

Ethiopia

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 3 July 2012



Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/ethiopia>

We invite the reader to consult that webpage since all recommendations, all stakeholders reports, as well as the unedited comments can be found at the same internet address.

20 stakeholders' reports were submitted for the UPR. 15 NGOs were contacted. The Permanent Mission to the UN was contacted. The domestic NHRI was contacted as well.

10 NGOs/coalitions responded to our enquiry. The State under Review did not respond to our enquiry. The domestic NHRI responded to our enquiry.

IRI: 84 recommendations are not implemented, 16 recommendations are partially implemented, and 5 recommendations are fully implemented. No answer was received for 55 out of 160 recommendations (full list of unanswered recommendations is available at the end of this document).

2. Index

Hereby the issues which the MIA deals with:

rec. n°	Issue	page	IRI
1	Technical assistance, Right to water, Right to land, Right to food,	page 18	not impl.
2	Right to education	page 19	not impl.
3	Right to food	page 38	not impl.
4	Treaty bodies	page 26	not impl.
5	Rights of the Child	page 38	not impl.
6	ESC rights - general	page 20	not impl.
7	International instruments, Enforced disappearances,	page 27	not impl.
8	Justice, International instruments,	page 31	not impl.
9	Women's rights, Torture and other CID treatment, Rights of the Child,	page 39	not impl.



rec. n°	Issue	page	IRI
10	Women's rights, Trafficking, Rights of the Child,	page 39	not impl.
11	Special procedures, Freedom of opinion and expression,	page 27	not impl.
12	Freedom of opinion and expression, Detention conditions,	page 7	not impl.
13	Women's rights, Rights of the Child,	page 39	not impl.
16	Women's rights, Rights of the Child, Civil society,	page 40	not impl.
17	Rights of the Child, International instruments,	page 28	not impl.
18	Women's rights, International instruments,	page 28	not impl.
19	Rights of the Child, International instruments,	page 28	not impl.
20	UPR process, Technical assistance, Civil society,	page 29	fully impl.
22	Human rights violations by state agents	page 33	not impl.
24	Freedom of religion and belief	page 10	not impl.
27	Right to food	page 20	not impl.
33	Right to land, Right to health, Right to food, Civil society,	page 22	not impl.
34	Special procedures	page 29	not impl.
35	Minorities	page 25	not impl.
36	Civil society	page 10	not impl.
38	Freedom of opinion and expression, Freedom of association and peaceful assembly, Civil society,	page 11	not impl.
39	Rights of the Child, International instruments,	page 28	partially impl.
40	International instruments, CP rights - general,	page 30	not impl.
41	International instruments, Death penalty,	page 31	not impl.
42	Women's rights, International instruments,	page 28	not impl.
43	Rights of the Child, International instruments,	page 28	not impl.
44	Women's rights, Torture and other CID treatment, Rights of the Child,	page 40	partially impl.
45	Elections	page 13	not impl.
46	NHRI, National plan of action, Detention conditions,	page 42	partially impl.
47	Justice, International instruments,	page 31	not impl.
48	Special procedures	page 29	not impl.
49	Freedom of association and peaceful assembly, Elections, Detention conditions,	page 13	partially impl.
50	Internally displaced persons	page 43	not impl.
51	Women's rights, Human rights education and training,	page 40	partially impl.
54	Technical assistance, Right to health,	page 23	partially impl.
55	Right to education	page 24	not impl.
56	Torture and other CID treatment, International instruments,	page 31	not impl.
59	Human rights violations by state agents, Human rights education and training,	page 33	not impl.
60	International instruments, Disabilities,	page 32	fully impl.
61	Migrants, International instruments,	page 32	not impl.
62	Human rights education and training	page 24	fully impl.
64	Women's rights, Torture and other CID treatment, Rights of the Child,	page 41	partially impl.
65	Human rights education and training	page 25	fully impl.
66	Human rights violations by state agents, Human rights education and training,	page 34	not impl.



rec. n°	Issue	page	IRI
67	Human rights defenders	page 34	not impl.
69	Rights of the Child, International instruments,	page 29	not impl.
72	Freedom of the press, Freedom of opinion and expression, Elections,	page 14	not impl.
73	Freedom of the press	page 14	not impl.
77	NHRI	page 45	partially impl.
81	NHRI	page 45	partially impl.
82	Special procedures	page 29	not impl.
83	International instruments, Freedom of association and peaceful assembly,	page 15	not impl.
84	Special procedures	page 30	not impl.
85	Human rights defenders	page 34	not impl.
86	Women's rights, Rights of the Child,	page 41	partially impl.
89	Special procedures	page 30	not impl.
90	Right to education	page 25	not impl.
92	Torture and other CID treatment, Death penalty,	page 34	not impl.
95	Counter-terrorism	page 35	not impl.
96	Freedom of association and peaceful assembly, Civil society,	page 12	not impl.
97	Special procedures	page 30	not impl.
98	Freedom of opinion and expression, Detention conditions,	page 15	not impl.
99	Civil society	page 16	not impl.
104	Civil society	page 17	not impl.
105	Special procedures	page 30	not impl.
106	Civil society	page 17	not impl.
107	UPR process	page 47	partially impl.
108	Freedom of the press, Freedom of opinion and expression,	page 17	partially impl.
109	Human rights defenders	page 35	not impl.
114	Special procedures, Freedom of opinion and expression,	page 30	not impl.
120	Death penalty	page 35	partially impl.
121	Women's rights	page 41	partially impl.
122	Justice, International instruments,	page 31	not impl.
123	International instruments, Death penalty,	page 31	not impl.
125	Special procedures	page 30	not impl.
126	Internally displaced persons, Asylum-seekers - refugees, Torture and other CID treatment, Special procedures, Freedom of	page 47	not impl.
130	opinion and expression, Extrajudicial executions, Detention conditions,	page 30	not impl.
131	International instruments, Disabilities,	page 32	partially impl.
132	International instruments, Enforced disappearances,	page 27	not impl.
133	Rights of the Child, International instruments,	page 28	partially impl.
134	International instruments, CP rights - general,	page 31	not impl.
135	Torture and other CID treatment, International instruments,	page 32	not impl.
136	Women's rights, International instruments,	page 28	not impl.
137	Rights of the Child, International instruments,	page 29	not impl.
138	International instruments, ESC rights - general,	page 32	not impl.



rec. n°	Issue	page	IRI
139	International instruments, Death penalty,	page 31	not impl.
142	Freedom of association and peaceful assembly, Civil society,	page 17	not impl.
143	Counter-terrorism, Freedom of opinion and expression, Freedom of association and peaceful assembly,	page 36	not impl.
144	Justice	page 37	not impl.
147	Justice, International instruments,	page 31	not impl.
148	Rights of the Child, International instruments,	page 28	not impl.
149	Rights of the Child, International instruments,	page 29	not impl.
150	International instruments, Death penalty,	page 31	not impl.
151	Civil society	page 17	not impl.
152	NHRI	page 47	fully impl.
153	Torture and other CID treatment, International instruments,	page 32	not impl.
154	Elections	page 18	not impl.
155	Justice	page 37	not impl.
156	International humanitarian law	page 37	not impl.
159	Civil society	page 17	not impl.

3. Feedbacks on recommendations

CP Rights

Recommendation n°12: *Take steps to ensure civil and political rights are upheld, including freedom of expression and freedom from arbitrary arrest and detention (Recommended by Australia)*

IRI: not implemented

Oromia Support Group (OSG) response:

Widespread arrests in 2011 include those of opposition politicians who spoke to Amnesty International delegation in August.

'Oromia Support Group in Australia', with 'Gambella Community of Victoria', 'Ogaden Community of Australia' and 'Humanitarian Crisis Hub' (OSGA) response:

Massive and systematic violations of civil and political rights of Ogaden, Oromo and Gambella people are amply documented.

Eg 1 In late 2011, 42 Oromo children and civilians, from West Shawa Zone, Ginchi District, and students from the University of Adama, were illegally detained by the Ethiopian armed forces.

Eg 2: Seven Oromo students detained on Dec. 29th 2011 from University of Adama.

Eg 3: Three Oromo students illegally detained on Dec 25, 2011 from University of Wollega.

Eg 4: Seven Oromo farmers detained on Dec 22, 2011 from Limu Gidda district, East Wollega Zone.

Eg 5: 27 Oromo students arbitrarily arrested on Dec 8, 2011 from Gimbi town, Western Wollega Zone.

Eg 6. April 25, 2012 - ENDF massacred an Anuak family-husband his wife and four children in Gog.

Eg 7: ENDF detained and imprisoned 40 children at a soccer field in Abobo in 2012.

Eg 8. March 12, 2012 - Following an attack on a public bus by unknown gunmen ENDF forces went to the village of Okuna, in Abobo County, and beat villagers, torturing them to confess to crimes they had no knowledge of. Dozens of men were taken away to an unknown location and their whereabouts remain unknown.

Eg 9. April 29, 2012 - ENDF killed 10 people in Pokedi village, Gambella Region. The victims included police officers, a teacher, a school nurse, and student. The village was set ablaze.

Eg 10: April 27, 2012 - ENDF massacred 7 villagers in Jur County, Gambella.

Eg 11: 68 people from the Gambella region have been killed, disappeared, or imprisoned from Jan-May 2012.

Eg 12. In western region of Oromia, freedom of movement severely restricted: households are grouped into clusters, and all members must report daily to group



leaders and ensure they have permission to move out of these clusters, including to go to work, market etc All visitors to cluster must also be reported.

Ethiopian Women's Human Rights Alliance (EWHRA) response:

Although Judge Birtukan Mideksa was released in 2010, the Ethiopian government continues to engage in arbitrary arrest and detention of those perceived as political dissidents. We are aware of no credible steps to ameliorate these conditions.

Unrepresented Nations and Peoples Organization (UNPO) response:

Freedom of expression continues to be severely curtailed in Ethiopia, and arbitrary arrest and detention continue to be common occurrences for political opponents and critics of the Ethiopian government.

At the time of this writing [May 2012], Ethiopia was the second-leading jailer of journalists in Africa. In its most recent update on Ethiopia, Reporters without Borders (RSF) describes the Ethiopian government's harsh treatment of political opponents and independent journalists alike, noting that the government "makes its political opponents and privately owned media pay for their opinions." Application of the country's sweeping new anti-terrorism legislation, which came into effect in July 2009, has been "aggressively extended" (Committee to Protect Journalists) to harass and imprison journalists whose coverage embarrasses the government. RSF noted that 2011 saw a sharp increase in the use of security arguments as grounds for silencing dissident voices, citing the arrests of four journalists in the span of two months, all of whom were charged with and subsequently convicted of "terrorist activities" and given prison sentences ranging from 11 to 14 years: Fitih columnist Reyot Alemu and Awramba Times reporter and deputy editor Woubeshet Taye were arrested in June, followed by Swedish journalists Martin Schibbye and Johan Persson in the Ogaden region in July [2011]. In September 2011, journalist Eskinder Nega (posted an online column criticizing the Ethiopian government for its arrest of dissidents, the use of torture in the country's prisons, and widespread denials of freedom of expression. He was arrested shortly thereafter and charged with violating the 2009 Anti-Terrorism Proclamation. Nega has been detained at least seven times by the government of Ethiopia; following his coverage of the 2005 elections, he was imprisoned for 17 months and stripped of his license to work as a journalist in Ethiopia. In May 2012, Nega was honored in with Pen America's annual "Freedom to Write" prize. His verdict was expected in mid-May 2012, but has been postponed until mid-June; if convicted, he could be sentenced to death. Following its July 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee was very critical of the country's anti-terrorism legislation, expressing concern regarding the "unclear definition of certain offences in Proclamation 652/2009" and the broad scope of some of its provisions, "including the criminalization of encouragement of and inducement to terrorism through publication, which can lead to abuse against the media (arts. 2, 15 and 19)." The Committee urged Ethiopia to ensure that its legislation is "limited to crimes that deserve to attract the grave consequences associated with terrorism, and revise its legislation that imposes undue restrictions on the exercise of rights under the Covenant."



The lack of press freedom in Ethiopia has wide-ranging effects, not all of them political. For example, in 2012 the Committee to Protect Journalists appealed to the White House to acknowledge the important role of independent media in facilitating response to famine, singling out the Ethiopian government's actions in deliberately downplaying food crises, denying journalists access to sensitive areas, and censoring independent coverage; these actions undermine the ability of donor nations and aid agencies to respond effectively to emerging food crises.

In April 2012, the Committee to Protect Journalists (CPF) reported that Barhanena Selam (Light and Peace) Printing Company, Ethiopia's main, state-owned printing company, had issued a directive requiring newspaper publishers to censor any content that it believes may breach the country's anti-terrorism law, noting that publishers who fail to do so will face cancellation of their printing contracts. All newspaper publishers have been directed to agree to the new terms before any further publications can be printed.

Internet freedom in Ethiopia is severely curtailed. The Open Net Initiative (ONI) notes that filtering related to political content as well as so-called security or conflict-related content is subject to substantial filtering. Furthermore, ONI notes that at 0.5%, Ethiopia's internet penetration is the second-lowest in sub-Saharan Africa. The government's refusal to allow privatization of the telecommunications market is a major factor preventing wider internet access; the state-owned Ethiopian Telecommunications Corporation remains the sole provider of internet access, allowing the government tight control over content. OSI notes that internet cafes are the main source of internet access. Ethiopians report that their internet activities are closely monitored in internet cafes, where since 2006 owners have been required to log the names and addresses of individual customers – these lists are to be turned over to the police. The consequences for noncompliance by café owners range from shutdown to prison time. Recent incidents of internet censorship include the April 2012 blocking within Ethiopia of the Amharic website of leading independent weekly "The Reporter."

