



Federal Democratic Republic of Ethiopia
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**Submission by CIVICUS: World Alliance for Citizen Participation,
NGO in General Consultative Status with ECOSOC,
DefendDefenders, NGO in General Consultative Status with ECOSOC,
And
Ethiopian Human Rights Defenders Center (Addis Ababa, Ethiopia)**

**CIVICUS: World Alliance for Citizen
Participation**

CIVICUS UPR Lead
Paul Mulindwa
paul.mulindwa@civicus.org

Róisín Dunbar
roisin.dunbar@civicus.org
+41 22 733 3435
www.civicus.org

**The East and Horn of Africa Human Rights
Defenders Project (DefendDefenders)**

Hassan Shire
HassanS@defenddefenders.org
+256 393 265 820
www.defenddefenders.org

Ethiopian Human Rights Defenders Center

Noah Yesuf
noahyehrdc@gmail.com
+251922909085
<https://ethdefenders.org>

1. Introduction

- 1.1** CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in more than 180 countries throughout the world.
- 1.2** The East and Horn of Africa Human Rights Defenders Project (DefendDefenders) is a regional CSO registered and based in Uganda. Established in 2005, DefendDefenders seeks to strengthen the work of human rights defenders (HRDs) throughout the East and Horn of Africa region by reducing their vulnerability to the risk of persecution and enhancing their capacity to defend human rights effectively.
- 1.3** Ethiopian Human Rights Defenders Center (EHRDC) is a board-led, non-partisan CSO founded in December 2019 and legally registered as of November 2020 with the aim of protecting HRDs in Ethiopia by strengthening their capacity, creating a safe working environment and defending and advocating for them.
- 1.4** In this submission, the authors examine the Government of Ethiopia’s compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society, HRDs and journalists. We analyse Ethiopia’s fulfilment of the rights to freedoms of association, expression and peaceful assembly and harassment and intimidation of, and attacks against, civil society activists, HRDs and journalists since its previous UPR examination in 2019. We assess Ethiopia’s implementation of recommendations received during the 3rd UPR cycle relating to these issues and provide follow-up recommendations.
- 1.5** During the 3rd UPR cycle, Ethiopia received 10 recommendations relating to the space for civil society (civic space). The Government accepted nine recommendations and noted one. An evaluation of a range of legal sources and human rights documentation addressed in this submission demonstrates that the Government of Ethiopia has partly implemented eight of these recommendations. While the government has made significant strides in amending restrictive legislation since its last UPR examination, it also enacted new restrictive laws, including the Hate Speech and Disinformation Legislation, 2020.¹
- 1.6** We are deeply concerned by the arbitrary detention and lack of protection of civil society personnel, activists and journalists, and by restrictions on freedom of assembly.
- 1.7** We are further alarmed by the civic space-related violations committed under the state of emergency, particularly regarding the right to peaceful assembly, including

¹ ‘Hate Speech and Disinformation Prevention and Suppression Proclamation – Proclamation No. 1185 /2020’, Federal Negarit Gazette of the Federal Democratic Republic of Ethiopia’, 2020, <https://www.accessnow.org/wp-content/uploads/2020/05/Hate-Speech-and-Disinformation-Prevention-and-Suppression-Proclamation.pdf>.

the prohibition of protests, indiscriminate killings of protesters and prosecution of peaceful protesters.

1.8 As a result of these issues, civic space in Ethiopia is currently classified as repressed by the CIVICUS Monitor, which indicates the existence of severe civic space restrictions.²

- Section 2 of this submission examines Ethiopia’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
- Section 3 examines Ethiopia’s implementation of UPR recommendations and compliance with international human rights standards related to the protection of civil society activists, HRDs and journalists.
- Section 4 examines Ethiopia’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression, media freedom and access to information.
- Section 5 examines Ethiopia’s implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
- Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3rd cycle.
- Section 7 contains an annex on the implementation of 3rd cycle UPR recommendations related to civic space.

2. Freedom of association

2.1 During Ethiopia’s 3rd UPR review, the government received four recommendations on the right to freedom of association and creating an enabling environment for CSOs.³ Among other things, the government committed to ‘promoting genuine participation of civil society and non-governmental organizations in public affairs and decision-making’ and to ‘review provisions of the Proclamation on Charities and Societies, which may seem to be infringing on the human rights of civil society organizations’. The government accepted three recommendations and noted one. However, as evidenced below, the government has failed to take adequate measures to realise the recommendations, and has only partly implemented the three recommendations it accepted. Initial progress with legislative changes in 2019 has been reversed as authorities have reverted to old tactics of repression against civil society and independent voices, particularly after war in northern Ethiopia began in November 2020. In practice, gains achieved since Ethiopia’s last UPR appear to have been nullified.

² CIVICUS Monitor: Ethiopia, <https://monitor.civicus.org/country/ethiopia>.

³ ‘Universal Periodic Review – Ethiopia’, UN Human Rights Council, 14 May 2019, <https://www.ohchr.org/en/hr-bodies/upr/et-index>.

