

# Ethiopian Human Rights Defenders Center (EHRDC)

## The 1st Periodic Assessment of 2024 on the Situation of Human Rights Defenders in Ethiopia



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Ethiopian Human Rights Defenders Center  
ADDIS ABABA, ETHIOPIA

## Contents

### About the Ethiopian Human Rights Defenders Center

1. Contextual Assessment.....	1
2. Extension of State of Emergency and Its Impact on Human Rights Defenders: Detention and Other Challenges.....	3
2.1. Arbitrary Arrest and Detention.....	4
2.3. Criminalization of Human Rights Defenders .....	8
2.4. Limitations on Freedom of Expression and Peaceful Assembly .....	9
3. Effect of Detention on the Families of HRDs .....	11
4. Perpetrators of Violations against HRDs and Accountability .....	13
5. Challenges to Women Human Rights Defenders .....	13
6. A Safe and Enabling Environment Conducive to Human Rights Work.....	15
7. Conclusion .....	16
8. Recommendations.....	16

### About the Ethiopian Human Rights Defenders Center

The Ethiopian Human Rights Defenders Center (EHRDC) was founded in December 2019, after HRDs and human rights organizations met in Addis Ababa, Ethiopia, at the Claiming Space Forum organized by Defend Defenders (the East and Horn of Africa Human Rights Defenders Project), in collaboration with the Association for Human Rights in Ethiopia, the Consortium of Ethiopian Human Rights Organizations (CEHRO), and the Ethiopian Human Rights Council (EHRCO), from December 9-13, 2019, to establish a national human rights defenders network, which was named the “Ethiopian Human Rights Defenders Center” (EHRDC). EHRDC is legally registered as of November 2020 with registration number 5220. The center aims to build

a strong network of Human Rights Defenders (HRDs) by building their capacity, creating a safe working environment, protecting, defending, and advocating for HRDs in Ethiopia.

## 1. Contextual Assessment

On August 4, 2023, the Council of Ministers declared a state of emergency in the Amhara region for six months.<sup>1</sup> After its expiration in February 2024, the parliament renewed for four months on February 2, 2024.<sup>2</sup> This state of emergency has been enacted with the possibility of nationwide implementation as deemed necessary<sup>3</sup> though the situation happened in one region. The declaration of emergency confers extensive powers upon the government, allowing for the arrest of individuals suspected of criminal activities without requiring a court order, the imposition of curfews, the prohibition of public gatherings, and the execution of searches without the need for a warrant. The implementation of the emergency measures posed a significant threat to human rights defenders (HRDs), increasing the risks of their detention and abductions not only in the Amhara region but also across the country including in the capital Addis Ababa. Moreover, internet blackouts<sup>4</sup> have continued to severely impede the crucial work of HRDs, particularly concerning monitoring, investigating, documenting, and reporting human rights violations in the region. The Ethiopian Human Rights Commission (EHRC) concerning

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<sup>1</sup> Emergency Proclamation No. 6/2015 Issued by the Council of Ministries to Protect Public Peace and Security

<sup>2</sup> EHRC, ‘ኢሰመዝ ዮአስቸኪይ ጊዜ አዋጁ መራዘም እንደሚኖረው ገለጸ’ (February 2, 2024)

<https://ehrc.org/%e1%8a%a2%e1%88%b0%e1%88%98%e1%8a%ae-%e1%8b%a8%e1%8a%a0%e1%88%b5%e1%89%b8%e1%8a%b3%e1%8b%ad-%e1%8c%8a%e1%8b%9c-%e1%8a%a0%e1%8b%8b%e1%8c%81-%e1%88%98%e1%88%ab%e1%8b%98%e1%88%9d-%e1%8a%a5%e1%8a%95/> accessed March 01, 2024

<sup>3</sup> Emergency Proc. (n 1) Art. 3

<sup>4</sup> Adem Kassie & Zelalem Moges, ‘Ethiopia’s Amhara Conflict Could Spark Civil War’ (Foreign Policy, March 6, 2024) <https://foreignpolicy.com/2024/03/06/ethiopia-amhara-conflict-civil-war/> accessed March 05, 2024

the Amhara region reported that at least 60 people have been killed by state security forces only in January 2024.<sup>5</sup>

On the other hand, the situation of human rights and HRDs has become precarious in other regions of the country including Oromia and Gambella further impacting the works of HRDs to effectively respond to violations. In this regard, EHRC in its report covering 2023 revealed 138 people including refugees have been killed in the Gambella region.<sup>6</sup> Similarly the Commission in its report covering the Oromia region revealed that over a hundred people have been killed by rebels and securities including 12 members of a single family by securities.<sup>7</sup> The combination of armed conflict, state of emergency measures, and internet shutdowns has created a challenging environment for HRDs and human rights work in Ethiopia.

