



Ethiopia elections 2015: Restrictions on freedom of expression will hinder free and fair elections

On 24 May 2015, Ethiopia will hold its fifth national elections and the first since the demise of the late long-serving Prime Minister Meles Zenawi. Campaigns officially end on 21 May 2015 and the final result will be announced to the public on 22 June 2015.

The data which ARTICLE 19 has collected through its monitoring activities over the past year shows a sustained onslaught on freedom of expression and freedom of association. This suggests that the elections are unlikely to be free or fair.

Echoes of the 2005 elections

The Ethiopian People's Revolutionary Democratic Front (EPRDF) led by the late Meles Zenawi came to power after the fall of the Derg regime in 1991. The party claimed victory in the subsequent elections held in 1995, 2000, 2005 and 2010.

The 2005 elections, marked by violence, were a turning point for the country, with the close nature of the contest almost leading to the EPRDF losing power. As the results came in, it became clear that opposition parties had won an unprecedented number of seats. When the announcements of the results were delayed, students in Addis Ababa began protests that turned violent. After the results were finally declared (372 seats for the EPRDF, 172 for the opposition) some members of the opposition described the elections as having been "stolen". During further demonstrations police fired on the crowds using live ammunition, killing scores of protesters.

131 political detainees - including 21 journalists - were later formally charged with attempting to overthrow the government. . It was no wonder that, facing no opposition, the EPRDF secured a 99.6 per cent majority in the 2010 elections. The party lost only two seats - one to the opposition and the other to an independent candidate. "For the 2015 elections, the Ethiopian government seems to have learnt from what happened in 2005, starting a crackdown on independent and critical journalists, bloggers and activists months before the elections," noted Henry Maina, ARTICLE 19 Eastern Africa Director.

On 25 and 26 April 2014, seven 'Zone 9' bloggers - Soliana Shimelis (charged in absentia), Atnaf Berahane, Mahlet Fantahun, Natnael Feleke, Befeqadu Hailu, Zelalem Kiberet, Abel Wabela - were arrested and later charged under the anti-

terrorism proclamation (652/2009) along with three journalists - Edom Kassaye, Tesfalem Weldeyes and Asmamaw Hailegorgis.

On 7 October 2014, Endalkachew Tesfaye (*Addis Guday* magazine), Gizaw Taye (*Lomi* publisher) and Fatuma Nuriya (*Fact* magazine) were sentenced in absentia to more than three years in prison. The charges were “inciting violent revolts, printing and distributing unfounded rumours and conspiring to unlawfully abolish the constitutional system of the country.” The three journalists are currently in exile and the magazines no longer published. These charges and the continued widespread intimidation of journalists have led to at least 30 journalists going into exile in the last 18 months for fear of imprisonment. The other effect has been to stifle critical media and any analysis of election issues.

The government maintains a complete monopoly on the media. This includes the Ethiopian Broadcast Corporation (EBC), the only national television and radio station. Regional government also controls the regional stations including Dire Dawa Television and Oromia Television. Nearly all FM radio stations in Ethiopia are controlled by the government or by those with interests and close links to the ruling EPRDF.

There are only three daily newspapers in Ethiopia: the state-owned *Addis Zemen*, and *Ethiopian Herald*, and the privately owned *Daily Monitor*. State-owned weekly newspapers include *Al Alem*, printed in Arabic, and *Berissa*, printed in Oromiffa. Circulation figures are very low, however, in comparison with the overall population: production does not exceed 100,000 per day which, in a country with a population of 87.4 million people, is incredible low. In addition to this, a number of private newspapers and media companies have now closed down: *Addis Press*, *Addis Were*, *Awramba Times*, *Business Construction*, *Dagu Ethiopia*, *Ethiopia 7 days update*, *Google*, *Sened*, *Sowutel Islam*, *Tibeb Ethiopia*, *Ethio Channel*, *Konjo*, *Enku*, *Jano Addis Guday Asmat*, *Sendek*, *Fact* and *Minilik*.

"The situation at this time is horrifying. Most private media have been closed down, and many journalists have left the country because of the continuous harassment and physical threats they face for doing their jobs, while the rest are in prison," said Asrat Abreham the then spokesperson of the Unity for Democracy and Justice (UDJ) political party in a January 2015 interview.

This sentiment was echoed by Yonatan Tesfaye, spokesperson of the Blue party. "It has been done on purpose. The government does not want a free media ever since the 2005 election when the media was comparatively free and public awareness was high."

ARTICLE 19's Maina added, "The lack of a free and pluralistic media in Ethiopia, airing all voices, has hampered the campaigns going into these elections. We are not fully convinced that the electorate is fully informed about who is standing for election or what their backgrounds and policies are, especially the opposition."

