:-

በትግራይ ብሔራዊ ክልላዊ መንግሥት እና በዋግ ኸምራ ሆነ ብሀረሰብ አስተዳደር ውስጥ ለሚኖሩ አገሮችና አገውኛ ተናጋሪዎች የሚሰራጩ መጠይቅ

አጠቃላይ መመሪያዎች

የተከበራችሁ መልስ ሰጪዎች እኔ በአዲስ አበባ ዩኒቨርሲቲ ህግና አስተዳደር ኮሌጅ፣ በህግ ትምህርት ቤት በፕብሊክ ዓለማዊ ሕግ የድገሪ ምረቃ መርሐ-ግብር ተማሪ ነኝ። በአሁኑ ሰዓት በህግ ሁለተኛ ድግሪ (LL.M) መመሪያ ጽሁፍ/ቴሰሲን "በትግራይ ክልል የሚኖሩ አገሮች የራሱን እድል በራሱ የመወሰን መብትን ማስጠበቅ እና የራሱ ገዝ አስተዳደርን የማስከበር መብት" "The right to self-determination of the Agew people in Tigray National Regional State: A quest for Securing Territorial/Non-Territorial Autonomy" በሚል ርዕስ እየሰራሁ ነው። የዚህ መጠይቅ ዓላማ ከላይ ለተጠቀሰው ርዕስ ግብዓት የሚሆን መረጃ መስጠት ነው።

ስለዚህ እንደጥያቄዎቹ ሁኔታ ስለሆኑት መልስዎን በማክበብ ወይም ክፍት ለሆኑት ዝርዝር የሆነ ማብራሪያ በመጻፍ መልስ እንዲሰጡልኝ ስል በትህትና እጠይቃለሁ።

ለትብብረዎ ክልብ አመሰግናለሁ!

I. የመልስ ሰጪው ግላዊ መረጃ

ስም (መጻፍም አለመጻፍም ይቻላል) -

አድራሻ:- ክልል ጎሳቱ ሆን ዓለቱ መረዳ ጎሳ ተበል ዳቀ-አዳ
መጠይቁን ለመሙላት ፈቃደኛ ስለሆኑ በድጋሚ አመሰግናለሁ።

ጾታ:- ሀ/ ወንድ ለ/ ሴት

እድሜ:- ሀ/ 10-20 ለ/ 20-30 ለ/ 30-40 መ/ 40 እና ከዛ በላይ

የትም/ት ደረጃ:- ሀ/ ዲፕሎማ ለ/ ድግሪና ከዛ በላይ ለ/ አንደኛ ደረጃ (1-4)

መ/ መካከለኛ ደረጃ (6-8) ሀ/ ሁለተኛ ደረጃ (9-12)

ያለብት የሰራ ድርጅ/የሰራ ሃላፊነት:- ሁኔታዎች ላይ ለመሆን / ሠና-ፊ/ገ/ገ/
(C.B.H.S)

II. በአስተዳደር አካላት፣ በወረዳ ምክር ቤት እና በአስተዳደር ምክር ቤት ውስጥ የአገው ሕዝቦች እውቅና መስጠትን በተመለከተ:-

16. ለተረበው ጥያቄ መልስዎ 'አዎ' ከሆነ እባክዎ ሊፈጠሩ የሚችሉ ማናቸውን ያባራሩ።
 ገንባሪዎችን ለውሳኔ ለማድረግ ለሌሎች ለማድረግ ለሌሎች ለማድረግ
 ለሌሎች ለማድረግ ለሌሎች ለማድረግ

17. የወረዳው ፍ/ቤት ችግሩን አስተርጓሚ በመምደብ ለመፍታት ሞክሯል?
 ሀ/ አዎ ለ/ አይ

18. ከላይ ለተረበው ጥያቄ መልስዎ 'አይ' ከሆነ የቋንቋ ችግራቸውን በአስተርጓሚ ሰው ያልተፈታበት ምክንያት ምን ይመስለዎታል?
 የተለያዩ ስራዎች ላይ ለማሰባሰብ ስራዎች ላይ ለማሰባሰብ
 ስራዎች ላይ ለማሰባሰብ ስራዎች ላይ ለማሰባሰብ

