

**The Constitution**  
**OF**  
**The Federal State of Tigray**

**12 Sene 1987 E.C**

**19 June 1995**

**Mekelle**

## **PREAMBLE**

The people of Tigray are one of the peoples and nationalities of Ethiopia who suffered a lot under the yoke of the feudal system which prevailed through out Ethiopia. In the period between 1975 and 1991 protracted armed struggle of the people of Tigray together with their oppressed Ethiopian brothers had been the most impressive feature of the Tigrean people. In the course of this struggle for peace and democracy, the region made about 60 thousand live sacrifice and large material destruction.

After such along and bloody war, our people have proved the abolishment of the undemocratic government and formed a Transitional Government. Thus, strongly committed in full and free exercise of their right to self-determination, to building a political community founded on the rule of law and capable of ensuring a lasting peace, guaranteeing a democratic order, the people of Tigray are on track record of advancing their economic and social development.

The Constitution of the Federal Democratic Republic of Ethiopia incorporates all fundamental rights of peoples and nationalities to live together on the basis of equality and without any religious or cultural discrimination. This is indeed a major break through in the history of our people.

The peoples of Tigray has an unconditional right to self-determination, including the right to secession. In order to achieve this, it has the right to speak, to write and to develop its own language: to express and to promote its culture and to preserve its history. Especially in the affairs of justice and administration the people have unlimited regional and national right to contribute to the development endeavor. The constitution is thus a stepping ground for further developmental change and mass participation of the entire people. It shall also ensure the fundamental human and political rights of the people in their own state without any religious and cultural discrimination.

The people of Tigray are thus convinced that to live as one economic community it is necessary to create sustainable and mutually supportive conditions for ensuring respect for their rights and freedoms. They are also determined to consolidate, as a lasting legacy, the peace, and the prospect of a democratic order which their struggles and sacrifices have brought about.

Therefore, all the elected representative of the people and member of the council of national state of Tigray have ratified this consstitution on 19 June 1995.

## **Constitution of the National Regional State of Tigray**

### **CHAPTER ONE**

#### **GENERAL PROVISIONS**

##### **Article 1**

##### **Nomenclature of the State**

This constitution establishes a democratic federal national state of Tigray. Reflecting this structure, the state to be formed shall be known as the Federal National State of Tigray.

##### **Article 2**

##### **Territorial jurisdiction and boundary of the Regional State of Tigray.**

The Federal Democratic State of Tigray is established as per the Constitution of the Federal Democratic Republic of Ethiopia. Thus, it is bounded by Eritrea in the north, Afar region [region 2] in the East, Amhara region [region 3] in the South and South West and Sudan in the West.

##### **Article 3**

##### **Flag of the National State of Tigray**

The National Democratic State of Tigray shall have its own flag with its coat of arms. Detail specifications shall be determined by law.

#### **Article 4**

##### **The National Anthem**

The National State of Tigray shall have its own National Anthem. Details shall be determined by law.

#### **Article 5**

##### **Language**

Tigreigna shall be the working language of the National State of Tigray.

#### **Article 6**

##### **Capital City**

Mekelle shall be the capital city of the Government of the National Democratic State of Tigray.

#### **Article 7**

##### **Gender Reference**

Where the provisions of this constitution are set out in the masculine gender they apply equally to the feminine gender.

### **Chapter Two**

#### **FUNDAMENTAL PRINCIPLES OF THE CONSTITUTION**

#### **Article 8**

##### **Sovereignty of the people**

1. The people of Tigray have supreme authority of the National State of Tigray.
2. Their sovereignty is expressed through their elected representatives and through direct democratic participation.

## **Article 9**

### **Supremacy of the constitution**

In recognition of the constitution of the Federal Democratic Republic of Ethiopia:

1. The constitution is the supreme law of the National State of Tigray. Any law, customary practice, an act of an agency of government or official that contravenes the constitution is invalid.
2. Any citizen of the national state of Tigray, governmental bodies, political parties and other associations and their officials are bound by this constitution. They also have the duty to ensure its observance.
3. No one can assume or exercise the powers of government except in accordance with the provisions of this constitution.

## **Article 10**

### **Human and Democratic Rights**

1. Human rights and freedoms are inviolable and inalienable. They are inherent in the dignity of human beings.
2. Human and democratic rights of citizens and peoples shall be respected.

## **Article 11**

### **Separation of State and Religion**

1. State and religion are separated.
2. There shall be no state religion.
3. Government shall not interfere in the conduct or practice of any religion. Religion shall not interfere in the affairs of government.

## **Article 12**

### **Conduct and Accountability of Government**

1. The conduct of the affairs of government shall be public and transparent.
2. Any public official or an elected representative is accountable for any dereliction of the duties of office.

3. An elected representative may be recalled if the electorate loses confidence in him.

## **CHAPTER THREE**

### **FUNDAMENTAL RIGHTS AND FREEDOMS**

#### **Article 13**

##### **Application and Interpretation**

1. All legislative, executive and judicial organs of the state at all levels of government shall have a responsibility and enforce the provisions in this chapter.
2. The fundamental rights and liberties contained in this chapter shall be interpreted in conformity with the Universal Declaration of Human Rights. International human rights conventions and with the principles of other relevant international instruments which Ethiopia accepted or ratified.

#### **Part One**

##### **Rights of self determination up to Secession**

#### **Article 14**

Every nation, nationality of Kunama have an unconditional right to self-determination, including the right to secession. In accordance with this the people of the national state of Tigray:

1. Have inviolable and inalienable right to safeguard its national identity, foster, use its language and promote its culture.
2. In its domain and territory to administer and govern it self and represent fairly and equally in affairs of the central government.
3. Has the right to full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in regional and national governments.
4. Whenever rights stated in this article no (1-3) are violated, it has an unconditional right to self-determination, including the right to secession.

5. The exercise of self-determination, including secession of the national state of Tigray is governed by the following procedures:
- (a) When a demand for secession has been approved by a two-thirds majority of the members of legislative council.
  - (b) When the Federal Government has organized a referendum which must take place within three years from the time it received the concerned council's decision for secession;
  - (c) When the demand for secession is supported by a majority vote in the referendum;
  - (d) When the Federal Government will have transferred to the council of the national state of Tigray;
  - (e) When the division of assets is effected on the basis of a law enacted for that purpose.
6. A 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, and who predominantly inhabit an identifiable, contiguous territory.

## **Part Two**

### **HUMAN RIGHTS**

#### **Article 15**

##### **Right to Life, Liberty and the Security of the Person**

Every one has the inviolable and inalienable right to life, liberty and the security of the person.

#### **Article 16**

##### **Right to Life**

No person shall be deprived of his or her life except for grave crimes defined by law.

