

# ETHIOPIA 2020 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Ethiopia is a federal republic. The Ethiopian Peoples' Revolutionary Democratic Front, a coalition of four ethnically based parties, controlled the government until December 2019 when the coalition dissolved and was replaced by the Prosperity Party. In the 2015 general elections, the Ethiopian Peoples' Revolutionary Democratic Front and affiliated parties won all 547 seats in the House of Peoples' Representatives (parliament) to remain in power for a fifth consecutive five-year term. In 2018 former prime minister Hailemariam Desalegn announced his resignation to accelerate political reforms in response to demands from the country's increasingly restive youth. Parliament then selected Abiy Ahmed Ali as prime minister to lead these reforms. Prime Minister Abiy leads the Prosperity Party.

National and regional police forces are responsible for law enforcement and maintenance of order, with the Ethiopian National Defense Force sometimes providing internal security support. The Ethiopian Federal Police report to the Ministry of Peace. The Ethiopian National Defense Force reports to the Ministry of National Defense. The regional governments (equivalent to a U.S. state) control regional security forces, which are independent from the federal government. Civilian authorities maintained effective control over the security forces. Members of all security forces committed some abuses.

Abiy's assumption of office was followed by positive changes in the human rights climate. The government decriminalized political movements that in the past were accused of treason, invited opposition leaders to return and resume political activities, allowed peaceful rallies and demonstrations, enabled the formation and unfettered operation of political parties and media outlets, and carried out legislative reform of repressive laws. The opening of political space has also met with challenges. Reforms are taking place in an environment with weak institutions including in the security sector. Ethnic tensions increased, resulting in significant violence in some cases. Citizen-on-citizen violence caused the majority of human rights abuses.

On November 4, fighting between the Ethiopian National Defense Forces and the Tigray People's Liberation Front Regional Security Force resulted in protracted conflict in the northern Tigray Region and reports of serious and widespread abuses. As of the end of the year, there was very limited access to the majority of

Tigray, except for the capital Mekele, resulting in a lack of reporting and making it difficult to ascertain the extent of human rights abuses and violations.

Significant human rights issues included: unlawful or arbitrary killings by security forces and private entities; forced disappearances by unnamed armed groups; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest and detention; serious abuses in an internal conflict, including killing of civilians; serious restrictions on free expression, the press, and the internet, including harassment of journalists, and blocking of the internet and social media sites; interference with freedom of peaceful assembly and freedom of association; serious acts of corruption; lack of investigation of and accountability for violence against women; crimes involving violence or threats of violence targeting members of racial or ethnic minority groups; and existence or use of laws criminalizing same-sex sexual conduct.

The government at times did not take steps to prosecute officials who committed human rights abuses, resulting in impunity for abusers due to a lack of institutional capacity. The government took positive steps toward greater accountability under the Abiy administration to change the relationship between security forces and the public. In June the attorney general's office and the government-affiliated Ethiopian Human Rights Commission investigated Amnesty International's allegations of human rights abuses perpetrated by security forces. The administration also addressed past reported abuses such as restrictions on freedom of assembly, political prisoners, and interference with privacy. In late August the Ethiopian Human Rights Commission and human rights nongovernmental organizations deployed investigators to 40 sites in Oromia Region to probe ethnic-based killings after the June 29 killing of Oromo singer Hachalu Hundessa.

There were human rights abuses by paramilitary groups, rebel forces, and youth groups. The Ethiopian Human Rights Commission's preliminary assessment of the November 9 attack in Mai-Kadra in Tigray concluded that a Tigrayan youth group supported by the Tigray People's Liberation Front Regional Security Force killed approximately 600 persons. Amnesty International reported that the abuses were carried out by police special forces of the Tigray People's Liberation Front Regional Security Force. A local human rights group reported that on June 29 and 30, youth groups attacked the villages of Arsi and Bale Zones in Oromia. The federal police arrested 1,500 regional officials for participation in the violence or failing to prevent the violence following the death of Hachalu Hundessa. The

Oromo Liberation Army-Shane, an armed separatist group with factions in western, central, and southern Oromia, killed civilians and government officials.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports that the government and its representatives committed arbitrary and unlawful killings. There were cases identified by Amnesty International and the Ethiopian Human Rights Commission (EHRC) where security forces used excessive force against civilians. Other reports were being investigated by international bodies. The federal police had an internal investigative unit that investigated cases of criminal acts perpetrated by police. The internal unit's decisions regarding penalties against police were kept confidential.

The Ethiopian National Defense Force (ENDF) had a military police division with a military investigative unit that reported to the military attorney general's office. The military police passed evidence from their investigations to the prosecutors and defense counsels. The ENDF attorney general directed the investigations and heard the cases in military court.

On January 19, a security official reportedly shot a 20-year-old man tending his store near Mugi, in western Oromia. On January 21, unidentified security officials rounded up five young men in a small town outside of Mugi, interrogated them in a private residence, and then shot and killed them, according to a local journalist. It is not clear which security service perpetrated these abuses.

On August 9, regional special forces clashed with protesters in Sodo in the Welayita Zone of the Southern Nations, Nationalities, and Peoples' Region. Media reported the forces killed 17 citizens after youth groups blocked roads and burned tires in response to the arrest of 28 members of the zonal leadership, including Zonal Administrator Dagato Kumbe and members of the Welayita National Movement opposition party.

On August 27, the EHRC issued a press release declaring it had evidence that security forces killed protesters in Assasa, Sahshemene, Bale Robe, Ginir, Asebot, Chrio, and Awedaye. The EHRC called on the government to create an independent body to investigate.

On May 29, a member of a local militia in Mekele, capital of the Tigray Region, shot and killed a woman following a labor dispute concerning salary. Afterwards, the militiaman shot himself but survived.

On May 29, fighters of the former Oromo Liberation Army-Shane (OLA-Shane), an armed separatist group, with factions in western, central, and south Oromia, reportedly killed four civil servants and wounded three others in Wagari Buna locality in West Wellega Zone of Oromia Region. The team of civil servants was on route to Nejo town after delivering agricultural supplies to internally displaced persons (IDPs) from the neighboring Benishangul-Gumuz Region.

On November 9, Amnesty International reported an armed group killed a large number of civilians in the town of Mai-Kadra in western Tigray Region. The victims were reportedly largely to be non-Tigrayan seasonal laborers. The Amhara regional media agency reported there were approximately 500 victims. Although the identity of the attackers remained unconfirmed, witnesses stated forces associated with the Tigray People's Liberation Front Regional Security Force committed the killings (See section 1.g., Respect for the Integrity of the Person--Abuses in Internal Conflict.).

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

In December 2019 approximately 17 university students were kidnapped by an armed group in western Oromia Region. The government charged 17 OLA-Shane individuals with terrorism charges for the abduction. The trial against the suspects continued as of December. At the end of the year, the status of the missing students remained unknown.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the constitution prohibits such practices, there were reports that security officials tortured and otherwise abused detainees.

On May 29, Amnesty International released a report claiming that security forces carried out torture in OLA-Shane areas. The EHRC and the attorney general's office reviewed these reports and concluded that the report was biased.

According to the *Conduct in UN Field Missions* online portal, there is one open allegation, submitted in 2018, of sexual exploitation and abuse by an Ethiopian peacekeeper deployed to a UN peacekeeping mission in the region, allegedly involving an exploitative relationship with an adult. As of October the United Nations had substantiated the allegation and repatriated the perpetrator, but the Ethiopian government had not provided information on accountability measures taken by year's end.