- 2.2** Article 31 of the Constitution guarantees the right to freedom of association. Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Ethiopia is a state party, also guarantees freedom of association. Despite these commitments, violations of these rights continue to occur.
- 2.3** We welcome the repeal of Proclamation 621/2009 for CSOs, which imposed draconian restrictions on civil society, and the adoption of the new Civil Society Proclamation 1,113/2019.⁴ While this proclamation created a more enabling environment for civil society and HRDs, a number of provisions of the new law gave rise to concerns. For instance, the registration requirement under article 57-80, and the unduly long periods for registration and appeal hinder the full enjoyment of freedom of association since the procedures mean lengthy waits to fully operationalise an organisation.⁵
- 2.4** Additionally, the proclamation includes barriers that restrict operations of CSOs. For instance, article 63 limits administrative costs of an organisation to a maximum of 20 per cent of its total income.⁶ The invasive supervisory oversight of the Authority for Civil Society Organizations (ACSO) remains a concern. Article 77 grants the Agency powers to investigate an organisation’s activities and, if an organisation is found to be in violation of the law, to suspend it.⁷ Written approval is required to open a bank account, and article 75 states that banks must provide an organisation’s statement of accounts to ACSO when requested.⁸
- 2.5** Following the 2020 conflict in Tigray and the subsequent regional conflicts in Afar, Amhara and Oromia, enjoyment of the right to freedom of association for civil society and humanitarian organisations has deteriorated. The government has regularly accused aid organisations of spreading ‘propaganda’ and providing material support to armed groups while failing to provide evidence for such serious accusations.⁹ Since then, public debate has been marked by extreme polarisation that has adversely affected independent actors such as CSOs and HRDs, as government figures have interpreted any advocacy for peace as betrayal or support for terrorism or separatism. Human rights organisations have been particularly targeted.

⁴ ‘Proclamation No. 1113/2019 Organizations of Civil Societies Proclamation’, Ethiopia Federal Negarit Gazette, 2019, <http://www.mom.gov.et/wp-content/uploads/2020/02/Proc-No.-1113-2019-Organizations-of-Civil-Societies.pdf>.

⁵ ‘Turning the page-rebuilding civil society in Ethiopia’, DefendDefenders, April 2019, https://defenddefenders.org/wp-content/uploads/2019/05/Ethiopia_FINAL-REPORT.pdf.

⁶ Ibid.

⁷ Ibid.

⁸ ‘Ethiopia Philanthropy Law Report’, International Center for Not-for-Profit Law, May 2023, <https://www.icnl.org/wp-content/uploads/Ethiopia-PLR-report-May-2023-update.pdf>.

⁹ ‘Aid neutrality under fire in Ethiopia’s widening conflict’, The New Humanitarian, 22 July 2021, <https://www.thenewhumanitarian.org/news/2021/7/22/Ethiopian-government-accuses-aid-Tigray-rebels-disinformation>.

- 2.6** In August 2021, the Ethiopian government suspended the Norwegian Refugee Council and Doctors Without Borders for three months. ACSO accused the organisations of disseminating ‘misinformation’, employing foreign nationals without appropriate work permits, and ‘illegally importing’ and using satellite radio equipment without proper authorisation.¹⁰ The suspension was extended for two more months before being lifted following the clearance of the allegations of spreading ‘misinformation’.¹¹
- 2.7** On 15 September 2022, ACSO’s Director General, Jima Dilbo, issued a warning against CSOs ‘working against Ethiopia’s sovereignty and the public interest’.¹² He threatened CSOs with revocation of licences should they fall short of ‘minimum operating standards’. The warning came days after local CSOs released a statement calling for peace in Ethiopia and an end to the ongoing hostilities in parts of Afar, Amhara and Tigray regions.

3. Harassment, intimidation and attacks against civil society activists, human rights defenders and journalists

- 3.1** During Ethiopia’s 3rd UPR review, the government received three recommendations on the protection of civil society activists, HRDs and journalists. Among other recommendations, the government committed to ‘accelerate the review of key national legislation with the aim of ensuring a safe and enabling environment for civil society, human rights defenders and journalists’ and ‘further promote genuine participation of civil society and non-governmental organizations in public affairs and decision-making’. The government accepted all recommendations. However, as evidenced below, it has failed to take adequate measures to realise them and has partly implemented only two
- 3.2** Article 10 of Ethiopia’s Constitution guarantees the protection of the human and democratic rights of all citizens. The ICCPR also guarantees freedoms of association, expression and peaceful assembly. However, despite these protections, the government has not taken steps to protect civil society activists, HRDs and journalists.
- 3.3** We welcome the repeal and amendment of restrictive laws, such as the Anti-Terrorism, Media and Electoral Laws and CSOs Proclamations. However, the Computer Crime Proclamation 958/2016 remains in force and the revised Anti-Terrorism Act¹³ contains gaps and provisions that leave open the possibility of

¹⁰ ‘Ethiopia suspends MSF and NRC over ‘dangerous’ accusations’, Devex, 4 August 2021, <https://www.devex.com/news/ethiopia-suspends-msf-and-nrc-over-dangerous-accusations-100541>.

¹¹ ‘Ethiopia lifts five-month suspension of Norwegian Refugee Council’s aid work’, The Guardian, 6 January 2022, <https://www.theguardian.com/global-development/2022/jan/06/ethiopia-lifts-five-month-suspension-of-norwegian-refugee-councils-aid-work>.

