



Home Office

# **Country Policy and Information Note**

## **Ethiopia: Background information, including actors of protection and internal relocation**

**Version 1.0**

**October 2017**

# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

COI in this note has been researched in accordance with principles set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#) and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>.

# Contents

<b>Policy guidance</b> .....	<b>5</b>
1. Introduction .....	5
1.1 Basis of claim .....	5
1.2 Credibility.....	5
2. Consideration of issues.....	5
2.1 Protection .....	5
2.2 Internal relocation .....	6
3. Policy summary.....	6
<b>Country information</b> .....	<b>7</b>
4. History.....	7
5. Economy.....	7
6. Geography and demography .....	8
6.1 Geography.....	8
6.2 Map .....	8
6.3 Population.....	8
6.4 Languages.....	8
6.5 Transport infrastructure .....	9
6.6 Religious groups.....	10
6.7 Ethnic groups.....	10
7. Media and the internet .....	11
7.1 Government restrictions on the media.....	11
7.2 Government restrictions on the use of the internet.....	11
8. Political system .....	13
8.1 Constitution.....	13
8.2 The government .....	13
8.3 Political parties .....	14
8.4 Elections.....	15
8.5 State of emergency .....	15
9. Security forces .....	17
9.1 Police.....	17
9.2 National Intelligence and Security Service.....	19
9.3 Armed forces .....	20
9.4 Human rights violations .....	21
10. Judiciary.....	22
10.1 Legal system.....	22

10.2 Court system.....	23
10.3 Independence .....	23
10.4 Fair trial.....	23
10.5 Customary and traditional judicial systems.....	24
11. Criminal Code .....	24
11.1 Criminal Code.....	24
11.2 Death penalty .....	24
12. Corruption of officials .....	25
13. Civil society .....	26
13.1 Human rights groups.....	26
13.2 Ethiopian Human Rights Commission (EHRC) .....	28
14. Freedom of movement.....	29
14.1 Legal and constitutional rights.....	29
14.2 Government restrictions .....	29
14.3 Entry/exit procedures .....	30
14.4 Treatment of returnees.....	31
15. Citizenship and nationality .....	31
16. Documentation.....	32
16.1 Registration of births, marriages and deaths.....	32
16.2 Identity documents.....	33
16.3 Availability of forged documents .....	35
17. Women .....	37
17.1 Legal rights relating to marriage and family life .....	37
17.2 Employment rights .....	38
18. Children .....	39
18.1 Early marriage.....	39
18.2 Education .....	39
18.3 Child abuse .....	40
18.4 Female genital mutilation (FGM).....	40
<b>Version control and contacts.....</b>	<b>41</b>

# Policy guidance

Updated: 23 October 2017

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Whether in general those at risk of persecution or serious harm from non-state actors are able to seek effective state protection and/or internally relocate within Ethiopia.

[Back to Contents](#)

### 1.2 Credibility

- 1.2.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 1.2.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.2.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

## 2. Consideration of issues

### 2.1 Protection

- 2.1.1 The security forces are largely effective in maintaining law and order and protecting people from major crimes including terrorism, and are subject to government control, however, the security and intelligence agencies are also used by the government to suppress political and civil dissent (see [Police](#)).
- 2.1.2 State protection is mainly provided by the federal and regional police forces that are in operation throughout Ethiopia. Local militia also provide some protection. These militia work independently but often function as an arm of the ruling party, and work with some degree of cooperation with both regional and federal police forces. There have been reports of abuses by such groups (see [Police](#)).
- 2.1.3 The National Intelligence and Security Service's main responsibility is to gather information to protect national security but it also monitors the government's political opponents (see [National Intelligence and Security Service](#)).
- 2.1.4 Individual police officers reportedly commit human rights abuses against the civilian population, including arbitrary arrest and detention, unlawful killings, torture and excessive force at demonstrations and protests. There is limited redress and impunity remains a problem (see [Human rights violations](#) and see also the Ethiopia country policy and information notes on [Opposition to the government](#) and [Oromos and the Oromo Protests](#)).

- 2.1.5 The law provides for an independent judiciary. Although the civil courts operate with a large degree of independence, it is not uncommon for the criminal courts to be subject to political influence. The constitution recognizes both religious and traditional or customary courts and these continue to function (see [Judiciary](#)).
- 2.1.6 In general, the state is able to provide protection although its ability to do so may be undermined by the criminal justice system's inefficiencies. Any past persecution and lack of effective protection may indicate that effective protection would not be available in the future. Decision makers must assess whether protection is available on the facts of each case, with the onus on the person to demonstrate that protection will not be available.
- 2.1.7 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

## 2.2 Internal relocation

- 2.2.1 Ethiopia is a large country with a land area of 1,104,300 sq km and a population of around 105 million. This compares with the United Kingdom's land area of 241,930 sq km.
- 2.2.2 The law allows for freedom of movement within Ethiopia and this is generally respected in practice. The state of emergency restrictions did not affect the freedom of Ethiopian citizens to travel within Ethiopia. The Ethiopian parliament ended the state of emergency in August 2017 (see [Freedom of movement](#) and [State of emergency](#)).
- 2.2.3 Where the person's fear is of persecution or serious harm at the hands of non-state actors (including rogue state actors), internal relocation to another area is likely to be a reasonable option, depending on the nature of the threat, and the individual circumstances of the person (see [Freedom of movement](#) and [Geography and demography](#)).
- 2.2.4 For further guidance on considering internal relocation and the factors to be taken into account, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

## 3. Policy summary

- 3.1.1 In general, a person will be able to access state protection against threats from non-state actors (including rogue state actors).
- 3.1.2 Where the threat is from non-state actors, internal relocation to another area of Ethiopia to escape the risk is likely to be a reasonable option. This will depend, however, on the nature and origin of the threat, as well as the individual circumstances of the person.

[Back to Contents](#)

# Country information

Updated: 23 October 2017

## 4. History

- 4.1.1 Details about Ethiopia's history can be found on the [selamta.net](http://www.selamta.net) website '[Ethiopian History](http://www.selamta.net/history.htm)'<sup>1</sup>. See also the BBC [Ethiopia profile - Timeline](http://www.bbc.co.uk/news/world-africa-13351397)<sup>2</sup>.

[Back to Contents](#)

## 5. Economy

- 5.1.1 The World Bank 'Economic Overview' updated on 24 April 2017, noted:

'The economy has experienced strong and broad-based growth over the past decade, averaging 10.8% per year in 2003/04—2014/15 compared to the regional average of 5.4%. The expansion of services and the agricultural sector account for most of this growth, while manufacturing performance was relatively modest. Private consumption and public investment explain demand-side growth, with the latter assuming an increasingly important role in recent years.

'Economic growth brought with it positive trends in poverty reduction in both urban and rural areas. While 55.3% of Ethiopians lived in extreme poverty in 2000, by 2011, this figure was reduced to 33.5%, as measured by the international poverty line of less than \$1.90 per day.

'In its 5th Economic Update, the World Bank Group identifies challenges and opportunities in Ethiopia's economy and labor market. The report notes that while Ethiopia's economy was remarkably resilient to the effects of the drought, the 2015/16 growth rate declined to 8%.'<sup>3</sup>

- 5.1.2 The Australian Department of Foreign Affairs and Trade (DFAT) September 2017 Country Information Report on Ethiopia stated:

'Despite very high growth rates, averaging more than 10 per cent per year over the last decade, Ethiopia remains a very poor country. According to the International Monetary Fund (IMF), per capita GDP in Ethiopia is around USD795, lower than all but 22 of the 190 countries for which data is available. More than a third of the population lives in extreme poverty (as measured by the World Bank's international extreme poverty line of \$1.90 per day), and around another 40 per cent of the population is clustered just above this poverty line. The largely rural population is heavily dependent on agriculture, which accounts for around 36 per cent of GDP and 85 per cent of employment. Coffee is its major export commodity (around 27 per cent of

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<sup>1</sup> [selamta.net](http://www.selamta.net/history.htm), 'Ethiopian History', updated 14 June 2017, <http://www.selamta.net/history.htm>. Accessed: 8 June 2017

<sup>2</sup> BBC Ethiopia profile - Timeline, 8 June 2017, <http://www.bbc.co.uk/news/world-africa-13351397>. Accessed: 3 August 2017

<sup>3</sup> World Bank, 'Economic Overview', Ethiopia, updated on 24 April 2017, <http://www.worldbank.org/en/country/ethiopia/overview>. Accessed: 10 May 2017

all exports) along with other agricultural products, while major imports include machinery, metals and petroleum products.’<sup>4</sup>

[Back to Contents](#)

## 6. Geography and demography

### 6.1 Geography

6.1.1 The Encyclopaedia Britannica online guide to Ethiopia noted: ‘Ethiopia, country on the Horn of Africa. The country lies completely within the tropical latitudes and is relatively compact, with similar north-south and east-west dimensions. The capital is Addis Ababa (“New Flower”), located almost at the centre of the country. Ethiopia is the largest and most populated country in the Horn of Africa.’<sup>5</sup>

6.1.2 The Central Intelligence Agency (CIA) ‘World Factbook’ stated that Ethiopia is a landlocked country and the neighbouring countries it borders are Djibouti, Eritrea, Kenya, Somalia, South Sudan and Sudan. Ethiopia has a land area of 1,104,300 sq km.<sup>6</sup> This compares with the United Kingdom’s land area of 241,930 sq km.<sup>7</sup>

[Back to Contents](#)

### 6.2 Map

6.2.1 For a map showing the location of Ethiopia’s main cities and towns, main roads, railways, and main airports – see the [UNHCR map of Ethiopia](#).<sup>8</sup>

[Back to Contents](#)

### 6.3 Population

6.3.1 The CIA ‘World Factbook’ stated that Ethiopia has a total population of 105,350,020 (July 2017 estimate), with an estimated growth rate of 2.9%.<sup>9</sup>

[Back to Contents](#)

### 6.4 Languages

6.4.1 The Every Culture website, accessed on 12 May 2017, noted:

‘Since it was the Amhara people who ruled great regions of Ethiopia for some two thousand years, their language, Amharic, has become the main language of the country. It is a Semitic language, related to Arabic and Hebrew. Because of the influence of Great Britain from the nineteenth

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<sup>4</sup> Australian Department of Foreign Affairs and Trade (DFAT), ‘Country Information Report - Ethiopia’, 28 September 2017, page 6, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>5</sup> Encyclopaedia Britannica, ‘Ethiopia’, updated on 18 April 2017, <https://www.britannica.com/place/Ethiopia>. Accessed: 17 May 2017

<sup>6</sup> CIA ‘World Factbook’, Ethiopia section, updated on 19 October 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>. Accessed: 23 October 2017

<sup>7</sup> CIA, ‘World Factbook’, United Kingdom section, updated on 19 October 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/uk.html>. Accessed: 23 October 2017

<sup>8</sup> UNHCR map of Ethiopia, 28 February 2006, <http://www.unhcr.org/uk/publications/maps/44103c1c0/ethiopia-map.html>. Accessed: 8 June 2017

<sup>9</sup> CIA ‘World Factbook’, Ethiopia section, updated on 19 October 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.htm>. Accessed: 23 October 2017



century onward, and because of the presence and influence of America in the twentieth century, English has become the second most important language of this country. Both Amharic and English are the languages of business, medicine, and education.

