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ETHIOPIAN HUMAN
RIGHTS COMMISSION

**REPORT TO THE UNITED NATIONS HUMAN RIGHTS
COMMITTEE ON THE IMPLEMENTATION OF THE
PROVISIONS OF THE INTERNATIONAL COVENANT ON
CIVIL AND POLITICAL RIGHTS**

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About EHRC

The Ethiopian Human Rights Commission (EHRC or the Commission) is an independent federal state body established as per the Constitution of the Federal Democratic Republic of Ethiopia and reporting to the House of Peoples' Representatives (the Parliament), in accordance with Proclamation No.210/2000 (as amended by Proclamation No.1224/2020) as a national human rights institution with the mandate to promote and protect human rights.

Human rights promotion, monitoring and investigation are among the core functions of EHRC. Accordingly, EHRC has conducted various monitoring and investigation of alleged human rights violations, following which it issues and forwards concrete recommendations for relevant stakeholders to take remedial actions. The Commission then follows up on the implementation of recommendations and monitors progress.

EHRC presents this report to the Human Rights Committee (the Committee) according to the list of issues provided by the Committee in accordance with its obligation as a National Human Rights Institution (NHRI) to highlight measures taken and raise issues of concern towards the implementation of the International Convention on Civil and Political Rights (ICCPR or the Covenant).

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Constitutional and Legal Framework within which the Covenant is Implemented (art.2)

1. Ethiopia has ratified most of the major human rights treaties, except the International Convention for the Protection of All Persons from Enforced Disappearance, and International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families. In addition, Ethiopia has yet to ratify various optional protocols including Optional Protocol 1 and 2 of the ICCPR. The EHRC has translated the ICCPR into some local languages. It is necessary to widely disseminate the ICCPR and translate it into additional local languages. The courts rarely refer to the provisions of the ICCPR.

Recommendations: The State should ratify the Conventions and Optional Protocols it has not ratified yet, improve the direct domestic application of the ICCPR provisions, and make it widely available in local languages. Capacity building training should be provided to relevant stakeholders including the judiciary.

2. The State has undertaken legislative reforms, including the amendment of Federal Courts Establishment Proclamation. The new Federal Court Proclamation No.1234/2021 explicitly states that human rights violations can be brought before courts. Moreover, it adopted Federal Prison Proclamation No.1174/2019 that improves human rights conditions of prisoners although it has not yet adopted subsidiary legislation necessary for the implementation of this Proclamation.

Recommendations: The State should enact subsidiary legislation for the implementation of the Prison Proclamation and build the capacity of prison officials to improve the implementation of prisoners' rights.

3. The Criminal Code Proclamation No 414/2004 and Civil Code Proclamation No 165/1960 contain applicable provisions for seeking compensation for violations of human rights. However, there is no comprehensive legal and institutional framework to provide redress for victims of human rights violations in Ethiopia.

Recommendation: The State should develop comprehensive legal and institutional framework to provide redress for victims of human rights violations.

4. Draft legislation, such as the draft Criminal Procedure Code and the draft National Legal Aid Service Strategy are not yet adopted.

Recommendations: The State should adopt the draft law after incorporating inputs from relevant stakeholders including from the EHRC.

5. The Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI) re-accredited EHRC from B to an "A" status in October 2021, for full compliance with the Paris Principles.

State of emergency (Article 4)

6. A State of Emergency Proclamation Enacted to Avert the Threat Against National Existence and Sovereignty No. 5/2021 Ratification Proclamation No 1264/2021 was declared on 2 November 2021 following the escalation of the conflict in Northern Ethiopia. The EHRC found that the implementation of the state of emergency (SoE) did not comply with the principles of strict necessity, proportionality and non-discrimination. People were detained in makeshift centers that lacked basic facilities located in Addis Ababa, Southern Nations, Nationalities and Peoples' Region (SNNPR), Amhara, Afar, and Oromia regions. In connection with the SoE, EHRC assessed that thousands may have been detained in Addis Ababa alone. For instance, on 11 November 2021, it found that 714 persons (128 females and 586 males) were detained in Kirkos sub-city, Addis Ababa. In Dire Dawa, it estimated that the detainees exceeded 300 persons.¹ Although the SoE was lifted before the expiry of six months on 15 February 2022 several businesses remained closed and many found themselves suspended from their jobs.

Recommendations: The State should comply with the principles of necessity, proportionality and non-discrimination when it implements a SoE, improve conditions of detention and enhance awareness of security forces.

7. The Tigray People's Liberation Front (TPLF) has been governing the Tigray Region since June 2021 under a SoE although the Region has no mandate to issue security related SoE. The SoE significantly restricted human rights in Tigray Region, where parents were ordered to enlist their children to Tigrayan Forces, and where anyone who refused to serve was abused and detained. Courts have not been functioning due to the conflict. As a result, victims of ordinary crime have been suffering from various abuses.² The Region has been using informal police to detain criminal suspects at informal detention places resulting in human rights violations.

Recommendations: The State should work with international organizations and CSOs to ensure the enjoyment of human rights in Tigray region, including access to justice, ensuring accountability of those who conscripted children, and taking measures to rehabilitate former child soldiers.³

Non-discrimination (arts. 2, 19-20 and 26)

8. During the 2021 SoE, EHRC noted ethnic based targeting and detention of persons of Tigrayan ethnic origin. In Addis Ababa Tigrayan-owned businesses were temporarily and for the most part without sufficient justification closed down. There was limited effort by law enforcement to ensure that suspects are only detained based on reasonable grounds and not merely based on

¹ The Arrest and Condition of Persons Detained in Connection With the State of Emergency Requires Urgent Attention, <https://ehrc.org/addis-ababa-the-arrest-and-condition-of-persons-detained-in-connection-with-the-state-of-emergency-requires-urgent-attention/> [last accessed on Aug. 25, 2022].

² EHRC, *Human Rights Situation Report on Ethiopia*, June 2021 and June 2022 (Ethiopian fiscal year), 27 (July 8, 2022) [original document is in Amharic language].

³ *Ibid*, page 3, 27, 96.

their ethnic identity.⁴ In detention camps of Agatina and Semera (Afar Region), they lacked access to medical care and received insufficient food (See Para.32 below).

Recommendations: The State should take appropriate measures to ensure non-discrimination in the implementation of SoE, especially by integrating human rights principles in the curriculum for law enforcement training.

9. **Denial of access to basic public services based on political opinion:** During the 2021 general Election, in several areas, members or supporters of opposition political parties were denied access to economic, social and public services on the basis of their political opinion. For instance, in the Amhara Region, *Wegera 1* and *Farta 1* election constituency, opposition political party members or their supporters were denied access to basic supplies and safety net programs from consumer cooperatives. In SNNPR, members of Kucha community and the Kucha Peoples' Democratic Party, an opposition party that won the election in *Gamo Zone*, were denied access to residence identity cards, safety-net services and other social services. (See para 33)

Recommendations: The State should provide public services without discrimination based on political opinion.