In addition to these contexts, the kidnapping and killing of civilians has become a persistent threat to people across many regions in Ethiopia. On 28 December 2023, gunmen killed eight people and abducted 10 others near the town of Metehara, 100km (60 miles) east of Addis

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<sup>5</sup> ‘Extrajudicial Killings Leave 66 Dead in Ethiopia’ ( 15 February 2024) <<https://ehrc.org/extrajudicial-killings-leave-66-dead-in-ethiopia-group-says-bloomberg/>> accessed 03 March 2024

<sup>6</sup> EHRC, ‘138 killed, 113 injured in Gambella region over nine months’ (March 1, 2024) <<https://ehrc.org/138-killed-113-injured-in-gambella-region-over-nine-months-ehrc-report-addis-standard/>> accessed March 12, 2024; EHRC, ‘በጋምቤላ ክልል የተለያዩ አካባቢዎች ከግንቦት ወር 2015 ዓ.ም. እስከ ሐምሌ ወር 2015 ዓ.ም. በተከሰቱ ግጭቶች እና የጸጥታ መደፍረስ ሁኔታዎች ክልል የተለያዩ አካባቢዎች ከግንቦት ወር 2015 ዓ.ም. ጀምሮ በተለያዩ ወቅቶች በተከሰቱ ግጭቶች እና የጸጥታ መደፍረስ ሁኔታዎች ሰቢያ የደረሱ የሰብአዊ መብቶች ጥሰቶችን በተመለከተ የተደረገ የምርመራ ሪፖርት’ (የካቲት 2016 ዓ.ም) ገፅ 4

<sup>7</sup> EHRC, ‘በኦሮሚያ ክልል በመንግሥት የጸጥታ ኃይሎች እና በታጣቂዎች የተፈፀሙ የሰብአዊ መብቶች እና የአለም አቀፍ የሰብአዊነት ህግ ጥሰቶች ላይ የተደረገ የምርመራ ሪፖርት’ (የካቲት 2016 ዓ.ም) ገፅ አንቀጽ መስመር 22 <[https://ehrc.org/wp-content/uploads/2024/02/240223\\_-\\_Report\\_-\\_Violations-against-Civilians-in-the-Oromia-Conflict\\_For-release-1.pdf](https://ehrc.org/wp-content/uploads/2024/02/240223_-_Report_-_Violations-against-Civilians-in-the-Oromia-Conflict_For-release-1.pdf)> accessed March 03, 2024

Ababa, as they returned from a religious festival. On January 10, 2024, the kidnapped individuals were released after being warned not to speak about their kidnappers, although some of them disclosed the gruesome situations and human rights violations they experienced during their abduction. Also, the recurrent problem of condoning impunity is further exacerbated by the release of ex-politicians implicated in human rights abuses.<sup>8</sup>

Amidst these contexts, the restrictions imposed on fundamental rights and freedoms and the expanded powers granted to the government have significantly contributed to fostering an atmosphere of fear and uncertainty among HRDs. As a consequence, their work has become considerably more challenging, and their safety is increasingly jeopardized. This assessment in the following sections addressed the challenges faced by HRDs in Ethiopia assessing their situation amid conflict and state of emergency. The assessment covered the period from January 2024 to March 2024. The assessment employs a qualitative research methodology and assesses the situation using interviews, questionnaires, observations, and open-source evidence.

