



Ethiopia's Compliance with the Convention on the Rights of the Child Report for the Pre-Sessional Working Group of the Committee on the Rights of the Child

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status with ECOSOC
and

The International Oromo Youth Association,
a non-governmental diaspora youth organization

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I. Reporting Organizations

1. **The Advocates for Human Rights** (The Advocates) is a volunteer-based nongovernmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates has worked extensively with members of the Ethiopian diaspora, both in the context of asylum and other immigration proceedings, and for purposes of documenting human rights conditions in Ethiopia. Since 2004, The Advocates has documented reports from members of the Oromo ethnic group living in diaspora in the United States of human rights abuses they and their friends and family experienced in Ethiopia. The Advocates conducted over 70 interviews of Ethiopians, including Oromo and other ethnic group members; scholars; immigration attorneys; medical professionals; and other service providers working with Ethiopians in the United States. In addition, The Advocates monitors news and human rights reporting on events in Ethiopia.
2. **The International Oromo Youth Association (IOYA)** was established in 2006 as a transnational organizing and networking platform for Oromo youth. IOYA strives to create a strong and active network of empowered and well-connected Oromo leaders. IOYA is committed to bringing a meaningful change to society by strengthening unity among Oromo youth, developing and supporting their leadership capacities and mobilizing resources for the advancement of their communities through programs such as the annual Oromo Youth Leadership Conference, cross generational dialogue, and networking. IOYA provides leadership training and a space to address issues pertaining to Oromo communities in the Diaspora.

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II. Executive Summary

3. This report identifies numerous violations of the rights of children in Ethiopia. Unless otherwise noted, the violations are reported to occur without distinction based on the ethnic group of the child. In some cases, however, children belonging to the Oromo ethnic group—the largest ethnic group in Ethiopia—face discrimination or other rights violations unique to their ethnicity.
4. **General measures of implementation:** Part III identifies legal provisions that constrain the ability of civil society to protect and fulfill the rights of children in Ethiopia, including the Charities and Societies Proclamation and the Anti-Terrorism Proclamation. (Paragraphs 11–14.) Part III also describes how government censorship and intimidation stifle free expression and independent human rights monitoring. (Paragraphs 15–17.)
5. **General principles:** Part IV focuses on discrimination targeting girls and children belonging to ethnic minorities, including the Oromo (paragraphs 18–22), and highlights government forces’ recent use of excessive force against child protesters, violating their right to life. (Paragraphs 23–26.) Part IV addresses the widespread practice of FGM, as well as government efforts to restrict foreign NGOs from reporting on that human rights violation. (Paragraphs 27–29.)
6. **Civil rights and freedoms:** Part V demonstrates that the government has responded to peaceful student protests—primarily by members of the Oromo ethnic group—with lethal force, mass detentions, and expulsions. (Paragraphs 30–31.)
7. **Family environment and alternative care:** Part VI shows that government entities fail to protect children from abuse in the family, by failing to intervene, by failing to protect reporters from prosecution, by imposing unreasonable evidentiary burdens on child victims, and by failing to address attitudinal barriers to holding perpetrators accountable. (Paragraphs 32–35.)
8. **Basic health and welfare:** Part VII demonstrates how the government fails to fulfill the rights of children with disabilities to education, and how the government fails to address sexual abuse perpetrated against children with disabilities. (Paragraphs 36–41.) It also shows how the government’s “villagization” program jeopardizes the health of children and promotes food insecurity for their families. (Paragraphs 42–45.)
9. **Education, leisure, and cultural activities:** Part VIII describes how children are denied access to primary education, particularly in rural areas, and how teachers in primary and secondary schools rape female students with impunity. (Paragraphs 46–51.) It further notes that child domestic workers are often denied the right to play. (Paragraph 52.)
10. **Special protection measures:** Part IX identifies deficiencies in the Ethiopian Government’s efforts to enact protection measures for vulnerable children. First, it describes exploitation of children with disabilities on the streets. (Paragraph 53.) Second, it reports that children are often exploited as domestic workers. (Paragraphs 54–56.) Third, it explains how perpetrators of physical and sexual violence against children often enjoy impunity for their actions. (Paragraphs 57–61.)

III. General Measures of Implementation

11. **The Ethiopian Government has adopted strict constraints on civil society.** In 2006, the Committee strongly recommended that the Ethiopian Government “respect the role played by civil society in furthering the implementation of the Convention in Ethiopia and encourages the active, positive and systematic involvement of civil society, including NGOs, in the promotion of children’s rights.”¹ Instead, in January 2009, the Ethiopian Government passed a Proclamation for the Registration and Regulation of Charities and Societies. The Government’s report suggests that the Charities and Societies Proclamation “created an adequate legal framework to administer the sector, defined area of intervention of charities and societies, created conducive situations for NGOs to operate and defined their relations with sector bodies.”² As discussed below, the framework severely constrains the work of civil society in the field of children’s rights.
12. **The Ethiopian Government has erected barriers to civil society engagement on children’s rights.** The Charities and Societies Proclamation has led to an overwhelming reduction in the amount of human rights work undertaken within Ethiopia.³ The law prohibits foreign agencies from working in the areas of human rights, equality, conflict resolution, and the rights of children.⁴ Local civil society organizations that receive more than ten percent of their funding from abroad, including from the Ethiopian diaspora, are also banned from working in these areas. As a result of the law, several organizations traditionally involved in human rights work altered their mandate away from human rights in order to continue receiving foreign funding.⁵ As described in greater detail below, this law bars efforts by foreign NGOs to address FGM and child sexual abuse, among other issues. The few organizations that have maintained a human rights focus have been forced to substantially reduce their annual budget, in some cases by more than ninety percent.⁶ Reports indicate that donors are increasingly fearful of aiding human rights organizations as the law prohibits organizations from keeping donor information confidential.⁷ And by erecting barriers to cooperation between Ethiopians in Ethiopia and those in the diaspora, the Proclamation interferes with the development of international cultural contacts and cooperation.⁸
13. **The Ethiopian Government uses the pretext of terrorism to target civil society organizations that criticize government policies.** The Ethiopian Government also passed the Anti-Terrorism Proclamation in 2009. The law is broad in application, as it uses vague language to define acts of terrorism. Reports indicate that the law has been used as a means to target government opposition.⁹ Numerous journalists, opposition party members, and

¹ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 23.

² Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 65.

³ Amnesty International, *Stifling Human Rights Work, The Impact of Civil Society Legislation in Ethiopia*, (March 2012), available at: <http://www.amnesty.org/en/library/asset/AFR25/002/2012/en/3b0adc69-f0fd-4b43-9ff8-635073d60f44/afr250022012en.pdf>.

⁴ Id.

⁵ Id.

⁶ Id.

⁷ Id.

⁸ UPR Info, *Ethiopia Mid-term Implementation Assessment: Ethiopia*, July 2012, at 27.

⁹ Human Rights Watch, *World Report 2013: Ethiopia*.

political activists have been detained by the government under the law, and more than thirty have been convicted on vague charges of terrorism with prison sentences as long as 18 years.¹⁰ Members of the Oromo ethnic community have reported that due to the implementation and enforcement of this law, a great sense of fear exists within Ethiopia and freedom of expression has become extremely limited.¹¹

14. The Anti-Terrorism Proclamation is widely viewed as a pretext to suppress opposition in a way that may be more palatable to the outside world.¹² The Ethiopian Government has attempted to stifle dissent by targeting civil society organizations that are perceived not to support the ruling party. In many situations, Oromos are assumed to support the Oromo Liberation Front (OLF—labeled a terrorist organization by the Government) unless they actively express support for the ruling party. Both individual Oromos and Oromo non-governmental organizations are subject to this pretextual targeting. For example, the Government shut down the Mecha Tulema Self-Help Association, an organization formed to promote Oromo culture, based on assertions that the organization was affiliated with the OLF. The Human Rights League, another Oromo human rights organization, faced similar treatment. One Oromo woman who runs a non-governmental organization reported to The Advocates that she has been subject to constant covert government monitoring and interference.¹³
15. **Government censorship stifles freedom of expression and independent journalism.** With only a handful of private radio stations in Ethiopia, the Government controls most broadcasting outlets and owns the internet service provider, allowing censorship by the government. According to Reporters Without Borders, the Ethiopian government has instituted a “legislative arsenal” that has eroded the democratic space and freedom of expression in Ethiopia.¹⁴ In late April 2014, Government authorities “arrested nine journalists and bloggers on allegations that they worked for foreign human rights groups or used social media to incite violence.”¹⁵ Sixty days after their arrests, they remained imprisoned, with several court hearings cancelled to allow police more time to investigate.¹⁶ If the journalists are convicted under the Anti-Terrorism Act, they could face up to 10 years in prison.¹⁷ Even prior to these arrests, Ethiopian authorities had sentenced more than 100 people under the Anti-Terrorism Act, including two award-winning journalists who were sentenced to 18 and 14 years in prison.¹⁸

¹⁰ Id.

