

# Unmet Promises: the widespread and grave civil and political rights violations in Ethiopia

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**Alternative Report Submitted by the World Organization against Torture (OMCT) and Ethiopian Human Rights Council (EHRCO)**

**Presented to the African Commission on Human and Peoples' Rights,  
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# Abbreviations

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CPJ- Committee to protect Journalists

EHRC- Ethiopian Human Rights Commission

EHRCO- Ethiopian Human Rights Council

ENDF- Ethiopian National Defence Force

FDRE- Federal Democratic Republic Ethiopia

HRDs- Human Rights Defenders

ICCPR- International Convention on Civil and Political Rights

IDPs- Internally Displaced People

IOM- International Organization for Migrations

NAMA- National Amhara Movement

NGO- Non Governmental Organization

OLA- Oromo Liberation Army

OMCT- World Organization Against Torture

TPLF- Tigray People's Liberation Front

UN- United Nations



## About the submitting organisation

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The **World Organization against Torture (OMCT)** works with around 200 member organizations which make up its SOS-Torture Network, to end torture, fight impunity and protect human rights defenders worldwide. Together, we make up the largest global group actively standing up to torture in more than 90 countries. Helping local voices to be heard, we support our key partners in the field and provide direct assistance to victims. Our International Secretariat is based in Geneva, and we also have offices in Brussels and Tunis. The OMCT's International Secretariat provides personalized medical, legal and/or social assistance to hundreds of torture victims worldwide, to protect individuals and fight impunity. As part of its work, the OMCT also submits individual communications and alternative reports to United Nations' special mechanisms, such the Committee against Torture, Human Rights Committee and Universal Periodic Review Working Group.

Ethiopian Human Rights Council (EHRCO) is a non-governmental, non-profit-making, nonpartisan, and membership-based organisation legally registered by the Ethiopian Civic Society Authority with registration number 1146. Since its establishment in 1991, EHRCO has been working as a human rights-based civil society organisation. EHRCO specialises in situation monitoring, investigating, documentations and reporting (MIDR) of human rights violations within the context of the local human rights arena. Furthermore, it conducts routine monitoring vis-a-vis prisons, trials, as well as election proceedings, and provides free legal aid services to victims, prioritising the needs of the most vulnerable segments of the society.





# Introduction

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In 2018 Ethiopia introduced a number of vital reforms which led to the release of thousands of detainees, ended the no-war-no-peace status quo with Eritrea, expansion of the civic and political space and repeal of draconian laws, such as the Anti-Terrorism and Civil Society Law Proclamations, which were previously used to repress human rights. While initial first steps have been taken towards improving the human rights environment in the country, a persistence of old-style patterns of violence perpetrated by the security forces threatens to derail sustained long-term gain. Extra-judicial killings by the government and non-state actors; enforced disappearance, harsh and life threatening prison conditions; arbitrary arrest and detention and serious abuses in conflicts including unlawful and widespread civilian harm; unlawful recruitment or use of child soldiers by government forces and militia groups; gender based violence including rape and conflict-related sexual violence and trafficking in person are among the most prevalent incidents causing grave human rights violations in Ethiopia.

The right to life and liberty have been the most threatened rights in the country of the reporting period. The war in the Northern part of the country, conflicts in different regions such as Amhara, Oromia, Benshangule Gumz, and Gambela regions as well as inter-communal conflicts in various areas claimed the lives of hundreds of thousands of civilians. Thousands of the civilians were extra judicially executed by government security forces. The country set a world record for displacements with over 5 million displaced people in 2021.<sup>1</sup> Freedoms of expression, movement, and peaceful assembly have been curtailed. According to the Committee to protect Journalists (CPJ), the country has been recorded as the second-worst jailer of journalists in sub-Saharan Africa, in 2023.<sup>2</sup> There has also been widespread arbitrary arrest and detention of innocents in the country. Impunity has continued to be rampant.

In general, despite the promising reforms enforced in 2018 following the appointment of the 2019's Nobel Peace Prizes winning Prime Minister – Abiy Ahmed, the human rights situation of Ethiopia has significantly deteriorated and has continued to get worse. The world has witnessed grave civil, political as well as socio-economic rights violations in Ethiopia. This alternative report, however, focuses on the major civil and political rights which are also critical for the implementation of other human rights given their interconnectedness. The report is prepared based on the seventh to tenth periodic country reports (2015-2023) of the country.

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<sup>1</sup> NPR, May 28, 2022, *Ethiopia set a world record for displacements in a single year: 5.1 million in 2021* <https://www.npr.org/sections/outside/2022/05/28/1100469734/ethiopia-set-a-world-record-for-displacements-in-a-single-year-5.1-million-in-20>

<sup>2</sup> Arlene Getz, 2023, *2023 prison census: Jailed journalist numbers near record high; Israel imprisonments spike*, Committee to protect Journalists (CPJ), <https://cpj.org/report/2024/01/2023-prison-census-jailed-journalist-numbers-near-record-high-israel-imprisonments-spike/>



# Civil and Political Rights

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## 1. Article 4: The right to life and personal integrity

**Paragraphs 40-55:** stated that the Ethiopian government has taken significant measures and adopted different relevant legislations to protect the right to life and bodily integrity and to end impunity in the country.

