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

Ethiopia*

The present report is a summary of 20 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. 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), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. Human Rights Watch (HRW) recommended Ethiopia to sign and ratify the Rome Statute of the International Criminal Court, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocols to the International Covenant on Civil and Political Rights.² Sexual Rights Initiative (SRI) recommended Ethiopia to ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.³ Open Society Justice Initiative (OSJI) stated that Ethiopia is not a party to either of the two international conventions on statelessness.⁴

2. The Civil Society Organisation Coalition (CSO Coalition) indicated that the provisions of human rights instruments ratified by Ethiopia had not been officially translated and disseminated; therefore their application in domestic courts was very limited. A recent decision of the Court of Cassation citing provisions of the Convention on the Rights of the Child was however believed to set a positive precedent in this regard.⁵ The Ethiopian Human Rights Council (EHRCO) recommended Ethiopia to translate and publish international and regional human rights instruments⁶.

B. Constitutional and legislative framework

3. EHRCO and Oromia Support Group Australia (OSGA) reported that the 1995 Constitution recognized a wide range of human rights.⁷ EHRCO indicated that the Constitution declared international agreements ratified by Ethiopia to be integral parts of the law.⁸ The CSO Coalition stated that the Constitution provided for equal protection of the law without any discrimination and included a comprehensive list of women's and children's rights.⁹

4. The CSO Coalition also noted that the Government recently revised the 1956 Penal Code and the Family Law but the revision of the 1961 Criminal Procedure Code had been ongoing for more than seven years, which resulted in inconsistencies in the application of the law.¹⁰ The CSO Coalition reported that the revised Criminal Code specifically criminalized early marriage, domestic violence, and harmful traditional practices but did not clearly define trafficking, domestic violence and sexual harassment. It also did not criminalize marital rape, and child pornography.¹¹

C. Institutional and human rights infrastructure

5. The CSO Coalition reported that cooperation, information-sharing, and coordination between stakeholders were poor.¹² The Oromia Human Rights and Justice Council (OHRJC) reported that under proclamation No. 210/2000, the Ethiopian Human Rights Commission has the power to ensure that the human rights and freedoms provided for under the Constitution are respected by all citizens, organs of state, political organizations and other associations as well as by their respective officials. OHRJC added that the Commission has powers related to human rights awareness-raising and can undertake investigations, upon complaint or at its own initiative.¹³

D. Policy measures

6. SRI welcomed the adoption of the 2007 National Adolescent and Youth Reproductive Health Strategy¹⁴ and recommended that Ethiopia strengthen its HIV/AIDS awareness campaigns and ensure access to age-appropriate HIV/AIDS education and information which target children and adolescents, inside and outside schools.¹⁵

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

7. HRW recommended that Ethiopia issue standing invitations to all UN special procedures.¹⁶

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

1. Equality and non-discrimination

8. The CSO Coalition reported that, despite the National Women's Policy, and the National Action Plan on Gender Equality, discrimination was still acute especially in rural areas. Although the Constitution provided for affirmative action, it was not adequately implemented due to the lack of detailed directives and there were no nationwide gender-disaggregated data.¹⁷ The CSO Coalition recommended that concrete strategies should be taken to eliminate gender discrimination in all sectors and adequately address the gaps in the law and practice.¹⁸

9. SRI reported that the lack of land rights for women (especially in rural areas), the gender-gap in employment (including wage gaps and gender-segregation in jobs), access to education and health, as well as the threat of harmful traditional practices such as FGM are an expression of the widespread belief in Ethiopia that women and girls are inferior to men and boys respectively.¹⁹

10. The CSO Coalition reported that there was only one mental hospital and one school for the blind in Addis Ababa and that many children with disabilities were segregated and isolated by their own families and communities. Persons with disabilities sometimes complained about job and wage discrimination. Women with disabilities were more disadvantaged than men in education and employment. Girls with disabilities were much more likely to suffer physical and sexual abuse than other girls.²⁰ The CSO Coalition recommended that the Government financially and technically strengthen the Ministry of Women's Affairs and the Ministry of Labour and Social Affairs to ensure that persons with disabilities can exercise their rights on equal basis with persons without disabilities.²¹

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

11. The CSO Coalition reported that ethnic clashes flared up in different parts of the country and resulted in the death and injury of hundreds of people²² and EHRCO reported that such clashes had been prevalent in Oromia and South regions in 2007 and 2008. OHRJC stated that the government had not addressed the cause of the clashes adequately.²³

