

# **ETHIOPIA 2018 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Ethiopia is a federal republic. The ruling Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), a coalition of four ethnically based parties, controls the government. In the 2015 general elections, the EPRDF and affiliated parties won all 547 House of People's Representatives (HPR - parliament) seats to remain in power for a fifth consecutive five-year term. On February 14, former prime minister Hailemariam Desalegn announced his resignation to accelerate political reforms in response to demands from the country's increasingly restive youth. On February 15, the government declared a State of Emergency (SOE) in response to growing unrest and political uncertainty. During the SOE a Command Post under the direction of the minister of defense held broad powers that, while constitutionally granted, infringed upon human rights by expanding authorities to detain individuals, restrict speech, and restrict movement. On April 2, the parliament selected Abiy Ahmed Ali as prime minister to lead broad reforms.

It was widely reported that civilian authorities at times did not maintain control over regional security forces. Rural local police and militias sometimes acted independently and extrajudicially. A strong trend toward increased respect for rule of law began under Abiy.

Abiy's assumption of office was followed by positive changes in the human rights climate. The government decriminalized political movements that had been accused of treason in the past, invited opposition leaders to return to the country and resume political activities, allowed peaceful rallies and demonstrations, enabled the formation and unfettered operation of new political parties and media outlets, continued steps to release thousands of political prisoners, and undertook revisions of repressive laws. On June 5, the parliament voted to lift the SOE.

Human rights issues included reports of unlawful or arbitrary killings by security forces and between citizens; forced disappearances by some government forces; torture; harsh and life-threatening prison conditions; arbitrary arrest and detention by security forces; political prisoners; interference with privacy; censorship and site blocking; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization laws; and significant restrictions on freedom of movement; violence against women and children, in part due to government inaction; criminalization of same-sex sexual conduct; and child labor, including worst forms. Both the number and

severity of these human rights issues diminished significantly under Abiy's administration, and in some cases they were no longer an issue by the end of the year.

The government at times did not take steps to prosecute officials who committed human rights abuses, resulting in impunity for violators. The government took positive steps toward greater accountability under Abiy to change the relationship between security forces and the population. In August the federal government arrested former Somali regional president Abdi Mohamoud Omar on human rights grounds. On June 18, the prime minister spoke to the nation and apologized on behalf of the government for decades of mistakes and abuse he said amounted to terrorist acts.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports that the government and its representatives committed arbitrary and unlawful killings. Security forces used excessive force against civilians.

A July 31 report from the independent nongovernmental organization (NGO) Human Rights Council (HRCO) that documented field investigations in 26 districts across seven zones in the Oromia and Somali Regions found that federal and regional security forces, as well as mobs of local youth, killed 733 citizens between January 2017 and January 2018.

On April 8, during the SOE, a military officer in Qobo town, East Haraghe Zone of Oromia Region, reportedly severely assaulted, shot, and killed 20-year-old Ayantu Mohammed, a mother of one who was three months' pregnant, after abducting her from the street. According to a local media report, neighbors found Ayantu's body dumped in their neighborhood the following day. Local police reported they disarmed and arrested the suspected military officer.

On August 4, violence reportedly involving regional security forces left at least 30 citizens dead in Jijiga, capital of the Somali Region, and nearby towns. In cascading violence shortly thereafter, communal violence in Dire Dawa left 14 individuals dead, including a woman and her four children, according to an August 7 press release by HRCO. On August 12, a heavily armed group of Somali

Region's special police force, sometimes referred to as the Liyu, attacked residents in Mayu Muluke District in East Hararghe Zone, Oromia, killing 40 persons and injuring 40. Oromia Region's government spokesperson told local media that the attackers took orders from individuals opposing the federal government.

### **b. Disappearance**

The government held individuals, including minors, temporarily incommunicado during the SOE. According to a July 31 HRCO report, nine adult residents of West Hararghe Zone, Oromia Region, disappeared following attacks by Somali Region's special police force. Liyu officers abducted these individuals from their homes or the street. Due to poor prison administration, family members reported individuals missing who were allegedly in custody/remand, but could not be located.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the constitution prohibits such practices, there were reports that security officials tortured and otherwise abused detainees.

In October 2017 the Ethiopian Human Rights Commission (EHRC), a government human rights body, issued a report on its investigation following formal complaints from inmates that prison officials and police officers committed human rights violations, including torture, at the Shoa Robit Federal Prison between September and November 2016. The inmates told the EHRC that prison officials in Shoa Robit Prison subjected them to electric shocks, severe beatings, hanging heavy water bottles from genitals, handcuffing and tying inmates to beds, and soaking them with water. Muslim inmates reported the officers shouted anti-Muslim words and further harassed, threatened, and intimidated them based on their religious beliefs. Twelve inmates reported officers singled them out, handcuffed them, and tied them to their beds from September 22 until November 19, 2016. The EHRC investigation documented several body injuries on 16 inmates. These marks included deeply scarred hands and legs, broken fingers, marks left by extended handcuffing, flogging marks on the back, mutilated nails, broken arms, and head injuries. The team cross-referenced these marks with the body marks registered in the intake files of each inmate and concluded these injuries occurred in prison.

During a court session in December 2017, inmates criticized the report for documenting torture of only 16 inmates, claiming 176 inmates were tortured in Shoa Robit Prison. They also objected to the report's failure to hold prison

officials or Federal Police officers who carried out the torture accountable for their actions. The report's failure to determine who was responsible, directly or indirectly, for the documented torture undermined the credibility of the EHRC in the eyes of prison reform activists.

In July Human Rights Watch (HRW) published a report documenting torture, rape, long-term arbitrary detention, and inhuman detention conditions in Jijiga Central Prison between 2011 and early this year. Many of the former prisoners interviewed said they saw detainees dying in their cells after officials abused them. Former female prisoners reported multiple incidents of rape. Prison guards and the region's special police allegedly brutalized prisoners, at the behest of regional authorities. According to HRW the prison was subject to virtually no oversight. The cycle of abuse, humiliating treatment, overcrowding, inadequate food, sleep deprivation, and lack of health care in Jijiga Central Prison, also referred to as Jail Ogaden, was consistent with the government's long-standing collective punishment of persons who were perceived to support the Ogaden National Liberation Front (ONLF), previously designated by the government as a terrorist organization, a designation removed in June.

Multiple sources reported general mistreatment of detainees at official detention centers, unofficial detention centers, police stations, and in Kilinto federal prison. Interrogators administered beatings and electric shocks to extract information and confessions from detainees. Police investigators used physical and psychological abuse to extract confessions.

On April 6, following through on a January 3 EPRDF decision under the leadership of the former prime minister, the government announced the closure of Maekelawi, the federal crime investigation and detention center in Addis Ababa and the site of many reports of prisoner abuse in past years. Officials transferred the detainees in the center to another facility.

The United Nations reported it received one allegation of sexual exploitation and abuse against a peacekeeper from Ethiopia deployed with the UN Mission in Liberia. The case alleged sexual exploitation (exploitative relationship). Investigations by both the United Nations and Ethiopia were pending.

### **Prison and Detention Center Conditions**

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. There were reports that authorities physically abused prisoners in

detention centers, military facilities, and police stations. Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. Pretrial detention often occurred in police station detention facilities, where conditions varied widely and where reports stated there was poor hygiene and police abuse of detainees.

During the SOE the government operated detention centers in six zones--Addis Ababa, Hawassa, Dire Dawa, Nekemte, Bahir Dar, and Semera. In March the State of Emergency Inquiry Board announced the SOE Command Post detained 1,107 individuals in the six zones. The main reasons given by the government for these arrests included murder, destruction of public service utilities, road blockade, demolishing of public documents, trafficking illegal firearms, and inciting activities that cause ethnic conflicts. Although conditions varied, problems of gross overcrowding and inadequate food, water, sanitation, and medical care were common at sites holding SOE detainees.

Physical Conditions: Severe overcrowding was common, especially in prison sleeping quarters. For example, in 2016 the EHRC visited a prison cell in Shoa Robit Federal Prison and found that its two small windows did not allow enough light into the estimated 40-square-meter (430-square-foot) cell, which was extremely small to house 38 inmates. Authorities sometimes incarcerated juveniles with adults. Prison officials generally separated male and female prisoners, although mixing occurred at some facilities. Medical attention following physical abuse was insufficient in some cases.