‘But language and culture in Ethiopia are very complex because of the many other linguistic and cultural influences. There is a family of northern languages in Eritrea. The Cushitic family of languages are spoken by the Oromo peoples, the largest group in the central regions of Ethiopia. The desert-dwelling peoples of the Southeast speak dialects of Somali. In the south and southwest, the Omotic family of languages are spoken by many smaller tribal groups. Many of these languages have no writing system, and the cultures of these peoples are carried on by spoken traditions. They are called nonliterate cultures, but they are not less important or respected just because they exist without writing.

‘One language of Ethiopia is not spoken daily by any cultural group at all. It is called Geez, an ancient Semitic language used in the Coptic Christian Church. Scriptures are written in Geez, and during Ethiopian Christian Church services, prayers, chants, and songs are spoken and sung in Geez. The function of Geez in the church is similar to that of Latin in the Roman Catholic Church.

‘In addition to English, other Western languages are evident in Ethiopia. In the early part of the twentieth century, the French built a railroad and established schools in Ethiopia and brought their language to the country. Italian is known because of the Italian occupation during World War II (1939–45). Today most automobile and refrigerator parts have Italian names.’<sup>10</sup>

[Back to Contents](#)

## 6.5 Transport infrastructure

### 6.5.1 The ‘Encyclopaedia Britannica’ stated:

‘In 1997 the government embarked on an ambitious long-term road-development program and in the following decades constructed new roads and made repairs to the country’s existing road network.

‘With the 1994 secession of Eritrea, Ethiopia lost direct access to the Red Sea ports of Aseb and Mitsiwa. This loss placed greater importance on the Djibouti–Addis Ababa railway, which was originally built between 1897 and 1917 by a French company and was jointly operated by the governments of Djibouti and Ethiopia...The railway’s limited functionality curtailed passenger and freight traffic until finally, by late 2010, trains had stopped traveling on any part of it. In the following years a new electrified rail line was constructed along the route of the old track; it was completed in 2016...The construction of the railway was part of a long-term plan by the Ethiopian government to create an expansive rail network across the country...

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<sup>10</sup> Every Culture, ‘Ethiopians’, undated, <http://www.everyculture.com/wc/Costa-Rica-to-Georgia/Ethiopians.html>. Accessed: 12 May 2017

‘Ethiopia’s air transport system has enjoyed a success unparalleled in Africa. There are numerous airports located throughout the country. The internal network of Ethiopian Airlines (EA), a state-owned but independently operated carrier, is well developed, connecting major cities and locations of tourist interest. Its international network provides excellent service to destinations throughout the world.’<sup>11</sup>

[Back to Contents](#)

## 6.6 Religious groups

6.6.1 The United States State Department (USSD) ‘International Religious Freedom Report for 2016’, published on 15 August 2017, stated:

‘The most recent census of 2007 estimated 44 percent of the population adheres to the EOC, 34 percent is Sunni Muslim, and 19 percent belongs to Christian evangelical and Pentecostal groups. The EOC is predominant in the northern regions of Tigray and Amhara and present in Oromia. Islam is most prevalent in the Afar, Oromia, and Somali regions. Established Protestant churches are strongest in the Southern Nations, Nationalities, and Peoples’ Region, Gambella, and parts of Oromia. There are small numbers of Eastern Rite and Roman Catholics, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah’s Witnesses, Jews, and followers of indigenous religions.’<sup>12</sup>

[Back to Contents](#)

## 6.7 Ethnic groups

6.7.1 The United States State Department (USSD) ‘Country Report on Human Rights Practices for 2016’, published on 3 March 2017, stated: ‘The country has more than 80 ethnic groups, of which the Oromo, at approximately 35 percent of the population, is the largest. The federal system drew boundaries approximately along major ethnic group lines. Most political parties remained primarily ethnically based, although the ruling party and one of the largest opposition parties are coalitions of ethnically based parties.’<sup>13</sup>

6.7.2 The Global Security website, accessed on 3 July 2017, stated:

‘Ethiopia’s population is highly diverse. The government is largely led by ethnic Tigreans...The largest group is the Oromo, with about 40 percent of total population. Roughly 30 percent of total population consists of the Amhara, whose native language — Amharic — is also spoken by additional 20 percent of population as second tongue. Amharic is Ethiopia’s official language. The Tigray, speaking Tigrinya, constitute 12 to 15 percent of total population...The Oromo, Amhara, and Tigreans make up more than three-

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<sup>11</sup> Encyclopaedia Britannica, ‘Ethiopia – transportation and telecommunications’, undated, <https://www.britannica.com/place/Ethiopia/Economy>. Accessed: 16 October 2017

<sup>12</sup> United States State Department (USSD), ‘International Religious Freedom Report for 2016’, 15 August 2017, Ethiopia, section 1, <https://www.state.gov/documents/organization/268892.pdf>. Accessed: 17 October 2017

<sup>13</sup> United States State Department (USSD), ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

fourths of the population, but there are more than 77 other ethnic groups. Some of these have as few as 10,000 members. In general, most of the Christians live in the highlands, while Muslims and adherents of traditional African religions tend to inhabit lowland regions. English is the most widely spoken foreign language and is taught in all secondary schools. Amharic is the official language and was the language of primary school instruction but has been replaced in many areas by local languages such as Oromifa and Tigrinya.’<sup>14</sup>

- 6.7.3 See also the country policy and information note on the [Oromos and the Oromo protests](#).

[Back to Contents](#)

## 7. Media and the internet

### 7.1 Government restrictions on the media

- 7.1.1 The USSD ‘Country Report on Human Rights Practices for 2016’ stated:

‘The constitution and law provide for freedom of speech and press, however the state of emergency regulations included restrictions on these rights. Authorities harassed, arrested, detained, charged, and prosecuted journalists and others perceived as critical of the government, creating an environment of self-censorship...In Addis Ababa, nine independent newspapers and magazines had a combined weekly circulation of 70,711 copies...Government-controlled media closely reflected the views of the government and ruling EPRDF. The government controlled the only television station that broadcast nationally, which, along with radio, was the primary source of news for much of the population. Six private FM radio stations broadcast in the capital, one private radio station broadcast in the northern Tigray Region, and at least 19 community radio stations broadcast in the regions. State-run Ethiopian Broadcasting Corporation had the largest broadcast range in the country, followed by Fana Radio, which was reportedly affiliated with the ruling party.

‘The government periodically jammed foreign broadcasts. The law prohibits political and religious organizations and foreigners from owning broadcast stations.’<sup>15</sup>

[Back to Contents](#)

### 7.2 Government restrictions on the use of the internet

- 7.2.1 The USSD ‘Country Report on Human Rights Practices for 2016’ stated:

‘The government restricted and disrupted access to the internet. It periodically blocked social media sites and internet access in areas of Oromia and Amhara regions, especially during protests. At times the government blocked access throughout the country. There were credible reports the government monitored private online communications without

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<sup>14</sup> Global Security, ‘Ethiopia – Ethnic Groups’, modified on 9 August 2016, <http://www.globalsecurity.org/military/world/ethiopia/people-ethnic.htm>. Accessed: 3 July 2017

<sup>15</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 2a, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 5 July 2017

appropriate legal authority. State-owned Ethio Telecom was the only internet service provider in the country.

‘On June 7, parliament passed the Computer Crime Proclamation. There were concerns its provisions were overly broad and could restrict freedom of speech and expression. This included, for example, a provision that provides for imprisonment for disseminating through a computer system any written, video, audio or any other picture that incites violence, chaos, or conflict among people, and another provision that provides for a prison sentence for intimidation.

‘In July officials blocked social media sites for days across the country until the national school examination concluded. The government stated blocking these sites was necessary to provide for an “orderly exam process.” In May the national exams were reportedly leaked on social media, causing the government to postpone the exams.

‘On August 6 and 7, the government imposed a nationwide internet blackout.

‘The state of emergency regulations included prohibited agitation and communication to incite violence and unrest through the internet, text messaging, and social media.

‘Starting in early October, the government shut down mobile access to the internet in Addis Ababa, most parts of Oromia Region, and other areas. Wired access to several social media and communication sites were also denied. These included social media sites, including Facebook, Twitter, Instagram, YouTube, Skype, WhatsApp, and Viber, news websites such as the Washington Post and the New York Times, and many other sites, including foreign university homepages and online shopping sites such as Amazon.

‘The government periodically and increasingly restricted access to certain content on the internet and blocked numerous websites, including blogs, opposition websites, and websites of Ginbot 7, the OLF, and the ONLF, and news sites such as al-Jazeera, the BBC, and RealClearPolitics. Several news blogs and websites run by opposition diaspora groups were not accessible. These included Ethiopian Review, Nazret, CyberEthiopia, Quatero Amharic Magazine, and the Ethiopian Media Forum.

‘Authorities monitored telephone calls, text messages, and e-mails. Authorities took steps to block access to Virtual Private Network providers that let users circumvent government screening of internet browsing and e-mail. There were reports such surveillance resulted in arrests. According to the International Telecommunication Union, 11.6 percent of the population used the internet in 2015.’<sup>16</sup>

[Back to Contents](#)

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<sup>16</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 2a, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 5 July 2017

## 8. Political system

### 8.1 Constitution

- 8.1.1 The latest Constitution of Ethiopia came into force in 1995 (see [Constitution](#)).<sup>17</sup>

[Back to Contents](#)

### 8.2 The government

- 8.2.1 The DFAT September 2017 Country Information Report on Ethiopia stated:

‘Ethiopia’s 1995 Constitution established the Federal Democratic Republic of Ethiopia as a bicameral parliamentary federation made up of states (often referred to as regions) delineated according to ‘settlement patterns, language, identity and consent of the people concerned’. The method of delineation has led to Ethiopia being described as an ‘ethnic federation’. In addition to the states, the Constitution established Addis Ababa as the self-governing national capital.

