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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Ethiopia

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	23 June 1976	None	Individual complaints (art. 14): No
ICESCR	11 June 1993	None	-
ICCPR	11 June 1993	None	Inter-State complaints (art. 41): No
CEDAW	10 Sept. 1981	Reservation to art. 29(1)	-
CAT	14 Mar. 1994	None	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): No
CRC	14 May 1991	None	-
<i>Core treaties to which Ethiopia is not a party: OP-ICESCR³ ICCPR-OP 1, ICCPR-OP 2, OP-CEDAW, OP-CAT, OP-CRC-AC, OP-CRC-SC, ICRMW, CPD (signature 30 Mar. 2007), CPD-OP and CED.</i>			
<i>Other main relevant international instruments</i>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		Yes	
Rome Statute of the International Criminal Court		No	
Palermo Protocol ⁴		No	
Refugees and stateless persons ⁵		Yes, except 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness	
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶		Yes, except AP III	
ILO fundamental conventions ⁷		Yes	
UNESCO Convention against Discrimination in Education		No	

1. The Committee on the Elimination of All Forms of Racial Discrimination (CERD) encouraged Ethiopia to consider ratifying those international human rights treaties which it has not yet ratified.⁸ CERD⁹ and the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW)¹⁰ encouraged Ethiopia to consider ratifying ICRMW. CERD also recommended that Ethiopia consider making the optional declaration under article 14 of ICERD.¹¹ The Committee on the Rights of the Child (CRC) recommended that Ethiopia ratify OP-CRC-SC and OP-CRC-AC.¹²

2. CRC also recommended that Ethiopia ratify the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption;¹³ consider ratification of the Rome Statute of the International Criminal Court;¹⁴ and withdraw its reservation to the 1951 Refugee Convention regarding the right to education.¹⁵

B. Constitutional and legislative framework

3. In 2009, CERD noted that Ethiopia's legislation is not fully in conformity with ICERD and recommended that Ethiopia adopt specific legislation on racial discrimination implementing the provisions of the Convention, including a legal definition of racial discrimination in line with article 1 of ICERD.¹⁶

4. In 2004, CEDAW expressed concern about the slow progress in the implementation of the provisions of the Convention.¹⁷
5. In 2006, CRC remained concerned at the lack of a systematic legislative review and adoption of a comprehensive Children's Code¹⁸ and recommended, inter alia, to strengthen its efforts to bring domestic laws into full compliance with the Convention.¹⁹
6. CRC welcomed the provisions in the New Criminal Code of 2005 which criminalise harmful traditional practices and most forms of human trafficking²⁰ and the provision in the Revised Family Code setting 18 years of age for marriage for both girls and boys.²¹ The independent expert on minority issues stated that, unfortunately, as a federal law, the Revised Family Code is not compulsory at the regional level since regions maintain autonomy in cultural and social affairs.²²
7. CEDAW urged Ethiopia to enforce the supremacy of the Constitution over regional laws.²³

C. Institutional and human rights infrastructure

8. As of 7 July 2009, Ethiopia does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).²⁴
9. CRC²⁵ and the United Nations Country Team (UNCT)²⁶ reported on the establishment in 2000 of the Ethiopian Human Rights Commission (EHRC) and Ombudsman institution. In 2009, UNCT noted that the EHRC receives a large number of human rights complaints every year, the majority of which have been refused for lack of jurisdiction.²⁷ CERD was concerned that EHRC has no specific department or unit dealing with issues, complaints and cases relating to racial discrimination and that it has offices only in the major cities.²⁸ CRC recommended that Ethiopia ensure as a matter of priority the efficient operation of both EHRC and the Ombudsman, in full compliance with the Paris Principles.²⁹
10. CRC recommended that Ethiopia ensure that the Ministry of Women's Affairs is provided with adequate human and financial resources, enabling it to coordinate and monitor implementation at the federal, regional, zone and Woreda levels.³⁰

D. Policy measures

11. CRC welcomed the free anti-retroviral programme that started in 2005 and the adoption of a National Plan of Action for Children (2003-2010).³¹ In 2009, UNCT noted that the Ministry of Health developed a National Adolescent and Youth Reproductive Health Strategy to increase access to and the quality of reproductive health services and to raise awareness about reproductive health issues.³²
12. In 2009, UNCT highlighted that since the adoption of the second poverty reduction strategy paper "Ethiopia, building on progress: plan for accelerated and sustained development to end poverty 2005-2010" there has been a clear shift in the allocation of expenditure towards infrastructure development and provision of basic services.³³
13. To implement the World Programme for Human Rights Education (2005-ongoing), the subject "Civics and ethical education" has been introduced in primary, secondary and tertiary education, as part of Ethiopia's new Education and Training Policy.³⁴