¹² ‘Ethiopia: Authority Vows to Hold CSOs Working Against ‘Sovereignty, Public Interest’ to Account’, AllAfrica, 16 September 2022, <https://allafrica.com/stories/202209160398.html>.

¹³ ‘Ethiopia anti-terrorism law will remain prone to abuse’, Expert Briefings, 23 January 2020 <https://www.emerald.com/insight/content/doi/10.1108/OXAN-DB250205/full/html>.

abusive interpretation. For instance, article 3(e), makes ‘obstructing public service’ a terrorism offence.

3.4 Armed conflicts and frequent state of emergency measures have exacerbated the risks faced by HRDs. As of January 2024, around 15 HRDs were still in detention under the pretext of a state of emergency. Their due process rights and legal protections have been disregarded.¹⁴

3.5 In 2020, over a dozen journalists were arrested. Two journalists, Sisay Fida of Oromia Broadcasting Network¹⁵ and Dawit Kebede of state-owned broadcaster Tigray TV,¹⁶ were shot and killed. Between 2020 and 2023, over 141 journalists and media workers were detained.¹⁷ Due to the crackdown, repeated detentions and threats by the government agents, at least four journalists, Tewodros Asfaw, Abebe Bayu, Tamerat Negera and Yayesew Shimelis, were forced to flee the country in 2023.¹⁸

3.6 On 15 December 2021, Kibrom Worku, a reporter and news editor with Ahadu Radio and Television, was arrested on allegation of having ‘contacts’ with terrorists and reporting ‘false information’ against the Federal Government.¹⁹

3.7 In November 2021, authorities arrested Oromia News Network journalists Bikila Amenu and Dessu Dulla, who covered the conflicts in Oromia and Tigray. Bikilia and Dessu were held without formal charges until April 2022, when prosecutors charged them with offences against the Constitution. The two were released in mid-November 2022 without any trial.²⁰

3.8 Despite the adoption of the CSO Proclamation 1,113/2019, which contains provisions that support CSOs to work on human rights, the environment remains challenging, particularly for those engaged in monitoring and investigating human rights violations, conducting human rights education and advocacy. For instance, in January 2023, Bereket Daniel, Nahom Husen, Daniel Tesfaye and Bezuayehu Wondimu, who

¹⁴ ‘Annual Report: The Situation of Human Rights Defenders in Ethiopia’, Ethiopian Human Rights Defenders Center, 2 February 2024, <https://ethdefenders.org/wp-content/uploads/2024/02/2nd-Annual-Report-Final-2023-To-be-shared.pdf>.

¹⁵ ‘Oromia Broadcasting Network journalist Sisay Fida shot and killed in Ethiopia’, Committee to Protect Journalists, 21 May 2021, <https://cpj.org/2021/05/oromia-broadcasting-network-journalist-sisay-fida-shot-and-killed-in-ethiopia>.

¹⁶ ‘Reporter Dawit Kebede Araya shot and killed in Ethiopia’, Committee to Protect Journalists, 28 January 2021, <https://cpj.org/2021/01/reporter-dawit-kebede-araya-shot-and-killed-in-ethiopia>.

¹⁷ ‘“Censorship by Detention”: A Look at the Detention of Human Rights Defenders in Ethiopia Since 2020’, Ethiopian Human Rights Defenders Center, 2 November 2023, <https://ethdefenders.org/censorship-by-detention-a-look-at-the-detention-of-human-rights-defenders-in-ethiopia-since-2020>.

¹⁸ ‘The Second 2023 Periodic Assessment on The Situation Of Human Rights Defenders In Ethiopia’, Ethiopian Human Rights Defenders Center, 22 August 2023, <https://ethdefenders.org/wp-content/uploads/2023/09/Periodic-assessment-on-the-situations-of-HRDs-in-Ethiopia.-2023-final.pdf>.

¹⁹ ‘Press statement on arbitrary arrests and detention of Journalists in Ethiopia’, Ethiopian Human Rights Defenders Center, 29 January 2022, <https://ethdefenders.org/ehrdc-press-statement-on-arbitrary-arrests-and-detention-of-journalists-in-ethiopia>.

²⁰ ‘World Report’, Human Rights Watch, 14 February 2023, <https://www.hrw.org/world-report/2023/country-chapters/ethiopia>.

work with the Ethiopian Human Rights Council, were detained for documenting forced evictions of residents in areas around the capital, Addis Ababa. They were later released without any charges.²¹

3.9 Civil society personnel, journalists and media workers have been targeted with acts of intimidation, threats, attacks and judicial harassment. The authorities have used arbitrary and pretrial detention and denial of bail as instruments of repression.²² For instance, on 12 April 2023, Dawit Begashaw, a member of the Ethiopian Media Professionals Association and founder of 4 Kilo Media, was abducted by the Ethiopian Defence Force.²³ On 10 August 2023, Abay Zewdu, chief editor of the YouTube-based broadcaster Amara Media Center, was arrested and detained for over a month without any charges.²⁴ The detention of HRDs and activists merely for exercising their freedom of expression is common and used as a strategy to suppress dissenting voices and control public narratives.