12. HRW reported that, at the peak of the conflict in the Somali region (known as the Ogaden) in 2007 the conduct of Ethiopian military forces was marked by widespread acts of forced displacement, murder, rape, torture, arbitrary detention, and pillage, amounting to crimes against humanity.²⁴ AI was also concerned about reports of mass arrests, torture, rape and extrajudicial executions by government forces of suspected supporters of the Ogaden National Liberation Front (ONLF). While a government commissioned investigation was undertaken in late 2008, these reports had not been investigated by the United Nations or other independent international investigators.²⁵ AI recommended Ethiopia to immediately allow an independent international investigation into these allegations and to bring those responsible to justice.²⁶

13. Oromia Support Group (OSG) recorded 594 extra-judicial killings by government security forces and 43 disappearances in custody between 2005 and August 2008.²⁷ UNPO recommended Ethiopia to respect its Constitution and international norms and stop extrajudicial killings.²⁸

14. The CSO Coalition reported that some Coalition for Unity and Democracy (CUD) members and Ethiopian Teachers' Association officials arrested in December 2006 claimed in court that they had been tortured in the police central investigation bureau in Addis Ababa but the judges refused to consider their claims.²⁹ OHRRO also stated that numerous students had been repeatedly tortured and/or killed while in detention.³⁰ EWHRA reported on acts of torture committed by police and security forces in the Oromia region and in other parts of the country.³¹ AI reported that, throughout the period of review, the government had continued to suppress dissent in the Oromia region of Ethiopia, and had arbitrarily detained thousands of individuals suspected of supporting the Oromo Liberation Front (OLF). Many had been held in incommunicado detention, detained without trial, and court proceedings had often been delayed. The detainees were held in poor conditions and many had been tortured or otherwise ill-treated.³² The CSO Coalition recommended that the effective application of the law regulating the treatment of persons deprived of their liberty should be monitored and any officials involved in law enforcement should be adequately trained.³³

15. The CSO Coalition reported that prisons were overcrowded and conditions remained harsh and life-threatening, with reports of physical abuse by the police. There is only one juvenile remand home in the country. It also indicated that the International Committee of the Red Cross (ICRC) was sometimes denied access to police stations and federal prisons. The CSO Coalition also indicated that there were dozens of unofficial detention centres.³⁴ The CSO Coalition indicated that women prisoners did not have equal access to services which are available in prisons and there was still no meaningful support to pregnant and nursing mothers, and their children.³⁵

16. The CSO Coalition informed that in the Somali region, it was reported that detained women and girls, as well as women and girls in urban areas, had routinely been sexually abused and raped by military groups.³⁶

17. HRW reported that Ethiopian military forces launched a wave of attacks against ethnic Anuak communities in late 2003 and 2004 in Ethiopia's remote southwestern region of Gambella, Ethiopian military forces burned down villages and small hamlets; targeted Anuak civilians for extrajudicial killings, torture, and rape; and indulged in widespread looting. According to HRW these abuses rose to the level of crimes against humanity. The government's only attempt at an investigation examined just one massacre in December 2003 and absolved senior officials of any wrongdoing.³⁷ HRW recommended Ethiopia to launch or invite the establishment of independent inquiries into serious violations of humanitarian law and other serious abuses by Ethiopian military forces in Gambella in 2003 and 2004 and serious violations of human rights and humanitarian law in Somali Region in 2007-2008.³⁸

18. In addition, HRW and Society for Threatened Peoples (STP) reported on alleged war crimes committed by the Ethiopian military forces in a neighbouring country, where populated areas were indiscriminately shelled with mortar and rocket fire.³⁹

19. EWHRA reported that many young Ethiopian women are trafficked to neighbouring countries or to the Middle-East for domestic labour. EWHRA recommended Ethiopia to enact strong domestic laws against trafficking in women and to alleviate their chronic conditions of poverty and lack of opportunities.⁴⁰ Jubilee Campaign (JC) recommended Ethiopia to expand

awareness of trafficking and to invest more resources in the police force and local NGOs to strengthen capacity for the detection of forced labor and trafficking in persons.⁴¹

20. The CSO Coalition reported that harmful traditional practices, particularly FGM/FGC, early marriage and abduction of girls for marriage were widespread. Child sexual abuse, rape and domestic violence were prevalent and on the increase.⁴² In addition, the CSO Coalition reported that the rate of prosecution and conviction was very low.⁴³ SRI noted that Ethiopia was one of the countries with the highest rates of FGM in Africa and that in many cases, the enforcement of legislation prohibiting FGM seemed to be a low priority for the government.⁴⁴ SRI recommended that, apart from legislative measures, Ethiopia adopt other measures to combat harmful traditional practices affecting children, including by strengthening awareness-raising and sensitization activities.⁴⁵

21. Global Initiative to End All Corporal Punishment of Children (GIEACPC) indicated that corporal punishment was lawful in the home and reportedly widely practiced. It was however prohibited in schools and in alternative care settings, although the Criminal Code and the Revised Family Code allowed disciplinary measures. GIEACPC recommended that Ethiopia introduce legislation as a matter of urgency to prohibit corporal punishment of children in all settings, including the home, as repeatedly recommended by the Committee on the Rights of the Child.⁴⁶

