



Federal Democratic Republic of Ethiopia
Joint NGO Submission to the UN Universal Periodic Review
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**Submission by CIVICUS: World Alliance for Citizen Participation, NGO in
General Consultative Status with ECOSOC**

And

**East and Horn of Africa Human Rights Defenders Project (EHAHRDP), NGO in
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1. (A) Introduction

- 1.1** CIVICUS: World Alliance for Citizen Participation is an international movement with members in more than 100 countries worldwide. Established in 1993, CIVICUS nurtures the foundation, growth and protection of citizen action throughout the world, especially in areas where participatory democracy and citizens' freedom of association are threatened.
- 1.2** The East and Horn of Africa Human Rights Defenders Project (EHAHRDP) is the secretariat to a network of human rights organisations in eleven countries in the East and Horn of Africa region. EHAHRDP works to promote a safer and more enabling working environment for human rights defenders through its Protection, Advocacy and Capacity-Building programs.
- 1.3** The Human Rights Council (HRCO) is Ethiopia's first non-governmental human rights organization. Since its establishment on October 10, 1991, HRCO has maintained an ambitious mandate to monitor, promote and defend human rights and the rule of law. Among HRCO's core program activities are the provision of legal aid, rights-related research, human rights education and human rights monitoring, investigating and reporting.
- 1.4** In this document, CIVICUS, EHAHRDP and HRCO outline urgent concerns related to the environment in which civil society activists and human rights defenders operate in the Federal Democratic Republic of Ethiopia and discuss threats faced in the exercise of the freedoms of expression, association and assembly.
- 1.5** CIVICUS, EHAHRDP and HRCO are greatly concerned by legislative and extra-legal measures taken by the Ethiopian Government which drastically curb civil society activism and the freedom of association.
- 1.6** CIVICUS, EHAHRDP and HRCO are deeply alarmed by undue and arbitrary restrictions on freedom of expression, independence of the media and access to information.
- 1.7** CIVICUS, EHAHRDP and HRCO are greatly concerned by ongoing restrictions on the free exercise of the right to freedom of assembly, including unwarranted use of excessive and sometimes fatal force to disperse nonviolent demonstrations.
 - In section B, CIVICUS, EHAHRDP and HRCO highlight concerns related to the freedom of association and restrictions on civil society activities.
 - In section C, CIVICUS, EHAHRDP and HRCO express concerns involving harassment and arbitrary detention of human rights defenders.

- In section D, CIVICUS, EHAHRDP and HRCO highlight concerns relating to the freedom of expression, independence of the media and restrictions on access to information.
- In section E, CIVICUS, EHAHRDP and HRCO highlight concerns regarding the freedom of assembly.
- In section F, CIVICUS, EHAHRDP and HRCO make a number of recommendations to address the concerns listed.

2. (B) Restrictions on freedom of association and impediments to civil society activities

- 2.1** Article 31 of Ethiopian Constitution guarantees the right to freedom of association stating that, “Every person has the right to freedom of association for any cause or purpose.” Furthermore, article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Ethiopia is party, guarantees the freedom of peaceful association. However, in contrast to these guarantees, the government has erected a highly regressive and discriminatory regulatory regime.
- 2.2** Of critical concern are restrictions found under the Charities and Societies Proclamation (Proclamation No. 621/2009, (CSO Law)). The law, ostensibly aimed at regulating Civil Society Organizations (CSOs), places excessive restrictions on the work, operations and funding of CSOs including broad limitations on national and international resource mobilization, excessive powers to interfere in their internal affairs and harsh fines and strict punishments for administrative offenses. As a result of these restrictions, Ethiopia has seen the near cessation of independent human rights activity in the country.
- 2.3** A number of States raised serious concerns about the CSO Law during Ethiopia’s previous review under the Universal Periodic Review in September 2009. Ethiopia however rejected all recommendations to amend or repeal the legislation, on the grounds that the law “helps to further strengthen and implement international norms and principles governing the role of human rights defenders including the Declaration on Human Rights Defenders.” The experience of the past four years has categorically shown the reverse to be true.
- 2.4** Under the CSO Law the government has wide discretionary powers to silence perceived dissident organisations by denying them access to domestic and foreign funding. The CSO Law mandates that organisations that receive more than 10% of their funding from sources outside Ethiopia cannot work on a broad spectrum of human rights activities including, inter alia, human and democratic rights, promotion of gender and religion, the rights of children and people with disabilities, conflict resolution or

