COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

ETHIOPIA

10 AUGUST 2009

UK Border Agency
COUNTRY OF ORIGIN INFORMATION SERVICE

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1. Preface

i This Country of Origin Information Key Documents (COI Key Documents) on Ethiopia has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 1 July 2009. It was issued on 10 August 2009.

ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.

iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.

iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Ethiopia is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.

v This COI Key Documents and the documents listed are publicly disclosable.

vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

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INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

vii The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at http://www.ociukba.homeoffice.gov.uk

viii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at http://www.ociukba.homeoffice.gov.uk/

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2. Background information on Ethiopia

Full Country Name: Federal Democratic Republic of Ethiopia.
Area: 1,127,127 sq km.
Population: 82,544,840 (July 2008 est.).
Capital City: Addis Ababa.
Languages: Amarigna 32.7%, Oromigna 31.6%, Tigrigna 6.1%, Somaligna 6%, Guaragigna 3.5%, Sidamigna 3.5%, Hadiyigna 1.7%, other 14.8%, English (major foreign language taught in schools).
Religions: Christian 60.8% (Orthodox 50.6%, Protestant 10.2%), Muslim 32.8%, traditional 4.6%, other 1.8% (1994 census).
Major political parties and leaders: Afar National Democratic Party or ANDP; Gumuz Benishangul People's Democratic Unity Front or BGPDUF [Besse Mulualem]; Coalition for Unity and Democratic Party or CUDP [Ayele Chamisso]; Ethiopian People's Revolutionary Democratic Front or EPRDF [Meles Zenawi] (an alliance of Amhara National Democratic Movement or ANDM, Oromo People's Democratic Organization or OPDO, the South Ethiopian People's Democratic Front or SEPDF, and Tigrayan Peoples' Liberation Front or TPLF); Gurage Nationalities' Democratic Movement or GNDM; Oromo Federalist Democratic Movement or OFDM [Bulcha Demeksa]; Omoro People's Congress or OPC [Imerera Gudina]; Somali People's Democratic Party or SPDP; United Ethiopian Democratic Forces or UEDF [Beyene Petros].
Head of state*:* President Woldegiorgis Girma.
Head of government*:* Prime Minister Meles Zenawi.
Cabinet: Council of Ministers as provided for in the December 1994 constitution; ministers are selected by the prime minister and approved by the House of People's Representatives.
Elections: president elected by the House of People's Representatives for a six-year term (eligible for a second term); election last held 9 October 2007 (next to be held in October 2013); prime minister designated by the party in power following legislative elections.
Election results: 9 October 2007 election results: Girma Woldegiorgis elected president; percent of vote by the House of People's Representatives - 79%
(CIA World Factbook, 16 June 2009) **[1]**
Public holidays: Ethiopian Christmas - 7 January; Ethiopian Epiphany - 19 January; Battle of Adwa Victory Day - 2 March; Ethiopian Good Friday - exact date varies from year to year; Ethiopian Easter - exact date varies from year to year; Labour Day - 1 May; Patriots' Victory Day - 5 May; Overthrow of the Dergue regime - 28 May; Ethiopian New Year - 11 September; Finding of the True Cross - 27 September; Birth of the Prophet Mohammed - exact date varies from year to year; Eid Al-Adha - exact date varies from year to year. (See Ethiopia.com) **[31]**; (Embassy of Ethiopia in Berlin) **[32]**

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This COI Key Documents contains the most up-to-date publicly available information as at 1 July 2009. Older source material has been included where it contains relevant information not available in more recent documents.

GEOGRAPHY

The US State Department Background Note on Ethiopia, dated June 2009, stated:

"Ethiopia is located in the Horn of Africa and is bordered on the north and northeast by Eritrea, on the east by Djibouti and Somalia, on the south by Kenya, and on the west and southwest by Sudan. The country has a high central plateau that varies from 1,800 to 3,000 meters (6,000 ft.-10,000 ft.) above sea level, with some mountains reaching 4,620 meters (15,158 ft.). Elevation is generally highest just before the point of descent to the Great Rift Valley, which splits the plateau diagonally. A number of rivers cross the plateau - notably the Blue Nile flowing from Lake Tana. The plateau gradually slopes to the lowlands of the Sudan on the west and the Somali-inhabited plains to the southeast." **[2c]**

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MAP



Map of Ethiopia weblink:
http://i.infoplease.com/images/methiop.gif
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RECENT HISTORY

The Foreign and Commonwealth Office (FCO) Country Profile on Ethiopia (17 April 2008 version) stated:

“For much of the 20th century Ethiopia was ruled by Haile Selassie, crowned as Emperor in 1930. In 1936 Italy attacked Ethiopia from its colonies in neighbouring Somalia and Eritrea and occupied the country until 1941. Haile Selassie spent his exile in the UK, and was restored to power with British and Commonwealth military assistance. His long rule ended with the Ethiopian Revolution of 1974.

“Colonel Mengistu Haile Mariam emerged as the leader of the Provisional Military Administrative Council (known as the Derg) in 1977 which became a brutal Marxist dictatorship. Ethiopia was wracked by civil war for most of the Derg period, including a secessionist war in the northern province of Eritrea, an irredentist war with Somalia, and regional rebellions - notably in Tigray and Oromia. The population experienced massive human rights abuse[s] and intense economic hardship, including acute famine in 1984/5.The Derg was overthrown in May 1991 when rebels of the Ethiopian People's Revolutionary Democratic Front (EPRDF) captured Addis Ababa. Meles Zenawi took the leadership.” **[3]**

The US State Department Background Note on Ethiopia, dated June 2009, added:

“The Derg's collapse was hastened by droughts and famine, as well as by insurrections, particularly in the northern regions of Tigray and Eritrea. In 1989, the Tigrayan People's Liberation Front (TPLF) merged with other ethnically based opposition movements to form the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). In May 1991, EPRDF forces advanced on Addis Ababa.

“In July 1991, the EPRDF, the Oromo Liberation Front (OLF), and others established the Transitional Government of Ethiopia (TGE) which was comprised of an 87-member Council of Representatives and guided by a national charter that functioned as a transitional constitution. In June 1992 the OLF withdrew from the government; in March 1993, members of the Southern Ethiopia Peoples' Democratic Coalition left the government.

“In May 1991, the Eritrean People's Liberation Front (EPLF), led by Isaias Afwerki, assumed control of Eritrea and established a provisional government. This provisional government independently administered Eritrea until April 23-25, 1993, when Eritreans voted overwhelmingly for independence in a UN-monitored free and fair referendum. Eritrea was with Ethiopia’s consent declared independent on April 27, and the United States recognized its independence on April 28, 1993.

“In Ethiopia, President Meles Zenawi and members of the TGE pledged to oversee the formation of a multi-party democracy. The election for a 547-member constituent assembly was held in June 1994, and this assembly adopted the constitution of the Federal Democratic Republic of Ethiopia in December 1994. The elections for Ethiopia's first popularly chosen national parliament and regional legislatures were held in May and June 1995. Most opposition parties chose to boycott these elections, ensuring a landslide victory for the EPRDF. International and non-governmental observers concluded that opposition parties would have been able to participate had they chosen to do so. The Government of the Federal Democratic Republic of Ethiopia was installed in August 1995.
“In May 1998, Eritrean forces attacked part of the Ethiopia-Eritrea border region, seizing some Ethiopian-controlled territory. The strike spurred a two-year war between

the neighboring states that cost over 100,000 lives. Ethiopian and Eritrean leaders signed an Agreement on Cessation of Hostilities on June 18, 2000 and a peace agreement, known as the Algiers Agreement, on December 12, 2000. The agreements called for an end to the hostilities, a 25-kilometer-wide Temporary Security Zone along the Ethiopia-Eritrea border, the establishment of a United Nations peacekeeping force to monitor compliance, and the establishment of the Eritrea Ethiopia Boundary Commission (EEBC) to act as a neutral body to assess colonial treaties and applicable international law in order to render final and binding border delimitation and demarcation determinations. The United Nations Mission to Eritrea and Ethiopia (UNMEE) was established in September 2000. The EEBC presented its border delimitation decision on April 13, 2002. To date, neither Ethiopia nor Eritrea has taken the steps necessary to demarcate the border.