#### **Article 17**

##### **Right to the Security of the Person**

All persons have the right to protection from bodily harm.

## **Article 18**

1. No one can be deprived of his or her liberty except in accordance with procedures established by law.
2. No person may be subject to arbitrary arrest and no person may be detained without trial or conviction.

## **Article 19**

### **Right to Human Treatment**

1. No person shall be subject to torture of cruel, inhuman or degrading treatment or punishment.
2. No one shall be held in slavery or servitude. Trafficking in human beings for whatever purpose is prohibited.
3. No one shall be required to perform forced or compulsory labour.
4. For the purpose of this article (sub article 3) the term "forced or compulsory labour" shall not include:
  - (a) Any work to be done in the ordinary course of detention imposed according to the law or during conditional release from such detention.
  - (b) Any service of a military character, or in the case of conscientious objectors, service exacted in lieu of compulsory military service.
  - (c) Wherever there is any problem jeopardizing the security of the society or state of emergency.
  - (d) For any economic or social development works undertaken for the goodwill of the surrounding community.

## **Article 20**

### **Rights of Persons Arrested**

1. All persons arrested have the right to be informed promptly in a language that they understand, the charges and the reasons for their arrest.



2. All persons arrested have the right to be informed promptly in a language that they understand, that they have the right to remain silent and to be notified that any statement they give may be used against them in court.
3. All persons arrested have the right to appear before a court of law and to be given a full explanation of the reasons for their arrest within 48 hours of their arrest excluding the time reasonably necessary for the journey from the place of arrest to the court.
4. All persons have the right to petition the court for a writ of habeas corpus, a right no court can deny, where the arresting officer or agency fails to bring them before a court of law and provide the reasons for their arrest; the court may, where the interest of justice requires, order the arrested person to remain in custody no longer than the time strictly required in order to carry out the necessary investigation aimed at establishing the facts. In determining the time necessary for investigation, the court shall take into account whether the responsible authorities are carrying out the investigation with deliberate speed in order to guarantee the arrested person's right to a speedy trial.
5. All persons shall not be compelled to make confessions or admissions which could be used in evidence against them. Statements obtained under coercion shall not be admitted as evidence.
6. All persons arrested have the right to be released on bail. The court may, in exceptional cases as prescribed by law, deny bail or demand adequate guarantee for the conditional release of the arrested person.

## **Article 21**

### **Rights of Persons Accused**

1. All persons have the right to a public trial before an ordinary court of law within a reasonable time after having been charged. The court may hear cases in a closed session in order to protect the rights to privacy of the parties concerned, public morals and national security.
2. All persons have the right to be informed with sufficient particularity of the charge and be given the charge in writing.
3. All persons have the right to be presumed innocent and not to be compelled to testify during their trials.

4. All persons have the right to full access to any evidence presented against them as well as to examine witnesses testifying against them; to adduce evidence in their own defense; and to obtain the attendance of other witnesses on their behalves before the court.
5. All persons have the right to be represented by a legal counsel of their choice, or in the case of indigent defendants, where substantial injustice would otherwise result, to be provided with legal representation at state expense.
6. All persons have the right to recourse, by way of appeal or review, to the competent higher courts.
7. All persons have the right, where they can not understand the language of the court, to have the proceedings interpreted at state expense.

## **Article 22**

### **The Rights of Persons Detained**

1. All persons in custody, including sentenced prisoners, have the right to conditions which respect human dignity.
2. All persons shall have the opportunity to communicate with and to be visited by, their spouses or partners, relatives and friends, religious counselors, lawyers and medical practitioners.

## **Article 23**

### **Prohibition of Retroactive Criminal Law**

1. No person shall be held guilty of any penal offense on account of an act which, at the time of commission or omission leading to the charge, was not defined by law as an offense. Nor shall a penalty be imposed on any person which is greater than the maximum penalty which was applicable for that offense at the time it was committed.
2. Notwithstanding the provisions of sub- Article 1 of this Article, a law promulgated subsequent to the commission of the offense shall apply if it favors the accused.

## **Article 24**

### **Prohibition of Double Jeopardy**

No person shall be tried or punished twice for an offense in which he has been finally convicted or acquitted in accordance with criminal law and procedure.

## **Article 25**

### **Right to Honor and Reputation**

1. All persons have a right to respect due to human beings and to the protection of their reputation and honor.
2. All persons have the right to the free development of their personality compatible with the rights of other citizens.
3. Every one has the right every where to the recognition of his status as a person.

## **Article 26**

### **Right to equality of Citizens**

All persons are equal before the law and are entitled without any discrimination to the equal protection of law. The law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, color, sex, language, religious, political or other opinion, national or social origin, wealth, birth or other status.

## **Article 27**

### **Right to privacy**

1. All persons have a right to privacy. This right shall include the right not to be subjected to searches of their homes, persons or property, or the seizure of their personal possessions.
2. All persons have the right to the inviolability of their letters, post and communications by means of telephone, telecommunications and electronic devices.
3. Public officials shall respect and protect these rights. They shall not interfere with the exercise of these rights except in compelling circumstances and in accordance

with specific laws which aim to safeguard national security, public safety, the presentation of crime, the protection of health, morals and the rights and freedom of others.

## **Article 28**

### **Right to Freedom of Religion, Belief and opinion.**

1. Every one has the right to freedom of thought, conscience and religion. This right shall include the freedom to hold or to adopt a religion or belief of his choice, and the freedom, either individually or in fellowship with others, in public and private, to religious worship, observance and teaching.
2. Consistent with Article 93 sub-Article 2, believers may organize institutions of religious education and administration in order to propagate and establish their faith.
3. Any person is not be forced to limit or change his belief
4. Parents and guardians, on the basis of their beliefs, have the right to provide religious and moral education to their children.
5. Freedom to express or manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, education, morals or the fundamental rights and freedom of others, and in order to guarantee the independence of government from religion.

## **Article 29**

### **Crimes Against Humanity**

There shall be no period of limitations on persons charged with crimes against humanity as provided by international conventions ratified by Ethiopia and other laws of Ethiopia. The legislature or any other organ of state shall have no power to pardon or give amnesty with regard to such offenses in human punishment, forcible disappearances, summary executions, acts of genocide. Crimes against humanity shall not be subject to amnesty or pardon by any act of government. Consistent with the legislative body or any government authority, amnesty or pardon is not given.