reconciliation and the promotion of the efficiency of justice and law enforcement agencies.¹ Such restrictions ban international human rights organizations while creating nearly insurmountable obstacles for organizations which carry out advocacy on critical areas of governance. As a result of these restrictions, international human rights groups have been forced to suspend their operations and a number of domestic groups have been forced to reduce the scope of their work or end their advocacy activities altogether to comply with the law.

- 2.5** Moreover, a number of serious impediments are placed on domestic resource mobilization under the law. Article 77 requires CSOs to disclose the identity of all donors.² In a country where dissidents and government critics are frequently jailed for association with dissident groups, the requirement that all CSOs identify their benefactors greatly deters Ethiopians from supporting human rights organizations. Further, organizations wishing to hold a national fundraising event are required to secure permission from Civil Society Agency (ChSA) (the government organ tasked with overseeing implementation and adherence to the CSO Proclamation). No time limit is prescribed within which the permission must be granted and officials are empowered to deny applications to hold fundraising activities.³ This provision has been used to harass CSOs, as there have been instances where permission has not been granted or severely delayed, resulting in cutting off vital income streams for national human rights groups.⁴
- 2.6** Moreover, arbitrary requirements dictating the allocation of organizational costs are imposed. Under the CSO Law, organizations are prohibited from apportioning more than 30 percent of their budget to cover administrative expenses. Excessive and debilitating fines up to 10,000 Birr can be imposed for violating this provision.⁵
- 2.7** Pursuant to the Proclamation, the government is also endowed with excessive and unwarranted powers to interfere in the internal affairs of CSOs. Under article 85, the ChSA is permitted to investigate the activities of CSOs by searching their property, confiscating original documents and questioning staff without a court-ordered warrant. This provision, which authorizes the ChSA to conduct such inquiries from “time to time” or “for particular purposes,” is open to abuse in order to intimidate representatives of CSOs and allows for undue access to sensitive and confidential documents.⁶

¹Section 14 (5) Charities and Societies Proclamation 2009, <http://www.refworld.org/docid/4ba7a0cb2.html>

²Ibid, Section 77 (3)

³Ibid, Section 98 (1)

⁴Ibid Section 99 (1)

⁵Ibid, Section 88 (1)

⁶Ibid, Section 14 (5)

2.8 The ChSA also has the power to suspend or revoke the license of a registered CSO if it concludes that it has failed to adhere to any of the “regulations or directives” provided for in the proclamation. Moreover, draconian and exorbitant financial penalties can be imposed on an organization which violates provisions of the law. Organizations which fail to record the source and amount of money received during the fiscal year can be fined from 20,000-50,000 Ethiopian Birr (1,060-2,650 USD). For example, in February 2013, the ChSA revoked the licences of three organizations including One Euro; Islamic Cultural and Research Center; and Gohe Child, Youth and Women Development for allegedly conducting 'illegal religious activities' and contravening provisions of the controversial Charities and Societies Proclamation.⁷

2.9 Several of Ethiopia’s remaining independent human rights organizations have been subjected to discriminatory application of the law. The Human Rights Council (HRCO), the first and the only surviving national human rights monitoring group, and the Ethiopian Women Lawyers Association (EWLA), a prominent women’s rights group, have been actively targeted by the government in an apparent attempt to prevent them from undertaking their legitimate work. Principally, in December 2009 the assets of both organizations were frozen on order of the ChSA. The order, which cost HRCO 9.5 million Birr (approximately 566,000 USD) and EWLA 10 million Birr (approximately 595,000 USD) in frozen funds, has resulted in significant cutbacks by each organization including reductions in staff up to 80 percent.⁸