"Opposition candidates won 12 seats in national parliamentary elections in 2001. Ethiopia held the most free and fair national campaign period in the country's history prior to May 15, 2005 elections. Unfortunately, electoral irregularities and tense campaign rhetoric resulted in a protracted election complaints review process. Public protests turned violent in June 2005. The National Electoral Board released final results in September 2005, with the opposition taking over 170 of the 547 parliamentary seats and 137 of the 138 seats for the Addis Ababa municipal council. Opposition parties called for a boycott of parliament and civil disobedience to protest the election results. In early November 2005, Ethiopian security forces responded to public protests by arresting scores of opposition leaders, as well as journalists and human rights advocates, and detaining tens of thousands of civilians in rural detention camps for up to three months. In December 2005, the government charged 131 opposition, media, and civil society leaders with capital offenses including 'outrages against the constitution.' Key opposition leaders and almost all of the 131 were pardoned and released from prison in the summer of 2007. As of March 2008, approximately 150 of the elected opposition members of parliament had taken their seats." **[2c]**

The US State Department Background Note on Ethiopia, dated June 2009, stated:

"In June 2008, former CUD vice-chairman Birtukan Mideksa was elected the party chairman of the new Unity for Democracy and Justice (UDJ) party at its inaugural session in Addis Ababa. In October 2008 the Ethiopian Government initiated a crackdown on Oromo politicians, arresting over 100 of them and accusing some of being members of the outlawed Oromo Liberation Front (OLF). At the end of December 2008, after detaining Birtukan several times briefly during the month, the government re-arrested her, saying that she had violated the conditions of her pardon (she was one of the prominent opposition leaders pardoned by the government in the summer of 2007). Her original sentence of life imprisonment was reinstated.

"Prime Minister Meles announced in December 2008 that the 3,000 - 4,000 Ethiopian forces in Somalia would be withdrawn by the end of the year. He stated that the Ethiopian army had accomplished its mission of routing the Islamic extremists. Troops would remain near the Somali border, where they would be prepared to immediately intervene again should the extremists regroup and again threaten Ethiopia. By the end of January 2009, the Ethiopian army had fully withdrawn from Somalia." **[2c]**

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RECENT EVENTS AND POLITICAL DEVELOPMENTS – JANUARY TO JULY 2009

Withdrawal from Somalia - January

An Afrol News report, dated 26 January 2009, stated:

"Ethiopia has completed full withdrawal of its troops from Somalia after a two year intervention to fight opposition Islamists fighters. The Ethiopian troops completely departed from Mogadishu on 15 January [2009], but pulled back to Baidoa.

"The latest phase of the withdrawal began on Sunday night [25 January 2009] when Ethiopian forces left the provincial town of Baidoa, where Parliament is based.

"Reports from the town said all the Ethiopian troops have vacated from the airport of Baidoa, which was the only remaining base of the Ethiopian soldiers in the Bay region.

"After the withdrawal of the Ethiopians, local reports said government soldiers and many other newly armed local militias with many battle wagons have been patrolling in the town and halted the movement of the people and traffic in the town saying they are ready to defend any attacks from Al shabab insurgents who recently vowed they will attack the soldiers.

"Ethiopia began to withdraw early January when truckloads of their soldiers began to pull out of Mogadishu, after announcing that the mission had failed to achieve its stated purpose of curbing Islamist insurgents." **[12]**

Coup plot – April

In April 2009, Voice of America (VOA) reported that:

"Ethiopian authorities have arrested 35 people suspected of involvement in a plot to overthrow the government. Those arrested are said to be followers of an exiled opposition leader living in the United States.

"Government spokesman Ermias Legesse says the 35 arrested included two groups, one comprising soldiers and another that included civilian government employees and others. He tells VOA police found weapons and other incriminating evidence when they raided the homes of suspects. 'We have got information from different people and we investigate it, and we have gone to the court and the court gave us an allowance to go to their home and we have checked their home and we have arrested 35 people and in their home we have got so many weapons, landmines, soldier uniforms, and their future plan what they want to do,' he said.

"All those arrested are said to be members of a group called 'Ginbot 7,' or 'May 15th', which is the date of Ethiopia's disputed 2005 election. Ginbot 7 is led by Berhanu Nega, who was elected mayor of Addis Ababa in the 2005 election. But he never took office.

"He was jailed and convicted of treason along with more than 100 other opposition leaders in connection with violent post-election demonstrations in which nearly 200 protestors were killed. He and the others spent 20 months in prison before being pardoned.
"After his release, Berhanu went to the United States, where he is currently a professor of economics at Bucknell University in Pennsylvania. A page on the university Web site says he has urged the United States and other western nations to back democratic

movements in Ethiopia and other African countries by withdrawing support for dictators.

“Opposition Web sites such as ‘Ginbot 7' are blocked in Ethiopia. Berhanu has in the past accused Prime Minister Meles Zenawi of creating a one-party state.

“In a telephone interview, government spokesman Ermias described Ginbot 7 as an illegal organization. ‘It's not registered as a legal party, and not recognized by the government. It is an illegal party. The groups and the party, who are an illegal party, we call it Ginbot 7. That's our issue,’ he said.

“Ermias declined to say what charges would be filed against those arrested, saying that would be up to the Justice Ministry. He also declined to identify any of the suspects. He said they would all be brought before a judge within a few days.” **[37b]**

On 5 May 2009, Amnesty International reported that:

“Additional arrests [of persons suspected of being involved in the attempted coup plot] have reportedly been carried out over the past several days and sources in the country have told Amnesty International that further arrests are expected.

“Many are believed to have been arrested for their alleged involvement in planning a thwarted attack on the government, but others appear to have been arrested for their own or family members’ peaceful political opposition to the government. Amongst the 35 [persons already arrested] is an 80-year-old grandfather in urgent need of medical care.

“…many or all of those recently arrested are believed to be held in Maekalawi Prison in Addis Ababa, though the government has not yet confirmed this. Amnesty International is not aware that the government has provided any specific information to family members about the whereabouts of their relatives or their conditions of detention.

“Amnesty International said that due to the secret nature of their detention, they are at significant risk of torture or other forms of ill-treatment.

“After an initial court appearance last week, those detained were remanded into custody for 14 additional days to allow for further investigation and charges to be filed. Amnesty International expects their next court appearance to take place on or about 12 May 2009.” **[11b]**

Food security

A United Nations Office for the Coordination of Humanitarian Affairs Press Release dated 11 May 2009 stated:

"The food security situation in some areas of SNNP, Amhara, Tigray, Somali and eastern Oromiya regions is gradually declining. Due to the delayed start and generally poor performance of the belg rains, the area planted this year has significantly decreased. The below normal rains received during the last two dekads of April (11- 30 April) have affected the development of belg crops as well as the germination of long-cycle meher crops planted in some areas. The situation in the belg-crop producing parts of the country is expected to deteriorate further during the July to September lean season. In the pastoral region of Afar, where rains have been below normal during the past two seasons, performance of the sugum (March to May) rains has been poor and the remainder of the season is forecasted to be below normal. [The] physical condition of livestock, terms of trade and livestock productivity are expected to decline until the main seasonal rains (karma) begin in July. In Somali Region also, although the start of the gu rains have been timely (early April), they have performed poorly during the last two dekads April (11 to 30 April) in some areas.

"The latest Ethiopia Market Watch, meanwhile, indicates that the country-level general inflation over the past 12 months moving average stood at 45.2 per cent in March 2009, of which food price inflation averaged 59.2 per cent, while non-food inflation was 24.4 per cent. Local and import parity prices for grain, meanwhile, show a slight decrease for all commodities across selected major urban markets. Likewise, in most rural markets of the country, the price of cereals show [sic] a declining trend following increase in the supply rate and decline in effective demand." **[10]**

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ECONOMY

GDP (official exchange rate): US$25.08 billion (2008 est).

GDP growth rate: 8.5% (2008 est).
GDP per capita: US$800 (2008 est).
Inflation: 41% (2008 est).
Major industries: food processing, beverages, textiles, leather, chemicals, metals processing, cement.
Major trading partners: Germany, Saudi Arabia, United States, Djibouti, China, Japan, Netherlands, Saudi Arabia, India, Italy (2007).
(CIA World Factbook, 16 June 2009) **[1]**

The US State Department Background Note on Ethiopia, dated June 2009, stated:

"The current government has embarked on a cautious program of economic reform, including privatization of state enterprises and rationalization of government regulation. While the process is still ongoing, so far the reforms have attracted only meager foreign investment, and the government remains heavily involved in the economy.

"The Ethiopian economy is based on agriculture, which contributes 46% to GNP and more than 80% of exports, and employs 85% of the population. The major agricultural export crop is coffee, providing approximately 35% of Ethiopia's foreign exchange earnings, down from 65% a decade ago because of the slump in coffee prices since the mid-1990s. Other traditional major agricultural exports are hides and skins, pulses, oilseeds, and the traditional 'khat,' a leafy shrub that has psychotropic qualities when chewed. Sugar and gold production has also become important in recent years.