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body³⁵</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	Oct. 2008	Aug. 2009	-	Combined seventeenth to nineteenth report due July 2013
CESCR	-	-	-	Initial, second and third report (overdue since 1995) submitted in July 2009
HR Committee	-	-	-	Initial report (overdue since 1994) submitted in July 2009
CEDAW	Sept. 2002	Jan. 2004	To be included in the combined sixth and seventh report	Combined sixth and seventh report (overdue since 2006) submitted in July 2009
CAT	-	-	-	Initial to fourth report (overdue since Apr. 1995) submitted July 2009
CRC	Apr. 2005	Sept. 2006	-	Combined fourth and fifth report due Dec. 2011

14. The independent expert on minority issues recommended that the federal Government make every effort to fulfill its responsibilities to report to United Nations treaty monitoring bodies.³⁶

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Rapporteur on the right to food (16-27 Feb 2004); ³⁷ independent expert on minority issues (28 Nov-12 Dec 2006) ³⁸
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, requested in 2002, renewed in 2005; Special Rapporteur on the right to education; Working Group on Arbitrary Detention, requested in 2005; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, requested in 2005 and renewed in 2007 and 2009; independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, requested in 2006 renewed in 2007; Special Rapporteur on extrajudicial, summary or arbitrary executions, requested in 2008;
<i>Facilitation/cooperation during missions</i>	
<i>Follow-up to visits</i>	Special Rapporteur on freedom of religion or belief; Special Rapporteur on the right to food (follow-up visit), requested in 2008
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 37 communications were sent concerning, inter alia, particular groups, and 8 women. The Government replied to 9 communications, representing replies to 24 per cent of communications sent.

*Responses to questionnaires on thematic issues*³⁹

Ethiopia responded to none of the 15 questionnaires sent by special procedures mandate holders during the period under review,⁴⁰ within the deadlines.

3. Cooperation with the Office of the High Commissioner for Human Rights

15. By resolution 1312 (2000), the Security Council established the United Nations Mission in Ethiopia and Eritrea (UNMEE).⁴¹ The Human Rights Office of UNMEE was mandated to monitor the Temporary Security Zone between Ethiopia and Eritrea and areas adjacent to it, investigating and reporting on allegations of cross-border incidents and human rights violations.⁴²

16. In April 2007, the Secretary General indicated that UNMEE had undertaken human rights-related capacity-building and promotional activities jointly with other stakeholders.⁴³ UNMEE's human rights component obtained funds from OHCHR to implement capacity-building projects in Ethiopia.⁴⁴ The Security Council decided to terminate UNMEE's mandate effective 31 July 2008.⁴⁵

17. The OHCHR Regional Office, established in 2001 in Addis Ababa⁴⁶ has, in 2008, helped to establish the Ethiopia protection cluster, which holds regular meetings with multiple national and international actors. It also arranged for five members of the Ethiopian ad hoc inter-ministerial coordination committee to attend treaty-body sessions in Geneva.⁴⁷ In 2007, OHCHR, acting on behalf of the UNCT, and in collaboration with EHRC and the Ministry of Foreign Affairs, began the implementation of a treaty reporting project, as a result of which Ethiopia submitted all of its overdue reports to the treaty bodies. The treaty reporting project continues as part of the sub-programme of the EHRC under the five-year multi-donor funded Democratic Institutions Programme (2008-2012).⁴⁸

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

18. In 2009, UNCT pointed out that gender disparity persists at all levels due to differences in access to and control over resources between men and women, as well as women's limited access to education, and limited political representation and decision-making power. It reported that only 18.6 per cent of women in Ethiopia own land.⁴⁹

19. In his mission report of 2005, the Special Rapporteur on the right to food stated that discrimination against women remained a particular problem, despite the progress in addressing the legal framework at the federal level. The failure to strictly enforce existing legislation that addresses inequalities amounted to a failure to protect women against violations of the right to food, particularly in relation to inheritance and control over resources, including land.⁵⁰

20. In her mission report of 2007 the independent expert on minority issues noted that women from different ethnic communities face multidimensional obstacles, based on the particularities of the customary or religious practices of their communities and the relative status of their ethnic group in the region.⁵¹

21. CRC was concerned at the actual discrimination against certain groups of children, particularly girls, children with disabilities, children living in poverty, refugee children, children affected by and/or

infected with HIV/AIDS and children belonging to ethnic minorities.⁵² CRC recommended that Ethiopia make combating discrimination against vulnerable girls a national priority and adopt a comprehensive strategy to eliminate discrimination on any grounds against all vulnerable groups.⁵³