Members of the political opposition face frequent arbitrary arrest and detention in Ethiopia. Following its 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee expressed serious concerns regarding the continued imposition of the death penalty by courts "for crimes which appear to have a political dimension, as well as following in-absentia trials without adequate legal safeguards (arts. 6 and 14)." Mere days after meeting with a visiting Amnesty International team in August 2011, two political opposition members were arrested. Bekele Gerba, deputy Chairman of the Oromo Federalist Democratic Movement (OFDM) and Olbana Lelisa of the Oromo People's Congress party (OPC) were both arrested on 27 August, 2011 and accused of terror-related offenses. An Amnesty International representative noted that the arrests "are indicative of the constant harassment of opposition politicians, and severe stifling of freedom of expression in the country". On the same day as the arrests, the Amnesty International delegation was called into a meeting with the government and ordered to leave the country. In April 2012 Human Rights Watch representative Laetitia Barden was quoted by the Christian Science Monitor stating the organization's belief



that hundreds of individuals were detained in Ethiopia last year, and that the practice of arbitrary detention appears to be widespread. In May 2012, the African Commission on Human and Peoples' Rights approved a resolution expressing alarm at Ethiopia's prosecution of journalists and political opposition members, and calling on Ethiopia to remove the anti-terrorism law's restrictions on freedom of expression. The implementation of the 2009 CSO Proclamation has also had a negative effect on the freedom of expression in Ethiopia. See UNPO response to Recommendation no. 38 for more details.

Recommendation n°24: Continue its efforts in the direction of providing for freedom of thought, conscience and religion as well as an environment of religious tolerance existing in Ethiopia (Recommended by Azerbaijan)

IRI: not implemented

EWHRA response:

The Ethiopian government continues to advocate that Ethiopia is an Orthodox Christian nation despite the fact that 40% of the population are adherents of the Muslim faith. In fact, in a move counter to its obligations to foster an environment of religious tolerance, the government arrested a newspaper editor for writing an article challenging the notion espoused by the government that Ethiopia is an Orthodox Christian nation.

Recommendation n°36: Further engage constructively with civil society in its human rights activities in the country (Recommended by Brazil)

IRI: not implemented

Ethiopian Human Rights Commission (EHRC) response:

The Commission has been collaborating with civil society organisations working in the area of providing free legal aid service, human rights promotion, human rights research and publication. It mostly undertakes these activities by signing a Memorandum of Understanding (MoU) with the organisations. The Commission has signed an agreement with five CSOs namely; the Ethiopian Women Lawyers Association (EWLA); Addis Ababa Women Association (AAWA); Ethiopian Lawyers Associations (ELA); Ethiopian Christians Lawyers Associations (ECLA), Tigray Disabled Veterans Association (TDVA) to support them implement their respective human rights projects. A number of activities related to human rights awareness creation and provision of legal aid services to vulnerable groups and the needy have been carried out. The projects contribute towards human rights promotion and protection in Ethiopia. Besides, these projects strengthen the Commission's strategy of partnership and cooperation in the promotion and protection of human rights in the country. In monetary terms, the Commission in the year 2011 only, made a grant of more than 2,700,000.00 birr to support the endeavours of civil society organization. The Commission similarly provided a financial support of more than 1,200,000 birr for legal aid projects undertaken by both universities and civil society organisations.

Among the fruitful examples of such partnership the collaboration with the Ethiopian Teachers Association (ETA) in the promotion of human rights clubs in schools which resulted in the establishment of 100 functional human rights clubs in different schools in several regions of the country can be cited. The EHRC further collaborated with higher education and research institutions in their human rights related tasks and



signed MoU with more than 15 university law schools for the provision of free legal aid service. In addition to universities it collaborates with the Ethiopian Justice and Legal Research Institute and the Center for Human Rights Addis Ababa University in human rights research and publication. A consultative workshop organized by EHRC in September 2010 set up a committee of 6 members with the mandate of coming up with a strategy by which the Commission could effectively engage and collaborate with civil society organisation.

EWHRA response:

With the passage of the Charities and Societies Proclamation in 2009, civil society activities have been severely curtailed. Many human rights organizations have limited their mandates to comply with the law. Credible evidence exists that many activists, human rights defenders, and lawyers among others have fled the country for fear of persecution. In addition, the Ethiopian government has actively worked to dilute the work of many civil society organizations by establishing counter organizations which serve as the arm of the state. For instance, the newly formed, Ethiopian Human Rights Commission--which has been noted by many NGOs as a government-affiliated entity and lacks independence--was established to counter and obfuscate the work of the Ethiopian Human Rights Council (renamed Human Rights Council)--the oldest and most respected human rights organization in Ethiopia. The government must repeal the Charities and Societies Proclamation of 2009 in order for civil society organizations to fully engage in human rights work.

OSG response:

Ethiopian Human Rights Council accounts remain frozen and the Charities and Societies proclamation which has neutralised human rights reportage remains in force.

The Advocates for Human Rights (TAHR) response:

The Ethiopian Government has attempted to stifle dissent by targeting civil society organizations that are perceived not to support the ruling party. In many situations, Oromos are assumed to support the Oromo Liberation Front unless they actively express support for the ruling party. Both individual Oromos and Oromo non-governmental organizations are subjected to this pretextual targeting. For example, Government shut down the Mecha Tulema Self-Help Association, an organization formed to promote Oromo culture, based on assertions that the organization was affiliated with the OLF. The Human Rights League, another Oromo human rights organization, faced similar treatment. One Oromo woman who runs a non-governmental organization reported to The Advocates that she has been subject to constant covert government monitoring and interference.

Recommendation n^o38: Amend the provisions of the 2009 Charities and Societies Proclamation inconsistent with international human rights standards, including with respect to freedom of expression, association and assembly (Recommended by Canada)

IRI: not implemented

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Recommendation n°96: *Amend the Proclamation for the Registration and Regulation of Charities and Societies so as to bring it into conformity with international human rights standards (Recommended by Netherlands)*

IRI: *not implemented*

OSG response:

See response to recommendation n°36

EWHRA response:

The devastating and crippling effects of the Charities and Societies Proclamation continue to be evident in the lack of independent human rights organizations on the ground in Ethiopia. With the passage of the Charities and Societies Proclamation in 2009, civil society activities have been severely curtailed. Many human rights organizations have limited their mandates to comply with the law. Credible evidence exists that many activists, human rights defenders, and lawyers among others have fled the country for fear of persecution. In addition, the Ethiopian government has actively worked to dilute the work of many civil society organizations by establishing counter organizations which serve as the arm of the state. For instance, the newly formed, Ethiopian Human Rights Commission--which has been noted by many NGOs is a government-affiliated entity and lacks independence--was established to counter and obfuscate the work of the Ethiopian Human Rights Council (renamed Human Rights Council)--the oldest and most respected human rights organization in Ethiopia. The government must repeal the Charities and Societies Proclamation of 2009 in order for civil society organizations to fully engage in human rights work..

TAHR response:

The Charities and Societies Proclamation of 2009 (No.621/2009) has discouraged international contacts and cooperation in cultural fields. Moreover, Amnesty International has documented the negative effects of the Proclamation on many human rights organizations, including Ethiopia's leading human rights organizations. The law has impeded civil society submissions to the Committee on Economic, Social and Cultural Rights and other U.N. Treaty Bodies. And by erecting barriers to cooperation between Ethiopians in Ethiopia and those in the diaspora, the Proclamation interferes with the development of international cultural contacts and co-operation

UNPO response:

None of the revisions recommended by states during Ethiopia's first Universal Periodic Review have been made. Ethiopia has also failed to act on the recommendations of various UN treaty bodies that have strongly criticized the law in their 2009-2012 reviews of Ethiopia, including the Committee on the Elimination of Racial Discrimination (2009), the Committee Against Torture (2010), the Human Rights Committee (2011), the Committee on the Elimination of Discrimination against Women, and the Committee on Economic, Social and Cultural Rights (2012).

As feared, the implementation of the Charities and Societies Proclamation (No. 621/2009) has had a devastating impact on human rights work in Ethiopia. As noted in a recent [March 2012] report by Amnesty International, the number of human rights organization has markedly decreased since the passage of the CSO law, and those



organizations which have ‘survived’ have significantly scaled down or altered the focus of their activities due to the funding restrictions; development organizations have even abandoned the ‘rights-based approach’ to development as a result of the law. AI emphasizes the “climate of fear” in Ethiopia, which has pervaded human rights work in Ethiopia in the past, and has only been further entrenched or even institutionalized since the implementation of the CSO law. Amnesty’s report describes in great detail the widespread and devastating impact of the law’s implementation, including the inability of any major national organization to be involved in election monitoring, the wide-reaching powers claimed by the newly-created Charities and Societies Agency (CSA), the harassment of human rights activists, and the overall de-legitimization of human rights work in Ethiopia.

On 11 July, 2011, Human Rights House Foundation informed the UN Human Rights Committee that all of its local partners had ceased to exist following the law’s implementation. In July 2011 the Ethiopian Human Rights Council (HRCO), the only organization in the country doing extensive investigation and reporting on human rights issues, reported that the CSO law had already significantly reduced its ability to carry out its mandate, noting that Ethiopia’s once vibrant human rights community was “on the verge of extinction.” Amnesty International reports that as of March 2012 the HRCO had been forced to close nine of their twelve branch offices, and have cut 85% of their staff. Its annual budget has shrunk by almost 93%, from US \$351,000 in 2008 to US \$26,300 in 2011. The Ethiopian Women’s Lawyers Association (EWLA), the only major rights organization focusing exclusively on advocacy for women’s rights at the national level in Ethiopia, has essentially ceased to function.

Recommendation n°45: *Ensure that appropriate mechanisms for addressing grievances are put in place well ahead of the upcoming elections* (Recommended by Canada)

IRI: *not implemented*

EWHRA response:

The Ethiopian government severely curtailed political rights, freedom of expression and association in the run up to the 2010 national elections. Through intimidation, harassment and coercion, the government swept the elections. We are not aware of any credible efforts to address the violations of civil and political rights which occurred in the lead up to the elections.

Recommendation n°49: *Release imprisoned opposition party members and allow their full participation in the 2010 elections* (Recommended by Canada)

IRI: *partially implemented*

OSG response:

Arrests have continued

OSGA response:

Some, but not all, opposition political party members were released before the 2010 elections. For instance, Bekele Gerba from Oromo Federal Democratic Movement was released however Olbana Lelisa from Oromo People's Congress, remains in custody.



UNPO response:

Ethiopia's 2010 Parliamentary elections were neither free nor fair. An EU observer mission concluded that the elections had fallen short of international commitments, singling out the lack of transparency and the lack of a level playing field for all parties as the main issues. In a March 2010 report titled "One Hundred Ways of Putting Pressure," Human Rights Watch detailed the myriad of ways in which the ruling party in Ethiopia has systematically harassed and punished opposition supporters. The report describes the harassment, arrest, and arbitrary detention of opposition supporters in the runup to the 2010 elections, highlighting in particular the case of Birtukan Midekssa. Midekssa, who was sentenced to prison following her party's success in the 2005 elections but subsequently pardoned, led the Unity for Democracy and Justice Party (UDJ) up until her re-arrest and sentencing to life in prison in December 2008 for alleged violations of her pardon agreement. Following an international outcry, Midekssa was eventually released in October 2010, months after the close of Parliamentary elections.

Recommendation n°72: *Guarantee genuine freedom of expression to all political leaders and the media, in light of the next elections* (Recommended by France)

IRI: *not implemented*

OSGA response:

Very few opposition political leaders and media in Oromia, Ogaden and Gambella regions are able to exercise freedom of expression, with high levels of imprisonment, harassment or exile.

UNPO response:

See response to recommendation n° 12.

Reporters sans frontières - Reporters without Borders (RSF) response:

Les mois précédant les élections de mai 2010 ont été marqués par un climat de peur dans la société éthiopienne. L'opposition et les médias ont craint une répression à l'instar de ce qui s'était passé avant les élections de 2005. Ainsi un climat de peur s'est abattu sur la presse indépendante, victime de campagnes de dénigrement et de poursuites en justice par le gouvernement. Craignant des arrestations, un hebdomadaire a été contraint de cesser de paraître en décembre 2009. Le gouvernement éthiopien a en effet affiché sa volonté de poursuivre en justice certains médias critiques sur la base de la loi antiterroriste adoptée en juillet 2009.

Recommendation n°73: *Adopt all necessary measures to provide for free and independent media which reflect a plurality of opinions, including those of minority groups and political opposition parties* (Recommended by Germany)

IRI: *not implemented*

OSGA response:

The following journalists have been arrested: Woubshet Taye of Awramba Times, on June 19, 2011; Reeyot Alemu of Fete Media on June 21, 2001; and journalist Eskinder Nega on Sept 14, 2011 (reported in Human Rights Watch World Report 2012 Ethiopia).

UNPO response:

See response to recommendation n° 12.