22. ORSGA reported that child prostitution was a major concern in Addis Ababa.⁴⁷

23. The CSO Coalition made reference to UNICEF estimates according to which there were between 150,000 and 200,000 street children in 2008, in addition to one million children who are vulnerable or at risk of ending up on the streets. The CSO Coalition also stated that the Vagrancy Proclamation allowed for arrests and convictions of street children.⁴⁸

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

24. OSG reported on government interference with the judicial process at all levels in Ethiopia and the harassment and intimidation of judges by the government security apparatus.⁴⁹

25. In view of the existence of detentions without warrant, for long periods or without judicial control of their legality, the CSO Coalition recommended that the law should clearly provide that detainees should be released if the investigation cannot result in a trial within a reasonable period of time and establish procedures and mechanisms that limit preventive detention for reasons of public security. The right to judicial review of the legality of detentions should be enforced.⁵⁰

26. The CSO Coalition indicated that the lower (9 years) and upper (15 years) age limits of criminal responsibility were not in line with international standards. Moreover there is an absence of an effective birth registration system or legal framework governing age determination. The CSO Coalition mentioned the absence of legal assistance for children. It also highlighted the recent establishment of child-friendly benches in some courts, although they had no basis in law and were not widely accessible. The Revised Criminal Code did not provide for alternative interventions other than judicial proceedings. Irrespective of the law, child offenders were sometimes incarcerated together with adults. Despite the increasing number of young children living with their detained mothers, there were no comprehensive legal framework and services for the treatment of these children.⁵¹ UNPO acknowledged the Ethiopian Government's attempts to implement the Convention on the Rights of the Child but recommended that it put greater efforts into the creation of an effective juvenile justice system.⁵²

27. HRW reported that in early 2007, at least 90 men, women, and children from 18 different countries fleeing the conflict in a neighbouring country were deported to Ethiopia through a second neighbouring country while an unknown number of people were directly transferred to Ethiopia. Many of the victims of these “regional renditions” had been released but at least twenty-two men, including foreign nationals, remained in detention in Ethiopia almost two years after their deportation.⁵³

28. EHRCO recommended that Ethiopia set up an effective and transparent mechanism to bring perpetrators of human rights violations to justice⁵⁴ and EWHRA recommended that Ethiopia establish an independent commission to investigate, prosecute and punish acts of torture and extrajudicial killings by Ethiopian Security Forces.⁵⁵

4. Right to privacy, marriage and family life

29. OSJI recommended Ethiopia to amend its nationality law to guarantee the acquisition of nationality for stateless children born on its territory, in accordance with its international obligations.⁵⁶ OSJI reported that some 150,000 people of a common foreign descent were currently living in Ethiopia and that most were not considered Ethiopian citizens, because they had voted in the 1993 referendum on the independence of a neighbouring country. OSJI recommended Ethiopia to grant citizenship to these persons who have not acquired citizenship of another state.⁵⁷

30. The Advocates for Human Rights (AHR) indicated that reports of violations of the right to privacy included surveillance, monitoring of telephone conversations, and interference with mail and e-mail and that there was a widespread belief among members of the Oromo Diaspora that communications were monitored.⁵⁸

31. The CSO Coalition indicated that the revised Family Law lifted the age of marriage of boys and girls to 18.⁵⁹ SRI reported that despite a clear prohibition of early marriage, about 40 per cent of girls are married by 15 or younger and that knowledge of and respect for the law was limited among many rural communities.⁶⁰

32. The CSO Coalition stated that institutionalised care and inter-country adoption were not recognized as measures of last resort and that inter-country adoption was rarely performed in accordance with the law.⁶¹

33. International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) recommended that Ethiopia bring its legislation into conformity with its international human rights obligations by repealing all provisions which criminalise sodomy or other sexual activity between consenting adults.⁶²

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

34. The CSO Coalition stated that freedom of expression is guaranteed in the Constitution and that the 2008 Press and Freedom of Information Law had commendable provisions in that regard. However, the harsh penalties for defamation of government officials subjected the press to self-censorship.⁶³ HRW highlighted that this law eliminated the practice of pre-trial detention for journalists, although it was still applied in one case.⁶⁴ STP also made reference to recent arrests and detention of journalists.⁶⁵ The CSO Coalition reported that this law contained a long list of ‘classified information’, to which the press can be denied access without judicial review.⁶⁶

The CSO Coalition recommended that the press and criminal laws should be revised to encourage press freedom.⁶⁷