The government budgeted approximately nine birr (\$0.32) per prisoner per day for food, water, and health care, although this amount varied across the country. According to the World Bank, the country's per capita GDP was \$1.50 per day. Many prisoners supplemented this support with daily food deliveries from family members or by purchasing food from local vendors. Reports noted officials prevented some prisoners from receiving food from their families, and some families did not know of their relatives' locations. Medical care was unreliable in federal prisons and almost nonexistent in regional ones. Prisoners had only limited access to potable water. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. Many prisoners had serious health problems but received little or no treatment. There were reports prison officials denied some prisoners access to needed medical care.

Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations

included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time.

Administration: In July the government fired five federal prison officials following state media reports of allegations of abuse. There were reports that prisoners mistreated by prison guards did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints.

The law generally provides visitor access for prisoners. Authorities, however, denied some indicted defendants visits with their lawyers or with representatives of their political parties. In some cases police did not allow pretrial detainees access to visitors, including family members and legal counsel. Prison regulations stipulate that lawyers representing persons charged with terrorism offenses may visit only one client per day, and only on Wednesdays and Fridays. Authorities denied family members' access to persons charged with terrorist activity.

Officials permitted religious observance by prisoners, but this varied by prison and even by section within a prison. There were allegations authorities denied detainees adequate locations in which to pray.

Independent Monitoring: The International Committee of the Red Cross (ICRC) visited prisons throughout the country during the year as part of its normal activities. During the SOE access to prisoners was limited, but once the SOE was lifted in June, the ICRC enjoyed improved access to multiple prisons. The government did not permit access to prisons by other international human rights organizations.

Regional authorities allowed government and NGO representatives to meet with prisoners without third parties present. The EHRC monitored federal and regional detention centers and interviewed prison officials and prisoners in response to allegations of widespread human rights abuses. The NGO Justice for All-Prison Fellowship Ethiopia (JPA-PFE) had access to multiple prison and detention facilities around the country.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention; however, SOE regulations allowed law enforcement officers to arrest and detain individuals without a court warrant and hold detainees for longer than prescribed under normal, non-SOE legal precedents. There were reports of hundreds of arbitrary arrests and detentions related to the SOE targeting protesters, professors, university students, musicians, businesspersons, health workers, journalists, children, and others.

### **Role of the Police and Security Apparatus**

The Federal Police report to the newly created Ministry of Peace as of October and are subject to parliamentary oversight. That oversight was limited. Each of the nine regions has a regional or special police force that reports to regional civilian authorities. Local militias operated across the country in loose and varying coordination with these regional police, the Federal Police, and the military. In some cases militias functioned as extensions of the ruling party. Local militias are members of a community who handle standard security matters within their communities, primarily in rural areas. Local government authorities provided select militia members with very basic training. Militia members serve as a bridge between the community and local police by providing information and enforcing rules. The military played an expanded role with respect to internal security during the SOE.

Impunity remained a problem, including for killings and other violence against protesters. An internal investigation process existed within the police forces, although officials acknowledged that it was inadequate, and there were continued efforts to reform and modernize these internal mechanisms. There were no public reports documenting internal investigations of the federal police for possible abuses during the SOE. The government rarely disclosed the results of investigations into abuses by local security forces, such as arbitrary detention and beatings of civilians.

The government supported limited training on human rights for police and army personnel. It accepted assistance from NGOs and the EHRC to improve and professionalize training on human rights by including more material on the constitution and international human rights treaties and conventions. Additionally, the Ethiopian National Defense Force routinely conducted training on human rights, protection of civilians, gender-based violence, and other courses at the Peace Support Training Center in Addis Ababa.

## Arrest Procedures and Treatment of Detainees

The constitution and law require detainees to appear before the court and face charges within 48 hours of arrest or as soon thereafter as local circumstances and communications permit. Travel time to the court is not included in this 48-hour period. With a warrant authorities may detain persons suspected of serious offenses for 14 days without charge and for additional and renewable 14-day periods during a pending investigation. The courts allowed security officials to continue investigations for more than 14 days without bringing formal charges against suspects.

Under the Anti-Terrorism Proclamation (ATP), police may request to detain persons without charge for 28-day periods, up to a maximum of four months, during an investigation. The law permits warrantless arrests for various offenses including “flagrant offenses.” These include suspects apprehended while committing an offense, attempting to commit an offense, or having just completed an offense.

The law prohibits detention in any facility other than an official detention center; however, local militias and other formal and informal law enforcement entities operated an unknown number of unofficial detention centers.

A functioning bail system was in place. Bail was not available for persons charged with terrorism, murder, treason, and corruption. In other cases the courts set bail between 500 and 10,000 birr (\$18 and \$357), which most citizens could not afford. The government provided public defenders for detainees unable to afford private legal counsel, but defendants received these services only when their cases went to court and not during the critical pretrial phases. In some cases a single defense counsel represented multiple defendants in a single case. There were reports that while some detainees were in pretrial detention, authorities allowed them little or no contact with legal counsel, did not provide full information on their health status, and did not allow family visits. There were reports officials sequestered prisoners for weeks at a time and placed civilians under house arrest for undisclosed periods.

The constitution requires authorities under an SOE to announce the names of detainees within one month of their arrest. Authorities generally published the names of those detained under the SOE but not always within the 30-day period. Civilians were not always able to locate the rosters of names of those imprisoned.



Arbitrary Arrest: Authorities regularly detained persons arbitrarily, including protesters, journalists, and opposition party members. There were hundreds of reports of arbitrary arrest by security forces.

On March 25, government security forces arrested journalists Eskinder Nega and Temesgen Desalegn; bloggers Mahlet Fantahun, Befekadu Hailu, Zelalem Workagegnehu, and Fekadu Mahetemework; and activists Andualem Arage, Addisu Getaneh, Yidnekachew Addis, Tefera Tesfaye, and Woynshet Molla while they gathered at the residence of journalist Temesgen Desalegn in Addis Ababa for the improper display of the national flag. Police first took the 11 to a police station in Addis' Jemo District but transferred them to another station in Gotera-Pepsi area during the night. On April 5, authorities released the 11 detainees in Addis Ababa without formal charges.

According to a March 31 statement from the SOE Inquiry Board, security forces detained 1,107 individuals suspected of violating the SOE rules.

Pretrial Detention: Some detainees reported indefinite detention for several years without charge or trial. The percentage of the inmate population in pretrial detention and average length of time held was not available. Lengthy legal procedures, large numbers of detainees, judicial inefficiency, and staffing shortages contributed to frequent trial delays, in some cases years. SOE regulations allowed authorities to detain a person without a court order until the end of the SOE. At the conclusion of the SOE, several hundred individuals remained remanded and awaiting trial.

Detainees' Ability to Challenge Lawfulness of Detention before a Court: The law requires officials to inform detainees of the nature of their arrest within a specific period time, which varies based on the severity of the allegation. It also provides persons accused of or charged with a crime the ability to appeal. During the year no cases were brought to the courts by individuals claiming unlawful detention. There were reports of hundreds of arbitrary arrests and detentions related to the SOE. The criminal law does not provide compensation for unlawfully detained persons.

Amnesty: The federal and regional governments released 9,702 prisoners in the six weeks following the former prime minister's announcement of prisoner releases on January 3. During these weeks the government released the vast majority of imprisoned high-profile opposition politicians, journalists, and activists.

The federal attorney general dropped charges and/or granted pardons to 744 individuals charged with or convicted of crimes of terrorism and corruption. Of that number, 576 were convicted and serving prison terms, while 168 were still on trial. The majority, more than 500, walked out of prisons on May 29. The justifications provided by the government for the releases included remorse by the convicts, abatement of the threat to society, and ability to contribute to the continued widening of political space. Senior opposition politicians, journalists, activists, and government officials charged with terrorism and corruption were included in those released.

On May 29, authorities released Ethiopian-born British citizen Andargachew Tsigie, second in command of Patriotic Ginbot 7 (PG7), a former government-designated terror organization delisted in June, on a “pardon under special circumstances.” Detained in 2014, Andargachew was serving two life sentences and was sentenced to the death penalty.

On July 20, the HPR, in an emergency session passed a bill providing amnesty for individuals and groups under investigation, on trial, or convicted of various crimes. The law applies to persons and organizations convicted of crimes committed before June 7. The federal attorney general announced that those seeking amnesty must register within six months from July 23. On August 23, the federal attorney general announced 650 prisoners in four federal prisons benefitted from releases via either a pardon or the granting of amnesty. The government granted amnesty to more than 200 of these prisoners in accordance with the amnesty proclamation.