Impunity remained a problem, although some measures were taken to hold security forces accountable for human rights abuses. Lack of transparency regarding those being charged and tried in courts of law made it difficult to determine if significant improvements were made.

### **Prison and Detention Center Conditions**

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. Pretrial detention often occurred in police station detention facilities, where conditions varied widely and reports noted poor hygiene.

Physical Conditions: Severe overcrowding was common, especially in prison sleeping quarters. Prison cells were small and cramped. International organizations reported that it was common for cells to have small windows that allow only a little light into estimated 430-square-foot cells, one of which may hold as many as 38 cellmates. Authorities sometimes incarcerated juveniles with adults. Prison officials generally separated male and female prisoners, although mixing occurred at some facilities.

The government budgeted approximately nine birr (\$0.23) per prisoner per day for food, water, and health care, although this amount varied across the country. Many prisoners supplemented this allocation with daily food deliveries from family members or by purchasing food from local vendors. Reports noted officials prevented some prisoners from receiving food from their families, and some families did not know of their relatives' locations. Medical care was unreliable in federal prisons and almost nonexistent in regional ones. Medical attention following physical abuse was insufficient in some cases.

Prisoners had only limited access to potable water. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. Many prisoners had serious health problems but received little or no treatment. There were reports prison officials denied some prisoners access to needed medical care.

The law prohibits detention in any facility other than an official detention center; however, local militias and other formal and informal law enforcement entities operated an unknown number of unofficial detention centers.

Approximately 9,500 persons in the Oromo Region were arrested for ethnically related violence and destruction of property after the death of Hundessa (see section 6, Members of National/Racial/Ethnic Minority Groups). Regional authorities later reported that approximately one-half of those arrested were released. On September 26, the Oromia regional government reported that 5,728 persons were charged in connection with the violence. The excessive crowding in detention facilities raised concerns regarding the spread of COVID-19 in the prison system. The Prison Commission responded by using public facilities such as schools as makeshift prisons to improve prison-inmate distancing.

Administration: There were reports that prisoners were mistreated by prison guards and did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints.

The law generally provides for visitor access to prisoners. Authorities, however, denied some indicted defendants visits with their lawyers. In some cases police did not allow pretrial detainees to have access to visitors, including family members and legal counsel. Prison regulations stipulate that lawyers representing persons charged with terrorism offenses may visit only one client per day, and only on Wednesdays and Fridays. Authorities denied family members' access to persons charged with terrorist activity.

Officials permitted religious observance by prisoners, but this varied by prison and even by section within a prison. There were allegations authorities denied detainees adequate locations in which to pray.

Independent Monitoring: During the year the International Committee of the Red Cross visited 51,000 prisoners throughout the country as part of its normal activities.

Regional authorities allowed government and nongovernmental organization (NGO) representatives to meet with prisoners without third parties present. The EHRC monitored federal and regional detention centers, and interviewed prison officials and prisoners. The NGO Justice for All-Prison Fellowship Ethiopia had access to multiple prison and detention facilities around the country.

The EHRC and the attorney general's office checked on the welfare of high-level political prisoners arrested for possible involvement in organizing violence following the killing of the popular singer Hachalu Hundessa. During the week of July 12, the EHRC twice visited high-level prisoners such as Jawar Mohamed, Eskinder Nega, and Bekele Gerba. The independent Ethiopian Human Rights Council reported that the detainees were in good health, were visited by family members, and were in touch with lawyers defending their cases.

Improvements: On February 17, the government published the Federal Prison Proclamation that makes the Federal Prisons Commission an independent body that reports to the attorney general's office; requires that all prisoners be treated with human dignity and are given education and technical training to assist with rehabilitation; stipulates that prisoners are to be provided clothing and three meals per day; and are given free medical care (including psychiatric care) on premises. The Federal Prison Commission was to be monitored and supervised by the Committee of Community Leaders (comprising religious, cultural, and human rights leaders), the EHRC, and the parliament. The act also stipulates that prisoners "shall have an accommodation that preserves his human rights, dignity, security, and health during his stay in prison." The proclamation introduced categorization and separation of prisoners according to age, gender, and risk level.

The legislation led to reforms within the prison system. The Prisons Commission had an independent budget and chain of command from other ministries, and the commission reported directly to parliament. The commission launched its own training centers, educational programs, and driving schools to provide inmates with basic skills to reduce recidivism. The commission began building its own hospital system for cost savings and to decrease dependency on local community hospitals.

#### **d. Arbitrary Arrest or Detention**

The constitution and federal law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government did not always observe these requirements.

### **Arrest Procedures and Treatment of Detainees**

The constitution and law require detainees to appear in court and face charges within 48 hours of arrest or as soon thereafter as local circumstances and communications permit. Travel time to the court is not included in this 48-hour period. With a warrant, authorities may detain persons suspected of serious offenses for 14 days without charge. The courts increasingly pushed authorities to present evidence or provide clear justifications within 14 days or release the detainee. Courts also demanded to see police investigative files in order to assess police requests for additional time.

On April 6, the Anti-Terrorism Proclamation (ATP) replaced an antiterrorism law that permitted arbitrary arrests. The ATP provides that a suspect or defendant accused under the provisions of the ATP is to be “protected in accordance with [the] constitution, international agreements [ratified by the government] and other laws of the country concerning rights and conditions of suspected or accused persons.” The ATP prohibits warrantless searches and interception of private communications without a warrant or court order. It gives leasing and rental business owners up to 72 hours to provide the identities of foreigners (nonresidents) to police, significantly narrowing the scope of the law by excluding residents, and reduces the penalties for noncompliance. The ATP ends lengthy detention without a court appearance and gives the courts authority to prioritize any terrorism-related arrests.

A functioning bail system was in place. Bail was not available for persons charged with murder, treason, or corruption. In other cases the courts set bail between 500 and 10,000 birr (\$13 and \$250), amounts that few citizens could afford. The government provided public defenders for detainees unable to afford private legal counsel, but defendants received these services only when their cases went to trial and not during the pretrial phases. In some cases a single defense counsel represented multiple defendants (coaccused) in a single case.

Arbitrary Arrest: There were reports of arbitrary arrest by security forces.

On May 13, an estimated 1,600 persons were arrested in Addis Ababa for “violating the state of emergency” and not wearing face masks. The EHRC urged



police to stop arbitrary arrest of individuals for not wearing face masks and declared that the tactics were needless. All the detained were released within 72 hours (see section 1.c.).

Pretrial Detention: The percentage of the inmate population in pretrial detention and average length of time held was not available. Lengthy legal procedures, large numbers of detainees, judicial inefficiency, and staffing shortages contributed to frequent trial delays, in some cases lasting years.

Detainees' Ability to Challenge Lawfulness of Detention before a Court: During the year no cases were brought to the courts by individuals claiming unlawful detention. The law does not provide compensation for unlawfully detained persons.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, criminal courts remained weak and overburdened.

#### **Trial Procedures**

Under the constitution, accused persons have the right to a fair, public trial without undue delay, a presumption of innocence, legal counsel of their choice, appeal, the right not to self-incriminate, the right to present witnesses and evidence in their defense, and the right to cross-examine prosecution witnesses. The law requires officials to inform detainees of the nature of their arrest within a specific period time, which varies based on the severity of the allegation. The law requires that if necessary, translation services are provided in a language defendants understand. The federal courts had staff working as interpreters for major local languages and are required to hire interpreters for defendants that speak other languages.

In August the EHRC reported that the regional courts performed well in presuming innocence of detainees. The human rights body also stated that courts made sure that detainees' families were informed of detentions.