35. The CSO Coalition mentioned that, although the Constitution guarantees freedom of association, the legal and political environment following the post 2005 election crisis was not conducive to the exercise of that right in the last three years.⁶⁸ OHRJC reported that students, who refused to join the Oromo Peoples Democratic Organization were often subjected to harassment, expulsions and imprisonment.⁶⁹

36. AI (Amnesty International) and EWHRA reported that, following the 2005 elections, there were mass arrests of opposition party activists and supporters, leaders of the then opposition party, Coalition for Unity and Democracy (CUD), journalists and civil society activists.⁷⁰ The CSO Coalition indicated that opposition parties further reported that hundreds of their members who served as observers during the elections were harassed, intimidated, and detained.⁷¹

37. The Oromo Human Rights and Relief Organisation (OHRRO) and Unrepresented Nations and Peoples Organization (UNPO) reported on the repression by security forces of the demonstrations organised by the Oromo student movement further to the 2005 elections, which resulted in deaths and injuries of several students.⁷²

38. The CSO Coalition reported that in December 2005, the government established an independent commission of inquiry to investigate the killings following the elections. In its 2006 report, the Commission found that the individuals involved in the riots were responsible for the post-election violence, and that the force used by the security forces was proportionate in the circumstances. Subsequently, the original commissioners fled the country and stated that their findings had been to the contrary.⁷³ UNPO called for an independent, credible investigation into abuses carried out by officials during the 2005 peaceful demonstrations.⁷⁴

39. AI was concerned at the lack of transparency surrounding the pardon process that led to the release of political detainees in 2007 and the government's revocation of the pardon.⁷⁵ AI recommended clarifying the terms of the pardon.⁷⁶ The CSO Coalition, AI, EHRCO, HRW and JC made reference to the case of re-imprisoned Unity for Democracy and Justice Party (formerly the CUD party) president, Birtukan Mideksa, whose pardon was revoked in December 2008 following a speech made abroad.⁷⁷ EWHRA expressed concerns about her possible removal to a prison that is less accessible to human rights observers and recommended Ethiopia to honour the previous pardon and to release her.⁷⁸

40. HRW reported that the ruling party and its allies won 99 percent of seats across the country in the 2008 local and regional elections, mostly in races that were uncontested. In the small percentage of constituencies where opposition parties did contest, some of their candidates were subjected to harassment, beatings, and detention.⁷⁹ The CSO Coalition reported that the 2005 election process was marred by numerous irregularities.⁸⁰

41. The CSO Coalition and the EHRCO stated that the 2008 Revised Political Party Registration Proclamation included provisions which narrow down the space for multi-party democracy in Ethiopia.⁸¹ HRW reported that government officials at all levels regularly subject government critics or political opponents to harassment, arrest, and even torture.⁸² The CSO Coalition and STP indicated that major opposition parties withdrew from the local elections in 2008, alleging harassment of their members.⁸³

42. The CSO Coalition reported that political parties had reported that they were required to obtain permission to hold public meetings and demonstrations, although only a notification to the authorities is required by law.⁸⁴

43. AHR, HRW, JC and SRI reported on the 2009 Charities and Societies Proclamation, which prohibits foreign NGOs from working notably in the areas of human rights and conflict resolution.⁸⁵ AHR, CIVICUS, EHRCO, HRW, JC, OHRJC, SRI and STP stated that local civil society organizations that received more than ten percent of their funding from abroad were also banned from working in these areas.⁸⁶ AI and EHRCO mentioned that most NGOs in Ethiopia were heavily dependent on donations and support from outside and that this restriction would make their operations unviable.⁸⁷

44. Even prior to the Proclamation, AHR received reports that independent Oromo human-rights organizations had difficulties operating in Ethiopia.⁸⁸ CIVICUS reported that the Proclamation provided ample scope for refusal of registration to individuals wishing to form an organisation if they are politically opposed to official policies.⁸⁹ The CSO Coalition, CIVICUS and EHRCO also mentioned other provisions which inhibited the operation of civil society organisations, such as budget allocation constraints and restrictions on the number of regional offices.⁹⁰ AI and the Ethiopian Women Human Rights Alliance (EWHRA) reported that the law allowed for severe criminal penalties to be imposed, including fines and imprisonment, for even minor breaches of its provisions.⁹¹

45. AI mentioned that the Proclamation established a Charities and Societies Agency with broad discretionary power over NGOs, which amounted to unwarranted government interference.⁹² The CSO Coalition also reported that there was a tendency by the government media and party organs to air negative, unbalanced and often unsubstantiated views against CSOs.⁹³ AI, the CSO Coalition, CIVICUS, EHRCO, EWHRA, HRW, and JC recommended Ethiopia to repeal and/or amend the Charities and Societies Proclamation⁹⁴ and AI recommended to provide guarantees that all international and national NGOs in Ethiopia can operate freely.⁹⁵