22. CERD was concerned at reports that caste-like forms of racial discrimination persist in Ethiopia, mainly affecting marginalized racial and ethnic minorities. It recommended that Ethiopia undertake a study of the spread and causes of the problem of castes and implement a strategy to eliminate it.⁵⁴

2. Right to life, liberty and security of the person

23. In 2007, the Special Rapporteur on extrajudicial, summary or arbitrary executions drew attention to reports received concerning several incidents of summary executions allegedly carried out by security forces in the Ogaden in the course of the year 2005.⁵⁵ In 2009 UNCT reported that a United Nations humanitarian assessment mission to the Somali Region in 2007 observed that the human rights and protection situation for the civilian population in the areas of military operation in the Somali Region was alarming and required urgent attention.⁵⁶

24. In 2006, the Special Representative of the Secretary-General on human rights defenders reported that reports of police brutality, torture, extrajudicial killings, arbitrary arrests, unfair trials, and non-access to basic economic, social and cultural rights continued to attest to a concerning human rights situation. She noted that the human rights situation was also affected by anti-terrorist measures that have reportedly been used to repress opposition, peaceful civil protests and human rights defenders. She further noted that the 2005 Parliamentary elections were followed by a wave of protests which was reportedly cracked down on by the security forces.⁵⁷

25. In 2009, UNCT informed that an independent inquiry commission established by Parliament reported on the number of killed and injured during the post-election violence.⁵⁸ In 2009, the ILO Committee of Experts on the Application of Conventions and Recommendations expressed deep concern over the failure of the Government to conduct a full and independent inquiry into the allegations made relating to arrests of trade unionists, their torture and mistreatment while in detention, and continuing intimidation and interference.⁵⁹

26. CRC expressed concern over the situation of children belonging to minorities, in particular Oromo and Anuak, as they suffer stigmatization and persecution by the armed forces, including torture, rape and killings.⁶⁰

27. CRC urged Ethiopia to take effective measures to protect all children from torture, cruel and degrading treatment. CRC was disturbed by numerous reports of rapes committed by members of the military.⁶¹

28. In 2009, UNCT informed that a 2008 report of EHRC on visits to 35 prisons in Ethiopia noted serious disparities vis-à-vis United Nations minimum standards and principles for the protection of prisoners in the area of socio-economic rights, instances of beatings and other violations of inmates' rights.⁶²

29. CRC remained concerned that "reasonable chastisement" is permitted according to the Penal Code and that corporal punishment is still widely practised.⁶³ CRC recommended that Ethiopia explicitly prohibit corporal punishment within the home and enforce the prohibition in all settings.⁶⁴

30. CEDAW was concerned that no specific legislation has been enacted to combat violence against women. CEDAW was also concerned that, while abduction has been recognized as a crime under the criminal code, the implementation of the law is weak.⁶⁵ CRC recommended that Ethiopia ensure adequate resources to investigate cases of abuse and prosecute and impose adequate sentences for such crimes.⁶⁶ CEDAW was also concerned about the incidence of rape in the country⁶⁷ and urged Ethiopia to combat violence against women and ensure that all forms of violence against women are prosecuted and punished adequately and that victims have immediate means of redress and protection.⁶⁸ In 2009, UNCT noted that the national prevalence rate for female genital mutilation (FGM) among the age group 15-49 is 74.9 per cent.⁶⁹ In 2009, CERD recommended that Ethiopia reinforce the measures adopted to eradicate harmful traditional practices.⁷⁰

31. CRC was concerned that a high number of women, especially girls, are victims of sexual exploitation and sexual abuse, and that the majority of cases remain in impunity.⁷¹ CRC recommended that Ethiopia ensure adequate resources to investigate cases of sexual abuse and exploitation and prosecute and impose adequate sentences for such crimes.⁷²

32. In 2008, the ILO Committee of Experts noted from a 2006 IOM report that Ethiopia was a source country for men, women and children trafficked for forced labour and sexual exploitation.⁷³ In 2009, the ILO Committee of Experts recalled that, according to the UNICEF data, Ethiopia is one of the top countries of origin for children trafficked from Africa. The Committee strongly encouraged the Government to take effective and time-bound measures to prevent children from being engaged in trafficking, sexual exploitation and prostitution.⁷⁴

33. CRC was deeply concerned at the increasing number of street children, who are also victims of drug abuse, sexual exploitation, and harassment by members of the police force.⁷⁵ CRC recommended that Ethiopia develop and implement a comprehensive policy which should address the root causes, to prevent and reduce this occurrence.⁷⁶

34. CRC noted that Ethiopia has set 18 years as the minimum age for recruitment into the armed forces. However, CRC was concerned about the possible gaps within the recruitment process due to a lack of adequate birth registration⁷⁷ and urged Ethiopia to take all possible measures to prevent the recruitment of children and enforce its legislation strictly.⁷⁸