¹¹ Interviews with Oromo diaspora members on September 4, 2013 and September 6, 2013.

¹² Aljazeera: *The Oromo and the War on Terror in the Horn of Africa*, July 16, 2013, <http://www.aljazeera.com/indepth/opinion/2013/2013/07/20137143394329934.html>.

¹³ UPR Info, *Ethiopia Mid-term Implementation Assessment: Ethiopia*, *supra* note 25, at 11.

¹⁴ BBC New Africa: Ethiopia profile, <http://www.bbc.co.uk/news/world-africa-13349498> (last visited June 19, 2013).

¹⁵ Roy Greenslade, *Nine Journalists and Bloggers arrested in Ethiopia ahead of Kerry visit*, The Guardian, Apr. 30, 2014, <http://www.theguardian.com/media/greenslade/2014/apr/30/press-freedom-ethiopia>.

¹⁶ Adam Oxford, *Ethiopian Bloggers mark 60 days in jail without trial*, htxt.africa, June 24, 2014, <http://www.htxt.co.za/2014/06/24/ethiopian-bloggers-mark-60-days-in-jail-without-trial/>.

¹⁷ Id.

¹⁸ Jillian C. York, *How Many Political Bloggers Need to be Imprisoned before the US Reacts*, Vice News, June 27, 2014, <https://news.vice.com/article/how-many-political-bloggers-need-to-be-imprisoned-before-the-us-reacts>.

16. **Government cracks down on reporting about student protests.** On June 25, 2014, 18 journalists for Ethiopia’s government-run Oromia Radio and Television Organization (ORTO) were terminated “with orders from the higher ups.”¹⁹ Some of the dismissed journalists had previously expressed disagreement with the government’s decision not to cover recent student protests in the State of Oromia, discussed in greater detail below.²⁰ “An Ethiopia-based journalist, who asked not to be named due to fear of repercussions, said the 18 reporters were let go after weeks of an indoctrination campaign . . . failed to quiet the journalists. The Campaign began earlier [in June 2014] when a meeting was called in Adama, where ORTO is headquartered, to ‘reindoctrinate’ the journalists there into what is sometimes mockingly called ‘developmental journalism,’ which tows government lines on politics and human rights. The journalists reportedly voiced grievances about decisions to ignore widespread civic upheavals [in Oromia].”²¹ One week before the student protests in Oromia began, one of the terminated journalists had run a segment featuring party members criticizing the government’s plan to expand Addis Ababa—the plan that soon thereafter prompted protests throughout Oromia.²² “Authorities saw the coverage as a tacit approval for public displeasure with the plan But once the protests began, culminating in the killings of more than a dozen students in clashes with the police and the detentions and maimings of hundreds of protesters, [TV Oromia] went mute, aside from reading out approved police bulletins.”²³ A foreign journalist on assignment in Addis Ababa recently reached out to The Advocates, stating that although he was “desperately trying to do [reporting] on [the] Oromo Protests, . . . journos aren’t being allowed access to places like Ambo,” where the government had responded to protests with lethal force.²⁴
17. **Government monitoring and intimidation, as well as fear of reprisals, impede human rights monitoring.** For example, one person assisting with this report posted a request for information to a closed (invitation-only) Facebook group for non-Ethiopians working in Ethiopia. One person responded to the request by saying that because the government monitors and tracks all online activity, workers would be at risk if they responded to the request for information, adding that “[t]he government can figure out who sends emails.”²⁵ Another responded, “Be careful, folks!” and warned that “things can be easily tracked back to your communities and people you associate with.”²⁶ Another said, “[s]haring a story could potentially put people . . . at serious risk.”²⁷ And one worker added that the Government of Ethiopia “would have no trouble identifying people in communities mentioned in the report (perhaps correctly or mistakenly targeting guilty or innocent Ethiopians),” adding: “don’t put working people in the government spotlight by telling our stories.”²⁸

¹⁹ Mohammed Ademo, *Ethiopia reportedly fires 18 journalists from a state-run outlet*, Columbia Journalism Review, June 27, 2014, http://www.cjr.org/behind_the_news/ethiopia_cans_18_journalists.php?page=all.

²⁰ Id.

²¹ Id.

²² Id.

²³ Id.

²⁴ Text communication, July 1, 2014, on file with The Advocates for Human Rights.

²⁵ June 18, 2014 comment on Facebook thread, on file with The Advocates for Human Rights.

²⁶ Id.

²⁷ Id.

²⁸ Id.

Suggested questions for the Committee's list of issues:

- What is the Ethiopian Government's rationale for prohibiting foreign NGOs from working on children's rights, particularly child sexual abuse and FGM? What evidence does the Ethiopian Government have to demonstrate that domestic NGOs have sufficient resources and are capable of providing all the necessary services and documentation to address the rights of children in Ethiopia?
- What efforts is the Ethiopian Government undertaking to ensure that journalists are not terminated, harassed, or imprisoned for reporting on, or trying to report on, matters that involve criticism of the government or its policies, such as the student-led protests in Oromia in April and May 2014?
- What types of restrictions are placed on foreign workers' and volunteers' communications with people outside of Ethiopia? What consequences could they face for sharing information about the rights of children?

IV. General Principles

Oromos and other ethnic groups face discrimination

18. The Ethiopian Government's 4th and 5th Periodic Report largely ignores discrimination faced by children of ethnic minorities. In 2006, the Committee expressed its concern about actual discrimination against, inter alia, "children belonging to ethnic minorities" and urged the Government of Ethiopia to "[p]ay due attention to children of ethnic minorities," including the Oromo and Annuak, "in the next periodic report."²⁹ The Committee also called on the Ethiopian Government to include specific information in its next periodic report "on the measures and programmes relevant to the Convention . . . implemented by the State party to follow up on the Declaration and programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance."³⁰ Yet the Government's latest report includes no specific information about discrimination targeting children belonging to disadvantaged or minority ethnic groups in Ethiopia or government efforts to address such discrimination. Indeed, the only part of the report to address the issue of non-discrimination based on race or ethnicity is a statement that "discriminations on grounds of race, nation, nationality or other social origin, [and] colour" are prohibited and that "[a] lot of other subordinate laws, policies and strategies endeavor to address marginalization and achieve equality of opportunities and results."³¹

19. Discrimination against certain ethnic groups is pervasive in Ethiopia. As reflected by the Committee's 2006 Concluding Observations,³² the Government of Ethiopia directly and

²⁹ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶¶ 24, 80.

³⁰ Id. ¶ 25.

³¹ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 68.

³² Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 79 ("The Committee notes the absence of information on ethnic minorities in the State party's report and is concerned over the situation of children belonging to minorities, in particular Oromo and Annuak, as they suffer stigmatization

indirectly discriminates against several disadvantaged ethnic groups, including but not limited to, the Oromo and the Annuak. This discrimination is often related to discrimination on the basis of real or perceived political opinion, and it extends to children. Despite constituting a large portion of the Ethiopian population, the Oromo people face discrimination on the basis of ethnicity. Ethiopia's Common Core Document asserts that "[t]he Ethiopian legal system unequivocally guarantees equality before the law and the equal protection of the law," but in practice there is pervasive discrimination on the basis of ethnicity with respect to rights under Ethiopia's international obligations.³³

- 20. The Government of Ethiopia engages in arbitrary detention and torture of Oromo people.** The Advocates has received credible reports of continued arbitrary arrest, detention without charge, and torture of Oromos by the Government of Ethiopia. The perception of members of the diaspora community is that arrests have increased and conditions have worsened since the so-called "Arab Spring."³⁴
- 21. Mass detentions occur on a regular basis.** These arrests are often arbitrary and for a prolonged basis without charge. By way of example, in March 2011, Ethiopian authorities carried out several waves of apparently politically motivated mass arrests of more than 200 ethnic Oromo Ethiopians. On March 30, 2011, the government confirmed that 121 were in detention without charge, alleging that they were members of the Oromo Liberation Front.³⁵ Again, in 2012, hundreds of Oromo were arrested, accused of supporting the OLF.³⁶ Over 100 people were reportedly arrested during the Oromo festival of Irreechaa in September 2012.³⁷ Recently, many of these arrests are targeted to suppress peaceful Muslim protests, a sectarian divide introduced in a country that long was without divisions based on religious belief.³⁸ Moreover, tens of thousands of Oromos continue to be held in prison without being charged or due process.³⁹ One woman interviewed by The Advocates reported a history that is emblematic of thousands: her father has been periodically held for ransom by government

and persecution by the armed forces, including torture, rape and killings, due to the presence of opposition groups within their territories.").