‘The federal parliament consists of the House of the Peoples’ Representatives (HoPR) and the House of the Federation (HoF). Members of the HoPR are elected by a plurality of votes within each electoral district, with a minimum of 20 seats (out of a total of up to 550) held by ‘minority Nationalities and Peoples’. State Councils elect members of the HoF. The President is the head of state (a largely ceremonial role) and the Prime Minister is the head of government.’<sup>18</sup>

- 8.2.2 The USSD ‘Country Report on Human Rights Practices for 2016’ stated: ‘Ethiopia is officially a federal republic. The ruling Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF), a coalition of four ethnically based parties, controls the government. In May 2015 elections the EPRDF and affiliated parties won all 547 House of People’s Representatives seats to remain in power for a fifth consecutive five-year term. In October 2015 parliament elected Hailemariam Desalegn as prime minister.’<sup>19</sup>

- 8.2.3 The Freedom House ‘Freedom in the World 2017’ report, published 3 May 2017, stated:

‘The lower house is filled through popular elections, while the upper chamber is selected by state legislatures; members of both houses serve five-year terms. While the lower house’s seats are equal to a fixed number of constituencies, the upper house’s seats are adjusted in proportion with the population. The lower house selects the prime minister, who holds most executive power. The president, a largely ceremonial figure, serves up to two six-year terms and is indirectly elected by both houses. Hailemariam

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<sup>17</sup> Constitution of Ethiopia, 1995, [http://www.servat.unibe.ch/icl/et00000\\_.html](http://www.servat.unibe.ch/icl/et00000_.html). Accessed: 1 June 2017

<sup>18</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 8, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 23 October 2017

<sup>19</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, Executive Summary, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

has served as prime minister since 2012, and Mulatu Teshome as president since 2013.’<sup>20</sup>

8.2.4 See also [Ethiobar.net](http://Ethiobar.net) for more information about the Ethiopian government.

[Back to Contents](#)

### 8.3 Political parties

8.3.1 The DFAT September 2017 Country Information Report on Ethiopia stated:

‘The Ethiopian People’s Revolutionary Democratic Front (EPRDF) controls Ethiopian politics. After winning around 83 per cent of the vote and winning 473 of the 547 seats in the HoPR in Ethiopia’s first democratic elections in 1995, the EPRDF and its affiliated parties subsequently won elections in 2000, 2005, 2010 and 2015. The only meaningful challenge to the EPRDF came in 2005, when opposition parties made significant gains, particularly in urban areas, winning 174 seats. Opposition parties disputed the results of the 2005 elections. Subsequent protests resulted in violence between protesters and government security forces, during which nearly 200 protesters died. A crackdown on opposition parties, independent organisations and media freedoms followed. In 2009, the government introduced the Anti-Terrorism Proclamation (the ATP), under which it has arrested large numbers of opposition figures and journalists. The EPRDF and its affiliated parties won all but two seats in the 2010 general election, and all 547 seats in the 2015 general election, as well as winning 1,966 of the 1,987 seats in the 2015 regional council elections, thus retaining control of all regions of the country. Opposition groups raised concerns about access to polling stations, harassment of voters and restrictions on campaign activities...

‘Ethnicity is an important factor influencing politics in Ethiopia. The EPRDF is a coalition of predominantly ethnically based political parties, dominated by the Tigrayan People’s Liberation Front (TPLF). In addition to the parties aligned with the EPRDF, there are a number of ethnically based opposition political groups. The Tigray People’s Democratic Movement (based predominantly in Eritrea near the Ethiopian border), the Ogaden National Liberation Front (ONLF, based in the Somali region) and the Oromo Liberation Front (OLF, with leadership based in Eritrea and a presence in the US and Europe) have armed militant wings that occasionally launch attacks against government facilities and personnel. The Ethiopian government has declared these groups to be terrorist organisations and has outlawed them. Of the main legal political opposition groups, Medrek (also known as the Forum for Democratic Dialogue in Ethiopia) is a coalition of political parties, some of which are ethnically-based, while the Semayawi Party (widely known as the Blue Party) is a nationwide, non-ethnically-aligned party made up of (predominantly young) people opposed to the ruling EPRDF.’<sup>21</sup>

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<sup>20</sup> Freedom House, ‘Freedom in the World 2017’, ‘Ethiopia’, Political Rights, 3 May 2017, <https://freedomhouse.org/report/freedom-world/2017/ethiopia>. Accessed: 22 May 2017

<sup>21</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 8, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf> Accessed: 17 October 2017

8.3.2 The Freedom House ‘Freedom in the World 2017’ report, published on 3 May 2017, stated:

‘Political parties in Ethiopia are often ethnically based. The country’s major ethnic parties are allied with the EPRDF, but have no room to effectively advocate for their constituents. The EPRDF coalition is comprised of four political parties and represents several ethnic groups. The government favors Tigrayan ethnic interests in economic and political matters, and the Tigrayan People’s Liberation Front (TPLF) dominates the EPRDF. The 1995 constitution grants the right of secession to ethnically based states, but the government acquired powers in 2003 to intervene in states’ affairs on issues of public security. Secessionist movements in Oromia and the Ogaden have largely failed after being put down by the military.’<sup>22</sup>

8.3.3 The USSD ‘Country Report on Human Rights Practices for 2016’ stated:

‘The government, controlled by the EPRDF, unduly restricted political parties and members of certain ethnic groups, particularly the Amhara and Oromo, who stated they lacked genuine political representation at the federal level. The state of emergency regulations restricted political parties’ ability to operate. For example, the regulations prohibit any political party “from briefing local or foreign journalists in a manner that is anticonstitutional and undermining sovereignty and security.”<sup>23</sup>

8.3.4 See also the CIA ‘World Factbook’, which lists Ethiopia’s main political parties.<sup>24</sup>

8.3.5 See also the Ethiopia country policy and information note on [Opposition to the government](#) for more information about political parties.

[Back to Contents](#)

## 8.4 Elections

8.4.1 The USSD ‘Country Report on Human Rights Practices for 2016’ stated:

‘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. The ruling party’s electoral advantages, however, limited this ability.’<sup>25</sup>

[Back to Contents](#)

## 8.5 State of emergency

8.5.1 The Human Rights Watch report, ‘Legal Analysis of Ethiopia’s State of Emergency’, published on 30 October 2016, stated:

‘On October 9, 2016, the Ethiopian government announced a country-wide six-month state of emergency. This followed a year of widespread protests

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<sup>22</sup> Freedom House, ‘Freedom in the World 2017’, ‘Ethiopia’, Political Pluralism and Participation, 2017, <https://freedomhouse.org/report/freedom-world/2017/ethiopia>. Accessed: 22 May 2017

<sup>23</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 3, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

<sup>24</sup> CIA, World Factbook, ‘Ethiopia’, updated on 19 October 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>. Accessed 23 October 2017

<sup>25</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 3, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

against government policies that state security forces violently suppressed, killing hundreds of people and detaining tens of thousands. Protesters also committed a number of attacks on government buildings and private businesses perceived to be close to the ruling party.

‘Government officials sought to justify the announced state of emergency, and corresponding directives that were issued on October 15, by contending that they were necessary in response to the threat posed by “anti-peace groups in close collaboration with foreign elements.” Officials said they needed to “put an end to the damage that is being carried out against infrastructure projects, health centers, [and] administration and justice buildings.” However, damaging property is a crime under Ethiopia’s criminal law and the authorities could prosecute such acts without invoking a state of emergency.

‘The state of emergency directive prescribes sweeping and vaguely worded restrictions on a broad range of actions that undermine basic rights, including freedom of expression, association and peaceful assembly, and go far beyond what is permissible under international law...Under the state of emergency, the army will be further deployed country-wide for at least six months -- this signifies a greater willingness by the government to use the armed forces in what should be a law enforcement role.’<sup>26</sup>

8.5.2 A Deutsche Welle report, ‘Ethiopia regime unveils rules for state of emergency’, dated 16 October 2016, stated:

‘A week after imposing a state of emergency, Ethiopia's government has unveiled the rules for it...The rules restrict the movement of diplomats 40 kilometers (25 miles) outside of the capital, Addis Ababa, without official permission, and prohibit contact with groups that are labeled as terrorists and watching or listening to the broadcasters "Oromia Media Network" and "Ethiopian Satellite Television and Radio", according to a statement issued by Defense Minister Siraj Fegessa, the head of the Command Post - the body established to oversee the state of emergency...Those who break the terms of the state of emergency risk jail terms of three to five years.’<sup>27</sup>

8.5.3 A ‘Washington Post’ report, ‘Despite outward calm, Ethiopia extends state of emergency’, dated 30 March 2017, stated:

‘Ethiopia’s parliament voted unanimously Thursday [30 March 2017] to extend the country’s state of emergency for another four months after top officials warned of the continuing threat of unrest...According to government figures, more than 26,000 people were detained under the state of emergency, and most have been released. Opposition figures have said the number detained was much higher.

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<sup>26</sup> Human Rights Watch, ‘Legal Analysis of Ethiopia’s State of Emergency’, 30 October 2016, <https://www.hrw.org/news/2016/10/30/legal-analysis-ethiopias-state-emergency>. Accessed: 8 June 2017

<sup>27</sup> Deutsche Welle, ‘Ethiopia regime unveils rules for state of emergency’, 16 October 2016, <http://www.dw.com/en/ethiopia-regime-unveils-rules-for-state-of-emergency/a-36055101>. Accessed: 8 June 2017



'Parts of the state of emergency have since been modified. Police are now required to have warrants to arrest suspects or search their homes, and some restrictions on media had been lifted, as well.' <sup>28</sup>

- 8.5.4 The state of emergency was ended in August 2017, as noted in a Human Rights Watch article, 'State of Emergency Ends in Ethiopia', dated 7 August 2017:

'Ethiopia's parliament has just lifted the country's 10-month-long state of emergency. The government's emergency powers brought mass detentions, politically motivated criminal charges, and numerous restrictions on people's movement and communication. While the end is welcome news, thousands remain in detention without charge, none of the protesters' underlying grievances have been addressed, and politically motivated trials of key opposition leaders, artists, journalists, and others continue.' <sup>29</sup>

- 8.5.5 Regarding the ending of the state of emergency, a Reuters report, 'Ethiopia lifts emergency rule imposed last October after months of unrest', dated 4 August 2017, stated:

'Ethiopia on Friday lifted a state of emergency imposed last October [2016] following months of protests that killed hundreds of people.

'More than 29,000 people were arrested during the period and nearly 8,000 of them are on trial for taking part in the violence, Defence Minister Siraj Fegessa said.

'The unrest was provoked by a development scheme for the capital Addis Ababa and turned into broader anti-government demonstrations over politics and human rights abuses.' <sup>30</sup>

- 8.5.6 See also the country information and policy notes on [Oromos and the Oromo protests](#) and [Opposition to the government](#).