In September, in keeping with a long-standing tradition of issuing pardons at the Ethiopian New Year, four regional governments released 8,875 persons. Prisoners who had served a third of their sentences, female prisoners with babies, the elderly, and those with serious health problems primarily benefitted from the pardon. Prisoners sentenced to death and those convicted of corruption, kidnapping, or rape did not qualify for Ethiopian New Year’s pardons.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, criminal courts remained weak, overburdened, and subject to political influence.

#### **Trial Procedures**

Under the constitution accused persons have the right to a fair public trial without undue delay, a presumption of innocence, legal counsel of their choice, appeal, the right not to self-incriminate, the right to present witnesses and evidence in their defense, and cross-examine prosecution witnesses. The law requires translation services provided in a language defendants understand. The federal courts have staff working as interpreters for major local languages and are required to hire interpreters for defendants that speak other languages.

Detainees did not always enjoy all these rights, and as a result defense attorneys were sometimes unprepared to provide adequate defense. The courts did not always presume a defendant's innocence, allow defendants to communicate with an attorney of their choice, provide timely public defense, or provide access to government-held evidence. Defendants were often unaware of the specific charges against them until the commencement of their trials. There were reports of authorities subjecting detainees to abuse while in detention to obtain information or confessions.

The federal Public Defender's Office provided legal counsel to indigent defendants, but the scope and quality of service were inadequate due to a shortage of attorneys. A public defender often handles more than 100 cases and may represent multiple defendants in a single case. Numerous free legal aid clinics, primarily based at universities, provided legal services. In certain areas of the country, the law allows volunteers, such as law students and professors, to represent clients in court on a pro bono basis. There was no bar association or other standardized criminal defense representation.

The constitution recognizes both religious and traditional courts. Many citizens residing in rural areas had little access to formal judicial systems and relied on traditional mechanisms for resolving conflict. By law all parties to a dispute must agree to use a traditional or religious court before such a court may hear a case, and either party may appeal to a regular court at any time. Sharia (Islamic law) courts may hear religious and family cases involving Muslims if both parties agree to use the sharia court before the formal legal process begins. Sharia courts received some funding from the government. These sharia courts adjudicated a majority of cases in the Somali and Afar Regions, which are predominantly Muslim. Other traditional systems of justice, such as councils of elders, functioned predominantly in rural areas. Some women felt they lacked access to free and fair hearings in the traditional court system because local custom excluded them from participation in councils of elders and due to persistent gender discrimination.

## **Political Prisoners and Detainees**

There were no high-profile political prisoners at year's end, because the government dropped charges and/or granted pardons to more than ten thousand individuals charged and convicted with crimes of terrorism and corruption.

Authorities released Oromo Federalist Congress (OFC) chairperson Merera Gudina on January 17, following a decision by the attorney general to discontinue the multiple criminal charges against him. In 2017 the attorney general brought multiple criminal charges against Merera and four others, including Ginbot 7 leader Berhanu Nega and diaspora-based Oromo activist Jawar Mohammed.

In February the federal attorney general dropped pending charges against remaining members of the Zone 9 blogging group Natnael Feleke, Atnaf Berhane, and Befekadu Hailu. In 2017 the Supreme Court downgraded the charges against the three bloggers from terrorism to criminal provocation of the public. Officials also released Bekele Gerba, OFC deputy chair, on February 13, after prosecutors dropped charges against him and his codefendants for leading protests against plans to expand the city of Addis Ababa.

On May 29, the attorney general withdrew charges against diaspora-based Ginbot 7 leader Berhanu Nega and Oromo activist Jawar Mohammed, as well as their respective media organizations Ethiopian Satellite Television and Radio and Oromo Media Network.

## **Civil Judicial Procedures and Remedies**

The law provides citizens the right to appeal in civil court, including in cases with human rights violations. For rights violations where a government agency is the accused perpetrator, the victim initiates the process by filing a complaint at the EHRC. Parliament created the EHRC in 2000, and it continued to fund and provide oversight over the commission. The EHRC investigates and makes recommendations to the concerned government agency. Citizens did not file any human rights violations under this system, primarily due to a lack of evidence and a lack of faith in their ability to secure an impartial verdict in these types of cases.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law generally requires authorities to obtain court-issued search warrants prior to searching private property. Under the SOE court, approval for searches was suspended. Security officials had to provide a reason to the individual or household subject to the search, an official identification card, and have a community member accompany them before conducting a search. Separate from the SOE, the law also recognizes exceptions for “hot pursuit” cases in which a suspect enters a premises or disposes of items that are the subject of an offense committed on the premises. This legal exception also applies when police have reasonable suspicion that evidence of a crime punishable by more than three years’ imprisonment is concealed on or in the property and a delay in obtaining a search warrant would allow the evidence to be removed. Moreover, the ATP law permits warrantless searches of a person or vehicle when authorized by the director general of the Federal Police, his designee, or a police officer who has reasonable suspicion that a terrorist act may be committed and deems a sudden search necessary.

Opposition political party leaders and journalists reported suspicions of telephone tapping, other electronic eavesdropping, and surveillance, and they stated government agents attempted to lure them into illegal acts by calling and pretending to be representatives of previously designated terrorist groups.

The government used a widespread system of paid informants to report on the activities of individuals. Opposition members, journalists, and athletes reported ruling party operatives and militia members made intimidating and unwelcome visits to their homes and offices. These intimidating contacts included entry and searches of homes without a warrant.

There were reports that authorities dismissed opposition members from their jobs and that those not affiliated with the EPRDF sometimes had trouble receiving the “support letters” from their *kebeles* (neighborhoods or wards) necessary to obtain employment (see section 3, Political Parties and Political Participation).

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution and law provide for freedom of speech and press; however, SOE regulations included restrictions on these rights, giving legal cover for continued efforts to harass and intimidate journalists that predated the SOE. Upon the end of the SOE and with the encouragement of Prime Minister Abiy, a number of new

and returned diaspora media outlets were able to register and begin operations in the country.

Freedom of Expression: The SOE regulations contained several prohibitions that restricted freedom of speech and expression and subsequently resulted in the temporary detention of some independent voices. The regulations, interpreted broadly, prohibited any covert or overt agitation and communication that could incite violence and unrest. Restricted activities also included any communication with designated terrorist groups or antipeace forces, storing and disseminating texts, storing and promoting emblems of terrorist groups, incitement in sermons and teaching in religious institutions to induce fear or incite conflict, and speech that could incite attacks based on identity or ethnicity.

Under the SOE it was illegal to carry out covert or public incitement of violence in any way, including printing, preparing, or distributing writings; performing a show; demonstrating through signs or making messages public through any medium; or importing or exporting any publication without permission. The SOE also prohibited exchanging any message through the internet, mobile telephones, writing, television, radio, social media, or other means of communication that may cause a riot, disturbance, suspicion, or grievance among persons. Police used suspicion of individuals possessing or distributing such media as a premise to enter homes without a warrant.

The SOE prohibited any individual from exchanging information with a foreign government in a manner that undermined national sovereignty and prohibited political parties from briefing journalists in a manner deemed unconstitutional or that undermined sovereignty and security. Individuals self-censored because of these prohibitions.

The protests and demands for change were driven by the EPRDF's attempts to impede criticism through intimidation, including continued detention of journalists, those who express critical opinions online, and opposition figures. Additionally, the government monitored and interfered in activities of political opposition groups. Some citizens feared authorities would retaliate against them for discussing security force abuses. Authorities arrested and detained persons who made public or private statements deemed critical of the government under a provision of the law pertaining to inciting the public through false rumors.

Upon taking office Prime Minister Abiy stated that freedom of speech is essential to the country's future. NGOs subsequently reported that practices such as arrests,

detention, abuse, and harassment of persons for criticizing the government dramatically diminished.

Press and Media Freedom: Independent journalists reported access to private, affordable, independent printing presses was generally limited to a single government-owned facility, citing government intimidation. At least one outlet attempted to import a printing press for private use but was allegedly unable to secure permission to make it operational. Independent media cited limited access as a major factor in the small number, low circulation, and infrequent publication of news.