RSF response:

Il faut souligner qu'il existe réellement un espace pour la liberté d'expression en Ethiopie. Les médias privés sont actifs et se montrent volontiers critiques à l'égard des politiques gouvernementales voire même provocateurs. Cependant le climat entre le pouvoir et la presse privée s'est dégradé depuis 2005. Le travail des médias privés est rendu difficile par les nombreuses entraves imposées par le gouvernement et s'effectue dans un climat de peur, les autorités affirmant leur volonté de contrôler l'information. Le gouvernement a régulièrement recours aux poursuites en justice pour dissuader les critiques. Il s'appuie sur un arsenal législatif liberticide. Des journalistes sont poursuivies pour « diffamation », « diffusion de fausses nouvelles », « incitation aux manifestations de rue ». Cette volonté d'étouffer les médias contestataires a été renforcée par l'adoption de la loi antiterroriste en juillet 2009. Le texte est utilisé pour réprimer les médias qui enquêtent sur les groupes d'opposition et les groupes sécessionnistes qualifiés de « terroristes ». L'opposition et les minorités sont des questions sensibles qui peuvent valoir aux journalistes des peines de prison pour « activités terroristes », « soutien à une organisation terroriste ». Ainsi deux journalistes suédois, qui enquêtaient sur les droits de l'homme en Ogaden, ont été arrêtés en juillet 2011. Ils ont écopé d'une peine de 11 ans de prison pour « entrée illégale sur le territoire éthiopien » et « soutien au terrorisme ». Les journalistes s'exposent à également à des campagnes de dénigrement et d'accusation menées par les médias publics. Dans ce climat délétère, l'autocensure est généralisée. Certains journalistes sont mêmes contraints à l'exil.

Recommendation n°83: *Ensure that the freedom of association is guaranteed in accordance with the provisions of article 22 of International Covenant on Civil and Political Rights ICCPR (Recommended by Ireland)*

IRI: *not implemented*

EWHRA response:

The Ethiopian government continues to violate freedom of association in contravention of its obligations under the ICCPR. Specifically credible reports exist of coercion on the part of the government, including conditioning aid and even food on an individual's political association. The government harasses individuals who are in support of the opposition parties and limits their access to resources, including jobs, promotions and in the rural areas access to critical materials needed for agriculture.

Recommendation n°98: *Ensure that no one is detained for political reasons (Recommended by Netherlands)*

IRI: *not implemented*

OSGA response:

Eg 1. In March 2010, 15 Oromo civilians were detained and tried for political reasons. Sentences ranged from 10 -13 years (13 people), life sentence (one person) and death penalty (one person). Most had been detained for several years before appearing in court.



Eg 2: Ogaden leader Sultan Fowski Ali Abdi, was imprisoned and sentenced to 17 years after his role as mediator between Government and ONLF after ONLF detained Chinese oil workers in Obolle.

EWHRA response:

Opposition members and leaders, journalists, and others who express political opinions not in line with the Ethiopian government or who organize political activities countering the state are routinely detained. Because the government's refusal to allow visits by Special Rapporteurs and other independent agencies, it is difficult to determine the number of individuals detained.

Recommendation n°99: Guarantee that all national and international NGOs operating in Ethiopia can do so freely and without fear of harassment, intimidation or arbitrary arrest (Recommended by Netherlands)

IRI: not implemented

EWHRA response:

Many civil society advocates and human rights defenders have fled the country because of the harassment, intimidation, violence and/or arbitrary arrest that they are subject to as a result of their legitimate and protected activities. We are aware of no legitimate measures undertaken by the Ethiopian government to guarantee that NGOs can operate without fear of harassment, intimidation or arbitrary arrest.

UNPO response:

National and international NGOs face tight restrictions on their operations within Ethiopia. The country's 2009 Proclamation on the registration of charities and societies (CSO) precludes "non-Ethiopian" NGOs (defined as those receiving more than 10 percent of their funding from foreign sources) from engaging in a wide range of activities, including those that promote human rights and democracy. The law's implementation has devastated the national human rights NGO community (see UNPO response to recommendation no. 38).

International NGOs continue to be prevented from entering certain regions, including the Somali region. Speaking to a reporter from the Christian Science Monitor, an aid worker with ten years of experience in the Somali region recently noted that "The UN and any other member of the international community are caught between a rock and a hard place...[w]hile there is clearly some great work going on in many key sectors, if anybody were to push their agenda beyond a limit considered acceptable by Ethiopia's notoriously strong and rigid government, then they would risk being expelled from the country" or, if you are Ethiopian, imprisoned [April 2012]. The International Committee of the Red Cross (ICRC) has been banned from the Somali region since 2007, and Doctors Without Borders (MSF) recently published a detailed account of its negotiations with the Ethiopian government to maintain access to the region, describing significant and targeted harassment of MSF teams including the imprisonment of several national staff members, and the eventual expulsion of MSF from the region. Even United Nations staff are subjected regular harassment by Ethiopian authorities, including equipment impounded at customs, spouses denied work permits, and vehicle searches (which contravene the government's decades-old agreement with the UN); two local UN staff members have even been arbitrarily



detained – one is being held without charge, and the other has been prosecuted for alleged links to the Ogaden National Liberation Front [CS Monitor April 2012].

Recommendation n°104: *Avoid requiring re-registration of civil society organizations* (Recommended by Norway)

IRI: *not implemented*

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Recommendation n°106: *Ensure that the procedures governing registration of civil society organizations are in conformity with international human rights standards, transparent, nondiscriminatory, expeditious and inexpensive, and allow for the possibility to appeal* (Recommended by Norway)

IRI: *not implemented*

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Recommendation n°151: *Allow exceptions to the Charities and Societies Proclamation to better enable NGOs, including those working on human rights, to receive funding and to operate effectively* (Recommended by United Kingdom)

IRI: *not implemented*

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Recommendation n°159: *Repeal the Proclamation for Registration of Charities and Societies and promote the development of an independent, transparent, and effective civil society and human rights community* (Recommended by United States)

IRI: *not implemented*

EWHRA response:

[See response to recommendation n° 38]

UNPO response:

[See response to recommendation n° 38]

Recommendation n°108: *Fully and effectively implement the Freedom of Mass Media and Access to Information Proclamation* (Recommended by Norway)

IRI: *partially implemented*

RSF response:

La *Freedom of Mass Media and Access to Information Proclamation* entrée en vigueur en décembre 2008 a constitué un effort de la part du gouvernement pour ouvrir l'accès de l'information aux journalistes. Mais elle n'a pas vraiment connu d'applications sur le terrain. L'ancien code pénal et la loi de la presse de 1992 continuent d'être appliqués et la loi antiterroriste de juillet 2009 est utilisée abusivement. Elle représente une réelle menace à la liberté d'expression et d'opinion dont sont victimes les professionnels de l'information éthiopiens.

Recommendation n°142: *Take all necessary measures to ensure full respect for the rights of association and assembly, including with regard to the ability of NGOs to function, which would be in line with Ethiopia's Constitution and its international obligations* (Recommended by Sweden)

IRI: *not implemented*

UNPO response:

See UNPO responses to recommendations no. 12 & no. 38



Recommendation n°154: *Take concrete steps to ensure free and fair elections in 2010, including through full implementation of the electoral Code of Conduct (Recommended by United Kingdom)*

IRI: *not implemented*

EWHRA response:

The Ethiopian government severely curtailed political rights, freedom of expression and association in the run up to the 2010 national elections. Through intimidation, harassment and coercion, the government swept the elections and we are not aware of any credible efforts to address the violations of civil and political rights in the lead up to the elections.

UNPO response:

Ethiopia's 2010 Parliamentary elections were neither free nor fair. An EU observer mission concluded that the elections had fallen short of international commitments, singling out the lack of transparency and the lack of a level playing field for all parties as the main issues. In a March 2010 report titled "One Hundred Ways of Putting Pressure," Human Rights Watch detailed the myriad of ways in which the ruling party in Ethiopia has systematically harassed and punished opposition supporters. The report describes the harassment, arrest, and arbitrary detention of opposition supporters in the runup to the 2010 elections, highlighting in particular the case of Birtukan Midekssa. Midekssa, who was sentenced to prison following her party's success in the 2005 elections but subsequently pardoned, led the Unity for Democracy and Justice Party (UDJ) up until her re-arrest and sentencing to life in prison in December 2008 for alleged violations of her pardon agreement. Following an international outcry, Midekssa was eventually released in October 2010, months after the close of Parliamentary elections.

ESC Rights

Recommendation n°1: *Give priority to programmes for upgrading land and water resources to reduce the long-term vulnerability caused by drought and allowing the population to satisfy its needs in water and food - and, in this regard, request the assistance of competent United Nations agencies and programmes (Recommended by Algeria)*

IRI: *not implemented*

OSGA response:

Water scarcity and food shortage is critical. To our knowledge there have been no government programmes for land and water resources in Ogaden and Oromo areas since 2009. Furthermore, the government is actively hampering private investment by local citizens to improve water access. In the Ogaden towns of Dhagahbur, Qabridahare, Wardher, three citizens of the area were digging wells to improve water supply for nomads and livestock in early 2012. They were arrested and imprisoned under charges of providing water to rebel forces and the towns remained without the wells. In Addis Ababa region, in Burayu area, public water supplies are currently provided for one day per week only. If people run out of water, they must buy it.



TAHR response:

The Government of Ethiopia interferes with the rights of disadvantaged ethnic groups to adequate food and water. The most egregious example of this conduct is the Government's villagization program, which it describes as a "Voluntary resettlement program." In rural areas, disadvantaged ethnic groups, particularly pastoralists and groups that practice shifting cultivation are being forced to relocate to areas with less desirable agricultural land. This program appears designed to accommodate domestic and foreign corporations seeking to establish commercial, export-oriented agri-business operations in those rural areas. The forced relocations impair food and water security. Relocated individuals are not compensated for the loss of use of their land, and upon relocation these individuals are not provided with adequate support—including temporary food support and technical assistance for establishing a new form of livelihood. Moreover, the villages to which they are relocated often lack basic infrastructure, including health clinics, clean water supplies, and schools. The absence of clean water supplies and other infrastructure in these villages has resulted in high rates of infant mortality as well as respiratory infections and diarrhoea. The lease contracts that give commercial investors access to the lands vacated through villagization impose few if any restrictions on water usage, even though such projects sometimes involve water-intensive cultivars targeted at the export market, such as rice. These lease contracts make no provisions for local food security. These water-intensive agri-business projects also threaten traditional farming in the areas downstream from those projects—areas to which disadvantaged ethnic groups have been relocated as part of the villagization program. Moreover, national and regional governments do not engage in community consultation before entering into leases with commercial entities, and there is little transparency regarding the negotiations and final contract terms.

Recommendation n°2: Seek to strengthen achievements in realizing the right to education, in particular with respect to free primary education and its obligation towards girls and boys (Recommended by Algeria)

IRI: not implemented

OSGA response:

Schools in Ogaden and Oromo regions demolished by conflict have not been rebuilt. Eg 1: In the following towns and villages there are few or no schools and therefore very limited access to primary education: Dhagabur, Fiq, Dhagahmadow, Garbo, Wardher. Permission to build private schools is routinely denied in conflict affected areas.

Eg 2: Schools in Oromia region are typically left to run down without renovation or maintenance and students are without necessary resources such as books, libraries etc

TAHR response:

The U.S. Department of State reported that, although primary education in Ethiopia was universal, tuition-free, and compulsory in policy, "there were not enough schools to accommodate the country's youth, particularly in rural areas." Further, "the cost of school supplies was prohibitive for many families, and there was no legislation to enforce compulsory primary education." Educational facilities in rural areas are generally of a much lower quality than in Addis Ababa, yet the Government directs



resources for education toward the capital and other large cities. The “villages” to which people have been relocated in the villagization program often lack operational schools altogether. Government officials force schoolchildren in these villages to abandon their studies to provide labor for constructing shelters.

UNPO response:

Following its May 2012 review of Ethiopia, the Committee on Economic, Social and Cultural Rights expressed concern that primary education in Ethiopia is neither free nor compulsory, that enrolment and attendance rates for primary school were low and showed a significant gender gap, that there was an insufficient number of trained teachers, and that the quality of education remained low. The Committee was further concerned that literacy rates in rural areas, particularly for women and girls.

Recommendation n°6: Strengthen instruments to protect human rights which could positively improve social, economic and cultural rights (Recommended by Angola)

IRI: not implemented

OSGA response:

No tangible strengthening of human rights instruments.

EWHRA response:

We are not aware of any credible efforts to strengthen instruments--whether national or international-- to protect human rights.

TAHR response:

The Charities and Societies Proclamation of 2009 (No.621/2009) has discouraged international contacts and cooperation in cultural fields.

Recommendation n°27: Achieve food security through, among others, securing adequate food assistance, increasing food production, adopting better agricultural technology and improving the food distribution system (Recommended by Bangladesh)

IRI: not implemented

OSGA response:

Land grabbing in areas of foreign investment in Ogaden, Oromo and Gambella region threatens food security. Thousands of farmers have been displaced.

Eg 1: Land given to Saudi businessman Al-Amudi (owner of Sheraton Hotel in Addis), causing displacement in Shawa (Ambo, Bako, Ginchi).

Eg 2: Gambella: In 2010, Ethiopian government introduced “Villagization” program. This entailed compulsory relocation of indigenous people to concentration-camp-style villages, away from rivers which had been their native homelands for more than 500 years to give space to foreign investors. In what many human rights groups consider a “land grab,” this program paved the way for multi-national agro-businesses to exploit resources in the area to the exclusion of indigenous people. Ethiopian government did not pay any compensation for their losses nor proper sustainable development scheme in place to rebuild their interrupted pattern of life. Indigenous people have been subjected to starvation and forced to be dependent upon foreign food aid - something not accustomed in the region. Those who refused to relocate have been tortured, killed, imprisoned or forced into exile (South Sudan and Kenya).