[Back to Contents](#)

## 9. Security forces

### 9.1 Police

- 9.1.1 The DFAT September 2017 Country Information Report on Ethiopia stated:

'The Ethiopian government maintains an extensive security and intelligence regime, which assists in protecting people from major crimes, including terrorism. However, this security and intelligence apparatus is also used to monitor and suppress dissent. While security forces are largely effective at maintaining law and order and avoiding major terrorist attacks,

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<sup>28</sup> 'Washington Post', 'Despite outward calm, Ethiopia extends state of emergency', 30 March 2017, [https://www.washingtonpost.com/world/despite-outward-calm-ethiopia-extends-state-of-emergency/2017/03/30/b5544098-1529-11e7-ada0-1489b735b3a3\\_story.html?utm\\_term=.578e60aa0eb6](https://www.washingtonpost.com/world/despite-outward-calm-ethiopia-extends-state-of-emergency/2017/03/30/b5544098-1529-11e7-ada0-1489b735b3a3_story.html?utm_term=.578e60aa0eb6). Accessed: 8 June 2017

<sup>29</sup> Human Rights Watch, 'State of Emergency Ends in Ethiopia', 7 August 2017, <https://www.hrw.org/news/2017/08/07/state-emergency-ends-ethiopia>. Accessed: 10 August 2017

<sup>30</sup> Reuters, 'Ethiopia lifts emergency rule imposed last October after months of unrest', 4 August 2017, <https://www.reuters.com/article/us-ethiopia-politics-idUSKBN1AK0QV>. Accessed: 10 August 2017

security forces were able to use disproportionate violence against protesters with impunity.’<sup>31</sup>

9.1.2 The DFAT September 2017 Country Information Report on Ethiopia also stated:

‘The Ethiopian Federal Police Force reports to the Ministry of Federal and Pastoralist Development Affairs and is responsible for preventing and investigating crimes that fall under the jurisdiction of the Federal Court, such as terrorism, drug trafficking and human trafficking. In addition, all regions have their own regional police forces reporting to their respective regional governments. The Federal Police Force is responsible for coordinating regional police commissions and setting national policing standards, and provides training and operational support to regional police forces. Many regions also have some form of informal local militia. Militia operate independently, although there is often some degree of coordination with regional and federal police forces in practice... There are reports of abuses by some of these militia groups, in particular the ‘Liyu police’ in Somali region. The Liyu police have been accused of extrajudicial killings, torture, rape, and other violent acts in Somali region.’<sup>32</sup>

9.1.3 The USSD ‘Country Report on Human Rights Practices for 2016’ stated:

‘The Federal Police report to the Office of the Prime Minister and are subject to parliamentary oversight. The oversight was loose. Each of the nine regions has a state or special police force that reports to regional civilian authorities. Local militias operated across the country in loose and varying coordination with regional and federal police and the military. In some cases these militias functioned as extensions of the ruling party. The military played a significant role in responding to the protests. The constitution provides for the military to perform duties assigned to it under a state of emergency...

‘The government continued to support human rights training for police and army personnel. It continued to accept assistance from NGOs and the EHRC to improve and professionalize its human rights training and curriculum by including more material on the constitution and international human rights treaties and conventions.’<sup>33</sup>

9.1.4 The United States State Department (USSD) ‘Ethiopia 2017 Crime and Safety Report’, dated 22 March 2017, stated:

‘The Ethiopian Federal Police (EFP) is responsible for crimes that fall under the jurisdiction of Federal Courts, including any activities in violation of the Constitution that may endanger the Constitutional order, public order, hooliganism, terrorism, trafficking in persons, and transferring of drugs.

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<sup>31</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 26, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 23 October 2017

<sup>32</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 27, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>33</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 1d, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

The EFP also maintains law and order in any region when there is a deteriorating security situation beyond the control of the regional government and a request for intervention is made; or when disputes arise between two or more regional governments and the situation becomes dangerous for the security of the federal government. The EFP safeguards the security of borders, airports, railway lines/terminals, mining areas, and other vital institutions of the federal government. The EFP delegates, when necessary, its powers to regional police commissions; counterterrorism when investigations may lead to criminal arrests or charges within the court system.

‘Regional police handle local crime under their jurisdiction and provide officers for traffic control and immediate response to criminal incidents.’<sup>34</sup>

- 9.1.5 The Clingendael (Netherlands Institute of International Relations) report, ‘Perpetuating power – Ethiopia’s political settlement and the organization of security’, published in September 2016, stated:

‘The Ethiopian Federal Police force was created in 1995 to maintain law and order at the federal level (including riot control) and to investigate organized crime. It estimates its own size at around 30,000 personnel. The federal police force comes under the Federal Police Commission that reports to the Ministry of Federal Affairs (until recently the Ministry of Justice). Its legal basis is article 51 of the Constitution.

‘Ethiopia’s State Police Forces (regional police) maintain law and order in Ethiopia’s constituent [sic] states. While their numbers, structure and even uniforms may vary, they each report to a Regional Police Commission that works loosely together with the Federal Police Commission. The federal police can intervene in regions by invitation of the state police. However, Oromia Regional State and in particular the city of Addis Ababa have seen uncoordinated police interventions. Petty corruption is especially a problem at the level of state police (traffic bribes and bribes to avoid arrest). The state police forces’ legal basis is article 52 subsection 2 of the Constitution.’<sup>35</sup>

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[Back to Contents](#)

## 9.2 National Intelligence and Security Service

- 9.2.1 The National Intelligence and Security Service website, accessed on 15 June 2017, stated:

‘The National Intelligence and Security Service (NISS) was established in 1994/95 as the Security, Immigration and Nationality Affairs Authority. Its name was changed to the NISS in 2006/07.

‘The objective of the Service shall be to protect and safeguard the national security of the country by providing quality intelligence and reliable security

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<sup>34</sup> USSD Bureau of Diplomatic Security, ‘Ethiopia 2017 Crime and Safety Report’, 22 March 2017, <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=21516>. Accessed: 31 May 2017

<sup>35</sup> Clingendael, ‘Perpetuating power – Ethiopia’s political settlement and the organization of security’, September 2016, Erwin van Veen, The nature and organization of state security in Ethiopia, [https://www.clingendael.nl/pub/2016/power\\_politics\\_and\\_security\\_in\\_ethiopia/](https://www.clingendael.nl/pub/2016/power_politics_and_security_in_ethiopia/). Accessed: 13 June 2017

service...The National Intelligence and Security Service is re-established with a ministerial status as an autonomous federal government office having its own legal personality and the Service is accountable to the Prime Minister.’<sup>36</sup>

9.2.2 The September 2016 Clingendael report stated: ‘The Ethiopian National Intelligence and Security Service was established in 1995 and currently enjoys ministerial status, reporting directly to the Prime Minister. It is tasked with gathering information necessary to protect national security. Its surveillance capacities have been used both to prevent terrorist attacks, such as those by Al-Shabaab, and to suppress domestic dissent.’<sup>37</sup>

9.2.3 The DFAT September 2017 Country Information Report on Ethiopia stated: ‘The Ethiopian government maintains a strong and highly capable domestic intelligence system. The National Intelligence and Security Service (NISS) is an autonomous federal government office, directly accountable to the Prime Minister. While reliable data on the size and staffing of the NISS is not available, it is broadly considered to have a strong capacity to monitor the activities of persons of interest in Ethiopia. A civilian monitoring and reporting system supports the intelligence network, whereby individuals report on the activities of others in their community or household, including the activities of political activists or opposition supporters. One individual will typically report on the activities of around five others, leading to the system being known as the ‘one-to-five’ system.’<sup>38</sup>

[Back to Contents](#)

### 9.3 Armed forces

9.3.1 The Global Security website, accessed on 17 May 2017, stated:

‘The Ethiopian National Defense Forces (ENDF) numbered about 200,000 personnel as of November 2011 [according to the US State Department], which made it one of the largest militaries in Africa, and tied with Sri Lanka and Taiwan for 22/23/24 [IISS reports only 135,000 troops]. During the 1998-2000 border war with Eritrea, the ENDF mobilized strength reached approximately 350,000. Since the end of the war, some 150,000 soldiers have been demobilized.

‘The ENDF continued a transition from its roots as a guerrilla army to an all-volunteer professional military organization with the aid of the US and other countries. Training in peacekeeping operations, professional military education, military training management, counterterrorism operations, and military medicine are among the major programs sponsored by the United States. Ethiopia has one peacekeeping contingent in Liberia. In January

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<sup>36</sup> National Intelligence and Security Service, ‘About us’, undated, <https://www.eth-niss.info/aboutus>. Accessed: 15 June 2017

<sup>37</sup> Clingendael, ‘Perpetuating power – Ethiopia’s political settlement and the organization of security’, September 2016, Erwin van Veen, The nature and organization of state security in Ethiopia, [https://www.clingendael.nl/pub/2016/power\\_politics\\_and\\_security\\_in\\_ethiopia/](https://www.clingendael.nl/pub/2016/power_politics_and_security_in_ethiopia/). Accessed: 13 June 2017

<sup>38</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 27, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

2009, Ethiopian peacekeeping troops had begun deploying in Darfur. When at full strength, the Ethiopian contingent there consisted of 2,500 troops and five attack helicopters.’<sup>39</sup>

9.3.2 The DFAT September 2017 Country Information Report on Ethiopia stated:

‘The Ethiopian National Defence Force (ENDF) comprises ground forces and the Ethiopian Air Force. Combined, these forces have around 186,000 personnel. Ethiopia is land-locked and has no naval capacity.

‘Military service is not routinely compulsory, but the military retains the right to conduct call-ups. According to Article 284 of the criminal code, a refusal to perform military service can attract a penalty of up to ten years’ imprisonment. The minimum age for military service is 18 years...Much of the ENDF’s military equipment is reportedly outdated.’<sup>40</sup>

[Back to Contents](#)

## 9.4 Human rights violations

9.4.1 The USSD ‘Country Report on Human Rights Practices for 2016’ noted:

‘There were numerous reports the government and its agents committed arbitrary and unlawful killings. Security forces used excessive force against protesters throughout the year, killing hundreds. The protests were mainly in Oromia and Amhara regions. A March 14 report from the independent Ethiopian NGO Human Rights Council (HRCO) covering 33 districts in Oromia from November 2015 to February 20 described more than 100 extrajudicial killings. On June 10, the government-established EHRC reported to parliament that it counted 173 deaths in Oromia, including 28 of security force members and officials, and asserted security forces used appropriate force there. The EHRC also asserted Amhara regional state special security had used excessive force against the Kemant community in Amhara Region. The EHRC did not publicly release its report. On August 13, HRW estimated security forces killed more than 500 protesters.