In Addis Ababa six independent newspapers had a combined weekly circulation of approximately 43,000 copies; there were in addition two sports-focused newspapers. There were no independent newspapers outside of the capital. Eight independent weekly, monthly, and bimonthly magazines published in Amharic and English had a combined circulation estimated at 28,000 copies. State-run newspapers had a combined daily circulation of approximately 50,000 copies. Most newspapers were printed on a weekly or biweekly basis, except state-owned Amharic and English dailies and the privately run *Daily Monitor*. Government-controlled media closely reflected the views of the government and ruling EPRDF party. The government controlled the only television station that broadcast nationally, which, along with radio, was the primary source of news for much of the population. There were two government-owned radio stations that covered the entire country, seven private FM radio stations broadcast in the capital, one FM radio station in the Tigray Region, and 28 community radio stations broadcast in other regions. State-run Ethiopian Broadcasting Corporation had the largest broadcast range in the country, followed by Fana Broadcasting Corporate, generally regarded as affiliated with the ruling party. There were a few private satellite-based television stations, including the Ethiopian Broadcast Service.

The law prohibits political and religious organizations, as well as foreigners from owning broadcast stations.

Violence and Harassment: The government's arrest, harassment, and prosecution of journalists sharply declined and imprisoned journalists were released. As of April no high-profile journalist remained in detention. On January 9 and 10, the Federal Prison Administration released 14 Muslim activists and journalists, including Darsema Sorri and Khalid Mohammed, from prison. The release followed the Supreme Court's decision in December 2017 that reduced jail terms of the defendants convicted for violation of the ATP.

Censorship or Content Restrictions: Many private newspapers reported informal editorial control by the government. Examples of government interference included requests regarding specific stories and calls from government officials concerning articles perceived as critical of the government. Private sector and government journalists routinely practiced self-censorship. Several journalists, both local and foreign, reported an increase in self-censorship during the SOE.

National Security: Under the SOE--February 15 to June 5--the government used the SOE laws to suppress criticism. On July 5, the parliament legally removed the Oromo Liberation Front (OLF), ONLF, and PG7 from the list of terrorist organizations. Journalists, both state and private, were less afraid of reporting on these groups following their delisting.

Nongovernmental Impact: On July 13, an unidentified group of youths in the town of Meisso reportedly attacked a team of journalists travelling from Dire Dawa to Addis Ababa to cover the Eritrean president's state visit to Ethiopia. Five of the crewmembers were employees of state-owned Dire Dawa Mass Media Agency. The driver of the van died from injuries on July 19 at a hospital in Harar.

Prime Minister Abiy invited diaspora media outlets to return as part of broader reforms to open up political dialogue. Major outlets and bloggers returned and began operations without incident. Media outlets were careful in testing the limits of their new freedoms. Several outfits printed hard-hitting and carefully investigated pieces exposing problems without repercussions.

## **Internet Freedom**

The government periodically restricted and disrupted access to the internet and blocked various social media sites. The government shut down mobile internet in towns outside of Addis Ababa, especially in Oromia and Amhara between February and April, when the SOE was in force. Authorities restored internet connectivity in April while unblocking more than 260 websites that were previously unavailable inside the country. These included blogs, opposition websites, websites of PG7, the OLF, and the ONLF, and news sites such as *al-Jazeera*, the *BBC*, and *RealClearPolitics*. Authorities briefly shut off mobile internet data in and around Addis Ababa in September and October while responding to unrest.



In early August the government temporarily shut down broadband and mobile internet in Dire Dawa, Harar, and Jijiga in the eastern part of the country following an outbreak of violence. In September internet and mobile data were temporarily turned off again in Addis Ababa when protests turned violent. There were credible reports the government monitored private online communications without appropriate legal authority. State-owned Ethio Telecom was the only internet service provider in the country.

The law on computer crimes includes some provisions that are overly broad and could restrict freedom of speech and expression. This included, for example, a provision that provides for imprisonment for disseminating through a computer system any written, video, audio, or any other picture that incites violence, chaos, or conflict among persons. The SOE regulations included prohibitions on agitation and communication to incite violence and unrest through the internet, text messaging, and social media.

Authorities monitored communication systems and took steps to block access to Virtual Private Network providers that let users circumvent government screening of internet browsing and email. There were reports such internet surveillance resulted in arrests.

According to the International Telecommunication Union, 18.6 percent of the population used the internet in 2017.

### **Academic Freedom and Cultural Events**

The government restricted academic freedom, primarily via controlling teachers' appointments and curricula. Authorities frequently restricted speech, expression, and assembly on university and high school campuses. SOE regulations prohibited strikes in educational institutions, giving authorities the power to order educational institutions to take measures against any striking student or staff member and providing law enforcement officers the authority to enter educational institutions and take measures to control strikes or protests.

According to multiple reports, the ruling EPRDF, via the Ministry of Education, continued to favor students loyal to the party in assignment to postgraduate programs. Some university staff members noted that students who joined the party received priority for employment in all fields after graduation. Numerous anecdotal reports suggested inadequate promotions and lack of professional advancement were more likely for non-EPRDF member teachers. There continued

to be a lack of transparency in academic staffing decisions, with numerous complaints from academics alleging bias based on party membership, ethnicity, or religion.

A separate Ministry of Education directive prohibits private universities from offering degree programs in law and teacher education. The directive also requires public universities to align their curriculum with the ministry's policy of a 70/30 ratio between science and social science academic programs. As a result the number of students studying social sciences and the humanities at public institutions continued to decrease; private universities, however, focused heavily on the social sciences.

Reports stated there was a pattern of surveillance and arbitrary arrests of Oromo university students based on perceived dissent, participation in peaceful demonstrations, or both. According to reports, there was a buildup of security forces, both uniformed and plainclothes, embedded on university campuses preceding student protests, especially in Oromia, in response to student demonstrations.

## **b. Freedoms of Peaceful Assembly and Association**

The government limited freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

The constitution and law provide for freedom of assembly; SOE regulations, however, prohibited demonstrations and town hall meetings that did not have approval from the Command Posts, in some cases federal and in other cases more local bodies. After the lifting of the SOE, security forces' response to protests showed signs of increasing restraint. In July and August Federal Police and Addis Ababa police provided security to at least three large peaceful demonstrations staged without prior notification to the authorities in Addis Ababa.

Prior to the SOE, organizers of public meetings of more than two persons or demonstrations had to notify the government 48 hours in advance and obtain a permit. Authorities could not refuse to grant a permit but could require changing the location or time for reasons of public safety or freedom of movement. If authorities require an event be moved to another place or time, by law authorities must notify organizers in writing within 12 hours of their request.

The EPRDF used its own conference centers in Addis Ababa, the regional capitals, and government facilities for meetings and events. Following the imposition of the SOE, the prohibition on unauthorized demonstrations or town hall meetings severely limited the organization of meetings, training sessions, and other gatherings, especially for civil society and opposition political parties, who repeatedly reported being intimidated by authorities concerning organizing under SOE regulations.

### **Freedom of Association**

Although the law provides for freedom of association and the right to engage in unrestricted peaceful political activity, the government severely limited this right (see sections 3 and 5).

The SOE and the accompanying regulations restricted the ability of labor organizations to operate (see section 5). Regulations prohibited exchanging information or having contact with a foreign government or NGOs in a manner that undermines national sovereignty and security, and this reduced communication between local and international organizations.

The Charities and Societies Proclamation (CSP), also called the Civil Society Organizations (CSO) law, bans anonymous donations to NGOs and political parties. All potential donors were therefore aware their names would be on the public record. A 2013 report by the UN special rapporteur on the rights to freedom of peaceful assembly and association stated, “The enforcement of these provisions has a devastating impact on individuals’ ability to form and operate associations effectively.” For example, international NGOs seeking to operate in the country had to submit an application via the country’s embassies abroad, which the Ministry of Foreign Affairs then submitted to the government’s Charities and Societies Agency for approval. Prime Minister Abiy prioritized the reform of the CSP, along with the ATP and media law, as a mechanism to foster change in a process managed by the attorney general.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. At times authorities or armed groups limited the ability of humanitarian organizations to operate in areas of insecurity, such as on the country's borders.

In-country Movement: Under the SOE some regions of the country and the borders were restricted. Those restrictions ceased once the SOE ended.