## **Part Three**

### **Democratic Rights**

#### **Article 30**

##### **Rights of Thought, Opinion and Expression.**

1. Every one has the right to hold opinions without interference.
2. Every one has the right to freedom of expression without any interference. This right shall include freedom to speak, receive and impart information and ideas, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his/her choice.
3. Freedom of the press and other media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:
  - (a) Prohibition of any form of censorship
  - (b) Access to information of public interest.
4. In the interest of the free flow of information, ideas and opinions which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its autonomy and diversity.
5. All media financed by, or under the control of the state, shall be regulated in order to ensure diversity in the expression of opinion.
6. These rights can be limited only through laws which are guided by the principle that freedom of expression and information can not be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect youth, and the honor and reputation of individuals. war propaganda as well as the public expression of opinion intended to injure human dignity shall be forbidden by law.
7. Any person in violation of legal limitations on the exercise of these rights is accountable under the law.

#### **Article 31**

### **The Right of Assembly, Demonstration and petition.**

1. Every person has the right to assemble and to democratic demonstration together with others peaceably and unarmed, and to petition. Reasonable procedures may be prescribed in the interest of public convenience relating to the location of open-air meetings and the route of movement of demonstrators or, when such a meeting or a demonstration is in progress, for the protection of public morality and peace, and democratic rights.
2. This right does not exempt liability under laws which shall be enacted in order to protect the well-being of youth, the honor and reputation of individuals, and under laws prohibiting war propaganda and the public expression of opinions intended to injure human dignity.

### **Article 32**

#### **Freedom of Association**

Every person has the right to freedom of association for any cause or purpose. Associations which undertake acts that lawlessly subvert the rule of law and constitutional rule are prohibited.

### **Article 33**

#### **Freedom of Movement**

1. Every citizen of this region has legally the right to freedom of movement anywhere within the national territory; to choose freely his place of residence anywhere in the national territory, and to leave the country whenever he deemed it necessary.

### **Article 34**

#### **Right of nationality of other regions.**

1. Any Ethiopian citizens of other regions have an inviolable and an alienable right to live, work and make property in this region, sale and inherit their properties.
2. Any citizen of other regions who speak the working language of the region has the right to engage in any public and government works.

## **Article 35**

### **Marital, Personal and Family Rights.**

1. Men and women, who have attained marriageable age as declined by law have the right to marry and to found a family without any limitation, race, nationality or religion. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Laws shall be enacted to protect the interests and rights of children at the time of divorce.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental unit of society and is entitled to protection by society and the state.
4. Laws and specific procedures may be enacted recognizing the validity of marriage concluded under systems of religious or cultural laws.
5. The constitution shall not preclude the adjudication of personal or family disputes by religious or cultural laws if all parties to the dispute agree. The law shall specify the procedures..

## **Article 36**

### **Rights of Women**

1. Women have the right to equality with men in the enjoyment and protection of rights provided for by this constitution.
2. Women are entitled to equality with men in marriage as prescribed by this constitution.
3. In recognition of the history of inequality and discrimination suffered by women in Ethiopia, women are entitled to remedial and affirmative measures. The purpose of such measures shall be to enable women to compete and participate on the basis of equality with men in political, economic, and social life, and to gain access to opportunities and positions in public and private institutions.
4. Women have the right to protection by the state from harmful customs. Laws, customs and practices that oppress women or cause bodily or mental harm to them are prohibited.

5. (a) Women have the right to maturity leave with full pay. The duration of maturity leave shall be determined by law taking into account the nature of the work, the health of the mother and the welfare of the child and the family. (b) Maternity leave may be in accordance with procedures prescribed by law, include prenatal leave with full pay.
6. Women have the right to participate in the formation of national development policies, the execution of projects, and full consultation in the preparation of projects, particularly, those affecting the interests of women.
7. Women have the right to acquire, administer, control, transfer and benefit from property. In particular they have equal rights with men with respect to access, use, administration and transfer of land. They shall also enjoy equal treatment in the inheritance of property.
8. Women shall have a right to equality in complement, promotion, pay and the entitlement of bequeath pensions.
9. To prevent harm arising from bearing or giving birth to a child and in order to safeguard their health, women have the right to information and to means that would enable them to plan their families.

### **Article 37**

#### **Rights of Children**

1. Every child has the right:
  - (a) To life
  - (b) To a name and nationality
  - (c) To know, and be cared for, by his or her parents or legal guardians
  - (d) Not to be subject to exploitative labor practices, neither to be required nor permitted to perform work which is hazardous or harmful to his or her education, health or well-being.
  - (e) To be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of children.
2. In all actions concerning children undertaken by public and private institutions of social welfare, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interests of the child.



3. Juvenile offenders, juveniles admitted to corrective or rehabilitative institutions, juveniles who become wards of the state, or juveniles in public or private orphanages, shall kept separately from adults.
4. Children born out of wedlock shall have the same status and rights as children born of wedlock.
5. The state shall accord special protection to orphans and shall encourage the establishment of special institutions to promote their adoption. It shall also support institutions that provide for their welfare, upbringing and education.

### **Article 38**

#### **Right of Access to Justice**

1. Every person has the right to bring to justifiable dispute to, and to obtain a decision or judgment by, a court of law or, where appropriate, by another body with judicial power.
2. The decision or judgment referred to under sub-Article 1 of this Article may also be sought by:
  - (a) An association acting in the interest of its members.
  - (b) A person who is a member or a representative of a group of persons with shared interests.

### **Article 39**

#### **The Right to Vote and to be Elected.**

1. Every citizen has the right and the opportunity, without any discrimination based on race, color, sex, language, religion, political or other opinion:
  - (a) To take part in the conduct of public affairs directly or through freely chosen representatives.
  - (b) To vote and to be elected to any office at all levels of government. Elections shall be by universal suffrage and secret ballot in order to ensure the free expression of the will of the electorate.
  - (c) Any Ethiopian citizen who has reached the age of eighteen shall have the legal right to vote.
2. Participation in political parties, labor unions, trade organizations, employer and

professional associations shall be free and accessible to those who meet the general and special requirements of the organization.

3. Elections to positions of responsibility within the organizations referred to under sub-Article 2 of this Article shall be conducted in accordance with free and democratic procedures.
4. Provisions referred to under sub-Article 2 and 3 shall be applicable to mass organizations.

## **Article 40**

### **The Right to Property**

1. Every Ethiopian citizen has the right to the ownership of private property. This right shall include the right to acquire, to use and to dispose of such property by means of sale or bequest or by other means of transfer subject to limitations prescribed by law in the public interest and in a manner compatible with the rights of other citizens.
2. Private property for the purpose of this Article shall mean any tangible or intangible product produced by the labor, creativity, enterprise of capital of an individual citizen, or association of citizens, which enjoy juridical personality under the law, or, in appropriate circumstances, by communities specifically empowered by the law to own property in common.
3. The right to ownership of rural and urban land, as well as of all natural resources in exclusively vested in the state and in the peoples of Ethiopia. Land is a common property of the nations, nationalities and peoples of Ethiopia and shall not be subject to sale or to other means of transfer.
4. Farmers of this national state who wants to earn at living by farming have rights, which shall not be alienated, to obtain, without payment, the use of land. The implementation of this provision shall be specified by law.
5. Pastoralists of this national state have a right to free land for grazing and cultivation as well as a right not to be displaced from their own lands.
6. Without prejudice to the right of nations, nationalities, and peoples to own land, government may grant use of land to private investors on the basis of payment arrangements established by law.