"Ethiopia's agriculture is plagued by periodic drought, soil degradation caused by inappropriate agricultural practices and overgrazing, deforestation, high population density, undeveloped water resources, and poor transport infrastructure, making it difficult and expensive to get goods to market.…gold, marble, limestone, and small amounts of tantalum are mined in Ethiopia. Other resources with potential for commercial development include large potash deposits, natural gas, iron ore, and possibly oil and geothermal energy. Although Ethiopia has good hydroelectric resources, which power most of its manufacturing sector, it is totally dependent on imports for its oil.…[and is] dependent on a few vulnerable crops for its foreign exchange earnings and reliant on imported oil, Ethiopia lacks sufficient foreign exchange earnings. The financially conservative government has taken measures to solve this problem, including stringent import controls and sharply reduced subsidies on retail gasoline prices. Nevertheless, the largely subsistence economy is incapable of meeting the budget requirements for drought relief, an ambitious development plan, and indispensable imports such as oil. The gap has largely been covered through foreign assistance inflows." **[2c]**

The World Bank Country Brief on Ethiopia (last updated April 2009) stated:

"In recent years, Ethiopia has been one of the fastest growing non-oil economies in Africa with double digit growth and continued improvement in poor households' access to basic services. But its robust growth performance and the considerable development gains from 2003 to 2007 are under threat because of the 2008 emergence of twin macroeconomic challenges of high domestic inflation and a difficult balance of payments situation. These challenges were made worse by high fuel and food prices. While these threats have moderated in recent months, substantial risks remain. The 12-month end-of-period inflation rate, after reaching a historical peak of 64% in July 2008, had fallen to 38% by January 2009. At the same time, foreign exchange reserves have risen from barely four week of imports cover in October 2008 (US$764m) to the equivalent of six weeks of imports in December 2008 (US$930m). The Government of Ethiopia has undertaken a number of actions (e.g., tightening fiscal policy and reducing government's domestic borrowing, mitigating the impact of high food prices on the poor, reducing the domestic borrowing of public enterprises, tightening money supply, and gradually depreciating the local currency) in recent months to address its macroeconomic problems." **[36]**

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HUMAN RIGHTS

GENERAL

The United States State Department 2008 Human Rights Report on Ethiopia, published on 25 February 2009, stated in its introductory section:

"Human rights abuses reported during the year [2008] included limitations on citizens' right to change their government in local and by-elections; unlawful killings, torture, beating, abuse, and mistreatment of detainees and opposition supporters by security forces, usually with impunity; poor prison conditions; arbitrary arrest and detention, particularly of suspected sympathizers or members of opposition or insurgent groups; police and judicial corruption; detention without charge and lengthy pretrial detention; infringement on citizens' privacy rights including illegal searches; use of excessive force by security services in an internal conflict and counterinsurgency operations; restrictions on freedom of the press; arrest, detention, and harassment of journalists; restrictions on freedom of assembly and association; violence and societal discrimination against women and abuse of children; female genital mutilation (FGM); exploitation of children for economic and sexual purposes; trafficking in persons; societal discrimination against persons with disabilities and religious and ethnic minorities; and government interference in union activities, including harassment of union leaders." **[2a]**

The Freedom in the World 2008 Report, covering events in 2007, published by Freedom House in July 2008, stated:

"In recent years, student strikes to protest [against] police brutality and various government policies have led to scores of deaths and injuries as well as hundreds of arrests. Student grievances include perceived government repression of the Oromo ethnic group. Many students were killed, injured, or arrested during protests against the May 2005 election results.

"Freedoms of assembly and association are limited. A number of nongovernmental organizations (NGOs) are active, but they are generally reluctant to discuss issues and advocate policies that may bring them into conflict with the government. The authorities closely regulate NGO activities…the judiciary is officially independent, although there have been few significant examples of decisions at variance with government policy. The efficacy of police, judicial, and administrative systems at the local level is highly uneven. Some progress has been made in reducing a significant backlog of court cases. Human Rights Watch in 2006 reported that the government used intimidation, arbitrary detentions, and excessive force in rural areas in the wake of the 2005 election-related protests.

"The government has tended to favor Tigrayan ethnic interests in economic and political matters. Politics within the EPRDF have been dominated by the Tigrayan People's Democratic Front. Discrimination against and repression of other groups, especially the Oromo, have been widespread." **[21a]**

The Human Rights Watch 2009 World Report, published in January 2009, stated:

“The Ethiopian government's human rights record remains poor, marked by an ever-hardening intolerance towards meaningful political dissent or independent criticism. Ethiopian military forces have continued to commit war crimes and other serious abuses with impunity in the course of counterinsurgency campaigns in Ethiopia's eastern Somali Region and in neighboring Somalia.

“Local-level elections in April 2008 provided a stark illustration of the extent to which the government has successfully crippled organized opposition of any kind - the ruling party and its affiliates won more than 99 percent of all constituencies, and the vast majority of seats were uncontested. In 2008 the government launched a direct assault on civil society by introducing legislation that would criminalize most independent human rights work and subject NGOs to pervasive interference and control.

“The limited opening of political space that preceded Ethiopia's 2005 elections has been entirely reversed. Government opponents and ordinary citizens alike face repression that discourages and punishes free expression and political activity. Ethiopian government officials regularly subject government critics or perceived opponents to harassment, arrest, and even torture, often reflexively accusing them of membership in ‘anti-peace’ or ‘anti-people’ organizations. Farmers who criticize local leaders face threats of losing vital agricultural inputs such as fertilizer or the selective enforcement of debts owed to the state. The net result is that in most of Ethiopia, and especially in the rural areas where the overwhelming majority of the population lives, there is no organized opposition to the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF).

“The local-level elections in April 2008 were for *kebele* and *wereda* administrations, which provide essential government services and humanitarian assistance, and are often the institutions used to directly implement repressive government policies. In the vast majority of constituencies there were no opposition candidates at all, and candidates aligned with the EPRDF won more than 99 percent of all available seats.

“Where opposition candidates did contest they faced abuse and improper procedural obstacles to registration. Candidates in Ethiopia's Oromia region were detained, threatened with violence by local officials, and accused of affiliation to the rebel Oromo Liberation Front (OLF). Oromia, Ethiopia's most populous region, has long suffered from heavy-handed government repression, with students, activists, or critics of rural administrations regularly accused of being OLF operatives. Such allegations often lead to arbitrary imprisonment and torture.

“Ethiopian National Defense Force (ENDF) personnel stationed in Mogadishu continued in 2008 to use mortars, artillery, and ‘Katyusha’ rockets indiscriminately in response to insurgent attacks, devastating entire neighborhoods of the city. Insurgent attacks often originate in populated areas, prompting Ethiopian bombardment of civilian homes and public spaces, sometimes wiping out entire families. Many of these attacks constitute war crimes. In July ENDF forces bombarded part of the strategic town of Beletweyne after coming under attack by insurgent forces based there, displacing as many as 75,000 people.

“2008 was also marked by the proliferation of other violations of the laws of war by ENDF personnel in Somalia. Until late 2007, Ethiopian forces were reportedly

reasonably disciplined and restrained in their day-to-day interactions with Somali civilians in Mogadishu. However, throughout 2008 ENDF forces in Mogadishu participated in widespread acts of murder, rape, assault, and looting targeting ordinary residents of the city, often alongside forces allied to the Somali Transitional Federal Government. In an April raid on a Mogadishu mosque ENDF soldiers reportedly killed 21 people; seven of the dead had their throats cut.

“ENDF forces have also increasingly fired indiscriminately on crowds of civilians when they come under attack. In August ENDF soldiers were hit by a roadside bomb near the town of Afgooye and responded by firing wildly; in the resulting bloodbath as many as 60 civilians were shot and killed, including the passengers of two crowded minibuses.

“In Ethiopia itself, the ENDF continues to wage a counterinsurgency campaign against the rebel Ogaden National Liberation Front (ONLF) in the country's restive Somali region. The scale and intensity of military operations seems to have declined from a peak in mid-2007, but arbitrary detentions, torture, and other abuses continue. Credible reports indicate that vital food aid to the drought-affected region has been diverted and misused as a weapon to starve out rebel-held areas. The military continues to severely restrict access to conflict-affected regions and the Ethiopian government has not reversed its decision to evict the International Committee of the Red Cross from the region in July 2007.

“The Ethiopian government denies all allegations of abuses by its military and refuses to facilitate independent investigations. There have been no serious efforts to investigate or ensure accountability for war crimes and crimes against humanity committed in [the] Somali Region and in neighboring Somalia in 2007 and 2008. Nor have ENDF officers or civilian officials been held accountable for crimes against humanity that ENDF forces carried out against ethnic Anuak communities during a counterinsurgency campaign in Gambella region in late 2003 and 2004.” **[6a]**

In January 2009, Human Rights Watch published a report about a new law that had come into force that restricts the activities of NGOs. The report stated that:

“On January 6, 2009, Ethiopia's parliament enacted a new law on nongovernmental organizations (NGOs) that criminalizes most human rights work in the country, Human Rights Watch said today. Human Rights Watch said that the law is a direct rebuke to governments that assist Ethiopia and that had expressed concerns about the law's restrictions on freedom of association and expression.…the Ethiopian government claims that the new law, known as the Charities and Societies Proclamation (NGO law), is mainly intended to ensure greater openness and financial probity on the part of nongovernmental organizations. But instead it places such severe restrictions on all human rights and governance-related work as to make most such work impossible, violating fundamental rights to freedom of association and expression provided for in the Ethiopian constitution and international human rights law.