TAHR response:

The Oakland Institute recently posited that the “EPRDF’s desire for land investment is associated with the likely further marginalization/disempowerment of the indigenous people, increased dependence on government for food security, and increased difficulty for rebel groups to operate in the lowland areas. The granting of land-based assets to the Tigray and other urban elites who offer support for the EPRDF further sends the message that support of the government will result in preferential treatment.” Commercial land investment has an adverse effect on the food security of these indigenous peoples; “commercial land investment is one more stressor, making those who are marginally food insecure even more susceptible to hunger. The underlying causes for food insecurity . . . are all present in the areas of intensive land investment.” Human Rights Watch and the Oakland Institute report that under villagization programs, tens of thousands of disadvantaged indigenous ethnic groups in the Afar, Amhara, Benishangul-Gumuz, Gambella, Oromia, Somali, and Southern regions are in the process of being forcibly relocated away from places where the Government of Ethiopia anticipates significant commercial land investment. “In Gambella and Benishangul, respectively, 45,000 and 90,000 households are slated for relocation due to villagization and land investment displacements, resulting in a loss of livelihood for over 650,000 people. The total number of people affected is estimated to exceed one million considering those affected by villagization or land investment in SNNPR, Oromia, Afar, and other regions.” Oromos reported being relocated from fertile to infertile areas. The villagization program disproportionately affects disadvantaged ethnic groups, such as members of the minority Anuak population in Gambella. According to the Oakland Institute, “many of the larger lease areas include lands traditionally inhabited by the Gumuz, Anuak, Oromo and other peoples, further exacerbating their already precarious socio-political position.” The Government of Ethiopia incorrectly claims that these lands have been “abandoned”; in fact, many lands are used by pastoralists and groups using shifting cultivation agricultural practices. The Oakland Institute characterized as “clearly arbitrary” the designation of lands as lacking human settlement. HRW reports that the “villages” to which the Anuaks and other disadvantaged ethnic groups are relocated typically lack needed food, infrastructure, or agricultural assistance such as seeds, fertilizers, tools, and training. HRW reports that much of the land in the new villages is not cleared or ready to cultivate, and the relocated villagers instead must depend on government food assistance.

UNPO response:

In October 2010, Human Rights Watch published a 105 page report entitled: “Development without Freedom: How Aid Underwrites Repression in Ethiopia.” The report describes the Ethiopian government’s use of development aid as a weapon to crush political dissent by making access to essential government programs conditional on support for the ruling party. In August, 2011 a joint undercover investigation undertaken in Ethiopia by Newsnight and the Bureau of Investigative Journalism (aired on BBC) backed up HRW’s findings. The report exposed, among other abuses, significant further evidence that the Ethiopian government has systematically withheld aid from those deemed to be political opponents. Posing as tourists in order to travel to the southern regions of Ethiopia, the journalists



uncovered entire communities on the brink of starvation who had received no aid. In the midst of an ongoing famine, villagers reported that they had been denied food and agricultural support (such as seeds and fertilizer) by government authorities because of their failure to support the ruling party in previous elections.

Many of Ethiopia's development policies in recent years have contributed to greater food insecurity in the country. Recent large-scale land-leasing and agricultural programs serve as an example, as they have involved mass displacement of Ethiopians from their homes and onto land that they are unable to cultivate (either because it is of poor quality, is too dry, or because it is unfamiliar and requires new skills to cultivate – skills which are not taught). As noted in a recent Human Rights Watch report titled "Waiting Here for Death: Displacement and "Villagization" in Ethiopia's Gambella Region," the Ethiopian government is carrying out forced population transfers involving the displacement of tens of thousands of indigenous people in the western Gambella region from their homes with neither meaningful consultation or compensation. These individuals are then resettled into new "villages" that, in theory, are meant to provide them with improved access to services. In reality, however, the new villages frequently lack any services, are surrounded by poor-quality land, and food and agricultural assistance are not provided. As a result, some of those relocated have faced hunger and even starvation. HRW notes that in the first round of resettlements, individuals were forced off their land just prior to the harvest, thus losing an entire season's crop and food supply. The HRW report reveals that the Ethiopian government is planning to resettle 1.5 million people in four regions by 2013.

Large-scale land leasing is, in itself, having a negative effect on food security in Ethiopia. Millions of acres of arable land labeled "unused" has already been leased to foreign and domestic corporations at dirt-cheap prices. This land is then used to produce both non-food items such as flowers, rubber, and coffee, as well as food items for export. These large-scale land transactions disrupt traditional land use and leave rural populations landless and vulnerable. Pastoralist rangelands are particularly vulnerable, as they are easily labeled unused. Experts have noted the negative impact of these programs on food-security in the Somali region (Devereux, S. [2010] "Better Marginalised than Incorporated? Pastoralist Livelihoods in Somali Region, Ethiopia", European Journal of Development Research).

Food crises are exacerbated by the lack of press freedom in Ethiopia. In 2012 the Committee to Protect Journalists appealed to the White House to acknowledge the important role of independent media in facilitating response to famine, singling out the Ethiopian government's actions in deliberately downplaying food crises, denying journalists access to sensitive areas, and censoring independent coverage; these actions undermine the ability of donor nations and aid agencies to respond effectively to emerging food crises.

Recommendation n^o33: Develop a constructive partnership with the United Nations and NGOs working on food and medical assistance, and guarantee safe access to the country, including in areas where violent actions against federal authorities take



place - this partnership should constitute one of the cornerstones of the new agriculture and land-use policies in Ethiopia (Recommended by Belgium)

IRI: not implemented

OSGA response:

UNDP official in Jijiga, Ogaden was detained by Ethiopian government in Feb 2012 and remains in custody.

TAHR response:

Although the government promised that villages would have health clinics, reports Human Rights Watch, the government's plan "shows that these were not planned for the majority of villages." As reported above, the absence of clean water supplies and other infrastructure in the villages has resulted in high rates of infant mortality as well as respiratory infections and diarrhoea. This critical lack of health care infrastructure violates the right to health of the ethnic groups targeted for villagization.

UNPO response:

The UN and NGOs are routinely denied access to areas of Ethiopia where violent actions against federal authorities take place. The Ethiopian government has severely restricted the access of international observers and humanitarian organizations into "conflict" regions, particularly the Somali (Ogaden) region. The International Committee of the Red Cross (ICRC), was obliged by the Ethiopian government to suspend its activities in the Somali Region in 2007. The international community has repeatedly called for Ethiopia to allow the ICRC into the Region, a request which has been repeatedly denied. On April 29, 2011 the ICRC reported that, following talks with Ethiopian Prime Minister Meles Zanawi, the organization had once again been denied access to the Region. During the 102nd Session Human Rights Committee review of Ethiopia in July 2011, the Ethiopian Delegation confirmed that the ICRC had still not been granted permission to return to the Ogaden. Doctors Without Borders (MSF) recently published a detailed account of its negotiations with the Ethiopian government to maintain access to the region, describing significant and targeted harassment of MSF teams including the imprisonment of several national staff members, and the eventual expulsion of MSF from the region. The case of Martin Schibbye and Johan Persson - two Swedish journalists who were apprehended in the region, tried for entering the country illegally and supporting terrorist activities, and sentenced to eleven years in prison - illustrates the difficulty and danger inherent in attempts to access the region without official permission.

Recommendation n°54: Continue the positive efforts to improve access to health for all its citizens, including through cooperation and strengthened international financial assistance (Recommended by Cuba)

IRI: partially implemented

OSGA response:

Despite some positive improvements in areas such as Addis Ababa, health services in Oromo and Ogaden regions remain seriously inadequate. In Oromo region patients in public hospitals must provide their their own medication, sheets, and treatment materials. In Ogaden region, hospitals in all towns except Jiggiga, are critically under sourced. Medicine is largely unavailable due to economic blockade,



and there are very few medical personnel. Some hospitals are operated by only one doctor.

Recommendation n°55: *Continue to advance and gradually improve the quality of education provided, as part of the wide programme adopted by Ethiopia to this end (Recommended by Cuba)*

IRI: *not implemented*

TAHR response:

The lack of access to education in rural areas has been felt even more so by the disadvantaged ethnic groups subject to the villagization programs. Human Rights Watch reports that ethnic groups subjected to villagization, including the Anuaks, have been moved from villages where schools existed and were operational to villages where schools and other infrastructure are non-existent. Further, villagers reported to HRW that they “had been cautiously optimistic about moving to the new villages in part because they were led to believe that their children would be closer to schools” but that “not only have operational schools been completely absent from new villages, but the government’s villagization plan did not even envision schools for the majority of new villages.” Students in Oromia are required to receive academic instruction in Oromiffa, and they receive only anaemic and delayed instruction in English. Many feel that these practices are systematically designed to deny Oromo students admission to university, where fluency in Amharic is required. A nationwide exam policy also requires all tenth-grade students to take and pass an exam, in English, which will determine if they continue on an academic track or shift to vocational schools. This testing practice disproportionately affects Oromos, reports HRW, because while other schools teach English from a very young age, Oromo students have only had one year of English by the time they take the exam, resulting in consistently lower scores. Although Ethiopia’s Combined Reports state that “the entrance requirement is lowered by two points for students applying from those less-developed regions such as Benishangul-Gumuz, Gambella, Afar and Somali as well as from pockets of pastoralist and semi-pastoralist areas of Southern and Oromia States,” this adjustment cannot make up for such vast discrepancies in language instruction for nearly all Oromo students.

Recommendation n°62: *Step up the awareness-raising campaigns concerning human rights by translating international instruments concerning human rights into the various national languages (Recommended by Democratic Republic of Congo)*

IRI: *fully implemented*

EHRC response:

The EHRC has translated core international human rights instruments ratified by the country in to the three main local vernaculars of the country, Amharic, Oromiffa and Tigrigna. In addition to these core instruments just recently the Commission translated regional human rights instruments including the African Charter on Human and Peoples’ Rights (ACHPR) and African Charter on the Rights and Welfare of the Child (ACRWC) in to two local vernaculars namely, Amharic and Tigrigna. In addition to these regional instruments the Commission has translated and distributed the Convention on the Rights of Persons Living with Disabilities. The publication of these instruments by EHRC facilitates the use of such instruments in Courts of law and guides judges during interpretation of laws. It further, enhances the accessibility of



human rights instruments to the community in a familiar language and enables them to be aware of their rights and demand the implementation of the same.

Recommendation n°65: *Intensify efforts in the areas of human rights education and capacity-building and organize training seminars on human rights for those working in relevant institutions and bodies* (Recommended by *Egypt*)

IRI: *fully implemented*

EHRC response:

The EHRC has been undertaking several human rights education campaigns in the past years. Target groups were members of the House of Peoples' Representatives; members of regional Council, members of National Defence, Women and Youth Association leaders and members both at the federal and regional level, federal ministries and regional Bureaus of Women Affairs, Social and Labour Affairs members of Child Right Protection Committees. Apart from governmental institutions the Commission provided human rights training to members of mass based organisations and civil society organisations particularly to Teachers Association representatives, Journalist Association members, public relation experts and leaders of civil societies working on HIV/AIDS and people living with disability.

Recommendation n°90: *Continue to take the necessary measures to ensure free and mandatory primary education and increase public expenditure in the area of education* (Recommended by *Libya*)

IRI: *not implemented*

TAHR response:

The U.S. Department of State reported that, although primary education in Ethiopia was universal, tuition-free, and compulsory in policy, "there were not enough schools to accommodate the country's youth, particularly in rural areas." Further, "the cost of school supplies was prohibitive for many families, and there was no legislation to enforce compulsory primary education." Human Rights Watch reports that ethnic groups subjected to villagization, including the Anuaks, have been moved from villages where schools existed and were operational to villages where schools and other infrastructure are non-existent. Further, villagers reported to HRW that they "had been cautiously optimistic about moving to the new villages in part because they were led to believe that their children would be closer to schools" but that "not only have operational schools been completely absent from new villages, but the government's villagization plan did not even envision schools for the majority of new villages."

Indigenous & Minorities

Recommendation n°35: *Consider ways to depoliticize ethnicity and promote policies of inclusion* (Recommended by *Brazil*)

IRI: *not implemented*

EWHRA response:

The Ethiopian government has continued its attacks on ethnic groups and regions, mainly Amhara and Oromo. The government not only rejected this recommendation



but continues to deny the existence of an explicit policy of ethnocentrism that is central to its governance.

TAHR response:

Discrimination based on ethnicity is often related to discrimination on the basis of real or perceived political opinion—i.e., opposition to or lack of support for the ruling party. Ethnic groups that are perceived to be politically unsupportive of the Government are more likely to receive unfavorable treatment with respect to the Government's obligation to protect and promote human rights. Moreover, affiliation—real or perceived—with certain ethnically based political groups is sometimes the Government's asserted basis for discrimination. The Government uses rural administrative councils to control local communities. These councils, typically under the control of the ruling party, control access to food assistance and other state-distributed resources. In areas populated by disadvantaged ethnic groups perceived not to support the ruling party, these councils use this access as part of a “carrot and stick” approach to coerce allegiance to the ruling party and to punish dissent. In schools at all levels of the educational system, teachers and students are subject to political indoctrination and coercion to join the ruling party. The Government uses suspected membership in the Oromo Liberation Front as a pretext for expelling Oromo students from university. Students in Oromia do not receive English-language instruction until Grade 9, even though the national Grade 10 examination is in the English language. As a result, they are disadvantaged when competing against students in other areas who receive English language instruction from a much younger age. Oromos do not feel free to speak Oromiffa in public or to use distinctively Oromo names because doing so makes them targets of formal and informal discrimination. Oromos face widespread hostility from members of other ethnic groups and are often called a name that is an ethnic slur and an affront to their cultural heritage. Moreover, the Government of Ethiopia has targeted prominent Oromo cultural figures for persecution.

International Instruments

Recommendation n°4: *Strengthen cooperation with the international community and the United Nations human rights bodies in order to consolidate and promote human rights in the country* (Recommended by Angola)

IRI: *not implemented*

OSGA response:

No access allowed to independent human rights monitoring organisations in Ogaden and Oromo regions. In March 2012 Amnesty International official was expelled from Ethiopia when he tried to go to Ogaden and Oromo regions.