10. In Ethiopia, many experience discrimination on the ground of their disability status. Children with disabilities face challenges due to attitudinal barriers that start within their families, inaccessibility of education, health and other services, as well as non-availability of reasonable accommodation.

Recommendations: The State should ensure the full inclusion and participation of persons with disabilities, implement inclusive educational policy that takes into account the diversity of persons with developmental disabilities, and monitor implementation of the policy.

Sexual and Gender-Based Violence (SGBV) (arts. 2-3, 6-7 and 26)

11. Conflict related gender-based violence was widespread. Women, girls, men, and boys have been subjected to gross human rights violations as a result of conflict in various parts of the country particularly in Tigray, Amhara, Afar, Benishangul Gumuz, Oromia and SNNPR.⁵ Parties to the conflict have committed systematic and widespread violence against many women, including rape and gang rape, physical violence, killing and torture. In Tigray, a joint investigation team (JIT) of the EHRC and the Office of High Commissioner for Human Rights (OHCHR)⁶ found that various acts of SGBV, including physical violence, oral and anal rape, rape including gang rape, insertion of objects into the vagina, and intentional transmission of HIV were committed by all parties to the conflict. Another EHRC investigation in Amhara and

⁴ <https://ehrc.org/addis-ababa-the-arrest-and-condition-of-persons-detained-in-connection-with-the-state-of-emergency-requires-urgent-attention/>.

⁵ See EHRC, *Human Rights Situation Report*, page 55.

⁶ Joint investigation by EHRC and the Office of High Commissioner for Human Rights, East Africa Regional Office (OHCHR).

Afar regions found that women were subjected to rape and gang rape committed by Tigrayan forces. Some of these violations were committed deliberately with the intention to degrade human dignity and as vengeful attacks and may constitute war crimes. In addition, significant number of women in camps for internally displaced persons (IDPs) faced sexual and gender-based violence.⁷ There is no comprehensive legal framework with regards to violence against women that properly addresses conflict related SGBV.

12. In response to human rights violations committed in the context of the conflict in northern Ethiopia, the government established an Inter-Ministerial Taskforce (IMTF) to implement the recommendations of the JIT report and other reports. The task force comprises four committees, one of which launched investigations in Amhara and Afar regions inter-alia with a mandate to ensure accountability for human rights violations and provide redress to victims. Although a committee has been established under the IMTF with a mandate to look into conflict related SGBV in Tigray, Amhara and Afar Regions, progress is slow in ensuring accountability, and providing effective redress and adequate health services for survivors, including essential sexual and reproductive health services, and rehabilitation. Furthermore, there is need for an effective early warning and rapid response system addressing the risk of similar conflict-related human rights and humanitarian laws violations.

Recommendations: The State should investigate and ensure accountability for SGBV crimes in all parts of the country, including in IDPs camps. The State should take appropriate steps to provide full redress to SGBV victims, including compensation and rehabilitation. In addition, the State should establish an effective early warning and rapid response system to ensure protection from recurring risk of violations.

13. By November 2021, five One Stop Centers (in Mekelle, Axum, Adigrat, Shire, and Maichew) were opened in Tigray Region since the start of the conflict (in November 2020) to respond to the rise in the number of survivors requiring access to SGBV services. One-stop centers have also been established in Amhara and Afar Regions to provide support for victims/survivors of SGBV. In addition, a directive has been issued for the prevention and response to sexual violence and the establishment of integrated one-stop centers for victims. However, currently one stop centers are not widely available in the country and in conflict affected areas, leaving victims or survivors' need for effective recovery unaddressed.

Recommendations: The State should widely establish comprehensive one stop centers, especially in hot spot areas to address the widespread concern of SGBV and provide timely and adequate support for victims/survivors.

14. The EHRC conducted a study in 2021 and found that women political party candidates and electoral officers are vulnerable to various forms of violence, including psychological, physical, economic and sexual violence in the electoral process. The study shows that women taking part in the electoral processes face gender-based hate speech,

⁷ EHRC, *Human Rights Situation Report*, pages 54-55.

eviction from their place of residence and business place, isolation from family and community. The study further indicated that the laws and system in place are not adequate to prevent and respond to violence against women in election.

Recommendations: The State should adopt policy and enact laws to ensure adequate protection of women from all forms of violence, and to create and nurture a conducive environment for increased women’s participation in electoral processes, politics and public affairs. The State should take concrete measures to ensure accountability for violence against women in the context of elections. The State should allocate an adequate budget for public awareness raising programs on women’s election rights.

15. The COVID-19 pandemic has in general weakened oversight mechanisms that resulted in increased prevalence of harmful traditional practices (HTP) nationwide and caused the slowdown of actions deriving from country level plans to prevent female genital mutilation (FGM) and early marriage. FGM is still practiced in Ethiopia, with a particularly higher prevalence in Somali, Afar, SNNPR and Gambella regions.⁸ Lack of sufficient budget and strong coordination has weakened the efforts to eliminate HTP.

Recommendation: The State should strengthen oversight mechanisms and establish an effective coordination platform at the federal and regional levels that aim at monitoring the effective implementation of national policies and strategies for the elimination of HTP.

Right to Life and Prohibition of Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (arts. 6-7 and 14)

A) The Right to life (Art.6)

16. In the Somali Region, a commission has been established to investigate past human rights violations that occurred in the Region. In the same region, for the incident that occurred in the Fafen Zone (See para 24 below) the Government provided compensation for victims of human rights violations committed by government security forces. In Oromia Region, the government provided compensation in relation to kereyu individuals who were killed by the security forces. (See para 23 below).
17. Ethiopia does not have a legal framework that regulates the use of force by the State Security Forces. Below are instances (See para 18-25) of violations of the right to life that were investigated by EHRC.
18. Since November 2020, acts of extra-judicial killings attributable to the Ethiopian National Defense Force (ENDF), Tigray Forces and Eritrean Defense Force (EDF) were recorded in Afar, Amhara and Tigray regions in Northern Ethiopia. On 9 and 10 November 2020, a massacre of hundreds of ethnic Amhara civilians was committed by local Tigrayan youth called “Samri” with the assistance of Tigray militia and police, in *Maikadra*, following which

⁸ Conducted by EHRC in November 2020.

revenge killings were committed against ethnic Tigrayans in *Maikadra* after the ENDF and Amhara Special Force (ASF) captured the town.