Foreign Travel: A 2013 government prohibition on unskilled workers travelling to the Middle East for employment remained in force. The ban did not affect citizens travelling for investment or other business reasons. The government stated it issued the ban to prevent harassment, intimidation, and trauma suffered by those working abroad, particularly in the Middle East, as domestic employees.

Exile: The prime minister's call for reconciliation, parliament's removal of groups from the terrorist list, as well as the passing of the amnesty proclamation, encouraged many dissident groups, activists, journalists, and politicians in exile to return to the country and participate in reform efforts.

### **Internally Displaced Persons (IDPs)**

According to the International Organization for Migration (IOM), communal clashes between locals of Gedeo Zone in SNNPR and West Guji Zone in Oromia that started in April led to displacement of 970,000 persons. The number of IDPs in Gedeo Zone reached 820,000, while those in West Guji numbered 150,000. The Gedeo-Guji crisis occurred alongside existing displacement in other parts of the country. In May and June, IOM identified 1,777,000 IDPs in the country, with 1,205,000 displaced due to conflict mostly from the Oromia-Somali conflict in 2017, while 536,000 were displaced by drought and other climate-related factors.

There were 1,391,000 new IDPs, primarily due to conflicts along the border areas of Oromia and SNNPR Regions and border areas of Oromia and Somali Regions.

Authorities attributed the majority of internal displacements to conflict, particularly interregional and interclan conflicts due to lack of governance and property disputes. IDPs' rights to alternative livelihoods, skill development,

compensation, and access to documentation that determine their opportunity to participate in civic and political action was often limited. In some instances the government strongly encouraged returns of IDPs without adequate arrangements for security and sustainability. The government reportedly used food to induce returns, leading to secondary and tertiary displacements.

### **Protection of Refugees**

As of April the country hosted approximately 915,000 refugees. Major origin countries were South Sudan (440,000), Somalia (256,000), Eritrea (168,000), Sudan (44,000), and Yemen (1,800).

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government used a refugee-status-determination system for providing services and protection to refugees.

Employment: Under this year's Ethiopian Refugee Regulation, the government does not grant work permits to refugees, a regulation updated in early 2019 to change this, and other, refugee policies. The government supports an Out of Camp policy for those deemed self-sufficient and/or sponsored by an Ethiopian citizen, which allowed some refugees to live outside camps and engage in informal livelihoods.

Durable Solutions: The government welcomed refugees to settle in the country but did not offer a path to citizenship or provide integration. Refugee students who passed the required tests could attend university with fees paid by the government and UNHCR.

Returnees: During the year tens of thousands of refugees returned from Saudi Arabia and required humanitarian assistance. According to IOM, assistance for these returnees upon arrival was limited due to resource constraints.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. The ruling party's electoral advantages, however, limited this ability.

### **Elections and Political Participation**

Recent Elections: In 2015 the country held national elections for the HPR, the country's parliamentary body. Later that year the parliament elected Hailemariam Desalegn to his first full mandate as prime minister. On February 14, Hailemariam announced his resignation as prime minister, and on March 27, the EPRDF elected Abiy Ahmed as the new chairperson of the party and candidate for federal prime minister. After an acclamation vote in the HPR, Abiy Ahmed assumed the prime minister position on April 2.

In the 2015 national parliamentary elections, the EPRDF and affiliated parties won all 547 seats, giving the party a fifth consecutive five-year term. Government restrictions severely limited independent observation of the vote. The African Union was the sole international organization permitted to observe the elections. Opposition party observers accused local police of interference, harassment, and extrajudicial detention. Six rounds of broadcast debates preceded the elections, with internal media broadcasting the debates generally in full and only slightly edited. The debates included all major political parties competing in the election.

Independent journalists reported little trouble covering the election. Some independent journalists reported receiving their observation credentials the day before the election, after having submitted proper and timely applications. Several laws, regulations, and procedures implemented since the contentious 2005 national elections created a clear advantage for the EPRDF throughout the electoral process. There were reports of unfair government tactics, including intimidation of opposition candidates and supporters. Various reports stated at least six election-related deaths during the period before and immediately following the elections. The National Electoral Board of Ethiopia (NEBE) has sole responsibility for voter education, and it broadcast radio segments and distributed manuals on voter education in many local languages.

In a preliminary election assessment, the African Union called the 2015 elections “calm, peaceful, and credible” and applauded the government for its registration efforts. It raised concerns, however, regarding the legal framework underpinning the election. The NEBE registered more than 35 million voters, and it did not report any incidents of unfair voter registration practices.

On April 12, the parliament decided to postpone local elections scheduled for May for at least one year due to unrest in the country.

Political Parties and Political Participation: The government, controlled by the EPRDF, called on all diaspora-based opposition groups, including those in armed struggle, to return and pursue nonviolent struggle. Virtually all major opposition groups, including OLF, Oromo Democratic Front, ONLF, and PG7, welcomed the request and returned to the country.

On February 14, authorities released Mamushet Amare, former leader of the All Ethiopian Unity Party, whom authorities had detained on terrorism-related charges since March 2017.

Constituent parties of the EPRDF conferred advantages upon their members; the party directly owned many businesses and allegedly awarded jobs and business contracts to loyal supporters. Opposition parties reported they rented offices and meeting halls in the Amhara and Oromia Regions without difficulty. There were reports unemployed youths not affiliated with the ruling coalition sometimes had trouble receiving the “support letters” from their wards necessary to obtain jobs.

Registered political parties must receive permission from regional governments to open and occupy local offices, with at least one major opposition party reporting it was able to open many offices during the year in advance of the 2020 national election. Laws requiring parties to report “public meetings” and obtain permission for public rallies inhibited opposition activities.

Participation of Women and Minorities: No laws prevent women or minorities from voting or participating in political life, although patriarchal customs in some regions limited female participation in political life. There were improvements, but women remained significantly underrepresented across both elected and appointed positions. In October the prime minister announced a new cabinet with 10 female ministers, or half of the resized cabinet. Also in October Sahle-Work Zewde became the country’s first female president. Zewde’s appointment was in line with the prime minister’s stated goal of empowering women in his administration. In November the parliament swore in the country’s first female Supreme Court president. In the national parliament, women held 38 percent of seats, 211 of 547.

The government’s policy of ethnic federalism led to the creation of individual constituencies to provide for representation of all major ethnic groups in the House of the Federation (the upper chamber of parliament). The government recognizes more than 80 ethnicities, and the constitution states that at least one member represent each “Nation, Nationality, and People” in the House of the Federation.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for conviction of corruption. The government did not implement the law effectively or comprehensively.

Corruption: Corruption, especially the solicitation of bribes, including police and judicial corruption, remained a problem. Some stakeholders believed government officials manipulated the land allocation process and state- or party-owned businesses received preferential access to prime land leases and credit. The law mandates that the attorney general investigate and prosecute corruption cases.

In January 2017 former prime minister Hailemariam announced the establishment of the Corruption Directorate within the Federal Police Commission with powers to investigate systemic corruption cases. The government's rationale in establishing the investigation bureau was to increase transparency throughout the government bureaucracy.

On May 25, the Attorney General's Office notified the courts that it had dropped charges against and ordered the release of former director general of the Customs and Revenues Authority Melaku Fenta and his deputy Gebrewahid Woldegiorgis, as well as a dozen prominent business personalities and companies charged with corruption. On the same day, a separate group of 17 government officials detained in the corruption crackdown that started in June 2017 also had their charges dropped, including the former state minister of the Ministry of Finance and Economic Cooperation.

Financial Disclosure: The law requires all government officials and employees to register their wealth and personal property. The law includes financial and criminal sanctions for noncompliance. The Federal Ethics and Anti-Corruption Commission holds financial disclosure records. By law any person who seeks access to these records may make a request in writing; access to information on family assets may be restricted unless the commission deems the disclosure necessary.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Very few domestic human rights groups operated due to significant government restrictions during the first half of the year. The resource-challenged HRCO is the



sole local, independent human rights group. It is a membership-based, nonpartisan, nongovernmental, and not-for-profit entity. With more than a hundred reports to date since its inception, HRCO remained the only nongovernmental human rights monitoring and reporting group. Its reports during the year documented ethnically motivated attacks, clashes, and displacement. The government was generally distrustful and wary of domestic and international human rights groups and observers, but that attitude and distrust appeared to be changing. State-controlled media were critical of international human rights groups such as Human Rights Watch. On August 16, four local charities and rights organizations launched a new rights group, Consortium of Ethiopian Rights Organizations, which focuses on advocacy for human rights groups and broader space for rights-advocacy groups to operate.