- 1.1 Extrajudicial killings by the government and other militant groups have become common in Ethiopia. Oromia region is one of the hot spots where thousands of civilians including women, elderly and children have been brutally massacred and millions forcibly displaced from their homes in the last six years. Amharas were the main target of the killings and all other forms of human rights abuses including rape, torture and in human treatment. The widespread extra-judicial killing in the region has been attributed to the government security forces and members of the Oromo Liberation Army (OLA) - a terrorist group banned by the country's parliament in 2021. The government has failed to safeguard citizens in the area and hold perpetrators into account. The government forces have also taken part in the killings.
- 1.2 In 2019, 39 people had been extra judicially executed by government forces in Goro Dola District of East Guji Zone and Dugda Dawa District of West Guji Zone of Oromia region.<sup>3</sup> In May 2021, Oromia security forces executed a 17-year-old named Amanuel Wendimu in public in Dembi Dollo town of western Oromia after summoning the public to the town's main street square and accusing him of being a member of Abbaa Torbee.<sup>4</sup> Members of Oromia security forces had also extra judicially killed 14 Gadaa leaders (Oromo traditional leaders) on 1 December 2021 in Fantalle Woreda, East Shewa Zone of Oromia.<sup>5</sup> In the same year and month ,30 people suspected of being a member of OLA were shot and killed by the government security forces.<sup>6</sup> In addition to the government, citizens have been subjected to killing by non-state militant groups. In the last six years, extensive ethnic cleansing has been conducted against Amharas residing in the Oromia region. In November 2020, 54 Amharas were massacred by the OLA in West Wollega of Oromia region. They were indiscriminately executed after being

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<sup>3</sup>Amnesty international, 2020, *Beyond law enforcement human rights violations by Ethiopian security forces in Amhara and Oromia*, <file:///C:/Users/Eden%20Hailu/Downloads/AER2523582020ENGLISH.pdf>

<sup>4</sup>Ermias Tesfaye, *Extrajudicial killings by Ethiopia's security forces: rule or exception?* Ethiopian insight, <https://www.ethiopia-insight.com/2022/03/31/extrajudicial-killings-by-ethiopias-security-forces-rule-or-exception/>

<sup>5</sup>Ibid

<sup>6</sup>Reuters, June 19, 2022, *Ethiopia rights body says video shows extrajudicial killings*, <https://www.reuters.com/world/africa/ethiopia-rights-body-says-video-shows-extrajudicial-killings-2022-06-19/>





gathered in a school.<sup>7</sup> In June 2022, the same armed group committed the deadliest massacre of Amharas and killed over 320 innocents mostly women and children in the same area of the region.<sup>8</sup> On 30 and 31 August, Amhara Fano forces attacked Agamsa, a town in Horo Guduru, killing at least 60 Oromo civilians allegedly in retaliatory attacks.<sup>9</sup> The Ethiopian Human Rights Commission (EHRC) revealed that between November 23 and 29, 2023, 39 civilians were killed by OLA, in Arsi and Qellem Wolega zones of the region.<sup>10</sup> The federal government has proven itself to be ineffective in stemming this violence and at times appears to support it.

1.3 The two years' deadly war between the federal government and its allies and the Tigray People's Liberation Front (TPLF) is another incident where thousands of civilians lost their lives in extra judicial killings. The EHRC reported at least 600 civilians were killed in the town of Mai Kadra in western Tigray on November 9, 2020 when local youths known as Samri, aided by the then-local administration, went door to door killing those they identified as from the minority Amhara and Wolkait ethnic groups.<sup>11</sup> The country's rights body has also revealed that, in the second half of 2021, at least 346 civilians were extra judicially killed during this war. The killings were carried out by the warring parties, including Tigrayan fighters, government forces and their allies.<sup>12</sup> Moreover, at least one hundred civilians were brutally massacred in Chena Teklehaymanot locality of Dabat District, North Gondar of Amhara region of Ethiopia. The massacre was conducted by the TPLF. Two mass graves had been uncovered in September 2021.<sup>13</sup> Multiple air strikes in Tigray killed hundreds of civilians. According to the UN, air strikes in January 2022, allegedly carried out by government forces, killed more than 100 civilians in Dedebit in Tigray.<sup>14</sup>

<sup>7</sup>The Guardian, November 2, 2020, *At least 54 killed in Ethiopia massacre, says Amnesty*, <https://www.theguardian.com/world/2020/nov/02/killed-ethiopia-massacre-amnesty-oromia-amhara>

<sup>8</sup>The guardian, June 20, 2022, *As many as 320 dead in Ethiopia gun attack, witnesses suggest*, <https://www.theguardian.com/world/2022/jun/20/as-many-as-320-dead-in-ethiopia-gun-attack-witnesses-suggest>  
<sup>9</sup> Amnesty international, 2022, Ethiopia 2022, <https://www.amnesty.org/en/location/africa/east-africa-the-horn-and-great-lakes/ethiopia/report-ethiopia/>

<sup>10</sup> Agence France Press, December 6, 2023, *Over 50 Civilians Killed in Ethiopia Attacks: Rights Body*, <https://www.voanews.com/a/over-50-civilians-killed-in-ethiopia-attacks-rights-body/7386566.html>

<sup>11</sup> Lesley Wroughton, Nov. 24, 2020, *The Washington Post 600 civilians were killed in massacre in Tigray, Ethiopia's rights commission says*, The Washington Post [https://www.washingtonpost.com/world/africa/ethiopia-tigray-mai-kadra-massacre/2020/11/24/2fcb4218-2e76-11eb-9dd6-2d0172981719\\_story.html](https://www.washingtonpost.com/world/africa/ethiopia-tigray-mai-kadra-massacre/2020/11/24/2fcb4218-2e76-11eb-9dd6-2d0172981719_story.html)

