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Human Rights Law Centre

HRLC Refugee Clinic

Ethiopia Situation Report

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1. Introduction

The latest reports show that since the appointment of Abiy Ahmed as Prime Minister in April 2018 the political space in Ethiopia has widened and there has been some strengthening in human rights. However, the widening of the political space has caused an increase in inter-ethnic and inter-communal conflict. Ethnic tensions predominantly involve the Oromo, Amhara and Tigrayan groups due to historical conflicts (see section 3). This has created many Amhara and Tigrayan IDPs. There is also known religious violence between the Ethiopian Orthodox Tewahido Church and Muslim communities (see section 5).

Ethnic and religious tensions have exacerbated the dangers faced by particular social-subgroups, who are at high risk of abuse, such as women and children. In particular, law enforcement is weak in protecting these groups from sexual exploitation (see section 3.5). Additionally, it is dubious whether those affected by ethnic violence and targeted abuse have adequate protection from security forces and the criminal justice system. In particular, regional security forces are known to be complicit in human rights abuses, act independently and extra judicially, and align themselves with the predominant ethnicity of the region in question (see section 3.5). Moreover, there have been administrative efforts to return IDPs to their places of origin despite security risks to them. One method used by the authorities is the destruction of IDP camps and refusal of aid to those who do not return to their home, consequently these people have very limited access to services (see section 3.5).

Furthermore, in June 2019 there was an attempted coup of the government, which led to a change in the political climate and resulted in swift and forceful mass arrests. Significantly in this regard, many National Movement of Amhara (NaMA) leaders, supporters and associates

were arrested and detained. Sources claim the arrests were unlawful, arbitrary and politically motivated. Allegations of ill-treatment of detainees have also been raised (see section 4).

More recently, in June 2020, the unlawful killing of a famous Oromo Singer, triggered increased ethnic unrest. Protests arose across the country, which resulted in many deaths and a government-imposed Internet blackout (see section 3).

Additionally, COVID-19 is present in Ethiopia and has worsened the humanitarian situation in the country (see section 7). Many IDPs who previously fled from violence are being returned to their homes where conflicts remain, consequently they are calling for better protection and guarantees from the government. There have also been intensified humanitarian calls for access to water, food, sanitation and hygiene due to the pandemic. Further, schools were closed in March 2020 and subsequently there has been a significant increase in child marriages.

2. Background

In April 2018, Abiy Ahmed became Prime Minister of Ethiopia. During the beginning of his term he introduced a range of fundamental reforms.[1] These appeared positive from a human rights perspective, a 2019 OHCHR Ethiopia National report states that "these reforms are centred on enhancing the protection and promotion of human rights,"[2] and a 2019 US State Department report states that under Abiy Ahmed there has "been an increased focus on the rule of law."[3]

Reform involved, "de-proscription and return of exiled terrorist organizations", such as the Patriotic Ginbot 7 (PG7), the Oromo Liberation Front (OLF) and the Ogaden National Liberation Front (ONLF). As well as "the pardoning and release of thousands of political prisoners." [4] The result of which has meant that previously designated terrorist groups can now register as political groups under Abiy's new government.[5] ACCORD reports that, "in January 2018 hundreds of political prisoners were released."[6] Further, there has been a commitment to stop practices of torture and to end of the arbitrary use of Anti-Terrorism Proclamation (ATP)[7] under which:

> [P]olice may request to detain persons without charge for 28-day periods, up to a maximum of four months, during an investigation. The law permits warrantless arrests for various offenses including "flagrant offenses." These include suspects apprehended while

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1 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, at ¶2.4.3, available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/900975/CPIN_-_Ethiopia_-_Opposition_to_the_government.pdf [accessed 1 August 2020].

2 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, 25 February 2019, at ¶1, available at: https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/053/56/PDF/G1905356.pdf?OpenElement [accessed 1 August 2020].

3 US State Department, *Ethiopia 2019 Human Rights Report*, 2019, at 1, available at https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/ethiopia/ [accessed 24 April 2020].

4 UK Home Office, *Report of a Home Office Fact-Finding Mission*, 10 February 2020, at 9, available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/864729/ETH_-_FFM_report_-_V1.0_.pdf [accessed 24 April 2020].

5 Ibid; OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 2 at ¶35.

6 ACCORD, *Ethiopia: COI Compilation*, November 2019, at 64, available at:

https://www.ecoi.net/en/file/local/2021013/ACCORD_Ethiopia_COI_Compilation_November_2019.pdf [accessed 24 April 2020]; OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 2 at ¶35.

7 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 9.

committing an offense, attempting to commit an offense, or having just completed an offense.[8]

A 2020 UK Home Office report provides that the new Prime Minister has created a wider political space.[9] In addition to the aforementioned reforms, the Prime Minister introduced electoral reform in order to hold open national elections in 2020, striving to ensure that the "elections are, free, fair and credible."[10] He also revised laws governing the media and civil society organisation. Further, investigations into human rights abuses were launched which led to high-level officials being replaced and prosecuted for past abuses.[11] The 2019 OHCHR Ethiopia National report describes the reforms "most meaningful series of political reforms in Ethiopia's recent history."[12]

However, the 2020 UK Home Office Fact-Finding Mission provides that with a "rise in political freedoms and greater freedom of expression, ethnic tension is more evident as different groups seek to have their voices heard and views represented."[13] Therefore, on one hand, the opening of political space by Abiy is positive, with UK Home Office sources noting that until Abiy came to power there was "no space for political opponents", conversely however, with politics being "more vibrant than ever,"[14] the situation has:

> *Exposed and put the focus on political rifts within Ethiopia. Not just on ethnic/regional lines, but also political divisions. There are groups that fundamentally disagree on various things such as what Ethiopia's history says about the country and the direction Ethiopia is going to… As a result there is politically driven violence which is likely to continue for the future.*[15]

Indeed, the 2019 US State Department report notes that in 2019, "while the government's political transformation contributed to a reduction in the number of deaths from engagement with government forces, violence between communities and among citizens began to rise."[16] Notably, there is significant inter-ethnic and inter-communal violence that encompasses Amhara and Tigrayan people.

Moreover, the attempted coup of the government in June 2019 has led to a change in the country's political climate[17] as the government "reacted swiftly and forcefully" and carried out mass arrests.[18] Further, there is evidence that detention in accordance with the ATP was used.[19] Arrests of the Oromos, Amhara and Tigrayans were documented and there are claims by groups

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8 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 7.

9 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 9.

10 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 12 at ¶7.

11 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 9; OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia, supra* note 2, at ¶36.