7. Every Ethiopian shall have the full right to the immovable property he builds on the land and to the improvements he brings about on the land by his labor or capital. This right shall include the right to alienate, to bequeath, and where right of use expires, to remove his property, transfer his title, or claim right his title, or claim compensation for it. Particulars shall be determined by law.
8. Government has the power to expropriate, in the public interest, private property. In all such cases, government shall pay compensation in advance commensurate to the value of the expropriated property.

#### **Article 41**

##### **Economic, Social and Cultural Rights.**

1. Every resident of the regional state and any Ethiopian wishing to live in this region has the right to engage freely in economic activity and to pursue a livelihood any where in the regional state territory.
2. Any resident of the regional state has the right to choose his or her means of livelihood, occupation and profession.
3. Every resident of the regional state has the right to equal access to publicly funded social services.
4. The state has the obligation to allocate increasing resources to provide public health, education and other social services.
5. The state shall allocate, within available means, resources to provide rehabilitation and assistance to the physically and mentally disabled, the aged, and to children who are left without parents or guardians.
6. The state shall pursue policies which aim to expand job opportunities for the un employed and indigent and shall accordingly undertake programs and public works projects.
7. The state shall under take all measures necessary to increase opportunities for citizens to find gainful employment.
8. Farmers and pastoralists have the right to receive fair prices for their products that would lead to improvement in their conditions of life and to enable them to obtain an equitable share of the national wealth commensurate with their contribution. This objective shall guide the state in the formulation of policies of economic and social development and projects.

9. The state has the responsibility to protect and preserve historical and cultural legacies, and to contribute to the promotion of the arts and sports.

## **Article 42**

### **Rights of Labor**

1. **(a)** Factory and service workers, peasant farmers, farm laborers, other rural workers and government employees under a certain level of responsibility, have the right to form associations to protect and improve their conditions and economic well-being. This right includes the right to form trade unions and other associations to bargain collectively with employers or other organizations that affect their interests.  
**(b)** Categories of persons referred to in paragraph (a) of this-sub Article have the right to express grievances. This right includes the right to strike.  
**(c)** Government employees who enjoy the rights provided under (a) and (b) of this sub-Article should be determined by law.  
**(d)** Women workers have the right to equal pay for comparable work.
2. Labor has the right to reasonable limitation of working hours, to rest, to leisure, to periodic holidays with pay, to remuneration for public holidays as well as to a healthy and safe work environment.
3. Without derogating from the rights recognized under sub-Article (1) of this Article, laws shall be enacted to establish procedures for the formation of such associations and unions and for the regulation of the bargaining process.

## **Article 43**

### **The Right to Development**

1. Residents of the regional state as a whole have the right to improved living standards and to sustainable development.
2. All persons have the right to participate in regional development and, in particular, to be consulted in respect to policies and projects affecting their community.
3. The aim of development policies and programs shall be to enhance the capacity of citizens for development and to meet their basic needs.

## **Article 44**

### **Environmental Rights**

1. All persons have the right to live in a clean and healthy environment.
2. All persons who have been displaced or whose livelihood have been adversely affected as a result of state programs have the right to commensurate monetary or alternative means of compensation, including relocation with adequate state assistance.

## **CHAPTER FOUR**

### **STARE STRUCTURE OF THE REGIONAL STATE**

## **Article 45**

### **Form of Government**

1. The federal state of Tigray though structured into Zonal, Woreda and Tabia, the council of the federal state of this region shall be entitled to restructure other administrative organizations and limit their powers.
2. Each nationality in the federal state of Tigray shall have delegation to administer themselves on the basis of Woreda or any other administrative structure.

## **Article 46**

### **Structure of the Organs of State**

1. The Federal state council shall have legislative, executive and judicial powers. The council is responsible to the people of the state.
2. The state legislative council is the highest organ of state authority. It is responsible to the state council.
3. The judicial power is vested in its courts.

## **Article 47**

### **State Powers and Functions**

1. All powers not given separately to the Federal Government, or powers not given expressly and concurrently to the Federal State are reserved to the regional state of Tigray.
2. Consistent with this, the federal state of Tigray shall have the following powers:
  - (a) It shall formulate economic and social policies and development strategies; it shall also draw up and implement plans of strategies of development.
  - (b) Shall enact and draft constitution and other Laws of the federal regional state.
  - (c) Consistent with the constitution of the federal government it shall administer land and other natural resources.
  - (d) State government shall be established on the basis of state and other jurisdiction that they find necessary. It shall also defend the regional and federal constitution.
  - (e) Shall levy and collect taxes and duties on revenue sources allocated to the state and to draw up and administer state budgets.
  - (g) Shall enact laws on administrative matters and on conditions of services of state employees. In the implementation of this responsibility it shall ensure that educational, training and experience requirements for any administrative position approximate national standards.
  - (h) Establish and administer a state police and to maintain public order and peace within the state.
  - (i) In accordance with law it makes amnesty.
  - (j) Shall levy and collect taxes on state employee and institutions within its jurisdiction.
  - (k) Shall determine and collect Land tax .
  - (l) Shall also determine and collect agricultural tax.
  - (m) Shall, likewise, determine tax on private enterprises and levy tax on houses and other assets under the administration of the state.
  - (n) It shall also determine and collect trade tax and sale tax in institutions under its jurisdiction.
  - (o) The regional state shall:
    - i. Jointly share all incomes collected from jointly established institutions, profit tax, income tax and sale tax.
    - ii. It shall have legal share incomes from shareholders, and sale tax.

- iii. It shall have the power to share income tax and fees from petroleum extraction and mineral services.
- (p) In accordance to the licenses and services granted by the regional administration, it shall determine and collected fees.
- (q) It shall determine and collect royalty fees on plant and trees.
- (r) In accordance to the power vested on it by the constitution of the Federal Democratic Republic of Ethiopia, it shall introduce state of emergence in times of social and natural calamities.
- (s) To enact and execute legislations and policies, it shall formulate laws and provisions for their implementation.