‘On August 6 and 7, security forces reportedly killed approximately 100 persons in response to demonstrations in major cities and towns across the Oromia and Amhara regions. Political opposition groups reported government forces killed more than 90 protesters in Oromia. The Amhara regional government reported seven deaths; other sources reported more than 50 were killed in Amhara Region.’<sup>41</sup>

9.4.2 The USSD ‘Country Report on Human Rights Practices for 2016’ also stated:

‘The constitution and law prohibit arbitrary arrest and detention; however, the state of emergency regulations allowed law enforcement to arrest and detain individuals without a court warrant. There were thousands of reports

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<sup>39</sup> Global Security, ‘Ethiopian army’, 23 November 2015, <http://www.globalsecurity.org/military/world/ethiopia/army.htm>. Accessed: 17 May 2017

<sup>40</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 26, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>41</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 1a, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

of arbitrary arrest and detention related to protests. Security forces arbitrarily arrested and detained protesters, professors, university students, musicians, businesspersons, health workers, journalists, children, and others. Security forces went door-to-door after protests to conduct arrests and arbitrarily detained opposition party members and supporters, accusing them of inciting violence.’<sup>42</sup>

- 9.4.3 The USSD ‘Country Report on Human Rights Practices for 2016’ further stated:

‘Authorities harassed, arrested, detained, charged, and prosecuted journalists and others perceived as critical of the government, creating an environment of self-censorship... Authorities arrested, detained, and harassed persons for criticizing the government. NGOs reported cases of torture of individuals critical of the government. The government attempted to impede criticism through intimidation, including continued detention of journalists and those who express critical opinions online and opposition activists, and monitoring of and interference in activities of political opposition groups. Some feared authorities would retaliate against them for discussing security force abuses. Authorities arrested and detained persons who made statements publicly or privately deemed critical of the government under a provision of the law pertaining to inciting the public through false rumors.’<sup>43</sup>

- 9.4.4 The Human Rights Watch ‘World Report 2017’, published in 2017, stated:

‘Ethiopian security personnel, including plainclothes security and intelligence officials, federal police, special police, and military, frequently tortured and otherwise ill-treated political detainees held in official and secret detention centers, to give confessions or provide information. Many of those arrested during recent protests said they were tortured in detention, including in military camps. Several women alleged that they were raped or sexually assaulted. There is little indication that security personnel are being investigated or punished for these abuses.’<sup>44</sup>

- 9.4.5 For more information on the security forces response to the Oromo protests, see the country policy and information notes on [Oromos and the Oromo protests](#) and [Opposition to the government](#).

[Back to Contents](#)

## 10. Judiciary

### 10.1 Legal system

- 10.1.1 A United Nations Office on Drugs and Crime (UNODC) ‘Country Review Report of Ethiopia’, undated, stated: ‘Ethiopia has a codified legal system with a primary source of codified law. The sources of law are mainly the Constitution, proclamations, regulations, directives, case laws (federal

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<sup>42</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 1d, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

<sup>43</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 2a, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 12 June 2017

<sup>44</sup> Human Rights Watch, ‘World Report 2017’, Ethiopia chapter, January 2017, <https://www.hrw.org/world-report/2017/country-chapters/ethiopia>. Accessed: 15 June 2017

Supreme Court decisions at a cassation level) and customary laws. One can, therefore, see that the Ethiopian legal system shows features from both the civil law and common law legal systems...The Ethiopian Constitution is the supreme law of the land.’<sup>45</sup>

[Back to Contents](#)

## 10.2 Court system

10.2.1 The CIA ‘World Factbook’ noted the following about the judiciary:

‘highest court(s): Federal Supreme Court (consists of 11 judges); note - the House of Federation has jurisdiction for all constitutional issues

‘judge selection and term of office: president and vice president of Federal Supreme Court recommended by the prime minister and appointed by the House of People's Representatives; other Supreme Court judges nominated by the Federal Judicial Administrative Council (a 10-member body chaired by the president of the Federal Supreme Court) and appointed by the House of People's Representatives; judges serve until retirement at age 60

‘subordinate courts: federal high courts and federal courts of first instance; state court systems (mirror structure of federal system); sharia courts and customary and traditional courts.’<sup>46</sup>

[Back to Contents](#)

## 10.3 Independence

10.3.1 The USSD ‘Country Report on Human Rights Practices for 2016’ noted: ‘The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, criminal courts remained weak, overburdened, and subject to political influence. The constitution recognizes both religious and traditional or customary courts.’<sup>47</sup>

10.3.2 The Freedom House ‘Freedom in the World 2017’ report, published on 3 May 2017, stated: ‘The judiciary is officially independent, but its judgments rarely deviate from government policy.’<sup>48</sup>

[Back to Contents](#)

## 10.4 Fair trial

10.4.1 The USSD ‘Country Report on Human Rights Practices for 2016’ noted:

‘By law accused persons have the right to a fair public trial “without undue delay”; a presumption of innocence; the right to legal counsel of their choice; the right to appeal; the right not to self-incriminate; and the right to

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<sup>45</sup> United Nations Office on Drugs and Crime (UNODC) ‘Country Review Report of Ethiopia’, undated, Review by Togo and Malta, [https://www.unodc.org/documents/treaties/UNCAC/CountryVisitFinalReports/2015\\_10\\_14\\_Ethiopia\\_Final\\_Country\\_Report.pdf](https://www.unodc.org/documents/treaties/UNCAC/CountryVisitFinalReports/2015_10_14_Ethiopia_Final_Country_Report.pdf). Accessed: 15 June 2017

<sup>46</sup> CIA, ‘World Factbook’, ‘Ethiopia’, updated on 19 October 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>. Accessed: 23 October 2017

<sup>47</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 1e, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

<sup>48</sup> Freedom House, ‘Freedom in the World 2017’, ‘Ethiopia’, Rule of Law, published in 2017, <https://freedomhouse.org/report/freedom-world/2017/ethiopia>. Accessed: 22 May 2017

present witnesses and evidence in their defense, cross-examine prosecution witnesses, and access government-held evidence. In practice, however, detainees did not always enjoy all these rights, and as a result, defense attorneys were sometimes unprepared to provide an adequate defense. Defendants were not always presumed innocent, able to communicate with an attorney of their choice, provided timely free interpretation as necessary from the moment charged through all appeals, or provided access to government-held evidence. Defendants were often unaware of the specific charges against them until the commencement of their trials. There were reports of detainees being subjected to torture and other abuse while in detention to obtain information or confessions.’<sup>49</sup>

[Back to Contents](#)

## 10.5 Customary and traditional judicial systems

10.5.1 The USSD ‘Country Report on Human Rights Practices for 2016’ noted:

‘Many citizens residing in rural areas 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 to use a sharia court before going to trial. Sharia courts received some funding from the government and adjudicated a majority of cases in Somali and Afar regions, which are predominantly Muslim. Other traditional systems of justice, such as councils of elders, continued to function. Some women stated 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 because of strong gender discrimination in rural areas.’<sup>50</sup>

[Back to Contents](#)

## 11. Criminal Code

### 11.1 Criminal Code

11.1.1 Ethiopia’s [Criminal Code](#) came into force on 9 May 2005. It replaced the Penal Code of the Empire of Ethiopia 1957 and the Revised Special Penal Code of the Provisional Military Administration Council 1982.<sup>51</sup>

[Back to Contents](#)

### 11.2 Death penalty

11.2.1 The Amnesty International (AI) report, ‘Death Sentences and Executions 2016’, published in 2017, stated that Ethiopia is a country that retains the death penalty for ordinary crimes. The AI report also stated that there were

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<sup>49</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 1e, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

<sup>50</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 1e, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

<sup>51</sup> Ethiopian Criminal Code (Proclamation No 414/2004), <http://www.wipo.int/edocs/lexdocs/laws/en/et/et011en.pdf>. Accessed: 23 May 2017



two recorded executions in 2016, and 10 people were known to be under the sentence of death at the end of 2016.<sup>52</sup>

11.2.2 The Cornell Centre on the Death Penalty Worldwide (CCDPW) website, accessed on 23 May 2017, stated that the death penalty is not mandatory for any of the crimes punishable by death. The categories of people who are exempt from the death penalty are persons under the age of 18 at the time of the offence, pregnant women, nursing mothers, and individuals who are mentally or physically ill.<sup>53</sup>

11.2.3 The CCDPW website also stated that the crimes punishable by death include:

- Aggravated murder
- Robbery that causes the death of the victim is punishable by death in the most serious cases,
- A person, individually or as a part of a group, who causes or threatens to cause someone's death to advance a political, religious, or ideological cause by coercing the government, threatening the public, or destabilizing or destroying political, constitutional, economic, or social institutions of the State is punishable by death.
- A person, individually or as a part of a group, who commits or threatens to commit the following terrorist acts to advance a political, religious, or ideological cause by coercing the government, threatening the public, or destabilizing or destroying political, constitutional, economic, or social institutions of the State is punishable by death: causing serious injury of the victim; seriously endangering the safety or the health of the public; kidnapping or taking of hostage; causing serious damage to property; causing damage to a natural resource, environment, or historical or cultural heritage; endangering, seizing, or controlling public service, thereby causing serious interference or disruption.
- Treason
- Espionage.<sup>54</sup>

For a full list of all the crimes punishable by death, see [Criminal Code](#).

[Back to Contents](#)

## 12. Corruption of officials

12.1.1 The Freedom House 'Freedom in the World 2017' report, published on 3 May 2017, stated:

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<sup>52</sup> Amnesty International, 'Death Sentences and Executions 2016', 2017,

<https://www.amnesty.org/en/what-we-do/death-penalty/>. Accessed: 23 May 2017

<sup>53</sup> Cornell Law School, Cornell Centre on the Death Penalty Worldwide (CCDPW), 'Death Penalty Database - Ethiopia, 14 May 2014,

<https://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Ethiopia>.

Accessed: 23 May 2017

<sup>54</sup> Cornell Law School, Cornell Centre on the Death Penalty Worldwide (CCDPW), 'Death Penalty Database - Ethiopia, 14 May 2014,

<https://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Ethiopia>.

Accessed: 23 May 2017

‘Despite legislative improvements, enforcement of corruption-related laws remains limited in practice, and corruption remains a significant problem. EPRDF officials reportedly receive preferential access to credit, land leases, and jobs.

‘Petty corruption extends to lower-level officials, who, for example, solicit bribes in return for processing documents. In April 2016, Hailemariam put forward a bill authorizing the creation of a federal attorney general, who would handle corruption cases and report directly to the prime minister. It was approved in May, and Getachew Ambaye was appointed to the position soon after, relinquishing his post of justice minister. In December, about 130 people, including government officials, were arrested on corruption charges.’<sup>55</sup>

12.1.2 The USSD ‘Country Report on Human Rights Practices for 2016’ noted:

‘The law provides criminal penalties for corruption by officials. Despite the government’s prosecution of some officials for corruption, many officials continued to engage in corrupt practices with impunity. Although the government cited fighting corruption as a high priority in its public statements, there were perceptions corruption increased in the government...

‘Some government officials were thought to manipulate the land allocation process, and state- and party-owned businesses received preferential access to land leases and credit. The federal attorney general was mandated to investigate and prosecute corruption cases... The law requires all government officials and employees to register their wealth and personal property. The law includes financial and criminal sanctions for noncompliance. The president and prime minister registered their assets. The Federal Ethics and Anti-Corruption Commission (FEACC) reported it registered the assets of 26,584 appointees, officials, and employees between July 2015 and April. The commission also carried out reregistration of previously registered assets in the stated period.’<sup>56</sup>

12.1.3 See also [Availability of forged documents](#).

[Back to Contents](#)

## 13. Civil society

### 13.1 Human rights groups

13.1.1 The USSD ‘Country Report on Human Rights Practices for 2016’ noted:

‘A few domestic human rights groups operated but with significant government restrictions. The government was generally distrustful and wary of domestic and international human rights groups and observers...