12 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia, 25 February 2019*, *supra* note 2 at ¶1.

13 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 9.

14 Ibid. at 10-11.

15 Ibid. at 11.

16 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 24.

17 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 15.

18 Ibid. at 9.

19 Ibid.

and individuals that this federal action was unlawful, arbitrary and politically motivated.[20] The situation in Ethiopia in 2019 has been described as "backsliding."[21]

3. Ethnic and ethno-regional tensions

The 2020 UK Home Office Fact-Finding Mission provides that the political space created by Abiy has "allowed increased political assertiveness … based on regional, ethnic or nationalist views."[22] However, the 2019 US State Department report notes that "while the government's political transformation contributed to a reduction in the number of deaths from engagement with government forces, violence between communities and among citizens began to rise."[23]

Notably, there has been an escalation in ethnic conflict.[24] Ethnic conflict is evidenced by the number of IDPs. The Political Section of the British Embassy holds there were around 3 million IDPs in early 2019 and the majority were due to localized conflicts.[25] This is also supported by the 2019 US State Department report which holds that one of Ethiopia's significant human rights issue is "citizens killing other citizens based on their ethnicity."[26] In this connection, the UK Home Office report also noted an increase in ethnic nationalist sentiment in the Oromia, Amhara and Tigray regions, which has produced conflict, predominately between the Oromos, Amhara and Tigrayan groups stemming from ongoing historical conflicts.[27]

In their end of mission to statement to Ethiopia, the UN Special Rapporteur on the right to freedom of opinion and expression, wrote that "tensions between the diverse ethnic groups in Ethiopia are deeply connected to a federal structure that defines its constituent states by ethnic identification."[28]

Most recently, on the 2 June 2020, the killing of an Oromo Singer, Hachalu Hundessa, who's songs mainly focused on the rights of the Oromo people, sparked protests and fueled ethnic unrest in the country.[29] The aftermath of Hundessa's death has led, at the time of writing, to the death of 145 civilians and 11 security personnel amidst protests in the Oromia region. The protests also led to a government enforced blanket Internet shutdown. Accordingly, there is limited information on the protests and the precise number of protestors killed.[30] However, a recent report by the Al Jazeera,[31] states that the death toll has surpassed the 200 mark, with 239 protestors having lost their lives in the Addis Ababa and the surrounding Oromia region. The

20 Ibid. at 42.

21 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, *supra* note 1 at ¶3.8.1.

22 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at ¶13.1.1 and ¶13.2.2.

23 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 24.

24 OCHA, *Ethiopia Access Situation Report October - December 2019*, January 2020, at 1, available at:

https://www.ecoi.net/en/file/local/2022731/ocha_access_200108_situation_report_oct-dec_2019.pdf [accessed 14 April 2020].

25 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at ¶13.3.

26 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 1.

27 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at ¶13.2.1.

28 OHCHR, *United Nations Special Rapporteur on the right to freedom of opinion and expression David Kaye Visit to Ethiopia, 2-9 December 2019 End of mission statement,* December 2019, available at: https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25402&LangID=E [accessed 1 August 2020].

29 BBC News, *Hachalu Hundessa: Ethiopia singer's death unrest killed 166,* 2020, available at: https://www.bbc.com/news/world-africa-53298845 [accessed 12 July 2020].

30 Amnesty International, *Ethiopia: Popular musician's killing must be fully investigated*, 2020, available at:

https://www.amnesty.org/en/latest/news/2020/06/ethiopia-popular-musicians-killing-must-be-fully-

investigated/#:~:text=The%20Ethiopian%20authorities%20must%20conduct,over%20his%20killing%20in%20several, accessed [13 July 2020].

31 Al Jazeera, *Death toll in Ethiopia violence over singer's killing hits 239*, available at: https://www.aljazeera.com/news/2020/07/death-toll-ethiopia-violence-singer-killing-hits-239-200708075014258.html [accessed 31 July 2020].

report states: "officials have attributed the deaths to a combination of lethal force by security officers and interethnic violence."[32]

A statement was also released by the UN High Commissioner for Human Rights that detailed concerns over the violent events occurring in the aftermath of Mr. Hundessa's killing.[33] The statement noted and condemned the ethnic undertones motivating some attacks and emphasized the need to curb violence:

> *We note with concern that the protests following Hundessa's killing have increasingly taken on an ethnic undertone. We therefore call on all, including young people, to stop carrying out ethnically-motivated attacks and to stop inciting to violence, acts that only serve to exacerbate underlying tensions. We also urge the security forces to exercise restraint when managing protests and to refrain from using unnecessary or disproportionate force.[34]*

The statement further discrepancies between reports released by the government and the media and the use of Government enforced internet shutdowns in controlling information:

> *The authorities responded to the spread of the protests by shutting down the Internet in Oromia Region, as well as in Addis Ababa, making it extremely difficult to verify reports about the number of people killed and injured.[35]*

A statement issued by the UN Special Rapporteur on freedom of expression also highlighted growing concern regarding the increasing use of internet shutdowns by the Ethiopian Government and by doing violating basic human rights such as freedom of expression, and the freedom to seek and impart information. Further sources provide that the Government had alarmingly, without "clear authority ... shut down the Internet at least eight times" in 2019.[36] In July 2020, Four UN Special Procedures mandate holders issue a further statement of the issue, noting that the internet shut down itself had led to a worsening of tension and violence. In mid-July 2020, the Internet was restored and this was praised by UN experts who held that "access to the internet is closely related to the right of peaceful assembly."[37]

Further, the July 2020 OHCHR news report underlines the importance of an impartial and independent investigation into the singer's murder to ensure accountability of the perpetrators and pave way for justice for Mr. Hundessa and his family.

3.1 Amhara and Tigray conflict

A 2019 Austrian Red Cross report notes there are ethnic tensions between the Amhara and Tigrayan people centred on land claims. Amhara nationalists want to reclaim the districts of

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32 Ibid.

33 OHCHR, *Press briefing note on Ethiopia*, July 2020, available at:

https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26034&LangID=E%20and%20https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26115&LangID=E [accessed 31 July 2020].

34 Ibid.

35 Ibid.

36 OHCHR, *Ethiopia: UN expert praises reforms but warns of short-term steps that could undermine progress,* available at:

https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25410&LangID=E [accessed 1 August 2020].

37 OHCHR, *UN experts call on Ethiopia to allow peaceful protests, welcome partial restoration of Internet,* July 2020, available at:

https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26115&LangID=E [accessed 1 August 2020].