The CSO law prohibits NGOs that receive more than 10 percent of their funding from foreign sources from engaging in a wide range of activities. Prohibited activities include those that advance human and democratic rights or promote equality of nations, nationalities, peoples, genders, and religions; the rights of children and persons with disabilities; conflict resolution or reconciliation; or the efficiency of justice and law enforcement services. The law severely curtails civil society's ability to raise questions of good governance, human rights, corruption, and transparency. Either local NGOs must cease advocacy work (so that they may accept funding in excess of the 10 percent limit) or register in a different area of focus not subject to this restriction. There were a few NGOs with waivers of this provision of the CSO law.

The SOE and the accompanying regulations restricted the ability of NGOs to operate. The prohibitions relating to communication and acts that undermine tolerance and unity resulted in broad self-censorship of reports and public statements. The prohibition on unauthorized town hall meetings limited the organization of meetings, training sessions, and other gatherings. The obligation of all organizations to give information when asked by law enforcement officers raised multiple concerns regarding confidentiality of information.

The government denied most NGOs access to federal prisons, police stations, and other places of detention. The government did permit Justice For All - Prison Fellowship Ethiopia to visit prisoners; this organization had an exemption enabling it to raise unlimited funds from foreign sources and to engage in human rights advocacy. Some other NGOs played a positive role in improving prisoners' chances for clemency.

Authorities limited access of human rights organizations, media, humanitarian agencies, and diplomatic missions in certain areas. The government continued to lack a clear policy on NGO access to sensitive areas and regions, leading regional government officials and military officials frequently to refer requests for NGO access to federal government authorities. Officials required journalists to register before entering sensitive regions and in some cases denied access. There were reports of regional police or local militias blocking NGO access to particular locations for a specific period, citing security risks.

Government Human Rights Bodies: The Office of the Ombudsman has the authority to investigate complaints of administrative mismanagement by executive branch offices and officials, including investigation into prison conditions. The office reported it opened investigations into 1,360 complaints from July 2017 to May. The institution determined executive bodies committed poor administrative practices in 714 of the cases. The most serious malpractices related to illegal distribution of basic food items and consumer goods that the government subsidized in Addis Ababa, SNNPR, Amhara, Oromia, and Gambella Regions. The institution also reported mismanagement in the areas of housing and construction as well as land management and compensation.

The institution presented its findings with recommendations to relevant authorities and followed up on those recommendations. While the majority of the agencies followed the recommendations and took corrective measures, 38 offices were reluctant to do so.

The EHRC conducted research on the human rights situation and investigated human rights violations in the Somali and Oromia conflicts, as well as the conflict between west Guji Zone in Oromia and Gedeo Zone in SNNPR. The commission did not publicize the findings of these reports. The EHRC reported to local media that a group of youths and regional security forces attacked its branch office in Jijiga, Somali Region, during the wide-ranging violence the region saw on August 4. EHRC staff suffered direct attacks and their local office was burned. Officials said they believed the attackers were trying to destroy evidence of the commission's investigation into human rights abuses in the area.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

While the government's political transformation contributed to a reduction in the number of deaths from engagement with government forces, violence between communities and among citizens began to rise. In mid-June several days of

communal violence in Hawassa, capital of SNNPR, and Wolaita, SNNPR, left 15 persons dead, according to official accounts. Violence between the nearby communities of Gedeo-Guji displaced approximately one million persons and exceeded the ability of law enforcement to maintain peace.

## **Women**

Rape and Domestic Violence: The law criminalizes rape and conviction provides for a penalty of five to 20 years' imprisonment, depending on the severity of the case. The law does not expressly address spousal rape. The government did not fully enforce the law. Article 564 of the criminal code generally covers violence against a marriage partner or a person cohabiting in an irregular union without specifically mentioning spousal rape. Some judges interpret this article to cover spousal rape cases, but others overlook such cases.

Domestic violence is illegal, but government enforcement of laws was inconsistent. Domestic violence, including spousal abuse, was a pervasive social problem. According to the 2016 Demographic and Health Survey (DHS), 34 percent of ever-married women and girls between ages 15 and 49 had experienced spousal physical, sexual, or emotional violence. Depending on the severity of injury inflicted, penalties for conviction range from small fines to 15 years' imprisonment.

Female Genital Mutilation/Cutting (FGM/C): The 2016 DHS indicated that 65 percent of girls and women ages 15-49 were circumcised. The prevalence of female circumcision was highest in the Somali Region (99 percent) and lowest in the Tigray Region (23 percent). FGM/C is illegal, with punishment including imprisonment and a fine, depending on the crime. The government did not actively enforce this prohibition. It was less common in urban areas. The penal code criminalizes the practice of clitoridectomy and provides for three months' imprisonment or a fine of at least 500 birr (\$18) for perpetrators. Infibulation of the genitals (the most extreme and dangerous form of FGM/C) is punishable by five to 10 years' imprisonment. According to government sources, there had never been a criminal charge regarding FGM/C, but media reported limited application of the law.

For more information, see Appendix C.

Other Harmful Traditional Practices: Marriage by abduction is illegal, although it continued in some regions despite the government's attempts to combat the

practice. Forced sexual relationships accompanied most marriages by abduction, and women often experienced physical abuse during the abduction. Abductions led to conflicts among families, communities, and ethnic groups. In cases of abduction, the perpetrator did not face punishment if the victim agreed to marry the perpetrator.

Sexual Harassment: Sexual harassment was widespread. The penal code prescribes penalties for conviction of 18 to 24 months' imprisonment, but authorities generally did not enforce the law.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Discrimination against women was widespread. It was most acute in rural areas, where an estimated 80 percent of the population lived. The law contains discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children older than five. Courts generally did not consider domestic violence by itself a justification for granting a divorce. Irrespective of the number of years married, the number of children raised, and joint property, the law entitles women to only three months' financial support if her relationship ends. There was limited legal recognition of common-law marriage. A common-law husband had no obligation to provide financial assistance to his family, and consequently women and children sometimes faced abandonment. Traditional courts continued to apply customary law in economic and social relationships.

All federal and regional land laws empower women to access government land. Inheritance laws also enable widows to inherit joint property acquired during marriage; however, enforcement of both legal provisions was uneven.

Women's access to gainful employment, credit, and the opportunity to own or manage a business was limited by their lower levels of educational attainment and by traditional attitudes. There were a number of initiatives aimed at increasing women's access to these critical economic empowerment tools.

## **Children**

Birth Registration: A child's citizenship derives from its parents. The law requires registration for children at birth. Children born in hospitals were registered; most of those born outside of hospitals were not. The overwhelming majority of

children, particularly in rural areas, were born at home. During the year the government continued a campaign initiated in 2017 to increase birth registrations by advising that failure to register would result in denial of public services.

Education: The law does not make education compulsory. Primary education is universal and tuition-free; however, there were not enough schools to accommodate the country's youth, particularly in rural areas. The cost of school supplies was prohibitive for many families. The most recent data showed the net primary school enrollment rate was 90 percent for boys and 84 percent for girls.

Child Abuse: Child abuse was widespread. Uvula cutting, tonsil scraping, and milk tooth extraction were among the most prevalent harmful traditional practices. *The African Report on Child Wellbeing 2013*, published by the African Child Policy Forum, found the government had increased punishment for sexual violence against children. "Child-friendly" benches heard cases involving violence against children and women. There was a commissioner for women and children's affairs in the EHRC and Ombudsman's Office.

Early and Forced Marriage: The law sets the legal age of marriage for girls and boys at 18; however, authorities did not enforce this law uniformly, and rural families sometimes were unaware of this provision. The government strategy to address underage marriage focused on education and mediation rather than punishment of offenders. For additional information, see Appendix C.

Sexual Exploitation of Children: The minimum legal age for consensual sex is 18, but authorities did not enforce this law. The law provides for three to 15 years' imprisonment for conviction of sexual intercourse with a minor. The law provides for one year in prison and a fine of 10,000 birr (\$357) for conviction of trafficking in indecent material displaying sexual intercourse by minors. Traffickers recruited girls as young as age 11 to work in brothels. Young girls were trafficked from rural to urban areas and exploited as prostitutes in hotels, bars, resort towns, and rural truck stops.