The federal Public Defender's Office provided legal counsel to indigent defendants, but the scope and quality of service were inadequate due to a shortage of attorneys. A public defender often handled more than 100 cases and might represent multiple defendants in the same criminal case. Numerous free legal-aid

clinics, primarily based at universities, also provided legal services. In certain areas of the country, the law allows volunteers such as law students and professors to represent clients in court on a pro bono basis. There is a lack of a strong local bar association or other standardized criminal defense representation.

The constitution recognizes both religious and traditional courts. Many rural citizens had little access to formal judicial systems and relied on traditional mechanisms for resolving conflict. By law all parties to a dispute must agree to use a traditional or religious court before such a court may hear a case, and either party may appeal to a regular court at any time. Sharia (Islamic law) courts may hear religious and family cases involving Muslims if both parties agree before the start of the formal legal process to use the sharia court. Sharia courts received some funding from the government. Sharia courts adjudicated a majority of cases in the Somali and Afar regions, which are predominantly Muslim. Other traditional systems of justice, such as councils of elders, functioned predominantly in rural areas. Women often believed they lacked access to free and fair hearings in the traditional court system because local custom excluded them from participation in councils of elders and due to persistent gender discrimination.

### **Political Prisoners and Detainees**

There were multiple detentions of political leaders who were released or sentenced based on criminal acts. Following the June 30 violence caused by the killing of Hachalu Hundessa, there were approximately 40 arrests of political leaders and their followers. In July the highest profile leaders were visited in jail by the attorney general's office and the EHRC at least three times. These opposition leaders were provided the same protections as other detainees. Several opposition leaders who were arrested following the killing of Hachalu Hundessa are still in detention awaiting trial.

### **Civil Judicial Procedures and Remedies**

The law provides citizens the right to appeal in civil court, including in cases with human rights abuses. For rights abuses where a government agency is the accused perpetrator, the victim initiates the process by filing a complaint at the EHRC. The EHRC investigates and makes recommendations to the concerned government agency.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law generally requires authorities to obtain court-issued search warrants prior to searching private property. The law also recognizes exceptions for “hot pursuit” cases in which a suspect enters premises or disposes of items that are the subject of an offense committed on the premises. This legal exception also applies when police have reasonable suspicion that evidence of a crime punishable if convicted by more than three years’ imprisonment is concealed on or in the property and a delay in obtaining a search warrant could allow for the evidence to be removed.

#### **g. Abuses in Internal Conflict**

The government engaged in offensive operations against the armed separatist group OLA-Shane in western, northern, and southeastern Oromia. The government had military-led command posts in the affected areas that coordinated all security operations. Command posts are led by the ENDF but are supported by regional special forces, regional police, and regional militias.

On November 4, fighting between the ENDF and the Tigray Special Forces resulted in protracted conflict in the northern region of Tigray. The fighting affected the entire region. As of the end of the year, there was very limited access to Tigray, except for the capital Mekele, resulting in a lack of reporting and making it difficult to ascertain the extent of abuses. There were numerous reports of looting and destruction of infrastructure in Tigray, including in refugee camps. There were reports that government security forces, security forces from neighboring regions, the Eritrean military, private militias, and the Tigray People’s Liberation Front Regional Security Force all committed human rights violations and abuses, including extrajudicial killings, sexual assaults, forced displacement of civilian populations, and torture. There are reports that government security forces engaged in arbitrary arrests and detentions. International organizations, including the United Nations reported that a humanitarian crisis was unfolding and they prepared to assist with basic services, food, and medical supplies.

Killings: Residents of Qellem Wellega Zone in Oromia told media that government security forces killed seven civilians.

The Oromia Region’s Security Bureau reported that OLA-Shane fighters killed more than 770 individuals, wounded more than 1,300, and abducted 72 persons.

On November 1, suspected OLA-Shane fighters killed at least 54 ethnic Amhara residents of Gawa Qanqa in West Wellega Zone, according to Amnesty

International. Witnesses reported that men, women, and children were killed, and property was looted and burned.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution and law provide for freedom of speech and the press, and the government generally respected this right. The government generally opened political space (including freedom of speech) which resulted in the proliferation of new media outlets and the return of some diaspora outlets.

On March 23, the government published Proclamation 1185/2020, the Hate Speech and Disinformation Prevention and Suppression Proclamation. Domestic human rights groups criticized the law for using broad legal definitions that could be used to repress freedom of speech. The government applied it in a few cases (See section 2.a., Respect for Civil Liberties--Freedom of Expression--Internet Freedom.).

Freedom of Speech: Upon taking office Prime Minister Abiy stated that freedom of speech was essential to the country's future. NGOs subsequently reported that practices such as arrests, detention, abuse, and harassment of persons for criticizing the government diminished significantly.

On April 4, Elsabet Kebede was arrested by Addis Ababa police after she had posted the names and ethnicity of persons infected with COVID-19. She was detained for one month and released on bail May 8 without charge.

Freedom of Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views without restriction.

The number of news outlets increased under the Abiy administration. Between January 2019 and October the number of published newspapers increased from six to eight; they were produced in Amharic and English. The number of television channels, which once were a handful of state-controlled broadcasters, rose to 31 mostly independent stations. These stations represented national and regional interests. Radio stations increased from approximately 10 radio stations with national, Addis Ababa, and regional coverage to 14 stations with the same coverage. Community radio stations were also widespread.

The developing media landscape resulted in challenges. The vast expansion of the media environment led to media outlets with untrained reporters. A number of new private stations reflected the political views of their owners. The increase in regional news outlets along with social media influencers amplified messages that led to “echo chambers” which often were biased towards ethnic interests.

Violence and Harassment: Between June 30 and July 6, federal police arrested approximately 12 journalists and camera crewmembers after the killing of Oromo singer and activist Hachalu Hundessa. On July 30, police arrested Kenyan journalist Yassin Juma outside the home of a political opposition leader. On August 20, authorities released Juma on bail after multiple court appearances and prosecution delays.

On November 4, police in Addis Ababa arrested journalist Bekalu Alamrew of the privately owned Awlo Media Center and charged him with false reporting, defaming the government, and inciting ethnic tensions. Alarmew had reported on killings of ethnic Amharas in West Wollega. On November 22, police released Alamrew following a court order. On November 7, police arrested editor Medihane Ekubamichael of the news website *Addis Standard* and later charged him with “attempts to dismantle the constitution through violence.” Ekubamichael led the website’s reporting on the conflict in Tigray. Ekubamichael remains in custody despite being granted bail.

On July 17, federal police arrested Guyo Wariyo, a journalist affiliated with the Oromia Media Network. On September 1, authorities released Wariyo after a court determined prosecutors had not presented sufficient evidence after multiple court appearances. In July, four additional Oromia Media Network journalists were arrested. As of the end of the year, one remained in custody. On August 5, police also detained two journalists and two camera operators working for Asrat Media on charges of incitement. Although a court granted them bail on September 7, police re-arrested them the next day. On September 19, police released the Asrat Media journalists following court orders.

National Security: The government charged some journalists on national security grounds. On March 26, authorities arrested independent journalist Yayeew Shimelison for reporting on mass graves allegedly prepared for COVID-19-related deaths. On April 23, a court released him on bail. Shimelis was initially charged with terrorism crimes, and then authorities changed his charge to violating the Hate Speech and Disinformation Prevention and Suppression Proclamation. He was released on bail with no final judgment on his case.

Nongovernmental Impact: The OLA-Shane controls an area that was considered a nonpermissive environment for journalists. During the year a handful of journalists accessed the area and were detained by regional security forces accountable to regional presidents.