Wolkait and Raya, which they say were "annexed to Tigray after the Tigrayan-led EPRDF came to power."[38]

A 2019 UN Office for the Coordination of Humanitarian Affairs (OCHA) Ethiopia Situation Report provides that the on-going territorial dispute in the Amhara – Tigray region boundary area generated security incidents in 2019 between Tigray Special Forces and an unidentified armed group, which caused casualties. The authorities have responded to the incident through increased militarisation on both sides, and the creation of checkpoints has occurred.[39]

There has also been ethnically motivated violence between Amhara and Tigray students. The 2019 US State Department report asserts that Amhara Debre Markos University students were suspected of killing a fellow student from the Tigray region in May 2019.[40] Further, in June 2019 an Amhara student from Axum University in the Tigray Region was killed. This is thought to be in retaliation for the earlier May killing.[41] The Amhara and Tigray regional governments have however condemned the killings and stated their commitment to bring the perpetrators to justice.[42]

Furthermore, due to the COVID-19 outbreak, the general election planned for August 2020 has been delayed until 2021. This has increased tensions between Amhara and Tigrayan people and particularly between the political Amhara and the Tigrayan elites. Indeed, the fact that the current the Tigray governing party is the only "opposition bloc in the federal parliament" has encouraged a political climate of nationalism, dispute, and interregional hostility.[43] The International Crisis Group have warned:

> *Ethiopia's delayed elections will likely be sometime in 2021. Amhara nationalists could stoke sentiment against Tigray's ruling class during the campaign. Tigray's government is arming itself as hardliners promote secession. Confrontation between the regions would draw federal military intervention, potentially exposing ethno-regional cracks in the army's cohesion (…) Given dim prospects for a comprehensive settlement, the dispute could escalate into conflict.*[44]

Supporting the fragility of the situation, the Economist, as cited in the UK Home Office *Ethiopia: Opposition to the Government* report, provides that "Ethiopia is approaching a constitutional crisis" due to the delayed election, which could leave the remaining government in place, and deemed illegitimate.[45] This has created "backlash from opposition leaders. Many of them had suspected long before the outbreak of Covid-19 that Abiy's Prosperity Party would try to rig or postpone the elections."[46]

3.2 Amhara in the Oromia region conflict and discrimination

The British Embassy, as cited in the 2020 UK Home Office Fact-Finding Mission, provides that there is ethnic tension in the Oromia region at the border area with the Amhara region between

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38 ACCORD, Ethiopia: COI Compilation, *supra* note 6 at 109-110.

39 OCHA, *Ethiopia: Access Situation Report October - December 2019*, *supra* note 24 at 3.

40 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 30.

41 Ibid.

42 Ibid.

43 International Crisis Group, *Bridging the Divide in Ethiopia's North*, June 2020, at 2, available at: https://www.crisisgroup.org/africa/horn-africa/ethiopia/b156-bridging-divide-ethiopias-north [accessed 12 July 2020].

44 Ibid, at 1.

45 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, *supra* note 1 at ¶3.10.3.

46 Ibid. at ¶3.10.3.

Amhara people and Oromos. This is due to issues arising from rights to land, including claims to the Dera district of Addis Ababa, which contains many ethnic Amhara but is included in the Oromia region.[47]

Further, an academic of Addis Ababa University, cited in the same report, confirms that in some regions of the country individuals face discrimination when they are an ethnic minority and this discrimination is known to occur in the Oromia region.[48] This is said to manifest in "property being seized, human rights abuses, and displacement of people" with the regional government complicit in the abuses.[49] The UK Home Office source highlights that this is not the action of the federal government but the "local regional government … acting on their ethnic grouping."[50]

Moreover, the BBC and Amnesty International report that in November 2019 Amhara students who attended Dembi Dolo University in Western Oromia were abducted by an unidentified group when they were fleeing ethnic clashes between Oromo and Amhara university students.[51] Confirmation of a number of those missing is yet to be confirmed.[52] On 30 January 2020, "Deputy Prime Minister Demeke Mekonnen said the kidnapping of the students was a challenge the country was facing, and they would look for a solution."[53] However, more recently in March 2020, Amnesty International published a report calling on Ethiopian authorities to account for the missing Amhara students:

> *While the alleged abductors had initially allowed the students to call and speak to their families, it has now been more than three months since any of the students' families heard from them. The last time any of the students spoke to their families was on 18 December 2019*.[54]

3.3 Amhara and Qemant conflict

Amhara people are also involved in escalating ethnic tensions involving minority groups in the Amhara region. A 2019 Ethiopia National Displacement Report notes there are "longstanding tensions and sporadic conflict between the Amhara and Qemant communities."[55] Qemant are a minority group in the Amhara region who are pursing greater autonomy.[56] It seems that it is the Qemant who are predominately on the receiving end of the attacks, with Amhara militia and youth vigilante groups attacking members of the Qemant community. An Amnesty International report provides there was an incident in January 2019 where Amhara security forces and vigilante groups attacked a Qemant settlement and 58 people were killed.[57] Further, the 2019 OCHA Ethiopia Situation report notes that in October 2019 there were clashes between the two groups in the Amhara region. Specifically, in Gondar city and the surrounding areas, causing

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47 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at ¶13.2.1.

48 Ibid. at ¶13.2.6.

49 Ibid.

50 Ibid

51 BBC, *Ethiopia's missing students: Families' pain and the unsolved mystery, 16 March 2020,* available at: https://www.bbc.co.uk/news/world-africa-51411720 [accessed 15 July 2020]; Amnesty International, *Ethiopia: Parents fear for missing Amhara students as universities close over Covid-19*, 25 March 2020, available at: https://www.amnesty.org/en/latest/news/2020/03/ethiopia-parents-fear-for-missing-amhara-students-as-universities-close-over-covid19/ [accessed 24 April 2020].

52 BBC, *Ethiopia's missing students: Families' pain and the unsolved mystery, supra* note 51.

53 Ibid.

54 Amnesty International, *Ethiopia: Parents fear for missing Amhara students as universities close over Covid-19*, *supra* note 51 at 23.

55 IOM, *Ethiopia National Displacement Report July – August 2019*, 22 October 2019at 4, available at: https://www.ecoi.net/en/file/local/2020101/DTM+Ethiopia+R18+National+Displacement+Report+v5.pdf [accessed 14 April 2020].

56 Crisis Group, *Keeping Ethiopia's Transition on the Rails*, 16 December 2019, available at: https://www.crisisgroup.org/africa/horn-africa/ethiopia/283-keeping-ethiopias-transition-rails [accessed 14 April 2020].