IIII. የአገው ሕፃናት በእርሱ መፍቻ ቋንቋቸው የመግር መብት ጉዳዮችን በተመለከተ

19. የመጀመሪያ ደረጃ ትምህርትዎን በእርሱ መፍቻ ቋንቋ ተምረዋል?
 ሀ/ አዎ ለ/ አይ

20. ከላይ ላለው ጥያቄ መልስዎ 'አይ' ከሆነ በሌላ ቋንቋ (ከእርሱ መፍቻ ቋንቋ ውጭ) መግር በትምህርት አፈጻጸም ስራ ላይ ምን ዓይነት ተጽዕኖዎች ሊኖር ይችላሉ?
 የተለያዩ ስራዎች ላይ ለማሰባሰብ ስራዎች ላይ ለማሰባሰብ
 ስራዎች ላይ ለማሰባሰብ ስራዎች ላይ ለማሰባሰብ

21. ትምህርትን በእርሱ መፍቻ ቋንቋ የመግር መብትዎ እንዲከበርልዎ በየትኛውም የክልል አስተዳደር እርከን ውስጥ ቅሬታ እቅርበው ያውቃሉ? ሀ/ አዎ ለ/ አይ

22. መልስዎ 'አዎ' ከሆነ የሚመለከተው የመንግስት ተቋም የሰጠው መልስ ምን ነበር?

ቆይታ ለማድረግ ለማድረግ ለማድረግ ለማድረግ
 ለማድረግ ለማድረግ ለማድረግ ለማድረግ
 ለማድረግ ለማድረግ ለማድረግ ለማድረግ

23. ችግሮቹን ለመፍታት ሁነኛ መፍትሔዎቹ ምን ምን ሊሆኑ ይችላሉ?

ለውሳኔ ለማድረግ ለማድረግ ለማድረግ ለማድረግ
 ለማድረግ ለማድረግ ለማድረግ ለማድረግ
 ለማድረግ ለማድረግ ለማድረግ ለማድረግ

Annex 2

Population of Tigray Region (Urban-Rural Residence, Sex, and Ethnic Group): Census 2007

Ethnic Group	URBAN + RURAL		Urban		Rural				
	Both	Male	Female	Both	Male	Female	Both	Male	Female
CENTRAL TIGRAY ZONE									
All Groups	1245825	613798	632027	176453	81844	94609	1069372	531954	537418
Affar	1780	882	898	55	27	28	1725	855	870
Agew-Awi	106	49	57	62	30	32	44	19	25
Agew Hamyra	283	128	155	59	27	32	224	101	123
Alaba	23	12	11	18	11	7	5	1	4
Amhara	2084	1037	1047	1332	629	703	752	408	344
Anyiwak	6	5	1	1	1	-	5	4	1
Argoba	15	11	4	10	9	1	5	2	3
Ari	749	364	385	80	39	41	669	325	344
Arborie	452	440	12	-	-	-	452	440	12
Bacha	25	10	15	1	1	-	24	9	15
Basketo	1	1	-	1	1	-	-	-	-
Bench	14	8	6	8	5	3	6	3	3
Berta	8	4	4	6	2	4	2	2	-
Bodi	3	1	2	1	1	-	2	-	2
Brayle	2	2	-	1	1	-	1	1	-
Burji	3	2	1	3	2	1	-	-	-
Bena	6	3	3	5	3	2	1	-	1
Chara	7	5	2	2	2	-	5	3	2
Dasenech	1	-	1	-	-	-	1	-	1
Dawuro	28	9	19	8	3	5	20	6	14
Debase/Gewad	1	-	1	1	-	1	-	-	-
Derashe	7	5	2	3	2	1	4	3	1
Dime	-	-	-	-	-	-	-	-	-