On January 13, police in Benishangul Gumuz Region arrested a journalist and camera operator working with Amharic Department of Tigray TV in Assosa. Journalist Dawit Kebede and cameraman Behailu Wube had travelled to Assosa to cover a forum for political parties upon the invitation of organizers, according to Tigray TV officials. The communications head of Benishangul Region stated the journalists violated procedures by not notifying the region's Communications Bureau of their travel. Both were released two days later.

### **Internet Freedom**

The government periodically restricted and disrupted access to the internet and blocked social media sites. From January to March, the government completely shut down the internet in the Wellega and Guji zones of Oromia. As of the end of the year, the Guji Zone of Oromia continued to experience periodic internet shutdowns.

From June 30 to July 23, the government shut down the internet nationally after the killing of Hachalu Hundessa and subsequent civil unrest in Oromia and Addis Ababa. On July 15, internet access was partially restored in Addis Ababa and on July 23, restored nationwide.

On November 4, telephone, cell phone, and internet services were shut down in the Tigray Region and as of December 31, the internet was still down, although telephone services improved throughout the region.

The Hate Speech and Disinformation Prevention and Suppression Proclamation addresses hate speech in social media. The law prohibits dissemination of hate speech or disinformation through broadcasting, print, or social media using text, image, audio, or video. Conviction of a crime described under the law is punishable with imprisonment for no more than two years or a substantial monetary fine. A person convicted of violating the misinformation law may face no more than one year in prison or a substantial monetary fine. If their action results in a person or group being attacked due to hate speech, the punishment for conviction may be between one year and five years of incarceration. If a person is

convicted of hate speech or disinformation via broadcasting services, print media, or a social media account of more than 5,000 followers, the violator faces one to three years in prison or a substantial monetary fine. There was one case pending under this law at year's end.

### **Academic Freedom and Cultural Events**

During the year the government changed the education system to be more merit-based and to provide greater academic freedom. As a result school principals were assigned on a merit-based system rather than by affiliation to a political party. The NGO Freedom House noted that the political indoctrination of university students, through lectures on government policy or pressure to join the ruling party, diminished.

The laws governing academic curriculum still rely on a proclamation from 2009. This proclamation restricts academic freedom by means of minimum requirements for being consistent with international good practice and cultural responsibility.

### **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

#### **Freedom of Peaceful Assembly**

The NGO-operated Armed Conflict Location and Event Database reported that the country had weekly demonstrations. The vast majority of these were peaceful except for those that followed the killing of Hachalu Hundessa, which led to mass civil unrest in Oromia.

Between April 8 and September 5, the government's State of Emergency limited large gatherings to mitigate the spread of COVID-19. This affected individuals' ability to gather in houses of worship and to attend meetings and training sessions. The enforcement of the State of Emergency also led to the arrest of at least 1,600 citizens for violating State of Emergency rules. These practices led the EHRC to declare that these arrests were illegal, arbitrary, and had to stop immediately. Police released the majority of those detained within 48 hours after their arrest.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **d. Freedom of Movement**

The law provides for the freedom of internal movement, foreign travel, migration, and repatriation, and the government generally respected these rights.

In-country Movement: The COVID-19 State of Emergency limited regional movement. Regional governments imposed various restrictions on the movement of goods and persons across regional borders. The most stringent preventative measures were in the Tigray Region, where all travel within the region came to a halt throughout April. The other nine regions had similar policies, which suspended interregional travel and reduced the numbers of passengers in public transport. The Amhara Region imposed additional limitations in Bahi Dar, Tillili, and Adis Kidam, which were in complete lockdown enforced by the regional security services during April. All of these measures were repealed before the end of the COVID-19 state of emergency on September 5.

#### **e. Status and Treatment of Internally Displaced Persons**

On September 10, the International Organization for Migration (IOM) released a report concluding that there were more than 1.8 million internally displaced persons (IDPs) in the country. The report was based on site and village assessments that the IOM conducted between June and July. The IOM concluded that the primary cause of displacement was conflict, which resulted in the displacement of 1,233,557 persons throughout the country. The second-highest cause was drought, which displaced an additional 351,062 persons, followed by seasonal floods (displacing 104,696 IDPs) and flash floods (50,093 IDPs). The IDP situation was further complicated by the violence in Oromia following the killing of singer Huchalu Hundessa, which displaced an additional 12,000 persons.

The IOM found that IDPs had limited access to basic services and livelihood opportunities, and faced significant protection risks, including exposure to continuing violence, lack of educational opportunities, and lack of health care. In approximately 90 percent of displacement sites, IDPs reported food shortages, with COVID-19 restrictions having reduced the supply and availability of staple commodities. In some instances the government strongly encouraged returns of IDPs without adequate arrangements for security and sustainability.



In December 2019 the country and the United Nations launched a nationwide Durable Solutions Initiative, designed to elicit funding to implement sustainable interventions in areas appropriate for safe, dignified, and voluntary durable solutions for IDPs.

#### **f. Protection of Refugees**

The government collaborated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in expanding protection and assistance to IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. During the Tigray conflict, Eritrean refugees became increasingly vulnerable. There were four Eritrean refugee camps in Tigray, which include the Shimelba, Hitsats, Mai-Ayni, and Adi Harush camps that house an estimated 96,000 Eritrean refugees. Hitsats and Shimelba are close to the Eritrea-Ethiopia border and were in the vicinity of the fighting between the ENDF and the Tigray People's Liberation Front Regional Security Force. As the conflict continued into late November and early December, the lack of access made the situation in the camps dire, with little to no access to food, water, and medical supplies. There were reports that refugees who fled the conflict were forcibly returned to the camps by the government. There were reports of refoulement to Eritrea. There were also reports of violence against refugees in Tigray. On December 28, the United Nations stated that convoys accessed Adi Harush and Mai-Ayni refugee camps, and distributed approximately 490 metric tons of food.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government used a refugee status determination system for providing services and protection to refugees. In January the Agency for Refugee and Returnee Affairs (ARRA) announced it intended to change its process for registering Eritreans. Instead of granting prima facie refugee status to Eritreans, ARRA instead would make individualized refugee status determinations for arrivals. After this announcement, the UNHCR reported that ARRA primarily registered only those Eritreans who claimed forced conscription or political persecution. The UNHCR raised concerns regarding the potential denial of services and rights to asylum seekers, particularly unaccompanied minors, those seeking family reunification, and those seeking medical assistance.

Freedom of Movement: On June 7, ARRA released a directive permitting refugees to leave the camps if they met certain criteria.

Employment: On June 7, ARRA issued secondary legislation to codify rights in the 2019 Refugee Proclamation, which included procedures for refugees' right to work. The Right to Work Directive provides for the right to work of refugees working on a joint project with Ethiopian nationals, and for the right to work of refugees seeking wage-earning employment in a position unable to be filled by an Ethiopian national, or through self-employment.

Access to Basic Services: Refugee students who passed the required tests could attend a university with fees paid by the government and the UNHCR.

Durable Solutions: The government welcomed refugees to settle in the country but did not offer a path to citizenship or provide integration.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

Recent Elections: In 2015 the country held national elections for the House of Peoples' Representatives, the country's parliamentary body. That year the parliament elected Hailemariam Desalegn to his first full mandate as prime minister. In 2018 Hailemariam announced his resignation as prime minister, and the Ethiopia Peoples' Revolutionary Democratic Front selected Abiy Ahmed as the new chairperson of the party and candidate for federal prime minister. After an acclamation vote in the parliament, Abiy Ahmed became prime minister.