3.10 HRDs are also at risk of abduction. A least five HRDs were abducted and faced enforced disappearance in 2021 and 2022.²⁵ For example, on 28 June 2022, Belay Bekele, a poet and HRD, was abducted and disappeared for seven days because of his activism.²⁶

3.11 Media outlets and workers continue to face targeted robberies of their offices due to their independent reporting, investigation and monitoring of human rights violations. On 16 July 2023, the offices of an online media outlet, Ethiopia Insider, were broken into and robbed of media equipment, including laptops, cameras and other important materials.²⁷

3.12 Several HRDs have been subjected to intimidation through judicial harassment under the Hate Speech and Disinformation Proclamation 1,185/2020. Temesgen Desalegn, an author and veteran journalist with the independent weekly Amharic Feteḥ magazine, was arrested and detained in relation to his investigative work

²¹ 'Ethiopia: Human rights defenders held for documenting forced evictions must be released immediately', Amnesty International, 10 January 2023, <https://www.amnesty.org/en/latest/news/2023/01/ethiopia-human-rights-defenders>.

²² 'Ethiopia's Oromo leader facing terrorism charges denied bail again', Africanews, 9 December 2019, <https://www.africanews.com/2017/01/27/ethiopia-s-oromo-leader-facing-terrorism-charges-denied-bail-again>.

²³ Ethiopian Human Rights Defenders Center, 2 February 2024, op. cit.

²⁴ 'Three more journalists arrested under Ethiopia's state of emergency', Committee to Protect Journalists, 6 September 2023, <https://cpj.org/2023/09/three-more-journalists-arrested-under-ethiopias-state-of-emergency>.

²⁵ 'Intelligence-led investigations can curb Ethiopia's kidnappings', Institute for Security Studies, 23 January 2024, <https://issafrica.org/iss-today/intelligence-led-investigations-can-curb-ethiopias-kidnappings>.

²⁶ 'The 4th periodic assessment on the state of human rights defenders in Ethiopia', Ethiopian Human Rights Defenders Center, 2 June 2022, <https://ethdefenders.org/wp-content/uploads/2023/01/4th-periodic-assessment-on-HRDs-situation-3.pdf>.

²⁷ 'CPJ calls for swift and credible investigation into burglary of Ethiopia Insider office', Committee to Protect Journalists, 20 July 2023, <https://cpj.org/2023/07/cpj-calls-for-swift-and-credible-investigation-into-burglary-of-ethiopia-insider-office>.

during the conflict in northern Ethiopia and charged with disseminating ‘inaccurate, hateful or subversive information aimed to demoralize and undermine the public’s confidence in the government’.²⁸ Moreover, repeated state of emergency laws during conflicts, including the State of Emergency Proclamation 6/2023 issued to Protect Public Peace and Security, have been used to detain many HRDs without due process.²⁹

3.13 Authorities continue to use the 1961 Criminal Procedure Code to target HRDs. Articles 29 and 59 of the code state that when a police officer has not concluded investigation, they may apply for remand for a time not exceeding 14 days. Authorities use remand provisions as a tactic to prolong the detention of HRDs and activists without having to press formal charges.³⁰ Further, although the revised Media Proclamation 1,238/21 prohibits pretrial detention for alleged offences committed through the media, the practice continues to impact on HRDs, journalists and media professionals who express themselves publicly.³¹ For instance, two social media activists were detained based on their discussions on Ethiopia’s political and social context in the media.³²

4. Freedom of expression, media freedom and access to information

4.1 Under the 3rd UPR cycle, the government received two recommendations relating to freedom of expression, media freedom and access to information. For example, the government pledged to ‘expedite efforts to amend the Proclamation on Freedom of the Mass Media and Access to Information to protect the rights to freedom of expression and press freedom’ and to ‘ensure that journalists and [HRDs] undertake their work in a free environment that guarantees the rights to freedom of opinion and of expression’. However, as shown below, the government did not take effective measures to implement either recommendation and only partly implemented them.

4.2 Article 19 of the ICCPR guarantees the right to freedoms of expression and opinion. Article 29 of Ethiopia’s Constitution also guarantees the right to freedom of expression. The Constitution further promotes an independent and free press by providing protections against ‘any form of censorship’ and guaranteeing ‘access to information of public interest’.³³

4.3 Legal reform efforts, particularly highlighted by the repeal of the Mass Media and Access to Information Proclamation 590/2008 through Media Proclamation

²⁸ Ethiopian Human Rights Defenders Center, 2 February 2024, op. cit.

²⁹ Ibid.

³⁰ Ethiopian Human Rights Defenders Center, 2 November 2023, op. cit.

³¹ ‘Over a dozen media personnel in unlawful detention’, Ethiopian Human Rights Commission, 27 May 2022, <https://ehrc.org/over-a-dozen-media-personnel-in-unlawful-detention>.

³² ‘Annual Report: The Situation of Human Rights Defenders in Ethiopia (2021 -2022)’, Ethiopian Human Rights Defenders Center, 31 January 2023, <https://ethdefenders.org/wp-content/uploads/2023/01/Final-Annual-Report-on-situations-of-HRDs-2023.pdf>.