“The law considers any civil society group that receives more than 10 percent of its funding from abroad - even from Ethiopian citizens living outside of the country - to be ‘foreign.’ These groups are forbidden from doing any work that touches on human

rights, governance, or a host of other issues. Because Ethiopia is one of the world's poorest countries, with few opportunities for domestic fundraising, such constraints are even more damaging than they would be elsewhere. Under the law, groups based outside the country, such as Human Rights Watch and Amnesty International, are barred from doing human rights-related work in Ethiopia.

"The law also creates a new government entity, the Charities and Societies Agency, with sweeping powers and an arsenal of onerous and byzantine requirements that will enable it to choke off independent civil society activity with red tape. The right to appeal is severely limited and is not extended to so-called 'foreign' groups at all. Human Rights Watch has produced a detailed analysis of a recent draft of this law. The enacted law is not substantially different from that draft.…Human Rights Watch said the law is especially alarming because the government already permits very little independent civil society activity or peaceful dissent. The country's preeminent human rights group, the Ethiopian Human Rights Council (EHRCO), is almost alone in producing extensive reporting inside Ethiopia on human rights abuses. In response to its reporting of government repression following Ethiopia's 2005 national elections, many of its staff were forced to leave the country or spent time in prison. Under the new law, the group will be considered a foreign human rights group because it receives most of its funding from international donors such as the National Endowment for Democracy in Washington, DC. It will either have to abandon its work or do without the funding it needs to meet its costs and pay its staff." **[6b]**

The Amnesty International 2009 World Report, published in May 2009, stated:

"Restrictions on humanitarian assistance to the Somali Region (known as the Ogaden) continued [in 2008]. The government engaged in sporadic armed conflict against the Ogaden National Liberation Front (ONLF) and both forces perpetrated human rights abuses against civilians. Ethiopian troops fighting insurgents in Somalia in support of the Transitional Federal Government (TFG) committed human rights abuses and were reported to have committed war crimes. Security forces arrested members of the Oromo ethnic group in Addis Ababa and in the Oromo Region towards the end of the year. Independent journalists continued to face harassment and arrest. A number of political prisoners were believed to remain in detention and opposition party leader Birtukan Mideksa, who was pardoned in 2007, was rearrested." **[11c]**

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PRISON CONDITIONS

The United States State Department 2008 Human Rights Report on Ethiopia stated:

"The country has three federal prisons, 117 regional prisons, and many unofficial prisons. Prison and pretrial detention center conditions remained harsh and life threatening. Severe overcrowding was a problem. In September 2007 it was reported that there were 52,000 persons in prison. Earlier in the year, prison populations decreased by 10,000 due to pardons but reportedly again increased due to increases in ethnic conflict and economic crimes. Prisoners often had less than 22 square feet of sleeping space in a room that could contain up to 200 persons, and sleeping in rotations was not uncommon in regional prisons. The daily meal budget was approximately 5 birr (50 cents) per prisoner. Many prisoners supplemented this with daily food deliveries from family members or by purchasing food from local vendors. Prison conditions were unsanitary and there was no budget for prison maintenance. Medical care was unreliable in federal prisons and almost nonexistent in regional prisons.

"In detention centers, police often physically abused detainees. Authorities generally permitted visitors but sometimes arbitrarily denied them access to detainees. In some cases, family visits to political prisoners were restricted to a few per year.

"While statistics were unavailable, there were some deaths in prison due to illness and poor health care. Prison officials were not forthcoming with reports of such deaths. Several pardoned political prisoners had serious health problems in detention but received little treatment at the time.

"Authorities sometimes incarcerated juveniles with adults if they could not be accommodated at the juvenile remand home. Men and women prisoners were largely, but not always, segregated." **[2a] (section 1c)**

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THE DEATH PENALTY

The Hands off Cain NGO, in its country status report on the death penalty, updated to 28 April 2009, stated that Ethiopia is one of the countries that retains the death penalty as a legal punishment. **[9a]**. According to the Ethiopian section of Hands off Cain "aggravated murder and crimes against the State or humanity are capital crimes." In May 2005, the Penal Code was amended to make the act of deliberately infecting a person with HIV/AIDS by rape an offence with a maximum penalty of death. According to the constitution, persons sentenced to death can appeal to a higher court and petition for presidential clemency. The last known execution took place in 2007, and before that, the last known execution took place in 1998. **[9b]**. The Amnesty International report "Death Sentences and Executions in 2008", published in March 2009, also stated that Ethiopia is one of the countries that retains the death penalty as a legal punishment. This report further stated that 39 death sentences were reported to have been passed in Ethiopia in 2008 although there were no reported executions in that year. **[11a]**

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FREEDOM OF POLITICAL ASSOCIATION AND ASSEMBLY

The United States State Department 2008 Human Rights Report on Ethiopia stated:

"The constitution and law provide for freedom of assembly; however, the government restricted this right. Organizers of large public meetings or demonstrations must notify the government 72 hours in advance and obtain a permit. The government issued permits to political parties to assemble in halls but has barred street demonstrations since 2005.

"Opposition political parties reported that during the year their supporters were targets of frequent and systematic harassment and violence by government security forces, particularly in the lead up to the local elections. Regional governments, including the Addis Ababa regional administration, are reluctant to grant permits or provide security for large meetings. For example, police refused to permit Unity for Democracy and Justice's (UDJ) general assembly to meet in a hotel in Addis Ababa, despite a letter from the NEB stating no license was needed.

"There were few attacks by police and militia against demonstrators since no public assembly permits were issued and illegal demonstrations were infrequent.

"…although the law provides for freedom of association and the right to engage in unrestricted peaceful political activity, the government in practice limited this right. Opposition parties reported receiving no government subsidies for their political activities despite laws providing for them. The MOJ technically registers and licenses NGOs, but the Ministry of Foreign Affairs (MFA) screens applications for international NGOs and submits a recommendation to the MOJ whether to approve or deny registration. The MFA recommended that some international NGOs' registration be denied absent a deposit of two million birr ($195,000), effectively preventing them from registering.

"As provided by law, the government required political parties to register with the NEB, which continued to limit political activity by the CUDP. For example, on January 3 [2008], the NEB awarded the CUDP name to a renegade member and the CUDP party symbol to another breakaway group, the United Ethiopian Democratic Party (UEDP)-Medhin, forcing the bulk of the CUDP's leaders to establish new parties.

"During the year the UEDF, UDJ, OFDM, and Oromo People's Congress (OPC) reported arrests of members and the forced closure of political party offices throughout the country and intimidation of landlords to force them to evict the political groups."
[2a] (section 2b)

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FREEDOM OF SPEECH AND THE MEDIA

The United States State Department 2008 Human Rights Report on Ethiopia stated:

“While the constitution and law provide for freedom of speech and press, the government did not respect these rights in practice. The government continued to arrest, harass, and prosecute journalists, publishers, and editors. The government continued to control all broadcast media except three private FM radio stations. Private sector and government journalists routinely practiced self-censorship.

“Government-controlled media mostly reflected the views of the government and the ruling EPRDF coalition. However, live radio and television broadcasts at times included televised parliamentary debates and broadcast the views of opposition parliamentarians, as did government newspapers.

“Although some new, small-circulation newspapers were published during the year, the number of private newspapers remained low. Approximately 20 private Amharic-language and English-language newspapers with political and business focuses were published, with a combined weekly circulation of more than 150,000.

“The government operated the sole television station and tightly controlled news broadcasts. The broadcasting law prohibits political and religious organizations or foreigners from owning broadcast stations.

“Foreign journalists and local stringers working for foreign publications at times published articles critical of the government but were subjected to government pressure to self-censor. During the year some reporters for foreign media were subjected to intimidation and harassment or threatened with expulsion from the country for publishing articles critical of the government.

“During the year [2008] the government convicted and sentenced journalists for articles and reports in their publications. Journalists were intimidated, harassed, arrested, and detained on charges of defamation, threatening public order, and contempt of court… on July 1 [2008], the parliament passed The Mass Media and Freedom of Information Proclamation, published in the official Negarit Gazette on December 4. The law prohibits pretrial detention of journalists and censorship of private media, and it recognizes the right of journalists to form professional associations. However, the law allows only incorporated companies to publish print media; requires all previously licensed press to reregister; bars foreign and crossmedia ownership; grants the government unlimited rights to prosecute the media; criminalizes defamation of public officials and increases defamation fines to 100,000 birr ($9,751); establishes "national security" as grounds for impounding materials prior to publication; provides government information officials exclusive discretion to withhold "sensitive" information without judicial review; and maintains the MOI's absolute authority to regulate the media.