## **CHAPTER FIVE**

### **THE COUNCIL OF THE FEDERAL STATE OF TIGRAY**

#### **Article 48**

##### **Members of the State Council**

1. Members of the state council shall be elected for term of five years on the basis of Universal suffrage and by direct, Free and fair elections.
2. Members shall be elected from candidates in each electoral district by a plurality of the votes cast. Provisions shall be determined by law.
3. Members of the council are representatives of the federal state people as a whole .  
They are governed by:
  - (a) The constitution
  - (b) The will of the people : and
  - (c) Their conscience.
4. A member of the council shall not be charged with an offense on account of the vote he casts or opinion he expresses in the council, nor shall any administrative actions be taken against a member on such grounds.
5. A member of the council shall not be arrested or charged with a crime without the permission of the council unless he is apprehended in flagrant delict.
6. A council member may lose his mandate of representation upon loss of confidence by the electorate.

## **Article 49**

### **Powers and Functions of the council of the Federal State**

1. The council of the Federal state shall have the power of legislation in all matters assigned by the constitution of the Federal Democratic Republic of Ethiopia.
2. Consistent with the provision of the Federal Democratic Republic of Ethiopia's constitution, the Council of the Federal State is the Supreme body of political power.
3. Consistent with the provision of sub-Article (1) and (2) of this Article, the Federal council shall have the following mandates.
  - (a) Shall enact provisions and specific laws without contradicting constitution of the Federal Democratic Republic of Ethiopia.
  - (b) Cognizant population pressure, territory of the Federal State and Socio-economic activities, it shall establish additional administrative structures or self-administrative.
  - (c) Consistent with the power of the Federal State Republic, it shall reinforce and approve agreement with neighboring regional state.
  - (d) With the consent of council it shall elect, president, vice president and secretary of the state.
  - (e) It shall establish regional, Zonal and Woreda judge.
  - (f) It shall establish the office of audit and Inspection
  - (g) It shall formulate laws and provisions to maintain and protect the security and peace of the state.
  - (h) It shall approve economic and social programs of the state.
  - (i) It shall formulate laws on revenue sources granted to the Federal State. It shall also approve its own budget.
  - (j) It shall establish necessary Bureaus, commissions and other institutions necessary for the day-to day bureaucratic activities.
  - (k) The National Democratic State of Tigray
    - i. Shall have President, Vice President and Supreme court and
    - ii. General auditor
  - (l) It shall formulate and execute source of income, and incomes under the regional state council.



- (m) It shall formulate provisions on labor and conditions of work.
- (n) consistent with sub-Article 2.17 of article 47, It shall approve state of emergence.
- (o) The council shall enact provisions to implement the constitution and other decrees.

## **Articles 50**

### **Meetings of the Council and the Duration of Sessions**

1. The presence of more than half of the members of the council constitutes a quorum.
2. The council annual meeting shall be at least twice.
3. Council members shall be elected for a term of five years. One month prior to the expiry of the council's term, elections shall be concluded for a new council.
4. The president of the council is also obliged to call a meeting of the council at the request of one-half or more of the members.
5. Meetings of the council shall be open to the public. However, the council can hold a closed meeting if executive or members of the council request a closed meeting and if such a request is approved by one-half or more of the members of the council.

## **Article 51**

### **Decisions of the Council and Rules of Procedure.**

1. Unless otherwise provided for in the constitution, all decisions of the council shall be by a majority vote of the members present and voting.
2. The council shall adopt and procedures regarding the organization of its work and of its legislative process.

## **CHAPTER SIX**

## **Article 52**

## **The Executive**

### **The Power of the Executive**

1. The highest executive powers of the Federal state of Tigray are vested in the Executive and the president.
2. The Executive committee and the president are responsible to the council of the state. Members of the council of the executive committee are collectively responsible for all decisions they make as a body.
3. Unless otherwise provided in this constitution the term of office of the president is for the duration of the mandate of the council state of the region.

## **Article 53**

### **The Executive Committee**

1. The members of the Executive committee include the president, deputy president, secretary and other Federal officials whose membership has been determined by law.
2. The President is responsible to preside Executive committee.
3. In all its decisions, the executive committee is responsible to the council of the Federal State.

## **Article 54**

### **Powers and Functions of the Executive Committee**

**Consistent with Constitution of the Federal Democratic Republic of Ethiopia, the Executive Committee shall have the following powers and tasks:**

1. It shall ensure the implementation of laws and decisions adopted by the Federal government.
2. It shall decide on the organizational structure of government authorities. It shall coordinate their activities and provide leadership.
3. It shall draw up the annual regional budget and, when approved by the council, it shall implement it.
4. It shall ensure proper execution of financial and social policies of the state, and follows its proper regulation.
5. It shall regulate peace, Law and order.
6. It shall formulate provisions and strategies.
7. It shall perform duties and responsibilities vested on it by the council of the national state.

8. It shall receive reports of concerned Bureaus, commission and agencies responsible to it.
9. In accordance with sub-Article 3.10 of Article 49 of this constitution, it shall lead and control commissions and other higher agencies. Particulars shall be defined by law.

## **Article 55**

### **Nomination and Appointment of the President.**

The council of the national state shall nominate the president from among its members.

## **Article 56**

### **Powers and Functions of the President.**

1. The president of the national state is the Head and chairman of the council and is responsible to the Executive council of the national state.
2. He shall lead the Executive committee, coordinate and represent the council of the national state.
3. He shall lead and ensure implementations of policies, directives, Legislations and provisions adopted by the Executive committee.
4. He shall appoint president and vice - president of High court and General auditor of the state and approve their nominees in the council of the state.
5. He appoints Heads of Economic, social and administrative bureau heads and other titles as referred to in sub-Article 4 of this Article.
6. He leads the implementation and supervision of laws and security organs of the region and coordinates their activities.
7. He shall coordinate, provide leadership and control the various organizational structures of the regional administration.
8. He shall grant pardons in accordance with procedures established by law.

## **Article 57**

### **Deputy President**

1. The Deputy President shall:
  - (a) Carry out responsibilities which shall be specifically entrusted to him by the Executive Council.
  - (b) Act on behalf of the president in his absence.
2. The Deputy president shall be responsible to the president and the council of the Executive Committee.

## **Article 58**

### **Secretary**

The Secretary of the national state is member of the Executive council and hence:

1. Shall organize the efficiency of the administration
2. Shall properly keep administrative documents.
3. Shall ensure the proper record of minutes of the administration and Executive council.
4. Shall coordinate administrative efficiency and provide leadership.
5. Shall carry out responsibilities which shall specifically entrusted to him by the executive council.
6. Shall be responsible to the president and the executive council.