3. (C) Concerns involving harassment, intimidation and attacks against human rights defenders and civil society activists

3.1 Article 12 of the UN Declaration on Human Rights Defenders mandates States to take necessary measures to ensure protection to human rights defenders. The ICCPR guarantees the freedoms of expression, association and assembly. It is a matter of deep concern that human rights defenders engaged in legitimate activity are being subjected to reprisals by state officials. A number of journalists and human rights defenders exposing human rights violations or discussing sensitive topics have been arrested and detained to prevent them from continuing their work under broad and vaguely phrases found in the 2009 Anti-Terrorism Proclamation (Proclamation No. 652/2009). The legislation, which severely restricts freedom of expression, has had a chilling effect among independent media in the country.

⁷ Global body speaks out against suppression of Ethiopian media and Civil Society, CIVICUS, 19 March 2013, <http://www.civicus.org/media-centre-129/press-releases/1503-global-body-speaks-out-against-suppression-of-ethiopian-media-and-civil-society>

⁸ Future of last remaining human rights monitoring NGO in Ethiopia in the balance, CIVICUS, EHAHRDP, 1 February 2012, <http://civicus.org/media-centre-129/press-releases/722-future-of-last-remaining-human-rights-monitoring-ngo-in-ethiopia-in-the-balance>

- 3.2** Under the Anti-Terrorism Proclamation, a terrorist act is defined in catch all terms which are broadly construed to label a large range of legitimate activities as acts of terrorism. Under article 5 - 'Rendering Support to Terrorism' – it is a punishable offense to provide a “skill, expertise or moral support” or “advice” in support of a terrorist act or organisation. Notions of moral support are insufficiently specific and clear and have been misused to imprison perceived dissents. Contravention of this provision is punishable with “rigorous” imprisonment from 10 to 15 years.⁹
- 3.3** Moreover, according to article 6 of the Anti-Terrorism Proclamation – 'Encouragement of Terrorism' – persons are barred from “publishing or causing the publication of a statement that is likely to be understood by some or all of the members of the public... as a direct or indirect encouragement or other inducement to them to the commission or preparation or instigation of an act of terrorism.” Such overly broad and imprecise prohibitions create a potential for abuse and further criminalize reporting deemed favourable to political opposition groups that are labelled as terrorists by the government. Offenders convicted under this provision are subjected to prison sentences ranging from 10 and 20 years.¹⁰
- 3.4** The government has repeatedly invoked the law as justification for its unprecedented crackdown of independent dissent. To date, at least 31 people have been convicted under the law, including opposition figures, Ethiopian and international journalists, UN staff and civil society activists many of them in absentia. Since 2011, 12 journalists have been convicted of acts of terrorism, making Ethiopia the second largest prisoner of journalists in Africa. Many other journalists have fled Ethiopia, with the result that currently there are almost no independent media outlets and publications functioning in the country.¹¹
- 3.5** Moreover, due process violations and reports of torture and ill treatment plagued the proceedings of a number of the detained activists convicted under the Anti-Terrorism Proclamation. Several of the detainees reported being deprived of legal representation for up to three months while in pre-trial detention, with some only being granted access to an attorney upon the commencement of their trial. In addition, a number of detainees reported being subjected to torture and ill-treatment during their detention and interrogation in Maikelawi prison, including being severely beaten with metal instruments, sleep deprivation, and forced suspension by the wrists from the ceiling for lengthy periods.¹²

⁹Section 5 Anti-Terrorism Proclamation 2009, <http://www.refworld.org/docid/4ba799d32.html>

¹⁰ Ibid, Section 6

¹¹ Joint Letter to Ethiopia on its Candidacy to the UN Human Rights Council, CIVICIUS, EHAHRDP, et al, 8 November 2012, https://civicus.org/images/Letter_to_Ethiopia_re_HRC_candidacy_11_8_12_FINAL.pdf

¹² Letter to Prime Minister Hailemariam Desalegn of Ethiopia on Candidacy to UN Human Rights Council, CIVICIUS and EHAHRDP, 8 November 2012, <http://www.defenddefenders.org/2012/11/letter-to-prime-minister-hailemariam-desalegn-of-ethiopia-on-candidacy-to-un-human-rights-council/>