Dizi	-	-	-	-	-	-	-	-	-	-
Donga	-	-	-	-	-	-	-	-	-	-
Fedashe	5	2	3	3	1	2	2	1	1	1
Gamo	6	4	2	3	2	1	3	2	2	1
Gebato	22	11	11	4	3	1	18	8	8	10
Gedeo	1	-	1	1	-	1	-	-	-	-
Gedicho	-	-	-	-	-	-	-	-	-	-
Gidole	2	-	2	2	-	2	-	-	-	-
Goffa	-	-	-	-	-	-	-	-	-	-
Gumuz	4	1	3	3	-	3	1	1	1	-
Guragie	34	23	11	18	12	6	16	11	11	5
Guagu	5	4	1	-	-	-	5	4	4	1
Hadiya	29	23	6	10	10	-	19	13	13	6
Hareri	8	4	4	5	3	2	3	1	1	2
Hamer	19	8	11	9	5	4	10	3	3	7
Irob	221	110	111	21	9	12	200	101	101	99
Kefficho	3	2	1	3	2	1	-	-	-	-
Kembata	10	9	1	3	3	-	7	6	6	1
Konta	-	-	-	-	-	-	-	-	-	-
Komo	-	-	-	-	-	-	-	-	-	-
Konso	2	1	1	-	-	-	2	1	1	1
Kore	18	9	9	14	9	5	4	-	-	4
Koyego	-	-	-	-	-	-	-	-	-	-
Kunama	22	13	9	7	5	2	15	8	8	7
Karo	3	2	1	3	2	1	-	-	-	-
Kusumie	-	-	-	-	-	-	-	-	-	-
Malie	12	12	-	5	5	-	7	7	7	-
Mao	-	-	-	-	-	-	-	-	-	-
Mareko	3	2	1	2	1	1	1	1	1	1
Mashola	-	-	-	-	-	-	-	-	-	-

		URBAN + RURAL			Urban			Rural		
	Both			Both			Both			
Ethnic Group	Sexes	Male	Female	Sexes	Male	Female	Sexes	Male	Female	
SOUTHERN TIGRAY ZONE										
All Groups	1006504	497280	509224	125787	59328	66459	880717	437952		442765
Affar	6414	3829	2585	141	80	61	6273	3749		2524
Agew-Awi	526	233	293	135	63	72	391	170		221
Agew Hamyra	7367	3651	3716	437	209	228	6930	3442		3488
Alaba	50	33	17	25	19	6	25	14		11
Amhara	27131	13385	13746	11620	5487	6133	15511	7898		7613
Anyiwak	14	9	5	5	4	1	9	5		4
Argoba	10	7	3	3	3		7	4		3
Ari	802	384	418	110	60	50	692	324		368
Arborie	3	3					3	3		

acha	8	1	7	1		1	7	1		6
Basketo	-	-	-	-	-	-	-	-	-	
Bench	9	6	3	8	5	3	1	1		
Berta	4	1	3	2		2	2	1		1
Bodi	18	9	9	15	7	8	3	2		1
Brayle	15	7	8	15	7	8				
Burji	5	4	1	5	4	1				
Bena	-	-	-	-	-	-	-	-	-	
Chara	4	2	2	3	2	1	1			1
Dasenech	53	35	18	34	22	12	19	13		6
Dawuro	25	12	13	5	1	4	20	11		9
Debase/Gewad	3	3		2	2		1	1		
Derashe	2	1	1				2	1		1
Dime	-	-	-	-	-	-	-	-	-	