## **2. Extension of State of Emergency and Its Impact on Human Rights Defenders: Detention and Other Challenges**

The FDRE Constitution contains emergency provisions that allow the executive to declare a state of emergency to restore normality in times of crisis.<sup>9</sup> In terms of these provisions, external invasions, breakdowns of law and order that endanger the constitutional order, natural disasters, and epidemics are basic grounds for declaring a state of emergency.<sup>10</sup> As mentioned in the context above, a six-month state of emergency was declared in August 2023. Following that, extrajudicial killings, arbitrary detentions, curfews, restrictions on one's freedom of movement, and violations of human rights became commonplace in the Amhara region and across the country as well. On February 2, 2024, the Ethiopian parliament once more approves the

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<sup>8</sup> Laetitia Bader, 'Ethiopia Releases Ex-Politician Implicated in Heinous Crimes' (HRW, 15 March 2024) <<https://www.hrw.org/news/2024/03/15/ethiopia-releases-ex-politician-implicated-heinous-crimes>> accessed 20 March 2024

<sup>9</sup> Zelalem Eshetu 'The architecture and use of emergency powers: the case of Ethiopia from 1995 until 2020' (Konrad-Adenauer-Stiftung, March 2022) 22

<sup>10</sup> FDRE Constitution, art 93(1)(a); Zelalem (n 8)

extension of the state of emergency in the Amhara region.<sup>11</sup> In this regard, the Chief Commissioner of the Ethiopian Human Rights Commission stated that it is gravely concerned about the extension of emergency powers and the implications on human rights, including the casualties resulting from the conflict, the humanitarian crisis, and prolonged pre-trial detention.<sup>12</sup>

The Commission asked the government to duly consider the necessity, legality, and proportionality of the emergency proclamation. During the session at the House of People's Representatives on February 6, 2024, Prime Minister Abiy Ahmed acknowledged that a significant number of individuals had been detained, with many being released after undergoing “education.” He also confirmed that under the state of emergency, hundreds of individuals remain in detention. The implementation of the emergency proclamation led to a heightened wave of mass detentions, including the targeting of HRDs. The command post, established under the emergency law, detained HRDs for prolonged periods without any trial or charges filed against them. In certain cases, individuals were arrested without proper adherence to due process of law; they remained unaware of the reasons behind their arrests and were held in informal detention centers. Furthermore, the prolonged emergency measures restricted several rights, including freedom of expression and assembly, which are vital components for HRDs to carry out their work. Additionally, the total internet shutdown in the Amhara region and other areas of the country further hindered their ability to effectively operate in their human rights work.

### **2.1. Arbitrary Arrest and Detention**

Arrest and detention are commonly employed tools to curtail the liberty of HRDs, restricting their ability to advocate for human rights. The term “arrest” refers to any apprehension of a person that commences a deprivation of liberty, and the term “detention” refers to the

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<sup>11</sup> VOA, ‘Ethiopia Extends State of Emergency in Amhara’ (02 February 2024) <<https://www.voafrika.com/a/ethiopia-extends-state-of-emergency-in-amhara-/7467914.html>> accessed 28 February 2024

<sup>12</sup> The chief commissioner in Dr. Daniel Bekele in his X (formerly Twitter) page posts the concern over the extension of the state of emergency <<https://twitter.com/DanielBekele/status/1753280939382259841?s=20>> accessed 05 March 2024

deprivation of liberty that begins with the arrest and continues in time from apprehension until release.<sup>13</sup> The notion of “arbitrariness” is a broader term that includes elements of inappropriateness, injustice, lack of predictability, and due process of law, as well as elements of reasonableness, necessity, and proportionality.<sup>14</sup>

HRDs are often subjected to longer periods of detention and without access to their families or lawyers, which are referred to as prolonged detention and incommunicado detention, respectively. These measures not only impose significant constraints on HRD's mobility and curtail their freedom but also serve as inhibiting factors that undermine their capacity to actively participate in a diverse range of activities, both online and offline. Although arbitrary or unlawful arrests and detentions occur and can occur, at any time, the experiences and reports have shown that the main causes of arbitrary detentions are related to states of emergency.<sup>15</sup> In Ethiopia, HRDs are primarily detained under the pretext of a state of emergency.<sup>16</sup> Furthermore, the ‘arrest-first, investigate-later’ practice of authorities has become an obstacle for human rights defenders. This practice not only undermines due process rights but also results in prolonged detention of HRDs and allegations of false charges against them. Since January 2024, four (4) HRDs including an artist and a human rights lawyer have been arbitrarily arrested and detained. This numeric number is an addition to the already detained HRDs since April 2023.