³³ See The Advocates for Human Rights: *Ethiopia: Violations of the rights of the disadvantaged ethnic groups protected by the International Covenant on Economic, Social and Cultural Rights*, 48th session of the United Nations Committee on Economic, Social and Cultural Rights, 30 April – 19 May 2012, Statement submitted by The Advocates for Human Rights, a non-governmental organization in special consultative status with ECOSOC, available at

http://www.theadvocatesforhumanrights.org/uploads/the_advocates_for_human_rights_ethiopia_icescr_report.pdf (referred to as ICESCR Submission).

³⁴ Interviews with Oromo diaspora members on September 4, 2013 and September 6, 2013.

³⁵ *Ethiopia: Free Opposition Members*, Human Rights Watch, April 6, 2011.

³⁶ Amnesty International, *Amnesty International Annual Report 2013 - Ethiopia*, 23 May 2013, available at: <http://www.refworld.org/docid/519f51a018.html>.

³⁷ Id.

³⁸ *Ethiopian Government Continue to Target Peaceful Muslim Protest Movement*, Amnesty International, February 2, 2012; See also Amnesty International, *Annual Report 2013; Briefing: Ethiopia's Muslim Protest*, IRIN November 15, 2012; *Ethiopia: Extreme Brutality against Civilians: Human Rights League of the Horn of Africa Appeal and Urgent Action*, August 10, 2013; *Ethiopia: Rights-Related Demands Risking Terrorism*, Human Rights League of the Horn of Africa, Press Release, July 27, 2012.

³⁹ Amnesty International, *Ethiopia: Submission to the United Nations Human Rights Committee*, 30 June 2011, AFR 25/003/2011, available at: <http://www.refworld.org/docid/4e1717452.html> ; See also *Human Rights Violations against the Oromo Continues: Change without Improvement*, Garoma Wakessa, Director of International Human Rights League of the Horn of Africa, paper presented at Oromo Studies Association 2013 Annual Conference Program, Howard University, August 3 and 4, 2013.

officials and her aunt was badly beaten by government officials and left by the side of the road for three days without medical assistance when she was unable to produce her two sons (who had fled the country) when the government demanded them.⁴⁰ Fear is rampant and widespread in the Oromo community.⁴¹

22. **In recent months, Ethiopian authorities have subjected hundreds of Oromo students, including those as young as the 7th grade, to mass detention.** In response to recent student protests, described in greater detail in paragraphs 23–26 below, “[h]undreds of students have . . . been detained.”⁴² The Advocates received a report that on May 7, 2014, police forcibly dispersed a protest by high school students in Haramaya and arrested 15 students.⁴³ The Advocates has received information identifying 272 individuals who have been detained since the protests began on April 25, and while most of those individuals are identified as university students and teachers, the list includes at least 8 high school students, including two 7th graders, an 8th grader, a 9th grader, two 10th graders, and an 11th grader.⁴⁴ It is not clear whether these children are still being held or whether they have been charged with any offenses. Amnesty International reports that “[a] small number of people have been released, but most of those arrested remain in incommunicado detention, in many cases in unknown locations.”⁴⁵ Amnesty “has received countless reports of torture being widespread in military camps [where government opponents are typically held],” and the organization “fears that the recent detainees are at serious risk of torture and other ill-treatment.”⁴⁶

Ethiopian authorities violate the right to life of Oromo children and youth

23. **Oromo students initiated peaceful protests against Government plans to expand Addis Ababa.** In April 2014, people in Ethiopia learned about the Ethiopian Government’s “Integrated Development Master Plan for Addis Ababa.”⁴⁷ This plan would expand the territory under the control of the central government, in effect annexing surrounding lands that are currently part of the state of Oromia.⁴⁸ Oromos feared that the plan would mean further forced displacement of Oromo farmers, as described in greater detail in paragraphs 42–44 below.⁴⁹ To express their opposition to the “Master Plan,” students and others launched peaceful protests at universities throughout Oromia.⁵⁰

⁴⁰ Interview with Oromo diaspora member on September 6, 2013.

⁴¹ Id.

⁴² *Ethiopian police reportedly kill Wollega University students*, ESAT News, May 16, 2014, <http://ethsat.com/ethiopian-police-reportedly-kill-wollega-university-students/>.

⁴³ Amy Bergquist, *Diaspora Speaks for Deliberately Silenced Oromos; Ethiopian Government Responds to UN Review*, The Advocates Post, May 20, 2014, <http://theadvocatespost.org/2014/05/20/diaspora-speaks-for-deliberately-silenced-ormos-ethiopian-government-responds-to-un-review/>.

⁴⁴ Email correspondence, June 1, 2014, on file with The Advocates for Human Rights.

⁴⁵ *Ethiopia: Authorities must provide justice for scores of protesters killed, injured and arrested in Oromia*, Amnesty International, May 13, 2014, <http://www.amnesty.org/en/library/asset/AFR25/002/2014/en/116b7cd2-e39f-49b6-a276-f324b07d95d4/af250022014en.html>.

⁴⁶ Id.

⁴⁷ *Ethiopia: Brutal Crackdown on Protests*, Human Rights Watch, May 5, 2014, <http://www.hrw.org/news/2014/05/05/ethiopia-brutal-crackdown-protests>.

⁴⁸ Id.

⁴⁹ Id.

⁵⁰ Id.

- 24. Federal forces responded to student protests with deadly force.** The protests began on April 25 at Ambo University, in the town of Ambo in Oromia.⁵¹ Many of the protests began at universities, but secondary students also participated. On April 30, federal forces opened fire on protesters,⁵² and the following day, they shot and killed people in Ambo far away from where the protests were taking place.⁵³ Federal forces “fired live ammunition at unarmed protesters in a number of locations including in Wallega and Madawalabu universities and . . . Guder town[], resulting in deaths in each location.”⁵⁴
- 25. At least four children were killed when federal forces opened fire on protesters in late April and May 2014.** In 2006, the Committee expressed deep concern that police and military forces had used excessive force in response to demonstrations in November 2005, “causing deaths and physical injuries, including by gunshots, of numerous children,” including “vulnerable children belonging to ethnic minorities.”⁵⁵ In response to the student-led protests earlier this year, the Ethiopian Government has not heeded the Committee’s recommendation “to take urgent measures to ensure respect for the civilian population and protect vulnerable groups, such as children of ethnic minorities and street children, from excessive use of force.”⁵⁶ Three children—ages 8, 15, and 16—were among the people killed during the initial protests in Ambo.⁵⁷ The eight-year-old was an orphan being raised by his sister.⁵⁸ While the protests were going on, he left his sister’s home to see what was happening.⁵⁹ A few days later, the child’s body was found in the bushes with fatal gunshot wounds.⁶⁰ In Wallega on May 10, a ninth grade student, age 16, was shot in the leg.⁶¹ Initially, “[p]olice denied first aid access to students[,] resulting in conflict between police

⁵¹ See, e.g., Jennifer Klein and Josh Cook, *Ambo Protests: A Personal Account*, Jen & Josh in Ethiopia: A Chronicle of Our Peace Corps Experience, May 24, 2014, <http://www.jenandjoshinethiopia.blogspot.com/2014/05/ambo-protests-personal-account.html>.

⁵² *Ethiopia: Brutal Crackdown on Protests*, Human Rights Watch, May 5, 2014, <http://www.hrw.org/news/2014/05/05/ethiopia-brutal-crackdown-protests>.

⁵³ See, e.g., Jennifer Klein and Josh Cook, *Ambo Protests: A Personal Account*, Jen & Josh in Ethiopia: A Chronicle of Our Peace Corps Experience, May 24, 2014, <http://www.jenandjoshinethiopia.blogspot.com/2014/05/ambo-protests-personal-account.html>.

⁵⁴ *Ethiopia: Authorities must provide justice for scores of protesters killed, injured and arrested in Oromia*, Amnesty International, May 13, 2014, <http://www.amnesty.org/en/library/asset/AFR25/002/2014/en/116b7cd2-e39f-49b6-a276-f324b07d95d4/afr250022014en.html>.