<sup>12</sup>Aljazeera, 11 March 2022, *750 civilians killed in Amhara in half of 2021: Rights body*, <https://www.aljazeera.com/news/2022/3/11/ethiopian-rights-body-750-civilians-killed-in-amhara-in-a2-2022>

<sup>13</sup> Borkena, September 7, 2021, *Chena massacre: TPLF massacred at least 100, mass grave uncovered*, <https://borkena.com/2021/09/07/chena-massacre-tplf-massacred-at-least-100-mass-grave-uncovered/>

<sup>14</sup> Amnesty international, 2022, Ethiopia 2022, <https://www.amnesty.org/en/location/africa/east-africa-the-horn-and-great-lakes/ethiopia/report-ethiopia/>

Even if the government has ended the active war in Tigray and its surrounding areas through the cessation of casualties agreement (also known as 'The Pretoria Agreement'), no substantial measures have been taken to ensure justice and hold perpetrators to account. Continuation of ethnic cleansing, in the Western Tigray by Amhara forces controlling the area, has also been reported.<sup>15</sup>

1.4 Following a few months of the Tigray war, the Federal government continued fighting against the Amhara local militia group (called *Fano*) which fought along it in the Tigray war. The Amhara region has been under a state of emergency since August 4, 2023. The government started a military campaign in the region four months ago to introduce the emergency. It has been reported that thousands of civilians were extra judicially killed across many towns in the region including due to heavy artillery shellings and drone strikes. Over 70 civilians were killed by the federal army on September 3, 2023, in Majete, a rural town in north-eastern Ethiopia.<sup>16</sup> In August 08 and October 10 and 11 the ENDF soldiers executed six civilians in Bahir Dar city, the capital of Amhara region.<sup>17</sup> 26 civilians were killed in an Air strike in Finote Selam city in west Gojjam Zone of the region, in August 2023.<sup>18</sup> On the other hand, the EHRC reported that a drone attack claimed the lives of 80 innocents at Merawi town, 35 kilometers away from the capital city of the region, on 29 January 2024.<sup>19</sup> Several reports have continued unearthing that widespread extra judicial execution has been happening in different parts of the region against innocents suspected of being or supporting Fano.

1.5 The Benshangule Gumz and Gambela regions are other scenes where grave human rights abuses including extra judicial killings of civilians by government and non-government forces have occurred. On December 23, 2020 at least 100 people were killed by armed assailants in Benishangul -Gumuz Region.<sup>20</sup> According to reports of EHRC in January 2021, unidentified attackers killed at least 80 civilians in the region.<sup>21</sup> EHRC further revealed that fighters from OLA,

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<sup>15</sup> Human Rights Watch, June 1, 2023, *Ethiopia: Ethnic cleansing persists under Tigray truce*, <https://www.hrw.org/news/2023/06/01/ethiopia-ethnic-cleansing-persists-under-tigray-truce>

<sup>16</sup>The Guardian, September 8, 2023, *Ethiopian troops accused of mass killings of civilians in Amhara region*, <https://www.theguardian.com/global-development/2023/sep/08/ethiopian-troops-accused-mass-killings-amhara-civilians-region-fano-militia>

<sup>17</sup>Amnesty international, February 26, 2024, *Ethiopia: End extrajudicial Executions in Amhara region, bring perpetrators to justice*, <https://www.amnesty.org/en/latest/news/2024/02/ethiopia-end-extrajudicial-executions-in-amhara-region-bring-perpetrators-to-justice/>

<sup>18</sup>Reuters, August 14, 2023, *Ethiopia: Authorities must stop using state of emergency law to silence peaceful dissent*, <https://www.reuters.com/world/africa/suspected-air-strike-kills-26-ethiopians-amhara-region-2023-08-14/>

<sup>19</sup> A Guardian Correspondent, 12 Feb 2024, *Dozens of civilians killed by Ethiopian state troops in Amhara region, say reports*, The Guardian, <https://www.theguardian.com/global-development/2024/feb/12/dozens-of-civilians-killed-by-ethiopian-state-troops-in-amhara-region-say-reports>

<sup>20</sup> Amnesty international, December 23, 2020, *Ethiopia: At least 100 dead in latest surge of violence against ethnic minorities*, <https://www.amnesty.org/en/latest/press-release/2020/12/ethiopia-at-least-100-dead-surge-of-violence-against-ethnic-minorities/>

<sup>21</sup>Simon Marks and Declan Walsh, January 13, 2021, *Dozens Die in Ethnic Massacre in Troubled Ethiopian Region*, The New York Times, <https://www.nytimes.com/2021/01/13/world/africa/ethiopia-ethnic-killings.html>





killed 17 people and burned down villages in Benishangul-Gumuz, which borders the Oromia region in October 2023.<sup>22</sup>

- 1.6 The government claimed that it prosecuted a few military defence force members for violating international human rights and humanitarian laws that the country is a party to.<sup>23</sup> However, compared to the massive human rights violations occurring and the diversity and number of perpetrators, this is an insignificant and unsatisfactory measure reinforcing impunity.
- 1.7 Even if the government took a remarkable move in ending the two decade no-peace no-war stalemate related to border conflict with Eritrea and resumed peaceful relations in mid-2018, it has become inefficient and/or unwilling to end the civil war and extrajudicial killings claiming thousands of lives in the country. In general, the government has failed to discharge its duties to respect and protect the right to life enshrined under a number of international and regional human rights instruments that the country ratified including the African Charter on Human and Peoples' Rights. Impunity has continued to be a norm.
- 1.8 The government introduced the National Dialogue and Transitional Justice initiatives for lasting peace in the country. The attempt is welcomed and appreciated by various stakeholders. However, the effectiveness of these initiatives requires real commitment and will of the government and other concerned stakeholders. From the outset these attempts lack acceptance and inclusiveness. Major opposition political parties have excluded themselves and rejected the initiatives mentioning that they are worthless and established to serve the ruling party's purpose but nothing more.