Dizi	5	2	3	-	-	-	5	2	3
Donga	7	5	2	5	4	1	2	1	1
Fedashe	3	2	1	1	-	1	2	2	-
Gamo	1	1	-	1	1	-	-	-	-
Gebato	27	12	15	7	3	4	20	9	11
Gedeo	-	-	-	-	-	-	-	-	-
Gedicho	2	1	1	-	-	-	2	1	1
Gidole	-	-	-	-	-	-	-	-	-
Goffa	-	-	-	-	-	-	-	-	-
Gumuz	-	-	-	-	-	-	-	-	-
Guragie	17	11	6	14	9	5	3	2	1
Guagu	-	-	-	-	-	-	-	-	-
Hadiya	11	6	5	1	1	-	10	5	5
Hareri	7	3	4	3	-	3	4	3	1
Hamer	9	5	4	2	-	2	7	5	2
Irob	4	4	-	1	1	-	3	3	-
Kefficho	-	-	-	-	-	-	-	-	-
Kembata	1	-	1	-	-	-	1	-	1
Konta	-	-	-	-	-	-	-	-	-
Komo	-	-	-	-	-	-	-	-	-
Konso	-	-	-	-	-	-	-	-	-
Kore	11	8	3	5	5	-	6	3	3
Koyego	-	-	-	-	-	-	-	-	-
Kunama	48	22	26	10	6	4	38	16	22
Karo	-	-	-	-	-	-	-	-	-
Kusumie	-	-	-	-	-	-	-	-	-
Malie	2	1	1	2	1	1	-	-	-
Mao	-	-	-	-	-	-	-	-	-
Mareko	4	3	1	2	1	1	2	2	-
Mashola	-	-	-	-	-	-	-	-	-
Mere	4	2	2	-	-	-	4	2	2
Me'enite	1	1	-	-	-	-	1	1	-
Messengo	6	2	4	6	2	4	-	-	-
Mejenger	41	20	21	3	2	1	38	18	20
Mossiye	1	1	-	1	1	-	-	-	-
Mursi	-	-	-	-	-	-	-	-	-
Murle	-	-	-	-	-	-	-	-	-

Nao	-	-	-	-	-	-	-	-	-
Nuwer	3	2	1	-	-	-	3	2	1
Nyangatom	3	2	1	-	-	-	3	2	1
Oromo	3690	1862	1828	42	24	18	3648	1838	1810
Oida	2	-	2	-	-	-	2	-	2
Qebena	-	-	-	-	-	-	-	-	-
Qechem	43	17	26	4	2	2	39	15	24
Qewama	-	-	-	-	-	-	-	-	-
Shekecho	-	-	-	-	-	-	-	-	-
Sheko	-	-	-	-	-	-	-	-	-
Shinasha	-	-	-	-	-	-	-	-	-
Sidama	1	1	-	1	1	-	-	-	-

Silte	-	-	-	-	-	-	-	-	-
Somalie	9	5	4	4	2	2	5	3	2
Surma	7	3	4	6	2	4	1	1	-
She	-	-	-	-	-	-	-	-	-
Tigrie	959789	473509	486280	113053	53257	59796	846736	420252	426484
Timebaro	59	34	25	8	4	4	51	30	21
Tsemay	29	17	12	2	1	1	27	16	11
Upo	2	-	2	-	-	-	2	-	2
Welaita	12	6	6	8	5	3	4	1	3
Werji	19	10	9	2	1	1	17	9	8
Yem	11	5	6	1	-	1	10	5	5
Zeyese	8	5	3	-	-	-	8	5	3
Zelmam	41	24	17	6	3	3	35	21	14
Other									
Ethiopian Natio	1	-	1	1	-	1	-	-	-
From different									
Parents	24	12	12	7	5	2	17	7	10
Eritrean	3	3	-	3	3	-	-	-	-
Djiboutian	-	-	-	-	-	-	-	-	-
Somalian	-	-	-	-	-	-	-	-	-
Kenyan	-	-	-	-	-	-	-	-	-
Sudanese	5	4	1	3	2	1	2	2	-
Other Foreigne	68	32	36	6	4	2	62	28	34