Government curbs the right to protest

On several occasions, demonstrations organised by the Blue Party, the nine parties' partnership and the UDJ have been violently dispersed by police, both in Addis Ababa and in other regional towns. The Addis Ababa City Administration has also repeatedly refused to grant these parties permission to hold demonstrations. However, the EPRDF's activities have been allowed to continue normally.

On 25 January 2015, the UDJ's peaceful protest was violently disrupted by police. Scores of journalists covering the demonstration, as well as the party leadership, were badly beaten and injured. On 6 December 2014, the Federal police forcibly dispersed a public protest called by the nine parties' partnership, which includes the Blue party and the All Ethiopian Unity Party. The police arbitrarily detained members of the nine parties' partnership's leadership for a while, including the Blue Party's chairman Yilkal Getnet.

Opposition struggles to get local media coverage

Since the government has closed most independent media and the ruling party is in control of the remaining outlets, Ethiopia's opposition has been forced to seek alternative ways of disseminating its message to the electorate in preparation for the 24 May elections.

"Our party tries to disseminate information about the election through diaspora media. We are also publishing the Blue Party's defunct newspaper online," said Younatan. According to Asrat, the party is trying to maintain its own printing outlet and publish its weekly newspaper, *Finote Netsanet*. This recently came back into circulation, having stopped when the state-owned Berhanena Selam printing company refused to continue printing it in August 2012. The party has also started to publish an additional newspaper called *Millions of Voices* both in hard copies and online. "We are trying to use all means available to spread our messages, including social media," said Asrat in a February 2015 interview. The UDJ is publishing its own newspaper, but prints less than two thousand copies every week.

Other media outlets that opposition parties are using include *Voice of America* (VOA) and Germany's radio *Deutsche Welle*, both of which broadcast to Ethiopia in Amharic on short wave. In the 2010 election, the government was accused of jamming both stations. Ethiopian Satellite Television (ESAT), which broadcasts 24 hours per day in Amharic from studios in Amsterdam, London and Washington, has also given positive coverage to the opposition parties. The station, which went on air for the first time in 2010, has frequently complained of attempts by the Ethiopian government to jam its signal. Moreover, the government claims ESAT is a Trojan horse for Ginbot 7, which is labeled as a terrorist group.

EPRDF takes the lion's share of advertising space in public media

On 4 February 2015, the National Election Board of Ethiopia (NEBE) released its schedule of how the different political parties contesting the 21 May elections would

share public broadcast airtime and advertising space in newspapers. It showed most of the airtime and space being taken up by the ruling EPRDF.

Media coverage was distributed as follows:

- forty percent was assigned according to the number of seats each political party had in Parliament and in the Regional Councils;
- forty percent was given to the parties with candidates in the election;
- ten percent went to parties with female candidates
- ten percent was shared equally between all the political parties equally.

Those candidates and parties standing in the national elections shared slots in the national media and regional candidates shared the media in their respective regions.

“During the 2010 elections, of the allocated broadcast airtime and newspapers space, 55 percent was given to parties with representation in Parliament and in the Regional Councils, 20 percent was given to all the candidates and 25 percent was shared between all the parties. It seems the allocations this year considered a new category: the representation of women. However, the distribution criteria were still not fair, especially to the opposition parties,” noted Maina.

The ruling EPRDF has the majority of seats in the House of Representatives and in the Regional Councils meaning at the end of the campaign period it will have used all the airtime and the newspaper spaces allocated to them, both at federal and regional level. It is likely that the ruling party will use most of the forty percent allocated to the candidates taking part in the election, as the opposition parties do not have enough funds or capacity to put forward candidates in each area.

ARTICLE 19 is concerned about this uneven media share. During elections, the public media provide an invaluable arena both for public debate and as a place where candidates and parties can inform citizens about their policies. This enables voters to make an informed decision about their votes. The importance of this last point cannot be overstated, as the ability of voters to make an informed choice is one of the key aspects of a democratic election. That is why giving all parties equal share and access to the use of public media is of paramount importance.

EBC censoring opposition parties' election ads

Opposition parties have accused the EBC of censorship, as it has refused to air their campaign advertisements, alleging they are criticising the government. This has meant opposition parties have been unable to use the media space allocated to them by the National Election Board of Ethiopia (NEBE).

One of the campaign advertisements by Ethiopian Federalist Democratic Unity (Medrek) was suspended by the EBC on 5 March 2015 because it criticised the system of government as well as government institutions. The EBC has also refused to air campaign advertisements by the Blue Party for similar reasons. "The message presented for broadcast denies the current democratic progress of the country and also does not acknowledge different government institutions. This will lead citizens

not to trust the government and we are unable to transmit it," said a letter sent to the Medrek Coalition by the EBC.

The EBC, said it airs campaign programmes only if they adhere to the editorial policy of the station. "Based on the Media Law or any other convincing reason, the station has the right not to air any election campaign broadcasts," reads the letter to the Medrek Coalition.