The COVID-19 pandemic and related State of Emergency delayed elections planned for May. The parliament declared the postponement because measures to control the pandemic restricted the numbers of persons able to congregate, closed public venues, and restricted the National Electoral Board of Ethiopia's (NEBE) ability to conduct training needed to prepare for the election. On September 22, the parliament approved a resolution to allow NEBE to organize national elections by September 2021.

Political Parties and Political Participation: The government allowed all diaspora-based opposition groups, including those in armed struggle, to return and pursue

nonviolent struggle. As of December there were 78 registered parties that were permitted to compete in parliamentary elections.

Registered political parties must receive permission from regional governments to open and occupy local offices. The law requires parties to report “public meetings” and obtain permission for public rallies.

Participation of Women and Members of Minority Groups: No laws prevent women or members of minority groups from voting or participating in political life, although patriarchal customs in some regions limited female participation in political life. Although there were increases in women’s representation, women remained significantly underrepresented across both elected and appointed positions. In October 2019 the prime minister announced a new cabinet with 10 female ministers, or approximately one-half of the cabinet. Also in October 2019 Sahle-Work Zewde became the country’s first female president. Zewde’s appointment was in line with the prime minister’s stated goal of empowering women in his administration. In November the parliament swore in the country’s first female Supreme Court president. In the national parliament, women held 38 percent of seats, 211 of 547.

The government’s policy of ethnic federalism led to the creation of individual constituencies to provide representation for all major ethnic groups in the House of the Federation (the upper chamber of parliament). The government recognized more than 80 ethnicities, and the constitution states that at least one member represent each “Nation, Nationality, and People” in the House of the Federation.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for conviction of corruption. The government did not implement the law effectively or comprehensively. The government enacted new policies to hold government officials more accountable. There were isolated reports of government corruption. Officials sometimes engaged in corrupt practices with impunity.

On August 18, the Ethics and Anti-Corruption Commission and the Ethiopian Financial Intelligence Center signed a Memorandum of Understanding to increase coordination by allowing the two agencies to better identify money laundering, terrorism financing, and other financial crimes that support corruption.

On April 7, the country enacted the 2020 Federal Administrative Procedure Proclamation (APP). This is the country's first law to allow ordinary citizens to appeal to the federal courts to review the legality of federal agency actions, decisions, and rules. The APP is intended to advance federal agencies' transparency and accountability by allowing citizens seeking administrative redress to file suits in federal courts against federal agencies if those agencies fail in their core missions. Citizens may seek monetary compensation in addition to asking agencies to comply with the law.

Corruption: In late September federal police arrested Ministry of Education officials Mekonnen Addis, Eshetu Asfaw, Taye Mengistu, and Nigusse Beyene for corrupt procurement resulting in a loss of 280 million birr (\$7 million) and the production of books not meeting the requirements of the bidding contract. Police confiscated foreign and local currency from the houses of these four members of the bidding committee. Police also blocked bank accounts of the relatives of the four individuals.

The government also continued to prosecute the former director general of the state-owned Metal and Engineering Corporation, Kinfe Dagneu, who was arrested in 2018. Prosecutors and investigators uncovered suspicious procurement practices involving more than 80 billion birr (\$2 billion). In January 2019 Kinfe was charged with four counts of corruption at the Lideta High Court in Addis Ababa. The trial continued at year's end.

Financial Disclosure: The country's Ethics and Anti-Corruption Commission strengthened their anticorruption policies and enforcement by creating a process for civil servants to report their assets. Before August the commission focused its training on top officials and expanded its training to make staff familiar with the reporting guidelines. By August 24, the majority of legislators registered and declared their assets to the commission. On August 28, the commission sent police a list of 184 federal and Addis Ababa government officials who failed to register their assets and who could face criminal charges.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, conducting investigations and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. The civil society organization (CSO) sector

continued to expand, with more CSOs registering to establish themselves. The capacity of domestic human rights organizations remained a challenge. Legal reforms in 2019 supported the development of domestic CSOs. The law permits foreign volunteers to work at CSOs for up to one year.

International human rights groups were allowed to travel within the country to investigate and report but received a tepid reception from the government. Multiple international human rights groups produced reports regarding the violence after the killing of the singer and activist Hachalu Hundessa. These reports claimed that security forces targeted Oromo civilians; one report provided a video online illustrating the violence. On August 18, the attorney general responded that the international community gave “no regard to the complex and volatile political and security situation in the country.” In May, Amnesty International published a report on human rights abuses allegedly committed in 2019 by government security forces in parts of Oromia and Amhara regions. Amnesty International condemned the government’s poor response to the displacement of thousands in 2019. Officials of the Amhara and Oromia regions labelled the report as biased and unbalanced, stating that it left out atrocities committed by armed groups operating in these areas. On June 1, Attorney General Adanech Abiebie stated on her Twitter page that the government had started its own investigation of the incidents detailed in the Amnesty report.

Authorities limited the access of human rights organizations, media, humanitarian agencies, and diplomatic missions in certain geographic areas. These areas were experiencing open conflict between the armed separatist OLA-Shane and government security services (see section 2.a., Respect for Civil Liberties--Freedom of Expression--Nongovernmental Impact).

Government Human Rights Bodies: The Office of the Ombudsman has the authority to investigate complaints regarding administrative mismanagement by executive branch offices and officials, and to investigate prison conditions. In 2019 parliament approved a proclamation establishing the Ombudsman Institution, and repealing the prior proclamation in effect since 2000. The proclamation gives foreign nationals the right to present administrative complaints or rights abuse cases to the office.

The EHRC is an independent government agency responsible for investigating and reporting on the country’s human rights. Parliament created the EHRC in 2000, and parliament continued to fund and oversee the commission. New legislation was passed to give it more independence (see section 1.e., Respect for the Integrity

of the Person--Denial of Fair Public Trial--Civil Judicial Procedures and Remedies). In June parliament voted to give the EHRC the jurisdiction to observe elections and monitor human rights during the COVID-19 State of Emergency. In July parliament passed a law requiring that EHRC senior staff be funded as full-time employees. The EHRC investigated human rights abuses in more than 40 locations. The EHRC did not face adverse action from the government despite criticizing the government in late September for disregarding the rule of law and abusing human rights regarding the detention of Lidetu Ayelew. The EHRC also criticized government for human rights abuses committee by authorities during the COVID-19 State of Emergency in April.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: The law criminalizes rape and provides for a penalty of five to 20 years' imprisonment if convicted, depending on the severity of the case. The law does not expressly address spousal rape. The government did not fully enforce the law. The law generally covers violence against a marriage partner or a person cohabiting in an irregular union without specifically mentioning spousal rape. Some judges interpreted this article to cover spousal rape cases, but others overlooked such cases.

The Tigray Women's Association reported that 133 girls were sexually assaulted in Tigray Region between April and May. The Addis Ababa Women, Children, and Youth Affairs Bureau received 101 reports of child rape from three hospitals during the same period. Following this large number of reports, the government and CSOs launched initiatives that improved reporting and law enforcement regarding rape and sexual assaults, and provided psychological support to victims. The regional Women and Child Affairs Bureaus worked with police to bring suspects to justice, but these efforts yielded little because of poor community awareness of the law and due difficulties in finding witnesses willing to testify. Domestic CSOs also assisted victims of gender-based violence. The United Nations supported Marie Stopes Ethiopia, a CSO working on reproductive health, to set up two hotlines and provide counselling services to victims of sexual assault and gender-based violence.

Domestic violence is illegal, but government enforcement of the law was inconsistent. Depending on the severity of injuries inflicted, penalties for conviction ranged from small fines to 15 years' imprisonment. Domestic violence,

including spousal abuse, was a pervasive social problem. According to the *2016 Demographic and Health Survey*, 34 percent of married women and girls between ages 15 and 49 had experienced physical, sexual, or emotional violence from spouses.

