



## Ogaden Peoples Rights Organization (OPRO)

### Oral intervention by OPRO

#### Human Rights Council - Forum on Minority Issues

#### Eighth session 24 – 25 November 2015

#### Agenda No. 5 Addressing the root causes of discrimination in the administration of justice.

**Mr. Joachim Rücker, Madam Flavia Pansieri, Madam Rita Izsák Mr Joshua Castellino,**  
Distinguished Expert, and Delegates

The remarkable progress in legislation on the rights of minorities worldwide at international, regional, and national levels is commendable. However, some states are becoming more adept at adopting Human Rights legislations while devising ways to circumvent them. Further, the request from international, regional, and non-state actors for oversight and accountability are increasingly being obstructed by the invocation of sovereignty and other protective measures.

Take the case of Ethiopia and the Ogaden. The Ethiopian constitution and national laws mirrors international legal instruments and in theory recognise the full self-determination of all nations, including a regional administration and local judiciary system. Nevertheless, the Human Rights of the Somali people is gravely violated by the Ethiopian government in Ogaden. Arbitrary detentions, rape, extra-judicial killings, torture and child abuse, trade, aid blockade is committed with impunity both by the federal and local structures. Free local and international media is banned. Thus, the legal system is not of much value to the people since it is not protecting the minority. Ethiopia always administers the Ogaden through the Agamen principle of exception- operation outside the law.

Ladies and Gentlemen:

These barriers hamper access to the legal system:

1. Vested interests in operating outside the rule of law, while having liberal legislation.
2. Lack of understanding of the long term benefits of respecting Human rights
3. Lack of capacity of victims to access national and international mechanisms
4. Conflict arising from lack of representation or resource utilization
5. Limited enforcement mechanism that can challenge states that deny treaty bodies to discharge their duties such as UN rapporteurs, the ICRC and ILO.
6. Impossibility of victims to access legal remedy when a state authorizes its security agencies

to operate outside the law.

7. Nomination of loyal individuals without knowledge or professionalism in the judiciary system or giving untrained militia the power of policing.

#### Suggestions for improvement

1. Prioritising implementation by investing in independent verification mechanism and enforcement legislations.
2. Empowering minorities through financial support and training
3. Addressing conflict situations and supporting peace processes. For example, the ignored conflict in Ogaden is preventing any meaningful progress in the rights of people)
4. Targeting spoilers and specific individuals that commit violations with impunity.
5. Disseminating the socio-economic value of respecting the rights of minorities to all stakeholders.
6. Strengthening the UN human rights system, especially rapporteurs.
7. Providing avenues for informal dialogue between states and minority advocates

Thanks

Abdirahman Mahdi

Chairperson

Ogaden Peoples Right's Organisation