⁵⁵ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 27.

⁵⁶ *Id.* ¶ 28.

⁵⁷ Interviews with Oromo diaspora member, June 9–29, 2014; Facebook message with Oromo diaspora member, June 29, 2014 (on file with International Oromo Youth Association); see also *Ethiopia: Authorities must provide justice for scores of protesters killed, injured and arrested in Oromia*, Amnesty International, May 13, 2014, <http://www.amnesty.org/en/library/asset/AFR25/002/2014/en/116b7cd2-e39f-49b6-a276-f324b07d95d4/afr250022014en.html> (“Amnesty International condemns the use of excessive force by security forces against peaceful protesters in a number of locations across the Oromia region during the last two weeks, which has resulted in the deaths and injuries of dozens of people including students and children.”).

⁵⁸ Interviews with Oromo diaspora member, June 9–29, 2014; Facebook message with Oromo diaspora member, June 29, 2014 (on file with International Oromo Youth Association).

⁵⁹ Interviews with Oromo diaspora member, June 9–29, 2014; Facebook message with Oromo diaspora member, June 29, 2014 (on file with International Oromo Youth Association).

⁶⁰ Interviews with Oromo diaspora member, June 9–29, 2014; Facebook message with Oromo diaspora member, June 29, 2014 (on file with International Oromo Youth Association).

⁶¹ Interview with Oromo diaspora member, June 22, 2014; telephone interview with Oromo diaspora member, June 29, 2014 (information on file with International Oromo Youth Association).

and medical professionals,” but medical professionals eventually pressured authorities and “the students were offered medical aid and treatment.”⁶² Ten days later, the injured 16-year-old died in a hospital from his injuries.⁶³

26. **The Government’s use of lethal force in response to student protests violates legal guarantees of the right of the child to life.** The Government’s report confirms that “Article 15 of the Constitution of [Ethiopia] states that everyone has the right to life so that no person may be deprived of his life except as a punishment for a serious criminal offence determined by law. Article 36 of the Constitution specifically states the right of the child to life.”⁶⁴ Yet the use of lethal force in recent months demonstrates that these guarantees are not implemented when students and children peacefully protest government actions. And the Ethiopian Government has not heeded the Committee’s urging that the Government “[r]espect the life of the members of minorities groups and in particular that of children, taking into due account the humanitarian law principle of protecting civilians.”⁶⁵

Most Ethiopian girls are victims of FGM

27. **FGM is widespread in all communities.** In 2006, the Committee expressed its continued concern “that FGM . . . [is] still widely practiced and that a comprehensive strategy to counteract harmful traditional practices has not been developed.”⁶⁶ The Committee recommended that the Government of Ethiopia “adopt a comprehensive strategy to prevent and combat harmful traditional practices and ensure resources for its implementation, in particular in rural areas.”⁶⁷ The Committee called for “[a]wareness-raising campaigns . . . for the general public as well as community, traditional and religious leaders,” as well as for strict enforcement of legislation prohibiting harmful traditional practices.⁶⁸ In its 2012 report, the Ethiopian Government asserts that it has made “[c]onsiderable efforts . . . in raising awareness about HTPs,” including “[n]ational health and social policies [that] address this issue in the services they provide, and [that] have attempted to change attitudes and behaviors.”⁶⁹ Yet one educator reported that FGM “is a cultural epidemic in Ethiopia,” and is “often done to young girls between the ages of 5-7 years old.”⁷⁰ This educator cautions: “The Ethiopian government will tell you that the incidence of [FGM] is significantly decreasing, and that it only happens among rural and/or Muslim women. There is absolutely no evidence to support this position.”⁷¹ The educator reported that over half of the girls who participated

⁶² *Ethiopian police reportedly kill Wollega University students*, ESAT News, May 16, 2014, <http://ethsat.com/ethiopian-police-reportedly-kill-wollega-university-students/>.

⁶³ Interview with Oromo diaspora member, June 22, 2014; telephone interview with Oromo diaspora member, June 29, 2014 (information on file with International Oromo Youth Association).

⁶⁴ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 75.

⁶⁵ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 80(a).

⁶⁶ *Id.* ¶ 59.

⁶⁷ *Id.* ¶ 60.

⁶⁸ *Id.*

⁶⁹ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶¶ 217–218.

⁷⁰ Email Correspondence No. 1, June 27, 2014 (on file with The Advocates for Human Rights).

⁷¹ *Id.*

in a gender camp did not recognize the images of the female anatomy displayed during a session on puberty and reproductive health, and they later self-identified as victims of FGM.⁷² The girls participating in the camp “were all selected due to high levels of academic achievement,” came from urban areas, and represented many different religions and a variety of socio-economic backgrounds.⁷³ The educator reported that FGM “is so imbedded into the culture” that these well-educated girls “had no idea what natural female [genitalia were] supposed to look like.”⁷⁴

28. The Ethiopian Government prohibits foreign NGOs from working on FGM prevention and awareness efforts or even reporting the prevalence of FGM. The educator mentioned above reports that “[t]he Ethiopian government has made it illegal for any outside [NGO] to work in the field of female genital mutilation. Which means that if any projects are done (or reports are made) by an NGO regarding FGM in Ethiopia [of which] the government doesn’t approve, [the Government has] the right to stop all actions of the NGO and/or force them to leave.”⁷⁵

29. The Ethiopian Government has not reported any success in protecting children who are victims of FGM. The Government noted that its 2011 National Criminal Justice Policy “provide[s] protection to children who are victims of FGM.”⁷⁶ Yet its report does not identify whether or how the policy actually protects those children. The evidence described above suggests that such protection may be non-existent.

Suggested questions for the Committee’s list of issues:

- What measures has the Ethiopian Government taken to monitor, assess, and eliminate discrimination against children belonging to the Oromo and Annuak ethnic groups?
- What steps is the Ethiopian Government taking to ensure that law enforcement and military practices are brought in line with international standards for use of force during demonstrations, including the principles of necessity and proportionality in the use of force? What measures are in place and used to hold law enforcement and military officials accountable for excessive use of force?
- What measures will the Ethiopian Government take to preclude future mass arrests and arbitrary detention of Oromos, including Oromo students and children? What steps will the Government take to hold accountable the individuals who opened fire on peaceful student protests in Ambo, Wallega, and other areas of Oromia in late April and May 2014? What remedies are being provided to the victims of this violence and their family members? How will the officials who used excessive force be held accountable?
- How many protesters have been detained or arrested as a result of the student-led protests in Oromia in late April and May 2014? How many of them are children? Of those, how many are still being detained, where are they being held, and on what

⁷² Id.

⁷³ Id.

⁷⁴ Id.

⁷⁵ Id.

⁷⁶ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 16.

- charges? What steps is the Government of Ethiopia taking to ensure that these children have access to their family members and legal counsel while in detention?
- How many individuals have been criminally prosecuted under Ethiopia's FGM law? What efforts has the Ethiopian Government made to divert FGM practitioners into other employment? Describe how specific girls have benefitted from the National Criminal Justice Policy's protections for girls who are victims of FGM.
 - What is the rationale for limiting anti-FGM efforts to Muslim girls and girls living in rural communities? What is the rationale for prohibiting foreign NGOs from doing work to combat FGM?
 - Describe in detail the awareness-raising campaigns implemented to date to address FGM, the rationale and research behind the particular campaigns, how their efficacy has been measured, and how those evaluations have shaped further awareness-raising campaigns.

V. Civil Rights and Freedoms

Government responds to student protests with violence, killing, mass detentions, and expulsions

30. **The Government's report disregards the Committee's concerns about restrictions on children's freedom of expression.** In 2006, the Committee expressed serious concern "over restrictions placed upon civil society since the elections in 2005 and, in particular, [expressed] regret[] [over] the arbitrary mass detentions, including of children, that place severe restrictions upon the freedom of expression which is a fundamental element of a free civil society."⁷⁷ The Government's report responds that the government has conducted human rights training with police officers and other law enforcement officials,⁷⁸ and confirms that the Constitution of Ethiopia "stipulates that everyone has the right to freedom of association and hold peaceful demonstrations for any cause and purpose."⁷⁹
31. **The Government's response to peaceful student-led protests demonstrates that restrictions on children's freedom of expression persist.** As described in greater detail in paragraphs 22–26 above, the Government has responded to recent peaceful student protests with excessive force, as well as mass arrests and detentions. Students have also been expelled from school for participating in the protests.⁸⁰

Suggested questions for the Committee's list of issues:

- What measures is the Ethiopian Government taking to ensure that children do not face arrest, detention, or suspension or expulsion from school as a consequence of exercising their right to freedom of expression and association? What steps will the Government

⁷⁷ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 22.