3.6 In a blatant sign of the government's efforts to silence independent criticism, many of the accused were arrested as reprisal for reporting on government human rights violations and calling for greater democratic reform. Among other evidence cited during the trial were published articles discussing the Arab Spring and articles critical of government policy. For example, on 14 September 2011 prominent journalist and human rights defender Eskinder Nega was arrested in the capital, Addis Ababa, shortly after writing an article condemning the Ethiopian government's use of the country's 2009 Anti-Terrorism Proclamation to persecute those who express dissenting views. After being held in incommunicado detention without access to a legal counsel for several months, he and 23 others were charged with terrorism and treason in November 2011. On 27 June 2012 he was convicted on terrorism charges and sentenced to 18 years in prison in July 2012. On 2 May 2013, Ethiopia's Supreme Court upheld Mr Nega's 18 year prison sentence. On 1 April 2013 the UN Working Group on Arbitrary Detention called for Mr. Nega's immediate release, determining that the Ethiopian government had violated Nega's fundamental rights to free expression and due process, as codified under the International Covenant on Civil and Political Rights (ICCPR).¹³

4. (D) Concerns regarding freedom of expression and access to information

4.1 Article 21 of the ICCPR guarantees the freedom of expression and opinion. Article 29 of the Ethiopian Constitution also provides for the right to hold opinions and free expression. Nonetheless, since Ethiopia's human rights record was first examined at the 6th Session of the Universal Periodic Review process in 2009, the government has escalated its campaign to systematically monitor and silence all forms of dissent. To this end, the government has adopted a spate of legislation unduly curtailing the exercise of the right to freedom of expression, instituted a policy of widespread censorship of the internet and introduced strict controls over domestic media outlets.

4.2 In April 2012, Berhanena Selam, Ethiopia's primary state-owned printing press, issued a self-censorship directive informing newspaper and magazine publishers that it would refuse to print information that it believed to be in breach of the Anti-Terrorism Proclamation. The directive also required newspapers and magazines to agree to the new terms and conditions before using the printing press' services. In August 2012, Berhanena Selam refused to print a prominent weekly newspaper, Finote Netsanet.

¹³Civil Society Behind Bars: Eskinder Nega, CIVICUS, 26 February 2013, <http://civicus.org/eskinder-nega>

Finote Netsanet, the official publication of the Unity for Democracy and Justice Party (UDJ), remained as one of last publications to openly criticize the government.¹⁴

- 4.3** In addition, at least 5 newspapers were forced to close in 2012, including Ethio-Channel, Negadras, Feteh, and two Muslim newspapers due to government pressure. In January 2013, in an apparent attempt to eliminate Ethiopia's few remaining independent media outlets, the Ethiopian Broadcasting Authority also refused to renew the license of the newspaper Addis Times. As justification for the closure, the government made several unsubstantiated claims against Addis Times including accusations that it had declined to notify the authorities of a change in ownership, failed to provide the National Archives with two copies of each issue, and failed to disclose its sources of funding.¹⁵
- 4.4** Furthermore, in the wake of the Arab spring, the Ethiopian government has intensified its control over the internet, introducing wide scale restrictions on social media, micro-blogging services and access to national and international news sites. A wide range of national and international news websites, blogs, and sites of national and international human rights organizations were inaccessible in Ethiopia. Independent assessments undertaken in early 2012 uncovered that 65 websites related to news and views, 14 websites belonging to different Ethiopian political parties, 37 blogs, 7 audio-video websites, and 37 Facebook pages were not accessible in Ethiopia. Moreover, tests in 2011 and 2012 showed that the websites of several human rights organizations including Freedom House, Human Rights Watch, and Amnesty International and the domestic Human Rights Council (HRCO) were also blocked or compromised.¹⁶
- 4.5** Proclamation 761/2012 on Telecom Fraud Offences adopted by the Ethiopian Parliament in July 2012, creates unprecedented obstacles on expression rights through bringing contemporary means of electronic communication within the state's ambit to limit severely freedom of expression. While the stated intention of the draft proclamation is to control "telecom fraud" described as a "serious threat to national security beyond economic losses," ambiguous language contained in the law provides government officials with a convenient tool to clampdown on anyone critical of the dominant political discourse. Notably, the draft proclamation seeks to restrict freedom of expression by punishing the dissemination of any "terrorising message" connected with a crime punishable under the Anti-Terrorism Proclamation 2009

