

Universal Periodic Review (3rd session, April-May 2019)
Contribution of UNESCO

Ethiopia

I. Background and framework

Scope of international obligations: human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO.

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	Not a State Party to this Convention	Reservation to this Convention shall not be permitted		Right to education
<i>Convention on Technical and Vocational Education 1989</i>	Not a State Party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	06/07/1977 Ratification			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	24/02/2006 Ratification			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	02/09/2008 Ratification			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

Right to Education

1. The **Constitution of the Federal Democratic Republic of Ethiopia**¹ does not recognize the right to education. However, regarding “Economic, Social and Cultural Rights”, **Article 41 (4)** provides that “The State has the obligation to allocate an ever increasing resources to provide to the public health, education and other social services.” Besides, **Article 51 (3)** adds that the Federal Government “[...] shall establish and implement national standards and basic policy criteria for [...] education, science and technology [...]”. **Article 25** guarantees the principle of non-discrimination and **Article 35** sets out that “(1) Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men”.

Freedom of opinion and expression

➤ Constitutional and Legislative Framework:

2. Article 29 of the Constitution of Ethiopia States that everyone has the right to freedom of expression without any interference through any media of his choice. Freedom of the press specifically includes prohibition of any form of censorship and access to information of public interest.²

3. Defamation is a criminal offence punishable under Article 613 of the Penal Code (2005) with imprisonment not exceeding six months. Furthermore, Article 618 of the Penal Code penalizes defamation targeted at public officials with imprisonment of up to one year. Additionally, under Article 244, insult, defamation and slander against the State and national emblems are punishable with imprisonment of no less than three months.

4. A freedom of information law does not exist in Ethiopia.

5. The Computer Crime Proclamation, which was adopted by the House of People’s Representatives in June 2016, enables surveillance by security forces and broadens the definition of criminal defamation.³

6. The 2012 Telecom Fraud Offences Proclamation prescribes significant fines and up to eight years in prison for those convicted of using the telecommunications network to disseminate a “terrorizing message.”⁴

➤ Implementation of Legislation:

7. The Ethiopian Broadcasting Authority (EBA)⁵ is the federal media regulatory body in charge of licensing, registration and regulation of broadcasting institutions. The Authority is accountable to

¹ <http://www.unesco.org/education/edurights/media/docs/225808f58dec4e22af73b8b7cfbcb181b9039e76.pdf>

² <http://www.wipo.int/edocs/lexdocs/laws/en/et/et007en.pdf>

³ http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=103967

⁴ <https://chilot.me/2012/12/proclamation-no-7612012-telecom-fraud-offence-proclamation/>

⁵ <http://www.eba.gov.et/>

the Ministry of Information. The members of the board are appointed by the Government on the recommendation of the Minister of Information.⁶

➤ Safety of Journalists:

8. UNESCO recorded no killing of journalists in Ethiopia since 2008. Reeyot Alemu, the 2013 Laureate of UNESCO-Guillermo Cano World Press Freedom Prize was released on July 9, 2015 after serving four years in prison; imprisonment of bloggers and media professionals has been on the agenda of UN organizations.⁷

III. Review and specific recommendations

9. During the last UPR cycle, a number of recommendations was addressed to Ethiopia regarding the necessity to ensure that primary education is free and compulsory for all children and accessible to all. Recommendations included the need to address the issue of discrimination in the field of education, especially for vulnerable groups including women and girls, minorities, children with disabilities and coming from rural areas.

Legislative framework

- In the context of Sustainable Development Goal 4 on education, it should be noted that ratifying the UNESCO 1960 Convention against Discrimination in Education would provide Ethiopia with a supportive legal environment for all efforts made towards providing and ensuring “inclusive and equitable quality education and lifelong learning opportunities for all”.
- Progress could be made by Ethiopia to develop its national legislation in education. Concerns were expressed over the lack of national legislation on free and compulsory education⁸.