EWHRA response:

We are not aware of any credible steps or measures taken by the Ethiopian government to cooperate with treaty bodies to promote human rights.

OSG response:

There is no genuine desire to improve human rights record.

TAHR response:

The Charities and Societies Proclamation of 2009 (No.621/2009) has discouraged international contacts and cooperation in cultural fields. Moreover, Amnesty International has documented the negative effects of the Proclamation on many human rights organizations, including Ethiopia's leading human rights organizations. The law has impeded civil society submissions to the Committee on Economic, Social and Cultural Rights and other U.N. Treaty Bodies. And by erecting barriers to cooperation between Ethiopians in Ethiopia and those in the diaspora, the Proclamation interferes with the development of international cultural contacts and co-operation.

Recommendation n^o7: *Consider signing and-or ratifying the International Convention for the Protection of All Persons from Enforced Disappearance CED (Recommended by Argentina)*

IRI: *not implemented*

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Recommendation n^o132: *Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance CED (Recommended by Spain)*

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the International Convention for the Protection of All Persons from Enforced Disappearance (CED) [10 May 2012]

Recommendation n^o11: *Agree to the visit of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (Recommended by Australia)*

IRI: *not implemented*

EWHRA response:

In light of the continued and severe violations of fundamental human rights, especially the rights of free speech, expression and opinion, a visit from the Special Rapporteur would be a critical step to ensuring that Ethiopia is complying with its international obligations. The Ethiopian government's rejection of a simple call for a visit highlights the degree to which the Ethiopian government is unwilling to address the vast violations of human rights committed against the Ethiopian people.

UNPO response:

Ethiopia has not agreed to the visit of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

OSG response:

Widespread arrests in 2011 include those of opposition politicians who spoke to Amnesty International delegation in August.



Recommendation n°17: *Ratify the Optional Protocol to CRC on the involvement of children in armed conflict* (Recommended by Austria)

IRI: *not implemented*

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Recommendation n°39: *Become party to the Optional Protocol to CRC on the involvement of children in armed conflict* (Recommended by Canada)

IRI: *partially implemented*

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Recommendation n°133: *Sign and ratify the Optional Protocol to CRC on the involvement of children in armed conflict* (Recommended by Spain)

IRI: *partially implemented*

+

Recommendation n°148: *Ratify the Optional Protocol to CRC on the involvement of children in armed conflict* (Recommended by Switzerland)

IRI: *not implemented*

UNPO response:

Ethiopia has made the first step towards becoming party to the Optional Protocol to the CRC on the involvement of children in armed conflict. It signed the Optional Protocol on 28 September 2010. As of 10 May 2012 the Protocol has not yet been ratified.

Recommendation n°18: *Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (Recommended by Austria)

IRI: *not implemented*

+

Recommendation n°42: *Become party to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (Recommended by Canada)

IRI: *not implemented*

+

Recommendation n°136: *Sign and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (Recommended by Spain)

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women [10 May 2012]

Recommendation n°19: *Ratify the Optional Protocol to the Convention on the Rights of the Child CRC on the sale of children, child prostitution and child pornography* (Recommended by Austria)

IRI: *not implemented*

+

Recommendation n°43: *Become party to the Optional Protocol to the Convention on the Rights of the Child CRC on the sale of children, child prostitution and child pornography* (Recommended by Canada)

IRI: *not implemented*



+

Recommendation n°69: *Accede to the Optional Protocol to the Convention on the Rights of the Child CRC on the sale of children, child prostitution and child pornography* (Recommended by *France*)

IRI: *not implemented*

+

Recommendation n°137: *Sign and ratify the Optional Protocol to the Convention on the Rights of the Child CRC on the sale of children, child prostitution and child pornography* (Recommended by *Spain*)

IRI: *not implemented*

+

Recommendation n°149: *Ratify the Optional Protocol to the Convention on the Rights of the Child CRC on the sale of children, child prostitution and child pornography* (Recommended by *Switzerland*)

IRI: *not implemented*UNPO response:

Ethiopia has not signed or ratified the Second Optional Protocol to the CRC on the sale of children, child prostitution and child pornography [10 May 2012]

Recommendation n°20: *Seek cooperation of OHCHR as well as NGOs in the follow-up to the universal periodic review* (Recommended by *Austria*)

IRI: *fully implemented*EHRC response:

A national workshop, organized jointly by EHRC and MoFA, with the technical assistance of OHCHR, on the implementation and follow up of the UPR recommendations for Ethiopia was conducted in Addis Ababa entitled 'NATIONAL CONSULTATION WORKSHOP ON THE UNIVERSAL PERIODIC REVIEW (UPR) FOR ETHIOPIA'. The objective of this consultative workshop was to provide a platform for sharing information and enhancing dialogue on the UPR recommendations accepted by Ethiopia in order to intensify awareness, and reinforce capacity and commitment to the implementation of the accepted recommendations and ensure timely preparation for the next review.

Recommendation n°34: *Consider responding affirmatively to the visits requested by human rights mandate holders, within the context of its cooperation with OHCHR* (Recommended by *Brazil*)

IRI: *not implemented*

+

Recommendation n°48: *Issue a standing invitation to all United Nations special procedures and respond favourably to all outstanding requests* (Recommended by *Canada*)

IRI: *not implemented*

+

Recommendation n°82: *Address all urgent appeals sent by the United Nations special procedures mandate holders* (Recommended by *Ireland*)

IRI: *not implemented*

+



Recommendation n°84: *Extend a standing invitation to all United Nations special procedures mandate holders* (Recommended by Ireland)

IRI: *not implemented*

+

Recommendation n°89: *Consider extending a standing invitation to all special procedures of the Human Rights Council* (Recommended by Latvia)

IRI: *not implemented*

+

Recommendation n°97: *Cooperate fully with the special procedures and respond positively to the outstanding requests for visits by mandate-holders* (Recommended by Netherlands)

IRI: *not implemented*

+

Recommendation n°105: *Consider receiving the Special Rapporteurs of the Human Rights Council in Ethiopia* (Recommended by Norway)

IRI: *not implemented*

+

Recommendation n°114: *Issue a standing invitation to the special procedures of the Human Rights Council, and in particular accept a visit by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, which has already been requested twice* (Recommended by Poland)

IRI: *not implemented*

+

Recommendation n°125: *Issue a standing invitation for all special procedures and respond positively to all outstanding invitations* (Recommended by Slovenia)

IRI: *not implemented*

+

Recommendation n°130: *Issue an open-ended and standing invitation to all special procedures - and more specifically respond positively to the requests for visits by the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression and on the right to education, the Working Group on Arbitrary Detention, and the Special Rapporteurs on torture and on extrajudicial, summary or arbitrary executions* (Recommended by Spain)

IRI: *not implemented*

UNPO response:

Ethiopia has not issued a standing invitation to United Nations special procedures mandate holders, and has not issued an individual invitation or accepted a request to visit of a mandate holder since the Independent Expert on Minority Issues visit in 2006. Since that time, Ethiopia has failed to positively respond to visit requests from the SR on freedom of association and assembly, the Working Group on arbitrary detention, the SR on torture, the SR on freedom of religion, the SR on the right to food, and the SR on extrajudicial, summary or arbitrary executions.

Recommendation n°40: *Become party to the Optional Protocol to ICCPR* (Recommended by Canada)

IRI: *not implemented*

+



Recommendation n°134: *Sign and ratify the Optional Protocol to ICCPR* (Recommended by *Spain*)

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the Optional Protocol to the ICCPR [10 May 2012]

Recommendation n°41: *Become party to the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty* (Recommended by *Canada*)

IRI: *not implemented*

+

Recommendation n°123: *Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty* (Recommended by *Slovakia*)

IRI: *not implemented*

+

Recommendation n°139: *Sign and ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty* (Recommended by *Spain*)

IRI: *not implemented*

+

Recommendation n°150: *Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty* (Recommended by *Switzerland*)

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty [10 May 2012]

Recommendation n°8: *Consider signing and-or ratifying the Rome Statute of the International Criminal Court* (Recommended by *Argentina*)

IRI: *not implemented*

+

Recommendation n°47: *Further its commitment to human rights by becoming a party to the Rome Statute of the International Criminal Court* (Recommended by *Canada*)

IRI: *not implemented*

+

Recommendation n°122: *Ratify the Rome Statute of the International Criminal Court, including accession to the Agreement on the Privileges and Immunities of the International Criminal Court* (Recommended by *Slovakia*)

IRI: *not implemented*

+

Recommendation n°147: *Ratify the Rome Statute of the International Criminal Court* (Recommended by *Switzerland*)

IRI: *not implemented*

UNPO response:

Ethiopia has not become a party to the Rome Statute of the International Criminal Court [10 May 2012]

Recommendation n°56: *Accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and*



establish a national preventive mechanism accordingly (Recommended by Czech Republic)

IRI: *not implemented*

+

Recommendation n°135: *Sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Spain)

IRI: *not implemented*

+

Recommendation n°153: *Sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by United Kingdom)

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [10 May 2012]

Recommendation n°60: *Consider ratifying the Convention on the Rights of Persons with Disabilities CRPD* (Recommended by Democratic Republic of Congo)

IRI: *fully implemented*

UNPO response:

Ethiopia ratified the Convention on the Rights of Persons with Disabilities (CRPD) on July 7, 2010.

Recommendation n°61: *Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (Recommended by Democratic Republic of Congo)

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families [10 May 2012]

Recommendation n°131: *Ratify the Convention on the Rights of Persons with Disabilities CRPD and sign and ratify the Optional Protocol to CPRD* (Recommended by Spain)

IRI: *partially implemented*

UNPO response:

Ethiopia ratified the CRPD on July 7, 2010. Ethiopia has not signed or ratified the Optional Protocol to the CPRD [10 May 2012]

Recommendation n°138: *Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* (Recommended by Spain)

IRI: *not implemented*

UNPO response:

Ethiopia has not signed or ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights [10 May 2012]

Justice

Recommendation n°22: *Undertake effective disciplinary and criminal procedures against members of the security forces involved in cases of sexual violence (Recommended by Austria)*

IRI: *not implemented*

OSGA response:

Violence against women and children in Ogaden and other regions occurs daily, at the hands of government law enforcement agencies and allied militia, Liyu police, and is rarely, if ever, prosecuted

Eg1: In May 2011, a 16 year old girl (name withheld for security reasons) was abducted by Liyu police and federal military forces in Dhagabbur. She was beaten and raped for 10 days by more than 40 men. They threw her from the Liyu police base, unconscious and bleeding and she died 5 days later from her injuries. This has not been investigated.

Eg 2 April 24, 2012 - An Anuak woman with an infant was gang-raped by ENDF in Pinyudo. After the rape she was killed and her body badly mutilated. They kidnapped her child and the child's body was later found near ENDF barracks. However, the ENDF blamed it on Murle tribe from South Sudan.

Eg 3. April 25, 2012 - ENDF massacred an Anuak family-husband his wife and four children in Gog.

Eg 4: ENDF detained and imprisoned 40 Children at a soccer field in Abobo in 2012. These crimes have not been prosecuted.

EHRC response:

Every year since 2009 on the commemoration of the 'Sixteen Days of Activism', the Commission gives due attention to higher education facilities and respective communities of universities in promoting awareness on gender based violence in general and sexual violence in particular. In the year 2011 only the campaign was made to cover 23 government and private universities and 300 students, teachers and other stakeholders have participated. In addition to such campaigns the consultative workshops are held each year. The consultative workshop that took place in May 2011, for instance, solely focused on sexual violence against women in institutions of higher learning. Participants were drawn from the House of Peoples' Representatives, private and state run institutions of higher learning, law enforcement organs, and teachers, members of student councils, gender clubs and concerned federal ministries.

Recommendation n°59: *Strengthen the human rights education and training of military forces and police, prison and judicial staff, and ensure their accountability for any violations of human rights, in particular for violence or sexual violence against women, children and persons of minority sexual orientation or gender identity (Recommended by Czech Republic)*

IRI: *not implemented*



OSGA response:

Torture is widespread in detention and prison centres.

Eg 1: Interrogation methods such as water boarding and administering neutersol solution into prisoners' testicles to sterilize them, constitute cruel, inhuman and degrading treatment.

Eg 2. Recently the UN Security staff officer was illegally imprisoned in Ogaden region on allegations of association with Ogaden National Liberation Front. (See, ONLF Statement on UN Security staff officer illegally imprisoned by Ethiopia, WEDNESDAY, 11 APRIL 2012 and Oromia Support Group 2010-2012 press Releases)

Recommendation n^o66: *Better educate security and law enforcement authorities at all levels about the basic rights of the citizens and enhance citizens' possibilities to make complaints about mistreatment by the authorities* (Recommended by Finland)

IRI: *partially implemented*

EHRC response:

Trainings on human rights and the duty of law enforcement officials in connection with the respect and protection of human rights have been given by the Commission in several instances. Law enforcement officials including federal and regional police and prison officials, Military Officers were trained on human rights in the law enforcement sector. In addition to the formal awareness raising campaigns the Commission used the reports resulting from its prison monitoring activity to be basis for awareness promotion among law enforcement authorities. Accordingly it held more than ten consultative forums involving all stakeholders.

Recommendation n^o67: *Take action to ensure the safety and freedom of action of human rights defenders* (Recommended by Finland)

IRI: *not implemented*

OSGA response:

Human right defenders continue to be harassed, detained, persecuted, tortured and assassinated. In Ogaden region, freedom of expression, association etc are so constrained that almost no journalists or other human rights defenders are able to operate.

OSG response:

Arrests have continued.

Recommendation n^o85: *Put in place measures to support the work of human rights defenders* (Recommended by Ireland)

IRI: *not implemented*

OSG response:

No evidence of this.