⁷⁸ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 103.

⁷⁹ Id. ¶ 87.

⁸⁰ Amy Bergquist, *Diaspora Speaks for Deliberately Silenced Oromos; Ethiopian Government Responds to UN Review*, The Advocates Post, May 20, 2014, <http://theadvocatespost.org/2014/05/20/diaspora-speaks-for-deliberately-silenced-ormos-ethiopian-government-responds-to-un-review/>.

take to ensure that students whose studies have been disrupted by the Government's response to the protests in Oromia will be able to resume and complete their studies and sit for examinations without penalty?

VI. Family Environment and Alternative Care

Government fails to protect children from abuse in the family

32. **Government efforts on behalf of child victims of abuse fall short.** The Ethiopian Government's report identifies several "provisions [that] provide protection to children who are victims of . . . neglect and abuse."⁸¹ But these protections seem to apply only if criminal charges are brought against the offender,⁸² and individuals on the ground report that officials ignore children's complaints of abuse in the home. Notably, the Government concedes that the "National Action Plan on Sexual Abuse and Exploitation" and the "National Plan of Action on Orphans and Vulnerable Children" have both "phased out."⁸³ Despite the Committee's 2006 concerns about "the lack of a comprehensive policy to counteract child abuse,"⁸⁴ the Ethiopian Government has not heeded the Committee's recommendation to "[e]stablish effective mechanisms to receive, monitor and investigate reports of cases of child abuse and, where required, initiate prosecutions of perpetrators in a manner that is child sensitive."⁸⁵
33. **Police and other government entities fail to intervene when children are abused in the home.** As recounted in greater detail in paragraphs 57–61 below, educators advocating on behalf of children abused at home report numerous barriers and government inaction when children report abuse. The two sisters described below had been abused by their uncle for seven years, beginning when the girls were eight years old.⁸⁶ They "experienced innumerable counts of sexual, verbal and physical abuse over the course of 7 years."⁸⁷ When they reached out to other family members and to people in the community for help, they were told to "'deal with it' for two more years until they graduate high school," and were told "to keep quiet about the situation in order to protect their uncle . . . from prosecution."⁸⁸ Their teacher and school director "told them they could not help because they didn't think it was their place to interfere with family issues."⁸⁹
34. **Witnesses to child abuse fear that the government will charge them if they intervene.** Others in the girls' community "could hear [the girls] screaming or see them in visible pain or crying when leaving the house," but "did nothing, out of fear that if they intervened the Ethiopian government would identify them as witnesses to the offense, and therefore charge them with involvement in the crime; and error that is consistently made in the Ethiopian

⁸¹ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 16.

⁸² Id.

⁸³ Id. ¶ 29.

⁸⁴ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 45.

⁸⁵ Id. ¶ 46.

⁸⁶ Email Correspondence No. 1, June 27, 2014 (on file with The Advocates for Human Rights).

⁸⁷ Id.

⁸⁸ Id.

⁸⁹ Id.

justice system.”⁹⁰ According to one educator who has worked with child survivors of domestic abuse, “incidents of sexual harassment and assault are [conservatively] estimated (by [local] police officials) to reach over 25% of women and girls in urban towns annually.”⁹¹

35. **Child victims of abuse face evidentiary and attitudinal barriers to holding perpetrators accountable.** Children (and adults) seeking to report abuse, “in order to proceed in court to convict the assailant, . . . must have 2–3 ‘eye witnesses’ and/or physical evidence written by a doctor in order to have a ‘valid’ case. In many cases the victim cannot provide this [evidence], and therefore most [cases] are dismissed.”⁹² According to one educator with experience assisting child victims of abuse, children who request assistance from the government face additional barriers, because “many governmental institutions [assume] that children lie about abuse to try to get to a bigger city, or better yet, out of the country. Very few reports are taken seriously.”⁹³

Suggested questions for the Committee’s list of issues:

- How many reports of child abuse have authorities received? How do officials track those numbers? How many reports have been fully investigated by authorities? How many perpetrators of child abuse have been held responsible for their actions? How many children have been removed from abusive homes?
- What measures will the Ethiopian Government take to raise public awareness about child abuse and the importance of reporting abuse to authorities? What measures will the Government take to ensure that all reports of abuse received by authorities—including police, teachers, religious leaders, and health care workers—are thoroughly investigated?
- What measures does the Ethiopian Government take to educate children that child abuse is wrong and should be reported?

VII. Basic Health and Welfare

Government fails to promote and protect rights of many children with disabilities

36. **The Ethiopian Government underreports the number of disabled children.** The Committee’s 2006 Concluding Observations noted concern about “lack of statistical data on the number of disabled children”⁹⁴ and recommended that the Ethiopian Government “[c]ollect adequate disaggregated statistical data on children with disabilities and use such data in developing policies and programmes to promote equal opportunities for them in society, paying particular attention to children living in the most remote areas of the country.”⁹⁵ The Ethiopian Government has not responded to this recommendation. It now reports, based on the 2007 census as well as data from 1984 and 1995, that “the prevalence of

⁹⁰ Id.

⁹¹ Id.

⁹² Id.

⁹³ Id.

⁹⁴ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 51.

⁹⁵ Id. ¶ 52(b).

disability in the country ranges from 1.2% to 5.48%,” including 232,585 children.⁹⁶ The World Health Organization’s Report on Disability from 2011 estimates that 17.6% of people in Ethiopia have disabilities. Moreover, government estimates of the prevalence of disabilities among children in particular are likely to be inaccurate because severe social stigma in Ethiopia is likely to result in under-reporting.⁹⁷

37. **The Ethiopian Government’s efforts fail to take into account the circumstances in which most children with disabilities live.** The Government reports some progress in the area of disability awareness, such as interpreting mainstream television programs with sign language. But most children in Ethiopia do not have access to television, and few deaf children receive sign language instruction.⁹⁸ Schools for children who are deaf are not widely available, and they typically rely on external sources of funding.⁹⁹
38. **Families with children with disabilities face additional financial burdens.** Most children with disabilities live in single-parent households.¹⁰⁰ Due to the stigma associated with disabilities, when a mother gives birth to a child with a disability, the father typically leaves the family, thereby placing “an even greater economic[] burden on the mother.”¹⁰¹ One NGO survey found that 80% of fathers were not present in families who had a child with a disability.¹⁰² The Ethiopian Government’s report does not address the Committee’s “concern[] about the persisting de facto discrimination” against children with disabilities.¹⁰³
39. **Children with disabilities are denied their right to education.** The Committee in 2006 recommended that the Ethiopian Government “[p]rovide children with disabilities with access . . . to quality education,” and “[e]nsure that . . . teachers and social workers are adequately trained.”¹⁰⁴ The Ethiopian Government’s 2012 report states that the government has launched “awareness creation programs . . . to sensitize parents on the need to send their children [with disabilities] to school.”¹⁰⁵ Yet an educator who works with children with disabilities in Ethiopia recently observed that “[c]hildren with disabilities are typically kept inside the home and do not attend school. . . . One baseline survey from an NGO found that only 2% of children with disabilities attend school.”¹⁰⁶ A school of 3,000 students typically has only one or two students with disabilities, and those disabilities are typically minor physical birth defects.¹⁰⁷ Two factors contribute to the absence of children with disabilities in schools. First, parents “can often contribute to poor or nonexistent school attendance, as they

⁹⁶ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 151.

⁹⁷ Email correspondence with non-Ethiopian who had recently worked with children with disabilities in Ethiopia, June 25 & 26, 2014 (on file with The Advocates for Human Rights).

⁹⁸ Id.

⁹⁹ Id.

¹⁰⁰ Id.

¹⁰¹ Id.

¹⁰² Id.

¹⁰³ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 51.

¹⁰⁴ Id. ¶ 52.

¹⁰⁵ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 109.

¹⁰⁶ Email correspondence with non-Ethiopian who had recently worked with children with disabilities in Ethiopia, June 25 & 26, 2014 (on file with The Advocates for Human Rights).