Educational policy

- **Budget allocation** to education is satisfactory with expenditure on education representing 27% of total government expenditures and 4.5% of GDP⁹, in line with international requirements laid out in Agenda 2030¹⁰.
- Ethiopia sets out its education policy framework in its **Education Sector Development Programme 2016-2020**¹¹, which focuses on the four main challenges of Ethiopia's education system: increasing access, ensuring equity, improving quality, and improving

⁶ <https://trialtrackerblog.files.wordpress.com/2014/06/ethiopian-broadcast-law.pdf>

⁷ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15890&LangID=E>

⁸ Concluding observations on the combined fourth and fifth periodic reports of Ethiopia, Committee on the Rights of the Child, June 2015, p15, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/ETH/INT_CRC_COC_ETH_20797_E.pdf

⁹ Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Futures for All, p402. <http://unesdoc.unesco.org/images/0024/002457/245752e.pdf>

¹⁰ Education 2030 – Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4. http://uis.unesco.org/sites/default/files/documents/education-2030-incheon-framework-for-action-implementation-of-sdg4-2016-en_2.pdf

¹¹ Education Sector Development Programme V (ESDP V) <https://www.globalpartnership.org/content/education-sector-plan-2016-2020-ethiopia>

management. **Six priority programmes** have been selected and reflect the objectives and strategies for the whole sector, from pre-primary to tertiary education, in accordance with these challenges and with regard to their respective goals.

Access to education

- The fact that a large majority of the Ethiopian population lives in rural areas and in dispersed communities is problematic. Nonetheless, with a **strong commitment to universalizing education**, Ethiopia made progress over the years and managed to achieve substantial progress on indicators of primary schooling such as reducing gender and income disparities in school access, net enrolment ratios and primary attainment rates¹².
- **Too many students leave the system early**. Low enrolment rates in primary second cycle reveal the persistent challenge of reducing dropout and repetition¹³.
- **Privatization of education** represents a major challenge. Private providers are unlikely to locate to sparsely populated and remote areas, so reliance on private provision can reduce educational and social equity for poor and remote populations. In Ethiopia, both provision and funding are often left to the non-state sector when it comes to education¹⁴. For example, this resulted in pre-primary education tending to reach only more advantaged urban populations¹⁵.

Quality education

- **Low quality of outcomes and persistent high dropout and repetition rates** reflect low quality of educational inputs¹⁶. There is also a regional variation in the share of qualified teachers¹⁷. Ethiopia considers the improvement of education quality as a top priority, as reflected in its Education Sector Plan 2016-2020.
- After combining losses due to schools being closed, teachers being absent and students being either absent or off tasks, schools in Ethiopia use **less than 50% of the available time of instruction**¹⁸.
- Progress remains to be made in terms of **infrastructures**, with only 40% of schools estimated to have basic drinking water and 41% having single sex toilets¹⁹.

Non-discrimination and inclusive education

- Discrimination persists for girls, children with disabilities, children of ethnic minorities and children from disadvantaged background. Concerns were expressed over **persistent regional disparities in enrolment rates and the high number of school-aged children, particularly girls, who remain out of school, and the high drop-out rates, the significant low enrolment rates in pre-primary education and secondary education**²⁰.

¹² EFA Global Monitoring Report, Education for all 2000-2015 – Achievements and Challenges, p78, <http://unesdoc.unesco.org/images/0023/002322/232205e.pdf>

¹³ Ibid, p16.

¹⁴ EFA Global Monitoring Report, Education for all 2000-2015 – Achievements and Challenges, p65.

¹⁵ Ibid.

¹⁶ ESDP V, p19.

¹⁷ Ibid, p20.

¹⁸ Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Futures for All, p192.

¹⁹ Ibid, p378.

²⁰ Concluding observations on the combined fourth and fifth periodic reports of Ethiopia, Committee on the Rights of the Child, June 2015, p15.

Another major problem comes from the scarcity of school facilities to accommodate children's education needs, especially for refugee children, children, of displaced indigenous and minority ethnic groups, and children with disabilities²¹.