3. Administration of justice, including impunity, and the rule of law

35. In 2007, the Independent Expert on minority issues urged Ethiopia to respect the independence of judges and lawyers and the impartiality of the judiciary.⁷⁹ CRC emphasised the urgent need to investigate and sanction reported cases to break the cycle of impunity for serious human rights violations.⁸⁰

36. In 2009, UNCT noted reports that the powers of the police to arrest and detain suspects were not sufficiently controlled by the public prosecutor's office or the courts, resulting in instances of prolonged pre-trial detention, use of force against suspects during arrest and interrogation, and cases of arbitrary arrest and detention.⁸¹

37. CRC recognized the efforts undertaken, for example through the Juvenile Justice Project Office but noted, however, that its impact has been hampered by limited resources. CRC regretted the absence of a child-friendly juvenile justice system in most of the country and the lack of legal aid

representatives for child victims of offences as well as for accused children.⁸² CRC urged Ethiopia to ensure that juvenile justice standards were fully implemented.⁸³ In 2009, UNCT highlighted that corrective and educational measures have been introduced for juvenile offenders.⁸⁴

38. CRC was concerned about the large number of young children, including infants, in prison with their mothers⁸⁵ and recommended that Ethiopia seek alternative measures to institutional confinement for mothers with young children and, if applied, provide adequate facilities.⁸⁶

4. Right to privacy, marriage and family life

39. CRC expressed regret at the absence of institutional structures and of an adequate legal framework to ensure birth registration.⁸⁷ CEDAW recommended that Ethiopia take measures to achieve free and timely registration of all births.⁸⁸

5. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

40. The independent expert on minority issues highlighted the need for a free and independent media which reflects a plurality of opinions, including those of minority groups and political opposition parties.⁸⁹ In 2009, UNCT reported that in 2008, the Parliament adopted a Mass Media and Freedom of Information Proclamation. A number of provisions give rise to concerns vis-à-vis realization of freedom of expression safeguards.⁹⁰

41. On 20 November 2007, the Special Representative of the Secretary-General on the situation of human rights defenders, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the Special Rapporteur on the independence of judges and lawyers, sent an urgent appeal concerning the situation of two prominent human rights defenders based in Addis Ababa. They were arrested following demonstrations against alleged fraud in the general elections of May 2005, in which over 190 protesters were reportedly killed in clashes between demonstrators and law enforcement authorities. This communication was left unanswered. Since 2005 several joint urgent appeals had been sent in this regard.⁹¹

42. The independent expert on minority issues stated that the federal Government should also ensure that civil society groups are free to function without interference, harassment, undue restrictions on their registration, activities, or ability to seek and accept funding.⁹² UNCT highlighted that the 2009 Proclamation for the Registration and Regulation of Charities and Societies is a source of concern with respect to freedom of association guarantees. The law bars foreign civil society organizations, as well as domestic NGOs that receive more than 10 per cent of their funds from “foreign sources” (art. 2(3)), from taking part in, inter alia, the advancement of human and democratic rights and the promotion of the efficiency of the justice and law enforcement services (art. 14(2), (5)).⁹³

43. In 2009, CERD noted that political parties in Ethiopia are largely structured on ethnic lines. It was concerned that the above arrangements, in the specific circumstances of Ethiopia, have the potential to contribute to an increase in ethnic tension. CERD recommended that Ethiopia encourage the development of integrationist multiracial organizations, including political parties, in line with ICERD.⁹⁴

44. The independent expert on minority issues considered that a crucial test of Government efforts is whether minority groups feel that they have an effective voice in political decision-making.⁹⁵ Measures should be taken to guarantee and implement democratic governance through free and fair elections in which the legitimate and peaceful rights of all political parties and individuals to stand for election and hold elected office without interference are fully respected.⁹⁶

45. A 2008 United Nations Statistics Division source indicated that the proportion of seats held by women in the national Parliament was 7.7 per cent in 2005 and 21.9 per cent in 2008.⁹⁷

6. Right to work and to just and favourable conditions of work

46. CEDAW was concerned about the discrimination faced by women in the labour market⁹⁸ and urged Ethiopia to ensure equal opportunities for women and men there through, inter alia, the use of temporary special measures. CEDAW recommended that Ethiopia take effective measures to promote the reconciliation of family and work responsibilities.⁹⁹

7. Right to social security and to an adequate standard of living

47. The 2007-2011 UNDAF noted that income poverty is widespread and deep and that between 6 and 13 million people are at risk of starvation each year.¹⁰⁰ The independent expert on minority issues called on the federal Government to address the needs of marginalized ethnic groups in the least developed regions in urgent need of infrastructure, sanitation, health-care services, and education facilities, with appropriate resources and development policies.¹⁰¹