## 2. Article 5. Prohibition of Torture and Slavery and Right to Dignity

**Paragraphs 56-70:** among others mentioned the recognition of torture as a crime against humanity and the absoluteness of prohibition of the act under article 28 of the country's constitution. Under these paragraphs, the government has also reported that a new legislation with a comprehensive definition of torture is underway; it has adopted different legislations including the latest Federal Prison Commission Proclamation No. 1174/2019 expressly prohibiting torture, cruel and inhuman treatment or punishment; the right to human dignity and prohibition against torture and inhuman treatment forms the core of the curricula in federal and regional police and prison training institutions; thousands of police officers and prison personnel are trained on torture;

<sup>22</sup> Agence France Press, December 6, 2023, *Over 50 Civilians Killed in Ethiopia Attacks: Rights Body*, <https://www.voanews.com/a/over-50-civilians-killed-in-ethiopia-attacks-rights-body/7386566.html>

<sup>23</sup> Addis Standard, March 01, 2024, *Editorial: National Dialogue without inclusion of key armed and non-armed stakeholders is a futile exercise*, <https://addisstandard.com/editorial-national-dialogue-without-inclusion-of-key-armed-and-non-armed-stakeholders-is-a-futile-exercise/>





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<sup>23</sup> Addis Standard, March 01, 2024, *Editorial: National Dialogue without inclusion of key armed and non-armed stakeholders is a futile exercise*, <https://addisstandard.com/aditorial-national-dialogue-without-inclusion-of-key-armed-and-non-armed-stakeholders-is-a-futile-exercise/>



individual compliant mechanisms in different settings, including in Ethiopian Human Rights Commission, are established; and different torture centers including *Maekelawi* in Addis Ababa and *Jail Ogaden* in Somali region are closed.

- 2.1 Despite the above mentioned and other astonishing measures taken as part of the reform undertaken right after the coming into power of Prime Minister Abiy Ahmed, in 2018, torture has resumed and become pervasive in the Ethiopia. Government has continued practicing torture and inhuman treatment to secure confession and as form of punishment. Even if it closed the notorious and old torture sites the current government has opened other new sites such as *Awash Arba* - a dangerous place with harsh environment 220 kilometres east of Addis Ababa. This is the destination of many political prisoners where they suffer severe torture and ill-treatments.<sup>24</sup>
- 2.2 Numerous human rights organizations including the national rights body, repeatedly reported the prevalence of torture and inhuman treatment in official and non-official detention facilities of the country. The following are some testimonies of survivors from different regions of the country in the most recent national inquiry report of the commission, published in March 2024.

*“Victims from the FerBarre Community from Kelafo Woreda in Somali region testified that they were subjected to physical torture such as flogging, and their heads covered with plastic bags filled with pepper powder while in detention. They said that the purpose of the torture was to forcibly evict them from their land. They said that they sustained permanent physical injury, lost their eyesight and were forced to leave their land as a result of the physical and psychological torture.”<sup>25</sup>*

*“A victim from Burayu (Shaggar City) Oromia region who claimed to be arrested by the police on 12 October 2020 and taken to a place 500 meters away from the main road of Burayu town, testified that four police officers kicked him several times in his neck, hips and abdomen and beat him with their weapon until he fell unconscious. According to him, they left him lying on the ground, thinking he was dead. One of the police officers who beat him, arrested him again on 9 June 2021 and on 17 May 2022, took him to Woreda 03 Police Station in Burayu, beating him on his way to the police station; and that one of the police officers urinated on him. He stated that police officers took off his clothes and repeatedly beat him with electric cable and a stick in the middle of the night until he was unconscious again; that they dumped him in the garbage disposal area inside the compound of the police station; and left him there for two days without any medical attention. He noted that the Chief Inspector of the Police Station was watching when six police officers took turns to*

<sup>24</sup> Jaclynn Ashly, October 25, 2021, “We thought he was dead”: Tigrayans speak of torture in detention, African Arguments, <https://africanarguments.org/2021/10/we-thought-he-was-dead-tigrayans-speak-of-torture-in-detention-tigray-war-ethiopia/>

<sup>25</sup> Ethiopian Human Rights Commission (EHRC), March 2024, *National inquiry into persons deprived of liberty*, a report paper P 47





beat him. He also testified that there were other detainees who were beaten like him; and that the police chained detainees for months.

Another victim from Shaggar City reported that seven police officers beat her severely while arresting her. According to her, while beating her, they were asking questions such as "how is OLA giving you instructions?", "where are they training you?" The female investigator, who was interrogating her, brought other six policemen inside the interrogation room to assist her with the beating. They removed her clothes, tied her hand and feet behind her back and flogged her, using a thick electric wire. They took her from the police station to a forest area called Gefersa to beat her and force her to confess that she was a member of OLA. The police took her to a government health centre, where the nurse physically assaulted her with his shoes and insulted her: "you are an animal." She was forced to undergo HIV/AIDS and pregnancy tests, instead of getting treatment for the injuries she incurred from the beatings."<sup>26</sup>

2.2 Most victims experienced psychological and physical torture while apprehended, during transportation and interrogation. Though the government claimed that it has trained its executive force on torture, investigations uncovered that its forces such as members of militia, police officers and prison guards in various detention facilities are main perpetrators of torture and inhuman treatment.<sup>27</sup>

### 3. Article 6. The Rights on Liberty and Security of a Person

**Paragraphs 71-100:** provided the legislative and administrative measures to safeguard and fulfil the rights of people whose liberty is deprived. Such as adoption of directives and manuals regarding methods and procedures of criminal investigations ensuring protection of rights and respect for the dignity of criminal suspects and detainees; closure of unofficial detention sites; establishment of juveniles' centre in Addis Ababa city and ensuring the impartiality and independence of the EHRC and enabling it to conduct prison monitoring. Under these paragraphs, the government has also reported that visitation by family and relatives have been widely exercised without restriction and according to the standard.