¹⁰⁷ Id.

typically share the attitude that children with disabilities cannot learn.”¹⁰⁸ Second, “[f]ew teachers in the country are trained or are willing to work with students with disabilities,” due to the misperception that “children with disabilities [are] unable to learn or ‘dumb,’ as they are often” called.¹⁰⁹ The Ethiopian Government has not responded to the Committee’s recommendation to “take all necessary measures to . . . [r]aise awareness about children with disabilities, including their rights, special needs and potential, in order to change prevailing prejudices against children.”¹¹⁰

40. **Government accessibility efforts have been minimal.** The Government’s report notes the 2008 “Building and Construction Code on Barrier-Free Accessibility . . . to ensure accessibility,”¹¹¹ but the overwhelming majority of facilities are not accessible for children with disabilities.¹¹² “Schools, police stations, [and] clinics, for example, do not have ramps for wheelchairs, handrails for those with walking impairments, accessible bathrooms, or staff who are comfortable working with people with disabilities.”¹¹³
41. **Children with disabilities face sexual abuse, and perpetrators are not held accountable.** An educator who works with children with disabilities reports that “[c]hildren with disabilities are often sexually abused, with the abusers not being prosecuted, despite the general community being aware of the abuse. Even when the children are brave enough to report the abuse, adults in the community (parents, teachers, health workers) do not pursue any legal action.”¹¹⁴ One NGO worker reported that in one community, “a deaf man was repeated[ly] raping young deaf children. The local community and his wife were well aware of the abuse, but no action has been taken. They are reportedly afraid of the man since he owns a pistol and knows martial arts.”¹¹⁵

Villagization program places health of children in rural areas at risk

42. **“Villages” where indigenous people are relocated lack health facilities and clean water, jeopardizing the health of children.** The Government is forcibly moving thousands of indigenous people throughout the country, including the Oromo people, from their homes. Reports indicate that the fertile farm lands on which these people have lived for generations are being sold to foreign and domestic investors.¹¹⁶ The indigenous people are moved to areas where land is not suitable for agricultural use.¹¹⁷ As part of the villagization program, the Government has promised to supply food and agricultural assistance as well as access to

¹⁰⁸ Id.

¹⁰⁹ Id.

¹¹⁰ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 52.

¹¹¹ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 14.

¹¹² Email correspondence with non-Ethiopian who had recently worked with children with disabilities in Ethiopia, June 25 & 26, 2014 (on file with The Advocates for Human Rights).

¹¹³ Id.

¹¹⁴ Id.

¹¹⁵ Id.

¹¹⁶ Human Rights Watch, “Waiting Here for Death”: Forced Displacement and Villagization in Ethiopia’s Gambella Region (January 2012), available at http://www.hrw.org/sites/default/files/reports/ethiopia0112webwcover_0.pdf.

¹¹⁷ Id.

health facilities and educational institutions, but numerous reports indicate that no such support is provided to many of those who are forced to relocate.¹¹⁸ Without access to proper infrastructure or basic necessities such as clean water, the relocated population has been subject to high rates of infant mortality as well as respiratory infections and diarrhea.¹¹⁹ The Ethiopian Government has not “fulfil[ed] . . . the needs of the less privileged rural population,” nor has it “ensur[ed] access to healthcare for the whole population.”¹²⁰ Indeed, the villagization program moves children away from available health facilities.

Villagization program impedes rural children’s right to an adequate standard of living

43. Ethiopian Government forcibly relocates rural children and their families to “villages.”

Numerous reports of human rights violations concern the Ethiopian Government’s “Villagization Program.” The Government contends that the villagization program is a “Voluntary Resettlement Program . . . intended to create access to land for food insecure households.”¹²¹ Yet people who have resisted relocation have been subject to arrest, assault, rape, and threats of violence.¹²² There are numerous reports of hunger and starvation due to the lack of Government provided aid or land on which to farm. One woman reported that many indigenous families have become homeless as a result of villagization and are now left begging for food and money as a means for survival.¹²³ Additionally, as part of the program those displaced to new locations were forced to build new homes under the supervision of the army.¹²⁴ Reports indicate that army supervision included intimidation and the beating of villagers.¹²⁵ The villagers were not compensated for this work.¹²⁶

44. Forcibly relocated families lack means to pursue a livelihood. Through the villagization program, many of the displaced families are left without an avenue to pursue employment and are without the ability to maintain a livelihood. Villagers who rely on farming as means of survival have been sent to areas consisting of unfertile lands. These areas also lack adequate infrastructure for those displaced to obtain other employment.

¹¹⁸ The Advocates for Human Rights, *Ethiopia: Violations of the rights of the disadvantaged ethnic groups protected by the International Covenant on Economic, Social and Cultural Rights*, 48th session of the United Nations Committee on Economic, Social and Cultural Rights, 30 April – 19 May 2012, Statement submitted by The Advocates for Human Rights, a non-governmental organization in special consultative status with ECOSOC, available at

http://www.theadvocatesforhumanrights.org/uploads/the_advocates_for_human_rights_ethiopia_icescr_report.pdf, ¶¶ 42–60.

¹¹⁹ Id.

¹²⁰ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 156.

¹²¹ Id. ¶ 226.

¹²² Human Rights Watch, “Waiting Here for Death”: Forced Displacement and Villagization in Ethiopia’s Gambella Region (January 2012), available at

http://www.hrw.org/sites/default/files/reports/ethiopia0112webwcover_0.pdf.

¹²³ Interview with Oromo diaspora member on September 6, 2013.

¹²⁴ Human Rights Watch, “Waiting Here for Death”, *supra* note 12.

¹²⁵ Id.

¹²⁶ Id.

Local Government officials use food assistance as a political tool

45. **The Government describes its “Food Security Program” as a means to provide food safety net programs and household agricultural assets to families at risk of food insecurity, but in Oromia this assistance is distributed only to families that prove their loyalty to the Government.** The Government’s report asserts that households are eligible for programs that “build[] household assets [and] establish[] productive safety net[s],”¹²⁷ boasting that 186,914 households have received such assistance packages.¹²⁸ But government-appointed local administrative councils control access to food assistance and other state-distributed resources, and they are reported to use access as a “carrot and stick” to coerce allegiance and punish dissent.¹²⁹

Suggested questions for the Committee’s list of issues:

- How does the Ethiopian Government explain the discrepancy between outside reports of the number of people with disabilities in Ethiopia and official reports? How does the Government identify children with disabilities?
- What measures are taken to educate parents of children with disabilities about the child’s ability to learn and about the child’s right to education? How does the Government ensure that children with disabilities attend school? What efforts does the Government of Ethiopia make to ensure that parents of children with disabilities who do not live with the child provide financial support to the child and the child’s custodial parent or guardian?
- What training is provided to current mainstream teachers about providing adapted learning environments and other accommodations to children with disabilities? What assistance does the Ethiopian Government provide to teachers who teach children with disabilities?
- What measures does the Government take to ensure that children with disabilities are not victims of sexual abuse and to ensure that perpetrators of such sexual abuse are held accountable?
- How does the Government ensure that children whose families are resettled have access to clean water, sanitation, and health services?
- What measures are in place to ensure that all resettlement is entirely voluntary and to allow resettled families the opportunity to return to the lands from which they were resettled if the conditions in the new settlement are unacceptable?
- How does the Ethiopian Government oversee local authorities responsible for distributing food assistance to ensure that assistance is distributed in a fair and equitable manner, without regard for the political views of the recipient?

¹²⁷ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶¶ 114, 117.

¹²⁸ *Id.* ¶ 117.

¹²⁹ IRIN, *Ethiopia Government Denies Food Aid Manipulated for Political Gain*, June 7, 2010, <http://www.irinnews.org/report/89382/ethiopia-government-denies-food-aid-manipulated-for-political-gain>

VIII. Education, Leisure, and Cultural Activities

Children are denied access to primary education, especially in rural areas

46. **Children in rural areas, especially children in families subject to forcible resettlement, are denied the right to education.** In 2006, the Committee expressed serious concern “that primary education is still not free nor compulsory and that net enrolment is still very low.”¹³⁰ The Committee noted particular concern with respect to inequalities affecting children’s access to education in rural areas.¹³¹ The U.S. Department of State recently reported that, although primary education in Ethiopia was universal, tuition free, and compulsory in policy, “there were not enough schools to accommodate the country’s youth, particularly in rural areas.”¹³² The lack of access to education in rural areas has been felt even more so by the disadvantaged ethnic groups subject to villagization programs. Ethnic groups subject to villagization have been moved from villages where schools existed and were operational to villages where schools and other infrastructure are non-existent.¹³³
47. **Government sensitization efforts are ineffective in areas where children lack access to schools or lack funds to attend school.** The Government’s report identifies efforts “to sensitize parents on the need to send their children to school,”¹³⁴ but also concedes that localities may “decide to levy fees in the form of community contribution.”¹³⁵ In some rural areas, however, local schools are nonexistent or relocated families cannot afford to send their children to school.