48. In July 2007, the Secretary-General reported that security was a major challenge for the provision of humanitarian assistance in the Gambella and Somali regions. There were also reports of deteriorating food security situations in the Afar, Oromiya and Somali regions of Ethiopia.¹⁰² UNCT reported that, as per the 2009 humanitarian requirements document, almost 5 million people will need food assistance in 2009.¹⁰³

49. The Special Rapporteur on the right to food in his 2005 report found that Ethiopia had made food security the key priority of Government policy. However, Ethiopia remained one of the poorest countries in the world and hunger and food insecurity affected half of its people. He further stated that famine in Ethiopia was closely linked to destitution, extreme poverty and malnutrition.¹⁰⁴

50. CEDAW was concerned about the very low level of life expectancy for women, the high rate of maternal mortality, including the high rate of clandestine abortion and its causes.¹⁰⁵ CEDAW recommended the adoption of measures to guarantee effective access for women to health-care information and services, in particular regarding reproductive health.¹⁰⁶

51. CRC was deeply concerned about the impact of the high rate of HIV/AIDS on children.¹⁰⁷ CRC recommended that Ethiopia strengthen efforts to combat HIV/AIDS.¹⁰⁸ CEDAW was concerned at the high prevalence of HIV/AIDS among women.¹⁰⁹

8. Right to education and to participate in the cultural life of the community

52. CEDAW urged Ethiopia to strengthen its efforts to improve the literacy rate of girls and women in rural and urban areas, to ensure equal access of girls and young women to all levels of education and to take measures to reduce and eliminate the high drop-out and repetition rates of girls.¹¹⁰

53. In 2009, UNCT noted that primary education is free but not compulsory.¹¹¹ CRC recommended, inter alia, that Ethiopia ensure that primary education is free and compulsory and take the necessary measures to ensure that all children are enrolled in primary education; increase public expenditure on education with specific attention to improving access and addressing sex, socio-economic, ethnic and regional disparities.¹¹²

9. Minorities and indigenous peoples

54. In 2009, CERD was concerned about the occurrence of sporadic ethnic conflicts in the State party and, particularly, at reports of human rights violations committed by members of the military against the Anuak population in Gambella in December 2003. While noting the delegation's statement that measures to ensure accountability were taken, the Committee was concerned at reports that these human rights violations were not thoroughly investigated. CERD recommended that Ethiopia enhance its efforts to address the root causes of ethnic conflicts on its territory and take the necessary steps to prevent the targeting of civilians by the military and to promptly and thoroughly investigate reports of human rights violations in this context.¹¹³

55. The independent expert on minority issues noted that continuing ethnic conflicts were damaging prospects of regional stability and a unified Ethiopia¹¹⁴ and recommended that Ethiopia take measures to depoliticize ethnicity and promote policies of inclusion.¹¹⁵ She further noted that minority communities are frequently victims of conflict, and may be forcibly displaced from their traditional territories.¹¹⁶ Some smaller minority communities are considered to be in danger of disappearing completely due to factors including resettlement, displacement, conflict, environmental factors or loss of land.¹¹⁷ The Government should ensure that communities are secure from forced displacement or eviction and that measures are undertaken to effectively consult with communities regarding decisions that affect them.¹¹⁸

56. In an allegation letter of 11 December 2007, the Special Rapporteurs on the situation of human rights and fundamental freedoms of indigenous people, on the right to food, and on adequate housing brought to the Government's attention information received concerning the human rights situation of the communities, in and around the Omo, Mago and Nech Sar National Parks, located in South Ethiopia. The Special Rapporteurs referred specifically to the adoption in 2007 of the Development Conservation and Utilization of Wildlife Proclamation, concerning all national parks in Ethiopia. It was also alleged that, through the Proclamation, restrictions and regulations have been imposed on the indigenous communities regarding the use and enjoyment of their ancestral lands. With the signing of the proclamation, the Mursi and the other affected communities living in the Omo and Mago Parks reportedly became illegal squatters on their own land. There was no response from Ethiopia to this letter.¹¹⁹

57. CERD recommended that Ethiopia take all the necessary steps to ensure that all persons belonging to racial and ethnic groups are able to fully exercise their rights under ICERD. CERD also recommended that Ethiopia pay particular attention to the legislative, constitutional and other measures which must be taken at the level of federal regions in order to give effect to the rights of these groups.¹²⁰

58. The independent expert on minority issues stated that limited resources meant that not all languages could be represented in the school system.¹²¹ She strongly endorsed a common language, learned by all, as an effective mechanism contributing to national unity and equal opportunity.¹²²