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<sup>13</sup> Human Rights Committee (HRC), Article 9 Liberty and security of person, General comment No. 35 CCPR/C/GC/35 (16 December 2014) para. 13

<sup>14</sup> HRC GC 35 (n 13) para. 12

<sup>15</sup> UN doc. E/CN.4/1996/ 40, Report of the Working Group on Arbitrary Detention, para. 106

<sup>16</sup> Amnesty International, “Atrocity Survivors in Ethiopia Remain Without Justice” (MARCH 19, 2024)

<<https://www.amnestyusa.org/press-releases/atrocity-survivors-in-ethiopia-remain-without-justice/#:~:text=Ethiopian%20authorities%20continue%20to%20use,in%20Ethiopia%20by%20the%20government>> accessed 05 April 2024



On 19 January 2024 journalist Abinet Tamirat was arrested without a court warrant. Abinet was later taken to Awash Arba detention center in the Afar region, 240 kilometers east of Addis Ababa's capital.

On 2 March 2024, Ethiopian authorities detained several journalists associated with the "Adwa barefoot" project and later released them on bail terms.<sup>29</sup> The project commemorates Adwa Victory Day, where its members walk barefoot symbolizing resistance against Italian colonialism. Among those detained were journalists from Ethiopian Broadcasting Corporation, and Fana Broadcasting Corporate.

Likewise, Abera Nigus a human rights lawyer was arrested on 29 March 2024 in Addis Ababa and later taken to Awash Arba detention center. Before his detention, Abera had been representing persons who were accused of planning to organize a public demonstration that was intended to oppose armed conflicts in Ethiopia.

Furthermore, artist Amanuel Habtamu who has been vocal about social and political issues through his known satire theatre was arrested on 23 April 2024 in Addis Ababa. The artist was on board to fly abroad to show his theatre and was arrested at the Airport. According to sources he was not brought to court until April 31, 2024 and his reasons for arrest were unknown. Moreover, a CSO director called Atinkut Hunegnaw was arrested by the military in the Amhara Regional State capital City of Bahir Dar on 11 May 2024. All the above arrests and detention were conducted arbitrarily including conduct without a court warrant and without being told the reasons of arrest as well as being brought to court. Besides, on 22 February 2024, French journalist Antoine Galindo was detained by security officers while he interviewed Bate Urgessa, a political officer with the OLF, a party legally recognized in Ethiopia. Despite holding a valid journalist visa, authorities extended his detention until 1 March to access his phone records and pursue other suspects. He was later released.

Previously Meskerem Abera (Activist), Belay Bekele (Poet and Activist) Dawit Begashaw, Belay Manaye, Bekal Alamirew, Tewdros Zerfu, Gobeze Sisay and Genet Asimamaw (journalists) and others were arrested and all are in detention as of the writing of this assessment. The vague and broad nationwide scope of application of the state of emergency law has given the power for authorities to arbitrarily arrest and detain HRDs. However, under international human

rights law, national emergencies do not give states *carte blanche* to exercise public powers and it prohibits states from employing emergency powers beyond the temporal and geographic scope as well as impact human rights.<sup>17</sup>

## **2.2. Access to Justice: Violations of the Right to a Fair Trial and Due Process Guarantees**

HRDs face various challenges in accessing justice once they are arrested. Particularly it has become difficult for them to get fair trials during a state of emergency and they often stay in detention without being brought to court. In some instances, they have been presented in court beyond the prescribed time of 48 hours required by the Ethiopian Constitution and released without charges.

Furthermore, in various cases, the relocation of human rights defenders to locations distant from their initial place of arrest has transgressed the fundamental principle of being brought promptly before a competent, independent, and impartial tribunal within the jurisdiction where the alleged offense took place. During times of emergency, Ethiopian authorities have been observed relocating prisoners to military camps or detention centers situated in remote areas, far away from urban centers or from where they are apprehended. For instance, one of the detention camps for HRDs is Awash Arba which is located in the Afar region, situated a hundred kilometers east of Addis Ababa. The detention center is located in an area characterized not only by its considerable distance but also by notably high temperatures, lack of water as well as being particularly prone to outbreaks of malaria and instances of yellow fever.<sup>18</sup> Among those HRDs who are transferred to Awash Arba are journalists Belay Manaye and Tewodros Zerfu.