”The Ministry of Information was dissolved on October 30 [2008]. Media reported that the government planned to replace the ministry with a new communications office that would be directly accountable to the prime minister. Although reports indicated the new entity would not be responsible for press licensing, that responsibility had not been reassigned by year's end.

“Regional governments censored the media during the year by prohibiting NGOs and health centers from providing information to, or allowing photography by, foreigners or journalists about malnutrition caused by the mid-year drought.

“The government indirectly censored the media by controlling licensing. In the first week of January, the Ministry of Information denied press licenses to Eskinder Nega, Serkalem Fasil, and Sisay Agena, the former editors of banned private newspapers Menelik, Asqual, Satenaw, Ethop, and Abay, who had been detained for 17 months after the 2005 elections and were pardoned and released in April 2007.

“On July 2 [2008], the same three publishers were fined a combined amount of 300,000 birr ($29,252) in connection with their papers' coverage of the 2005 elections. The court ordered them to appear before the First Criminal Bench of the Federal High Court in December if they failed to pay. They appeared in court on December 24 and delivered a written petition citing pardon law 395/2004, article 231/2, which stipulates that pardons granted to persons automatically pertain to monetary penalties against them. The court adjourned and is scheduled to reconvene in January 2009.

“During the year the government granted licenses to Dawit Kebede and Wosonseged Gebrekidan, two other journalists detained after the 2005 elections and released in August 2007, for two new Amharic-language weeklies, Awramba Times and Harambe.

“The government owned the only newspaper printing press.” **[2a] (section 2a)**

The Human Rights Watch 2009 World Report stated:

“A new media law passed in July [2008] promises to reform some of the most repressive aspects of the previous legal framework. Most notably, the law eliminates the practice of pretrial detention for journalists-although in August, the prominent editor of the Addis Ababa-based *Reporter* newspaper was imprisoned without charge for several days in connection with a story printed in the paper. In spite of its positive aspects, the law remains flawed - it grants the government significant leeway to restrain free speech, including by summarily impounding publications on grounds of national security or public order. The law also retains criminal penalties including prison terms for journalists found guilty of libel or defamation.

“In March 2008 civil society activists Daniel Bekele and Netsanet Demissie were released from more than two years of incarceration, but only after the Ethiopian Federal High Court convicted them of "incitement" related to the 2005 elections.” **[6a]**

The Committee to Protect Journalists “Attacks on the Press 2008” report, published in February 2009, stated:

“The small vanguard of independent media that emerged from a brutal 2005 crackdown struggled in the face of continuing government harassment. Although authorities issued licenses allowing a handful of independent political newspapers to operate, they continued to use imprisonment, threats, and legal and administrative restrictions to suppress coverage of sensitive issues.

"…for much of the year [2008], commercial licenses were subject to the approval of the Ministry of Information, which wielded its authority arbitrarily. In an unexpected move in late October, Prime Minister Meles Zenawi announced the dissolution of the Ministry of Information. It was not immediately clear what structure would replace the ministry.

"In April [2008], the country held local council and parliamentary balloting - the first since the disputed 2005 elections that led to widespread protests and violence. Ethiopia's splintering opposition boycotted the April elections to protest alleged intimidation, and the ruling Ethiopian Peoples' Revolutionary Democratic Front, in power since 1991, swept seats across the board.

"Political coverage proved risky, particularly when it involved the exile-based Ginbot 7 movement. Named for the date in the Ethiopian calendar on which the tumultuous 2005 election took place, the movement, headed by opposition figure Berhanu Nega, calls for 'all kinds and means of struggle' to challenge the government.

"In August [2008], when Awramba Times reported Ginbot 7's launch of a radio program broadcasting into Ethiopia via satellite and the Internet, the paper received phone warnings from police officials to stop any coverage of 'anticonstitutional organizations.'

"The same month, publisher Kebede was questioned by police over a series of political stories in five separate issues of Awramba Times, including an editorial challenging the government's assertion of high voter turnout in April's general elections, and a column by the Ginbot 7 leader that compared Zenawi to Zimbabwean President Robert Mugabe. Harambe publisher Gebrekidan was also questioned over similar stories.

"Authorities escalated their crackdown on Awramba Times in November by suddenly activating an old case after the newspaper published the transcript of a radio interview of Ginbot 7 leader Nega discussing the U.S. presidential election and democracy in Ethiopia. A public prosecutor charged owner and Editor Dawit Kebede and Deputy Editor Wonderad Debretsion with 'inciting the public through false rumors' in connection with a March interview with opposition leader Yacob Hailemariam. Local journalists interpreted the timing of the charge as retaliation for publication of the Nega interview.

"…critical coverage of influential business interests also posed dangers. Journalists with the English- and Amharic-language weekly Reporter, including Managing Editor Amare Aregawi, received anonymous threats over a series of investigative reports alleging that people close to billionaire Sheik Mohammed Hussein al-Amoudi had mismanaged his investments, according to local journalists. On October 31, three men attacked Aregawi as he was walking near his office, bashing his head with a stone and leaving him unconscious, witnesses told CPJ. Three men were arrested, and their cases were pending in late year.

"Aregawi, one of the country's best-known journalists, also endured six days of imprisonment without charge in August in connection with a story about a labor dispute at a government-run brewery in the northern city of Gonder. His reporter, Teshome Niku, the author of the story, was briefly detained in June. Neither was formally charged.

"…the foreign press corps continued to operate under a strictly enforced regimen of renewable one-year residency and accreditation permits - a government tactic that discouraged critical reporting. An insurgent conflict in the Ogaden region, human rights violations, and the ongoing food crisis were among the stories that received little

attention among the resident foreign press. Reacting to Aregawi's arrest, a foreign journalist who asked to remain anonymous for fear of government reprisals wrote in an e-mail to CPJ, 'I wish I could do something without risking expulsion.'

"The government actively targeted foreign-based media outlets. Beginning in January [2008], CPJ received reports that the broadcast signals of the U.S. government-funded Voice of America (VOA) and the German public Deutsche Welle were being jammed. Reacting to the reports, an Ethiopian Information Ministry spokesman, Zemedkun Tekle, told VOA that the allegations were 'utterly baseless.' " **[8]**

The Amnesty International 2009 World Report, published on 28 May 2009, stated:

"Independent journalists continued to face harassment and arrest.

"At least 13 newspapers shut down by the government in 2005 were still closed. Independent journalists were reportedly denied licences to operate, although others did receive licences. Serkalem Fasil, Eskinder Nega and Sisay Agena, former publishers of Ethiopia's largest circulation independent newspapers, who had been detained with CUD members, were denied licences to open two new newspapers.

"In February [2008] the Supreme Court upheld a decision to dissolve the Ethiopian Teachers Association (ETA) and hand over its assets to a rival union formed by the government, also known as the Ethiopian Teachers Association. This action followed years of harassment and detention of union members. In December the union, under its new name, the National Teachers' Association, had its application for registration as a professional organization rejected.

"On World Press Freedom Day (3 May) Alemayehu Mahtemework, publisher of the monthly Enku, was detained and 10,000 copies of his publication impounded. He was released after five days without charge and copies of the magazine were later returned to him.

"In November [2008] a Federal High Court judge convicted editor-in-chief of the weekly Enbilta, Tsion Girma, of 'inciting the public through false rumours' after a reporting mistake. She reportedly paid a fine and was released." **[11c]**

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FREEDOM OF RELIGION

The United States State Department 2008 International Religious Freedom Report on Ethiopia, published on 19 September 2008, stated:

"The country has an area of 472,000 square miles, and a population of 77 million. An estimated 40 to 45 percent of the population belongs to the Ethiopian Orthodox Church (EOC), which is predominant in the northern regions of Tigray and Amhara.

"Approximately 45 percent of the population is Sunni Muslim, of which the overwhelming majority is Sufi. Islam is most prevalent in the eastern Somali and Afar regions, as well as in many parts of Oromiya.

"Christian evangelical and Pentecostal groups constitute an estimated 10 percent of the population. Established Protestant churches such as Mekane Yesus and the Kale Hiwot are strongest in the Southern Nations, Nationalities, and Peoples' Regional State (SNNPR); western and central Oromiya; and in urban areas. In Gambella region, Mekane Yesus followers represent 60 percent of the population. The Evangelical Church Fellowship claims 23 denominations under its religious umbrella throughout the country.

"There are small numbers of Oriental Rite and Latin Rite Roman Catholics, Jehovah's Witnesses, Jews, animists, and practitioners of traditional indigenous religions.

"The country has a small Falash Mura community. Falash Mura are being processed for immigration to Israel, and the number remaining is dwindling rapidly. The Israeli Government is expected to finalize immigration of the remaining Falash Mura in 2008.

"…the Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors.

"The Constitution requires the separation of state and religion; the Government generally respected this provision in practice.