10. Migrants, refugees and asylum-seekers

59. In 2009, CERD acknowledged with appreciation that Ethiopia continues to host a large number of refugees from countries within the region.¹²³ and recommended that Ethiopia ensure that refugees and other vulnerable groups, such as IDPs, enjoy their rights under national law as well as the various international legal instruments.¹²⁴

60. CRC urged Ethiopia to enhance the security in refugee camps and take all necessary measures to protect children, especially girls, against sexual exploitation, establish accessible complaints mechanisms and to investigate cases of abuse fully, and prosecute the perpetrators.¹²⁵

61. In January 2008, the Secretary-General reported that, according to the Office of the United Nations High Commissioner for Refugees (UNHCR), the number of refugees from a neighboring country hosted at Shimelba refugee camp numbered over 16,000 in December 2007. The Secretary-General also indicated that the humanitarian situation in Shimelba camp continued to deteriorate owing to inadequate food rations and poor health service delivery. In addition, lack of shelter and clothing for the refugees posed a major challenge.¹²⁶

11. Internally displaced persons

62. In 2009, UNCT reported that in the absence of a national IDP policy or a State organ responsible for assistance to and protection of IDPs, responses to IDP situations are often delayed and of an ad-hoc nature.¹²⁷ UNCT noted that the lack of safe drinking water and poor sanitation particularly affect the health status of displaced populations.¹²⁸ UNCT pointed out that many IDPs live under constant threat to their security, IDPs frequently live in poor housing conditions and many persons have no shelter at all or live in shelters made of cartons.¹²⁹

63. In July 2007, the Secretary-General reported that the humanitarian situation in the Gambella region had further deteriorated following the resettlement of some 25,000 individuals of the Jikany Nuer population, from southern Ethiopia in Itang, back to their places of origin in Tiergol, Akobo and other areas west of the Gambella region.¹³⁰

12. Human rights and counter-terrorism

64. On 13 February 2007, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, jointly with the Special Rapporteur on the question of torture, sent a letter regarding the arrest of four ethnic Ogadeni men who were reportedly arrested on the basis of provisions of an anti-terrorism bill which had not yet been adopted. The four men were held in custody for three weeks without official charges before being allegedly transferred to the Ethiopian armed forces in Mogadishu. Concern was expressed that the four individuals might be subjected to ill-treatment because of their ethnicity. No reply was received to the Special Rapporteurs' correspondence.¹³¹

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

65. CEDAW commended Ethiopia for the temporary special measures introduced in the civil service, in particular the allocation of at least 30 per cent of the total number of university seats to female students.¹³²

66. In 2009 CERD noted that Ethiopia has faced several challenges in recent years, including serious economic hardship, famine, internal unrest and conflicts with neighboring States which has resulted in a very large number of IDPs and refugees.¹³³

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

Specific recommendations for follow-up

67. The independent expert on minority issues recommended that the Government institute, inter alia, a programme of collection of data disaggregated by ethnic group so as to reveal inequalities across groups and to allow for the development of appropriate targeted poverty reduction strategies;¹³⁴ pass a comprehensive law on non-discrimination and equal treatment to bring into effect constitutional non-discrimination and equality guarantees;¹³⁵ establish a statutory body charged with monitoring and enforcing anti-discrimination legislation¹³⁶ and ensure that the property rights of women are equal to those of men;¹³⁷ protect the range of cultural practices and lifestyles that exist in Ethiopia including accommodation of the rights and needs of nomadic pastoralist communities and other non-settled communities.¹³⁸ She added that as a matter of priority the federal Government should, inter alia, guarantee freedom of opinion, speech and the right of peaceful assembly at all times, in accordance with its obligations under international law.¹³⁹

68. The Special Rapporteur on the right to food recommended, inter alia, that programmes to harness water resources should be given priority in order to reduce long-term vulnerability to drought and everyone should have access to drinking water within 1 km from home; and all government programmes and policy designs should ensure appropriate levels of participation, non-discrimination, transparency and accountability.¹⁴⁰

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

69. CRC recommended that Ethiopia seek technical assistance with regard to: birth registration;¹⁴¹ corporal punishment;¹⁴² access to education, particularly for girls;¹⁴³ juvenile justice standards;¹⁴⁴ child labour;¹⁴⁵ HIV/AIDS and children;¹⁴⁶ and the protection of refugee children.¹⁴⁷

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography

ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to the Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning the Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁸ CERD/C/ETH/CO/7-16, para. 24.

⁹ Idem.

¹⁰ CEDAW, *Official Records of the General Assembly, Fifty-ninth session, Supplement No. 38 (A/59/38)*, para. 266.

¹¹ CERD/C/ETH/CO/6-17, paras. 27.

¹² CRC/C/ETH/CO/3, para. 81.

¹³ Ibid., para. 42.

¹⁴ Ibid, para. 68 (c).

