

United Nations Human Rights Council: 13th Session
Item 6: Universal Periodic Review Report on Ethiopia
Oral Intervention
Cairo Institute for Human Rights Studies (CIHRS)
19th March, 2010

Read by Mr. Hassan Shire Sheikh

Mr President,

On behalf of the Cairo Institute for Human Rights Studies and the East and Horn of Africa Human Rights Defenders Network we would like to start off by commending the engagement by the Ethiopian government with the Human Rights Council during the UPR process.

Engagement with the international human rights system is important to the achievement of international human rights standards at the national level; nevertheless, crucial to this process are the existence of an independent civil society on the ground and the work of human rights defenders.

The Ethiopian government is at present failing to protect, promote and fulfil the rights of human rights defenders and to create an enabling environment for independent civil society in Ethiopia.

In fact, since the contested elections of 2005, the authorities have used a range of measures, from intimidation, to arbitrary detention and trials, to the implementation of restrictive legislation, to limit the rights of defenders.

To be noted is the impact on defenders, both activists and journalists, of the passing of two laws by the Ethiopian parliament in 2009.

The first, the Proclamation on Charities and Societies is by far the most restrictive of such laws in the region. It is already having a significant impact on the ground: organisations choosing to register as Ethiopian charities in order to be able to continue their human rights work have had to significantly scale down both in terms of staff and scope of their activities and have had their bank accounts frozen.

The need to significantly amend or repeal the law is already evident.

The second piece of legislation of utmost concern is the Anti-Terrorism Proclamation that contains a very broad definition of what constitutes encouragement of terrorism and terrorist acts, notably including writing and editing on terrorist acts, themselves broadly defined.

EHAHRDP is concerned by recent developments that highlight its possible usage and impact. An example is the campaign intimidation in October/November 2009 against the Addis Neger, an independent weekly, by the government affiliated Addis Zemen that accused Addis Neger and its staff of terrorism. It has been reported by credible sources that the government had in fact planned to prosecute the paper and its staff under the Anti-Terrorism law.

Given the attack on the independent press following the 2005 election in which journalists were charged of anti-state actions, charges which have recently been re-instated against several newspaper publishing houses by the Supreme Court,¹ such intimidation can only have a chilling effect on the very small independent media sector. As a result of the significant threats it faced the paper decided to close and most of its members have since fled the country.

Intimidation, often public intimidation, of defenders is widespread.

One telling example is the fact that the human rights NGOs that engaged in the drafting of the UPR stakeholders report last year were publicly criticised by members of the Ministry of Foreign Affairs and Ministry of Justice when they presented their report to these same authorities. Such acts of intimidation clearly go against the aims and nature of the UPR process.

As result of the threats and harassment which HRDs have been subjected to notably since the passing of the CS Proclamation but also as a result of their engagement with UN human rights mechanisms, a significant number of defenders have had to flee the country.

Reducing the capacity of human rights monitors at the national level at such a crucial time is concerning and risks to further undermine the fairness and freeness of this year's elections.

We therefore use this opportunity to call on the Ethiopian government to respect and promote the rights of human rights defenders, notably by significantly amending the legislations mentioned above and by actively refraining from the harassment, arbitrarily arrest and detention, and intimidation of defenders.

I would like to finish off with one final question for the delegation:

Would the government be willing to extend an invitation to the Special Rapporteurs on HRDs and on Freedom of Expression within the next year?

Thank you for your attention.

¹ CPJ, Ethiopia reinstates hefty fines against publishing houses, 10th March 2010