‘The CSO [Civil Society Organisation] law prohibits charities, societies, and associations (NGOs or CSOs) that receive more than 10 percent of their funding from foreign sources from engaging in activities that advance

<sup>55</sup> Freedom House, ‘Freedom in the World 2017’, ‘Ethiopia’, Functioning of Government, 3 May 2017, <https://freedomhouse.org/report/freedom-world/2017/ethiopia>. Accessed: 22 May 2017

<sup>56</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 4, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 22 May 2017

human and democratic rights or promote equality of nations, nationalities, peoples, genders, and religions; the rights of children and persons with disabilities; conflict resolution or reconciliation; or the efficiency of justice and law enforcement services. The law severely curtails civil society's ability to raise questions of good governance, human rights, corruption, and transparency and forced many local and international NGOs working on those issues to either cease advocacy, or reregister and focus on activities other than rights-based advocacy.

'Some human rights defender organizations continued to register either as local charities, meaning they could not raise more than 10 percent of their funds from foreign donors but could act in the specified areas, or as resident charities, which allowed foreign donations above 10 percent but prohibited advocacy activities in those areas.

'The state of emergency and the accompanying regulations restricted the ability of organizations to operate. The prohibitions relating to communication and acts that undermine tolerance and unity resulted in self-censorship of reports and public statements. The prohibition on unauthorized town hall meetings limited the organization of meetings, training sessions, and other gatherings. The prohibition on exchanging information or contact with a foreign government or NGOs in a manner that undermines national sovereignty and security reduced communication between local organizations and international organizations and others. Curfews in certain areas impeded human rights investigations. The obligation of all organizations to give information when asked by law enforcement raised concerns regarding confidentiality of information.'<sup>57</sup>

13.1.2 The USSD 'Country Report on Human Rights Practices for 2016' also noted:

'The government denied most NGOs access to federal prisons, police stations, and undisclosed places of detention. The government permitted a local NGO that has an exemption enabling it to raise unlimited funds from foreign sources and to engage in human rights advocacy to visit prisoners. Some NGOs played a positive role in improving prisoners' chances for clemency.

'Authorities limited access of human rights organizations, media, humanitarian agencies, and diplomatic missions in certain areas.

'The government continued to lack a clear policy on NGO access to sensitive areas, leading regional government officials and military officials frequently to refer requests for NGO access to the federal government. Officials required journalists to register before entering certain regions or denied access. There were reports of regional police or local militias blocking NGO access to particular locations on particular days, citing security concerns.'<sup>58</sup>

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<sup>57</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 5, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

<sup>58</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 5, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 22 May 2017

13.1.3 Human Rights Watch's 'World Report 2017', published in January 2017, noted: 'The 2009 Charities and Societies Proclamation (CSO law) continues to severely curtail the ability of independent nongovernmental organizations. The law bars work on human rights, governance, conflict resolution, and advocacy on the rights of women, children and people with disabilities if organizations receive more than 10 percent of their funds from foreign sources.'<sup>59</sup>

13.1.4 The DFAT September 2017 Country Information Report on Ethiopia stated:

'On 13 February 2009 the Ethiopian government introduced the CSO proclamation, which imposed significant restrictions on the activities and financial operations of NGOs. Article 14 of the proclamation restricts activities related to the 'advancement of human and democratic rights' to domestic charities and societies. The CSO proclamation defines domestic charities and societies as those that receive 10 per cent or less of their funding from international sources. As a result of the CSO proclamation's prohibitions on foreign NGOs operating in the human rights space, and on domestic NGOs raising money from overseas, there are very few NGOs undertaking monitoring, reporting or advocacy activities on human rights issues in Ethiopia. Members of the few domestic NGOs that work in the field of human rights report severe funding restrictions and monitoring, harassment, arrest and detention of their workers, as well as physical violence and torture against those held in detention. The government denies allegations of harassment, arbitrary detention and abuse.'<sup>60</sup>

[Back to Contents](#)

## 13.2 Ethiopian Human Rights Commission (EHRC)

13.2.1 The USSD 'Country Report on Human Rights Practices for 2016' noted:

'The EHRC [Ethiopian Human Rights Commission] reportedly investigated hundreds of human rights complaints, organized field investigations, conducted prison visits to provide recommendations on improving prison conditions, and produced annual and thematic reports. On June 10, the EHRC reported to parliament that it counted 173 deaths in Oromia, including 28 of security force members and officials, and asserted security forces used appropriate there. The EHRC also asserted Amhara regional state special security had used excessive force against the Kemant community in Amhara Region. The commission did not publicly release its report. The EHRC also investigated the September 3 fire in Kilinto prison. The commission operated 112 legal aid centers in collaboration with 22 universities and two civil society organizations, the Ethiopian Women Lawyers' Association, and the Ethiopian Christian Lawyers Fellowship.'<sup>61</sup>

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<sup>59</sup> Human Rights Watch, 'World Report 2017', Ethiopia chapter, January 2017, [https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2017-web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf). Accessed: 22 May 2017

<sup>60</sup> DFAT, 'Country Information Report - Ethiopia', 28 September 2017, page 26, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>61</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 5, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 16 May 2017

## 14. Freedom of movement

### 14.1 Legal and constitutional rights

#### 14.1.1 The USSD 'Country Report on Human Rights Practices for 2016' noted:

'Although the law provides for freedom of internal movement, foreign travel, emigration, and repatriation, the state of emergency regulations restricted internal movement. The government also restricted freedom of internal movement and foreign travel...Security concerns forced a temporary halt of deliveries of food and other humanitarian assistance in limited areas in Amhara and Oromia regions.

'Foreign Travel: A 2013 ban on unskilled workers travelling to the Middle East for employment continued. The ban did not affect citizens travelling for investment or other business reasons. The government stated it issued the ban to prevent harassment, intimidation, and trauma suffered by those working abroad, particularly in the Middle East, as domestic employees.

'There were several reports of authorities restricting foreign travel, similar to the following case: On March 23 [2016], National Intelligence and Security Service officials at Bole International Airport in Addis Ababa prevented Merera Gudina, chairman of the OFC, from departing the country. On June 15 [2016], Merera was permitted to leave. Authorities arrested him on December 1 [2016].'<sup>62</sup>

[Back to Contents](#)

### 14.2 Government restrictions

#### 14.2.1 The Freedom House 'Freedom in the World 2017' report, published on 3 May 2017, stated:

'While Ethiopia's constitution establishes freedom of movement, it has been increasingly restricted through curfews and road closures in Oromia and Amhara Regions, where mass demonstrations have taken place. Protesters and political activists released from detention are often freed on the condition that they regularly check in with local police. Also under the state of emergency, refugees are forbidden to leave camps without "necessary authorization," and foreign diplomats were temporarily banned from traveling more than 40 kilometers (25 miles) outside of Addis Ababa. Free movement through the Somali Region remains limited. Under the state of emergency, businesses are prohibited from closing, as commerce strikes were initially used as a form of protest.'<sup>63</sup>

#### 14.2.2 The DFAT September 2017 Country Information Report on Ethiopia stated:

'Food insecurity, poverty, water shortages and poor economic prospects are significant factors in many people's decision to relocate to other parts of

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<sup>62</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 2d, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 17 May 2017

<sup>63</sup> Freedom House, 'Freedom in the World 2017', 'Ethiopia', Personal Autonomy and Individual Rights, 2017, <https://freedomhouse.org/report/freedom-world/2017/ethiopia>. Accessed: 22 May 2017

Ethiopia (or to other countries), including those who move to Addis Ababa. However, economic factors may also act as a barrier to people's ability to relocate, particularly vulnerable people such as divorced women, young mothers and victims of domestic violence... Ethnicity and language differences can also act as barriers to internal movement and relocation. Amharas and Tigrayans are more able to freely move around the country given the presence of these groups in many different regions and the fact that Amharic is the official national language.

'The government's security and intelligence services operate across all parts of the country. This includes the operation of the "five-to-one" system... DFAT assesses that political activists, independent journalists, bloggers and other people perceived to oppose the government or its policies are unlikely to be able to avoid attracting the attention of officials by relocating within Ethiopia.' <sup>64</sup>

14.2.3 The Social Institutions and Gender Index, accessed on 3 July 2017, noted:

'Freedom of movement is restricted in certain parts of Ethiopia on account of national security concerns. There do not appear to be any legal restrictions specifically on women's freedom of access to public space; however, some women may face restrictions on a day-to-day basis: of women surveyed in the 2011 Demographic and Health Survey, 78% of women have sole or joint decision-making power about visiting family or friends.' <sup>65</sup>

[Back to Contents](#)

### 14.3 Entry/exit procedures

14.3.1 The DFAT September 2017 Country Information Report on Ethiopia stated:

'Ethiopians travelling internationally by air are subject to security and identification checks at the airport, and immigration stations at airports have photograph and fingerprinting facilities... Biometric security measures linked to national databases apply at formal entry and exit points across the country. NISS has primary responsibility for intelligence and border security processes.

'Ethiopia has a number of borders that are not secure, including those with Sudan, South Sudan, Eritrea, Somalia and Kenya. Many Ethiopians use people smugglers to help them cross the border in an attempt to reach Saudi Arabia, Europe or South Africa. Credible sources in Addis Ababa told DFAT that Ethiopia is also increasingly becoming a migration hub for people in other parts of Africa, in part due to the expanding Ethiopian Airlines network.' <sup>66</sup>

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<sup>64</sup> DFAT, 'Country Information Report - Ethiopia', 28 September 2017, page 26, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>65</sup> Social Institutions and Gender Index, 'Ethiopia Country Profile', undated, <http://www.genderindex.org/country/ethiopia>. Accessed: 3 July 2017

<sup>66</sup> DFAT, 'Country Information Report - Ethiopia', 28 September 2017, page 30, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

## 14.4 Treatment of returnees

### 14.4.1 The DFAT September 2017 Country Information Report on Ethiopia stated:

‘Ethiopia is a source, transit and destination country for international migration. Large numbers of people attempt to move from Ethiopia to other countries in search of better economic opportunities...In recent years, the Saudi Arabian government has launched a series of crackdowns on undocumented migrants. The most recent of these, announced in March 2017, provided a 90-day amnesty for undocumented workers to leave Saudi Arabia voluntarily or face forced repatriation. The 90-day amnesty expired on 29 June 2017...As at 23 June, only around 35,000 people had returned to Ethiopia. The Ethiopian government has also attempted to restrict irregular migration from Ethiopia in recent years...