³³ Article 29, Constitution of the Federal Democratic Republic of Ethiopia, 21 August 1995.

1,238/2021 and of the Anti-Terrorism Proclamation 652/2009 through Proclamation 1,176/2020, are noteworthy. The government, however, is yet to revise the Proclamation on Computer Crime 958/2016, which hinders freedoms of expression and opinion.

4.4 In the period under review, the government adopted the Hate Speech and Disinformation Prevention and Suppression Proclamation 2020, which has been used to suppress dissenting opinions and critical reporting, including regarding armed conflict and the COVID-19 pandemic. On 27 March 2020, Yayasaw Shimelis, a journalist, political analyst and founder of Ethio-forum media, was arrested and charged for comments about the government's pandemic response. When Yayasaw was bailed, federal police appealed the decision, accusing him of violating anti-terrorism laws.³⁴ On 20 April 2020, a federal judge granted Yayasaw bail for a second time, and he was released on 23 April 2020, but was later charged under the Hate Speech and Disinformation Law.³⁵

4.5 Under the State of Emergency during the outbreak of COVID-19 in 2020, and later in relation to the Tigray conflict, as well as in relation to the Amhara regional conflict since 2023, restrictions have adversely affected freedom of expression and access to information.³⁶ During the Tigray conflict, freedom of movement was severely limited and access to information was restricted. Journalists were banned from travelling to conflict areas and internet and phone lines were shut down. The media blackout made it challenging for journalists to provide and verify information, and for Ethiopian citizens to access reliable information.³⁷

4.6 On 15 July 2021, Ethiopia's Media Authority withdrew the licence of independent media outlet Addis Standard, resulting in its temporary closure.³⁸ The outlet was accused of publishing content that advances the agenda of the 'terrorist group' the Tigrayan People's Liberation Front (TPLF). The Deputy Director General of the Media Authority, Yonatan Tesfaye, noted that Addis Standard was being investigated for 'undermining national security'. On 21 July 2021, Addis Standard resumed its online

³⁴ 'Ethiopian journalist Yayasew Shimelis detained following COVID-19 report', Committee to Protect Journalists, 1 April 2020, <https://cpj.org/2020/04/ethiopian-journalist-yayasew-shimelis-detained-foj>.

³⁵ 'Ethiopia: Hate speech and disinformation law must not be used to suppress the criticism of the Government', Article 19, 19 January 2021, <https://www.article19.org/resources/ethiopia-hate-speech-and-disinformation-law-must-not-be-used-to-suppress-the-criticism-of-the-government>.

³⁶ 'Ethiopia: Authorities must stop using state of emergency law to silence peaceful dissent' Amnesty International, 19 February 2024, <https://www.amnesty.org/en/latest/news/2024/02/ethiopia-authorities-must-stop-using-state-of-emergency-law-to-silence-peaceful-dissent>.

³⁷ 'Blackout makes it hard to report on Ethiopia's civil war', Mail and Guardian, 16 November 2020, <https://mg.co.za/africa/2020-11-16-blackout-makes-it-hard-to-report-on-ethiopias-civil-war>.

³⁸ 'Ethiopia withdraws Addis Standard license, outlet ceases publication', Committee to Protect Journalists, 15 July 2021, <https://cpj.org/2021/07/ethiopia-withdraws-addis-standard-license-outlet-ceases-publication>.

publication after reaching an 'agreement' with the Ethiopian Media Authority on 19 July 2021.³⁹

- 4.7** On 1 August 2022, the Committee to Protect Journalists reported that Ethiopia ranked alongside Eritrea as Sub-Saharan Africa's worst jailer of journalists. The report linked Ethiopia's decline to the conflict in Tigray and the ensuing battle to control narratives about it.⁴⁰
- 4.8** Restrictions on domestic media were also extended to foreign journalists. On 13 May 2022, the Ethiopian Media Authority revoked the accreditation of the Economist's correspondent, Tom Gardner, who was given 48 hours to leave the country.⁴¹ Gardner was accused of having a 'mistaken approach' to reporting, being 'unprofessional' and failing to meet the 'standards of the country'.⁴² Gardner's expulsion came almost a year after Ethiopian authorities similarly banned a New York Times reporter, Simon Marks.⁴³
- 4.9** On 19 May 2022, Amhara region police officers raided, arbitrarily arrested and detained five journalists and media personnel from the privately owned YouTube channel Ashara Media: Kelemu Gelagay, Habtamu Melese, Daniel Mesfin, Gashaye Negusse and Getenet Yalew.⁴⁴ Their laptops and external hard drives were confiscated and they were denied access to their lawyers and family members. The arrests were linked to Ashara Media's report on the hostile crackdown and detentions of critics and a public protest over housing issues. On the same day, authorities raided the Nisir International Broadcasting Corporation office, confiscated computers, memory cards and external hard drives, and detained four employees.⁴⁵
- 4.10** On 7 September 2022, authorities arrested Voice of Amhara founder and editor Gobeze Sisay at his home.⁴⁶ On the same day, police officers rearrested Roha TV

³⁹ 'Public notice on resumption of Addis Standard publication and further clarification', Addis Standard, 21 July 2021, <https://addisstandard.com/public-notice-on-resumption-of-addis-standard-publication-and-further-clarification>.