Female Genital Mutilation/Cutting (FGM/C): The law criminalizes the practice of clitoridectomy and provides for three months' imprisonment or a monetary fine if convicted. Conviction of infibulation of the genitals (the most extreme and dangerous form of FGM/C) is punishable by five to 10 years' imprisonment. According to government sources, there were no criminal prosecutions of FGM/C, and media reported this was due to lack of enforcement of the law.

UNICEF's annual profile of FGM/C indicated that 65 percent of girls and women ages 15-49 were circumcised. The prevalence of female circumcision was highest in the Somali Region (99 percent) and lowest in the Tigray Region (23 percent). The greatest reduction in the prevalence of FGM/C in the country was in Oromia according to UNICEF. The level of FGM/C, however, has not changed significantly in the Somali Region according to the UNICEF report. It was less common in urban areas.

Other Harmful Traditional Practices: Marriage by abduction is illegal, although it continued in some regions despite the government's attempts to combat the practice. Between April and May, abduction to commit forced marriage surged in the country because of school closures due to COVID-19. Forced sexual relationships accompanied most marriages by abduction, and women often experienced physical abuse during the abduction. Abductions led to conflicts among families, communities, and ethnic groups. In cases of abduction, the perpetrator did not face punishment if the victim agreed to marry the perpetrator.

Sexual Harassment: Sexual harassment was widespread. The law prescribes penalties of 18 to 24 months' imprisonment, but authorities generally did not enforce the law. In September 2019 the government regulated workplace sexual harassment and sexual violence in its revised labor law.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Discrimination against women was widespread. It was most acute in rural areas, where an estimated 80 percent of the population lived. The law contains discriminatory regulations, such as recognition of the husband as the legal

head of the family and the sole guardian of children older than five. Courts generally did not consider domestic violence by itself a justification for granting a divorce. Regardless of the number of years married, the number of children raised, and joint property, the law entitles women to only three months' financial support if the relationship ends. There is limited legal recognition of common-law marriage. A common-law husband has no obligation to provide financial assistance to his family, and consequently women and children sometimes faced abandonment. Traditional courts applied customary law in economic and social relationships.

All federal and regional land laws empower women to access government land. Inheritance laws enable widows to inherit joint property acquired during marriage; however, enforcement of both legal provisions was uneven.

Women's access to gainful employment, credit, and the opportunity to own or manage a business was limited by fewer educational opportunities and by legal restrictions on women's employment. These restrictions include limitations on working in occupations deemed dangerous and in specific industries such as mining and agriculture. There were a number of initiatives aimed at increasing women's access to these critical economic empowerment tools.

## **Children**

Birth Registration: A child's citizenship derives from its parents. The law requires registration for children at birth. Children born in hospitals were registered; most of those born outside of hospitals were not. The overwhelming majority of children, particularly in rural areas, were born at home. The government continued a campaign initiated in 2017 to increase birth registrations by advising that failure to register would result in denial of public services.

Education: The law does not make education compulsory. Primary education is universal and tuition-free; however, there were not enough schools to accommodate the country's youth, particularly in rural areas. The cost of school supplies was prohibitive for many families. During the year the city government of Addis Ababa provided school uniforms and supplies to students in all government schools. According to the most recent data available, 90 percent of boys and 84 percent of girls were enrolled in primary school.

Child Abuse: Child abuse was widespread. Uvula cutting, tonsil scraping, and milk-tooth extraction were among the most prevalent harmful traditional practices.



The *African Report on Child Wellbeing 2013*, published by the African Child Policy Forum, found the government had increased punishment for conviction of sexual violence against children. “Child-friendly” courtrooms heard cases involving violence against children and women.

Child, Early, and Forced Marriage: The law sets the legal age of marriage for girls and boys at 18. Authorities, however, did not enforce this law uniformly, and rural families sometimes were unaware of this provision. Based on 2016 data, UNICEF reported that 40 percent of women between ages 20 and 24 were married before age 18, and 14 percent were married before age 15.

The government took several public health measures to prevent the spread of COVID-19, including closing all schools. The closure of schools removed a child marriage safety net from rural students because teachers served as a protection mechanism in early identification of child marriage practices. The closing of schools, coupled with stay-at-home advice, resulted in a surge of child marriages. Between April and May, 249 girls ages eight to 15 were married in Amhara Region. The government strategy to address underage marriage focused on education and mediation rather than punishment of offenders.

Sexual Exploitation of Children: The minimum legal age for consensual sex is 18, but authorities did not enforce this law. The law provides for three to 15 years’ imprisonment for conviction of sexual intercourse with a minor. The law provides for one year in prison and a substantial monetary fine for conviction of trafficking in indecent material displaying sexual intercourse by minors. In February parliament approved Proclamation 1178/2020--A Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and the Smuggling of Persons, which criminalizes all forms of child sex trafficking. Some families and brothel owners exploited girls from the country’s impoverished rural areas for domestic servitude and commercial sex. There were reports that brothel owners exploited some young girls for commercial sex in Addis Ababa’s central market.

Infanticide or Infanticide of Children with Disabilities: Ritual and superstition-based infanticide, including of infants with disabilities, continued in remote tribal areas, particularly in South Omo. Local governments worked to educate communities against the practice.

Displaced Children: According to a 2010 report of the Ministry of Labor and Social Affairs, approximately 150,000 children lived on the streets; 60,000 of them were in the capital. The ministry’s report stated this was caused by the inability of

families to support children due to parental illness or insufficient household income. Research in 2014 by the ministry noted the problem was exacerbated by rapid urbanization, illegal employment brokers, high expectations of better life in cities, and rural-to-urban migration. These children often begged, sometimes as part of a gang, or worked in the informal sector.

The government was concerned by the increasing number of street children in Addis Ababa. The government worked in collaboration with various organizations in rehabilitating needy children. A center for the rehabilitation of street children was donated to the Addis Ababa Labor and Social Affairs Bureau. The center accommodates up to 2,000 children; the beneficiaries receive short-term training, physiological therapy, and vocational training. The government also assisted street children who wanted to pursue an education.

Institutionalized Children: There were an estimated 4.5 million orphans in the country in 2012, which was 4.9 percent of the population, according to statistics published by UNICEF. The vast majority lived with extended family members. Governmental and privately operated orphanages were overcrowded, and conditions were often unsanitary. Institutionalized children did not receive adequate health care.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. On January 9, the parliament passed legislation banning intercountry adoptions, under a broader amendment of the family law. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### **Anti-Semitism**

The Jewish community numbered approximately 2,000 persons. There were no reports of anti-Semitic acts, and the Addis Ababa Jewish community reported it believed it was protected by the government to practice its faith; however, it did face limited societal discrimination.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Persons with Disabilities

The constitution does not mandate equal rights for persons with disabilities. Employment law prohibits discrimination against persons with physical and mental disabilities but does not explicitly mention intellectual or sensory disabilities. It was illegal for deaf persons to drive, but the National Association of the Deaf has advocated for the issuance of driver's licenses for the past 45 years.

The law prohibits employment discrimination based on disability. It also requires employers to provide appropriate working or training conditions and materials to persons with disabilities. The law specifically recognizes the additional burden on women with disabilities.

The government took some measures to enforce these laws, for example by assigning interpreters for deaf and hard-of-hearing civil service employees. The Ministry of Labor and Social Affairs and the Public Servants Administration Commission were responsible for the implementation of employment laws for individuals with disabilities.