46. AI reported that, in August 2007, Sultan Fowsi Mohamed Ali, an independent mediator, was arrested in Jijiga, reportedly to prevent him from giving evidence to the UN fact-finding mission which visited the Somali region. AI believed that Sultan Fowsi Mohamed Ali was imprisoned solely for the peaceful expression of his beliefs.⁹⁶ AI recommended Ethiopia to immediately and unconditionally release all prisoners detained solely because of their political, religious or other conscientiously held beliefs; to provide all detainees immediate access to a lawyer of their choice, and grant them a fair trial in accordance with international standards.⁹⁷ The CSO Coalition recommended that the laws regulating CSOs, the media, election and political parties should be revised in a manner that creates an enabling environment for a meaningful political participation by citizens.⁹⁸

47. The Human Rights League of the Horn of Africa (HRLHA) reported that the ruling party fully controlled all electronic media, including ETV, the only television broadcasting station in the country, until the end of 2007 and that only two FM radio stations were given licenses in 2007, after waiting for seven to twelve years. HRLHA reported that, in 2008, the ruling party closed the Afan Oromo Desk of ETV, allegedly for purely political reasons.⁹⁹ STP indicated that there were only three private FM radio stations left that are not government-controlled.¹⁰⁰ OHRJC stated that the Ethiopian government engaged extensively in the jamming of various media outlets by creating stations on the same frequency to deliberately disrupt the broadcast.¹⁰¹

48. EHRCO and OHRJC indicated that Websites and blogs run by Ethiopians in the diaspora that are critical of government were largely blocked in Ethiopia.¹⁰² HRLHA referred to the very low internet coverage.¹⁰³ HRLHA reported that, except for in the Capital and in very few provincial cities, the distribution of the products of independent press is literally banned in Ethiopia.¹⁰⁴ HRLHA also reported that foreign media still face problems obtaining licenses from the Ministry of Information.¹⁰⁵

49. The European Centre for Law and Justice (ECLJ) indicated that the Constitution, as well as the statutory framework, guaranteed freedom of thought, conscience and religion, but that the government does not always ensure that these freedoms are protected and that there were several laws which leave room for encroachment on religious freedom, notably the Penal Code.¹⁰⁶ ECLJ also provided a list of cases of alleged persecutions against the largest religious groups, such as restrictions on freedoms and physical abuses.¹⁰⁷

50. The CSO Coalition reported that illiteracy, the low level of education and societal attitudes hindered women's participation as voters and candidates in elections and that there was no legislated quota in the Election Law.¹⁰⁸

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

51. The CSO Coalition reported that, despite its prohibition, forced child labour remained a serious problem.¹⁰⁹

52. OHRJC reported on the use of chemicals in the Ethiopian floriculture industry, which can cause lasting damage to brain cells and the immune system and had been known to bring about miscarriages by pregnant women.¹¹⁰ OHRJC stated that workers had no collective bargaining power because they had reportedly been prohibited from forming trade unions.¹¹¹

53. The CSO Coalition reported that women's access to gainful employment, land, credit, and ownership and/or management of businesses was limited due to their low level of education and training, traditional attitudes, and limited access to information. The number of women in the informal and unregulated sectors was much higher than the number of women employed in the formal sector.¹¹²

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

54. The CSO Coalition recommended that the Constitution should explicitly recognize socio-economic rights such as the rights to food, education, health and housing and that the Government should take necessary measures to ensure their realisation.¹¹³

55. The CSO Coalition mentioned that ever increasing food prices were threatening the survival of urban households, while Government initiatives to ensure food security mainly focused on rural areas.¹¹⁴

56. AI reported that in retaliation to an ONLF attack on an oil installation in the Somali region, the Ethiopian Government mounted a blockade on conflict-affected districts in the region, causing severe food shortages and exacerbating the humanitarian situation in those districts. Although a UN fact-finding mission there led to a partial alleviation of the humanitarian crisis in August 2007, the Ethiopian authorities continue to place restrictions on humanitarian aid in the Somali region.¹¹⁵

57. The CSO Coalition made reference to the steady decline in infant and child mortality rates but indicated that concerted efforts were required to further reduce them. It also reported that, despite the decrease in the percentage of underweight children, almost half of children under five years were stunted.¹¹⁶ The CSO Coalition reported that although the revised Criminal Code broadened the circumstances in which abortion was allowed, the practice of illegal and unsafe abortions continued to put the health and life of many young women at risk.¹¹⁷

58. OHRJC reported that the government had created regulatory laws and published guidelines to safeguard natural resources, but that the growing of the floriculture sector may have irreversible effects by overloading the ecosystem, in addition to the risks created by containers of pesticide, which are reportedly buried in the grounds without being sealed.¹¹⁸