## **CHAPTER SEVEN**

### **Article 59**

#### **STRUCTURE AND POWERS OF THE COURTS**

##### **Independence of the Judiciary**

1. An independent judiciary is hereby established
2. Supreme Federal judicial authority is vested in the Federal Supreme Court or any legal entity legally delegated and established. Special judiciary and first - instance courts shall not be established other than legally prescribed above.

### **Article 60**

#### **Cultural and Religious Courts.**

Religious and customary courts that had government recognition and functioned prior to the ratification of the constitution have legal personality. Details and particulars shall be defined by law.

## **Article 61**

### **Judicial Powers**

1. Judicial powers of the regional state of Tigray is vested in the courts.
2. Courts of any level shall be free from interference or influence of any governmental body, official of government, or from any other source.
3. Judges shall exercise their functions in full independence and they shall be directed solely by the law.
4. No judge shall be removed from his duties before he reaches the legally mandated retirement age except under the following conditions:
  - (a) When the Judicial Administration Commission decides to remove him for violation of disciplinary rules or grounds of gross incompetence or inefficiency; or
  - (b) When the Judicial Administration Commission decides that a judge can no longer carry out his responsibilities on account of illness; and
  - (c) When the regional state council approve by a majority vote the decision of the Judicial Administration Commission.
5. The retirement age of judges may not be extended beyond the legally mandated retirement age.
6. The supreme court of the regional state shall draw up and submit to the state council for approval the administrative budget of the regional courts. It shall implement the budget upon approval.

## **Article 62**

### **Powers Structures and Jurisdiction of Courts.**

1. The federal supreme court shall be organized at regional, Zonal and Woreda level courts.
2. Below the Woreda court there shall be Tabia or kebele level legal social court. Particulars shall be defined by law.

3. The supreme High court shall have the following powers:
  - (a) It shall have the authority to review and correct final decisions in cassation;
  - (b) Power of the state supreme court and
  - (c) Any court decisions in pursuance of federal first instance jurisdiction are  
appeable to the Federal Supreme State Courts.
4. The State High Court of this region, in addition to state jurisdiction, exercise federal - instance court jurisdiction
5. State High Court decisions in pursuance of Federal - first instance jurisdiction are  
appeable to state supreme courts.
6. State supreme court decisions on Federal matters are appealable to the Federal  
supreme court.
7. Courts of the regional state shall claim for any financial expenses they made to a  
delegated federal court for compensation by their president(s).

### **Article 63**

#### **Appointment of Judges**

1. The president of the national state of Tigray shall through its council, appoint the  
chief and the vice - chief presidents of the regional state supreme court.
2. Judges of supreme court and High court shall be appointed by the council on the  
basis of selections of nominations by the Judicial Administration Commission.
3. State Councils shall also appoint state supreme and High court judges on the basis  
of nominations submitted to them by state commissions of judicial administration.  
The state commissions, before submitting nominations to their state councils, shall  
have the responsibility to the Federal Judicial Administrative Commission on the  
nominees and to forward these views together with their recommendations. If the  
Federal Judicial Administrative Commission does not present its views within  
three months, the state council shall appoint (approve) the nominees.
4. The federal national state of Tigray shall appoint first - instance judges up on the  
submission of nominees by the Judicial Administrative Commission.
5. The appropriate commissions of Judicial administration shall decide on the  
discipline and the transfer of all judges.

### **Article 64**

### **Members of the Commission of Judicial Administration.**

1. Upon the nomination of the president of the supreme High court and more than half-members of the council's vote, the following members of the Commissions of Judicial administration shall be nominated:
  - (a) One judge of the High court
  - (b) Two judges of Zonal central courts
  - (c) One representative of the attorney associations'
  - (d) Three members representing various social organs
  - (e) General prosecutor of the national state.
  - (f) Three Woreda judges.
2. President of the supreme High court shall chair the commission.

### **Article 65**

#### **Structure of the Council of Constitutional Inquiry**

1. The constitution hereby establishes the council of constitutional Inquiry
2. The council of constitutional Inquiry shall have eleven members. The membership comprises:
  - (a) The president of the Federal supreme court who shall serve as its president.
  - (b) The vice -president of Federal supreme court who shall serve as its vice-president.
  - (c) Six legal experts who shall be appointed by of the national state council upon nomination by the president of the national state.
  - (d) Three members delegated by the council of the national state.
1. If it finds a reason for constitutional interpretation it shall decide the case and submit a decision to stipulate necessary structure to ensure efficient expedition and execution of power.

### **Article 66**

#### **Constitutional Interpretation.**

1. All constitutional disputes shall be forwarded to the Commission of Judicial Administration in the first instance.
2. The council of Constitutional Inquiry shall submit and get approval any amendment and interpretation of the constitution.
3. The Council of Constitutional Inquiry shall submit reports to the national state council and it shall present decision procedures.

## **Article 67**

### **Powers and Functions of the Council of Constitutional Inquiry.**

1. The council of constitutional Inquiry, shall have judicial powers. Up on the interpretation made and when its decisions are confirmed. It shall be submitted to the national state council.
2. The council of Constitutional Inquiry, after examining claims submitted to it by a court or a party to a dispute relating to the contravention of this constitution by federal laws or state laws, shall submit its findings to the Federal council for a final decision.
3. Upon questions rised by supreme courts on the interpretation of the constitution:
  - (a) If it finds no reason for constitutional interpretation, it shall return the case to a legal court; up on decisions of the council of constitutional Inquiry it shall be appealable to the council of the national state council.
  - (b) If it finds a reason for constitutional interpretation it shall decide the case and submit its decision to national state council for final determination.

## **CHAPTER EIGHT**

## **Article 68**

### **Power, Structure and Function of Zones**

1. Zone is an administrative entity below region comprising certain Woredas.
2. Zonal administration shall not have its own council.
3. The Zonal administration shall be responsible to the Council of the national State of Tigray.
4. Members of the Zonal administration shall be elected from the council of the national state of Tigray.



5. Members of the Zonal administration council shall be selected by the executive council of the national state and shall get approval.
6. Chairman, vice chairman and secretary of Zonal administration shall also be approved and appointed by the national state council.
7. The council of the national state shall decide the number of Zones, boundaries and size of council members.

## **Article 69**

### **Powers and Functions of the Executive Council of Zone.**

1. The Zonal executive council shall have the power of legislation in all matters pertaining to the Zone.
2. Members of the Zonal executive council shall individually or jointly lead, coordinate or control Zonal government institutions.
3. The Zonal executive council shall be responsible to the council of the national state of Tigray.
4. The Zonal executive council shall lead, coordinate and control Woredas under its administrative jurisdiction.
5. It shall study general social and economic developmental strategies and shall enact upon its approval by the council of the national state of Tigray.
6. It shall submit its budget and upon approval by the council of the national state it shall implement.
7. It shall safeguard and preserve historical heritages and natural resource of the Zone.
8. It shall submit general reports of the Zonal activities to the council of the national state.
9. It shall ensure proper implementation of proclamations, policies and provisions enacted by the council state administration.