19. EHRC's investigation in relation to the conflict in the North that expanded into Afar and Amhara Regions confirmed that at least 403 civilians were killed. In addition, there were extra-judicial killings of 346 civilians from July to November 2021 by the Tigrayan Forces. The victims include children, older persons and persons with intellectual disability.
20. In April 2022, 14 individuals were killed in Gondar City, Amhara Region, following clashes between Orthodox Christians and Muslims during a funeral ceremony. In addition, in December 2021, Government Security Forces killed 30 individuals claimed to be members of an armed group called the Oromo Liberation Army (OLA), also known as *Shene*, in Oromia Special Zone in Amhara Region.
21. In June 2022, in Gambella Region, *Shene* and Gambella Liberation Front attacked the regional security forces and killed civilians. In response to the attack, the regional security forces committed extra judicial killings as it employed excessive use of force.
22. In March 2022, the security forces committed extra-judicial killings in *Metekel Zone Guba Woreda* of Benishangul Gumuz Region following the killings of 20 members of the National Defence Force by an armed group known as "Gumuz militants".
23. Due to conflicts in SNNPR, a number of civilians have been killed since 2019. In November 2020, 66 persons were killed in *Konso Zone* and surrounding areas of *Alle Special Woreda*, *Segen Area Kebeles*, *Buniti Kebele of Amaro Woreda*, due to violent clashes related to self-governance and border claims. In March 2022, a number of civilians were killed by Security Forces in *Alle* and *Derashe Special Woredas*, *Gurage Zone Meskan Woreda* and *Jinka* area, as a result of violent clashes related to issues of self-governance and identity. In April 2022, 8 people were killed by Government Security Forces in *Omo Woreda*, *Jinka* town.
24. In March 2022, in *Fafen Zone*, Somali Region, Security Forces used excessive force and killed 11 individuals during election of their next traditional leaders.
25. During the general election of June 2021, there were killings of persons assigned to election work in Oromia Region (See para 68). In November 2021, security forces killed 14 members of the *Kereyu Michille Geda Jila* following the killings of 11 members of security forces by armed groups in East Shewa Zone *Fentallie* and *Boset Woreda*, of Oromia Region. In June 2022, a number of civilians were killed by armed groups in *Gimbi Woreda*, *Tolle Kebele* of Western *Wollega*. In July 2022, there was also a massacre of civilians by OLA/Shene in villages 20 and 21 of *Hawa Gelan Woreda* in *Qellem Wollega Zone* of Oromia Region.

Recommendations: The State should adopt a law that regulates the use of force by security force in conformity with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and AU Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. The State should also establish independent monitoring mechanisms to

ensure accountability and provide human rights education and training to security forces. The State should provide regular updates on the investigation and prosecution by the IMTF to hold perpetrators accountable and frame effective redress mechanisms for victims and their families. The State should ensure law and order to end the continued insecurity, conflict and killings. The State should work with relevant national institutions to develop a National Atrocity Prevention Strategy and ensure its implementation.

B) Threat to the right to life

26. Due to the drought in Oromia and Somali Regions following the prolonged period of low rainfall for up to 4 seasons, the right to life of a large number of inhabitants has been threatened since October 2021. The Government has collaborated with humanitarian organizations and distributed humanitarian assistance to alleviate the effect of the drought, but food support is inadequate.

Recommendation: The State, in collaboration with stakeholders and where necessary other international actors, should take immediate measures to increase humanitarian aid to affected populations. The State should also take concrete measures to strengthen its early warning and response mechanisms to alleviate drought related threats to the right to life.

C) Prohibition of Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (arts. 7 and 14)

27. The Ethiopian legal framework does not provide a comprehensive definition of torture that incorporates the elements set under international standards. There is no progress recorded in this regard since the last State report.

Recommendation: The State should define ‘torture’ by integrating the elements as provided under the UN Convention against Torture to ensure adequate protection from torture and address impunity.

28. Tigrayan Forces and affiliated militia tortured civilians and subjected them to ill-treatments in Amhara and Afar Regions. In addition, they committed acts of torture and other ill-treatment against civilians in places of detention and civilians’ homes in *Mekelle, Humera, Shire, Adebayo* and *Axum*. People were abducted, beaten, deprived of food and water, and threatened of being killed and verbal abuse in facilities operated by the Tigrayan authorities, including detention facilities and military camps. Moreover, members of EDF, ENDF, and Amhara Special Forces (ASF) who were captured by Tigrayan Forces were subjected to torture and ill-treatment.

Recommendation: The State should conduct investigation to ensure accountability of perpetrators, including members of the Tigrayan Forces and affiliated militia who committed acts of torture and other ill-treatment in the context of the conflict.

29. There are some promising initiatives by regional governments (Somali and Oromia regions) to compensate victims of human rights violations by security forces, but a comprehensive framework is still lacking with regard to redress.

Recommendation: The State should adopt comprehensive legal and institutional framework that ensure effective redress for victims of torture including in conflict situations, such as rehabilitation and psycho-social support.

30. In many regional and federal prisons, convicts who engage in disciplinary breaches are subjected to corporal punishment, isolation from other prisoners, denial of medical treatment and other services which amounts to torture. The decision-making procedure for inmates to be placed in isolation lacks consistency and does not have an appeal procedure.

Recommendations: The State should establish a mechanism for handling disciplinary breaches in prisons that align with international human rights standards to guarantee accountability of correctional officers and compliance with international standards on the treatment of prisoners.

Liberty and Security of the Person (Arts. 9 &10)

31. All parties to the conflict in Northern Ethiopia—the Tigray Forces, ENDF, Amhara Special Force, Fano, Tigrayan youth ‘Samri’, Afar Special Force, OLF and EDF, militia arbitrarily detained, kidnapped, and caused enforced disappearance of civilians. Since September 24, 2021, an armed group called Gumuz Militants have abducted more than 145 members of the *Gumuz* tribe, including children, women, and the elderly in *Kamashi* and *Metekel* zones, in Benishangul Gumuz Region. Gumuz Militants also kidnapped individuals in Gambella.

Recommendations: The State should redouble its efforts to investigate and prosecute perpetrators, ensure accountability, and provide redress for victims. It should provide information to the public on measures taken and available redress mechanisms. The State should maintain law and order, and provide special protection to women, children, persons with disabilities and older persons.

32. In Afar Region, more than 9000 persons of Tigray ethnic origin were taken from three districts of the Afar region, namely *Abala*, *Koneba*, and *Berehale* and arbitrarily detained for over six months in *Agatina* and *Semera* camps in December 2021 on the ground that they were fighting in support of TPLF in connection with the conflict in Northern Ethiopia. During their detention, they lacked medical care and received insufficient food, endangering their safety and lives. Following a long advocacy work carried out by the Ethiopian Human Rights Commission, the persons in both camps were returned to their places of residence except 600 persons who have been waiting for the security situation in their places of residence to improve.