57 Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopia Security Forces*, 2020, at 6, available at: https://reliefweb.int/report/ethiopia/beyond-law-enforcement-human-rights-violations-ethiopian-security-forces-amhara-and [accessed 14 April 2020].

casualties, and displacing 19,000 people.[58] Since the October incident the regional government have returned some IDPs from Gonder Zuria, one of the surrounding areas of Gondar city, using military escorts, so that people can resume harvesting crops.[59] However, the women and children from the area have not returned due to on-going security concerns.[60] Additionally, 6,000 IDPs who resided temporarily in a congested site called "Arababa" in the outskirts of Gondar, with limited assistance, have now been returned to their places of origin.[61]

3.4 Amhara and ethnic-Gumuz conflict

The 2019 OCHA Ethiopia Situation report provides there is ethnic inter-communal conflict between Amhara people and ethnic-Gumuz groups.[62] In April 2019, a private inter-communal conflict occurred between ethnic Amhara and Gumuz in Dangura woreda, Metekel zone, Benishangul Gumuz region. Violence then spread out from the Metekel zone to the Awi zone in the Amhara region.[63] The incident involved the burning of houses leading to the destruction of 1,800 homes,[64] the abandonment of large farmlands,[65] and the displacement of 4,000 people.[66]

Due to the conflict, many Amhara people fled Metekel zone into the Awi zone. A November 2019 OCHA Snapshot report provides that, in late 2019 there were 17,000 displaced people in Awi. [67] The 2019 OCHA Ethiopia Situation report holds that the respective authorities are working together to return IDPs across the regional border to their homes.[68] Nevertheless, they are reported to be doing so without "consideration of IDPs preferences (voluntariness) and their security" concerns, as required by the UN Guiding Principles on IDPs.[69] Amhara people displaced in the Amhara region are known to prefer relocation in the Awi zone, or in border areas, instead of returning to Metekel due to a fear of further violence. [70] The fear is legitimised by the fact there is limited peace and reconciliation initiatives, which the OCHA claims to continue to "polarise the population."[71] Moreover, "sporadic violence and killings along the border continue."[72]

Nevertheless, in June 2019, the authorities transported food to Mandura woredas, in Metekel zone, to incentivise returns.[73] Further, in September 2019, "authorities dismantled previous IDP sites in Awi,"[74] and stopped assistance to IDPs, including food, to trigger the return of IDPs to Metekel.[75] The OCHA criticises the authority's response to the situation:

58 OCHA, *Ethiopia: Access Situation Report October - December 2019, supra* note 24 at 2.

59 Ibid.

60 Ibid.

61 Ibid.

62 Ibid.

63 OCHA, *Ethiopia: Access Snapshot - Metekel (BGR), Awi (Amhara) zones (As of 15 November 2019),* November 2019, available at:

https://reliefweb.int/report/ethiopia/ethiopia-access-snapshot-metekel-bgr-awi-amhara-zones-15-november-2019 [accessed 14 April 2020].

64 Ibid.

65 OCHA, *Ethiopia Access Situation Report October - December 2019, supra* note 24 at 3.

66 OCHA, *Ethiopia: Rapid multi-agency IDP needs assessment in Metekel zone, Benishangul Gumuz Regional State*, May 2019, at 1, available at:

https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/ethiopia_inter-

agency_observation_mission_metekel_may2019.pdf [accessed 14 April 2020].

67 OCHA, *Ethiopia: Access Snapshot - Metekel (BGR), Awi (Amhara) zones (As of 15 November 2019), supra* note 66.

68 OCHA, *Ethiopia Access Situation Report October - December 2019, supra* note 24 at 3.

69 OCHA, *Ethiopia: Access Snapshot - Metekel (BGR), Awi (Amhara) zones (As of 15 November 2019), supra* note 66.

70 Ibid.

71 Ibid.

72 OCHA, *Ethiopia: Access Situation Report October - December 2019, supra* note 24 at 2.

73 Ibid.

74 OCHA, *Ethiopia: Access Snapshot - Metekel (BGR), Awi (Amhara) zones (As of 15 November 2019), supra* note 66.

75 OCHA, *Ethiopia: Access Situation Report October - December 2019, supra* note 24 at 3.

The narrative of 'avoiding aid dependency' and of an eventual 'pull factor of assisting IDPs' has dominated discussions in the sub-region. The delivery of aid following political considerations and contravening the principles of neutrality and impartiality, risks increasing inter-community tensions ("do not harm") and goes against international standards and norms concerns.[76]

The 2019 OCHA Access Snapshot report provides that IDPs who continue to stay in Awi zone receive limited assistance, with very little access to services such as healthcare.[77] Many IDPs are farmers "who used to rent land in Metekel and are surviving out of whatever savings and copying mechanisms left" and "a spontaneous site hosting 500 IDPs ('Ranch' site) is at imminent risk of forced eviction by a private investor."[78] The 2019 OCHA Access Situation report holds that in January 2020, the Amhara regional government still did not recognise the existence of IDPs in Awi, "hampering their access to aid."[79]

3.5 On-going security and protection issues for IDPs and other ethnic violence victims

The 2019 OHCHR Ethiopia National report provides that the government is working closely with "national and international counter parts to prevent internal displacement through early warning mechanisms and to provide care and resettlement for IDPs."[80] Indeed, a May 2019 OCHA IDP Situation report highlights that the government is engaged in many return operations for IDPs, suggesting that the security situation has improved in conflict regions.[81] In the Amhara region, 48% of IDPs at the time of the report were returned and the government were engaged in rebuilding damaged houses and rehabilitation efforts.[82] However it should be noted, that many of the aforementioned security incidents in this paper occurred after the publication of the May 2019 report. Further, as outlined in section 3.4, the return of IDPs may be involuntary and inappropriate, subjecting people to insecurity. The May 2019 OCHA IDP Situation report also provides that discussions have started between the Oromia and Tigray government about returning IDPs that have fled from the Tigray region, however these negotiations have been postponed.[83]

Other evidence that the security situation has improved in areas of conflict is displayed by a 2020 OCHA Ethiopia Humanitarian report. It holds that throughout 2019, approximately 90% of the 10,000 Ethiopian migrants who returned every month, wanted to relocate in Amhara, Oromia or Tigray.[84]

The same report notes however, that both displaced and returned IDPs face risks of abuse and that rape and sexual violence are reported in all conflict areas.[85] There are reports of targeted

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76 OCHA, *Ethiopia: Access Snapshot - Metekel (BGR), Awi (Amhara) zones (As of 15 November 2019), supra* note 66.

77 Ibid.

78 Ibid.

79 OCHA, *Ethiopia Access Situation Report October - December 2019, supra* note 24 at 3.

80 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia, supra* note 2 at ¶105.