Infanticide or Infanticide of Children with Disabilities: Ritual and superstition-based infanticide, including of infants with disabilities, continued in remote tribal areas, particularly in South Omo. Local governments worked to educate communities against the practice.

Displaced Children: According to a 2010 report of the Ministry of Labor and Social Affairs, approximately 150,000 children lived on the streets; 60,000 of them

were in the capital. The ministry's report stated the inability of families to support children due to parental illness or insufficient household income exacerbated the problem. Research in 2014 by the ministry noted rapid urbanization, illegal employment brokers, high expectations of better life in cities, and rural-urban migration were adding to the problem. These children often begged, sometimes as part of a gang, or worked in the informal sector.

Institutionalized Children: There were an estimated 4.5 million orphans in the country in 2012, 4.9 percent of the population, according to statistics published by UNICEF. The vast majority lived with extended family members. Governmental and privately operated orphanages were overcrowded, and conditions often unsanitary. Institutionalized children did not receive adequate health care.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. On January 9, the parliament passed legislation banning intercountry adoptions, as part of a broader amendment of the family law. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

The Jewish community numbered approximately 2,000 persons. There were no reports of anti-Semitic acts, and the Addis Ababa Jewish community reported it felt protected by the government to practice its faith but did face limited societal discrimination.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The constitution does not mandate equal rights for persons with disabilities. The law prohibits discrimination against persons with physical and mental disabilities in employment and mandates access to buildings but does not explicitly mention intellectual or sensory disabilities. It is illegal for deaf persons to drive.

The law prohibits employment discrimination based on disability. It also makes employers responsible for providing appropriate working or training conditions and materials to persons with disabilities. The law specifically recognizes the additional burden on women with disabilities. The government took limited measures to enforce these laws, for example, by assigning interpreters for deaf and hard-of-hearing civil service employees. The Ministry of Labor and Social Affairs and the Public Servants Administration Commission were responsible for the implementation of employment laws for individuals with disabilities.

The law mandates building accessibility and accessible toilet facilities for persons with physical disabilities, although without specific regulations that define accessibility standards. Buildings and toilet facilities were usually not disability accessible. Property owners are required to give persons with disabilities preference for ground-floor apartments, and they generally did so.

According to a report from the UN Population Fund and the Population Council, one in every three girls with disabilities suffered at least one sexual assault. They also faced systematic and violent abuse at home and in their communities. The report stated many were blamed for being different and feared because they were seen to be under the spell of witchcraft.

Women with disabilities faced more disadvantages in education and employment. According to the *2010 Population Council Young Adult Survey*, 23 percent of girls with disabilities were in school, compared with 48 percent of girls and 55 percent of boys without disabilities. Girls with disabilities also were much more likely to experience physical and sexual abuse than were girls without disabilities.

Nationally there were several schools for persons with hearing and vision disabilities and several training centers for children and young persons with intellectual disabilities. There was a network of prosthetic and orthopedic centers in five of the nine regional states.

The Labor Ministry worked on disability-related problems. The CSO law hindered several domestic NGOs active in supporting persons with disabilities, particularly those focused on accessibility and vocational training.

The law does not restrict the right of persons with disabilities to vote and otherwise participate in civic affairs, although continued accessibility problems could make participation difficult. Most polling stations were accessible to persons with

disabilities, and these individuals as well as the elderly, pregnant women, and nursing mothers received priority.

### **National/Racial/Ethnic Minorities**

The country has more than 80 ethnic groups, of which the Oromo, at approximately 34 percent of the population, is the largest. The federal system drew boundaries approximately along major ethnic group lines during the early years of EPRDF rule and the drafting of the current constitution. Most political parties remained primarily ethnically based, although the ruling party and one of the largest opposition parties were coalitions of several ethnically based parties.

On September 15 and 16, youth purported to be Oromo attacked citizens in Burayu, Keta, and Ashewa Meda (Oromia towns just west of Addis Ababa), killing 27 residents mostly belonging to the Gamo and related ethnic groups that originated in SNNPR Region. Police detained hundreds of suspects for involvement in the attacks. On September 17, residents of Addis Ababa and Arba Minch, in SNNPR Region, staged large protests condemning the ethnic attacks. The protests in parts of Addis Ababa turned violent and led to loss of lives at the hands of security forces. Security forces killed seven protesters, claiming they attempted to seize firearms. Police arrested 170 individuals in Addis Ababa for suspected involvement in the violence and an additional 1,200 for allegedly attempting to escalate the violence.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

Consensual same-sex sexual activity is illegal and is punishable by three to 15 years' imprisonment. No law prohibits discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals. There were reports of violence against LGBTI individuals; however, reporting was limited due to fear of retribution, discrimination, or stigmatization. There are no hate crime laws or other criminal justice mechanisms to aid in the investigation of abuses against LGBTI individuals. Individuals generally did not identify themselves as LGBTI persons due to severe societal stigma and the illegality of consensual same-sex sexual activity. Activists in the LGBTI community reported surveillance and feared for their safety. There were no reports of persons incarcerated or prosecuted for engaging in same-sex sexual activities.



The AIDS Resource Center in Addis Ababa reported the majority of self-identified gay and lesbian callers, most of whom were men, requested assistance in changing their behavior to avoid discrimination. Many gay men reported anxiety, confusion, identity crises, depression, self-ostracism, religious conflict, and suicide attempts.

### **HIV and AIDS Social Stigma**

Societal stigma and discrimination against persons with or affected by HIV/AIDS continued in education, employment, and community integration. Persons with or affected by HIV/AIDS reported difficulty accessing various services. There were no statistics on the scale of the problem.

### **Other Societal Violence or Discrimination**

Intercommunal conflict in parts of Oromia and SNNP resulted in the displacement of nearly a million people in SNNP's Gedeo Zone and Oromia's West Guji Zone since April, with the majority of displacements occurring in June, according to the IOM Displacement Tracking Matrix.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution and law provide workers, except for civil servants and certain categories of workers primarily in the public sector, with the right to form and join unions, conduct legal strikes, and bargain collectively. Meanwhile, other provisions and laws severely restrict or excessively regulate these rights. The law specifically prohibits managerial employees, teachers, health-care workers, judges, prosecutors, security-service workers, domestic workers, and seasonal agricultural workers from organizing unions. Despite the law prohibiting antiunion discrimination, unions reported employers terminated union activists. The law requires employers guilty of antiunion discrimination to reinstate workers dismissed for union activities and generally did so. The law prohibits retribution against strikers, but authorities arrested nine air traffic controllers for striking. The government did not effectively enforce applicable laws, and penalties were not sufficient to deter violations.

A minimum of 10 workers are required to form a union. While the law provides all unions with the right to register, the government may refuse to register trade unions that do not meet its registration requirements. One possible rationale for

refusal is the nonpolitical criminal conviction of the union's leader within the previous 10 years, but there were no reports of a refused registration on this basis. The government may unilaterally cancel the registration of a union. Workers may not join more than one trade union per employment. The law stipulates a trade union organization may not act in an overtly political manner. The law allows administrative authorities to seek recourse via court actions to cancel union registration for engaging in prohibited activities, such as political action.

Other laws and regulations that explicitly or potentially infringe upon workers' rights to associate freely and to organize include the CSO law. The International Labor Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations noted the CSO law gives the government power to interfere in the right of workers to organize, including through the suppression of registration, internal administration, and the dissolution of organizations. For example, the law requires that labor unions' internal administration follow certain procedures that diminish their autonomy. Two-thirds of union members belonged to organizations affiliated with the government-controlled Confederation of Ethiopian Trade Unions. The National Teachers Union remained unregistered.

While the law recognizes the right to collective bargaining, this right was severely restricted under the law. Negotiations aimed at amending or replacing a collectively bargained agreement must take place within three months of its expiration; otherwise, the prior provisions on wages and other benefits cease to apply. The law restricts enterprise unions to negotiating wages only at the plant level. Civil servants, including public school teachers, have the right to establish and join professional associations created by the employees but may not bargain collectively. Arbitration procedures in the public sector are more restrictive than in the private sector. The law does not provide for effective and adequate sanctions against acts of interference by other agents in the establishment, functioning, or administration of either workers' or employers' organizations. Unions in the formal industrial sector made some efforts to enforce labor regulations.