Recommendations: The State should provide detainees medical care and adequate food.

33. **Detention of Political Party Members and Supporters:** in *Asosa* Zone of Benishangul Gumuz Region, at least 72 people including representatives and party leaders of Benishangul

People's Liberation Movement were arrested in various police stations.⁹ Candidates of the National Movement of Amhara (NaMA) were arrested in North Wollo Zone of Amhara Region, and their members in Asosa Town of Benishangul Gumuz Region. Since July 11, 2020, leaders and members of the Oromo Liberation Front (OLF) have been repeatedly detained in Oromia Region. Moreover, in Oromia Region, there are individuals who were detained for two years without being charged. The police failed to bring detainees to court on their adjournment date without sufficient grounds. In Kucha Woreda, Gamo Zone of SNNPR, leaders and members of the Kucha People's Democratic Party were arbitrarily arrested by the Woreda Administration. The findings of EHRC's election monitoring indicated that on June 13, 2021, 17 members and supporters of Ethiopian Citizens for Social Justice were arrested in Konso Zone of SNNPR. More than 65 political party members and supporters were arbitrarily and unlawfully detained in various parts of the country during the run up to the election and were released later for Election Day, while more than 330 political party members and supporters remained in custody and were unable to participate in the general election. These individuals had endured protracted pretrial detention, unlawful detention, and were not released even though the public prosecutor had dropped the charge.

34. **Detention of journalists:** EHRC monitoring indicated that at least 39 journalists were arrested by security forces from June 2021 to June 2022 in Addis Ababa, Amhara and Oromia Regions. They were detained for a period ranging from a few days to a number of months, and many suffered other human rights violations including denial of bail and visitation rights, incommunicado detention, and detention in irregular places of detentions. By 23 September 2022, three journalists remain in detention in Addis Ababa.
35. **Detentions during “rule of law operation” campaign:** Since May 2022, in Amhara Region alone, more than 10,000 people, especially members of informal armed forces and many members of opposition political parties were mass-arrested without a court order.
36. **Detentions in relation to “self-determination” issues:** on June 30, 2022, several individuals were arrested by the security forces in relation to issues of administrative structure and border demarcation, in Gurage Zone and Haibena Kebele, Derashe Special Woreda in SNNPR.

Recommendations: The State should immediately release persons subjected to arbitrary detention. The State should also immediately investigate violations of the rights to liberty and security of the person, take corrective measures and ensure that perpetrators are held accountable.

Treatment of Prisoners and Prison Conditions

37. There are a number of ongoing prison constructions in the country to improve prison conditions and overcrowding. In June 2022, the Oromia regional government granted pardons for 3,673 convicts. However, most prisons are still overcrowded, and inmates' rooms are unclean and

⁹ EHRC, *Human Rights Situation Report on Ethiopia*, June 2021 and June 2022 (Ethiopian fiscal year), July 8, 2022. [original document is in *Amharic* language].

lack proper ventilation and lighting. In addition, a large number of prisoners sleep on mattresses on floors made of straw or plastic or on mattresses they share with other prisoners. Moreover, once the rooms are closed at night, it is difficult for prisoners to use the toilet or get medical care if they have a health emergency. Most police stations lack sufficient and hygienic restrooms, are overcrowded, poorly lit and unventilated. Women and men are detained in different rooms but in the same premises in many police stations, which at times poses the risk of GBV.

Recommendations: The State should improve conditions of detention centers to meet its duty of care for persons under its custody in line with international and regional standards on the treatment of prisoners. The State should provide separate prisons for women with gender responsive personnel and services.

38. Efforts are made in a number of prisons to improve the provision of basic services for inmates. However, in many regional and federal prisons, such as *Kaliti* and *Batu* (previously *Zeway*), the amount and quality of food provision for prisoners is still insufficient. In addition, children are imprisoned with their mother for a long time, and there are also significant gaps in the provision of formal education. Sanitary supplies and sexual and reproductive health services are inadequate. Moreover, there is a shortage of medical personnel, equipment and drugs. Prisoners are forced to wait for long periods without medical service due to limited transportation service except for prisoners with acute and urgent health issues. In some cases, inmates with psycho-social disability are imprisoned together with other prisoners and do not have access to psychiatric treatment.

Recommendations: The State should provide adequate food, sanitary supplies and medical services, including sexual and reproductive health care for women and psychiatric care to inmates by allocating adequate resources to safeguard the rights of prisoners. The State should establish an efficient mechanism to implement an alternative care system for children who are living in prisons with their mothers.

39. There are some of positive developments in relation to prisoners' rights. For example, in Somali region, conjugal-visit-rooms for prisoners have been established. In the Amhara region, clear criteria and procedures were developed for pardon and amnesty to make the probation process more effective. In Sidama Region (a new regional state which broke away from SNNPR), efforts are being made to adopt legal frameworks on pardon and the rights of prisoners, and to build a state prison. Also, in June 2022, the Oromia Region pardoned 3,673 convicts. However, in Benishangul Gumuz Region, the Prison Management Regulation contains a provision that prohibits inmates from contacting their relatives and other persons for some time following disciplinary punishment. There are also no regulations, directives, or guidelines in the Region pertaining to the admission of prisoners, the registration and upkeep of a personal file, the interaction between inmates and visitors, and other income generating activities in prison.

Recommendation: The federal government and regional States should review and revise relevant laws, policy and procedural rules related to prison administration in compliance with human rights standards and provide training for security officers.

40. In many federal and regional prisons, the practice of keeping child offenders with adult prisoners and convicts of less serious offenses with those convicted of serious crimes still persists.

Recommendations: The State should build both at the federal and regional levels, alternative correction centers for children, and provide for separate correctional institutions when institutionalization is necessary. The State should ensure access to child-friendly justice. Moreover, the State should segregate offenders based on gravity of crimes and sentences.

41. The interrogation of suspects are recorded at the Federal Police Criminal Investigation Office in Addis Ababa. However, denial of court-granted bail right by transferring detainees to another police station, arrests for civil or contractual cases in Amhara Region,¹⁰ keeping suspects in secret places and detention camps, and arresting the suspect's relatives to force suspects' appearance are common practices in various regions.

Recommendation: The State should investigate and hold accountable security personnel who commit unlawful and arbitrary arrests, enforced disappearances, and fail to implement court order.

Elimination of Slavery, Servitude and Trafficking in Persons (arts. 2, 7-8 and 26)

42. The Ethiopian Overseas Employment (Amendment) Proclamation No. 1246/ 2021 was adopted by revising the previous law in order to prevent trafficking in persons by regulating the engagement of the private sector in overseas employment services. Bilateral agreements were signed with a few destination countries that receive a high number of Ethiopian migrant workers.¹¹

Recommendation: The State should enter into bilateral overseas employment agreements with more destination countries that uphold the human rights of Ethiopian migrant workers in order to facilitate regular and humane migration. The State should also conduct regular monitoring of overseas employment.