¹⁴ International community must act against latest curbs on free speech in Ethiopia, CIVICUS, 9 July 2012, <https://civicus.org/media-centre-129/press-releases/989-international-community-must-act-against-latest-curbs-on-free-speech-in-ethiopia>

¹⁵ Global body speaks out against suppression of Ethiopian media and Civil Society, CIVICUS, 19 March 2013, <http://www.civicus.org/media-centre-129/press-releases/1503-global-body-speaks-out-against-suppression-of-ethiopian-media-and-civil-society>

¹⁶ Africa's cascade of Internet censorship, Aljazeera, 12 May 2012, <http://www.aljazeera.com/indepth/opinion/2011/05/2011512134039497302.html>

(Article 6(1)). Blogs, tweets and even Facebook status updates could result in jail time and heavy fines for posting information that may be deemed offensive to national security. The prohibition on telephone calls and fax services through the internet open the door to full prosecution for voice over internet protocol (VoIP) services, essentially making use of globally popular applications such as Skype and Google Talk illegal, despite assurances by the government to the contrary. Providing such services is punishable by 3 to 8 years imprisonment in addition to a fine, whereas using them “whether intentionally or by negligence” is punishable by 3 months to 2 years and a fine.¹⁷

5 (E) Concerns regarding freedom of assembly

- 5.1** Article 30 of the Ethiopian Constitution protects the right of assembly, demonstration and petition stating “everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition.” Furthermore, Article 21 of the International Covenant on Civil and Political Rights (ICCPR), to which Ethiopia is party, guarantees the freedom of peaceful assembly. However, between 2010 and 2013, these rights were severely undermined by a combination of legislative and extra-legal measures taken by the Ethiopian Government, further imperilling freedom of assembly.
- 5.2** Government security forces routinely used disproportionate, excessive and lethal force to disperse demonstrations across the country. Furthermore, on several occasions, Ethiopian activists were subject to arbitrary arrest and detention for organising or participating in nonviolent protests in the country. The crackdown followed months of widespread peaceful protests beginning in 2012 in which thousands of Muslims called on the government to cease attempts at dictating the internal religious affairs of the Muslim community, including the imposition of the Al Ahabash sect of Islam and engineering the elections for the Supreme Council of Islamic Affairs. On at least four occasions during the course of the protest movement, security forces used unwarranted and excessive force, including firing live ammunition, tear gas, and excessive physical attacks to disperse the protests.
- 5.3** On 13 July 2012, Federal Police violently dispersed thousands of Muslim protesters gathered at Awalia and Anwar mosques in the capital, Addis Ababa. Security personnel reportedly proceeded to shoot canisters of teargas, beat protestors including women and children and arrest 72 others. Following the protest, 29 individuals were arrested

¹⁷Brief analysis of the Ethiopia Draft Proclamation on Telecom Fraud Offences, CIVICUS, 9 July 2012, <http://www.civicus.org/news-and-resources-127/988-brief-analysis-of-the-ethiopia-draft-proclamation-on-telecom-fraud-offences>

and later charged on 29 October 2012 under the Anti-Terrorism Proclamation with 'terrorist acts' and 'planning..., incitement and attempt of terrorist acts'. Those charged include nine representatives of the commission nominated to represent the Muslim community in discussions with government, and one journalist, Yusuf Getachew, who works for the publication Ye'Muslimoch Guday (Muslim Affairs). Several of the accused have also reportedly been deprived of their due process rights including restricted access to legal representation. Moreover, since 22 January 2013, judicial proceedings have been closed to the public, including the media, diplomats, and family members of defendants.¹⁸