81 OCHA, Ethiopia IDP Situation Report, May 2019, at 6, available at: https://www.ecoi.net/en/file/local/2013363/idp_situation_report_june_13_2019_final.pdf [accessed 14 April 2020].

82 Ibid.

83 Ibid. at 7.

84 OCHA, *Humanitarian Needs Overview Ethiopia*, January 2020, at 14, available at:

https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ethiopia_2020_humanitarian_needs_overview.pdf [accessed 16 April 2020].

85 Ibid. at 25.

attacks and gang rape in transit IDP sites and collective shelters, with women and girls particularly at risk:

> *Displaced and returned women, and adolescent girls in particular, have reported harassment, physical attacks, and rape in areas where they collect firewood and water, by unidentified groups, which seriously restricts their mobility and safety.*[86]

Specifically, in the Amhara and Benishangul-Gumuz regions, emotional violence has been reported.[87] While, in the Oromia region rape, "intimate partner violence and sexual violence were reported",[88] and in the Tigray region cases of "rape, intimate partner violence, economic violence, emotional and sexual violence" occurred.[89] This is evidenced further by a May 2019 OCHA IDP Situation Report which outlines that in the Amhara region, "the most pressing needs articulated by IDPs is security and protection."[90]

The risk of gender based violence is corroborated by the 2019 US State Department Ethiopia Human Rights report, which holds that although the law provides for conviction and penalties for perpetrators of sexual harassment, "authorities generally did not enforce the law" and "sexual harassment was widespread."[91] This is supported further by a 2020 Freedom House report which notes that whilst legislation in Ethiopia protects women's rights,

> *these rights are routinely violated in practice. Enforcement of laws against rape and domestic abuse is inconsistent, and cases routinely stall in the courts. In 2018, a joint research project conducted by academics at Debre Markos University in Ethiopia and the University of Queensland in Australia concluded that almost half of Ethiopian women become victims of gender-based violence in their lifetimes.*[92]

Indeed, while the OHCHR Ethiopia report noted that Ethiopia has ratified the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa in February, and is "working to accede to the African Union Convention for the Protection and Assistance of Internally displaced Persons," [93] as well as improve the rights of women and girls through legal reform, the establishment of protection units for women, and hotlines for women.[94] The report also acknowledges that gender-based violence is a "major challenge" in Ethiopia, and notes that studies show "among women aged 15-49, 23% have experiences physical violence and 10% have experience sexual violence in their lifetime."

Notably, Irish Aid provides that the highest prevalence of sexual violence against women were in Amhara (44.%) and Tigray people (34.1%). The contributing factors were stated as:

> *Various actors and institutions, such as the family, community groups and members, and even state actors such as police and government officials. Other driving factors for VAWG*

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86 Ibid.

87 OCHA, *Humanitarian Needs Overview Ethiopia*, *supra* note 84, at 25.

88 Ibid.

89 Ibid.

90 OCHA, *Ethiopia IDP Situation Report*, *supra* note 81, at 7.

91 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 25.

92 Freedom House, Freedom in the World 2020 – Ethiopia, March 2020, at 21, available at: https://www.ecoi.net/en/document/2025913.html [accessed 16 April 2020].

93 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 2 at ¶24.

94 Ibid. at¶120.

include alcohol or drug use, poverty, lack of security and protection, absence of strong laws sanctioning VAWG, unequal power relations in societies, and conflict contexts.[95]

In addition to women, unaccompanied and separated children are a particularly high risk IDP subgroup who are vulnerable to abuse. The 2020 OCHA Ethiopia Humanitarian report provides that 7,500 IDPs are unaccompanied and separated children, although the figure is thought likely to be higher, and this social group are thought to be the "most vulnerable."[96] Particularly in the Amhara region a large number of children live on the streets or on their own, consequently "they are exposed to greater protection risks, including child labour, transactional sex, or child trafficking."[97] The 2019 US State Department report provides reports of IDP children specifically being targeted in trafficking operations:

> *In July the Oromia Region Bureau of Women, Youth, and Children's Affairs and local police reported one incident of trafficking involving 31 IDP children. During the year protection partners received other reports of child trafficking in West and East Wellega and believed that traffickers set up a network to target IDP children.*[98]

The risk of child sexual exploitation in Ethiopia is corroborated by the 2019 US State Department report, which asserts that "traffickers recruited girls as young as 11 to work in brothels."[99]

However, the 2019 OHCHR Ethiopia National report highlights that Ethiopia is dedicated to protecting children, and states "measures are being taken to prevent violence and exploitation of children."[100] Indeed there has been the adoption of a national action plan on this matter as well as collaborations with grass roots associations to help tackle the issue.[101] Furthermore, in regards to trafficking:

> *Since the promulgation of the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation No. 909/2015, 2,686 persons have been indicted at both federal and regional levels out of which 1178 have so far been convicted.*[102]

Nevertheless, the 2019 US State Department report notes that despite the legal age of consensual sex being 18 years in Ethiopia, "authorities did not enforce this law."[103] Moreover, the 2020 Freedom House report also provides evidence of child exploitation, and stated that "forced child marriage is illegal but common in Ethiopia, and prosecutions for the crime are rare."[104]

The everyday responsibility for internal security and the protection of groups and individuals lies predominately with regional security forces. Each of the nine regions has either a special police force, a regional police force, or both.[105] Regional police, "report to a Regional Police Commission that works loosely together with the Federal Police Commission" and "the federal

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95 Irish Aid, *Shelters for women and girls who are survivors of violence in Ethiopia*, 2016, available at: https://www.peacewomen.org/sites/default/files/shelters-for-survivors-of-violence-ethiopia.pdf [accessed 24 April 2020].

96 OCHA, *Humanitarian Needs Overview Ethiopia*, *supra* note 80, at 18.

97 Ibid.

98 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 2 at 27.

99 Ibid. at 26.

100 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 2 at ¶ 126.

101 Ibid. at ¶127.

102 Ibid. at ¶48.

103 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 2 at 27.

