



56th Ordinary Session of the Africa Commission on Human and Peoples' Rights
Delivered by Patrick Mutahi,
ARTICLE 19

Madame Chair,

ARTICLE 19 notes with appreciation Ethiopia's submission of its fifth and sixth periodic country report (2009-2013) on the implementation of the African Charter on Human and Peoples Rights. That Ethiopia has submitted all its periodic reports and is happy to be held to scrutiny by this erstwhile Commission is laudable.

We especially note its statements on the progress made in implementation of the National Human Rights Action Plan especially on implementing fully its Constitutional protections for freedoms of expression, assembly and association, as well as to encourage political debate ahead of the 2015 elections.

However, we are concerned that Ethiopia continues to flout its African Charter obligations especially:

Article 7: Right to Fair Trial

Article 8: Right to Freedom of Conscience

Article 9: Right to Receive Information and Free Expression

Article 10: Right to Freedom of Association

Article 11: Right to Freedom of Assembly

Ethiopia continues to deny that any journalists are in prison. It also refutes that there are no restrictions on freedom of association, and peaceful assembly. The reality on the ground in Ethiopia is different.

ARTICLE 19 has documented that the Anti-Terrorism Proclamation has been used since its enactment in 2009 to prosecute 22 journalists and bloggers. The Proclamation defines "terrorism" so broadly that it encompasses any exercise of legitimate dissent that the Government may wish to crush. The Zone 9 Bloggers, Soliana Shimelis (charged in absentia), Atnaf Berahane, Mahlet Fantahun, Natnael Feleke, Befeqadu Hailu, Zelalem Kiberet, Abel Wabela, together with three journalists, Edom Kassaye, Tesfalem Weldeyes and Asmamaw Hailegorgis of Addis

Guday magazine, are the latest victims in this regard, charged with “terrorism” for exercising their rights to freedom of expression.

The apparatus of censorship in Ethiopia is vast, and freedom of expression cannot be guaranteed until substantial reforms are made to the Criminal Code and the Freedom of the Mass Media and Access to Information Proclamation of 2009. As the Special Rapporteur on Freedom of Expression in Africa has advised, defamation must be decriminalised, provisions to shield public officials from criticism repealed, and restrictions to supposedly protect national security must be brought in line with acceptable regional and international standards on freedom of expression.

The media are also stifled; there is no independence or pluralism. The Ethiopian Broadcasting Authority is appointed by and financially dependent upon the government. The Freedom of the Mass Media and Access to Information Proclamation of 2009 requires printed media to be licensed, all print media to be registered, and broad powers to impound periodicals and books. The Internet is not a safe haven; blocking websites to shut down debate is routine.

Madam Chair,

Opposition political parties and civil society organisations are crucial change agents, essential for scrutinising the actions of the Ethiopian government against the international human rights commitments it has made, including here. ARTICLE 19 is therefore profoundly disappointed at the unprecedented crackdown on freedom of expression and assembly ahead of the coming elections. Opposition parties have complained of interference of their internal affairs by the National Election Board and have had their rallies violently dispersed.

Lastly, ARTICLE 19 wishes to express its disappointment that the Special Rapporteur on Freedom of Expression has not been formally invited to Ethiopia. This is despite repeated promises by the government that it will do so.

We thus call upon African Member States to:-

- Pressurise Ethiopia to end to all restrictions and practices, which threaten fundamental rights contained in the African Charter, including in particular the freedom of expression
- Guarantee free and fair elections and allow the opposition to freely organise and campaign without undue interference.
- Fully implement the provisions on Access to Information in its Constitution and the 2009 Freedom of the Mass Media and Access to Information Proclamation

Thank you