¹⁵ Ibid, para. 66 (a).

¹⁶ CERD/C/ETH/CO/7-16, para. 11.

¹⁷ A/59/38, para. 241.

¹⁸ CRC/C/ETH/CO/3, para. 8.

¹⁹ Ibid, para. 9.

²⁰ Ibid, para. 3 (b).

²¹ Ibid, para. 3 (c).

²² A/HRC/4/9/Add.3, para. 68.

²³ A/59/38, para. 242.

²⁴ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.

²⁵ CRC/C/ETH/CO/3, para. 14.

²⁶ UNCT, submission to the UPR on Ethiopia, p. 1, para. 3.

²⁷ Idem.

²⁸ CERD/C/ETH/CO/7-16, para. 20.

²⁹ CRC/C/ETH/CO/3, para. 15.

³⁰ Ibid., paras. 10-11.

³¹ Ibid., para. 3 (d).

³² UNCT, submission to the UPR on Ethiopia, p. 12, para. 40.

³³ Ibid., p. 8, paras. 28-30. See also Ethiopia UNDAF 2007-2011, 2007, p. 2, available at: <http://undg.org/docs/10143/Ethiopia-UNDAF-2007-2011.pdf>.

³⁴ Letter from the Federal Democratic Republic of Ethiopia Ministry of Education dated on 1 March 2007, and letters from the High Commissioner for Human Rights dated on 9 January 2006 and 10 December 2007, see <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm> and <http://www2.ohchr.org/english/issues/education/training/national-actions-plans.htm>. See also General Assembly resolution 59/113 B of 14 July 2005 and Human Rights Council resolution 6/24.

³⁵ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child.

³⁶ A/HRC/4/9/Add.3, para. 99.

³⁷ E/CN.4/2005/47/Add.1.

³⁸ See A/HRC/4/9/Add.3.

³⁹ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate-holder.

⁴⁰ See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on the situation of human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent in July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (k) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (l) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (m) report of the Special Rapporteur on the right to education (June 2009) (A/HRC/11/8), questionnaire on the right to education for persons in detention; (n) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the HRC (June 2009) (A/HRC/11/9), questionnaire on Cash Transfer Programmes, sent in October 2008; (o) report of the Special Rapporteur on violence against women, (June 2009) (A/HRC/11/6), questionnaire on violence against women and political economy.

⁴¹ S/2008/226, para. 8.

⁴² OHCHR 2007 report on activities and results, p. 78.

⁴³ S/2007/250, para. 24.

⁴⁴ S/2007/33, para. 21.

⁴⁵ Security Council resolution 1827 (2008), para. 1.

⁴⁶ OHCHR 2008 report on activities and results, p. 80.

⁴⁷ Ibid., p. 79.

⁴⁸ UNCT, submission to the UPR on Ethiopia, p. 2, para. 4.

⁴⁹ Ibid., p. 2, para. 7.

⁵⁰ E/CN.4/2005/47/Add.1, para. 51.

⁵¹ A/HRC/4/9/Add.3, para. 67.

⁵² CRC/C/ETH/CO/3, para. 24.

⁵³ Ibid., para. 25.

⁵⁴ CERD/C/ETH/CO/7-16, para. 15.

⁵⁵ A/HRC/4/20/Add.1, p. 124.

⁵⁶ UNCT, submission to the UPR on Ethiopia, p. 4, para. 12.

⁵⁷ E/CN.4/2006/95/Add.5, para. 576.

⁵⁸ UNCT, submission to the UPR on Ethiopia, p. 5, para. 18.

⁵⁹ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), 2009, Geneva. doc. No. (ILOLEX) 062009ETH087, second paragraph.

⁶⁰ CRC/C/ETH/CO/3, para. 79.

⁶¹ Ibid., paras. 35 and 36.

⁶² UNCT, submission to the UPR on Ethiopia, p. 4, para. 13.

⁶³ CRC/C/ETH/CO/3, para. 33.

⁶⁴ Ibid., para. 34.

⁶⁵ A/59/38, para. 255.

⁶⁶ CRC/C/ETH/CO/3, para. 76 (c).

⁶⁷ A/59/38, para. 255.

⁶⁸ Ibid., para. 256.

⁶⁹ UNCT, submission to the UPR on Ethiopia, p. 3, para. 8.

⁷⁰ CERD/C/ETH/CO/7-16, para. 16.

⁷¹ CRC/C/ETH/CO/3, para. 73.

⁷² Ibid., para. 74 (d).

⁷³ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29), 2008, Geneva, doc. No. (ILOLEX) 092008ETH029, second paragraph.

⁷⁴ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182), 2009, Geneva. doc. No. (ILOLEX) 092009ETH182, seventh paragraph.

⁷⁵ CRC/C/ETH/CO/3, para. 69.