⁴⁰ 'Journalists face growing hostility as Ethiopia's civil war persists', Committee to Protect Journalists, 1 August 2022, <https://cpj.org/2022/08/journalists-face-growing-hostility-as-ethiopias-civil-war-persists>.

⁴¹ 'The Economist Group, Press Statement', The Economist, 16 May 2022, <https://www.economistgroup.com/group-news/the-economist/press-statement-the-economist>.

⁴² 'Ethiopia expels Economist correspondent Tom Gardner', Committee to Protect Journalists, 16 May 2022, <https://cpj.org/2022/05/ethiopia-expels-economist-correspondent-tom-gardner>.

⁴³ 'CPJ condemns Ethiopia's expulsion of New York Times reporter Simon Marks', Committee to Protect Journalists, 21 May 2021, <https://cpj.org/2021/05/cpj-condemns-ethiopias-expulsion-of-new-york-times-reporter-simon-marks>.

⁴⁴ 'Ethiopian authorities arrest 11 employees of 4 independent media outlets', Committee to Protect Journalists, 24 May 2022, <https://cpj.org/2022/05/ethiopian-authorities-arrest-11-employees-of-4-independent-media-outlets>.

⁴⁵ 'Release our kidnapped journalists immediately! Stop kidnapping and oppression of the Amhara people', Nisir International Broadcasting Corporation, 23 May 2022, <https://www.facebook.com/Nisirbroadcasting/posts/384812596930430>.

⁴⁶ 'News: 12 journalists arrested in two days; media authority unaware of the arrests; fed. Police says arrests linked to association with terrorist organization', Addis Standard, 2 July 2021,

founder Meaza Mohammed. The authorities presented both journalists to court on 8 September 2022.⁴⁷ The journalists were accused of ‘having ties with’ and ‘supporting’ the TPLF group through various media platforms. However, the authorities did not file formal charges against the journalists.

5. Freedom of peaceful assembly

5.1 Under the 3rd UPR cycle, Ethiopia received one recommendation on the right to freedom of peaceful assembly, which it accepted. The government committed to put in place adequate guidelines, equipment and training of law enforcement officials on the use of force when policing public assemblies. However, as evidenced below, the government has failed to realise this recommendation, and abuses continue.

5.2 Article 21 of the ICCPR guarantees freedom of peaceful assembly. Article 30 of Ethiopia’s Constitution guarantees the right of individuals to assemble and to demonstrate together with others peaceably and unarmed. It outlines that ‘appropriate regulations may be made in the interest of public convenience relating to the location of open-air meetings and the route of movement of demonstrators for the protection of democratic rights, public morality and peace during such a meeting or demonstration’.⁴⁸ Moreover, the Ethiopian Proclamation to Establish the Procedure for Peaceful, Demonstration and Public Political Meetings 3/1991 protects the right to peaceful demonstration. However, the practice differs significantly from the law.

5.3 Proclamation 3/1991 outlines the specific notification requirement that must be fulfilled before holding demonstrations. Organisers of a demonstration must notify the authorities at least 48 hours before the event. Article 9 of the Proclamation specifies that demonstrations without prior notification, even when peaceful, are illegal. In theory, the proclamation institutes a notification regime, as opposed to an authorisation regime, which is consistent with international and African standards on freedom of peaceful assembly.

5.4 The Ethiopian government’s repeal of the 2009 Anti-Terrorism Proclamation is welcome, as through vague phrasing this criminalised assemblies or gatherings that could cause ‘serious interference or disruption of any public services’ as acts of

<https://addisstandard.com/news-12-journalists-arrested-in-two-daysmedia-authority-unaware-of-the-arrests-fed-police-says-arrests-linked-to-association-with-terroristorganization>.

⁴⁷ ‘News: 10 staff members of Awlo media released from prison in afar; trials are set for four journalists’, Addis Standard, 10 August 2021, <https://addisstandard.com/news-10-staff-members-of-awlo-media-released-from-prison-in-afar-trials-are-set-for-four-journalists>.

⁴⁸ Constitution of the Federal Democratic Republic of Ethiopia, op. cit.

terrorism. The new Proclamation 1,176/2020⁴⁹ relaxed restrictions on political gatherings, broadening reforms introduced by Prime Minister Abiy Ahmed.⁵⁰

5.5 In practice, however, the exercise of the right to freedom of assembly is restricted by insecurity and declarations of states of emergency and martial law. The Amhara region and parts of Oromia are under the control of command posts that can restrict local freedoms in the areas under their purview. Emergency command post restrictions that constitute a de facto state of emergency are used to ramp-up the arrest of HRDs and ban peaceful gatherings. Command posts can impose curfews, prohibit gatherings and detain people. In Gurage Zone, the de facto state of emergency has eroded rights, including freedom of peaceful assembly.⁵¹