<sup>26</sup>Ibid, P 88

<sup>27</sup>Ibid, P64



- 3.1 During the war in the north, ethnically profiled thousands of Tigrayans were unlawfully detained in official prisons and in incommunicado. Most detainees were deprived of family and lawyer visits and experienced torture and inhuman conditions. The whereabouts of numerous prisoners had not been known for months.<sup>28</sup>
- 3.2 Detaining suspects for months with no charge or without due process, has become a common trend in most parts of the country. The mass arbitrary arrest and detention has continued following the war in Amhara region. Thousands of ethnic Amharas have been detained in official and non-official detention facilities.<sup>29</sup> This includes prominent opposition political party members, parliamentarians, active journalists and human rights defenders who are key critics of the regime.<sup>30</sup> Most detainees have not been informed of the reason/s for their detention or brought before court of law. They reported that they suffered torture and were held in inhuman conditions.<sup>31</sup>
- 3.3 In investigations in Oromia, Gambella, Benishangul-Gumuz, and Addis Ababa, the EHRC found out that many detainees had been arrested without court orders or formal investigations, and many had not been brought before court within the time the law prescribed. In addition, the EHRC reported many police stations held suspects whose charges were dropped or who should have been released in accordance with court orders.<sup>32</sup>
- 3.4 The government has been using state of emergencies declared in different conflict contexts to silence dissents and abuse rights of detained persons. A number of domestic and international human organisations have documented arbitrary arrests and politically motivated prosecutions to stifle dissent in Ethiopia for decades. Despite the government's promises to inform the criminal justice system in 2018, many of the weaknesses and gaps have not been fixed.

<sup>28</sup> Amnesty international, November 12, 2021, *Ethiopia: Tigrayans targeted in fresh wave of ethnically motivated detentions in Addis Ababa*, <https://www.amnesty.org/en/latest/news/2021/11/ethiopia-tigrayans-targeted-in-fresh-wave-of-ethnically-motivated-detentions-in-addis-ababa/>

<sup>29</sup> The Guardian, May 30, 2022, *More than 4,000 arrested in Amhara as Ethiopia cracks down on militia*, <https://www.theguardian.com/global-development/2022/may/30/more-than-4000-arrested-in-amhara-as-ethiopia-cracks-down-on-militia>

<sup>30</sup> Human Rights Watch, March 4, 2024, *Ethiopia's deepening crackdown on dissent*, <https://www.hrw.org/news/2024/03/04/ethiopia-deepening-crackdown-dissent>

<sup>31</sup> Amnesty international, February 19, 2024, *Ethiopia: Authorities must stop using state of emergency law to silence peaceful dissent*, <https://www.amnesty.org/en/latest/news/2024/02/ethiopia-authorities-must-stop-using-state-of-emergency-law-to-silence-peaceful-dissent/>

<sup>32</sup> US State Department Bureau of Democracy, Human Rights and Labour, *2022 Country Reports on Human Rights Practices: Ethiopia*, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/ethiopia>



#### 4. Article 7. The Right to Fair Trial

**Paragraphs from 101-112:** Provides the legislative and practical measures undertaken to ensure the right to fair trial. Among others article 19 of the FDRE constitution 19 (1) provides about fair trial. It states that "Persons arrested shall have the right to be informed promptly, in a language they understand, of the reasons for their arrest and of any charges against them. They shall be given a fair and speedy public trial without undue delay by an impartial court.

- 4.1 In spite of the aforementioned article of the country's constitution and other relevant provisions under ICCPR as well as African Charter which Ethiopia ratifies, the right to fair trial has been violated under many circumstances. Most political prisoners and persons accused of terrorism are deprived of not only their liberty but also their right to free and fair trial. Most are not informed of the reason for their arrest as well as their right to remain silent and show an arrest warrant. They have been held in detention centres for months with no charges and released.<sup>33</sup>
- 4.2 Many others have also been suffering from unnecessary and prolonged detentions against the due process of law. It seems that the government has been using this tactic as a punishment mechanism. This trend reveals the gaps in the independence and impartiality of the judiciary which are key elements for the promotion and protection of rights.

*"A victim from Jarar Zone in Somali region testified that he was arrested and detained three times. The first time was for one month partly during the 2021 state of emergency without being informed of the reason for his arrest. He was then detained for another three months for the second time during the 2021 state of emergency dissenting against the state and posting about his arrest on Facebook. The third time, he stated that he was detained for eight months without seeing any visitors. He explained that the police failed to bring him before a court on all three occasions of arrests."<sup>34</sup>*

Some victims were detained as a substitute for a suspect, that is, they happened to be a close family member of suspects wanted by law enforcement agents. The national inquiry by the commission revealed this fact. Some victims interviewed in Amhara region by the commission testified as follows.