‘DFAT understands that there are very few successful involuntary returns to Ethiopia of failed asylum seekers from western countries. Authorities typically welcome voluntary returnees to Ethiopia who are not outspoken opponents of the government. The government has on occasion publicised voluntary returns, in recognition of the Ethiopian diaspora’s contribution to the economy through remittances. There have been some reports of authorities monitoring voluntary returnees for a period following their return, but DFAT is not aware of any credible reports of voluntary returnees who are not active opponents of the government facing problems stemming from their status as failed asylum seekers.’<sup>67</sup>

### 14.4.2 See also the Ethiopia country policy and information note on [Opposition to the government](#).

## 15. Citizenship and nationality

15.1.1 The Ethiopian Nationality Law Proclamation No. 378/2003 stated that Ethiopian nationality can be obtained through descent as long as one parent is Ethiopian, and through marriage if the person concerned is married to an Ethiopian, and if the person has resided in Ethiopia for at least a year, and has been married for at least two years. Foreign nationals can also obtain Ethiopian nationality through a naturalisation process. Dual nationality is not permitted.<sup>68</sup>

### 15.1.2 See also the country information and guidance on [People of mixed Eritrean/Ethiopian nationality](#).

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<sup>67</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 26, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>68</sup> Ethiopian Legal Brief, ‘Ethiopian Nationality Law Proclamation No. 378/2003’, undated, <https://chilot.me/2011/08/08/ethiopian-nationality-law-proclamation-no-3782003/>. Accessed: 22 May 2017

## 16. Documentation

### 16.1 Registration of births, marriages and deaths

#### 16.1.1 A UNICEF report, 'Ethiopia, 4 August 2016: Vital events registration kicks off', dated 4 August 2016, stated:

'Today [4 August 2016], the Government of Ethiopia announces a permanent, compulsory and universal registration and certification of vital events such as birth, death, marriage and divorce throughout the country... In the past, the absence of a legal framework for a national vital events registration and vital statistics system has resulted in uncoordinated practices of producing civil status evidence. For instance, birth, death and marriage certificates were issued by hospitals, churches and municipalities in an un-systematic and fragmented manner. In response to the situation, the Government of Ethiopia in 2012 adopted a comprehensive law governing the institutional and operational framework of vital events registration. This includes the registration of birth, death, marriage, divorce and complimentary notations of birth such as adoption, acknowledgment and judicial declaration of paternity.

'Since the enactment of the federal law on vital events registration, the Government of Ethiopia has made great progress by establishing the Federal Vital Events Registration Agency, including a board of management and a national council. Government's regional and city administrations also enacted regional vital events registration laws; established regional agencies and a board of management; adopted a costed national strategy; achieved national consensus to integrate vital events registration services into the health system and established administrative structures for managing and delivering registration services...

'Currently, all regional states and city administrations have finalized the preparations and established offices down to the lowest administrative level. 'Kebele' general managers are acting as civil status registrars and over 94 per cent of 'kebele' general managers have received training regarding the fundamentals, rules, and regulations of vital events registration. In addition, the required registry and certificates are printed and distributed.

'In order to undertake the registration process smoothly, various actors from government, UN and other stakeholders are playing key roles, but the community has the primary role to play by registering vital events within the prescribed time (birth within 90 days; marriage, divorce and death within 30 days).

'Vital events registration will start on Saturday, 6 August 2016, across the country.'<sup>69</sup>

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<sup>69</sup> UNICEF, 'Ethiopia, 4 August 2016: Vital events registration kicks off', 4 August 2016, [https://www.unicef.org/esaro/5440\\_eth2016\\_vital-events.html](https://www.unicef.org/esaro/5440_eth2016_vital-events.html). Accessed: 2 June 2017



16.1.2 The USSD 'Country Report on Human Rights Practices for 2016' noted: 'The law requires all children to be registered 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. During the year the government initiated a campaign to increase birth registrations.'<sup>70</sup>

[Back to Contents](#)

## 16.2 Identity documents

16.2.1 A response to an information request, dated 1 October 2014, published by the Immigration and Refugee Board (IRB) of Canada, stated:

### '2. Overview of Identity Cards Issued Throughout Ethiopia

'In correspondence with the Research Directorate, an official at the Embassy of the Federal Democratic Republic of Ethiopia in Ottawa indicated that there is no identity card issued at the national level, except for passports (Ethiopia 22 Sept. 2014). The Ethiopian official explained that instead, all the regional governments, which use different languages such as Oromifa, Amharic, Somali, Tigregna and English, have their own identification cards, including Kebele cards (ibid.). According to the US Department of State's Country Reciprocity Schedule, identity cards in Ethiopia are issued by kebeles to people 18 years and older but there is "no uniform identification document" (US n.d.).

### '3. Identity Cards Issued in Addis Ababa

'The Canadian embassy official explained that as of 2012, all ID cards in Addis Ababa have been standardized and contain the same information, but vary in colour (Canada 17 Sept. 2014). The Canadian official said that the word "Kebele" has been replaced by "Woreda" on the card (ibid.). Similarly, according to information last updated on its website on 22 July 2011, the Addis Ababa Government Acts and Civil Status Document Registration Office is responsible for registering residents of the city and issuing them resident ID cards, which are provided to residents at the woreda level (Ethiopia 22 July 2011).

'The Canadian official provided the Research Directorate with samples of the Addis Ababa City Administration Woreda Residents ID Card (including a translation)...Based on the translation provided by the Canadian official, information contained on the card includes: the individual's full name; woreda; kebele; "H.No.;" mother's full name; telephone number; date of birth; place of birth; sex; ethnicity; occupation; a sealed photo; the name of a person to be called in case of an accident; the date of issue; the name of the person who issued the card; and a signature (Canada 17 Sept. 2014).

'The ID card also contains the following notice on the back of the card: [translation]

'If you found this ID card please return it to the above mentioned address or to the concerned city administration

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<sup>70</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 2 June 2017

'The resident should always hold this ID card

'When the resident vacate[s] from the Kebele he/she should retu[r]n the ID [card].

'This ID shall be valid for 2 years starting from the issue date. (ibid.)

'The Canadian official also noted that there is an emblem on the ID cards which is the same emblem on Addis Ababa birth certificates (ibid. 18 Sept. 2014).

'According to the official, the ID cards are printed with a desk printer and the stamps on the cards are "actual stamps" rather than prints of stamps (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Regarding the authentication of stamps on ID cards, the Ethiopian official said:

'The validity of the stamps or seals will be verified by the Federal Democratic Republic of Ethiopia Department of Foreign Affairs before these documents have been brought abroad. Then they have to be presented to respective Embassies or Consulate Generals, in foreign countries, for authentication. (Ethiopia 22 Sept. 2014)

'The same source noted that regional identity cards, such as kebele cards, are not accepted by the embassy as a document proving Ethiopian nationality for the issuance of passports (ibid.).

'4. Birth Certificates Issued in Addis Ababa. The Ethiopian official said that regional governments issue their own birth certificates (ibid.).

'According to its website, the Addis Ababa Government Acts and Civil Status Document Registration Office registers vital events of residents of Addis Ababa, including births, and provides residents with legal documents or certificates (Ethiopia 22 July 2011).

'The Canadian official provided the Research Directorate with a sample of a birth certificate issued in Addis Ababa...The birth certificate is bilingual, and the English information on the sample birth certificate includes the following: the title City Government of Addis Ababa Ethiopia Birth Certificate; the certificate number and a "CSR No.;" the individual's photo; full name; date of birth; place of birth; sex; nationality; father's name and nationality; mother's name and nationality; date of issue; and a signature of an "Officer of Civil Status" (Canada 17 Sept. 2014). According to the Canadian official, the birth certificates follow a standard format, except the seal and signatory of the officers differ from one sub-city to another (ibid.)...The Canadian official noted that the birth certificates are printed with a desk printer and that the stamps are "actual stamps" rather than printed stamps (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Regarding the authentication of stamps on birth certificates, the Ethiopian official said:

'The validity of the stamps or seals will be verified by the Federal Democratic Republic of Ethiopia Department of Foreign Affairs before these documents have been brought abroad. Then they have to be presented to

respective Embassies or Consulate Generals, in foreign countries, for authentication. (Ethiopia 22 Sept. 2014).<sup>71</sup>

[Back to Contents](#)

### 16.3 Availability of forged documents

16.3.1 A response to an information request, dated 28 July 2016, published by the Immigration and Refugee Board (IRB) of Canada, stated:

#### ‘1. Availability of Fraudulent Identity Documents

‘In correspondence with the Research Directorate, an operations officer at the International Organization for Migration's (IOM) office in Addis Ababa stated that, based on the experience of document verification at their duty station, fraudulent identity documents were not prevalent in Ethiopia (IOM 19 July 2016). The same source explained that the IOM in Ethiopia runs a document verification program for the "immigration authorities of third countries" and is usually requested to check the authenticity of documents such as birth or death certificates, marriage certificates and school reports; reportedly, less than 4 percent of the documents verified by the IOM are fraudulent (ibid.). According to the Operations Officer, the IOM office verifies identity documents with relevant Ethiopian government departments as "[a]ll documents issued by Governmental offices are registered in their records and copies are kept in their files" (ibid.)...

#### ‘1.1 Identity Cards and Passports

‘According to sources, Ethiopia does not have a universal format for their national identity card (World Bank and ESAAMLG May 2015, 5; FSS 2015, 46; US July 2015). The US Department of State's 2015 Trafficking in Persons Report for Ethiopia states that "the lack of a uniform national identification card" in Ethiopia has "allowed for the continued issuance of district-level identification cards subject to fraud" (ibid.). A joint report by the World Bank and the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) [1] on anti-money laundering and the financing of terrorism in Ethiopia states that there is no national or regional Ethiopian identity card but rather "[e]ach kebele (similar to a ward) has its own identity card and there have been instances when false identity documentation has been used - particularly when receiving money transfers" (World Bank and ESAAMLG May 2015, 5, 6). A report on Ethiopian labour migration to the Gulf countries and to South Africa, prepared by the Forum for Social Studies (FSS), an Ethiopian research institute, similarly indicates that various types of ID cards are issued by "thousands of kebele within the country" and it is thus "very difficult for the immigration department [which relies on kebele cards to issue passports to Ethiopians] to check the veracity of these documents. This opens the door for the business of forging ID cards which is, unfortunately, rife in the country" (FSS 2015, 46)...

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<sup>71</sup> IRB of Canada, Research Directorate, response to information request, ‘Ethiopia: Appearance of identity cards and birth certificates issued in Addis Ababa, including description of features, variation in appearance, and issuing authorities (2012-2014), ETH104950.E’, 1 October 2014, <http://www.refworld.org/docid/54bf5d616.html>. Accessed: 5 June 2017

‘According to the US Department of State's 2015 Trafficking in Persons Report for Ethiopia, "[r]eports suggest district level officials accepted bribes to change the ages on district-issued identification cards, enabling children to receive passports without parental consent" (US July 2015). The FSS report, similarly states that many kebele officials "provide identity cards for underage teenagers and children testifying that they are above 18 years old" due to their acquaintance with the applicant or for financial favours (FSS 2015, 46). According to the same source, [t]he main requirement to obtain a passport is to present valid kebele residential Identification Card (ID). However, ...the use of a kebele identity card to issue a passport is found to be fraught with profound problems. There are problems of forgery. (ibid.)

‘The FSS also notes that there is no "universal/national birthday certification system in the country" and it is therefore "very difficult for the Immigration Department to verify age claims of passport applicants" (ibid.)...