43. Forced and sudden return of Ethiopian irregular migrants to their home country would cause them economic, social and psychological harm. Weak investigation and prosecution of crimes of human smuggling and trafficking lead to impunity of perpetrators and vicious cycles of irregular migration. The absence of regional counterparts of federal agencies working on migration, particularly in places of origin or transit of migration routes (e.g., Amhara, Oromia and SNNP Regions) is concerning.

¹⁰ Individuals who were unable to repay their loans to the *Amhara Credit and Savings Institution* were unlawfully detained (in *Agew Awi Zone, Guagusa Shikudad Woreda, Tilily Town, and Yilmana Densa Woreda*).

¹¹ Such as Jordan, Qatar, Saudi Arabia and UAE.

Recommendations: The State should strengthen investigation and prosecution of crimes of human smuggling and trafficking. The State should also conduct public awareness raising campaigns about the risks of trafficking in persons in collaboration with other stakeholders such as civil society organizations. The State should organize programs to provide support for returnees, including the creation of job opportunities.

Treatment of Aliens, including Refugees and Asylum Seekers (arts. 7, 9, 12-13 and 24)

44. The security problems due to armed conflict in Northern Ethiopia¹² and the proliferation of conflicts in other areas where refugee camps are located resulted in security threats for refugees and displaced thousands.¹³ Budget and support cuts by international organizations have also worsened the situation of refugees. Between November 2020 and January 2021, the Tigray Forces and EDF violated the civilian character of refugee camps in Tigray by their presence in Shimelba refugee camp which shelters Eritrean refugees. Tigray Forces and EDF fought around the camp putting the security and lives of refugees at risk, resulting in the destruction of the camp, the displacement of thousands of refugees, and the disappearance of hundreds. The EDF violated the fundamental principle of *non-refoulement* by forcibly returning some Eritrean refugees to Eritrea. Tigray forces and civilians looted private property of refugees and property of humanitarian organizations. More than 750,000 refugees in Ethiopia are under protection risks due to lack of food assistance. Due to protracted funding shortfalls, the World Food Program (WFP) has been forced to cut rations for more than 750,000 registered refugees living in 22 camps and five sites in hosting communities in Afar, Amhara, Benishangul-Gumuz, Gambella, Somali and Tigray regions of Ethiopia. Vulnerable families who are dependent on food assistance remain at risk of undernutrition, micronutrient deficiency, susceptibility to diseases/infection and increased protection risks.¹⁴

Recommendation: The State should continue its long-established commitment to protect refugees in the country and to reduce the risks relating to food assistance through cooperation with the international community.

45. The pledges which Ethiopia made in the Comprehensive Refugee Response Framework (CRRF) roadmap in 2018 were not effectively implemented. Particularly, implementation of the out-of-camp policy for the placement of 10% of the refugee community out of camps could not be realized partially due to limited support by the international community.

Recommendation: The state should work towards the realization of the nine pledges.

¹² Thousands of Eritrean refugees displaced in clashes in Ethiopia's Afar region, <https://www.unhcr.org/news/briefing/2022/2/620f63574/thousands-eritrean-refugees-displaced-clashes-ethiopia-afar-region.html> [accessed on August 24, 2022].

¹³ UNHCR, partners rush to aid thousands of refugees in Benishangul Gumuz region of Ethiopia, <https://www.unhcr.org/news/briefing/2022/2/61fcf1f04/unhcr-partners-rush-aid-thousands-refugees-benishangul-gumuz-region-ethiopia.html> [accessed on August 24, 2022].

¹⁴ WFP, UNHCR, RRS appeal for funding to continue feeding over 750,000 refugees in Ethiopia, <https://www.unhcr.org/afr/news/press/2022/8/62f246d54/wfp-unhcr-rrs-appeal-for-funding-to-continue-feeding-over-750000-refugees.html> [accessed on August 24, 2022].

Internally Displaced Persons (arts. 2-3, 12 and 25)

46. The Government of Ethiopia ratified the African Union Convention on the Protection and Assistance of Internally Displaced Persons (the Kampala Convention) through Proclamation No. 1187/2019; and has set up a steering committee to enforce the Convention. Nevertheless, the domestication and implementation of the Convention in the national legal framework is stalled. In addition, Ethiopia does not have a clear legal framework designating a specific institution with a clear mandate on IDPs.

Recommendation: The State should adopt a national policy, a domestic law, and an action plan incorporating its obligations under the Kampala Convention for the effective prevention, protection of, and assistance to internally displaced persons (IDPs). The State should designate an institution with a clear mandate on IDPs.

47. The armed conflict in Northern Ethiopia and the proliferation of conflicts or security threats in various areas have caused the number of IDPs to rise constantly reaching 4.2 million by the end of May 2022,¹⁵ resulting in a serious humanitarian crisis. While the Government has made efforts to provide humanitarian aid to IDPs, there is failure to provide adequate humanitarian aid that takes into account the special needs of pregnant and breastfeeding women, children, elderly and persons with disabilities (see paras 32 above).

Recommendation: The State should conduct regular needs assessments on the situation of IDPs and allocate adequate resources, as well establish strong cooperation with regional and international organizations to ensure access to basic services for all IDPs, that are age, gender and disability responsive.

48. The gaps in the registration of IDPs, including limited registration of vital events resulted in the absence of organized and disaggregated data on IDPs, posing a challenge for proper protection and assistance.

Recommendation: The State should establish an institution with a clear mandate for effective registration of IDPs; put in place an effective system for the registration, including a disaggregated database to enhance proper protection and assistance for IDPs.

49. There is a policy vacuum on durable solutions. In the process of rehabilitation, there is lack of provision of basic supplies and facilities, including accessibility of conditions for income generation, basic health, education and other important social services, which forces IDPs to be aid dependent, making durable solutions even more challenging.

Recommendation: The State should adopt a policy that ensures a comprehensive and participatory durable solution system establishing the conditions for the realization of safe and humane durable solutions for all IDPs.

¹⁵ IDMC_GRID_2022.

https://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_GRID_2022_LR.pdf
[accessed on August 24, 2022].

Access to Justice, the Independence of the Judiciary and Fair Trial Rights (art.14)

50. The revised Judicial Administration Council Proclamation introduces new criteria for judgeship, procedure for termination of tenure of the Federal Supreme Court President and Vice President.¹⁶ Further, the composition of the judicial administration council is revised to ascertain gender balance as it makes it mandatory to include women.¹⁷ Notwithstanding this, as per the Judicial Administration Council Proclamation, nomination of Federal judges is not fully independent from the executive branch.¹⁸

Recommendation: The State should ensure the impartiality and independence of the judiciary by revising relevant legal provisions and adopting enabling laws for the independent selection and appointment of judges.