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<sup>17</sup> Evan J. Criddle & Evan Fox-Decent, 'Human Rights, Emergencies, and the Rule of Law' Human Rights Quarterly 34 (2012) 49

<sup>18</sup> Ethiopia Observer, 'Awash Arba : A site of unparalleled notoriety' (January 27, 2024) <<https://www.ethiopiaobserver.com/2024/01/27/awash-arba-a-site-of-unparalleled-notoriety/>> accessed 22 April 2024

Such actions contravene the provisions outlined in several international human rights instruments as well as national laws. The Universal Declaration of Human Rights (UDHR) guarantees the right to a fair and public hearing by an independent and impartial tribunal. The right to a fair trial is an essential element in protecting human rights, as it serves as a procedural means to ensure the principles of the rule of law are upheld. Article 10 of the UDHR emphasizes that everyone is entitled to be tried in full equality before a competent, independent, and impartial court, which should be established by law. Similarly, the International Covenant on Civil and Political Rights (ICCPR) reaffirms the right to be brought promptly before a judge or other judicial authority. Article 9(3) of the ICCPR stipulates that anyone arrested or detained on criminal charges shall be brought promptly before a judge or other officer authorized by law.

Despite these international human rights protections HRDs are not only lacking the right to be brought to court they are also not informed with sufficient particulars of the charge brought against them. In addition the practice of relocating human rights defenders to distant locations following their arrest, thereby removing them from their jurisdiction, amounts to a violation of their fair trial rights. Such actions impede the defenders' right to be seen in their appropriate jurisdiction and undermine their ability to have their case heard in a legally appropriate court, thereby compromising their rights to a fair trial, due process, and the rule of law.

### **2.3. Criminalization of Human Rights Defenders**

HRDs in Ethiopia are increasingly being criminalized for their legitimate activities, including advocating for human rights and exercising freedom of expression, and peaceful assembly. In Ethiopia, the criminalization of HRDs is a concerning trend that aims to undermine, discredit, and impede their crucial work in defending human rights. Those seeking to silence HRDs often resort to quasi-legal tactics, including smear campaigns, temporary detentions, baseless charges, and prosecutions mainly during times of political tension. This misuse of the legal system and manipulation of public discourse create a hostile environment for defenders, leading to their arrest and prosecution on false charges. HRDs in Ethiopia frequently face arbitrary detention without adherence to due process, where they are held without charge, and denied access to legal representation, medical care, or a fair judicial process. The lack of transparency in informing defenders of the reasons for their arrest further compounds the injustice they endure. This

systematic targeting of HRDs through unfounded accusations and specious charges not only violates their rights but also aims to intimidate and silence them.

The misuse of legislation, including the employment of ambiguous laws and states of emergency, is used to restrict the rights to assembly, association, and freedom of expression for HRDs. These restrictive measures further limit the space for defenders to operate effectively and advocate for human rights in the country. The criminalization of human rights defenders in Ethiopia poses a significant threat to the protection of fundamental rights and freedoms. By targeting defenders through legal harassment, arbitrary detention, and stigmatization, those in power seek to suppress dissent and hinder the vital work of HRDs in promoting human rights and social justice. By labeling HRDs as criminals or threats to national security, the authorities seek to silence dissent and suppress activism. Addressing the criminalization of human rights defenders requires legal reforms, respect for international human rights standards, and the protection of HRDs from arbitrary arrests and judicial harassment.

#### **2.4. Limitations on Freedom of Expression and Peaceful Assembly**

The Ethiopian Constitution under Article 29 guarantees freedom of the press and other mass media and artistic expressive liberties. It's known that freedom of expression is a fundamental human right that is the cornerstone of building a democratic society. Due to several factors, including armed conflict and the imposition of a state of emergency, Ethiopia's situation concerning freedom of expression and the right to peaceful assembly is severely constrained. In Ethiopia, HRDs face significant limitations on their freedom of expression and peaceful assembly, which are essential components of their work. The government's imposition of emergency measures in some parts of the country, including internet shutdowns and restrictions on public gatherings, hinders HRDs' ability to communicate, mobilize, and advocate for human rights. Furthermore, the crackdown on art nights, and artistic and political or social satire expression theaters further restricts the space for creative and critical voices.