"The Government requires registration of religious groups. Religious institutions and churches, like NGOs, must renew their registration with the Ministry of Justice every three years. The Ethiopian Human Rights Council (EHRCO) stated that this registration requirement reflects a lack of progress or improvement in the Government's treatment of 'newer religions,' specifically Protestant churches. Mekane Yesus, the Evangelical Fellowship, and the Catholic Church asserted that churches should be placed in a different status than NGOs. A different status would spare religious groups the rigorous scrutiny that the Government places on NGOs, and facilitate registration, importation of religious materials tax-free, ease in obtaining visas for religious workers, etc.

"Under the law, any religious organization that undertakes development activities must register its development wing separately as an NGO with the Ministry of Justice. To register, each religious organization must complete an application form and submit a copy of its bylaws, curriculum vitae of the organization's leader, and a copy of the leader's identity card. A group's failure to register results in denial of legal standing, which prevents it from opening a bank account or fully participating in any court proceeding.

"The Government officially recognizes both Christian and Muslim holidays and continues to mandate a 2-hour lunch break on Fridays to allow Muslims to go to a mosque for prayers. Official holidays include Christmas, Epiphany, Good Friday, Easter, Meskel, Eid al-Adha, the Birth of the Prophet Muhammad, and Eid al-Fitr.

"…under the press law, it is a crime to incite one religion against another. The press law also allows defamation claims involving religious leaders to be prosecuted as criminal cases. The EHRCO reported that no journalists were detained or charged during the reporting period with inciting religious groups or with defamation of religious leaders.

"Religious groups, like private individuals or businesses, must apply to regional and local governments for land allocation. Religious groups are given use of government land for churches, schools, hospitals, and cemeteries free of charge; however, religious schools and hospitals, regardless of length of operation, are subject to government closure and land forfeiture at any time. An interfaith effort to promote revision of the law for religious organizations to obtain duty-free status continued.

"The Government interprets the constitutional provision for separation of religion and state to mean that religious instruction is not permitted in schools, whether public or private. Schools owned and operated by Catholic, Orthodox, evangelical, and Muslim groups were not allowed to teach religion as a course of study. The Government Education Bureau complained that the morals courses most private schools teach as part of their curriculum are not free of religious influence. Churches are permitted to have Sunday schools, the Qur'an is taught at mosques, and public schools permit the formation of clubs, including those of a religious nature.

"The Government generally respected religious freedom in practice; however, on occasion local authorities infringed on this right. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. However, two local administrators were implicated for incitement in a religious clash between Christians and Muslims in the county.

"The Government banned the formation of political parties based on religion. There were no religious political parties in the country." **[2d]**

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

The United States State Department 2008 Human Rights Report on Ethiopia stated:

"Homosexuality is illegal and punishable by imprisonment. Instances of homosexual activity involving coercion or involving a minor (age 13 to 16) are punishable by three months' to five years' imprisonment. Where children under 13 years of age are involved, the law provides for imprisonment of five to 25 years. While society did not widely accept homosexuality, there were no reports of violence against lesbian, gay,

bisexual, and transgender individuals; however, the lack of reporting may be due to fears of retribution, discrimination, or stigmatization.

"The AIDS Resource Center in Addis Ababa reported that the majority of self-identified gay and lesbian callers -75 percent of whom were male - requested assistance in changing their behavior to avoid discrimination. Many gay men reported anxiety, confusion, identity crises, depression, self-ostracizing, religious conflict, and suicide attempts.

"In December [2008] nearly a dozen religious figures adopted a resolution against homosexuality, urging lawmakers to endorse a ban on homosexual activity in the constitution. The group also encouraged the government to place strict controls on the distribution of pornographic materials." **[2a] (section 5)**

Information contained in the International Lesbian and Gay Association (ILGA) State-sponsored Homophobia: A world survey of laws prohibiting same sex activity between consenting adults report, published in May 2009, also reported that same-sex physical relations are illegal. The ILGA report stated that Article 629 of the Criminal Code of Ethiopia states that homosexual acts are illegal and punishable by imprisonment. **[17]**

A Behind the Mask (African gay rights NGO) report, dated 27 January 2009, stated:

"Ethiopian religious leaders have called on the country's government to amend the constitution and ban homosexuality, a law which was never mentioned in the constitution of that country before.

"In a meeting held in December 2008 in Addis Ababa, where heads of various congregations including the Roman Catholic, Ethiopian Orthodox and Protestant churches met, a resolution was made that seeks to end homosexuality which was branded as 'the pinnacle of immorality.'

"According [to] Sonic Casuist of ETHIOGLBTI, a gay rights group in Ethiopia, homosexuality is still perceived as taboo and nonexistent in that country and many homosexuals are still in the closet.

"…Abune Paolos of Ethopia's Orthodox Church, the second most influential church in Ethiopia with 40 percent of the population being its devoted followers, told reporters that homosexuals are 'stupid' and should not be tolerated.

"…while homosexuality is illegal under the country's penal code it is not mentioned in the constitution.

" 'The Ethiopian constitution bans any discrimination based on gender or any other reasons. However the penal code states that homosexuality is illegal', Casuist pointed out.
"She further highlighted that even though homosexuality is illegal in the country the lesbian, gay, bisexual, transgender and intersex (LGBTI) community congregates at secluded places.

" 'For those of us who live here we make and build our communities. We get together and we have places to go in the evenings however nothing is out in the open, it's a hidden community', Casuist said.

"ETHIOGLBTI is a group that aims to increase public awareness and understanding of LGBTI issues in Ethiopia." **[33]**

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WOMEN

The United States State Department 2008 Human Rights Report on Ethiopia stated:

"The constitution (Article 35) provides women the same rights and protections as men. Harmful Traditional Practices (HTPs) such as female genital cutting, abduction, and rape have been explicitly criminalized. Enforcement of these laws lags. To address this, the government established a National Commission for Children's and Women's

Affairs in 2005, as part of the EHRC, to investigate alleged human rights violations against women and children.

“Women and girls experience gender-based violence daily, but it is underreported due to shame, fear, or a victim's ignorance of legal protections. The National Committee for Traditional Practices in Ethiopia identified 120 HTPs. The 2005 Ethiopian Demographic and Health Survey found that more than 74 percent of women and girls were subjected to FGM, although this was declining. In the context of gender-based violence, significant gender gaps in the justice system remained due to poor documentation, inadequate investigation, and lack of special handling of cases involving women and children.

“The law criminalizes rape, calling for five to 20 years of imprisonment depending on the severity of the case. The law does not include spousal rape. The government did not fully enforce the law, partially due to widespread underreporting. The Addis Ababa 2006 annual police report listed 736 rape cases out of an estimated population of five million persons. Statistics on the number of abusers prosecuted, convicted, or punished were not available at year's end.

“Domestic violence, including spousal abuse, was a pervasive social problem. The 2005 Health Survey found that 81 percent of women believed a husband had a right to beat his wife. A 2005 World Health Organization (WHO) study found that in two rural districts, Meskan and Mareko, 71 percent of women were subject to physical or sexual violence, or both, by an intimate partner during their lifetime. While women had recourse to the police and the courts, societal norms and limited infrastructure prevented many women from seeking legal redress, particularly in rural areas. The government prosecuted offenders on a limited scale.

“Limited access to family planning services, high fertility, low reproductive health and emergency obstetric services, and poor nutritional status and infections all contributed to high maternal mortality ratio (673/100,000 mothers), according to the 2005 Health Survey. Maternal health care services did not reach the majority of women; skilled birth attendants aided only 10 percent of births. The national average for antenatal care (ANC) is 28 percent.

“…sexual harassment was widespread. The penal code prescribes 18 to 24 months' imprisonment; however, harassment-related laws were not enforced.

“…discrimination against women was most acute in rural areas, where 85 percent of the population was located. The law contains discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children over five years old. Authorities did not consider domestic violence a serious justification for granting a divorce. There was limited legal recognition of common law marriage. Irrespective of the number of years the marriage existed, the number of children raised, and joint property, the law entitled women to only three months' financial support if a common law relationship ended. A husband had no obligation to provide financial assistance to his family and, as a result, women and children

sometimes faced abandonment. Even with recent stronger formal laws, most rural residents continued to apply customary law in economic and social relationships.

"All land belongs to the government. Although women could obtain government leases to land, and the government had an explicit policy to provide equal access for women to land, rural communities rarely enforced this policy. In nearly all regions women did not have access to land, except through marriage. The law states that any property owned before marriage belongs to the spouse that previously owned it, while any property gained during marriage belongs to the husband upon divorce. In practice, when a husband died, other family members often took the land from his widow. In pastoralist areas where poverty is higher, women do not own property without a male guardian, which increases their marginalization and vulnerability. A widow must marry her brother-in-law or have an adult son in order to keep her deceased husband's land.