5.6 Government crackdowns on critical and opposing voices have further curtailed freedom of assembly throughout Ethiopia.⁵² People who participate in, plan, or organise peaceful assemblies, including demonstrations, are often ill-treated and arbitrarily detained.⁵³ Due to abuses by security forces, including beatings, the use of teargas and the firing of plastic and live bullets during the Adwa Victory Day national celebration at Menelik Park on 2 March 2023, one person was declared dead and several others sustained injuries.⁵⁴

5.7 On 8 March 2022, CSOs, including the EHRDC, were prohibited from holding a rally in Addis Ababa as part of the celebration of International Women’s Day. The rally sought to sensitise the public about gender-based violence in conflict areas.⁵⁵ On 25 June 2022, security forces violently cracked down on students who were demonstrating peacefully in Addis Ababa, seeking justice for the victims of killings in the Oromia regional conflict.⁵⁶

5.8 On 9 February 2023, the Ethiopian Orthodox Tewahedo Church called for a demonstration in response to the illegal appointment of bishops in January 2022 and the killing and mistreatment of followers by security forces in Oromia. On the same day, the government released a statement warning against holding demonstrations

⁴⁹ ‘Proclamation No. 1176/2020, Prevention and Suppression of Terrorism Crimes Proclamation’, <https://www.lawethiopia.com/images/latest%20proclamations/1176%20A%20PROCLAMATION%20O%20PROVIDE%20FOR%20THE%20PREVENTION%20AND%20SUPPRESSION%20OF%20TERRORISM%20CRIMES.pdf>.

⁵⁰ ‘Ethiopia relaxes curbs on political gatherings with new anti-terror law’, Reuters, 2 January 2020, <https://www.reuters.com/article/uk-ethiopia-politics-idUKKBN1Z118U>.

⁵¹ ‘Ethiopia: Freedom in the World 2024,’ Freedom House, 2024, <https://freedomhouse.org/country/ethiopia/freedom-world/2024>.

⁵² Ibid.

⁵³ ‘Regarding 2023 Adwa Victory Day celebration related incidents EHRC calls for implicated law enforcement officials to be subject to accountability’, Ethiopian Human Rights Commission, 3 March 2023, <https://ehrc.org/regarding-2023-adwa-victory-day-celebration-related-incidents-ehrc-calls-for-implicated-law-enforcement-officials-to-be-subject-to-accountability>.

⁵⁴ Ibid.

⁵⁵ Ethiopian Human Rights Defenders Center, 31 January 2023, op. cit.

⁵⁶ Ibid.

and declared the planned assembly by the church illegal since it was not authorised,⁵⁷ although there is no law to this effect. The government linked the assembly to a plan to overthrow the government and stated that it had crossed a 'red line'.⁵⁸

5.9 On 30 April 2023, the Confederation of Ethiopian Trade Union was prohibited from celebrating the annual 1 May Worker's Day celebration. The celebration, intended to voice the concerns of workers, was stopped by the Addis Ababa Security Bureau.⁵⁹ In September 2023 only the interim government in Tigray banned more than three peaceful demonstrations in the region. On 7 September 2023, hundreds of people were detained in Tigray and demonstrations were dispersed by security forces, while journalists covering an opposition protest were also beaten and detained.⁶⁰

5.10 The right to freedom of peaceful assembly encompasses the right to hold private meetings behind closed doors. However, it has become common for authorities and state organs to prohibit such meetings, in violation of the Constitution. The Addis Ababa City Administration has imposed restrictions on holding meetings without obtaining prior permission.⁶¹ The origins of these prohibitions remain unclear, but CSO meetings have been impeded by the authorities in 2023.

5.11 Although laws guarantee the right to assembly, including to demonstrate and petition, the practice shows wilful misapplication and abuse of laws by authorities to restrict this right. For instance, in November and December 2023, CSO members faced intimidation by authorities when they notified the security institution of plans to give human rights training sessions and hold community meetings.⁶² Some of the CSOs planning to organise training activities were asked to obtain 'permission' from the Addis Ababa City Administration to reserve meeting halls.⁶³

6. Recommendations to the Government of Ethiopia

CIVICUS, Defend Defenders and EHRDC call on the Government of Ethiopia to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the Federal Constitution, the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

⁵⁷ 'Ethiopia: News – Joint Security, Intelligence Task Force Cautions Against Unauthorized Rallies, Threatens to Take Actions As Orthodox Church Schism Takes Toll', AllAfrica, 9 February 2023, <https://allafrica.com/stories/202302100065.html>.

⁵⁸ Ibid.

⁵⁹ Ethiopian Human Rights Defenders Center, 2 February 2024, op. cit.

⁶⁰ 'Three Ethiopian journalists beaten and detained while covering protest in Tigray', Committee to Protect Journalists, 21 September 2023, <https://cpj.org/2023/09/three-ethiopian-journalists-beaten-and-detained-while-covering-protest-intigray>.

⁶¹ Ethiopian Human Rights Defenders Center, 22 August 2023, op. cit.

⁶² Ibid.

⁶³ Ibid.

At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state's duty to protect. In the light of this, we make the following specific recommendations:

6.1 Freedom of association

- Review provisions of the Proclamation on Charities and Societies that infringe on the rights of CSOs.
- Ensure that civil and political rights, particularly freedoms of association and expression, are upheld.
- Adopt the draft law on promoting greater participation of CSOs in human rights work.