*"Four victims testified that they were subjected to arbitrary detention for the mere fact of being relatives of a suspect. Another victim testified that he and others were subjected to arrest in Wad Police Station (West Gojjam Zone) for more than one*

<sup>33</sup> Supra note 25

<sup>34</sup> Supra note 25, P44





month without appearing before a court because he was a relative of a suspect who fired and killed two police officers while they were trying to apprehend him on 5 April 2022. The victim also testified that more than 11 relatives of the suspect were subjected to arbitrary arrest after the death of the police officers.”<sup>35</sup>

- 4.3 Incidents of neglecting court bail release orders by police are other common practices worsening the situation. Most political prisoners have been denied their bail rights, granted by courts of law, by the executive.<sup>36</sup>

## 5. Article 9. Access to Information and Freedom of Expression

**Paragraphs 120-133:** stated that the Ethiopian government has amended the restrictive media and anti-terrorism and other related laws to secure better exercise of the right to access to information and freedom of expression in the country. The promulgation of the law on hate speech and disinformation, Proclamation No. 1185/2020; the establishment of a Board to control and monitor the implementation of a state of emergency declarations. The release of numerous political prisoners as part of the political reform embarked in 2018 is the other core part of the state report in relation to this right.

- 5.1 As part of the legislative reforms started in 2018 the government has amended various repressive laws including the Media, anti-terrorism and Civil Societies laws. The government, however, is yet to revise the Proclamation on Computer Crime 958/2016, which hinders freedoms of expression and opinion. It has also released a number of opposition party members and leaders, journalists, bloggers and banned political groups. The legal and institutional reforms undertaken broadened the civic and political space and created more room to exercise the rights to freedom of expression and other related rights.

- 5.2 However, the opening has not stayed longer and the repression has resumed and large number of journalists<sup>37</sup>, opposition parties leaders and members,<sup>38</sup> bloggers, HRDs and other active citizens have been targeted and unlawfully detained, forcefully disappeared, tortured and inhumanly treated for doing their job or

<sup>35</sup> Ibid

<sup>36</sup> The Reporter, *Ethiopian police refuse to release journalists granted bail*, 11 June 2022, <https://www.thereporterethiopia.com/24161/> and Supra note 25

<sup>37</sup> Reporters without borders, 2022, *Eighteen journalists arrested in Ethiopia, two facing possible death sentence*, <https://rsf.org/en/eighteen-journalists-arrested-ethiopia-two-facing-possible-death-sentence>, International Press Institute, 2022, *Ethiopia: 19 media workers detained in May as press freedom situation deteriorates*, <https://ipi.media/ethiopia-19-media-workers-detained-in-may-as-press-freedom-situation-deteriorates/>, Amnesty international, 2023, *Ethiopia: Government should respect the right to peaceful protest and immediately release detained media staff*, <https://www.amnesty.org/en/latest/news/2023/04/ethiopia-government-should-respect-the-right-to-peaceful-protest/>

<sup>38</sup> Human Rights Watch, 2024, *Horn of Africa: Impunity fuelling abuses*, <https://www.hrw.org/news/2024/01/11/horn-africa-impunity-fuelling-abuses>, Human Rights Watch, 2023, *Ethiopia: Oromo Opposition Figures Held Despite Court Orders*, <https://www.hrw.org/news/2023/07/24/ethiopia-oromo-opposition-figures-held-despite-court-orders>

defending human rights.<sup>39</sup> Many have also fled their country for fear of prosecution and other human rights abuses. Conflicts between the Ethiopian Federal government and regional forces in Tigray, Oromia and Amhara regions have resulted in strident restrictions on the media and the right to freedom of expression, association, assembly and access to information in the country.

- 5.3 In 2021, international and Ethiopian journalists and media networks came under government pressure over coverage of internal conflicts and political dynamics, resulting in some cases in expulsions from the country and revocation of licences. Several Ethiopian journalists were also imprisoned without charges. By the end of 2021, Ethiopia topped the list of countries with the most journalists in jail, ranked second highest in sub-Saharan Africa, only after Eritrea. Additionally, effective October 29, 2021, the Ethiopia Media Authority banned local Ethiopian broadcasters from transmitting programs from foreign media outlets.<sup>40</sup>
- 5.4 Several HRDs have been subjected to intimidation through judicial harassment under the Hate Speech and Disinformation Proclamation 1,185/2020. Temesgen Desalegn, an author and veteran journalist with the independent weekly Amharic Feteḥ magazine, was arrested and detained in relation to his investigative work during the conflict in northern Ethiopia and charged with disseminating ‘inaccurate, hateful or subversive information aimed to demoralise and undermine the public’s confidence in the government’.<sup>41</sup> Moreover, repeated state of emergency laws during conflicts, including the State of Emergency Proclamation 6/2023 issued to Protect Public Peace and Security, have been used to detain many HRDs without due process.<sup>42</sup>
- 5.5 The government periodically restricted and disrupted access to the internet and blocked social media sites, especially in areas affected by conflict. Since 2016 at least 26 incidents of shutdowns were documented in response to conflict, communal violence and political turmoil.<sup>43</sup> Tigray region had no internet during the two years’ war period. Freedom of movement was severely limited and access to information was restricted. Journalists were banned from travelling to conflict areas and the internet and phone lines were shut down. The media blackout made it challenging for journalists to provide and verify information, and for the public to access reliable information. Added to this, the government has enforced internet blackout in the Amhara region starting August 2023 in response to the conflict