- Ethiopia adopted **positive discrimination measures** at key education transition points as well as tutoring support for females students entering tertiary education²². Education policies targeting girls supported progress to reduce the gender gap between the poorest girls and boys, although large numbers of both still missed out on school²³.
- The **introduction of mother tongue instruction** in 1994 increased educational attainment by half a year and reading ability by 40%²⁴. Nomadic-specific education plans have emerged since 2000²⁵.
- Although inclusive education resource centers have been established, concerns were expressed over the **absence of a comprehensive strategy towards the development of an inclusive education system**. Poor progress in this field was identified as resulting from a number of causes including: lack of awareness, lack of knowledge and skills, lack of reliable data to help understand the status and conditions of children with special needs, no clear structure for coordination and administration, absence of a financing mechanism to support inclusive education, poor school infrastructures, weak pedagogical skill of teachers²⁶.

Refugee populations

- In response to the high numbers of refugees from neighbouring countries, Ethiopia is one of the five countries to be participating in the **Comprehensive Refugee Response Framework (CRRF)**²⁷. **Ethiopia Refugee Education Response Strategy (2015–2018)** seeks to enhance the organizational capacities and efficiency of school administration and management. At present, 50% of the schools in camps do not meet safe learning environment standards²⁸.

Human rights education

- Among sub-Saharan African countries, Ethiopians were estimated to have the highest awareness of the MDGs (66%)²⁹.

IV. Specific recommendations

10. Ethiopia should be strongly encouraged to ratify the Convention against Discrimination in Education.

²¹ Ibid.

²² Global Education Monitoring Report, Accountability in Education: Meeting our Commitments, p32.

<http://unesdoc.unesco.org/images/0025/002593/259338e.pdf>

²³ EFA Global Monitoring Report, Education for all 2000-2015 – Achievements and Challenges, p158,

²⁴ Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Futures for All, p190.

²⁵ Ibid, p9.

²⁶ ESDP V, p.26.

²⁷ <http://www.unhcr.org/towards-a-global-compact-on-refugees.html>

²⁸ Ethiopia Country Refugee Response Plan, p20, https://reliefweb.int/sites/reliefweb.int/files/resources/62986_0.pdf

²⁹ Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Futures for All, p303.

11. Ethiopia should be encouraged to develop its legislative framework on education in order to guarantee the right to education for all.
12. Ethiopia should be strongly encouraged to increase its efforts to improve the quality of education and to develop adequate infrastructures in order to guarantee children a safe learning environment.
13. Ethiopia should be strongly encouraged to intensify its efforts to improve equal access to education for all, especially vulnerable groups such as women and girls, minorities, children with special needs and from rural areas. With regard to children with special needs in particular, Ethiopia should be encouraged to develop an adequate inclusive education system.
14. Ethiopia should be encouraged to take comprehensive measures to foster the educational opportunities for refugee population and ensure safe learning environments in accordance with international standards.
15. Ethiopia should be encouraged to submit comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments.
16. Ethiopia should be encouraged to share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.³⁰

Freedom of opinion and expression

17. Ethiopia is recommended to implement reforms to bring its laws and practices in line with international standards for press freedom and freedom of expression.
18. Ethiopia is encouraged to implement recommendations relating to the promotion of freedom of expression, which the Government accepted during the last Universal Periodic Review of Ethiopia's record in the UN Human Rights Council.³¹
19. Ethiopia is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.
20. Ethiopia is encouraged to introduce a freedom of information law that is in accordance with international standards and to ensure progress on the Sustainable Development Goal 16.10 concerning public access to information and fundamental freedoms.
21. Ethiopia is encouraged to assess the appointment system for the broadcast licensing authority to ensure that this body is independent.

Cultural rights

³⁰ <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

³¹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15890&LangID=E>
https://www.upr-info.org/sites/default/files/document/ethiopia/session_19_-_april_2014/aau_uprinfo_ethiopia_post-upr_conference_proceedings.pdf

22. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)³², the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)³³ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)³⁴, Ethiopia is encouraged to fully implement the relevant provisions that promote access to, and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Ethiopia is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young people and people with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of scientific research and the right to benefit from scientific progress and its applications

23. **Ethiopia** has not submitted its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore **Ethiopia** is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to the Right to Science, the principle of non-discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.

³² Periodic Report available at: <http://whc.unesco.org/en/activities/852>

³³ Periodic Report available at: <http://ich.unesco.org/doc/download.php?versionID=23215>

³⁴ Periodic Report available at: <http://en.unesco.org/creativity/monitoreo-e-informes/informes-periodicos/informes-109>