51. Individuals face barriers to enjoy their rights to fair trial, such as their right to legal counsel, to be brought before court, to family visitation, to bail, speedy trial, and presumption of innocence. Individuals were detained using peace and security concerns as an excuse, without bringing them before the court within the required legal timeframe, not informing them of the charges, if any, coercing confession through physical violence and refusing to release detainees as per court orders including on bail (See para 34 & 35).¹⁹

Recommendations: The State should increase its efforts to ensure individual's right to due process and access to justice. The State should take measures to strengthen existing accountability mechanisms and provide training to law enforcement organs on relevant provisions pertaining to access to justice and fair trial rights.

52. During the 2021 post-election period, specialized election courts/benches were inaccessible. As a result, individuals with complaints pertaining to electoral disputes were overlooked.

Recommendation: The State should establish mechanisms for judicial review of election related complaints.

53. On May 22, 2022, individuals including journalists were detained during a '*rule of law operation*' declared by the Government in which individuals were subjected to lengthy pre-trial detention. This operation has been implemented mainly in Addis Ababa and Amhara Region. Some were detained at unknown locations and were not brought before court within 48 hours (see para 35).

Recommendation: The State should ensure that court orders are respected by law enforcement authorities to maintain rule of law and preserve the integrity of the judiciary. The State should

¹⁶ Federal Judicial Administration Proclamation No.1233/2021, Article 33.

¹⁷ Id, Article 6.

¹⁸ Id, Article 9 (3).

¹⁹

[https://ehrc.org/%e1%8b%a8%e1%8a%a2%e1%88%b0%e1%88%98%e1%8a%ae-%e1%88%9d%e1%8a%ad%e1%88%a8-%e1%88%83%e1%88%b3%e1%89%a5-%e1%88%88%e1%8d%96%e1%88%8a%e1%88%b5-%e1%8a%a5%e1%8a%93-%e1%88%9b%e1%88%a8%e1%88%9a%e1%8b%ab/.](https://ehrc.org/%e1%8b%a8%e1%8a%a2%e1%88%b0%e1%88%98%e1%8a%ae-%e1%88%9d%e1%8a%ad%e1%88%a8-%e1%88%83%e1%88%b3%e1%89%a5-%e1%88%88%e1%8d%96%e1%88%8a%e1%88%b5-%e1%8a%a5%e1%8a%93-%e1%88%9b%e1%88%a8%e1%88%9a%e1%8b%ab/)

take steps to ensure that the justice sector operates in accordance with the provisions of the ICCPR to meet the requirements of fair trial.

54. The adoption of a draft national legal aid strategy has been delayed. Access to legal aid is limited and unstructured, especially for disadvantaged individuals and groups.

Recommendation: The State should adopt and implement the draft national legal aid strategy and put in place a guideline for effective coordination among stakeholders to ensure access to legal aid services.

Freedom of Expression (art. 19)

55. Legal and policy reforms since 2018 created an enabling environment for the media and the civic society in Ethiopia. However, many journalists, opposition political parties, and activists continue to be detained arbitrarily and subjected to threats. The arrests of media personnel were carried out contrary to the Media Law, usually with the allegation of incitement of violence, the consequences of which extend beyond media space and freedom of expression. Journalists were arrested as a result of exercising their freedom of expression in Addis Ababa, Oromia, and Amhara regions (See para.34).

Recommendation: The State should amend procedures and develop strategies that enable the media to self-regulate in order to widen the media space to protect the safety of journalists and strictly observe provisions of the Media Proclamation on prosecution of suspected media professionals, including trial without imprisonment for committing an offence through the media.

56. Detained journalists whose right to bail was granted by court order were held in prison on pretext of appeal on bail granted or unwarranted extension remand. In 2021, at least two journalists were killed in connection with their work.

Recommendations: The State should ensure that court orders are respected. The State should investigate the killings of journalists and prosecute the perpetrators.

57. Both landlines and mobile telephones and internet communications were disconnected during the conflict in the Northern Ethiopia. The internet and phone shutdowns restricted access to information for civilians. The shutdown also hindered the work of journalists and human rights defenders who were providing information about the situation on the ground.

Recommendation: The State should ensure restoration of communication services in order to ensure freedom of expression and access to information.

58. Some provisions of the Hate Speech and Disinformation Prevention and Suppression Proclamation No.1185/2020 do not comply with international human rights standards, such as the Manila Principle and Rabat Action Plan. The Proclamation goes far beyond the command of Article 20(2) and limitations required by article 19(3) of the ICCPR. Permissible restrictions generally should be content-specific. The Proclamation fails to provide a definition of the term ‘hatred’. The Proclamation imposes a penalty on those who merely repost or otherwise share

content deemed to be “hate speech” or “disinformation” which widens the scope of application. The excessive vagueness of the law gives officials at the federal and regional levels unlimited discretion to determine whom to investigate and prosecute.

Recommendation: The State should revise the Hate Speech and Disinformation Prevention and Suppression Proclamation No. 1185-2020 in light of international and standards.

Freedom of Peaceful Assembly (art.21)

59. Government security forces used excessive lethal force to disperse people assembled to elect their tribal leader in *Gursum* Woreda of Somali Region, killing and injuring people, and violating their right to peaceful assembly. Following the investigation of EHRC, the Regional Government acknowledged that the killings and injuries were unlawful, initiated the prosecution of some members of the security forces, and compensated victims and their families.

Recommendation: The State should take measures to guarantee the non-recurrence of similar violations.

60. Various complaints of government interference with freedom of peaceful assembly were brought to EHRC by opposition political parties in relation to the sixth national election in 2021. For instance, on April 6, 2021 NaMA’s rally in Asosa, Benishangul Gumuz Region, was dispersed and candidates and members of the party were arrested by the Regional Police Special Forces and Administration. There were intimidations against those who participated in meetings of political parties, prohibition of meetings due to ‘command post’ in Wolaita Zone of SNNPR and prohibition of meetings and peaceful demonstrations in *Jimma* and *Bedele* towns in Oromia Region.

Recommendations: The State should ensure the freedom of peaceful assembly of political parties and their members.

Children’s Rights (arts. 23-24)

61. Due to the conflicts in Tigray, Amhara and Afar regions, and armed attack in Beninshangul Gumuz, Oromia and Gambella regions, several children were killed, subjected to a systematic and widespread sexual and gender-based violence, physically injured and were traumatized as they witnessed the killings, physical injuries and rape of their family members. The conflict resulted in the separation of children from their family, as well as, denial of their right to access health services and education. Inadequate humanitarian assistance including food and clothing also jeopardized the survival and welfare of children in conflict affected areas. Once displaced, IDP children living in camps are further exposed to sexual and other abuses.