## **Article 70**

### **Powers and Functions of the Zonal Administration Council Chairman.**

1. Chairman of the Executive council of the Zonal administration shall lead of the Zonal administration.
2. The head of the zone shall have contact with the Executive Council of the national state.
3. Shall coordinate activities of the zonal Executive council.
4. Shall call meetings of the executive council, lead and coordinate its activities.
5. He shall coordinate and supervise government institutions in the zone.
6. Shall coordinate police and security organs to established peace and order.
7. He shall submit to the national council periodic reports on work accomplished by the Executive as well as on its plans and proposals.
8. He shall accomplish other responsibilities entrusted to him by the council of the national state.

#### **Article 71**

##### **Powers and Functions of the Deputy Zonal Chairman**

1. Act on behalf of the Zonal chairman in his absence.
2. Carryout responsibilities which shall be specifically entrusted to him by the chairman

#### **Article 72**

##### **Powers and Functions of the Zonal Secretary.**

1. Shall coordinate and lead zonal administration office.
2. Shall carry out responsibilities which shall be specifically delegated by the chairman.

## **CHAPTER NINE**

### **Structure and Powers of Woreda Administration.**

#### **Article 73**

### **Structures of Woreda Administration.**

1. Shall have council comprising representatives from Kebeles and Tabias.
2. Shall have committee of Executive council nominated from among the members.
3. Shall have council of judges established in accordance with this constitution.
4. Shall have prosecutor's of woreda administration.
5. Shall have office of woreda police force.
6. Shall have economic and social affairs office.

### **Article 74**

#### **General powers and Functions of Woreda Administration.**

1. It shall formulate and implement economic and social policies and strategies.  
Shall also have full authority to regulate laws and justice in the Woreda.
2. It shall formulate and execute policies, strategies and plans for their economic and social development.

### **Article 75**

#### **Elections of Woreda Council Members.**

1. Members of the Council of Woreda shall be elected by the Kebele and Tabia population. They shall also be responsible for the people whom they elected and there by to the council of the national state of Tigray.

### **Article 76**

#### **Powers and Functions of Woreda Council.**

1. It shall administer all elementary schools found in the woreda.
2. It shall administer middle medical centers.
3. It shall construct and maintain small rural roads.
4. It shall protect and administer basic agriculture and natural resources.
5. It shall collect and decide the Woreda land tax, agricultural production tax service.
6. It shall approve plans on social services, economic development polices and plans of the Woreda.

7. It shall aware and organize the people for development activities.
8. It shall elect chairman, deputy chairman, secretary and council members of the Woreda.
9. It shall formulate its own internal rules and provisions.
10. It shall utilize source of income outside which is collected and administer by the regional state. It shall also prepare and approve its own budget.
11. It shall formulate policies for the maintenance and sustenance of peace and security.

#### **Article 77**

##### **Meetings of the Woreda Council and the Duration of its sessions.**

1. The presence of more than half of the members of the council constitutes a quorum.
2. The Woreda council shall meet every three months.
3. Council members shall serve for two years. Prior to the expiry of the council's term, elections shall be concluded for a new council.

#### **Article 78**

##### **Powers and Functions of the Woreda Executive Council.**

1. Members of the woreda executive council shall be elected from among the woreda council members.
2. The executive council shall be member of the woreda judiciary council of judges .
3. The woreda executive council shall be responsible to the woreda administration council and zonal executive council.
4. Members of the woreda executive council shall individually or jointly lead woreda administration offices.
5. It shall follow the implementation of laws, polices and laws of the national state.
6. It shall protect, develop and promote natural resources.
7. Shall ensure peace and security of the woreda and shall lead and coordinate the woreda police force.
8. It shall safeguard the woreda heritage and artifacts.

9. It shall discharge responsibilities which shall be entrusted to it by the woreda council.
10. It shall submit social, economic and administrative development plans to the woreda council.

#### **Article 79**

##### **Powers and Functions Chairman of the Woreda Executive Council.**

The chairman of the woreda executive council shall be responsible to the woreda administration council and higher members of the woreda administration. Thus:

1. Shall act as chairman of woreda administration.
2. Shall chair meetings of woreda council and the executive council.
3. Shall ensure the proper execution of rules, policies and plans of the woreda council and the national state at large.
4. Shall submit to the executive council and the woreda administration council periodic reports on work accomplished by the executive.
5. Shall coordinate and control activities of the various governmental agents and institutions.
6. Shall control the proper and overall supervision over the implementation of social services, economic policies and directives.
7. Shall carryout responsibilities which shall be entrusted to him by the woreda council.

#### **Article 80**

##### **Powers and Functions of Woreda Deputy Chairman.**

1. Act on behalf of the chairman in his absence.
2. Carry out responsibilities which shall be entrusted to him by the chairman and executive council.

#### **Article 81**

##### **Powers and Functions of the Woreda Council Secretary.**

Woreda council Secretary as member of the woreda executive council shall:

1. Organize the woreda council office.
2. Properly handle documents of the council.
3. Ensure the proper handling of council minutes.
4. Be responsible for the proper and overall supervision of the affairs of the office.
5. Carry out other responsibilities entrusted to him by the executive council.

## **CHAPTER TEN**

### **Kebele or Tabia Administration.**

#### **Article 83**

##### **Organization.**

1. Kebele, Tabia shall have baito authorities, Executive Council, Socio-economic as well security entities of social courts.
2. Baito members, Kebele or Tabia authorities shall be formed by direct election and shall be responsible to the people elected them and the woreda executive council.

#### **Article 84**

##### **Powers and Functions of Baito, Kebele or Tabia.**

1. Shall implement plans and strategies formulated by the executive committee of the woreda council.
2. Without violating policies and plans formulated by higher councils and committees of the executive council, it shall propose and implement local sirts (Laws).
3. It shall elect leader of the Tabia or Kebele administration and shall also elect a chairman and deputy chairman among itself.
4. It shall formulate detail strategies and plans to fully and properly implement social, economic and administrative plans formulated by higher authorities.
5. It shall aware and organize the kebele or Tabia people for development activity.
6. It shall decide job descriptions of the executive council and other committees.

#### **Article 85**

##### **Meetings of the Tabia Council and the Duration of its Sessions.**

1. The presence of more than half of the members of the council constitutes a quorum.
2. The council's session shall be every month.
3. The council members shall be elected for a term of two years. One month prior to the expiry of the council's term, elections shall be concluded for a new council.