104 Freedom House, Freedom in the World 2020 – Ethiopia, *supra* note 92.

105 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 1.

police can intervene in regions by invitation of the state police."[106] Sources in the 2020 UK Home Office Fact-Finding Mission provide that the way these regional forces act, their training and how they see their role varies between regions.[107]

The Ethiopian Citizens for Social Justice, cited in the 2020 UK Home Office Fact-Finding Mission, explained that the regional - federal structure provides the central government with a limited ability to control law and order across the country.[108] The same report emphasises that recently, federal control of security service effectiveness has been weakened even further by top down changes in the security sector, for example the removal of senior officials a part of the Prime Minister's reforms.[88] This is supported by the 2020 UK Home Office *Ethiopia: Opposition to the Government* report, which holds that "there are however, tensions within the ruling coalition and security forces, in part due to the vast changes that have been implemented, and a slow-down in the reform process."[109] A representative of Crisis Group, cited in the 2020 UK Home Office Fact-Finding Mission, highlighted that regional security factions are becoming "loyal to the region and so not completely in line with the federal government."[110] Representatives of Ethiopian Citizens for Social Justice also claim that because "the regional states are based on ethno-linguistic groups and the security forces represent this … if you are not the same ethnicity as the majority of the region, and effectively the police, then there may be some problems for you."[111] Unravelling federal control is corroborated further by the 2020 Amnesty International report which states "the inter-communal violence and skirmishes in the Regional states have stretched the government's capacity to deal with the dire security situation."[112]

In order to alleviate the ongoing security situation, the government is known to be recruiting and training regional police special force units. However, the 2020 Amnesty International report provides that these "regional police special units have demonstrated a blatant disregard for human rights."[113] This is corroborated by a 2020 Freedom House report which explains that, "security forces frequently commit human rights violations including torture and extrajudicial killings, often with impunity."[114] However, an academic of Addis Ababa University, cited in the 2020 UK Home Office Fact-Finding Mission, provides that the *federal* government is thought to be respecting individual rights.[115] The British Embassy also supports this, they explained that "the Government [was] being challenged to respond to these issues [ethnic tensions] in new ways without resorting to repressive tactics of the past."[116] In support of this view the 2019 OHCHR Ethiopia National report states "the Government has been working closely with the Ethiopian Human Rights commission…to provide trainings to security forces, public servants and the general public."[117]However, contrary to this position, the 2020 Amnesty report provides that to address deteriorating security issues, the government has also established command

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106 Home Office, *Country Background Note: Ethiopia*, November 2019, at ¶8.1.2, available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/849804/Ethiopia_-_Background_Note_-_v1.0_November_2019_GOV.UK.pdf [accessed 20 April 2020]

107 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at ¶8.4.2.

108 Ibid. at ¶8.4.3.

109 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, *supra* note 1 at ¶2.4.1.

110 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at ¶8.4.2.

111 Ibid. at ¶8.4.3.

112 Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopia Security Forces*, *supra* note 57 at 14.

113 Ibid.

114 Freedom House, Freedom in the World 2020 – Ethiopia, *supra* note 92.

115 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 3, at ¶13.2.6.

116 Ibid. at ¶13.1.1.

117 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 1 at ¶13.

posts for each area of concern. There are three in Amhara, two in Oromia and one in the Southern regions.[118] These command posts have sweeping powers that "arbitrarily curtail the enjoyment of human rights."[119] They routinely "ban certain flags and expressions and/or the use of mobile phones or confiscate them; impose curfews, movement restrictions, checkpoints; and in some cases have been implicated in forced evictions."[120]

Furthermore, there have been steps by the government to address hate speech on social media in order to ease ethnic tensions. As reports provide, "in October, 86 people were reportedly killed in unrest that many attribute, in part, to an environment of hate speech and disinformation, including on social media."[121] However the draft law on hate speech is thought by some UN experts to "threaten freedom of expression in the country and reinforce rather than ease ethnic and political tensions."[122]

Additionally, state and regional security force protection for individuals impacted by ethnic clashes and related abuse is weak as a result of local militias who operate across the country in loose and varied coordination with regional forces and the military.[123] Local militias are selected by community leaders and are "empowered to handle standard security matters within their communities, primarily in rural areas."[124] However, the 2019 US State Department Ethiopia Human Rights report provides civilian authorities did not always have sufficient control over regional security forces, and rural local police and militias sometimes acted "independently and extrajudicially."[125]

4. Suspected unlawful and/or politically motivated arrests

In June 2019 there was an attempted coup of the government. The regional governor of Amhara, Ambachew Mekonnen, was killed along with an advisor, and soon after the chief of staff of the Ethiopian arm, General Seare Mekonnen, was shot dead, alongside another officer.[126] A French state-owned news network, as cited in the UK Home Office *Ethiopia: Opposition to the Government* report, provided that the assailants were e a "recently formed unit of the region's security services" and opined that the "fact that the militia were states forces rather than independent raises the stakes for the government."[127] Indeed, it has been reported that the government "reacted swiftly and forcefully."[128] The 2020 UK Home Office Fact-Finding Mission holds that the highly criticised ATP was used to "arrest and detain hundreds of individuals, including journalists and those associated with, and members of, a range of opposition groups."[129] Arrests included, the Oromos, Amhara and Tigrayans.[130]

It is reported by several sources collated in the 2020 UK Home Office Fact-Finding Mission that NaMA leaders, members and supporters specifically were arrested by federal security services,

118Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopia Security Forces*, *supra* note 57 at 14.

119 Ibid.

120 Ibid.

121 OHCHR, *Ethiopia: UN expert praises reforms but warns of short-term steps that could undermine progress,* December 2019, available at:

https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25410&LangID=E [accessed 1 August 2020].

122 Ibid.

123 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 1.

124 Ibid.

125 Ibid.

126 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 15.

127 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, *supra* note 1 at ¶3.7.3.

128 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4 at 9.

129 Ibid.

130 Ibid. at 42.

in relation to the assassinations.[131] It should be emphasised that the group is not a terrorist group, but is a legally registered political party.[132] According to one of the NaMA leaders, as cited in the same Home Office report, the detained included "Amhara activists, politically enlightened Amharas; people who are mostly well educated with masters degrees",[133] and people who worked in the regional government and district level in Amhara.[134] The number of Amhara arrests vary between sources, with the Prime Minister reporting around 200 arrests[135] and the NaMA claiming that the number is over 500.[136]

A NaMA leader cited in the 2020 UK Home Office Fact-Finding Mission, holds the arrests were politically motivated and unlawful.[137] People in Amhara are generally thought to believe that they were targeted because of their identity.[138] A final conclusion as to whether these were in fact politically motivated arrests, was not made in the 2020 UK Home Office Fact-Finding Mission. However the newer UK Home Office *Ethiopia: Opposition to the Government* report held that, in general, no one political group in Ethiopia are "subject to treatment which by its nature and/or repetition amounts to persecution" as it varies "by group and location." Accordingly, the UK Home Office emphasised the need for each case to:

> *be considered on its own facts with the onus on the person to demonstrate that they will be at risk of persecution, based on their profile, the political group they belong to, their political activities, their past experiences including any arrests (and the timing of, location of and their experience during of those arrests), and the proposed region and area of return.[139]*