59. The CSO Coalition reported that access to clean water supply had increased between 2001/02 and 2005/06 but that there were concerns about the limited access to safe drinking water (35% of the population in rural areas), sanitation (13% overall), and about specific disease exposures.¹¹⁹

60. The CSO Coalition indicated that women and girls accounted for 76.45 per cent of people living with HIV/AIDS between the ages of 15 and 24 and that gender inequalities remained a major constraint in efforts to combat HIV/AIDS.¹²⁰

61. The CSO Coalition mentioned the commendable measures taken through the 'Five years Integrated Housing Development Program' to realize the right to housing but indicated that the constructed houses were not affordable for the poor.¹²¹ The CSO Coalition also mentioned that the law failed to recognise legal security of tenure for squatters and other informal settlers.¹²²

62. Society for Threatened Peoples (STP) reported that Ethiopia had promised a neighbouring country hundreds of thousands of hectares of unutilised agricultural land for growing cereals and that, so far, close to two million hectares of land in the Oromia and Amhara regions had been identified. It was highly probable that the food produced would leave Ethiopia because Ethiopians cannot compete with the prices that foreign consumers are able to pay.¹²³

63. The CSO Coalition reported that it was estimated that almost 24 per cent of Ethiopian children live in especially difficult circumstances and referred to the very high percentages of child-headed households in sub-Saharan Africa.¹²⁴

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

64. The CSO Coalition indicated concerns over quality education at all levels, the very low level of primary completion rate and indicated that no legislation had been enacted making primary education free and compulsory.¹²⁵

65. The CSO Coalition reported that, although affirmative action was being taken to increase the number of girl students in higher education, no sufficient support was provided to assist them to complete their education.¹²⁶ SRI stated that the Girls' Scholarship Programme was a major step forward.¹²⁷ SRI further reported that owing to several socio-cultural factors the proportion of girls enrolled in primary schools is still lower than that of boys and that there was no clearly verifiable evidence that the target set up in the Government's Five-Year Plan for the period 2000-01 to 2004-5 to reduce the gender gap in gross enrolment rates to 15.8 % by 2004-05 had been met.¹²⁸ SRI also indicated that there was a strong need for a nation wide re-entry policy to ensure that pregnant girls can go back to school and to reduce drop-out rates.¹²⁹ SRI further reported that there is concrete evidence to suggest that lack of gender parity in primary and

secondary education is intimately linked to violence and abuse in schools.¹³⁰ SRI recommended that Ethiopia make the right to primary education free and compulsory in practice, and address gender based violence and all other issues that hinder girls' access to education.¹³¹

9. Minorities and indigenous peoples

66. AHR received credible reports of arbitrary arrest, detention without charge, and torture of Oromos by the Government of Ethiopia. In that respect, AHR reported that reports of arbitrary arrest and detention based on suspicion of association with the Oromo Liberation Front (OLF) have continued in recent years.¹³²

67. AHR referred to particular concern reported by Diaspora Oromos about restrictions on the use of *Oromiffa*, the Oromo language. While the Government of Ethiopia restored Oromo language rights in 1994, reports of targeting of Oromos on suspicion of belonging to or supporting the OLF because they spoke *Oromiffa* in public were recorded. In addition, Oromos reported that as a result of the mandatory use of *Oromiffa* in schools in Oromia, Oromo students are at a disadvantage when seeking admission to university where English or Amharic is the preferred language.¹³³

10. Human rights and counter-terrorism

68. CIVICUS reported that the 2009 draft antiterrorism proclamation (anti-terrorism bill) could seriously impact on the exercise of the freedoms of expression, assembly and association. CIVICUS expressed concerns regarding the wide definition of a terrorist act and broad discretion to designate civil society organisations as terrorist groups, curbs on media freedom and strengthened powers of surveillance and interception of communications. CIVICUS was also concerned about the dilution of fundamental due process guarantees in the bill.¹³⁴ EWHRA recommended Ethiopia to repeal or substantially review the draft¹³⁵ and CIVUCS recommended that the definition of what constitutes a terrorist act should be narrow and limited and that numerous other provisions of the draft should be seriously reviewed for their constitutionality and compatibility with international human rights standards.¹³⁶

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil society

AHR	The Advocates for Human Rights, Minneapolis, USA*
AI	Amnesty International, London, UK*
CSO Coalition	Action Professionals' Association for the People; Ethiopian Human Rights Council; Ethiopian Women Lawyers' Association; Organization for Social Justice in Ethiopia; joint submission, Addis Ababa, Ethiopia.
CIVICUS	CIVICUS World Alliance for Citizen Participation, Johannesburg, South Africa*
ECLJ	European Centre for Law and Justice, Strasbourg, France*
EHRCO	Ethiopian Human Rights Council, Addis Ababa, Ethiopia
EWHRA	Ethiopian Women's Human Rights Alliance, Addis Ababa, Ethiopia
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom
HRLHA	Human Rights League of the Horn of Africa, Toronto, Canada
HRW	Human Rights Watch, New York, USA*
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association; ILGA-Europe*; Pan Africa ILGA; International Gay and Lesbian Human Rights Commission; ARC International, Joint submission.
JC	Jubilee Campaign, Fairfax, USA*