Recommendation n^o92: *Give favourable consideration to prohibit the death penalty and corporal punishment in the Constitution and Ethiopian legislation in the area of the right to life* (Recommended by Mexico)

IRI: *not implemented*



Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

The Government stated that the Constitution already guarantees a child's freedom from such punishment (A/HRC/13/17, Report of the Working Group, para. 99.14; A/HRC/13/L.10 Advance Unedited Version, Draft report of the Human Rights Council on its thirteenth Session, para. 743). However, the Constitution states that "every child has the right to be free of corporal punishment or cruel and inhuman treatment in schools and other institutions responsible for the care of children (article 36): it does not prohibit corporal punishment by parents/carers in the home and in non-institutional forms of care. On the contrary, the Criminal Code and the Revised Family Code provide legal defences for the use of corporal punishment in childrearing.

Recommendation n°95: *Amend the Anti-Terrorism Proclamation with a view to bringing this Proclamation into conformity with international human rights standards and narrow the definition of terrorism used* (Recommended by Netherlands)

IRI: *not implemented*

UNPO response:

The anti-terrorism proclamation has not been amended. It continues to use the original, broad definition of terrorism. For details about the actual use and impact of this law on freedom of expression in Ethiopia, see UNPO response to Recommendation no. 12

EWHRA response:

The Ethiopian government has used the passage of the Anti-Terrorism Proclamation in 2009 to curtail the legitimate activities of journalists and opposition members and leaders. Specifically the government has criminalized dissent by charging and arresting opposition members for engaging in protected activities and by designating opposition groups as terrorist organizations. With respect to journalists, the Ethiopian government has severely curbed freedom of the press by charging and arresting journalists who report the activities of opposition members and groups.

Recommendation n°109: *Promptly respond to complaints of harassment, intimidation or arbitrary arrests of human rights defenders, and take adequate measures for their safety* (Recommended by Norway)

IRI: *not implemented*

EWHRA response:

We are not aware of any credible measures undertaken by the Ethiopian government to address the human rights violations perpetrated on human rights defenders. In fact, Ethiopian Security forces continue to harass and arrest those suspected of supporting the opposition, including journalists who report on the activities of opposition groups.

Recommendation n°120: *Commute the pending death sentences to imprisonment terms* (Recommended by Slovakia)

IRI: *partially implemented*

OSG response:

Death sentence on Mesfin Abebe was commuted to life imprisonment



Recommendation n^o143: *Take further measures to ensure that any efforts to counter terrorism are carried out in full compliance with its human rights obligations, including respect for due process and freedom of expression and assembly* (Recommended by Sweden)

IRI: *not implemented*

UNPO response:

Application of the country's sweeping new anti-terrorism legislation, which came into effect in July 2009, has been "aggressively extended" (Committee to Protect Journalists) to harass and imprison journalists whose coverage embarrasses the government, as well as members of the country's political opposition. Reporters Without Borders (RSF) noted that 2011 saw a sharp increase in the use of security arguments as grounds for silencing dissident voices, citing the arrests of four journalists in the span of two months, all of whom were charged with and subsequently convicted of "terrorist activities" and given prison sentences ranging from 11 to 14 years: Fitihi columnist Reyot Alemu and Awramba Times reporter and deputy editor Woubeshet Taye were arrested in June, followed by Swedish journalists Martin Schibbye and Johan Persson in the Ogaden region in July [2011]. In September 2011, journalist Eskinder Nega posted an online column criticizing the Ethiopian government for its arrest of dissidents, the use of torture in the country's prisons, and widespread denials of freedom of expression. He was arrested shortly thereafter and charged with violating the 2009 Anti-Terrorism Proclamation. Nega has been detained at least seven times by the government of Ethiopia; following his coverage of the 2005 elections, he was imprisoned for 17 months and stripped of his license to work as a journalist in Ethiopia. In May 2012, Nega was honored in with Pen America's annual "Freedom to Write" prize. His verdict was expected in mid-May 2012, but has been postponed until mid-June; if convicted, he could be sentenced to death. Members of the country's political opposition are also frequently imprisoned under this legislation. Mere days after meeting with a visiting Amnesty International team in August 2011, Bekele Gerba, deputy Chairman of the Oromo Federalist Democratic Movement (OFDM) and Olbana Lelisa of the Oromo People's Congress party (OPC) were arrested and accused of terror-related offenses. An Amnesty International representative noted that the arrests "are indicative of the constant harassment of opposition politicians, and severe stifling of freedom of expression in the country". On the same day as the arrests, the Amnesty International delegation was called into a meeting with the government and ordered to leave the country.

Following its July 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee was very critical of the country's anti-terrorism legislation, expressing concern regarding the "unclear definition of certain offences in Proclamation 652/2009" and the broad scope of some of its provisions, "including the criminalization of encouragement of and inducement to terrorism through publication, which can lead to abuse against the media (arts. 2, 15 and 19)." The Committee urged Ethiopia to ensure that its legislation is "limited to crimes that deserve to attract the grave consequences associated with terrorism, and revise its legislation that imposes undue restrictions on the exercise of rights under the Covenant."



RSF response:

Selon les informations rassemblées par Reporters sans frontières, la lutte contre le terrorisme en Ethiopie est un prétexte pour réprimer des groupes d'opposition et les minorités qui ont été déclarés « terroristes » par le parlement. La loi antiterroriste de 2009 est aussi utilisée pour museler la presse. Les journalistes enquêtant sur certains groupes d'opposition et sur les groupes sécessionnistes sont susceptibles d'être arrêtés pour « activités terroristes » ou « soutien au terrorisme ». C'est une véritable loi liberticide qui constitue une menace pour les journalistes éthiopiens. En 2011, 4 journalistes, 2 éthiopiens et 2 suédois, ont été arrêtés et inculpés pour « activités terroristes ». Les journalistes éthiopiens ont été accusés de complicité présumée avec *Ginbot 7*, un groupe politique d'opposition basé aux Etats-Unis déclaré « terroriste » par le parlement. Ils ont écopé d'une peine de 14 ans de prison ferme. Les Suédois enquêtaient sur les droits de l'homme en Ogaden aux côtés du Front national de libération de l'Ogaden. Ils ont été condamnés à 11 ans de réclusion.

Recommendation n°144: *Authorise the launching of an independent international inquiry on the allegations on the violations of human rights in the Somali region since 2007, and bring those responsible to justice* (Recommended by Switzerland)

IRI: *not implemented*

+

Recommendation n°155: *Undertake credible and independent investigations of alleged human rights violations in the Somali Region* (Recommended by United Kingdom)

IRI: *not implemented*

+

Recommendation n°156: *Allow for greater humanitarian access to the Ogaden so that organizations such as the International Committee of the Red Cross and United Nations relief agencies can provide assistance to victims of conflict* (Recommended by United States)

IRI: *not implemented*

UNPO response:

The Ethiopian government has severely restricted the access of international observers and humanitarian organizations into “conflict” regions, particularly the Somali region. While the Government has claimed to have performed an internal investigation into rights violations in the Somali Region, the resulting report has not been seen by any international observatory or UN body, and no prosecutions of perpetrators of torture have yet been made (Amnesty International 2009 “Ethiopia: Amnesty International Submission to the UN Universal Periodic Review” AFR 25/004/2009, 13 April 2009, p. 4). Meanwhile, the high volume of cases of torture, arbitrary detention and extrajudicial killings in the Somali Region and other areas of Ethiopia have been of such concern to the outside world that a special hearing of the European Parliament was held on the issue in March 2010 (UNPO 2010. “Hearing on Human Rights in Ogaden – European Parliament.” Unrepresented Nations and Peoples Organization, 18 March 2010, <http://www.unpo.org/content/view/10849/81/>), and a special Foreign Relations bill was drafted by the United States Senate calling on Ethiopia to encourage the release of all detainees and work to ensure humanitarian aid arrives to residents of the region (U.S. Senate, Committee on



Foreign Relations 2007. H.R. 2003. 110th Congress, 1st Session, October 3, 2007). Though violations of human rights continue in the Somali Region of Ethiopia, the International Committee of the Red Cross (ICRC), was obliged by the Ethiopian government to suspend its activities in the Somali Region in 2007. The international community has repeatedly called for Ethiopia to allow the ICRC into the Region, a request which has been repeatedly denied. On April 29, 2011 the ICRC reported that, following talks with Ethiopian Prime Minister Meles Zanawi, the organization had once again been denied access to the Region. During the 102nd Session Human Rights Committee review of Ethiopia in July 2011, the Ethiopian Delegation confirmed that the ICRC had still not been granted permission to return to the Ogaden. Independent journalists, human rights monitors and many humanitarian agencies are currently barred from the Ogaden region, and trade and movement within the region have also been severely restricted. Doctors Without Borders (MSF) recently published a detailed account of its negotiations with the Ethiopian government to maintain access to the region, describing significant and targeted harassment of MSF teams including the imprisonment of several national staff members, and the eventual expulsion of MSF from the region. The case of Martin Schibbye and Johan Persson - two Swedish journalists who were apprehended in the region, tried for entering the country illegally and supporting terrorist activities, and sentenced to eleven years in prison - illustrates the difficulty and danger inherent in attempts to access the region without official permission.

Women & Children

Recommendation n°3: Take measures deemed appropriate to guarantee the right of children to food, and to this end, request the assistance of institutions, programmes and international organisms competent on this issue (Recommended by Algeria)

IRI: not implemented

OSGA response:

Children in Ogaden and Oromo regions are routinely denied access to food. International aid organisations with capacity for large scale food distribution have been denied access to Ogaden region.

TAHR response:

Human Rights Watch reports that the “villages” to which the Anuaks and other disadvantaged ethnic groups are relocated typically lack needed food or agricultural assistance. HRW reports that much of the land in the new villages is not cleared or ready to cultivate, and the relocated villagers instead must depend on government food assistance. However, only one-third of villages had received any food delivery at all, and those deliveries are reportedly small and only last about two weeks.

Recommendation n°5: Strengthen efforts to combat early and forced marriages (Recommended by Angola)

IRI: not implemented

OSGA response:

No noticeable change.

Recommendation n°9: Make all efforts to take the necessary measures to ensure that there is an effective prohibition of female genital mutilation (Recommended by Argentina)

IRI: not implemented

OSGA response:

No practical improvement despite the establishment of programs and policies.

UNPO response:

Following its July 2011 review of Ethiopia, the Committee on the Elimination of Discrimination against Women expressed several concerns regarding the continued practice of FGM despite its criminalization; in particular, the Committee noted that the state had not taken sufficient action to modify or eliminate stereotypes and negative cultural values and harmful practices that contribute to the continuation of violence against women; and that FGM remains underreported due to a lack of trust and deficiencies in the legal system. Following its May 2012 review of Ethiopia, the Committee on Economic, Social and Cultural Rights noted its concerns regarding Ethiopia's efforts to ensure effective prohibition of FGM: "The Committee notes with concern that, in spite of the criminalization of the practice of female genital mutilation (FGM), it remains highly prevalent in rural areas. The Committee is concerned that domestic violence continues to be under-reported, that disaggregated data on prosecution and conviction rates in relation to violence against women are absent, and that victim assistance and rehabilitation services are lacking. The Committee is also concerned that marital rape has not yet been criminalized under the Criminal Code. (art.10)" [...]

Recommendation n°10: Take necessary measures to ensure that women, girls and boys are prevented from being trafficked, sexually exploited or sold for prostitution (Recommended by Argentina)

IRI: not implemented

OSGA response:

No effective mechanisms have been implemented to protect these groups from exploitation. Trafficking of women to the Middle East continues. Eg In March 2012 a trafficked girl from Addis was beaten and killed by employers in Beirut. The Ethiopian Ambassador refused to investigate as he said the girl had entered the country illegally.

Recommendation n°13: Effectively investigate and prosecute all cases of violence against women and children (Recommended by Austria)

IRI: not implemented

OSGA response:

Violence against women and children in Ogaden and other regions occurs daily, at the hands of government law enforcement agencies and allied militia, Liyu police, and is rarely, if ever, prosecuted

Eg1: In May 2011, a 16 year old girl (name withheld for security reasons) was abducted by Liyu police and federal military forces in Dhagabbur. She was beaten



and raped for 10 days by more than 40 men. They threw her from the Liyu police base, unconscious and bleeding and she died 5 days later from her injuries. This has not been investigated.

Eg 2 April 24, 2012 - An Anuak woman with an infant was gang-raped by ENDF in Pinyudo. After the rape she was killed and her body badly mutilated. They kidnapped her child and the child's body was later found near ENDF barracks. However, the ENDF blamed it on Murle tribe from South Sudan.

Eg 3. April 25, 2012 - ENDF massacred an Anuak family-husband his wife and four children in Gog.

Eg 4: ENDF detained and imprisoned 40 Children at a soccer field in Abobo in 2012. These crimes have not been prosecuted.

Recommendation n°16: *Provide, together with NGOs, safe places and assistance to victims of sexual violence (Recommended by Austria)*

IRI: *not implemented*

OSGA response:

No such services exist in Oromo and Ogaden regions to our knowledge.

Recommendation n°44: *Continue building on ongoing efforts by fostering open discussions in communities still engaging in female genital mutilation practice (Recommended by Canada)*

IRI: *partially implemented*

EHRC response:

With a view to tackle harmful traditional practices among which female genital mutilation is the most pervasive, the Commission reached an agreement to collaborate with regional mass based societies and women association found in Amara, Oromia, Tigray and Southern Nation Nationalities and Peoples Regional State (SNNPR). As per its agreement with the above mentioned women associations EHRC already provided a 1,000,000 birr funding to each association to undertake activities focused on the elimination of harmful traditional practices. For instance the Amhara region women association using the fund provided for it by EHRC provided a consultative forum on early marriage, female genital mutilation and rape to 73,390 participants composed of government officials, religious and clan leaders. In addition to consultative forums the association instituted human rights and gender clubs in 12 schools in the region.