The law mandates disability accessibility for buildings, although there are no specific regulations that define these standards. Buildings and toilet facilities were usually not accessible for persons with disabilities. Property owners are required to give persons with disabilities preference for ground-floor apartments, and they generally did so.

According to a report from the UN Population Fund and the Population Council, one in every three girls with disabilities suffered at least one sexual assault. Girls with disabilities also faced systematic and violent abuse at home and in their communities. The report stated many girls with disabilities were blamed for being different and were accused of being under the spell of witchcraft.

Women with disabilities faced more disadvantages in education and employment. According to the *2010 Young Adult Survey* by the Population Council, 23 percent of girls with disabilities were in school, compared with 48 percent of girls and 55 percent of boys without disabilities.

Nationally there were several schools for persons with hearing and vision disabilities, and several training centers for children and young persons with

intellectual disabilities. There was a network of prosthetic and orthopedic centers in five of the 10 regions.

The law does not restrict the right of persons with disabilities to vote and otherwise participate in civic affairs, although accessibility problems may make participation difficult for persons with more significant disabilities. Most polling stations were accessible to persons with disabilities, and these individuals as well as the elderly, pregnant women, and nursing mothers received priority when voting.

### **Members of National/Racial/Ethnic Minority Groups**

According to the 2007 census, the country had more than 80 ethnic groups, of which the Oromo, at approximately 34 percent of the population, is the largest. An updated census is controversial and was slated for 2019 but was postponed until further notice. The federal system and constitution define political boundaries based on ethnic considerations, but the documents themselves are not drawn along such boundaries. Most political parties were primarily ethnically based, although the ruling party and one of the largest opposition parties were not organized along ethnic lines.

There were several cases of societal violence affecting members of national, racial, or ethnic minorities or groups. In July unidentified gunmen attacked a village in Guba District, Metekel Zone of Benishangul Gumuz Region, killing 14 ethnic Amharans, according to a statement issued by the Amhara Region. An official within Amhara Region reported that six individuals suffered injuries in this “premeditated attack aimed at triggering ethnic conflict.” This conflict was followed on August 6, 7, and 13 by attacks on three different areas in Metekel Zone. The violence included livestock raids, ambushes of travelers on roads, attacks, and robberies of churches, resulting in an estimated 160 deaths. National defense forces were called to restore calm.

On June 30, Oromo youths in Harar and parts of Oromia Region went door-to-door and attacked non-Oromos and destroyed their property following the killing of the prominent Oromo singer and activist Hachalu Hundessa. Most of the violence occurred from June 30 to July 6. The death of Hundessa was followed by violent protests throughout Oromia Region resulting in more than 170 deaths and millions of dollars of property destruction. Federal and regional authorities pursued investigations against 5,728 detainees whom authorities accused of participating in this violence. Police also arrested local officials and security personnel for

complicity. (See section 1.a., Respect for the Integrity of the Person--Arbitrary Deprivation of Life.)

As tensions mounted between the national government and the Tigrayan regional government, there were multiple reports of Tigrayan security officials, public officials, and other ethnic Tigrayans who were arrested, detained, or asked to step down or take a leave of absence from their official positions. On November 24 and December 25, the EHRC and the Ethiopian Human Rights Council released assessments describing targeted ethnic killings that began November 9 in Mai-Kadra and surrounding towns. Prior to the November 9 attack, Tigrayan militias and regional security services reportedly asked for the identification documents of Amharans before targeting them. The attack resulted in approximately 600-1,200 deaths, including bodies discovered in mass graves near Abune Aregwai Church, and the destruction of private property.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

Consensual same-sex sexual conduct is illegal and conviction is punishable by three to 15 years' imprisonment. No law prohibits discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals. There were reports of violence against LGBTI individuals; however, reporting was limited due to fear of retribution, discrimination, or stigmatization. There are no hate crime laws or other criminal justice mechanisms to aid in the investigation of abuses against LGBTI individuals. Individuals generally did not identify themselves as LGBTI persons due to severe societal stigma and the illegality of consensual same-sex sexual conduct. Activists in the LGBTI community reported surveillance and feared for their safety. There were no reports of persons incarcerated or prosecuted for engaging in consensual same-sex sexual conduct.

The AIDS Resource Center in Addis Ababa reported the majority of self-identified gay and lesbian callers, most of whom were men, requested assistance in changing their behavior to avoid discrimination. Many gay men reported anxiety, confusion, identity crises, depression, self-ostracism, religious conflict, and suicide attempts.

### **HIV and AIDS Social Stigma**

Societal stigma and discrimination against persons with or affected by HIV or AIDS continued in education, employment, and community integration. Persons

with or affected by HIV or AIDS reported difficulty accessing various services. There were no statistics on the scale of the problem.

### **Other Societal Violence or Discrimination**

In April public universities were closed because of COVID-19, however, they were the site of violence fueled by ethnic tensions that severely interrupted learning. A report by the Center for Advancement of Rights and Democracy, a local human rights group, found that 12 students lost their lives and more than 58 were wounded in violence at 28 of the country's 45 public universities during the previous academic year (September 2019 through March). The report found that the violence frequently took on an ethnic dimension, although the triggering incidents varied and sometimes began with personal fights. In response to the violence, authorities detained 15 students and two administrative staff suspected of the killings. The government also temporarily or permanently suspended three university vice presidents, four professors, and a health officer for involvement in the violence. The report identified the highest incidence of violence at Wollo University in Amhara Region, which experienced three rounds of unrest.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution and law provide workers, except for civil servants and certain categories of workers primarily in the public sector, with the right to form and join unions, conduct legal strikes, and bargain collectively. Other provisions and laws severely restrict these rights. The law specifically prohibits managerial employees, teachers, health-care workers, judges, prosecutors, security-service workers, domestic workers, and seasonal agricultural workers from organizing unions. The law requires employers guilty of antiunion discrimination to reinstate workers dismissed for union activities.

A minimum of 10 workers are required to form a union. While the law provides all unions with the right to register, the government may refuse to register trade unions that do not meet its registration requirements. The law allows for refusing registration for a union when union leaders are restricted from certain civil rights by court and when the union is not willing to replace them. There were no reports of a registration refused on this basis. The government may unilaterally cancel the registration of a union. Workers may not join more than one trade union per

employment. The law stipulates a trade union organization may not act in an overtly political manner.

The law allows administrative authorities to seek recourse via court actions to cancel union registration for engaging in prohibited activities, such as political action.

While the law recognizes the right to collective bargaining, this right was severely restricted under the law. Negotiations aimed at amending or replacing a collectively bargained agreement must take place within three months of its expiration; otherwise, the prior provisions on wages and other benefits cease to apply. The law restricts enterprise unions to negotiating wages only at the plant level. Civil servants, including public school teachers, have the right to establish and join professional associations created by the employees but may not bargain collectively. Arbitration procedures in the public sector are more restrictive than in the private sector. Penalties for violations were not commensurate with those for comparable crimes.

Although the constitution and law provide workers with the right to strike to protect their interests, the law contains detailed provisions prescribing extremely complex and time-consuming formalities that make legal strike actions prohibitively difficult. The law requires aggrieved workers to attempt to reconcile with employers before striking; it also includes a lengthy dispute settlement process. These provisions apply equally to an employer's right to lock workers out. For an authorized strike, two-thirds of the workers concerned must support such action. If not referred to a court or labor relations board, the union retains the right to strike without resorting to either of these options, provided they give at least 10 days' notice to the other party and the Ministry of Labor and Social Affairs and make efforts at reconciliation.