#### ‘1.2 Driver's Licences

‘A December 2015 article by the Ethiopian Herald, an English-language newspaper published by the Ethiopian Press Agency, quotes the Director of Ethiopia's Federal Road Transport Authority [RTA or Federal Transport Authority (FTA)] as stating that there is a "huge number" of fraudulent driver's licences in circulation (the Ethiopian Herald 11 Dec. 2015). The Director added that, out of 900 driver's licences that the RTA was requested to verify for one company, 380 turned out to be fraudulent (ibid.). A June 2016 article by the Addis Fortune, an Ethiopian English-language weekly newspaper, reports that a two-year investigation conducted by the RTA identified 83 persons who were using fraudulent licenses; the results of the investigation found that the forgery of driver's licences "was prevalent in Dessie, Amhara Region; Somali Region, and Nekemte and Shashemene in Oromia Region" (7 June 2016)...

#### ‘2. State Efforts to Combat Document Fraud...

‘A June 2015 article by the Addis Fortune states that, in 2013, the RTA introduced plastic driver's licence cards, renewable every four years, but that "many licence holders still carry[...] paper licences, renewable every two years" (Addis Fortune 15 June 2015). According to the same source, in June 2015, the RTA opened a bid to develop a biometric driver's licence system that would include a collection of fingerprints "to prevent the creation of fraudulent licences" (ibid.). However, further reporting by the Addis Fortune indicates that, as of February 2016, the selection of the company to develop the system had not yet been finalised due to the ongoing complaints revision process by the RTA (ibid. 1 Feb. 2016).’<sup>72</sup>

#### 16.3.2 The DFAT September 2017 Country Information Report on Ethiopia stated:

‘Travel documentation is controlled by the NISS [National Intelligence and Security Service]. Because of the security features, fraudulent passports

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<sup>72</sup> IRB of Canada, Research Directorate, response to information request, ‘Ethiopia: Availability of fraudulent identity documents; state efforts to combat document fraud (2014-January 2016)’, 28 July 2016, ETH105567.E, <http://www.refworld.org/docid/589444d84.html>. Accessed: 2 June 2017

are rare and expensive to produce, although they do appear. More common are genuine passports based on fraudulent feeder documents.

‘Ethiopian civil documents such as birth and death certificates are issued on the basis of statements made by the applicant and supporting witnesses with limited supporting documentation required. Documents such as medical and school records tend to be more reliable in determining age and guardianship compared to civil documents.

‘Documents considered to be higher-risk in terms of fraud include birth certificates, death certificates and national ID cards. Medical/hospital records and school records are also a high risk of fraud, but can be more easily verified. Documents assessed as being low-risk include police certificates, adoption orders, bank statements and university documents. Passports also tend to be low risk, although as noted above, genuine passports may be based on fraudulent feeder documents.’<sup>73</sup>

See also [Corruption](#).

[Back to Contents](#)

## 17. Women

### 17.1 Legal rights relating to marriage and family life

#### 17.1.1 The USSD ‘Country Report on Human Rights Practices for 2016’ noted:

‘Discrimination against women was a problem and was most acute in rural areas, where an estimated 80 percent of the population lived. The law contains discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children more than five years old. Courts generally did not consider domestic violence by itself a justification for granting a divorce. Irrespective of the number of years a marriage existed, the number of children raised, and joint property, the law entitled women to only three months’ financial support if a relationship ended. There was limited legal recognition of common-law marriage. A common-law husband had no obligation to provide financial assistance to his family, and consequently women and children sometimes faced abandonment. Traditional courts continued to apply customary law in economic and social relationships...Both men and women have land-use rights that they may pass on as an inheritance. Land law varies among regions, however. All federal and regional land laws empower women to access government land. Inheritance laws also enable widows to inherit joint property they acquired during marriage.’<sup>74</sup>

#### 17.1.2 The Social Institutions and Gender Index, accessed on 3 July 2017, noted:

‘Although Article 35 of the Constitution grants women and men equal rights in matters of inheritance, traditional customs vary by region but usually pass land to sons, on the grounds that daughters eventually move to their

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<sup>73</sup> DFAT, ‘Country Information Report - Ethiopia’, 28 September 2017, page 26, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017

<sup>74</sup> USSD, ‘Country Report on Human Rights Practices for 2016’, 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

husbands' homes. According to the Food and Agriculture Organization, sons and daughters have equal rights to inheritance in the Northern part of the country, where lineage is traced through both the mother and the father. However, in practice, women's land rights are often ignored...Both women and men may initiate divorce in Ethiopia. In early 2001, the federal government enacted a new Family Code based on the principle of gender equality. However, because the Constitution gives full sovereignty to most regions, to ensure widespread effectiveness of the Family Code, all regions also had to subsequently pass similar legislation. According to its latest report to the United Nations Committee on the Elimination of Discrimination against Women (CEDAW), all regions in Ethiopia now have Family Codes that guarantee women's equality in marriage and family relations.'<sup>75</sup>

[Back to Contents](#)

## 17.2 Employment rights

17.2.1 The USSD 'Country Report on Human Rights Practices for 2016' noted: 'In urban areas women had fewer employment opportunities than men did, and the jobs available did not generally provide equal pay for equal work. Women's access to gainful employment, credit, and the opportunity to own or manage a business was limited by their generally lower level of education and training and by traditional attitudes.'<sup>76</sup>

17.2.2 For more information on state and societal treatment of women and women NGOs, see:

- Womankind, Focus country: Ethiopia, undated, <https://www.womankind.org.uk/where-we-work/ethiopia>
- SABC News, 'Ethiopian women face new threat of human trafficking', 24 November 2016, <http://www.sabc.co.za/news/a/854ea9004f14fb0d90a3d6308f0999f8/Ethiopian-women-face-new-threat-of-human-trafficking-20162411>
- UN Women, 'Survivors of violence find hope in shelters in Ethiopia', 28 November 2016, <http://www.unwomen.org/en/news/stories/2016/11/survivors-of-violence-find-hope-in-shelters-in-ethiopia>
- 'The Guardian', 'Ethiopia's women vow to turn tide of violence, rape and murder', 27 January 2015, <https://www.theguardian.com/global-development/2015/jan/27/ethiopia-women-violence-rape-murder>
- 'The Guardian', 'Kidnapped, raped and left for dead: who will protect Ethiopia's girls?', 11 December 2014, <https://www.theguardian.com/global-development-professionals-network/2014/dec/11/violence-ethiopia-girls-justice-for-hanna>

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<sup>75</sup> Social Institutions and Gender Index, 'Ethiopia Country Profile', undated, <http://www.genderindex.org/country/ethiopia>. Accessed: 3 July 2017

<sup>76</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

- United States State Department, 'Country Reports on Human Rights Practices for 2016', Ethiopia, section 6, 3 March 2017, <https://www.state.gov/documents/organization/265466.pdf>
- Social Institutions and Gender Index, 'Ethiopia Country Profile', undated, <http://www.genderindex.org/country/ethiopia>.

[Back to Contents](#)

## 18. Children

### 18.1 Early marriage

18.1.1 The DFAT September 2017 Country Information Report on Ethiopia stated:

'Early marriage and marriage by abduction are prevalent across Ethiopia, with girls sometimes married by the age of seven. The legal age for marriage is 18, but this law is inconsistently applied. The incidence of child marriage has reportedly declined in recent years, but remains highly prevalent. Early marriage also leads to early child-bearing, with associated health impacts on mothers whose own bodies may still be developing. Girls generally leave school on marriage, so early marriage also affects female education outcomes.'<sup>77</sup>

18.1.2 The USSD 'Country Report on Human Rights Practices for 2016' noted:

'The law sets the legal marriage age for girls and boys at 18; however, authorities did not enforce this law uniformly, and rural families sometimes were unaware of this provision. In several regions it was customary for older men to marry girls, although this traditional practice continued to face greater scrutiny and criticism. The government strategy to address underage marriage focused on education and mediation rather than punishment of offenders.'<sup>78</sup>

[Back to Contents](#)

### 18.2 Education

18.2.1 The USSD 'Country Report on Human Rights Practices for 2016' noted:

'The law does not make education compulsory. As a policy primary education was 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. The number of students enrolled in schools expanded faster than trained teachers could be deployed. The net primary school enrollment rate was 90 percent of boys and 84 percent of girls.'<sup>79</sup>

[Back to Contents](#)

<sup>77</sup> DFAT, 'Country Information Report - Ethiopia', 28 September 2017, page 22, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>.

Accessed: 17 October 2017

<sup>78</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

<sup>79</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

## 18.3 Child abuse

18.3.1 The USSD 'Country Report on Human Rights Practices for 2016' noted:

'Child abuse was widespread. Uvula cutting, tonsil scraping, and milk tooth extraction were amongst 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 sexual violence against children. "Child friendly" benches heard cases involving violence against children and women. There was a commissioner for women and children's affairs in the EHRC.'

[Back to Contents](#)

## 18.4 Female genital mutilation (FGM)

18.4.1 The USSD 'Country Report on Human Rights Practices for 2016' noted:

'FGM/C is illegal, but the government did not actively enforce this prohibition or punish those who practiced it. According to the UN Children's Fund (UNICEF), 74 percent of women and girls had undergone FGM/C. The penal code criminalizes the practice of clitoridectomy, with sentences of imprisonment of at least three months or a fine of at least 500 birr (\$22). Infibulation of the genitals is punishable by five to 10 years' imprisonment. No criminal charges, however, have ever been filed for FGM/C...The age at which FGM/C is performed depends on the ethnic group, type of FGM/C performed, and region. In the north FGM/C tended to be performed immediately after birth; in the south, where FGM/C is more closely associated with marriage, it was performed later. Girls typically had clitoridectomies performed on them seven days after birth (consisting of an excision of the clitoris, often with partial labial excision) and infibulation (the most extreme and dangerous form of FGM/C) at the onset of puberty. The government's strategy was to discourage the practice through education in public schools, the Health Extension Program, and broader mass media campaigns rather than to prosecute offenders.'

18.4.2 The DFAT September 2017 Country Information Report on Ethiopia stated:

'FGM is illegal under the criminal code, and is punishable by up to ten years' imprisonment, but these laws are rarely enforced. DFAT is not aware of any criminal charges laid for practising FGM, and the practice remains highly prevalent. Rather than taking a law and order approach to the problem, the government is reportedly attempting to change cultural and societal attitudes to FGM by working with communities, including schools and religious institutions. While rates of FGM in Ethiopia remain high, there is some evidence they are declining.'

[Back to Contents](#)

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<sup>80</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

<sup>81</sup> USSD, 'Country Report on Human Rights Practices for 2016', 3 March 2017, Ethiopia, section 6, <https://www.state.gov/documents/organization/265466.pdf>. Accessed: 3 July 2017

<sup>82</sup> DFAT, 'Country Information Report - Ethiopia', 28 September 2017, pages 21-22, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed: 17 October 2017



# Version control and contacts

## Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then email the [Country Policy and Information Team](#).

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability, you can email the [Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **23 October 2017**

## Changes from last version of this note

First version of background document.

[Back to Contents](#)