OHRJC	The Oromia Human Rights and Justice Council, Champlin, MN, USA.
OMRHO	Oromo Human Rights and Relief Organisation, Hannover, Germany
OSG	Oromia Support Group, Malvern, United Kingdom
OSGA	Oromia Support Group in Australia, Victoria, Australia
UNPO	Unrepresented Nations and Peoples Organization, The Hague, The Netherlands
OSJI	Open Society Justice Initiative, New York, USA*
SRI	Sexual Rights Initiative (composed of Mulabi; Latin American Space for Sexualities and Rights; Action Canada for Population and Development*; Creating Resources for Empowerment and Action-India; the Polish Federation for women and Family Planning), joint submission,
STP	Society for Threatened Peoples, Gottingen, Germany*.

² HRW, p. 6.

³ SRI, p. 5

⁴ OSJI, paras. 3-4.

⁵ CSO Coalition, p.2.

⁶ EHRCO, p. 2.

⁷ EHRCO, para. 1; OSGA, para. 19.

⁸ EHRCO, para. 1.

⁹ CSO Coalition, para. 46.

¹⁰ CSO Coalition, para. 46.

¹¹ CSO Coalition, para. 58.

¹² CSO Coalition, para. 46.

¹³ OHRJC, para. 21.

¹⁴ SRI, para. 17.

¹⁵ SRI, p. 5.

¹⁶ HRW, p. 6.

¹⁷ CSO Coalition, para. 53.

¹⁸ CSO Coalition, para. 61.

¹⁹ SRI, para. 3.

²⁰ CSO Coalition, para. 62.

²¹ CSO Coalition, para. 63.

²² CSO Coalition, para. 15.

²³ OHRJC, para. 14.

²⁴ HRW, p. 2.

²⁵ AI, p. 4; see also CSO Coalition, para. 11.

²⁶ AI, p. 6.

²⁷ OSG, para. 3.

²⁸ UNPO, p. 3.

²⁹ CSO Coalition, para. 9.

³⁰ OHRRO, paras. II-8-II-14.

³¹ EWHRA, p. 5. See also OSGA, paras. 4 and 8-15.

³² AI, p. 5; see also EHRCO, paras. 20-21.

³³ CSO Coalition, para. 12.

- ³⁴ CSO Coalition, para. 13; see also OSGA, para. 2.
- ³⁵ CSO Coalition, para. 57.
- ³⁶ CSO Coalition, para.11.
- ³⁷ HRW, p. 3.
- ³⁸ HRW, p. 5.
- ³⁹ HRW, p. 5; STP, p. 2.
- ⁴⁰ EWHRA, p. 3; see also JC, para. 8; OSGA, para. 17.
- ⁴¹ JC, paras. 9 and17.
- ⁴² CSO Coalition, para. 59
- ⁴³ CSO Coalition, para. 60.
- ⁴⁴ SRI, paras. 22-24.
- ⁴⁵ SRI, p. 5.
- ⁴⁶ GIEACPC, p. 1-2.
- ⁴⁷ OSGA, para. 18.
- ⁴⁸ CSO Coalition, paras. 49-50.
- ⁴⁹ OSG, para. 10.
- ⁵⁰ CSO Coalition, paras. 7-8.
- ⁵¹ CSO Coalition, para. 51.
- ⁵² UNPO, p. 4.
- ⁵³ HRW, p. 4; see similar information regarding other neighbouring countries in OSG, paras. 12-15 and 19.
- ⁵⁴ EHRCO, p. 5.
- ⁵⁵ EWHRA, p. 5; see also UNPO, p. 4.
- ⁵⁶ OSJI, para. 8.
- ⁵⁷ OSJI, paras. 9-12.
- ⁵⁸ AHR, p. 3.
- ⁵⁹ CSO Coalition, para. 58.
- ⁶⁰ SRI, paras. 18-19.
- ⁶¹ CSO Coalition, para. 49.
- ⁶² ILGA, p. 1 and 3.
- ⁶³ CSO Coalition, paras. 25-26; see also HRLHA, p. 2; OHRJC, para. 3.
- ⁶⁴ HRW, p. 4.
- ⁶⁵ STP, p. 1.
- ⁶⁶ CSO Coalition, para. 26.
- ⁶⁷ CSO Coalition, para. 29.
- ⁶⁸ CSO Coalition, para. 16.
- ⁶⁹ OHRJC, para. 22.
- ⁷⁰ AI, p. 4; EWHRA, p. 2; see also CSO Coalition, p. 2; EHRCO, paras. 15-16.
- ⁷¹ CSO Coalition, p.2.
- ⁷² OHRRO, paras II.1-II-7; UNPO. p.1-2; see also OSG, para. 7. See also UNPO, p.2.
- ⁷³ CSO Coalition, para. 6.