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Mere	1-		1	1-		1-			
Me'enite	-	-	-	-	-	-	-	-	-
Messengo	6	4	2	6	4	2-			
Mejenger	65	26	39	10	4	6	55	22	33
Mossiye	-	-	-	-	-	-	-	-	-
Mursi	-	-	-	-	-	-	-	-	-
Murle	-	-	-	-	-	-	-	-	-
Nao	1-		1	1-		1-			
Nuwer	2	1	1-				2	1	1
Nyangatom	-	-	-	-	-	-	-	-	-
Oromo	213	128	85	80	42	38	133	86	47
Oida	-	-	-	-	-	-	-	-	-
Qebena	-	-	-	-	-	-	-	-	-
Qechem	52	24	28	9	4	5	43	20	23
Qewama	-	-	-	-	-	-	-	-	-
Shekecho	2	2-					2	2-	
Sheko	-	-	-	-	-	-	-	-	-
Shinasha	2	2-					2	2-	
Sidama	6	4	2	1	1-		5	3	2
Silte	-	-	-	-	-	-	-	-	-
Somalie	874	436	438	39	17	22	835	419	416
Surma	2	1	1-				2	1	1
She	3	1	2	2	1	1	1-		1
Tigrie	1237922	609488	628434	174439	80856	93583	1063483	528632	534851
Timebaro	76	35	41	10	4	6	66	31	35
Tsemay	23	10	13	7	4	3	16	6	10
Upo	6	6-					6	6-	
Welaita	13	9	4	4	3	1	9	6	3
Werji	39	19	20	6	4	2	33	15	18
Yem	11	7	4	1	1-		10	6	4
Zeyese	2	2-		1	1-		1	1-	
Zelmam	59	29	30	9	7	2	50	22	28
Other									
Ethiopian Natio	3	2	1	2	1	1	1	1-	
From different									
Parents	-	-	-	-	-	-	-	-	-
Eritrean	20	13	7	16	11	5	4	2	2
Djiboutian	-	-	-	-	-	-	-	-	-

Somalian	2-	2	1-	1	1-	1
Kenyan	9	5	4	1-	1	8
Sudanese	308	295	13	5	3	2
Other Foreigne	70	31	39	29	8	21

Population by Urban-Rural Residence, Sex, and Ethnic Group: 2007									

	URBAN + RURAL			Urban			Rural		
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	Both		Both		Both		Both		
Ethnic Group	Sexes	Male	Female	Sexes	Male	Female	Sexes	Male	Female

EASTERN TIGRAY ZONE									
All Groups	755344	359638	395706	146064	66321	79743	609280	293317	315963
Affar	3458	1680	1778	480	242	238	2978	1438	1540
Agew-Awi	26	9	17	5	1	4	21	8	13
Agew Hamyra	158	63	95	57	20	37	101	43	58
Alaba	46	28	18	32	20	12	14	8	6
Amhara	1747	639	1108	1159	427	732	588	212	376
Anyiwak	5	2	3	4	2	2	1-		1
Argoba	9	2	7	9	2	7-			
Ari	372	162	210	99	39	60	273	123	150
Arborie	2	1	1	2	1	1-			
Bacha	7	3	4	1	1-		6	2	4
Basketo	3-		3	1-		1	2-		2
Bench	12	3	9	7	3	4	5-		5
Berta	8	3	5	3-		3	5	3	2
Bodi	11	6	5	9	6	3	2-		2
Brayle	58	28	30	5	2	3	53	26	27
Burji	12	6	6	11	5	6	1	1-	
Bena	4	1	3	2	1	1	2-		2
Chara	10	7	3	2	2-		8	5	3
Dasenech	2	1	1	2	1	1-			
Dawuro	10	5	5	2-		2	8	5	3
Debase/Gewad	-	-	-	-	-	-	-	-	-
Derashe	8	3	5	5	1	4	3	2	1
Dime	1-		1	-	-	-	1-		1
Dizi	1-		1	-	-	-	1-		1
Donga	2	1	1	-	-	-	2	1	1