There is some evidence in the 2019 US State Department Ethiopia Human Rights report however to support the claim that arrests were arbitrary and political motivated. The report notes that while the Ethiopian constitution prohibits arbitrary arrest, authorities are known to detain people arbitrarily, particularly opposition parties. The same report highlights that after the June 2019 killings and mass arrests, the EHRC expressed its concerns that the arrests were targeting opposition groups.[140] In particular, the EHRC noted the detention of NaMA members.[141]

Lengthy investigation and detention times were noted by a legal expert in the 2020 Home Office Fact-Finding Mission, leading to suspicions that the arrest were in fact politically motivated.[142] Further, a NaMA leader in the same report highlights that despite the Federal Supreme Court ruling in September 2019 that Amhara people who were still being detained following the assassinations should be released on bail, the government continued to unlawfully detain those people.[143] Further evidence of political motivation behind the arrests can be deduced from the

131 Ibid. at 42-43.

132 Ibid. at ¶9.2.5.

133 Ibid. at 42.

134 Ibid. at 43.

135 AlJazeera, *Ethiopia steps up arrests as shockwaves from coup bid continue*, 28 June 2019, available at:

https://www.aljazeera.com/news/2019/06/ethiopia-steps-arrests-shockwaves-coup-bid-continue-190627134337270.html [accessed 20 April 2020].

136 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at 42.

137 Ibid. at ¶9.2.4.

138 Ibid. at ¶9.2.10.

139 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, *supra* note 1 at ¶2.4.13.

140 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 6.

141 Ibid.

142 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at ¶9.2.12.

143 Ibid. at ¶9.2.4.

fact that the federal police carried out the investigations into arrests rather than the regional police; the latter would ordinarily be the procedure under Ethiopian law.[144]

The 2009 Anti-Terrorism Proclamation was utilised in reaction to the attempted coup.[145] ATP is known to "supress criticism by detaining and prosecution opposition figures."[146] However the extent to which the ATP was used in response to the attempted coup is in debate between sources in the 2020 UK Home Office Fact-Finding Mission. Some sources provide that ATP was used to arrest, detain and charge people despite the draconian law being in the process of reform.[147] The British Embassy opined that the ATP was used on the back of the assassination arrests to merely buy more time to hold suspects in detention, and this is notably "different from wide scale arrests and prosecutions under ATP witnessed in the past."[148] The US State department appears to agree with the British Embassy stance, that the ATP was used "to buy time for investigations."[149] Notably, ATP has now been "re-drafted and a revised version was adopted on 2 January 2020, with many of the blanket powers of arbitrary detention removed."[150]

The 2020 UK Home Office Fact-Finding Mission provides evidence that people were detained for several months, most however have now been released.[151] The newer 2020 UK Home Office *Ethiopia: Opposition to the Government* report confirms that the majority of people arrested have been "released or charged" although some remain in detention.[152]

4.1 Suspected detainee ill-treatment

At the time of the June 2019 arrests, as cited in the 2019 US State Department Ethiopia Human Rights report, the media reported that the police were detaining suspects in "inhuman" conditions inside the Addis Ababa Police Commission compound. Detainees were kept in crowded, cold and dark cells where they could only use the toilet once every 24 hours.[153] Additionally, it was stated that "police called detainees for nightly interrogations where they were forced to stand for long periods of time."[154] The 2019 OHCHR Ethiopia National report states that general these is growing scrutiny for unjust police force in Ethiopia, in which the media is playing "a visible role" by "exposing acts of torture and inhuman and degrading treatment and calling for accountability."[155] Furthermore, the strength of the media's allegations is supported by the actions of the Ethiopian Human Rights Council, who at the time "voiced concerns over the arrests of members of NaMA."[156]

The alleged ill-treatment of these detainees is further evidenced by the 2019 US State Department report which notes that in general, prison and pre-trial detention centre conditions are known to be "harsh and in some cases life threatening."[157] There are general reports of

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144 Ibid. at ¶9.2.5.

145 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at 15; UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, *supra* note 1 at ¶2.4.7.

146 Ibid.

147 Ibid. at ¶9.3.1.

148 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at ¶ 9.3.6.

149 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 2 at 3.

150 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, *supra* note 1 at ¶2.4.7.

151 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at 42.

152 UK Home office, *Country policy and Information note - Ethiopia: Opposition to the government*, July 2020, *supra* note 1at ¶2.4.7.

153 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 4.

154 Ibid.

155 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 2 at ¶41.

156 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 4.

157 Ibid. at 5.

physical abuse of prisoners in detention centres, military facilities and police stations, and pre-trial detention often occurs at police station detention facilities where abuse occurs and there is poor hygiene.[158]

However, in August 2019, the Prime Minister in a press briefing, denied reports of torture and keeping detainees in dark cells, and stated his "government was committed to the respect and protection of human rights and to ensuring the rule of law."[159]

5. Religious freedom and associated violence

Reports of religious clashes in Ethiopia emerged in 2019. The 2019 US Department of State report explained that:

> *The Ethiopian Orthodox Tewahido Church predominates in the northern regions of Tigray and Amhara, while Islam is most prevalent in the Afar, Oromia, and Somali Regions. Established Protestant churches have the most adherents in the SNNP and Gambella Regions and parts of Oromia Region.*[160]

Consequently, attacks and violence occurred in the Amhara region. On 3 February 2019 members of the Ethiopian Orthodox Tewahido Church (EOTC) in Mekane Yesus attacked mosques and vandalized Muslim-owned business.[161] Furthermore, on 20 December 2019 four mosques and one church were burned down in Mota Town. Both incidents led to protests from religious groups condemning the attacks.[162]

As stated in the 2019 OHCHR Ethiopia National report, the national government is taking steps to "prevent discrimination on religious grounds" and to "promote interreligious dialogue" by "working closely with non-governmental organisations such as the Interreligious Council of Ethiopia."[163] The Council is comprised of the major religious groups in Ethiopia, and work together on "religious tolerance and peaceful co-existence amongst faith institutions and their followers."[164]

6. Judicial Remedies

The 2019 US State Department Ethiopia Human Rights report notes that Ethiopian law "provides for an independent judiciary,"[165]however, the "criminal courts remained weak, overburdened, and subject to political influence."[166] This is further evidenced by the 2019 Freedom House report, which is cited in a 2019 UK Home Office Ethiopia Country report, and explains that "the judiciary is officially independent, but in practice it is subject to political interference, and judgments rarely deviate from government policy."[167]

In 2018, a new Chief Justice of the Supreme Court was appointed who promised to "build judicial independence and reduce corruption in the courts" and claimed to "have the support of

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158 Ibid.