⁷⁴ UNPO, p. 2.

⁷⁵ AI, p. 5.

⁷⁶ AI, p. 6.

⁷⁷ CSO Coalition, p. 2; AI, p. 5; EHRCO, para. 20; HRW, p. 1; JC, para. 5.

⁷⁸ EWHRA, p. 2.

⁷⁹ HRW, p. 2.

⁸⁰ CSO Coalition, paras. 31-32.

⁸¹ CSO Coalition, para. 20; EHRCO, para. 13.

⁸² HRW, p. 1. See also EHRCO, para. 17.

⁸³ CSO Coalition, para. 33; STP, p. 1. See also CSO Coalition, para. 34; EHRCO, para.12.

⁸⁴ CSO Coalition, para. 22; see also OHJRC, para. 5.

⁸⁵ AHR, p. 3; HRW, p. 3; JC, para. 2; SRI, para. 26.

⁸⁶ AHR, p. 3; CIVICUS, para. 2.2.; EHRCO, para. 6; HRW, p.3; JC, para. 2; OHRJC, para. 18; SRI, paras. 26-27; STP, p. 1-2.

⁸⁷ AI, p.3; EHRCO, para. 7; see also CSO Coalition, paras. 17-18

⁸⁸ AHR, p. 3.

⁸⁹ CIVICUS, para. 2.3.

⁹⁰ CSO Coalition, para. 17; CIVICUS, paras. 2.4-2.5.; EHRCO, paras. 8-9.

⁹¹ AI, p. 3; EWHRA, p. 1.

⁹² AI, p. 3.

⁹³ CSO Coalition, para. 19.

⁹⁴ AI, p. 6; CSO Coalition, para. 21; CIVICUS, para. 4.2; EHRCO, p. 5; EWHRA, p. 1; JC, para. 15.

⁹⁵ AI, p. 6.

⁹⁶ AI, p. 4

⁹⁷ AI, p. 6; see also EWHRA, p. 2.

⁹⁸ CSO Participation, para. 36; see also a similar recommendation by EHRCO, p. 5.

⁹⁹ HRLHA, p. 2; see also STP, p. 1; CSO Coalition, para. 27; OHJRC, para. 6.

¹⁰⁰ STP, p. 1.

¹⁰¹ OHRJC, para. 7.

¹⁰² EHRCO, para. 19; OHRJC, para. 8.

¹⁰³ HRLHA, p. 3.

¹⁰⁴ HRLHA, p. 1.

¹⁰⁵ HRLHA, p. 4.

¹⁰⁶ ECLJ, p. 1-2; see also JC, paras. 11-13.

¹⁰⁷ ECLJ, p. 3-5.

¹⁰⁸ CSO Coalition, para. 56.

¹⁰⁹ CSO Coalition, para. 59.

¹¹⁰ OHRJC, paras. 10-11.

¹¹¹ OHRJC, para. 12.

¹¹² CSO Coalition, para. 54.

- ¹¹³ CSO Coalition , para. 45.
- ¹¹⁴ CSO Coalition, para. 38.
- ¹¹⁵ AI, p. 4; see also HRW, p. 2.
- ¹¹⁶ CSO Coalition, para. 41.
- ¹¹⁷ CSO Coalition, para. 55.
- ¹¹⁸ OHRJC, paras. 12-13.
- ¹¹⁹ CSO Coalition, para. 42.
- ¹²⁰ CSO Coalition, para. 55; see also SRI, paras. 15-17.
- ¹²¹ CSO Coalition, para. 43.
- ¹²² CSO Coalition, para. 44.
- ¹²³ STP, p. 2.
- ¹²⁴ CSO Coalition, para.. 49.
- ¹²⁵ CSO Coalition, para. 40.
- ¹²⁶ CSO Coalition, para. 48.
- ¹²⁷ SRI, para. 10.
- ¹²⁸ SRI, para. 9.
- ¹²⁹ SRI, para. 12.
- ¹³⁰ SRI, para. 13.
- ¹³¹ SRI, p. 5.
- ¹³² AHR, p. 2.
- ¹³³ AHR, p. 5.
- ¹³⁴ CIVICUS, para. 3; See also EWHRA, p. 4; HRW, p. 2.
- ¹³⁵ EWHRA, p. 4.
- ¹³⁶ CIVICUS, para. 4.3.