Fedashe	5-	5	3-	3	2-			2
Gamo	5	2	3	3-	3	2	2	-
Gebato	2	2-	1	1-	1	1		-

Gedeo	5	2	3	5	2	3-	-	-
Gedicho	-	-	-	-	-	-	-	-
Gidole	-	-	-	-	-	-	-	-
Goffa	-	-	-	-	-	-	-	-
Gumuz	-	-	-	-	-	-	-	-
Guragie	19	6	13	14	5	9	5	1
Guagu	1-		1	1-		1-		
Hadiya	3	2	1	2	1	1	1	1-
Hareri	1-		1-				1-	
Hamer	25	10	15	15	4	11	10	6
Irob	28527	13949	14578	3307	1574	1733	25220	12375
Kefficho	9	6	3	8	6	2	1-	
Kembata	5	2	3	5	2	3-		
Konta	2-		2	1-		1	1-	
Komo	3	3-					3	3-
Konso	-	-	-	-	-	-	-	-
Kore	17	3	14	3	1	2	14	2
Koyego	-	-	-	-	-	-	-	-
Kunama	22	10	12	1	1-		21	9
Karo	4	3	1-				4	3
Kusumie	-	-	-	-	-	-	-	-
Malie	1	1-		1	1-			
Mao	-	-	-	-	-	-	-	-
Mareko	3	3-		3	3-			
Mashola	5	2	3	3	1	2	2	1
Mere	-	-	-	-	-	-	-	-
Me'enite	-	-	-	-	-	-	-	-
Messengo	8	4	4	7	3	4	1	1-
Mejenger	27	11	16	9	5	4	18	6
Mossiye	-	-	-	-	-	-	-	-
Mursi	1	1-		1	1-			
Murle	2	2-					2	2-
Nao	1-		1	1-		1-		
Nuwer	1-		1-				1-	
Nyangatom	-	-	-	-	-	-	-	-
Oromo	175	83	92	157	77	80	18	6

Oida	-	-	-	-	-	-	-	-	-
Qebena	1	1	-	1	1	-	-	-	-
Qechem	27	12	15	6	4	2	21	8	13
Qewama	-	-	-	-	-	-	-	-	-
Shekecho	-	-	-	-	-	-	-	-	-
Sheko	2	1	1	2	1	1	-	-	-
Shinasha	1	1	-	1	1	-	-	-	-
Sidama	4	2	2	3	1	2	1	1	-
Silte	-	-	-	-	-	-	-	-	-
Somalie	18	9	9	14	8	6	4	1	3
Surma	3	1	2	2	1	1	1	-	1
She	-	-	-	-	-	-	-	-	-
Tigrie	720001	342661	377340	140384	63743	76641	579617	278918	300699
Timebaro	80	44	36	28	12	16	52	32	20
Tsemay	9	3	6	4	2	2	5	1	4
Upo	7	2	5	2	1	1	5	1	4
Welaita	27	13	14	26	13	13	1	-	1
Werji	10	3	7	3	-	3	7	3	4
Yem	5	2	3	3	1	2	2	1	1
Zeyese	3	-	3	-	-	-	3	-	3
Zelmam	47	17	30	19	7	12	28	10	18
Other									
Ethiopian Natio	54	30	24	17	12	5	37	18	19
From different									
Parents	21	11	10	16	10	6	5	1	4
Eritrean	99	23	76	54	19	35	45	4	41
Djiboutian	1	-	1	-	-	-	1	-	1
Somalian	2	-	2	-	-	2	-	-	-
Kenyan	-	-	-	-	-	-	-	-	-
Sudanese	17	10	7	17	10	7	-	-	-
Other Foreigne	54	32	22	12	10	2	42	22	20