- 5.4** On 27 April 2013, at least four people were killed and eight others wounded by security forces during demonstrations in Asasa town, Oromia region. The conflict erupted after security forces, attempted to detain Sheik Su'udi Aman, directly following a sermon in which he criticized government policy. On the same day at least 200 residents of Asasa town were arrested by the security force in response to the protest. Moreover, on 2 August 2013, in the town of Kofele in Oromia, security forces again opened fire on peaceful Muslim protestors killing at least 26.¹⁹
- 5.5** Opposition groups attempting to hold demonstrations have also been subjected to unwarranted interference, including mass arrests. Recently, on 16 July 2013 at least 40 members of the opposition Unity for Democracy and Justice Party (UDJ) were arrested in the capital, Addis Ababa. The arrests occurred as UDJ party members publicly distributed pamphlets encouraging people to sign a petition calling for the release of imprisoned activists.²⁰ Recently, in a separate incident, in May 2013, Andualem Arage, Vice President of UDJ, was sentenced to life for espionage, "disrupting the constitutional order," and recruitment and training to commit terrorist acts, under the Anti-Terrorism Proclamation.²¹
- 5.6** A number of legislative restrictions also exist that in practice infringe on the free exercise of the right to assembly. Article 3 of the Anti-Terrorism Proclamation criminalizes public demonstrations by equating "serious interference or disruption of public services" with acts of terrorism. This provision leaves the term 'serious disruption,' open to broad interpretation and makes illegal disruption of transport services caused by demonstrations.²² Moreover, under Proclamation No.3/1991, the

¹⁸ Ethiopia: Today's peaceful and silent protest at Grand Anwar Mosque, Ethiopian Times, 27 July 2012, <http://ethiopianimes.wordpress.com/category/ethiopian-muslim/page/3/>

¹⁹ Ethiopia Review, Ethiopia: Security forces gun down 26 Ethiopian Muslims Saturday, 4 August 2013, <http://www.ethiopianreview.com/forum/viewtopic.php?t=58401>

²⁰ Ethiopian Police Detain Activists Calling for Terror Law Repeal, 16 July 2013, Bloomberg News <http://www.businessweek.com/news/2013-07-16/ethiopian-police-detain-activists-calling-for-terror-law-repeal>

²¹ Ethiopian court upholds lengthy jail terms for blogger, senior opposition member, Addis Standard, 2 May 2013, <http://addisstandard.com/ethiopian-court-upholds-lengthy-jail-terms-for-blogger-senior-opposition-member/>

²²Section 5 Anti-Terrorism Proclamation 2009 <http://www.refworld.org/docid/4ba799d32.html>

Proclamation to Establish the Procedure for the Peaceful Demonstration and Public Political Meeting, organizers must secure permission from the authorities 48 hours in advance of any planned protest. However, applications by opposition groups are routinely denied. For instance, in May 2013, the Ethiopian Authorities denied the application of members of the opposition Semayawi Party to hold a protest in front of the African Union headquarters in the capital Addis Ababa to mark the African Union's 50th anniversary, although they were granted permission to demonstrate the next month after the AU celebrations had come to an end.²³

6 (F) Recommendations to the Government of Federal Democratic Republic of Ethiopia

CIVICUS, EHAHRDP and HRCO call on the Government of Ethiopia to create an enabling environment for civil society to operate within, in accordance with the rights enshrined in the ICCPR and the UN Declaration on Human Rights Defenders. At a minimum, the following conditions should be ensured: freedom of association, freedom of expression, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state's duty to protect. In light of this, the following specific recommendations are made.