⁷⁶ Ibid., para. 70 (b).

⁷⁷ Ibid., para 67.

⁷⁸ Ibid., para 68 (a).

⁷⁹ A/HRC/4/9/Add.3, para. 99.

⁸⁰ CRC/C/ETH/CO/3, para. 36.

⁸¹ UNCT, submission to the UPR on Ethiopia, p. 5, para. 15.

⁸² CRC/C/ETH/CO/3, para. 77.

⁸³ Ibid., para. 78.

⁸⁴ UNCT, submission to the UPR on Ethiopia, p. 14, para. 48.

⁸⁵ CRC/C/ETH/CO/3, para. 49.

⁸⁶ Ibid., para. 50.

⁸⁷ Ibid., para. 31.

⁸⁸ A/59/38, para 254.

⁸⁹ A/HRC/4/9/Add.3, para. 75.

⁹⁰ UNCT, submission to the UPR on Ethiopia, p. 5, para. 17.

⁹¹ A/HRC/7/28/Add.1, para. 812.

⁹² A/HRC/4/9/Add.3, para. 98.

⁹³ UNCT, submission to the UPR on Ethiopia, pp. 5-6, para. 19.

⁹⁴ CERD/C/ETH/CO/7-16, para. 13.

⁹⁵ A/HRC/4/9/Add.3, para. 74.

⁹⁶ Ibid., para. 75.

⁹⁷ United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg>.

⁹⁸ A/59/38, para. 261.

⁹⁹ Ibid., para. 262.

¹⁰⁰ Ethiopia UNDAF 2007-2011, 2007, p. 4, available at <http://undg.org/docs/10143/Ethiopia-UNDAF-2007-2011.pdf>.

¹⁰¹ A/HRC/4/9/Add.3, para. 98.

¹⁰² S/2007/440, para. 31.

¹⁰³ UNCT, submission to the UPR on Ethiopia, p. 9, para. 32.

¹⁰⁴ E/CN.4/2005/47/Add.1, summary.

¹⁰⁵ A/59/38, para. 257.

¹⁰⁶ Ibid., para. 258.

¹⁰⁷ CRC/C/ETH/CO/3, para. 37.

¹⁰⁸ Ibid., para. 38 (a).

¹⁰⁹ Para. 257 of A/59/38, paras. 235-273.

¹¹⁰ A/59/38, para. 250.

¹¹¹ UNCT, submission to the UPR on Ethiopia, p. 13, para. 43.

¹¹² CRC/C/ETH/CO/3, para. 64 (a) and (b).

¹¹³ CERD/C/ETH/CO/7-16, para. 17.

¹¹⁴ A/HRC/4/9/Add.3, summary.

¹¹⁵ Ibid., para. 98.

¹¹⁶ Ibid., summary.

¹¹⁷ Ibid., para. 19.

¹¹⁸ Ibid., para. 99.

¹¹⁹ A/HRC/9/9/Add.1, paras. 199-206.

¹²⁰ CERD/C/ETH/CO/7-16, para. 19.

¹²¹ A/HRC/4/9/Add.3, para 50.

¹²² Ibid., para 51.

¹²³ CERD/C/ETH/CO/7-16, para. 5.

¹²⁴ Ibid., para. 18.

- ¹²⁵ CRC/C/ETH/CO/3, para. 66 (d).
- ¹²⁶ S/2008/40, paras. 32-33.
- ¹²⁷ UNCT, submission to the UPR on Ethiopia, p. 15, para. 56.
- ¹²⁸ Ibid., p. 12, para. 42.
- ¹²⁹ Ibid., p. 15, para. 57.
- ¹³⁰ S/2007/440, para. 32.
- ¹³¹ A/HRC/6/17/Add.1, para. 45.
- ¹³² A/59/38, para. 240.
- ¹³³ CERD/C/ETH/CO/7-16, para. 4.
- ¹³⁴ A/HRC/4/9/Add.3, para. 99.
- ¹³⁵ Ibid., para. 99.
- ¹³⁶ Ibid., para. 99.
- ¹³⁷ Ibid., para. 99.
- ¹³⁸ Ibid., para. 99.
- ¹³⁹ Ibid., para. 98.
- ¹⁴⁰ E/CN.4/2005/47/Add.1, para. 61 (g) and (h).
- ¹⁴¹ CRC/C/ETH/CO/3, para. 32.
- ¹⁴² Ibid., para. 34.
- ¹⁴³ Ibid., para. 64 (f).
- ¹⁴⁴ Ibid., para. 78 (i).
- ¹⁴⁵ Ibid., para. 72.
- ¹⁴⁶ Ibid., para. 56 (f).
- ¹⁴⁷ Ibid., para. 66 (f).