*Satire is a form of artistic expression and social commentary and, by its inherent features of exaggeration and distortion of reality, naturally aims to provoke and agitate.*

*Accordingly, any interference with an artist's right to such expression must be examined with particular care.*<sup>19</sup>

Satire expressions use humor to make commentary about politics and social issues raising the concerns of society. By targeting artists and activists who use satire as a form of social commentary, the authorities suppress alternative narratives and dissenting opinions. This limitation on artistic expression not only violates the right to freedom of expression but also stifles cultural and political diversity in the country. Since January 2024 and back various types of artistic platforms have been banned and restricted by authorities. “Reports indicate that on January 11, 2024 the solo theater performance ‘Eyayu Fengus Boletika’ was banned. According to information shared on January 25, 2024, government officials instructed Alem Cinema staff to prohibit the show’s public presentation. Consequently, the theater informed the organizers of the ban and terminated their contract.”<sup>20</sup>

Similarly, Art nights are subjected to restriction. On 11 April 2024, a theatrical play event called “Tobiya” was restricted from holding its monthly Friday art night scheduled for April 12, 2024, which includes satires, theatrical and poetic nights. The organizers announced their challenges as follows on social media:

*“This afternoon, the hotel we collaborated to hold our events received instructions from the District Peace and Security Office. The instructions from the Addis Ababa Administration Peace and Security Office were a request for ‘permission to organize and assemble.’ We have postponed the event for an indefinite number of days, as we are unable to carry out the necessary preparations in the short time available.”*

Besides to the above crackdown on artistic expression platforms, an artist who presents social and political satire expressions was arrested in April 2024. The artist was not brought to court for weeks despite roars from concerned persons including artists. The artist remains in detention as of this writing.

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<sup>19</sup> Vereinigung Bildender Künstler v Austria (no. 68354/01, 25 January 2007), 33

<sup>20</sup> Deutsche Welle. “የጎብረተኛዎች መተረፊያ ላይ የሆነው ከኒው ጥበብ ለምን ይታረዳል?” January 25, 2024. <<https://www.dw.com/am/ጊለቲካ-ከነጥበብ-ኢትዮጵያ/>> Accessed February 18, 2024.

Art serves as a crucial platform for individuals to express their emotions and perspectives. Witnessing such restrictions placed on artistic expression, a valuable tool for societal communication is deeply concerning and raises questions about potential violations of fundamental democratic rights, including freedom of expression as enshrined in the FDRE constitution. Article 29 of the FDRE constitution stipulates that everybody has a right to hold opinions without interference and the right to express his or her opinions, which includes the freedom to seek, receive, and impart information in the form of art. It is not only the constitution but international human rights law, which Ethiopia conforms to,<sup>21</sup> that stipulates the right to freely express ideas and opinions. According to Article 20 of the ICCPR, everyone has the right to hold opinions without interference and to express them, and the exercise of this right carries with it special duties and responsibilities, so it may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary. Under the Ethiopian context, the restrictions on freedoms of expression and assembly are contrary to national and international legal frameworks. Particularly concerning are the violations against artistic forms of expression.

### **3. Effect of Detention on the Families of HRDs**

The detention of human rights defenders in Ethiopia not only affects the defenders themselves but also has a profound impact on their families. The families of detained HRDs often suffer the most when the HRDs are arrested and face emotional distress, uncertainty about the whereabouts and well-being of their loved ones, and financial hardships due to the loss of income or support. Children of detained HRDs also experience trauma, stigma, and disruptions in their education and daily lives. The prolonged separation from their family members leads to psychological and social challenges for the families of HRDs. Also, the lack of information and communication exacerbates the anxiety and fear faced by families, as they struggle to obtain updates on the status of the detained HRDs. In many cases, families encounter obstacles in visiting their detained relatives, further isolating them from much-needed support and contact.

Moreover, the geographical distance between detention centers and the homes of HRDs' families presents a significant challenge. HRDs, particularly those from the capital Addis Ababa, are

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<sup>21</sup> Art 9(4) of the FDRE Constitution.

often taken to detention facilities located hundreds of kilometers away, such as the Awash Arba detention center in the Afar region. This distance not only complicates the logistics of visitation but also adds to the emotional burden on families who are unable to easily access or communicate with their detained loved ones. In one instance, the wife of a detained journalist HRD expressed her distress as follows:

*It is now 10 months since my husband was detained. They didn't bring him to court. I couldn't see him for this long since he was detained at Awash Arba, Afar region. You don't know how it is difficult to live. We have children. You know it's really difficult, he was the one supporting the family.*<sup>22</sup>