Teachers reportedly rape students with impunity

48. **Students turn to foreign worker for support after they are raped by their teachers.** A foreign worker in Ethiopia reports that “multiple students approached [her] in search of advice and support” after the students experienced sexual harassment and assault perpetrated by their teachers.¹³⁶
49. **Investigation confirms teachers demanding sex in exchange for grades.** The foreign worker “interviewed several female students, along with teachers and school directors from primary and secondary schools in the region.”¹³⁷ The students reported that at least one or two teachers in every school they had attended “forced female students to have sex in exchange for passing grades. Fellow teachers and school directors at some of these schools agreed that they knew male teachers who were engaging in this . . . behavior.”¹³⁸ The foreign worker learned that “[m]ale teachers . . . tell young girls that they must have sex with them,

¹³⁰ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 63.

¹³¹ *Id.*

¹³² U.S. Dept. of State, Human Rights Reports, *Ethiopia* (2010), at 45, available at <http://www.state.gov/documents/organization/160121.pdf>.

¹³³ UPR Info, *Ethiopia Mid-term Implementation Assessment: Ethiopia*, *supra* note 25, at 19, 24 and 25.

¹³⁴ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 109.

¹³⁵ *Id.* ¶ 232.

¹³⁶ Email Correspondence No. 1, June 27, 2014 (on file with The Advocates for Human Rights).

¹³⁷ *Id.*

¹³⁸ *Id.*

or else they will fail the girls in their class. This invokes fear and shame into the female students. They feel unsupported by school staff, and are too embarrassed to talk about it with family members. Sometimes the female students will drop out of school to avoid the threats. Those who choose to continue in school strategically walk in large groups, cover their bodies and hair in loose garments . . . , and avoid speaking and eye contact, as a hope that this will deter the teacher from wanting to have sex with them.”¹³⁹

50. **Authorities foster culture of impunity for teachers who rape students.** Teachers are frequently aware when their colleagues demand sex in exchange for grades.¹⁴⁰ The foreign worker describes sexual abuse in schools as “rampant” in Ethiopia.¹⁴¹ Yet the practice is rarely reported to school boards or to police “due to fear of violent backlash from the assailant teacher and lack of confidentiality among police enforcement or the school board.”¹⁴² In many cases, “a group of male teachers within one school or community . . . hold[s] power over other members by making violent threats” that allow them to continue their conduct with impunity.¹⁴³ The foreign worker, after learning that more than eight girls were being raped by a single teacher at a secondary school, confronted the school director.¹⁴⁴ According to the foreign worker, the director “responded very casually, explaining that he knew that the teacher had raped students before, but that he was ‘changing’ and that [the director] didn’t believe [the teacher] was still engaging in his old habits.”¹⁴⁵ The director confirmed that the teacher had raped at least three students before, on multiple occasions with each victim.¹⁴⁶
51. **Official school policies protect teachers who perpetrate rape.** The foreign worker reported that the director recited the four stages of action contained in the region’s secondary school board rules and regulations manual.¹⁴⁷ According to the school director, only after the fourth offense is the teacher to be removed from the school, but the teacher may thereafter be relocated to another location, even within the same town.¹⁴⁸ Ironically, the Ethiopian Government’s report boasts that the Education Ministry’s “school improvement programs encourage teachers to educate students on the topic of sexual abuse and neglect and discuss ways of protection and reporting where necessary.”¹⁴⁹

Government fails to protect the right of child domestic workers to play

52. **Child domestic workers are denied the right to play and leisure.** As described in greater detail in paragraphs 54–56 below, child domestic workers typically work long hours, seven days a week, and have little time for their homework, let alone for play and leisure activities.

¹³⁹ Id.

¹⁴⁰ Id.

¹⁴¹ Id.

¹⁴² Id.

¹⁴³ Id.

¹⁴⁴ Id.

¹⁴⁵ Id.

¹⁴⁶ Id.

¹⁴⁷ Id.

¹⁴⁸ Id.

¹⁴⁹ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 149.

Suggested questions for the Committee's list of issues:

- What efforts has the Ethiopian Government made to ensure that all children have proximate access to a school, and to ensure that primary education is both compulsory and free of charge? What measures will the Government take to ensure that localities do not impose fees for children to attend primary schools?
- Describe the measures taken to hold teachers accused of raping students accountable for their conduct and to deter future acts of rape. What procedures are in place for students to report this conduct? How many reports have been received? What measures have been taken to investigate the reports? What actions were taken in response to the investigations? What measures are taken to protect and provide support services to the victim and to ensure her confidentiality?
- How does the Ethiopian Government ensure that child domestic workers have sufficient play and leisure time?

IX. Special Protection Measures

Government efforts to address street children ignore children with disabilities begging on the streets

53. The Government of Ethiopia neglects the exploitation of children with disabilities on the streets. The Committee's 2006 concluding observations expressed deep concern "at the increasing number of street children . . . who are also victims of . . . sexual exploitation, harassment and victimization by members of the police force," as well as concern about "the stigmatization of street children and negative attitudes in society towards them based upon their social condition."¹⁵⁰ The Committee recommended that the Government of Ethiopia "[d]evelop and implement . . . a comprehensive policy which should address the root causes, in order to prevent and reduce this occurrence."¹⁵¹ The Government's report asserts that "[e]ducational materials and school welfare fees and materials are provided for children with disabilities" who are street children.¹⁵² Yet the Government's response ignores that these children "are often exploited as beggars," rendering such government assistance ineffective.¹⁵³ An educator who works with children with disabilities reports that "[i]t is quite typical to see a child with a disability, like cerebral palsy or various syndromes, out on the street begging for money. Many times, no family member is present to supervise the child."¹⁵⁴ One foreign worker reported observing "that a boy in the community with cerebral palsy who could not walk was put out to beg by himself on the street almost every day, oftentimes on the main road very close to traffic."¹⁵⁵

¹⁵⁰ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 69.

¹⁵¹ *Id.* ¶ 70.

¹⁵² Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 284

¹⁵³ Email correspondence with non-Ethiopian who had recently worked with children with disabilities in Ethiopia, June 25 & 26, 2014 (on file with The Advocates for Human Rights).

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

Children are exploited as domestic workers

54. **Government efforts to combat child labor ignore prevalence of child domestic workers, who are often exploited and denied the right to education.** The Committee's concluding observations expressed deep concern "at the prevalence of child labour among young children including as young as 5 and that the State party has not taken comprehensive measures to prevent and combat this large-scale economic exploitation of children."¹⁵⁶ The Government's efforts, however, have focused on "combat[ing] the work of illegal private employment agencies,"¹⁵⁷ and have therefore neglected the exploitation of domestic workers, called *seratenyas*, who are usually children, sometimes as young as nine years old.¹⁵⁸ These child domestic workers are not employed through "private employment agencies," but rather are sent to the homes of strangers or to other people with vague connections to the child's family.¹⁵⁹ *Seratenyas* "typically wake up before the rest of the family to prepare the meals, fetch large containers of water, clean the house, tend to animals, tend to other children, etc."¹⁶⁰ They work seven days per week.¹⁶¹
55. **Government efforts to support vulnerable families have not stopped the exploitation of child domestic workers.** The Government of Ethiopia describes its efforts "to support vulnerable families (large families, single-parent families, child headed households and those with disabled children), in order to enable them to give care for their children."¹⁶² Yet child domestic workers typically come from "poor, large farming families" in the countryside.¹⁶³ "When they are old enough or capable enough to perform daily household tasks, like cooking, cleaning, making coffee from scratch, tending to younger children, etc., they are sent into bigger towns or villages" to serve as *seratenyas*.¹⁶⁴
56. **Child domestic workers are often unable to attend school regularly and complete their studies.** "Many days, [*seratenyas*] have so many household duties that they don't have time to attend . . . school."¹⁶⁵ "Many nights, the only time they have for school work is after the family goes to sleep."¹⁶⁶ An 11-year-old *seratenya*, who is responsible for taking care of a 3-year-old child, reports, "When I have free time, I like to study. I try to spend about two hours

¹⁵⁶ Committee on the Rights of the Child, 43rd Session, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, Nov. 1, 2006, UN Doc. CRC/C/ETH/CO/3, ¶ 71.

¹⁵⁷ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 30.

¹⁵⁸ Email correspondence with person who had recently worked with children in Ethiopia, June 25 & 26, 2014 (on file with The Advocates for Human Rights).