Recommendation n°51: *Intensify its efforts of awareness-raising and education with regard to the respect of rights of women, in particular in areas where discriminatory practices prevail (Recommended by Republic of Congo)*

IRI: *partially implemented*

EHRC response:

The EHRC has a particular division specifically assigned for the promotion of the rights of vulnerable groups and particularly the rights of women and children and a Commissioner heading the Children and Women Affairs. The Office of Women and Children Affairs undertake awareness raising campaigns solely and in collaboration with the Human Rights Promotion Directorate within the Commission on the issue of the rights of women in general and gender based discrimination in particular. The Commission further collaborates with Women Association and civil society



organisations found in various regional states in awareness raising campaigns on the rights of women and none discrimination.

Recommendation n°64: *Continue efforts aimed at combating female genital mutilation, inter alia through the implementation of programmes sensitizing the population about its harmful effects* (Recommended by Egypt)

IRI: *partially implemented*

EHRC response:

In the year 2011 the Commission conducted a discussion forum by the title 'Female Genital Mutilation is a Human Rights Violation'. The participants were drawn from the HPR, Ministry of Women Child and Youth (MWCY), religious institutions, UN agencies, and other stakeholders. Similarly a Workshop on Harmful Traditional Practices aimed at enabling school teachers to be aware of their role on the elimination of harmful traditional practices was conducted by the Commission in the same year. In addition to these awareness promotion forums, several agreements the Commission enters with Women Association in different regions has the objective of supporting undertakings aimed at promotion of awareness regarding the need to protect women and children from harmful traditional practices. The regional women's associations worked with the Commission in the year 2011 are the Tigray, Oromya, Amhara and the South Nations Nationalities and Peoples regional state women's associations.

Recommendation n°86: *Continue efforts to overcome abductions and domestic violence involving women and children* (Recommended by Kyrgyzstan)

IRI: *partially implemented*

EHRC response:

The Fourth Round Conference on Violence against Women (VAW) undertaken in May 2011 was part of the Commissions continuous effort to create forum for discussion and set forth specific tasks to tackle violence against women and children. At the end of the Conference each year an agreement between the participants who are drawn from governmental and non-governmental organs is reached concerning gaps pointed out during the discussion and means to narrow the same. EHRC has been organising these forums since 2008 and each year participants all over the country shared their best practices and formulated co-operation channels. Similar trend was followed in the May 2011 4th National Conference on VAW and Children. Abduction and domestic violence are two main areas discussed upon during the meeting.

EHRC is also member of a High Level Forum on Eliminating Violence against Women and Children which is chaired by Ministry of Justice. The forum has the objective of identifying, analysing and providing solution in collaboration with all stakeholders to curb violence against women and children among which abduction and domestic violence are priority issues.

Recommendation n°121: *Intensify its efforts to counter gender discrimination* (Recommended by Slovakia)

IRI: *partially implemented*



EHRC response:

The fight against discriminatory practices based on gender is difficult in a country like Ethiopia where the practice is entrenched in the long standing culture of undermining women. However the EHRC has taken up series of measures within the past two years in its effort to curb the practice. Awareness raising trainings provided for members of House of Peoples Representatives (HPR) and House of Federation (HoF) particularly focused on the equality of women and gender based discrimination. Similar training is provided for mass based association and women association in several regions of the country particularly emphasising on the rights of women and gender based discrimination. The Commission further adopted a Gender Policy with the aim of harmonizing all its efforts to tackle gender based discrimination and promote the rights of women.

Other

Recommendation n^o46: *Formulate a national plan of action on human rights and strengthen the Ethiopian Human Rights Commission EHRC, for example, by assisting in opening regional offices and providing access to all detention centres (Recommended by Canada)*

IRI: *partially implemented*

EHRC response:

About NHRAP

The current development in adopting a National Human Rights Action Plan (NHRAP) is the first of its kind for Ethiopia. After the Universal Periodic Review (UPR) session in 2009, during which Ethiopia was reviewed, a National Consultative Workshop on the Development of HRAP was organized in March 2010 by the Ethiopian Human Rights Commission (EHRC/Commission) in collaboration with the Office of the High Commissioner for Human Rights (OHCHR) East Africa Regional Office was a crucial act in the adoption of a NHRAP for Ethiopia. In conclusion of the Consultative Workshop a roadmap to guide the development of a NHRAP was adopted. Further to the roadmap, a resolution adopted at the end of another Consultative Workshop on the recommendations Ethiopia has accepted under the UPR indicated that the process of developing a NHRAP should commence under the supervision of a National Coordinating Committee (NCC) composed of federal and regional government authorities and assigned the Ministry of Foreign Affairs of Ethiopia (MoFA) as the responsible government organ for the overall process of developing the NHRAP.

The project of developing NHRAP was officially launched at an event organized in August 2011 in Addis Ababa after the decision of the Office of the Prime Minister to set up a NHRAP Steering Committee to be in charge. The Steering Committee is composed of the MoFA, Ministry of Justice (MoJ), Ministry of Federal Affairs (MoFA) and the Office of the Federal Government Communication Affairs. The EHRC was designated as a Technical Advisor in the process of developing the NHRAP and host the Secretariat Office of the Committee. Currently, after several months of collaborative and intensive work the first draft of the NHRAP for Ethiopia is



completed. A consultative workshop to deliberate on the final document is due at the end of May 2012.

Regarding branch offices

To increase the accessibility of its services, the Commission implemented its plan of establishing six branch offices in different geographic areas of the country. After endorsement with the parliament, the branches were established in six cities, namely Mekele; Hawassa; BahirDar; Jimma; Jijjiga and Gambela.

Concerning access to detention centres

One of the main activities undertaken by the Commission in the fiscal year 2010/2011 is monitoring all prisons in Ethiopia as an essential step for the production of a baseline report encompassing the prison conditions and the rights of persons held in custody in the country. Accordingly, of the 118 prisons in the country 113 were visited. Based on the monitoring data nine separate reports at regional level were prepared and the Commission has organized consultative workshops for prison officials, regional cabinet members and presidents in all the regional states. Similarly detention centre monitoring of sample regions has been undertaken and a baseline report is finalized and is being printed for publication. In addition to these monitoring activities a team of the EHRC led by Ambassador Teruneh Zenna Chief Commissioner of the EHRC has made visits to Addis Ababa Federal Police Crime Investigation Sector and its treatment of detainees suspected of committing various crimes including terrorism. In the event, the Commission issued a press statement concerning the status of the detainees.

EWHRA response:

The Ethiopian Human Rights Commission which is strongly affiliated with the Ethiopian government must be an independent agency to be a credible organization that can document and investigate human rights violations. An entity such as the government affiliated Ethiopian Human Rights Commission can not address systemic issues of human rights violations if it continues to serve as an arm of the state. The Ethiopian government must repeal the Charities and Societies Proclamation in order for independent civil society organizations to continue their vital work.

Recommendation n^o50: *Continue its efforts to protect internally displaced persons* (Recommended by *Republic of Congo*)

IRI: *not implemented*

OSGA response:

Protection for internally displaced persons remains inadequate.

Eg1. In March 2012, combats on the border between Gumuz and Western Oromia Wollega region, resulted in civilian displacement. IDPs fleeing to neighbouring towns (eg Nekemte) did not receive medical assistance, food or shelter.

Eg 2: May 10, 2012 - ENDF blocked exit points leading to South Sudan and Kenya to prevent escape of IDPs. Immigration Department in Addis Ababa stopped issuing Ethiopian passport to Anuaks.

Eg 3. In Ogaden region, from 2011- present, Ethiopian army continues to forcibly displace civilians from the following areas: Obolle, Higlaley, Ararso, and other villages in that area.

UNPO response:

Internal displacement continues to be a serious problem within Ethiopia. The country's recent large-scale land-leasing and agricultural programs are of particular concern in this respect, as they have involved mass displacement of Ethiopians from their homes. As noted in a recent Human Rights Watch report titled "Waiting Here for Death: Displacement and "Villagization" in Ethiopia's Gambella Region," the Ethiopian government is carrying out forced population transfers involving the displacement of tens of thousands of indigenous people in the western Gambella region from their homes with neither meaningful consultation or compensation. These individuals are then resettled into new "villages" that, in theory, are meant to provide them with improved access to services. In reality, however, the new villages frequently lack any services, are surrounded by poor-quality land, and food and agricultural assistance are not provided. As a result, some of those relocated have faced hunger and even starvation. The HRW report reveals that the Ethiopian government is planning to resettle 1.5 million people in four regions by 2013. Following its May 2012 review of Ethiopia, the Committee on Economic, Social and Cultural Rights noted its concerns about this program, specifically "the forced eviction of thousands of people in various regions of the State party, who are relocated to villages that lack basic infrastructure, such as health clinics, clean water supplies and schools, as well as agricultural assistance or food assistance."

Allegations continue to surface regarding forced displacement within regions affected by conflict, particularly the Ogaden region in Ethiopia's Somali Regional State. In 2008 Human Rights Watch published an extensive report on forced displacement and village burnings in the Ogaden region; while the region remains completely closed to journalists, human rights monitors, diplomats, and most humanitarian agencies, exiled Ogaden with links to the local population have recently reported an uptick in violence directed against civilians in the Ogaden region. The Internal Displacement Monitoring Centre (IDMC) reports that in 2011 (as in previous years) localized violent conflict continued to be an issue in the Gambella, Oromiya and Ogaden regions. The IDMC noted that while "information on the scale of the displacement and the ongoing situation of IDPs has remained difficult to obtain due to restrictions on access...as of December 2011, humanitarian organizations estimated that about 300,000 people remained internally displaced by all these events." Lack of access to these regions, particularly severe in the Ogaden, means that the internally displaced are cut off from international humanitarian aid services. Reports from various sources, including international human rights organizations such as Human Rights Watch, and diaspora organizations, make it clear that the Ethiopian government is not attempting to assist those displaced by conflict. IDMC noted that food security, health, nutrition, and access to water were all of major concern to displacement-affected communities in the Somali (Ogaden), Oromiya and Gambella regions.

Following its July 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee noted with concern that Ethiopia had not yet established a comprehensive mechanism to address the protection needs of internally displaced persons, particularly those displaced by conflict. The Committee recommended the following



measures be taken in accordance with international standards on internal displacement (including the Guiding Principles on Internal Displacement): "(a) increase protection for displaced persons; (b) formulate and adopt a legal framework and a national strategy covering all phases of displacement; (c) create conditions that offer lasting solutions to displaced persons, including their voluntary and safe return." The Committee also invited Ethiopia to consider ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons (2009).

Recommendation n°77: *Strengthen the functions of EHRC and the Ombudsman to bring them into line with the Paris Principles* (Recommended by Ghana)

IRI: partially implemented

EHRC response:

Building the capacity of the Commission and improving its accessibility is one of the goals set in the 5 year Growth and Transformation Plan (GTP) of the country. In addition to the GTP these specific programs are part of the 5 year Strategic Plan of the Commission. Activities including yet not limited to opening branch offices in six regions of the country have been undertaken with in the past months. Additional efforts to strengthen the capacity of the Commission to enable undertake its mandate include the setting in place of free legal aid centres in collaboration with universities and civil societies. Currently, the Commission in collaboration with law schools all over the country and civil society organisations has opened 104 Legal Aid Centers. The development of various operational manuals and training of staff of EHRC is an important element of its strategy for building the capacity of the Commission in improving its accessibility and reinforcing its cooperation with other relevant sectors and organisations.

UNPO response:

Following its July 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee noted that not only was the EHRC not yet compliant with the Paris Principles, but also that it appeared quite inactive given "the fact that it has not made any recommendation regarding existing or new laws, it has undertaken very few investigations on alleged human rights violations, and its recommendations and suggestions following its monitoring of correctional facilities were not implemented by the State Party (art. 2)." Following its May 2012 review of Ethiopia, the UN Committee on Economic, Social, and Cultural Rights (CESCR) expressed its concern "that the Ethiopian Human Rights Commission has not yet applied for accreditation with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. The Committee is concerned about the level of compliance of the Ethiopian Human Rights Commission with the "Paris Principles" adopted by the General Assembly in 1993 (GA res 48/134)." and recommended yet again that the State party "take all the necessary steps in order to ensure that the status of the Ethiopian Human Rights Commission, including mandate, independence, and capacities, fully complies with the Paris Principles," which it has not yet done.

Recommendation n°81: *Undertake efforts to ensure that EHRC complies with relevant international standards* (Recommended by India)

IRI: partially implemented

EHRC response:

The EHRC establishment Proclamation no 210/2000 provides for most of the requirements necessary to comply with international standards, particularly the Paris Principles. The Proclamation not only provides for the mandate of promoting and protecting human rights but also provides a broad mandate that sets and specifies the composition spheres of competence of the EHRC. In general the legal framework setting up the Commission is in line with the Paris Principles in content and intent regarding composition, independence and pluralism. Apart from enabling legal framework the Commission takes various steps forward in carrying out its broad mandate of promoting and protecting human rights. To mention few, the human rights situation assessment, prison monitoring, election monitoring and other significant undertakings it is carrying out underlines its continuous effort towards complying with international standards set for national human rights institutions. The Commission further finalised its preparation to submit its application for the International Coordination Committee (ICC) to obtain accreditation.