The separation and isolation imposed by these circumstances intensify the distress experienced by families of HRDs, highlighting the broader impact of arbitrary detention on both the defenders themselves and their support networks. Additionally, according to our assessment, there are instances where some of the families of HRDs tear down on social media platforms begging responsible authorities to release their loved ones. In an interview with one of the HRD, she expressed her experiences as follows:

*We are tearful every day because we cannot see our loved ones. We are unable to visit him for several months because he is detained in Bahir Dar, which is hundreds of kilometers away. They have not brought him to court. We feel helpless and hopeless.*<sup>23</sup>

*In another interview, the wife of the detained HRD and journalist expressed her deep sadness. "It's incredibly difficult," she confided. "My husband was the main provider for our family, and now with him detained, I worry constantly about our children, especially the baby. Every day is a struggle to put food on the table and keep a roof over our heads." Her voice trembled as she continued, "We miss him terribly, and the children just don't understand why their father isn't here. All I want is for this situation to be resolved fairly and for him to come home to us." This*

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<sup>22</sup> Interview with the families of HRDs on 28 April 2024

<sup>23</sup> Interview with the family of an HRD on 17 January 2024

*powerful statement highlights the devastating impact of her husband's detention on their entire family.*

In general, the detention of HRDs has placed unparalleled challenges on their families including their wives, mothers, children, and more. This showcases that the risks are not only on HRDs it's beyond.

#### **4. Perpetrators of Violations against HRDs and Accountability**

The lack of accountability for violations against HRDs in Ethiopia is a critical issue that perpetuates a cycle of impunity and injustice. The culture of impunity contributes to a cycle of violence and intimidation against HRDs, creating a hostile environment for their work. Efforts to address accountability gaps and ensure justice for violations against HRDs are crucial to promoting a safe and enabling environment for human rights defenders in Ethiopia. HRDs have been detained for extended periods without their due process rights being respected, with many facing arbitrary arrests, prolonged detention, and even physical abuse at the hands of perpetrators. Despite clear evidence of human rights abuses and violations, those responsible for targeting and mistreating HRDs have often evaded accountability. Instances where HRDs have been detained for prolonged periods without proper legal procedures being followed highlight the systemic failures in upholding the rule of law and protecting defenders' rights. Perpetrators who have subjected HRDs to intimidation, violence, and unlawful detention have not been held to account for their actions, creating a culture of impunity that undermines the safety and security of defenders. Moreover, there have been cases where responses to the banning of events or activities involving HRDs have lacked transparency and accountability, with authorities failing to provide adequate justifications or explanations for their actions. The lack of accountability for those responsible for violating the rights of human rights defenders not only erodes trust in the justice system but also emboldens perpetrators to continue targeting defenders with impunity.

#### **5. Challenges to Women Human Rights Defenders**

Women human rights defenders (WHRDs) occupy a pivotal position in the advancement and championing of human rights. In the course of their work, they face an array of challenges



ranging from mockery to arrests and attacks. Moreover, they may encounter specific challenges stemming from their gender such as sexual harassment. WHRDs draw more hostility than their male colleagues because they challenge cultural, religious, or discriminatory social norms and work to increase respect for the role of women in society.<sup>24</sup>

In Ethiopia, women are actively advocating against different violations of human rights in different arenas. These days, more women are turning to social media to advocate for different violations of human rights. They use these platforms to speak up on issues that are considered taboo, raise funds for GBV victims, advocate for accountability and justice, share information and news about human rights violations across the country, and bring them to the public's attention. Following the nature of their work, these women are often victims of cyber violence/bullying. Many women human rights defenders face multiple and intersecting forms of discrimination and sexual and gender-based violence, including based on other characteristics, including race, religion, ethnicity, disability, sexual orientation, socioeconomic status, or gender identity.<sup>25</sup> Ethiopian women who stand up for human rights face a range of challenges, including smear campaigns, intimidation, death threats, and degrading insults. These online attacks can sometimes escalate into physical violations of human rights and abuses. Here is the statement with corrected grammar:

On 5 March 2024, in an interview regarding patriarchy and equality on the independent YouTube media outlet Wazema Radio, two WHRDs were subjected to degrading insults,

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<sup>24</sup> African Commission on Human & Peoples' Rights, 'Report of the Study on the Situation of Women Human Rights Defenders in Africa' (12 October 2012) 34

<<https://www.peacewomen.org/sites/default/files/Human%20Rights%20Defenders%20in%20Africa.pdf>> accessed on April 11, 2023

<sup>25</sup> Governments of the United States of America and the European Union, 'Joint Statement on Protecting Human Rights Defenders Online', (December 5, 2022) Para 3 <<https://www.state.gov/joint-statement-on-protecting-human-rights-defenders-online/>> accessed on April 11, 2023

labeling, and discrediting of their work on women’s rights. This observation serves as evidence that subjecting women to degrading comments through online trolling is a widespread issue.