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 113.

¹⁶³ Email correspondence with person who had recently worked with children in Ethiopia, June 25 & 26, 2014 (on file with The Advocates for Human Rights).

¹⁶⁴ *Id.*

¹⁶⁵ *Id.*

¹⁶⁶ *Id.*

a day studying and doing homework, but it can be difficult to find time for school work because of my responsibilities at home.”¹⁶⁷

Perpetrators of physical and sexual violence against children enjoy impunity

57. **Government authorities lack resources to intervene on behalf of child victims of physical and sexual violence.** The Ethiopian Government asserts that “[t]he Special Prosecution Unit dealing with cases of [violence against women and children] under the [Ministry of Justice] has deployed social workers who provide counselling to survivors of violence while they are in preparation for court hearings. Support is provided to child victims and witnesses by experts in a way that is friendly and sensitive to the privacy and personal safety of the persons involved.”¹⁶⁸ Last year, one educator intervened on behalf of two sisters who had faced seven years of physical and sexual abuse while living with their grandmother and two uncles, one who was the perpetrator.¹⁶⁹ The educator’s “first instinct . . . was to report the incident to the Women’s Affairs Office. This office is a governmental organization created by the Ethiopian government to support women and children who fall victim of verbal, physical or sexual abuse.”¹⁷⁰ But the educator noted that even though the Women’s Affairs Office has “a budget assigned annually to support women [and girls in] these circumstances,” they “are consistently ‘lacking money’ even in the beginning of the fiscal year.”¹⁷¹
58. **The Government does not prosecute perpetrators of physical and sexual violence against children.** The Ethiopian Government reports that the revised criminal code includes steep criminal penalties for child sexual abuse,¹⁷² yet offers no evidence to suggest that authorities ever prosecute offenders. Shortly before the above-mentioned sisters approached the educator for assistance, the girls’ family had threatened them, saying that if they reported the abuse they would be abandoned.¹⁷³ The perpetrator threatened to kill them if they spoke out.¹⁷⁴ When the educator and two sisters went to the Women’s Affairs Office, staff “questioned the girls and required ‘proof’ of the abuse” in the form of eye witnesses.¹⁷⁵ The local police department, when approached, also required the girls to provide eye witness evidence.¹⁷⁶ In light of threats from their family, the girls were afraid to report the details of the abuse to government officials.¹⁷⁷ The girls ultimately searched for assistance for nine

¹⁶⁷ Jennifer Klein and Josh Cook, *International Day of the Girl*, Jen & Josh in Ethiopia: A Chronicle of Our Peace Corps Experience, Oct. 12, 2013, <http://www.jenandjoshinethiopia.blogspot.com/2013/10/international-day-of-girl.html>.

¹⁶⁸ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 306.

¹⁶⁹ Email Correspondence No. 1, June 27, 2014 (on file with The Advocates for Human Rights).

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 311.

¹⁷³ Email Correspondence No. 1, June 27, 2014 (on file with The Advocates for Human Rights).

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ *Id.*

¹⁷⁷ *Id.*

months before they were removed from their abusive home.¹⁷⁸ The perpetrator has not been held accountable.¹⁷⁹

59. **The Ethiopian Government bars non-Ethiopian NGOs from addressing “child sexual abuse” and “gender empowerment.”** The Government’s report, after noting the prevalence of sexual abuse, states that “[t]he National Steering Committee on Sexual Abuse and Exploitation of Children [wa]s . . . established in 2005 comprising both governmental and non-governmental actors to assist in combating the social catastrophe.”¹⁸⁰ The report further notes that NGOs “supplemented” efforts in the formal justice system with “a number of training and capacity building interventions.”¹⁸¹ Yet non-Ethiopian NGOs are prohibited from working in the field of “child rape” or “child sexual abuse.”¹⁸² One foreign worker reported: “[w]hen all outside (non-Ethiopian) NGOs enter Ethiopia, they must sign an agreement that they will not work in ‘gender empowerment’ or ‘child sexual abuse,’ giving the Ethiopian government power . . . to punish members of the organization if the contract is broken. Therefore, NGOs have to be very careful selecting the projects they work on, and reports they write about the work they are doing.”¹⁸³ This worker explained that non-Ethiopian NGOs working on permissible “child welfare” activities must be “very careful in their reporting process, making sure that they do not hint that a child has [experienced] sexual abuse, out of fear that the Ethiopian government will shut down the operations of the NGO.” In the view of this worker, “[i]t is very obvious that the Ethiopian government has made [it] illegal for NGOs to report child sexual abuse in order to mask the level of severity and frequency [with which] young women and girls experience sexual harassment and abuse within the country.”¹⁸⁴

60. **The Ethiopian Government perpetuates the misconception that child sexual abuse is limited to certain racial, socio-economic, or religious groups.** Sexual abuse happens throughout Ethiopia, in both rural and urban areas, and among all identified religions.¹⁸⁵ Yet NGOs that are permitted to work in the field of “child welfare” and that attempt to serve girls who are victims of sexual assault or abuse “must fit [their work] into a racial, socioeconomic or religious label,” based on the Government’s misconception that “only certain populations fall victim to sexual assault or abuse.”¹⁸⁶ The Ethiopian Government “typecasts” certain tribes and regions, as well as people living in rural areas and Muslims, as “more likely to fall subject to abuse.”¹⁸⁷ The educator who attempted to help the above-mentioned sisters described their experience of approaching NGOs for help.¹⁸⁸ “Many NGOs were surprised that [the sisters] identified as Orthodox Christian and lived in a[] city, and showed obvious skepticism of their situation (since they didn’t fit the ‘normal criteria’).”¹⁸⁹ Five of the six

¹⁷⁸ Id.

¹⁷⁹ Id.

¹⁸⁰ Committee on the Rights of the Child, Fourth and fifth periodic reports of States parties due in 2001: Ethiopia, May 18, 2012, UN Doc. CRC/C/ETH/4-5, ¶ 309.

¹⁸¹ Id. ¶ 304.

¹⁸² Email Correspondence No. 1, June 27, 2014 (on file with The Advocates for Human Rights).

¹⁸³ Id.

¹⁸⁴ Id.

¹⁸⁵ Id.

¹⁸⁶ Id.

¹⁸⁷ Id.

¹⁸⁸ Id.

¹⁸⁹ Id.

NGOs they approached said they were unable to help, offering “various excuses” and “often stating that they were only allowed to support girls who were Muslim or from rural areas.”¹⁹⁰ In the educator’s view, this typecasting is part of the government’s effort to blame certain groups for political and social problems.¹⁹¹

61. **Support for child victims of sexual abuse can be slow to obtain, placing children at additional risk.** The educator who advocated for the two sisters reported that the one foreign NGO that was willing to help was overwhelmed with cases, and as a result the girls had to wait three additional months (after 6 months of searching for assistance) to be removed from their abusive home.¹⁹² The girls are now living in an orphanage, and the NGO provided financial support for transportation, orphanage fees, school fees, and medical expenses.¹⁹³

Suggested questions for the Committee’s list of issues:

- What measures is the Ethiopian Government taking to end the practice of families exploiting their children with disabilities by placing them in the streets to beg?
- What information does the Government have about the prevalence of children working as *seratenyas*, or domestic workers? What efforts does the Government take to ensure that child *seratenyas* are not exploited, are able to attend school and complete their homework on a regular basis, and have adequate play and leisure time? How do Government measures to support vulnerable families guard against these families sending their children away to be exploited as *seratenyas*?
- What is the Ethiopian Government doing to address the lack of financial and human resources in governmental offices tasked with responding to the physical and sexual abuse of children to ensure that all child victims of abuse receive prompt, appropriate services and protection and to ensure that perpetrators of abuse are held accountable?
- What steps does the Ethiopian Government take to ensure that staff in governmental offices tasked with responding to the physical and sexual abuse of children treat child victims with dignity, thoroughly investigate their complaints, and do not impose undue evidentiary burdens on the children?
- What is the Government’s rationale for prohibiting non-Ethiopian NGOs from assisting and advocating on behalf of child victims of sexual abuse? What evidence does the Government have that Ethiopian NGOs and government offices have sufficient financial and human resources and capacity to address the needs of child victims of sexual abuse without outside assistance?
- Please provide an explanation for the Ethiopian Government’s programs to address child sexual abuse that are limited to children from particular ethnicities, religions, and socio-economic backgrounds.

¹⁹⁰ Id.

¹⁹¹ Id.

¹⁹² Id.

¹⁹³ Id.