Recommendation: The State should ensure the protection of children’s rights in conflict situation and provide them health care services, food, clothing and education.

62. The minimum age of criminal responsibility in Ethiopia is set at 9 years, exposing very young children who do not fully understand the consequences of their actions to various forms of violence and exploitation in detention.

Recommendation: The State should increase the minimum age of criminal responsibility at least to twelve years as per the recommendations from human rights bodies.

63. Children suspected of crimes in Somali Region were arrested without a court warrant, denied access to legal aid and deprived of their right to due process, including the right to be informed of the reasons for their arrest. Children were subjected to mass arrest and treatment that deprived them of their dignity. Children in Somali and Oromia regions were detained with adults in a number of police stations.

Recommendations: The State should adopt relevant laws and properly implement existing laws which provide children with adequate rehabilitation programs using the framework of restorative justice. The State should conduct training for prison officers and justice sector professionals to ensure that all children in conflict with the law enjoy the protection of the juvenile justice system. The State should coordinate with civil societies and international organizations to ensure children who go through the justice system have access to legal aid.

64. Children who were detained in *Semera* and *Agatina* camps of Afar Region were affected by an outbreak of COVID 19.

Recommendations: The State should provide special protection to children.

65. The legal framework governing trafficking in children is not comprehensive and fails to address child kidnapping and trafficking issues, such as abduction and trafficking for recruitment of child soldiers, and kidnapping for organ trafficking, human trafficking and sexual abuse and exploitation.

Recommendation: The State should take legislative measures, including amending the criminal law to comprehensively address child kidnapping, child trafficking, organ trafficking, and trafficking for recruitment of child soldiers in order to ensure comprehensive protection of children from trafficking for different purposes.

66. Afar and Somali Regions do not have a clear family law that sets the minimum age of marriage at 18, and religious and cultural systems allow lower marriageable age perpetuating early marriage.

Recommendation: The State should ensure the adoption of family law in Afar and Somali regions prohibit child marriage.

67. In relation to the right of children's identity, according to the Vital Event Registration Proclamation No.1049/2017, birth certificate of the child is available only to those who can afford to pay the fee to acquire the certificate.

Recommendation: The State should avail birth certificates for every child free of charge.

Participation in Public Affairs (arts. 25-26)

68. **Violence, death and physical injury during the general election:** The national election of 2021 was relatively peaceful considering the security risks the country faced at the time. However, there were incidents of violence that resulted in the death and bodily injury of members, supporters and election executives of opposition political parties. For instance, in Oromia Region, there were killings of election officials. In Liban Arsi Woreda, West Arsi Zone, the Deputy Head of the Woreda Education Bureau who was assigned to the Woreda for election work, was murdered by unknown persons on June 16, 2021. On June 18, 2021, two persons, the Head of Security Bureau of Dugda Dawa Woreda and the Former Chairman of Mureti Kebele were killed by armed men in West Guji Zone, Bule Hora surrounding Woreda Polling Station. On June 19, 2021, four persons who were guarding a polling station were attacked, and one person was killed while the remaining three were injured in Reda Soroma Kebele, Nekemte Diga Woreda. On June 20, 2021 among the security forces escorting the election materials from Bule Hora town to Yabelo town, one federal policeman was killed by an armed group. On June 19, 2021, a supporter of Ethiopian Citizens for Social Justice party living in Jarso Kebele was taken by two Kebele Militias, physically assaulted and left in the premises of the Kebele Administration in Konso Zone, SNNPR.

Recommendation: The State should ensure accountability including through the proper investigation of election related violence and prosecute perpetrators.

69. **Discriminatory access to the media, meeting halls and assembly places:** there were trends of using public resources by the ruling Prosperity Party (PP) during election campaigns, especially the state-owned media, meeting halls and public areas for assembly. These public resources were not equally made available for opposition political parties. In several locations, particularly in rural areas covered by EHRC's monitoring, local administration officials were directly and indirectly banning opposition parties from accessing meeting halls and assembly places.

Recommendation: The State should ensure equal access to public resources by all parties.

70. EHRC observed and received complaints of alleged harassment, interference and intimidation against opposition parties, which limited their political participation. For instance, local government administrations were closing offices of opposition parties, obstructing rental of offices by influencing owners through threats and intimidation. These actions were reported in *Mizan Teferi, Wolayta, Gamo, Konso* and *Mizan Aman* Zones of SNNPR, in Gambella Region, in Oromia Region, particularly *Bale Goba*, in Harari Region and Dire Dawa City Administration. Furthermore, there were reports of acts of tearing down and destroying banners and campaign materials, and obstructing campaign activities of opposition party members violating their freedom of thought and expression, freedom of association and active participation in public affairs.

Recommendation: The State should take measures, including training of government officials on state obligations in election context, conduct proper investigation on alleged violations, and ensure accountability.

71. Harassment, intimidation and other interference were observed on Election Day against citizens who were exercising their right to vote freely. EHRC received complaints in *Aleta Wondo Gordamabicho* and *Agara* rural kebeles of SNNPR, where local administrators threatened the community saying, "If you don't vote for Prosperity Party, you will have no rights when the Party wins." In *Godber* Kebele Polling Station in West Gojjam Zone of Amhara Region, local Kebele officials were sitting in polling stations and were giving orders to voters as to who they should vote for. In some polling stations monitored in *Butajra* town in SNNPR, leaders and members of the Prosperity Party produced their own ID cards other than the ID card (badge) issued by the National Electoral Board of Ethiopia (NEBE) and were present in unauthorized places, putting undue influence on voters.

Recommendation: The State should respect electoral rules and procedures and refrain from voter intimidation and harassment.

72. Violence against women in election and politics (VAWEP) is one of the concerns in relation to women's participation in political and public life. EHRC's findings revealed that women political party candidates are disproportionately exposed to gender-based verbal, psychological, physical, economic, and sexual violence, including gender-based hate speech targeting women taking part in the electoral processes (See para.14).

Recommendation: The State should promptly proceed with legal and policy reforms to eliminate all forms of VAWEP and to nurture a positive environment for women's participation in elections and politics.

73. During the 6th general election, a grievance handling mechanism was not available in all areas; and there were no complaints hearing committees set up at polling station levels. Among some of the gaps identified during the electoral process are: limited capacity of NEBE and election officials to resolve complaints; the non-compliance of government officials at Woreda level with NEBE regulations and the instructions of election officials, and the absence of a special court designated to handle election-related disputes, and the lack of appropriate and timely solutions.