6.2 Protection of civil society activists, human rights defenders and journalists

- Accelerate the review of key national legislation with the aim of ensuring a safe and enabling environment for civil society activists, HRDs and journalists.
- Repeal or amend laws that place obstacles on legitimate activities to promote and defend human rights.
- Conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against civil society activists, HRDs and journalists, and bring the perpetrators to justice in fair trials.
- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment.
- Immediately and unconditionally release all HRDs, including journalists and bloggers, detained for exercising their fundamental rights, drop all charges and prevent further harassment against them.
- Publicly condemn at the highest levels of government instances of harassment and intimidation of CSOs and HRDs.

6.3 Freedom of expression, media freedom and access to information

- Expedite efforts to amend the Proclamation on Freedom of the Mass Media and Access to Information to protect the rights to freedom of expression and media freedom.
- Ensure freedom of expression and media freedom by all bringing national legislation into line with international standards.
- Immediately end the practice of internet shutdowns.

- Review the Proclamation on Computer Crime 958/2016 in order to bring it into line with best practices and international standards in the area of freedom of expression.
- Cease any practices of confiscating and censoring print media.
- Ensure that journalists and writers can work freely and without fear of retribution for expressing critical opinions or covering topics that the government may deem sensitive.
- Guarantee unfettered access for all people in Ethiopia to domestic and foreign media information, both offline and online.
- Adopt a law on access to information in order to promote the full exercise of the rights to freedoms of expression and opinion.

6.4 Freedom of peaceful assembly

- Put in place adequate guidelines, equipment and training of law enforcement officials on the use of force when policing public assemblies, in line with the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- Adopt best practices on freedom of peaceful assembly, as put forward by the 2012 report of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, which calls for simple processes for the notification of assemblies being held rather than permission being required, and by General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020, and in line with the African Commission on Human and Peoples' Rights Guidelines on Freedom of Association and Assembly in Africa.
- Unconditionally and immediately release all protesters, HRDs and journalists detained for exercising their right to freedom of peaceful assembly and review their cases to prevent further harassment.
- Immediately and impartially investigate all instances of extrajudicial killing and excessive force committed by security forces in the context of protests.

6.5. Publicly condemn at the highest levels all instances of the use of excessive force by security forces in response to protests, launch formal investigations into such instances and bring the perpetrators to justice.

6.6. Access to UN Special Procedures mandate holders

- The Government should extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) Special Rapporteur on the

situation of human rights defenders; 2) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; 4) Special Rapporteur on the independence of judges and lawyers.

6.7 State engagement with civil society

- Implement transparent and inclusive mechanisms of public consultations with CSOs on all issues mentioned above and enable the more effective involvement of civil society in the preparation of law and policy.
- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

7. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

Recommendation	Position	Assessment/comments on level of implementation
<p>163.220 Further promote genuine participation of civil society and non-governmental organizations in public affairs and decision-making (Austria);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Not implemented</p> <p>Source: Section 2 - para. 2.5.</p>
<p>163.69 Accelerate the review of key national legislation with the aim of ensuring a safe and enabling environment for civil society, human rights defenders and journalists (Lithuania);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Partially implemented.</p> <p>Source: Section 2 - para. 2.3.</p>
<p>163.68 Adopt the draft law on promoting greater participation of civil society organizations in human rights work</p>	Accepted	<p>Partially Implemented</p> <p>Source: Section 3 - para. 3.3</p>
<p>163.87 Repeal or amend legislation that may place obstacles on legitimate activities to promote and defend human rights (Croatia);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Partially Implemented</p> <p>Source: Section 3 - para. 3.3</p>
<p>163.56 Expedite efforts to amend the Proclamation on Freedom of the Mass Media and Access to Information to protect the rights to freedom of expression and press freedom (Maldives);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Partially Implemented</p> <p>Source: Section 3 - para. 3.3</p>
<p>163.219 Ensure that journalists and human rights defenders undertake their work in a free environment that guarantees the rights to freedom of opinion and of expression (Chile);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Partially Implemented</p> <p>Source: Section 4 - para. 4.3</p>

Recommendation	Position	Assessment/comments on level of implementation
<p>163.217 Put in place adequate guidelines, equipment and training of law enforcement officials on the use of force when policing public assemblies (Ghana);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Not Implemented</p> <p>Source: Section 5 - para. 5.7</p>
<p>163.66 Review provisions of the Proclamation on Charities and Societies, which may seem to be infringing on the human rights of civil society organizations (Lesotho);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Partially Implemented</p> <p>Source: Section 2 - para. 2.3.</p>
<p>163.218 Ensure that civil and political rights, particularly freedom of association and freedom of expression, are upheld, including by ending the practice of Internet shutdowns (Australia);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Noted	<p>Partially Implemented</p> <p>Source: Section 2 – para 2.7</p>
<p>163.190 Continue its efforts in the administration of justice and the protection of human rights defenders (Benin);</p> <p>Source of position: A/HRC/42/14/Add.1 - Para. 3</p>	Supported	<p>Not Implemented</p> <p>Source: Section 5 - para. 5.11</p>