The law also prohibits strikes by workers who provide essential services, including air transport and urban bus services, electric power suppliers, gasoline station personnel, hospital and pharmacy personnel, firefighters, telecommunications personnel, and urban sanitary workers. The list of essential services goes beyond the International Labor Organization (ILO) definition of essential services. The law prohibits retribution against strikers, but it also provides for civil or criminal penalties against unions and workers convicted of committing unauthorized strike actions. If the provisions of the penal code prescribe more severe penalties, the punishment for conviction codified in the penal code becomes applicable. Any public servant who goes on strike, who urges others to go on strike, or who fails to

carry out his or her duties in a proper manner, to the prejudice of state, public, or private interest, is subject to imprisonment that involves forced labor.

There were no reported cases of an employer terminating union activists. The informal labor sector, including domestic workers and seasonal agricultural workers, was not unionized or protected by labor law. The law defines workers as persons in an employment relationship. Lack of adequate staffing prevented the government from effectively enforcing applicable laws for those sectors protected by law. Court procedures were often subject to lengthy delays and appeals.

Lawsuits alleging unlawful dismissal often took years to resolve because of case backlogs in the courts. Labor officials reported that high unemployment, fear of retribution, and long delays in hearing labor cases deterred workers from participating in strikes and other labor actions.

Two-thirds of union members belonged to organizations affiliated with the government-controlled Confederation of Ethiopian Trade Unions. The government did not process the registration for the National Teachers Union.

#### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits and criminalizes all forms of forced or compulsory labor but permits courts to order forced labor as a punitive measure. The government did not effectively enforce the law, and forced labor occurred.

In April parliament passed a proclamation to provide for the prevention and suppression of trafficking in persons and the smuggling of persons. The proclamation prescribes harsh penalties for conviction of human trafficking and exploitation crimes, including slavery, forced labor, debt bondage, forced prostitution, and servitude. Penalties were commensurate with those for comparable crimes. Police at the federal and regional levels received training focused on human trafficking and exploitation.

Adults and children, often under coercion, engaged in street vending, begging, traditional weaving of handwoven textiles, or agricultural work. Children also worked in forced domestic labor.

The government sometimes deployed prisoners to work outside the prisons for private businesses, a practice the ILO stated could constitute compulsory labor.



Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor. The government did not effectively enforce applicable laws. Penalties were not commensurate with those for comparable offenses.

In September 2019 labor law increased the minimum age for wage or salaried employment to 15 from 14. The minimum age provisions, however, apply only to contractual labor and do not apply to self-employed children or children who performed unpaid work, which constituted the vast majority of employed children. The law prohibits hazardous or night work for children between ages 15 and 18. The law defines hazardous work as any work that could jeopardize a child's health. Prohibited work sectors include passenger transport, work in electric generation plants, factory work, underground work, street cleaning, and many other sectors. Hazardous work restrictions, however, do not cover traditional weaving, a form of work in which there is dangerous machinery, equipment, and tools. The law expressly excludes children younger than 16 who are attending vocational schools from hazardous work. The law does not permit children between ages 15 and 18 to work more than seven hours per day, between 10 p.m. and 6 a.m., or on public holidays or rest days.

Child labor remained a serious problem (see section 7.b., Worker Rights--Prohibition of Forced or Compulsory Labor), and significant numbers of children worked in prohibited, dangerous work sectors, particularly construction.

In both rural and urban areas, children often worked. Child labor was particularly pervasive in subsistence agricultural production, traditional weaving, fishing, and domestic work. Thousands of children ages 8-17 reportedly worked in the production of khat. A growing number of children worked in construction. Children in rural areas, especially boys, engaged in activities such as cattle herding, petty trading, plowing, harvesting, and weeding, while girls collected firewood and fetched water. Children worked in the gold mining industry. In small-scale gold mining, they dug mining pits and carried heavy loads of water. Children in urban areas, including orphans, worked in domestic service, often working long hours, which prevented many from attending school regularly. Children also worked in manufacturing, shining shoes, making clothes, parking, public transport, petty trading, as porters, and directing customers to taxis. Some

children worked long hours in dangerous environments for little or no wages and without occupational safety protection. Child laborers often faced abuse at the hands of their employers, such as physical, sexual, and emotional abuse.

Traffickers exploited girls from impoverished rural areas, primarily in domestic servitude and commercial sex within the country.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination based on race, ethnicity, national origin, nationality, gender, marital status, religion, political affiliation, political outlook, pregnancy, socioeconomic status, disability, or "any other conditions." The law prohibits discrimination in respect of employment and occupations. Authorities, however, enforced these rights unevenly. The law specifically recognizes the additional burden on pregnant women and persons with disabilities. The penalty for conviction of discrimination on any of the above grounds was not commensurate with those for comparable offenses. The government took limited measures to enforce the law. Sexual orientation, gender identity, and HIV-positive status have no basis for protection under the law.

There were legal restrictions on women's employment, including limitations on occupations deemed dangerous and in industries such as mining and agriculture. Women had fewer employment opportunities than men. The law did not require, and the jobs available did not provide, equal pay for equal work. Discrimination in employment and occupation occurred on the basis of sexual orientation and gender identity.

In June the government adopted a directive to determine the procedure for refugees' right to work following the ratification of a Refugee Proclamation in 2019. The right to work directive states that refugees and asylum seekers may have the opportunity to work on a development project supported by the international community that economically benefits both refugees and citizens or to earn wages through self-employment.

#### **e. Acceptable Conditions of Work**

There is no national minimum wage. Some government institutions and public enterprises set their own minimum wages. Public-sector employees, the largest group of wage earners, earned a monthly minimum wage that was above the poverty line.

The law provides for a 48-hour maximum legal workweek with a 24-hour rest period, premium pay for overtime, and prohibition of excessive compulsory overtime. Four conditions allow employers to make use of overtime work: urgency of the task, danger, absence of an employee, and lack of alternatives. Additionally, employers may not engage their employees in overtime work exceeding two hours a day, 20 hours a month, and 100 hours a year. The law entitles employees in public enterprises and government financial institutions to overtime pay; civil servants receive compensatory time off for overtime work. Overall, the government did not effectively enforce wage laws. Penalties were not commensurate with those for similar crimes.

The government, industries, and unions negotiated occupational safety and health standards, which do not fully address worker safety in many industries. Workers specifically excluded by law from unionizing, including domestic workers and seasonal agricultural workers, generally did not benefit from health and safety regulations in the workplace. Penalties were not commensurate with those for comparable violations of similar laws.

The labor ministry's inspection department was responsible for enforcement of workplace standards. Occupational safety and health measures were not effectively enforced. The ministry carried out regular labor inspections to monitor compliance, but the government had an inadequate number of labor inspectors to enforce the law. The ministry's severely limited administrative capacity; lack of an effective mechanism for receiving, investigating, and tracking allegations of violations; and lack of detailed, sector-specific health and safety guidelines hampered effective enforcement of these standards. In 2018 the ministry completed 46,000 inspections, and it was clear that responsibility for identifying unsafe situations resides with labor inspectors.

Only a small percentage of the population, concentrated in urban areas, was involved in wage-labor employment. Wages in the informal sector generally were below subsistence levels.

Compensation, benefits, and working conditions of seasonal agricultural workers were far below those of unionized permanent agricultural employees. The

government did little to enforce the law. Most employees in the formal sector worked a 39-hour workweek. Many foreign, migrant, and informal laborers worked more than 48 hours per week.

Hazardous working conditions existed in the agricultural sector, which was the primary base of the country's economy. There were also reports of hazardous and exploitative working conditions in the construction and industrial sectors, although data on deaths and injuries were not available.