EWHRA response:

The Ethiopian Human Rights Commission which is strongly affiliated with the Ethiopian government must be an independent agency to be a credible organization that can document and investigate human rights violations. An entity such as the government affiliated Ethiopian Human Rights Commission can not address systemic issues of human rights violations if it continues to serve as an arm of the state. The Ethiopian government must repeal the Charities and Societies Proclamation in order for independent civil society organizations to continue their vital work.

UNPO response:

Following its July 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee noted that not only was the EHRC not yet compliant with the Paris Principles, but also that it appeared quite inactive given "the fact that it has not made any recommendation regarding existing or new laws, it has undertaken very few investigations on alleged human rights violations, and its recommendations and suggestions following its monitoring of correctional facilities were not implemented by the State Party (art. 2)." Following its May 2012 review of Ethiopia, the UN Committee on Economic, Social, and Cultural Rights (CESCR) expressed its concern "that the Ethiopian Human Rights Commission has not yet applied for accreditation with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. The Committee is concerned about the level of compliance of the Ethiopian Human Rights Commission with the "Paris Principles" adopted by the General Assembly in 1993 (GA res 48/134)." and recommended yet again that the State party "take all the necessary steps in order to ensure that the status of the Ethiopian Human Rights Commission, including mandate, independence, and capacities, fully complies with the Paris Principles," which it has not yet done.



Recommendation n°107: *Establish an effective and inclusive process to follow-up on recommendations emerging from the universal periodic review* (Recommended by Norway)

IRI: *partially implemented*

EHRC response:

As per the resolutions of the consultative workshop on the UPR recommendations for Ethiopia, the EHRC has identified relevant institutions mandated with the task of implementing specific recommendations of the UPR. Following that the Commission has written a letter to the Federal and Regional Institutions informing them about their duties and responsibilities in line with the UPR recommendations. It is further planned to monitor the implementation of the recommendations in accordance with its advice to the relevant stakeholders to that effect. The EHRC also translated the text of the UPR recommendations into the official language of the country and published for public dissemination a booklet both in Amharic and English.

Recommendation n°126: *Consider developing a policy aimed at assisting and protecting internally displaced persons and refugees* (Recommended by South Africa)

IRI: *not implemented*

UNPO response:

Following its July 2011 review of Ethiopia's compliance with the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee noted with concern that Ethiopia had not yet established a comprehensive mechanism to address the protection needs of internally displaced persons, particularly those displaced by conflict. The Committee recommended the following measures be taken in accordance with international standards on internal displacement (including the Guiding Principles on Internal Displacement): "(a) increase protection for displaced persons; (b) formulate and adopt a legal framework and a national strategy covering all phases of displacement; (c) create conditions that offer lasting solutions to displaced persons, including their voluntary and safe return." The Committee also invited Ethiopia to consider ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons (2009). See UNPO response to recommendation n° 50 for updates regarding internal displacement in Ethiopia.

Recommendation n°152: *Open regional offices of the EHRC, starting with an office in Jijiga* (Recommended by United Kingdom)

IRI: *fully implemented*

EHRC response:

The Commission has opened six branch offices in different regions of the country including Somalia regional state in Jigjiga.

EWHRA response:

The Ethiopian Human Rights Commission which is strongly affiliated with the Ethiopian government must be an independent agency to be a credible organization that can document and investigate human rights violations. An entity such as the government affiliated Ethiopian Human Rights Commission can not address systemic issues of human rights violations if it continues to serve as an arm of the state. The



Ethiopian government must repeal the Charities and Societies Proclamation in order for independent civil society organizations to continue their vital work.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.

We posted our requests to the States and NHRI, and sent emails to NGOs.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing the recommendations

The persons we contact are encouraged to use an Excel sheet we provide which includes all recommendations received by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the



recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for the recommendations received at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.



Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
14	Implement specific legislation to combat violence, in particular sexual violence against women and children	Austria	Accepted	5	Women's rights, Rights of the Child,
15	Provide adequate resources for the effective prosecution of cases of sexual violence	Austria	Accepted	4	Women's rights, Rights of the Child,
21	Undertake an awareness-raising campaign against sexual violence	Austria	Accepted	5	Women's rights, Rights of the Child, Human rights education and training,
23	Address the gender disparity as well as women's limited access to education, their limited political representation and limited participation in decision-making	Azerbaijan	Accepted	4	Women's rights
25	Make combating discrimination against vulnerable girls a national priority and adopt a comprehensive strategy to eliminate discrimination on any grounds against all vulnerable groups, as recommended by the Committee on the Rights of the Child	Azerbaijan	Accepted	4	Treaty bodies, Rights of the Child,
26	Strengthen measures to prevent recruitment of children in the armed forces	Azerbaijan	Accepted	4	Rights of the Child
28	Continue to facilitate education for all with due regard to girls' education and nondiscriminatory access and ensuring its quality	Bangladesh	Accepted	2	Rights of the Child, Right to education,
29	Continue to fight poverty with the support and cooperation of the international community	Bangladesh	Accepted	2	Technical assistance, Poverty,
30	Fight malaria and HIV-AIDS with the support of the international community	Bangladesh	Accepted	4	Technical assistance, HIV - Aids,
31	Increase the efforts to improve the social status of women in society and enhance political and social rights	Belarus	Accepted	4	Women's rights
32	Take all necessary measures to prevent trafficking in persons, especially children, including the incorporation of international standards into national legislation, training of personnel involved in the fight against human trafficking, criminal prosecution of traffickers and the protection of victims of trafficking	Belarus	Accepted	5	Trafficking



rec. n°	Recommendation	SMR	Response	A	Issue
37	Strengthen efforts to improve the literacy rate of girls and women	Brazil	Accepted	4	Women's rights, Rights of the Child,
52	Request necessary technical and financial assistance from the international community, in particular United Nations organs and programmes, to continue to take care of refugees and internally displaced persons	Cote d'Ivoire	Accepted	1	Technical assistance, Internally displaced persons, Asylum-seekers - refugees,
53	Request technical and financial assistance from the international community, in particular United Nations organs and programmes, with a view to putting into practice national policies to follow-up on recommendations formulated by the Human Rights Council in the context of the Universal Periodic Review	Cote d'Ivoire	Accepted	1	UPR process, Technical assistance,
57	Decriminalize consensual same-sex activity between adults	Czech Republic	Rejected	5	Sexual Orientation and Gender Identity
58	Ensure effective birth registration of all children, raise the age of criminal responsibility in compliance with CRC and adopt specific measures to strengthen protection of human rights of children from vulnerable groups, such as children in detention, internally displaced children and children of refugees	Czech Republic	No Response	4	Rights of the Child, International instruments,
63	Formulate more precisely, in collaboration with international organizations, its needs in terms of technical assistance in identified priority areas	Djibouti	Accepted	1	Technical assistance
68	Undertake specific measures to ensure implementation of international treaties and domestic legislation designed to protect the rights of citizens	Finland	Accepted	4	International instruments
70	Adopt specific measures to deal with the causes of the increasing problem of street children and to prevent and to punish sexual exploitation of children	France	Accepted	4	Rights of the Child
71	Guarantee fully the rights of women by effectively applying the family code, in particular of provisions relating to the minimum marital age, by harmonizing the respective existing regional legislation, by adopting a specific law to eradicate violence against women and by prosecuting and sanctioning those responsible for such acts	France	Accepted	5	Women's rights
74	Encourage the development of integrationist multiracial organizations, including political parties, in line with ICERD and in accordance with a previous recommendation of the Committee on the Elimination of Racial Discrimination	Germany	Rejected	4	Treaty bodies, Racial discrimination, International instruments,



rec. n°	Recommendation	SMR	Response	A	Issue
75	Take effective measures, in line with the Committee on the Rights of the Child, to protect all children from torture, cruel and degrading treatment, particularly from members of the military	Germany	Rejected	4	Treaty bodies, Torture and other CID treatment, Rights of the Child,
76	Step up efforts to prevent children from being engaged in trafficking, sexual exploitation and prostitution	Ghana	Accepted	4	Rights of the Child
78	Further implement laws to effectively guarantee equality between men and women	Holy See	Accepted	4	Women's rights
79	Implement further measures, with regard to maternal mortality and child mortality, to save mother and child	Holy See	Accepted	4	Women's rights, Rights of the Child,
80	Investigate cases of sexual abuse and exploitation and prosecute and impose adequate sentences for such crimes	Holy See	Accepted	5	Women's rights, Rights of the Child,
87	Continue to promote the development of the education system	Kyrgyzstan	Accepted	2	Right to education
88	Undertake further measures to consolidate the national health system in order to cut down on the spread of serious diseases	Kyrgyzstan	Accepted	4	Right to health
91	Ensure access of women to education and control of resources with a view to promptly eliminating inequality between men and women	Mexico	Accepted	4	Women's rights
93	Strengthen efforts made to address the causes of ethnic conflicts on its territory and take necessary measures to prevent and sanction the forced recruitment of minors under the age of 18	Mexico	No Response	4	Rights of the Child
94	Request the necessary assistance from the international community to allow it to strengthen its capacities and to assist it in overcoming the difficulties and constraints it faces in the area of human rights	Morocco	Accepted	1	Technical assistance
100	Continue to strengthen the institutional framework so that the State is able to respond adequately and efficiently to future challenges in areas of public health, education, culture, environment and State administration	Nicaragua	Accepted	2	Right to health, Right to education, Environment,
101	Continue seeking official development assistance as well as technical assistance from development partners with a view to finding solutions to the identified challenges hindering the enjoyment of human rights	Nigeria	Accepted	2	Technical assistance
102	Adopt appropriate measures to disseminate widely and ensure full observance of the Declaration on Human Rights Defenders	Norway	No Response	4	International instruments, Human rights defenders,



rec. n°	Recommendation	SMR	Response	A	Issue
103	Apply effective strategies and measures to reduce inconsistencies between laws and practice, including with regard to access to land for women, the gender gap in employment and trafficking in women	Norway	Accepted	4	Women's rights, Trafficking, Right to land,
110	Strictly implement the principles of the electoral Code of Conduct in the coming election	Norway	Accepted	4	Elections
111	Consider implementing recommendations of relevant treaty bodies in accordance with their national priorities	Pakistan	Accepted	3	Treaty bodies
112	Continue to work for strengthening its human rights infrastructure in cooperation with relevant United Nations human rights organs	Pakistan	Accepted	2	General
113	Request necessary technical assistance to build its capacity to deal with the issues and challenges faced in the fields of education, infrastructure, health, housing, agriculture, and ensuring food security	Pakistan	Accepted	1	Technical assistance
115	Take measures to achieve timely registration of all births and create an adequate and credible birth registration system	Poland	Accepted	4	Rights of the Child
116	Continue efforts, with the support of the international community, to ensure timely reporting to treaty bodies	Russian Federation	Accepted	2	Treaty bodies, Technical assistance,
117	Realize effectively the plans to overcome poverty and achieve sustainable development	Russian Federation	Accepted	4	Poverty
118	Continue cooperation with regional and international human rights mechanisms, in particular in the areas of technical cooperation and training	Saudi Arabia	Accepted	2	Technical assistance
119	Amend the related legislation to establish an immediate moratorium on the death penalty with a view to abolishing capital punishment generally in line with the General Assembly resolutions 62-149 and 63-168 as well as ICCPR-OP 2	Slovakia	Rejected	5	International instruments, Death penalty,



rec. n°	Recommendation	SMR	Response	A	Issue
124	Implement fully the following recommendations of the Committee on the Rights of the Child: a ensure adequate resources to investigate cases of sexual abuse and exploitation and prosecute and impose adequate sentences for such crimes - b make combating discrimination against vulnerable girls a national priority and adopt a comprehensive strategy to eliminate discrimination on any grounds against all vulnerable groups - c enhance the security in refugee camps and take all necessary measures to protect girls against sexual exploitation, establish accessible complaints mechanisms, investigate cases of abuse fully and prosecute the perpetrators	Slovenia	Accepted	5	Treaty bodies, Rights of the Child,
127	Strengthen measures aimed at poverty eradication and improvement of access to safe drinking water, as well as social services	South Africa	Accepted	4	Right to water, Poverty,
128	Abolish the death penalty	Spain	Rejected	5	Death penalty
129	Continue to take measures to eradicate all forms of violence against women including female genital mutilation, ensure the effective implementation of legal instruments in this connection, and allocate more resources to the Ministry for Women Affairs, the police and the judiciary and broaden awareness-raising campaigns in this respect	Spain	Accepted	2	Women's rights, Torture and other CID treatment, Human rights education and training,
140	Continue the efforts to make primary and general secondary education and related training free of charge, with the help of the international community	Sudan	Accepted	2	Technical assistance, Right to education,
141	Continue the efforts to tackle unemployment in urban areas	Sudan	Accepted	2	Labour
145	Continue its efforts so that all forms of sexual violence against women and children are prosecuted and sanctioned and that victims obtain immediate reparation and protection	Switzerland	Accepted	2	Sexual Orientation and Gender Identity
146	Continue towards ensuring that adequate instruments are put in place, enabling the involvement of Ethiopian citizens in the promotion and protection of human rights	Switzerland	Accepted	2	General
157	Conduct a review to examine the ethnic balance in government and develop diversification strategies to comply with the tenets set forth in its ethnic federalism policies	United States	Rejected	3	Minorities
158	Improve the investigative capacity of police and enhance judicial action on trafficking to allow for more prosecutions of trafficking offenders, particularly perpetrators of internal child trafficking	United States	Accepted	4	Trafficking, Rights of the Child,



rec. n°	Recommendation	SMR	Response	A	Issue
160	Continue the efforts to provide the needed health services coverage as well as intensify efforts for the prevention and control of HIV-AIDS	Yemen	Accepted	2	HIV - Aids

A= Action Category (see on [our website](#))

SMR = State making recommendation

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