"This is complete censorship and a violation of our constitutional rights," Yonatan Tesfaye, the Blue Party spokesperson told local journalists. "If we had done against the law of the land during our campaign, they could have taken us to the court. They cannot stop us from communicating with voters through the public media."

On 1 May 2015, the Ethiopian Democratic Party (EDP) decided to stop using its media airtime after repeated allegations of censorship and denial by the EBC, Zami Radio 90.7 and Fana Broadcasting Corporation in respect of its campaign broadcasts. The party said the EBC and Zami each refused to broadcast one campaign broadcast, while Fana refused to broadcast two. "The justification given by these media organisations was that the contents were offensive in discrediting government institutions and questioning their credibility, said Workneh Tafa, public relations head of the Ethiopia Broadcasting Authority.

The programmes which were refused focused mainly on criticisms of the ways different democratic institutions operate. For example, the programme Zami Radio refused to air talked about how hard it is to change the constitution, saying the country should consider amending this. Another EDP programme called for the national army to be restricted in its engagement in the economic sphere, while the final programme said that if the EDP got into power, it would give clemency to any political prisoners arrested by the EPRDF for opposing the party.

In an election, it is normal for opposition parties to compare and contrast their policies with the ruling party's to convince people to vote for them. Hence, criticism of the government and existing laws and institutions are a part of a campaign strategy which should not be censored.

The issue of censorship and the unequal sharing of airtime also came up during the televised debates. The EBC was expected to host nine debates focusing on the elections and 12 parties were expected to participate as a result of the number of candidates they were putting forward. The station was expected to dedicate a total of 18 hours airtime for all the debates, each taking 120 minutes, and seven different themes were set to be discussed by the various parties.

The debates have, however, been overshadowed by the EPRDF taking the biggest share of airtime during the debates. The first debate was transmitted on 13 and 14 March at 9pm, after the news, and focused on the 'multi-party system, human and democratic rights in the country'. The EPRDF, the Blue Party, the Medrek coalition, the Unity for Democracy and Justice Party (UDJ), and the New Generation Party (NGP) took part in the debate. While the ruling EPRDF was allocated 45 minutes to put forward its views, the other four parties shared a total of 75 minutes, just under

18 minutes per party. During the introduction, EPRDF representatives were given 15 minutes to introduce the party and its point of view on the subject of the debate, while the others each had six minutes. During the discussion, each of the four opposition parties was given nine minutes, while the EPRDF was given 20. The EPRDF got 10 minutes for its conclusion but each of the opposition parties was given only four minutes. In addition to the unequal time allocation, the EPRDF was allowed to have two speakers whereas the others had only one.

The second debate, which took place on 20 and 21 March, focused on federalism. The EPRDF, the UDJ, the Ethiopian Democratic Party (EDP), the All Ethiopian Unity Party (AEUP), and the All Ethiopian National Movement (AENM) all took part, but the Blue Party, Medrek and the New Generation Party did not. It is not clear why only the EPRDF and the UDJ were given the chance to express their point of view for a second time during this debate, while the other three parties who had taken part in the first debate were dropped. The unequal allocation of time continued during these debates.

As a public broadcaster, the EBC should not be seen to favour the ruling party and its party affiliates. It should play an impartial, fair and objective role, covering all candidates and political parties. Voters' rights to receive impartial electoral information from all parties should be the concern of the station and censorship should play no part.

Conclusion

The 24 May elections come at a time when the Ethiopian economy has made great strides, achieving an estimated 10 per cent growth, one of the highest in Africa. However, Ethiopia's human rights record is appalling, particularly its lack of freedom of expression and the restrictions placed on the media. Ethiopia is the second biggest jailer of journalists after its neighbour, Eritrea. Its broadcasting and telecommunications sectors are dominated by the state, and its few private media companies are heavily regulated and frequently censored.

The lack of media freedom in Ethiopia is compounded by a number of other factors, including:

- economic constraints placed on the media and civil society
- low newspaper circulation figures
- failure to properly invest in the communications infrastructure.

These conditions make it difficult for independent journalists to operate freely, especially when covering elections.

In a democracy, citizens appoint the government of their choice by voting for their preferred candidates at periodic elections. To be able to do this, they must be fully informed about the candidates, and their policies and backgrounds. A regulatory framework that enables freedom of expression and access to information, including information held by the government, is therefore crucial. Proper scrutiny of the policies of the incumbent government is impossible if a climate of secrecy prevails. This means that a functioning access to information law needs to be in place, and

state secrets laws and other criminal restrictions should not unjustifiably counteract the free circulation of information.

None of these conditions are present in Ethiopia. It is highly likely that a fear of physical or professional reprisal may deter journalists from broadcasting information that reflects poorly on ruling party candidates. It is also likely that this may motivate journalists to give undue coverage to these candidates. A free and fair election in such an environment is therefore not possible.