## **Article 86**

### **Powers and Functions of Kebele or Tabia Executive Council.**

1. For the Kebele or Tabia Executive council is not permanent, it shall make periodic meetings to supervise the implementation of its plans and strategies.
2. Kebele and tabia executive members and its chairman shall be elected from among baito members.
3. Executive council of the Kebele or tabia shall be responsible for the implementation of rules and regulations by higher authorities.
4. Kebele or baito executive council shall be responsible to tabia council and woreda councils.
5. Kebele or tabia executive council members shall individually or jointly lead kebele activities.
6. Kebele or tabia executive council shall be responsible for the proper implementations of development plans it formulated.
7. It shall supervise the proper implementations of economic plans and social services within the kebele or tabia administration.
8. It shall follow up the proper and full implementation of conservation activities, environmental protection of resources.
9. It shall protect cultural and historical heritages in the tabia and shall report to higher authorities about their possible utilization.
10. It shall be responsible to maintain peace and security in the tabia or kebele.

## **Article 87**

### **Powers and Functions of Kebele or tabia chairman.**

1. He shall be responsible to the kebele or tabia executive committee and the woreda executive committee.

2. He shall be representative and leaders of the kebele administration.
3. He shall lead meetings of tabia or kebele executive and baitos.
4. He shall ensure the full implementations of plans, policies provisions and rules forward by higher authorities.
5. He shall submit work reports to tabia or kebele executive council and to the woreda executive council.
6. He shall ensure the implementations of other responsibilities given to him by kebele and woreda executive committees.

#### **Article 88**

##### **Powers and Functions of Kebele or Tabia Deputy Chairman.**

1. Act on behalf of the chairman in his absence.
2. Carry out responsibilities which shall be specifically entrusted to him by the chairman and the council of the executive committee.

#### **Article 89**

##### **Powers and Functions of Tabia or Kebele Social Courts.**

1. Is part of the Kebele or Tabia's social court entities.
2. It shall be elected by kebele or tabia baito.
3. Its services shall be the same with kebele or tabia baito.

## **CHAPTER ELEVEN**

### **Regional Policy Directives.**

#### **Article 90**



1. Public authorities shall be guided by the directive principles and objectives contained in this chapter in the implementation of this constitution, other laws and public policies.
2. The term "government" in this chapter shall mean, according to the context the national state of Tigray.

## **Article 91**

### **Political Objectives**

1. Guided by democratic principles, government shall promote and support people's self rule at all levels.
2. Government shall respect the identity and the equality of nations, nationalities, and peoples. Accordingly governments shall have the duty to strengthen ties of equality, unity and fraternity among them.

## **Article 92**

### **Economic Objectives.**

1. Government shall have the duty to formulate policy so that all peoples of the region shall benefit without discrimination from the country's legacy of natural and intellectual resources.
2. Government shall have the duty to ensure that all residents of this region, without discrimination, shall have equal opportunity to improve their economic conditions and to benefit from the equal distribution of wealth.
3. Government shall provide special assistance to peoples and nationalities least advantaged in economic and social development.
4. Government shall take measures to provide protection against natural and man made disasters; and, in the event of disasters, it shall provide timely assistance to the victims.
5. Government shall have the duty to hold, on behalf of the peoples of Ethiopia, land and other natural resources in order to deploy them for their common good and development.

6. Government shall promote, at all levels, the participation of peoples in the formation of national development policies and program. Government shall have the duty to support the initiatives of peoples in their development.
7. Government shall have the duty to mobilize the intellectual, material, labor and financial resources for a rapid economic development of the region. It shall also ensure the full participation of people in designing plans, strategies and policies.
8. Government shall ensure the participation of women on an equal basis with men in all programs and projects of social and economic development.
9. Government shall endeavor to protect and promote the health, welfare and living standards of the working population of the country.

### **Article 93**

#### **Social Objectives.**

1. To the extent the country's people's resources permit, policies shall aim to provide all peoples of this region access to public health and education, clean water, housing, food and social security.
2. Education, public and private, shall be provided in a manner that is free from any political partisanship, religious influence or cultural prejudice.

### **Article 94**

#### **Cultural Objectives.**

1. Government shall have the duty, to the extent its resources permit, to safeguard natural resources and historical heritages.
2. Government shall have the duty, to the extent its resources permit, to support the development of the arts, science and technology.
3. Government shall have the duty to promote, the basis of equality, respect of fundamental democratic rights and human dignity, to preserve and to enrich cultures and traditions that are compatible with democratic norms and the provisions of this constitution.

## **Article 95**

### **Environmental Objectives.**

1. Government shall have the duty to ensure that all peoples of this region live in a clean and a healthy environment.
2. The design and implementation of programs and objectives of development shall not damage or destroy the environment.
3. People have the right to full consultation and to the expression of views in the planning and implementation of environmental policies and projects that affect them directly.
4. Government and citizens shall have the duty to protect the environment.

## **CHAPTER TWELVE**

### **Special Provisions**

## **Article 96**

### **Emergency Proclamation.**

1. After an emergency proclamation adopted by the executive council, it shall be in effect by the regional state council within a duration of 10-15 days.
2. Upon an emergency proclamation and if there is a reasonable background to eliminate the cause, it shall be possible to limit political and human rights of people. However, under any circumstance the decree shall never violate constitutional rights prescribed in article 19, 26 and 14.
3. Upon a decree of emergency proclamation by the executive council, it shall at the same time establish an Emergency Board that oversees the implementation of the emergency proclamation. The Board shall comprise of seven persons, who shall be chosen by the council from among its members and from legal experts.

## **Article 97**

### **Powers and responsibilities of the investigation board.**

1. To ensure that no inhumane measures shall be taken while the state of emergency is in effect.
2. To recommend to the president or to the council of the state corrective measures if it finds any case of inhumane treatment.
3. To submit its views to the council of the state at the time the council considers the extension of the period of the state of emergency.

#### **Article 98**

##### **Auditor General of the Regional state.**

1. On the nomination of the president the council of state shall appoint the Auditor General.
2. The Auditor General shall submit a report to the regional state council containing his audits of the accounts of the various Government agencies as well as his evaluation of the expenditures of the state budget in accordance with the approved allocations.
3. The Auditor General shall draw up and submit for approval to the state council his annual budget.
4. The specific functions of the Auditor General shall be established by law.

#### **Article 99**

##### **Constitutional Amendment.**

Any constitutional amendment shall be initiated and shall be submitted to the procedures provided above when supported by a two-third vote in the council.

#### **Article 100**

##### **Final Legitimacy of Copy**

The Tigreña copy of this Constitution shall have a legal recognition.