"In urban areas, women had fewer employment opportunities than men, and the jobs available did not provide equal pay for equal work. Women's access to gainful employment, credit, and owning and/or managing a business was limited by their low level of education and training, traditional attitudes, and limited access to information." **[2a] (section 5)**

According to womenkind.org (undated):

"With one of the highest maternal mortality rates in the world and the worst rates of school enrolment for girls of any country in Africa, it is Ethiopia's women who suffer disproportionately. Poverty, illiteracy and lack of access to basic health care combine with strongly patriarchal social attitudes which maintain women's low social status and perpetuate Traditional Harmful Practices such as Female Genital Mutilation and early marriage.

"Over 70% of the country's children between the ages of 8-15 are working. Of these, the majority are young girls who are significantly discriminated against in their access to even basic levels of education. The result for Ethiopia's women is a literacy rate of 35% compared to over 50% for men. Lack of education condemns many Ethiopian women to a lifetime of poverty and exclusion. While recent Sustainable Development Poverty Reduction Plans demand a greater economic contribution from Ethiopia's women, World Bank statistics show that only 40% of women work in the formal employment sector. Of these, almost none are in positions of responsibility or decision-making.

"In addition to the wide disparities in education and employment opportunities for Ethiopian women, they also face serious and substantial risks to their sexual and reproductive health. And with one of the highest rates of HIV and AIDS on the Continent (18 per cent of the urban population is HIV-positive), the country's Health Sector Development Programme has – so far – had very little impact on women's lives. Access to even basic health care is limited, while support and resources for maternal and child health remain inadequate.

"An inadequacy poignantly reflected in the country's shockingly high maternal mortality rates. And despite the Government's 2004 ban on the practice of any form of female

circumcision, FGM is widespread throughout the country. Mainly performed by traditional birth attendants, over 85% of Ethiopian women have undergone Female Genital Mutilation. For the practitioners, it means payment and social status for their role. For the women who are subjected to the practice, it means a lifetime of painful menstruation, incontinence, and complications with pregnancy and childbirth. A legacy of damage to women's physical, mental, emotional and psycho-sexual health and well being.

"Ethiopia's women face further violence and discrimination in the form of early, forced or marriage by abduction. Some 72% of the country's women are married by abduction – a practice which often involves rape by the abductor – while the figures are 92% in the country's Southern Nations region.

"According to the Ethiopian Demographic and Health Survey, 85 per cent of women believe their husbands have the right to beat them if they burn food, refuse sex, or go somewhere without their husband's consent." **[5]**

The Freedom in the World 2008 Report stated:

"The government recently established a women's affairs ministry, and Parliament has passed legislation designed to protect women's rights in a number of areas. In practice, however, women's rights are routinely violated. Women have traditionally had few land or property rights, especially in rural areas, where there is little opportunity for female employment beyond agricultural labor. Violence against women and social discrimination are reportedly common. Societal norms and limited infrastructure prevent many women from seeking legal redress for their grievances. While illegal, the kidnapping of women and girls for marriage continues in parts of the country. General deficiencies in education exacerbate the problems of rural poverty and gender inequality." **[21a]**

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FEMALE GENITAL MUTILATION (FGM)

The United States State Department 2008 Human Rights Report on Ethiopia stated:

"The majority of girls and women in the country had undergone some form of FGM. Girls typically experienced clitorectomies [sic: clitoridectomies] seven days after birth (consisting of an excision of the clitoris, often with partial labial excision) and faced infibulations (the most extreme and dangerous form of FGM) at the onset of puberty. The 2005 Health Survey reported that the practice of FGM among all women had decreased from 80 to 74 percent, while support for the practice among women had dropped from 60 to 29 percent. Additionally, a February study funded by Save the

Children Norway reported a 24 percent national reduction in FGM cases over the past 10 years due in part to a strong anti-FGM campaign. The penal code criminalizes practitioners of clitorectomy [sic: clitoridectomy] by imprisonment of at least three months or a fine of at least 500 birr ($49). Likewise, infibulation of the genitals is punishable with imprisonment of five to 10 years. No criminal prosecutions have ever been brought for FGM. The government discouraged the practice of FGM through education in public schools and broader mass media campaigns." **[2a] (section 5)**

A report about FGM in Ethiopia, published by the Deutsche Gesellschaft für Technische Zusammenarbeit in November 2007, stated:

"The Demographic and Health Survey 2005 (DHS) indicates that 74 % of girls and women nationwide have been subjected to female genital mutilation. The practice is almost universal in the regions of Somali, Affar and Dire Dawa, in Oromo and Harari more than 80% of girls and women are affected. FGM is least prevalent in the regions of Tigray and Gambela, where 29% and 27% respectively of girls and women are affected. Some ethnic groups in the south of the country do not practice FGM at all. Support for the practice has declined since 2000: 38% of mothers of girls have had at least one daughter excised today, as compared to 52% in 2000. Women from urban backgrounds with a higher level of education are most willing to abandon the practice.

"Half of all women subjected to FGM in Ethiopia have their clitoral hood cut. In the remaining cases, the clitoris and/or the labia minora are cut. Infibulation is limited to five ethnic groups but appears to be losing ground to less severe types of FGM. Nationwide, 6% of women affected by FGM have undergone infibulation. This form of excision is particularly widespread among the Somali, (with more than 80% of women suffering this form of FGM) and the Affar (more than 60%). The age at which FGM is practised varies from region to region. In Amhara and Tigray girls undergo excision before their first birthday, whereas the Somali, Affar and Oromia wait until girls are aged between seven and nine. Some ethnic groups wait until shortly before girls are married, between the ages of 15 and 17.

"The practice of FGM is justified to exercise control over women's alleged uncontrolled sexuality and emotional nature. There are also said to be hygienic and aesthetic reasons and the need to comply with tradition and supposed religious requirements. More and more religious leaders, however, are now rejecting the practice. FGM is retained primarily because of the fear that girls and their families will be marginalised if they refuse to comply with the social norm.

"The cutting is usually carried out by traditional female excisors in private under unhygienic conditions and without pain relief. Rarely do trained health professionals undertake the procedure. We repudiate this so-called 'medicalisation' of FGM in line with the position adopted by the World Health Organisation (WHO). A medical procedure does not preclude health problems and continues to represent a violation of women's and girls' human rights. Popular awareness of the physical, psychological and human rights consequences of the practice is low, particularly in those areas with the highest incidence of FGM…in 2004, the Ethiopian Government enacted a law against FGM, although no prosecutions have yet been brought under this law.

"The National Committee (NCTPE) was established in 1987 to help overcome traditional practices harmful to women's and children's health, while promoting those

with a positive effect on society. It provides information on the dangers posed by harmful practices, and makes religious and traditional leaders aware of the need to eradicate FGM. Work focuses on media and poster campaigns as well as education and sensitisation measures for young people and multipliers, who work in schools, at health centres and within the communities. The NCTPE is a member of the Inter-African Committee (IAC) on Traditional Practices Affecting the Health of Women and Children…several non-governmental organisations (NGOs) are working in Ethiopia to eliminate FGM, using a variety of approaches. Some of them are supported by GTZ. The NGO HUNDEE helps women and girls in particular. It takes a grassroots approach based on the situation on the ground. Within the framework of municipal development programmes, HUNDEE has been working since 1998 to promote gender equality and empower women, also affording them protection from harmful traditional practices.

“Kembatta Women’s Self-Help Center – Ethopia (KMG, Kembatta Menti Gezzima) is working to overcome FGM at local level, involving communities and very young girls who are at risk. Within the scope of municipal development and school-based programmes, the organisation has achieved initial encouraging successes in changing the attitudes of community members.

“In Amhara Region, the Youth and Culture Office of the Amhara Region is endeavouring, in conjunction with other agencies, to make more effective use of the media to overcome FGM. The project goes further than merely disseminating information on FGM and involves local communities in the media strategy in an interactive way, because personal communication at community level boosts the effectiveness of measures. Thus not only were local radio stations, journalists and printed media encouraged to report regularly on FGM. Plays, concerts, dance events and puppet shows were developed together with actors. These IEC (information, education, communication) materials are used to provide information about FGM and other harmful traditional practices, as well as about HIV/AIDS. Young people are the main target group. The population is called on to become involved, especially the younger members of the community, for instance through art and literature competitions.” **[30]**

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CHILDREN

The United States State Department 2008 Human Rights Report on Ethiopia stated:

”The constitution (Article 36) provides a comprehensive list of rights for children. The government supported efforts by domestic and international NGOs that focused on children's social, health, and legal issues, despite its limited ability to provide improved health care, basic education, or child protection.

“As a policy, primary education was universal and tuition-free, but not compulsory; however, there were not enough schools to accommodate the country's youth, particularly in rural areas, and the cost of school supplies was prohibitive for many

families. In 2005, primary school attendance rates were 81.7 percent for male children and 73.2 percent for female children; in Addis Ababa, girls' attendance was significantly higher. Government reports indicated that 20.6 percent of the children who attended school left the system before they reached the second grade, and only 41.7 percent who began first grade completed eighth grade.