159 Ibid. at 4.

160 US Department of State, *2019 Report on International Religious Freedom: Ethiopia*, June 2020, at 1, available at: https://www.state.gov/wp-content/uploads/2020/06/ETHIOPIA-2019-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf [accessed 11 July 2020].

161 Ibid.

162 Ibid, at 7.

163 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 2 at ¶52

164 Ibid.

165 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 9.

166 Ibid.

167 Home Office, *Country Background Note: Ethiopia*, *supra* note 106, at ¶8.2.2.

Prime Minister Abiy in this endeavour."[168] Indeed, the 2019 OHCHR Ethiopia National report provides that the Federal Supreme Court is "conducting an inspection aimed at identifying the practical challenges and legal loopholes that may contribute to the erosion of the judicial independent."[169] Nevertheless, the 2020 Freedom House report provides that no major improvements in judicial reform were made in 2019.[170] Further, a leader of the NaMA cited in the 2019 UK Home Office Fact-Finding Mission report states that the new chief justice has not brought independence to the judiciary.[171]

The 2019 US State Department Ethiopia Human Rights report provides that the civil courts operate "with a large degree of independence."[172] Moreover, citizens have the right to appeal in civil court, including in cases with human rights violations:

> *For rights violations where a government agency is the accused perpetrator, the victim initiates the process by filing a complaint at the EHRC [Ethiopian Human Rights Commission]. Parliament created the EHRC in 2000, and it continued to fund and provide oversight of the commission. The EHRC investigates and makes recommendations to the concerned government agency.*[173]

Nevertheless, citizens did not file any human rights violations under this system, one of the cited reasons for this is because of citizens "lack of faith in their ability to secure an impartial verdict in these types of cases."[174] There may have been improvement in the system however as in July 2019, Daniele Bekele was appointed Commissioner and "publicly called for 'meaningful reform' of the EHRC and signalled his independence by criticizing the government's continued use of the ATP."[175]

7. Impact of COVID-19

As a consequence of the COVID-19 outbreak the humanitarian situation in Ethiopia has worsened. By 21 June 2020, there were 4,532 confirmed cases, with 273 cases in Amhara and 182 in Tigray regions.[176] The return of Ethiopians from abroad has increased, particularly those returning from Sudan. There has also been an increased return of IDPs, 35,000 IDPs have now been returned from Awi zone- Amhara- to Metekel zone, impacting in particular Metema, Amhara region.[177] The returnees are demanding protection and safety from the government in their home territories which they had previously left due to violence.[178] Access to water, food, sanitation and hygiene are some of the humanitarian needs that have intensified as a result of

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168 Ibid.

169 OHCHR, *National report submitted in accordance with paragraph 5 of the annex to Human Rights council resolution 16/21 - Ethiopia*, *supra* note 57.

170 Freedom House, Freedom in the World 2020 – Ethiopia, *supra* note 92.

171 Home Office, *Report of a Home Office Fact-Finding Mission*, *supra* note 4, at 109.

171 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 1.

172 Ibid. at 9.

173 Ibid. at 10.

174 US State Department, *Ethiopia 2019 Human Rights Report*, *supra* note 3 at 11.

175 Ibid.

176 OCHA, *Humanitarian Bulletin Ethiopia*, June 2020, at 1, available at: https://www.ecoi.net/en/file/local/2031862/humanitarian_bulletin_8-21_june._2020_final.pdf [accessed 11 July 2020].

177 OCHA, *ETHIOPIA: COVID-19 Humanitarian impact Situation Update No. 7*, June 2020, at 3, available at: https://www.ecoi.net/en/file/local/2032427/Ethiopia+COVID-19+Humanitarian+impact+-+Situation+Update+No.+07%2C+As+of+18+June+2020.pdf [accessed 11 July 2020].

178 Anadolu Agency , *Ethiopia: 30,000 violence-exiled people return*, May 2020, available at: https://www.aa.com.tr/en/africa/ethiopia-30-000-violence-exiled-people-return/1853955 [accessed 11 July 2020].

the large number of returning IDPs.[179] Moreover, intercommunal violence affected the Amhara ethnic community in the region of Benishangul Gumuz In the first week of June 2020, clashes occurred between ethnic Amhara and Berta in Bambasi woreda, which has subsequently affected movement in the area.[180]

Furthermore, the closure of schools during the COVID-19 pandemic has increased the risk of child marriage, especially in the north of Ethiopia (Amhara and Tigray regions). A surge in cases has been documented since schools closed:

> *More than 500 girls have been rescued from child marriage in northern Ethiopia since schools were shut due to the new coronavirus, a regional official said, as fears mount that the pandemic is reversing years of work to stop underage unions. Ethiopia closed its schools in mid-March, sending 26 million children home, where girls face a greater risk of being illegally forced into marriage under the age of 18.*[181]

In addition, the UN High Commissioner for Human Rights has indicated concern for the shutdown of communications in some parts of Ethiopia during the Covid-19 outbreak, affecting the right to access to information and communication, not only for the population but also for the medical professionals who need to share and be informed about vital information of the pandemic. The Press Release explained the communications block:

> *Ethiopia imposed an Internet and communications blackout on 7 January, citing security concerns, blocking internet access and phone services in areas under federal military control - namely western Oromia's Kellem Wellega, West Wellega, and the Horo Gudru Wellega zones. The shutdown coincided with government military operations against the armed wing of the once-banned Oromo Liberation Front (OLF). Over the course of the past year, the Ethiopian Government has shut down the internet on a number of occasions, affecting the lives and human rights of the Ethiopians resident in concerned areas: hampering their ability to share and access information or simply to maintain contact with loved ones.*[182]

This research was carried out as part of the work of the [Human Rights Law Centre's Refugee Clinic](#) and sets out information available at the time of publication.

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179 Ibid, at 2.

180 Ibid, at 4.

181 Emeline Wuilbercq – Reuters, *Hundreds of child weddings thwarted in Ethiopia as coronavirus locks girls out of schools*, May 2020, available at:

https://www.reuters.com/article/us-health-coronavirus-ethiopia-childmarr/hundreds-of-child-weddings-thwarted-in-ethiopia-as-coronavirus-locks-girls-out-of-schools-idUSKBN22Q344 [accessed 11 July 2020].

182 UN High Commissioner for Human Rights, *Press briefing note on Ethiopia*, 27 March 2020, available at:

https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25751&LangID=E [accessed 27 July 2020].