Recommendation: The State should ensure judicial review of election related disputes and set up structures envisaged in the electoral law to handle such disputes, and allocate adequate resources and mechanisms to ensure that election complaints are resolved in an impartial and timely manner.

74. The introduction of Directive No.13/2021 by NEBE to facilitate the establishment of Special Polling Stations (SPS) for IDPs to ensure their participation in the 6th general election was a notable positive development. However, NEBE failed to establish SPS in all areas where IDPs are present.

Recommendation: The State should take concrete actions to adopt special measures to ensure realization of the political rights of IDPs based on the adopted directive, including through promotion of IDPs' rights to political participation and through allocation of adequate budget.

75. Based on EHRC's monitoring work, more than 20% of the polling stations and voters registration centers were physically inaccessible for persons with disabilities, pregnant women and elderly voters, which compromise equal participation in elections.

Recommendation: The State should take special measures to ensure accessibility of election and voting materials, as well as polling stations to all persons including a thorough preparation and allocation of adequate budget to fulfill the rights of voters with special needs.

76. It is commendable that the electoral law incentivizes political parties that include women and persons with disabilities in party leadership and electoral candidacy. However, the participation and representation of women and persons with disabilities in political parties has not shown significant improvement.

Recommendation: The State should redouble its efforts to ensure the participation and representation of women and persons with disabilities in political parties.

77. There was lack of mandatory and minimum standards for accessibility of polling stations, legal prohibition of persons with intellectual and mental disabilities in election, absence of confidential election procedure for citizens with visual impairment and intellectual disabilities to vote independently, and absence of adequate legal representation in public organs such as the parliament.

Recommendation: The State should set minimum standards for accessibility of polling stations, ensure legal capacity, public participation and political representation of persons with disabilities.

78. In some parts of the country, including the Benishangul Gumuz Region, the 6th general election was not held due to security concerns. Citizens residing in these locations are deprived of their right to participate in public affairs through regular elections. It is also against the constitutional requirement for government legitimacy and disrupts the electoral process in the country.

Recommendation: The State should take concrete measures to improve security in these areas and create conducive conditions for administering elections within a reasonable time.

Rights of Minorities (arts. 2, 6 and 25-27)

79. In recent years, a pattern of ethnic based killings has become widespread in Ethiopia. The following attacks by armed group targeted ethnic and linguistic minorities and occurred in the absence or following withdrawal of security forces from an area. EHRC reported ethnic based attacks that resulted in loss of lives in the following areas:

- On November 1, 2020, an armed group committed ethnic based attacks targeting Amharas in Gawa-Kanka, Gilla-Gogola, and Seka-Jerbi kebeles of Oromia Region. Official state figures put the death toll at 32 civilians.
- From November 9– 10, 2020, in Tigray Region, Maikadra town more than 220 civilians were killed due to their ethnic background by a group of local youth called ‘Samri’. The targeted groups were Amharas, focusing particularly on “Ginb Sefer” and “Serategna Sefer” neighborhoods where mostly ethnic Amhara farmhands called “Salug” lived.²⁰
- On December 20, 2020, there were attacks against ethnic Amharas, Oromos, and Shinashas in Bekuji Kebele, Metekel Zone of Benishangul-Gumuz Region. It is estimated that at least 100 people were killed.
- On June 18, 2022, an estimate of 450 ethnic Amharas were killed in an attack by armed assailants in Tole Kebele, Gimbi Woreda, Western Wollega of Oromia Region .²¹
- On July 4, 2022, there were reports of massacre of civilians of mostly Amhara ethnic origin in *Hawa Gelan* Woreda, *Qellem Wollega* Zone of Oromia Region by the Oromo Liberation Army (OLA- aka Shane).
- Due to the death of 3 Amharas by the Oromo Liberation Army (OLA- aka Shane) on August 29, 2022, at *Horo Gudru Wollega zone*, there were retaliatory attacks by armed assailants from the neighboring woredas from the Amahra region targeting ethnic Oromos. The attack happened at Amuru woreda from August 24 – 25th 2022.²²
- On June 30, 2022, within the SNNPR region, *Dereashe* Special Woreda and *Haybena* Kebele, security forces used excessive force that led to five civilian deaths, injury and several detentions.²³

Recommendations: The State should protect ethnic and linguistic minorities living in different parts of the country. The State should ensure investigation and accountability of perpetrators. The State should continue its efforts in strengthening security forces in a manner that guarantees peace and security for civilians. The State should work with relevant national institutions such as EHRC to develop a National Atrocity Prevention Strategy and ensure its implementation.

²⁰ Joint investigation by EHRC and the Office of High Commissioner for Human Rights, East Africa Regional Office (OHCHR), page 30, November 3, 2021.

²¹ See <https://www.amnesty.org/en/latest/news/2022/07/ethiopia-authorities-must-investigate-massacre-of-ethnic-amhara-in-tole/>.

²²<https://ehrc.org/%e1%8a%a6%e1%88%ae%e1%88%9a%e1%8b%ab%e1%8a%ad%e1%88%8d%e1%88%8d%e1%8d%a1-%e1%89%a0%e1%88%86%e1%88%ae-%e1%8c%89%e1%8b%b1%e1%88%a9-%e1%8b%88%e1%88%88%e1%8c%8b-%e1%8b%9e%e1%8a%95-%e1%8a%a1%e1%88%99/>

²³ <https://ehrc.org/%e1%8b%b0%e1%89%a1%e1%89%a5-%e1%89%a5%e1%88%94%e1%88%ad%e1%89%a5%e1%88%94%e1%88%a8%e1%88%b0%e1%89%a6%e1%89%bd-%e1%8a%a5%e1%8a%93-%e1%88%95%e1%8b%9d%e1%89%a6%e1%89%bd-%e1%8a%ad%e1%88%8d%e1%88%8d/>.

Rights of indigenous peoples (arts.6 and 27)

80. The adoption of Pastoral Development Policy and Strategy by Ethiopia in 2020 is considered a positive step in addressing the development needs of pastoral communities which includes indigenous peoples. However, Ethiopia does not have a policy, national legislation or a strategy for protecting the rights of Indigenous Peoples.

Recommendation: The State should adopt tailored policy, strategies and laws that aim to specifically protect the rights of indigenous peoples of Ethiopia.

81. Regarding the toxic waste emitted by the *Lega Dembi* Gold Mine in Oromia Region, the State has not provided updated information on the current status of the mine and what measures were implemented by the company to address the harm caused to local communities as a result of toxic waste.

Recommendation: The State should take measures to provide solutions to socio-economic, environmental, and health problems caused to local communities by toxic waste and chemicals prior to granting a license to the mining company to restart its mining activity. Relocation and due compensation for persons affected by toxic waste should be given in a timely manner. The State should ensure that these measures are transparent.