Although the constitution and law provide workers with the right to strike to protect their interests, the law contains detailed provisions prescribing extremely complex and time-consuming formalities that make legal strike actions prohibitively difficult. The law requires aggrieved workers to attempt to reconcile with employers before striking and includes a lengthy dispute settlement process. These provisions apply equally to an employer's right to lock workers out. For an authorized strike, two-thirds of the workers concerned must support such action. If

not referred to a court or labor relations board, the union retains the right to strike without resorting to either of these options, provided they give at least 10 days' notice to the other party and the Labor Ministry and make efforts at reconciliation.

The law also prohibits strikes by workers who provide essential services, including air transport and urban bus services, electric power suppliers, gasoline station personnel, hospital and pharmacy personnel, firefighters, telecommunications personnel, and urban sanitary workers. The list of essential services goes beyond the ILO definition of essential services. The law prohibits retribution against strikers, but it also provides for civil or criminal penalties against unions and workers convicted of committing unauthorized strike actions. Violation of this procedure is an offense punishable with a fine not exceeding 1,200 birr (\$43) if committed by a union or of 300 birr (\$11) if committed by an individual worker. If the provisions of the penal code prescribe more severe penalties, the punishment codified in the penal code becomes applicable. Any public servant who goes on strike, who urges others to go on strike, or who fails to carry out his/her duties in a proper manner, to the prejudice of state, public, or private interest, is subject to imprisonment that involves an obligation to perform labor.

The informal labor sector, including domestic workers and seasonal agricultural workers, was not unionized or protected by labor laws. The law defines workers as persons in an employment relationship. Lack of adequate staffing prevented the government from effectively enforcing applicable laws for those sectors protected by law. Court procedures were often subject to lengthy delays and appeals. Labor officials reported that high unemployment, fear of retribution, and long delays in hearing labor cases deterred workers from participating in strikes or other labor actions. The ILO was critical of the government's use of the antiterrorism law to punish organizers or labor leaders.

Although rarely reported, antiunion activities occurred. There were media reports that some major foreign investors generally did not allow workers to form unions, often transferred or dismissed union leaders, and intimidated and pressured members to leave unions. Lawsuits alleging unlawful dismissal often took years to resolve because of case backlogs in the courts.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits and criminalizes all forms of forced or compulsory labor but permits courts to order forced labor as a punitive measure. Conviction of slavery is

punishable with five to 20 years' imprisonment and a fine. The government did not effectively enforce the law, and forced labor occurred.

In 2015 the federal government enacted a comprehensive overhaul of its antitrafficking penal code. The code prescribes harsh penalties up to life imprisonment and a fine of 500,000 birr (\$17,900) for conviction of human trafficking and exploitation, including slavery, debt bondage, forced prostitution, and servitude. The penalties served as a deterrent, especially when paired with increased law enforcement attention to the abuse. Police at the federal and regional levels received training focused on human trafficking and exploitation.

Although a ban on labor migration to the Gulf States remained in effect, the government established bilateral work agreements with most of the Gulf States.

Adults and children, often under coercion, engaged in street vending, begging, traditional weaving of hand-woven textiles, or agricultural work. Children also worked in forced domestic labor. Situations of debt bondage also occurred in traditional weaving, pottery making, cattle herding, and other agricultural activities, mostly in rural areas.

The government sometimes deployed prisoners to work outside the prisons for private businesses, a practice the ILO stated could constitute compulsory labor.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor. The government did not effectively enforce the applicable laws, and penalties were not sufficient to deter violations.

By law the minimum age for wage or salaried employment is 14. The minimum age provisions, however, apply only to contractual labor and do not apply to self-employed children or children who perform unpaid work, which constituted the vast majority of employed children. The law prohibits hazardous or night work for children between ages 14 and 18. The law defines hazardous work as any work that could jeopardize a child's health. Prohibited work sectors include passenger transport, work in electric generation plants, factory work, underground work, street cleaning, and many other sectors. The law expressly excludes children

younger than 16 attending vocational schools from the prohibition on hazardous work. The law does not permit children between ages 14 and 18 to work more than seven hours per day, between 10 p.m. and 6 a.m., or on public holidays or rest days.

Child labor remained a serious problem (see also section 7.b.), and significant numbers of children worked in prohibited, dangerous work sectors, particularly construction.

School enrollment was low, particularly in rural areas. To reinforce the importance of attending school, joint NGO, government, and community-based awareness efforts targeted communities where children were heavily engaged in agricultural work. The government invested in modernizing agricultural practices and constructing schools to combat the problem of child labor in agricultural sectors.

In both rural and urban areas, children often began working at young ages. Child labor was particularly pervasive in subsistence agricultural production, traditional weaving, fishing, and domestic work. A growing number of children worked in construction. Children in rural areas, especially boys, engaged in activities such as cattle herding, petty trading, plowing, harvesting, and weeding, while girls collected firewood and fetched water. Children worked in the production of gold. In small-scale gold mining, they dug mining pits and carried heavy loads of water. Children in urban areas, including orphans, worked in domestic service, often working long hours, which prevented many from attending school regularly. Children also worked in manufacturing, shining shoes, making clothes, parking, public transport, petty trading, as porters, and directing customers to taxis. Some children worked long hours in dangerous environments for little or no wages and without occupational safety protection. Child laborers often faced abuse at the hands of their employers, such as physical, sexual, and emotional abuse.

Traffickers exploited girls from impoverished rural areas, primarily in domestic servitude and commercial sex within the country.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination based on race, ethnicity, national origin, nationality, gender, marital status, religion, political affiliation, political outlook, pregnancy, socioeconomic status, disability, or “any other conditions.” The law prohibits discrimination in respect of employment and occupations; however, the authorities enforced these rights unevenly. The law specifically recognizes the additional burden on pregnant women and persons with disabilities. The penalty for conviction of discrimination on any of the above grounds is a fine of 1,200 birr (\$43). The government took limited measures to enforce the law. Sexual orientation, gender identity, and HIV-positive status have no basis for protection under the law.

Discrimination in employment and occupation occurred with respect to women, who had fewer employment opportunities than did men, and the jobs available did not provide equal pay for equal work. Discrimination in employment and occupation occurred against sexual orientation and/or gender identity.

Discrimination against migrant workers also occurred.

#### **e. Acceptable Conditions of Work**

There is no national minimum wage. Some government institutions and public enterprises set their own minimum wages. Public-sector employees, the largest group of wage earners, earned a monthly minimum wage of approximately 615 birr (\$22). The official estimate for the poverty income level was 315 birr (\$11) per month. Overall, the government did not effectively enforce wage laws.

The law provides for a 48-hour maximum legal workweek with a 24-hour rest period, premium pay for overtime, and prohibition of excessive compulsory overtime. Four conditions allow employers to make use of overtime work; these are urgency of the task, danger, absence of an employee, and lack of alternatives. Additionally, employers may not engage their employees in overtime work exceeding two hours a day, 20 hours a month, and 100 hours a year. The country has 13 paid public holidays per year. The law entitles employees in public enterprises and government financial institutions to overtime pay; civil servants receive compensatory time off for overtime work.

The government, industries, and unions negotiated occupational safety and health standards, which do not fully address worker safety in many industries. Workers specifically excluded by law from unionizing, including domestic workers and

seasonal agricultural workers, generally did not benefit from health and safety regulations in the workplace.

The Labor Ministry's inspection department was responsible for enforcement of workplace standards. Occupational safety and health measures were not effectively enforced. The ministry carried out regular labor inspections to monitor compliance; however, the government employed 516 labor inspectors, less than half the ILO's recommended number of 1,321. The ministry's severely limited administrative capacity; lack of an effective mechanism for receiving, investigating, and tracking allegations of violations; and lack of detailed, sector-specific health and safety guidelines hampered effective enforcement of these standards. The ministry completed 46,000 inspections in the most recent fiscal year, and it was generally clear that responsibility for identifying unsafe situations resides with labor inspectors.

Only a small percentage of the population, concentrated in urban areas, was involved in wage-labor employment. Wages in the informal sector generally were below subsistence levels.

Compensation, benefits, and working conditions of seasonal agricultural workers were far below those of unionized permanent agricultural employees. The government did little to enforce the law. Most employees in the formal sector worked a 39-hour workweek. Many foreign, migrant, and informal laborers worked more than 48 hours per week.

Hazardous working conditions existed in the agricultural sector, which was the primary base of the country's economy. There were also reports of hazardous and exploitative working conditions in the construction and industrial sectors, although data on deaths and injuries were not available.