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<sup>39</sup> Ethiopian Human Rights Defenders Center (EHRDC), 2014, *The Ethiopian Government should end the wave of disappearance and unlawful arrests of Human Rights Defenders, Journalists, and Activities*, Press statement, <https://ethdefenders.org/the-ethiopian-government-should-end-the-wave-of-disappearance-and-unlawful-arrests-of-human-rights-defenders-journalists-and-activists/>

<sup>40</sup> Freedom House, 2022, *Freedom in the world 2022: Ethiopia*, <https://freedomhouse.org/country/ethiopia/freedom-world/2022>

<sup>41</sup> Ethiopian Human Rights Defenders Center, (EHRDC), *February 2024 The Second Annual Report on the Situation of Human Rights Defenders in Ethiopia*, <https://ethdefenders.org/the-second-annual-report-on-the-situation-of-human-rights-defenders-in-ethiopia2023/>

<sup>42</sup> Ibid

<sup>43</sup> Access now, *Preserving freedom in crisis: Ethiopia’s internet shutdowns must not become the norm*, available at <https://www.accessnow.org/press-release/open-statement-internet-shutdown-amhara/>





with the local militia- *Fano*, with partial connectivity restoration occurring since November 2023.<sup>44</sup> In addition to affecting various human rights including the right to expression and information, internet blackouts contribute much in covering up grave human rights abuses happening in the conflict torn areas.

5.6 Furthermore, just like the previous administration the current government has continued to use state of emergencies as a shield to commit grave human rights abuses. Since 2018 a total of six states of emergencies have been declared and the country witnessed the most serious human rights violations during these emergencies. It has prolonged the recent six month state of emergency declared on August 4, 2023, in relation to the war in Amhara region for four more months.<sup>45</sup> Majority of the Oromia region has been under the rule of a command post with extensive power, including killing suspects, for years. The board established to control and monitor the implementation of the state of the emergencies declared in the country, has never investigated and reported the grave human rights violations occurred under the emergencies. Hence, the establishment of the board has no use.

## 6. Article 10 and 11: Freedom of association and peaceful assembly

*Under paragraphs 134-153:* among other measures taken to implement the right to freedom of association and peaceful assembly, the government reported the replacement of the restrictive civil society law 2009 by Organizations of Civil Societies Proclamation No. 1113/2019. It also stated the enactment of other laws strengthening the right to freedom of association under various scenarios.

6.1 The enactment of a new civil society law in February 2019 dispensed with many restrictions that had been placed on nongovernmental organisations (NGOs) by the draconian 2009 Charities and Societies Proclamation. However, the federal Civil Society Organizations Agency retains broad powers. Moreover, while NGOs are more able to legally operate in the human rights and governance spheres, practically many of these organisations are unable to access large parts of Ethiopia either due to security challenges or a lack of official approval, as was the case in Tigray. While the discourse around NGOs is more open, many of the practical realities for these groups have not improved.<sup>46</sup>

6.2 The government suppress freedom of peaceful assembly and detained and intimidated organisers of peaceful demonstrations. Ethiopian authorities have banned peaceful protests against ethnically motivated killings which were due to take place on 28 October 2023, in direct violation of the rights to freedom of expression and peaceful assembly. The protest was called by the National Amhara Movement (NAMA), an opposition political party,

<sup>44</sup> Addis standard, News: *Internet shutdown costs Ethiopia nearly \$2 billion in economic upheaval*, available at <https://addisstandard.com/news-internet-shutdown-costs-ethiopia-nearly-2-billion-in-economic-upheaval/>.

<sup>45</sup> The Reuters, 02 Feb 2024, *Ethiopia extends state of emergency in Amhara*, <https://www.reuters.com/world/africa/ethiopia-extends-state-emergency-amhara-2024-02-02/>.

<sup>46</sup> Freedom House, 2022, *Freedom in the world 2022: Ethiopia*, <https://freedomhouse.org/country/ethiopia/freedom-world/2022>



following the killing of scores of people from the Amhara ethnic minority in different areas specially Oromia region. Officials of NAMA were on 27 October prevented by the police from accessing their party office in Addis Ababa, and from travelling to the various locations where the protests were to take place in the Amhara regional state.<sup>47</sup>

6.3 The federal police had also detained four coordinators involved in organising the peaceful demonstration scheduled for December 10, 2023.<sup>48</sup>

The government allows no peaceful demonstrations or assemblies but only those supporting the regime.

## 7. Article 12: Freedom of movement

*Paragraphs 136-143:* have declared the adoption of a new Refugee Proclamation No. 1110/2019 which allows refugees to obtain work permits, access primary education, obtain driver's licences, legally register life events such as births and marriages and access national financial services such as banking in 2019. Ethiopia has introduced institutional mechanisms to help meet IDPs' immediate and long term needs for both humanitarian and development assistance. Ethiopia adopted Disaster Risk Management Policy to reduce risks associated with disasters and protect those at risk of such circumstances.

7.1 Article 32 of the FDRE constitution explicitly acknowledges the liberty to movement and to choose one's residence in any part of the country. The country has also ratified a number of international and regional instruments and treaties recognizing this right.