Meanwhile, a year has gone by since the violent arrest of journalist Genet Asmamaw, who used to advocate against human rights violations. Additionally, Meskerem Abera, a well-known journalist, human rights defender, and owner of an online media outlet, is still being held in detention. These cases highlight the ongoing issues and concerns surrounding human rights in Ethiopia.

## **6. A Safe and Enabling Environment Conducive to Human Rights Work**

International human rights law establishes obligations that states are required to honor and uphold. By becoming parties to international treaties, States assume obligations and duties under international law to respect, protect, and fulfill human rights.<sup>26</sup> In this regard, Ethiopia is a state party to several regional and international human rights instruments including the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples Rights, and other treaties. The ICCPR under Article 2 stipulates the obligation that “each State Party has to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant”. Although the international instruments lay a primary obligation on states to realize human rights, other non-state actors including civil society groups have a crucial role in advancing human rights. The state has also the obligation to ensure that these actors enjoy a free space for their activities in advancing human rights.

Despite these obligations, civil society groups in Ethiopia have faced enormous challenges as a result of their human rights work. During the period of this assessment civil society groups have experienced instances of restriction of their work, intimidation, detention, and threats. Among others the Ethiopian Human Rights Council which is the oldest human rights institution in the

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<sup>26</sup> United Nations, ‘The Foundation of International Human Rights Law’ <<https://www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law#:~:text=By%20becoming%20parties%20to%20international,the%20enjoyment%20of%20human%20rights>> accessed April 25, 2024

country has experienced a pattern of repression targeting the leaders and staff of the organization. According to an interview they have stated the following:

*“On April 06, 2024, around 11:30 P.M., two individuals identified themselves as government security personnel, dressed in civilian attire, came to the residence of one of the heads of EHRCO. They issued direct threats, warning him to cease his human rights activities or face consequences. This action is not the first, but earlier on March 18, 2023, a similar action was committed against the same head of EHRCO. Furthermore, on April 13, 2024, around 2:00 P.M., Another head of EHRCO was surveilled by security personnel in a vehicle around Kirkos sub-city in a place called Riche, who took photographs of him. Additionally, he received threatening phone calls. These incidents were solely due to his human rights work and leadership role at EHRCO.”<sup>27</sup>*

## **7. Conclusion**

The situation of human rights defenders in Ethiopia remains precarious, with significant challenges and restrictions impeding their work. The government's use of emergency measures, arbitrary arrests, and detention of HRDs has created a climate of fear and intimidation, limiting their ability to advocate for human rights effectively. Moreover, limitations on freedom of expression, peaceful assembly, and artistic expression further curtail the space for dissent and critical voices. These restrictions not only violate fundamental rights but also undermine democratic principles and the rule of law. Of particular concern is the lack of accountability for violations of the rights of defenders, as perpetrators often act with impunity, perpetuating a cycle of violence and intimidation. Without accountability mechanisms in place, HRDs continue to face risks and threats to their safety and well-being, hindering their vital work in promoting and protecting human rights.

## **8. Recommendations**

Considering these facts and findings, EHRDC wishes to provide the following recommendations to concerned organs and make an appeal to ensure the protection of human rights defenders:

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<sup>27</sup> Interview with Ethiopian Human Rights Council Leaders, 22 April 2024.

- We call the government to release all arbitrarily detained human rights defenders (HRDs), investigate and prosecute perpetrators of violations against HRDs, ensuring justice and redress for victims.
- Promote and uphold artistic freedom, including the right to create and express without fear of censorship or persecution, while recognizing satire as a valuable form of social commentary that enriches public discourse.
- Uphold the rights to freedom of expression and peaceful assembly as enshrined in the Ethiopian constitution and international human rights standards.
- End impunity for violations and
- Engage in constructive dialogue with civil society organizations and HRDs to address concerns and promote a conducive environment for their work.
- Lift internet shutdowns and other restrictions on communication to enable HRDs to operate effectively and access information.