“Child abuse was widespread. Members of an NGO staffed 10 child protection units in Addis Ababa's police stations to protect the rights of juvenile delinquents and juvenile victims of crime. Some police officers received training during the year on procedures for handling cases of child abuse.

“Societal abuse of young girls continued to be a problem. HTPs included FGM, early marriage, marriage by abduction, and food and work prohibitions…although illegal, the abduction of women and girls as a form of marriage continued to be widespread in several regions, including the Amhara, Oromiya, and SNNP regions, despite the government's attempts to combat the practice. Forced sexual relationships accompanied most marriages by abduction, and women often experienced physical abuse during the abduction. Abductions led to conflicts among families, communities, and ethnic groups. In cases of marriage by abduction, the perpetrator did not face punishment if the victim agreed to marry the perpetrator. Authorities often commuted the sentence of the convicted perpetor [sic: perpetrator] if the victim married the perpetrator.

“Child marriage was also a problem, particularly in the Amhara and Tigray regions, where girls were routinely married as early as age seven, despite the legal minimum age of 18 for marriage. There were some signs of growing public awareness in communities of the problem of abuse of women and girls, including early marriage. The UN Children's Fund (UNICEF) estimated there were between 150,000 and 200,000 street children nationally, with a further one million vulnerable or at risk of ending up on the streets. UNICEF stated the problem was exacerbated because of families' inability to support children due to parental illness and decreased household income. These children begged, sometimes as part of a gang, or worked in the informal sector. Government- and privately run orphanages were unable to handle the number of street children, and older children often abused younger ones. Due to severe resource constraints, hospitals and orphanages often overlooked or neglected abandoned infants. ‘Handlers’ sometimes maimed or blinded children to raise their earnings from begging.” **[2a] (section 5)**

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TRAFFICKING

The United States State Dept 2008 Human Rights Report on Ethiopia stated:

“The law prohibits trafficking in persons; however, there were reports that persons were trafficked from and within the country. The law prescribes five to 20 years imprisonment for such crimes. The Ministry of Labor and Social Affairs (MOLSA), in collaboration with the police, is responsible for monitoring trafficking in persons, while the MOJ [Ministry of Justice] is responsible for enforcing laws related to trafficking…the country is a source country for men, women, and children trafficked primarily for the purpose of forced labor and, to a lesser extent, for commercial sexual exploitation. High unemployment, extreme poverty, and the chance at better opportunities abroad drive

migration. Local NGOs estimated 30,000 to 35,000 persons were trafficked internationally between March 2007 and March 2008. More females than males were trafficked. Young women, particularly those ages 16-30, were the most commonly trafficked group, while a small number of children were also reportedly trafficked internationally.

“Rural children and adults are trafficked to urban areas for domestic servitude and, less frequently, commercial sexual exploitation and other forced labor, such as street vending, begging, traditional weaving, or agriculture; situations of debt bondage were reported. Women are trafficked transnationally for domestic servitude, primarily to Lebanon, Saudi Arabia, and the United Arab Emirates, but also to Bahrain, Djibouti, Kuwait, Sudan, Syria, and Yemen. Some of these women are trafficked into the sex trade after arriving at their destinations, while others have been trafficked onward from Lebanon to Turkey, Italy, and Greece. Small numbers of men are trafficked to Saudi Arabia and the Gulf States for low-skilled forced labor.

“Addis Ababa's police Child Protection Unit (CPU) reported that traffic broker networks grew increasingly sophisticated and collaborative. Traffickers now approached vulnerable individuals at bus terminals seven to nine miles outside of Addis Ababa to avoid police presence. Traffickers sometimes used agents and brokers to lure victims with jobs, food, guidance, or shelter. Crosscountry bus and truck drivers are involved in trafficking of children, while brokers, pimps, and brothel owners finalize the deal at the receiving end.

“Local brokers operate and recruit at the community level, and many knew the victim or victim's family. To avoid police detection and identification, local brokers did not advertise, often worked from rented houses, cafes, or hotel rooms, and changed places often. Some brokers used commission-based facilitators who were trusted by a potential victim's family to recruit victims.

”The government helped address trafficking through awareness raising about risks of seeking employment overseas. It employed two predeparture counselors to brief persons intending to work overseas, worked with NGOs and the International Organization for Migration (IOM) to monitor immigration and emigration patterns for evidence of trafficking, and supervised and trained international labor migration firms.

“The government and its embassies and consulates provided little assistance to victims of trafficking: limited legal advice, infrequent temporary shelter, and no repatriation loans. Returning victims relied on psychological services provided by public health institutions and NGOs.

“The government accords no special protections, restitution, and has very limited shelter provisions or other special services benefits for victim returnees. In 2007 there were anecdotal reports of returned trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing prostitution or immigration.” **[2a] (section 5)**

The United States State Department 2009 Trafficking in Persons Report, published in June 2009, stated:

“The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the Ethiopian government’s ongoing efforts to provide pre-departure orientation to Ethiopian migrant workers and partner with a local NGO to detect cases of child

trafficking within the country are notable, its limited capacity to prosecute these crimes is a continued cause for concern. Police investigators remain unable to properly distinguish trafficking cases from those of other crimes or to conduct solid, well-documented investigations, and the judicial system routinely fails to appropriately track the status of trafficking cases moving through the courts.

"…while the government sustained its efforts to prosecute and punish international trafficking offenders and initiated investigations of internal child trafficking during the reporting period, prosecution of internal trafficking cases remained nonexistent. In addition, law enforcement entities continued to exhibit an inability to distinguish human trafficking from smuggling, rape, abduction, and unfair labor practices. Articles 596 through 600 and 635 of Ethiopia's Penal Code prohibit all forms of trafficking for labor and sexual exploitation.

"…although the government lacks the resources to provide direct assistance to trafficking victims or to fund NGOs that provide victim care, police employ victim identification and referral procedures in the capital, regularly referring identified internal trafficking victims to NGOs for care. During the year, the Child Protection Units (CPUs) – joint police-NGO identification and referral units operating in each Addis Ababa police station – rescued and referred children to the CPU in the central bus terminal, which is dedicated exclusively to identifying and obtaining care for trafficked children. In 2008, this unit identified 899 trafficked children, 75 percent of whom were girls. It referred 93 trafficked children to NGO shelters for care and family tracing and reunified 720 children with parents or relatives in Addis Ababa and in outlying regions. Local police and officials in the regional administrations assisted in the return of the children to their home areas. The Addis Ababa city government's Social and Civil Affairs Department reunified an additional 46 children with their families in the capital and placed 40 children in foster care in 2008. During the year, police in Dessie Town, Amhara region replicated the CPU's social programs without international assistance. In July 2008, the government assisted IOM with the repatriation of Ethiopian trafficking victims from Dar es Salaam to their home regions. Ethiopian missions in Jeddah, Riyadh, and Beirut have offices that provide general services to the local Ethiopian community, including limited referrals for labor-related assistance. The Ethiopian government showed no sign of engaging the governments of these destination countries in an effort to improve protections for Ethiopian workers and obtain protective services for those who are trafficked. The government made no effort to interview returned victims about their experiences in the Middle East. Returned women rely heavily on the few NGOs that work with adult victims and psychological services provided by the government's Emmanuel Mental Health Hospital. In 2008, there were no reports of trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing immigration.
"…Ethiopia's efforts to prevent international trafficking increased, while measures to heighten awareness of internal trafficking remained limited…during the reporting period, the Ministry of Labor and Social Affairs (MOLSA), employing two full-time counselors, provided 18,259 migrating workers with three-hour pre-departure orientation sessions on the risks of labor migration and the conditions in receiving countries…in January 2008, the Ministry of Foreign Affairs established a Women's and Children's Trafficking Controlling Department to collect data from Ethiopian diplomatic missions, NGOs, and police sub-stations on the status of migrant workers. Though this office has not yet issued its first report, in December it hosted an inter-ministerial discussion on child trafficking and labor abuse for mid-level government officials from the Ministries of Labor, Justice, and Women and Children's Affairs…Ethiopia has not ratified the 2000 UN TIP Protocol." **[2b]**

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FREEDOM OF MOVEMENT

The United States State Dept 2008 Human Rights Report on Ethiopia stated:

"Although the law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, the government restricted some of these rights in practice.

"Throughout the year [2008] the government severely restricted the movement of persons into and within the Ogaden areas of Somali Region, arguing that the counterinsurgency operation against the ONLF posed a security threat.

"The law prohibits forced exile; and the government did not employ it. A steadily increasing number of citizens sought political asylum or remained abroad in self-imposed exile, including more than 55 journalists.

"During the year [2008] the ICRC repatriated 1,023 citizens from Eritrea and repatriated 27 Eritreans. Most Eritreans and Ethiopians of Eritrean origin registered with the government and received identity cards and six-month renewable residence permits that allowed them to gain access to hospitals and other public services." **[2a] (section 2d)**

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