7.2 Nonetheless, nowadays, it has become too dangerous and worrying for most Ethiopians to move to other parts of the country than places of their origin and live peacefully. Ethnic based attacks by state and non-state forces, committed in most parts of the country, have hindered the full enjoyment of the right. Mass displacement of civilians induced by conflict has become a common incident in the country. According to the International Organization for Migration (IOM) in the period between November 2022 and June 2023, Over 4.38 million people were internally displaced in more than 3,300 assessed and accessible sites across 11 regions of the country.<sup>49</sup> The on-going conflicts in the country have been attributed to the continuation of the displacement of thousands of civilians exposed to various human rights abuses during and after displacement. The displacement

<sup>47</sup> Amnesty International, October 23, 2020, *Ethiopia: Authorities ban protests as "illegal and unnecessary"*, <https://www.amnesty.org/en/latest/press-release/2020/10/ethiopia-authorities-ban-protests-as-illegal-and-unnecessary/>

<sup>48</sup> APA News, December 07, 2023, *Ethiopia detains four anti-war protest planners*, <https://apanews.net/ethiopia-detains-four-anti-war-demo-leaders/>

<sup>49</sup> IOM Ethiopia, August 23, 2023, *More than 4.38 Million People Displaced in Ethiopia, More than Half Due to Conflict: New IOM Report*, [https://ethiopia.iom.int/news/more-438-million-people-displaced-ethiopia-more-half-due-conflict-new-iom-report#:~:text=Addis%20Ababa%20%E2%80%93%20Over%204.38%20million,\(IOM\)%2C%20through%20its%20Displacement](https://ethiopia.iom.int/news/more-438-million-people-displaced-ethiopia-more-half-due-conflict-new-iom-report#:~:text=Addis%20Ababa%20%E2%80%93%20Over%204.38%20million,(IOM)%2C%20through%20its%20Displacement)





and severe human rights abuses have been aggravated by ethnic tensions and wrong historic narrations by the government and oppositions. Amharans who used to live in Oromia region constitute the majority among the displaced.

7.3 Amharas have also been repeatedly prohibited from entering into the capital city, Addis Ababa, by government forces for various unsatisfactory reasons. They have been separated and prevented from passing through cities in Oromia region to get to the capital if they do not carry a residence identity card of Addis Ababa.<sup>50</sup> Since 2022, over 70 heavy duty truck drivers have been killed by non-state militant groups operating in the border areas of the two regions while traveling to and from Addis Ababa. This proves the grave infringement of freedom of movement in the country.<sup>51</sup>

## 8. Article 14: The right to property

*Paragraphs 67-97:* have stated the steps taken by the government to fulfil socio-economic rights. In the report it is more or less stipulated regarding the right to food, right to social security, human rights and extreme poverty, Human rights and drinking water and sanitation, Right to just and favourable conditions of work, Right to health, and, Right to education.

8.1 This right is widely acknowledged and firmly established in national, regional, and international human rights agreements. The focus of this report will primarily be on one specific aspect of this bundle of rights: the right to adequate housing. Within this right lies crucial protection against forced evictions. Though this right is not specifically stipulated under the ACHPR, the African Commission on Human and Peoples Rights has included this right through its authoritative interpretation on the infamous case of the SERAC & CESR vs Nigeria case.

8.2 Starting from 2022, there were widespread housing demolition and forced eviction activities that took place in the newly established Sheger City of Oromia Region (former Legetafo Legedadi, Cheri Sefera Medhaniyalem, former Nefas Silk Lafto Sub-city Woreda 01 Lebu Eartu Teklehaymano) and some parts of Addis Ababa (Kolfé Keranio sub city, Bole Sub City woreda 11, Lemi Kura sub city woreda 11). According to the report of EHRCO more than 111,811 (one hundred eleven thousand eight hundred eleven) houses were demolished and the people who were living there were forcefully evicted. The individuals that were evicted were not given appropriate notice period, in some parts like the former Kolfé Keranio Sub-city which is now under Sheger City in the Oromia Region the houses were demolished before the residents took out their belongings, and there were also illegal detentions.<sup>52</sup>

<sup>50</sup> Borkena, 2023, *Banning Amharas from entering Addis Ababa has not stopped yet.* <https://borkena.com/2023/10/09/banning-amharas-from-entering-addis-ababa-has-not-stopped-yet/> and Addis Insight, 2023, *Travellers from Amhara Region Blocked from Entering Addis Ababa.* <https://addisinsight.net/travelers-from-amhara-region-blocked-from-entering-addis-ababa/>

<sup>51</sup> Supra note 48

<sup>52</sup> Ethiopian Human Rights Council 153<sup>rd</sup> special report May 2023.





## Recommendations

Given the significant deterioration of human rights in Ethiopia, despite the hopeful reforms introduced in 2018, we call upon the Ethiopian government to:

- ✓ Respect and protect the right to life and personal integrity;
- ✓ Immediately take urgent steps to ensure that the right to freedom of expression for all is fully protected in line with international standards;
- ✓ Release all of the arbitrarily detained political prisoners immediately;
- ✓ Ensure that all measures that are used during the state of emergency are based on full protection and respect for human rights and in line with international standards;
- ✓ Guarantee protection against torture in law and in practice;
- ✓ Ensure that court orders to release suspects on bail are strictly enforced;
- ✓ Ensure accelerated, impartial and independent investigation of the grave human rights abuses committed in general and in conflict contexts in particular;
- ✓ Hold perpetrators into account and end impunity;
- ✓ Enact a legislation on excessive use of force well-suited to the international standards;
- ✓ Protect civilians against any atrocities by government forces and other parties; and
- ✓ End the prosecution of those exercising their right to freedom of expression and assembly
- ✓ The Federal government and Oromia region need to halt forced evictions promptly, providing affected individuals with adequate preparation time, compensation, and ensuring the eviction process complies with international standards.

Ethiopian Human Rights Council (EHRCO)

World Organization Against Torture (OMCT)

  
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Dan Yirga Haile  
Executive Director