6.1 Regarding restrictions on the freedom of association:

- In line with recommendations made under African Commission on Human and Peoples' Rights Resolution 218, the Charities and Societies Proclamation (Proclamation No. 621/2009) should be repealed or suitably amended to ensure that restrictions on the freedom of association are removed;
- Prohibitions on obtaining international funding for CSOs under the Charities and Societies Proclamation should be repealed;
- Requirements under the Charities and Societies Proclamation that CSOs seek government approval to hold national fundraising events and requiring the disclosure of personal information of CSO benefactors should be repealed;
- The requirement that CSOs must split their administrative and program costs in a strict 30:70 ratio under the Charities and Societies Proclamations should be repealed;

²³Ethiopia bans peaceful demonstration called by Semayawi party, Awramba Times, 22 May 2013, <http://www.awrambatimes.com/?p=7963>

- Excessive powers permitting the government to enter the premises and investigate the activities of CSOs without a court-ordered warrant under the Charities and Societies Proclamation should be repealed;
- Financial penalties for organizations found in violation of the Charities and Societies Proclamation should be removed and any forced deregistration of civil society groups by the government should be subjected to independent judicial review;
- The government should order the immediate release of the frozen assets of the Human Rights Council (HRCO) and the Ethiopian Women Lawyers Association (EWLA).

6.2 Regarding the arbitrary detention and harassment of civil society activists:

- All journalists and human rights defenders detained for exercising their freedom of opinion and expression should be unconditionally and immediately released. Their cases should be reviewed to prevent further harassment;
- All due process guarantees in accordance with article 14 of the ICCPR should be ensured for all detained persons including civil society members;
- Civil society members and human rights defenders should be provided a safe and secure environment to carry out their work. All instances of violations of their rights should be independently investigated;
- In line with recommendations made under African Commission on Human and Peoples' Rights Resolution 218, remove or clarify all provisions of the 2009 Anti-terrorism Proclamation which contain overly broad and vague definitions to protect against arbitrary and partisan application of the law including article 5 'Rendering Support to Terrorism' and article 6 'Encouragement of Terrorism';
- Provisions found under 2009 Anti-Terrorism Proclamation providing for excessive pre-trial detention without any due process of law should be immediately amended to prevent the use of arbitrary and incommunicado detention.

6.3 Regarding restrictions on freedom of expression and access to information, and intimidation, harassment and attacks on journalists:

- Berhanena Selam should rescind its self-censorship directive informing newspaper and magazine publishers that it would refuse to print information that it believed to be in breach of the Anti-Terrorism Proclamation;
- The government should create an enabling environment for independent media by reinstating newspapers forced to close since 2010;
- Proclamation 761/2012 on Telecom Fraud Offences, which brings social media under the ambit of the Anti-Terrorism Proclamation, should be repealed;

- Unfettered access to online information resources should be allowed by removing restrictions on access to national and international news websites and social media outlets and the websites of civil society organizations.

6.4 Regarding restrictions on freedom of assembly:

- Best practices on freedom of peaceful assembly should be adopted, as put forward by the UN Special Rapporteur on the Right to Peaceful Assembly and Association in his annual report (2012) which calls for simple notification rather than explicit permission to assemble;
- Recourse for judicial review and effective remedy should be provided, including compensation, in cases of unlawful denial of the right to freedom of assembly by state authorities;
- Security forces in charge of crowd control should be equipped with non-lethal weapons and provided training across the board on humane means of crowd control as well as on the UN Basic Principles on the Use of Force and Firearms;
- Every case of injury and death caused to protestors by security forces should be subjected to mandatory and transparent investigation by an independent commission;
- All journalists, demonstrators and human rights defenders detained for exercising their freedom of assembly should be unconditionally and immediately released. Their cases should be reviewed to prevent further harassment;
- Restrictions on public demonstrations found under article 3 of the Anti-Terrorism Proclamation criminalizing “serious interference or disruption of public services” must be removed;
- Provisions under Proclamation No. 3/1991 - Proclamation to Establish the Procedure for the Peaceful Demonstration and Public Political Meeting – requiring individuals and groups to secure approval from the government to hold demonstrations should be repealed.

6.5 Regarding access to UN Special Procedures mandate holders:

- A standing invitation should be extended to the UN Special Procedures, particularly to the Special Rapporteur on Human Rights Defenders, Special Rapporteur on Freedom of Expression, the Special Rapporteur on Freedom of Peaceful Assembly and Association and the Special Rapporteur on Independence of Lawyers and Judges.