

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report –

Universal Periodic Review:

ETHIOPIA

I. BACKGROUND INFORMATION AND CURRENT SITUATION

Ethiopia is a State Party to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* (hereafter jointly referred to as the *1951 Convention*), as well as to the *1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*. Refugee protection is provided within a framework of national laws, notably the Refugee Proclamation of 2004, and the core international human rights treaties that have been ratified by Ethiopia.

For many years, Ethiopia has been one of the most stable countries in the East and Horn of Africa, playing an important leadership role in the region and throughout the continent. With the presence of the African Union (AU), the UN Economic Commission for Africa and several other international organizations Ethiopia is an important diplomatic and political hub. Ethiopia is undertaking visible efforts to address the social, political and economic challenges the country faces. Ethiopia continues to play a strategic role in maintaining peace and security in the Horn of Africa and has worked closely with its neighbours in the search for peaceful resolution of conflicts in the region, mainly in Somalia and South Sudan/Sudan.

In 2009, following the voluntary repatriation of South Sudanese refugees, Ethiopia hosted around 90,000 refugees. In 2010 and 2011, with the influx of refugees from Somalia, Sudan and later from South Sudan the number of refugees in Ethiopia increased dramatically. Ethiopia is now the country with the second largest refugee population in Africa. Refugees are sheltered in 25 locations across 8 regions of the country. In light of the continued instability and political turmoil in the region, it is likely that Ethiopia will remain a major refugee receiving country.

II. ACHIEVEMENTS AND BEST PRACTICES

1. Pledges made during the December 2011 Ministerial Event

Ethiopia made several pledges during the Ministerial Intergovernmental Event on Refugees and Stateless Persons held in Geneva in December 2011 committing itself to: maintain its open-door asylum policy to refugees seeking protection and assistance in its territory; continue its close cooperation with UNHCR and with the international community in finding durable solutions to the emerging refugee and displacement problems; continue the faithful implementation of the

1951 Convention and contributing to global efforts to this end; and continue scrupulously enforcing the national Refugee Proclamation as the necessary domestic framework.¹

2. Protection and assistance of refugees

Nearly all refugees entering Ethiopia are granted asylum on a *prima facie* basis. The applications lodged by asylum-seekers from countries for which individual refugee status determination (RSD) is carried out have a nearly 100% acceptance rate. UNHCR strongly appreciates the generosity of the Government of Ethiopia for hosting large numbers of refugees, for keeping its borders open for those in need of international protection and for respecting the principle of *non-refoulement*. UNHCR enjoys access to refugee camps, detention centres, airports and other border points. UNHCR is also entitled to observe the processing of individual asylum applications.

As of 2 July 2013, WFP launched a pilot project for cash and voucher assistance in the Shedder refugee camp in Jijiga covering the period from July to December 2013. The programme entails, in addition to a food basket a grant of 100 BIR per refugee. The cash voucher approach is new to the operation, and is meant to substitute a portion of food from the basket, to strengthen the purchasing power and freedom of choice of refugees. The programme has received acceptance by the Somali refugee community. UNHCR praises the Government for its support of this innovative and creative pilot project, as a way of meeting the basic needs of the refugee community. UNHCR encourages the Government of Ethiopia to consider expanding this initiative to other refugee operations in Ethiopia.

3. Access to Education

Notwithstanding reservations to the 1951 Convention on the right to education, UNHCR welcomes the Government of Ethiopia for its commitment to refugee education and its generous program for access to university- level studies. The Government generously provides refugees access to universities on financial terms on par with Ethiopian nationals. The Government pays 75% of university costs, with UNHCR pays the remaining 25%. The program began with Eritrean refugees and expanded last year to include other refugee nationalities. In mid-2013, some 89 refugee university students graduated from various universities, out of a group of a total of 1,284 students.

III. KEY PROTECTION ISSUES AND RECOMMENDATIONS

Issue 1: Situation of persons with specific protection needs

UNHCR provides specific services and protection to refugee women and children, based on developed strategies and Standard Operating Procedures (SOPs). Particular attention is paid to unaccompanied minors/separated children (UAM/SC) and single female headed households. SGBV guidelines and policies have been developed, in coordination with the Government of Ethiopia, and shared with partners, while training and capacity building are integrated in the refugee programmes.

¹ See: UN High Commissioner for Refugees, *Ministerial Intergovernmental Event on Refugees and Stateless Persons - Pledges 2011*, October 2012, page 70, available at: <http://www.unhcr.org/refworld/docid/50aca6112.html>

A particular concern has been the continuous high arrivals of Eritrean unaccompanied minors in the northern refugee camps in Tigray Region (800-1000 UASC/month). There are currently 1000 children (ages 9-17) in “group care”, some 300 in kinship care or independent living, and over 300 in temporary accommodations at the main reception centre. The needs of these children far outstrip available resources and durable solutions are difficult to achieve.

Under the auspices of UNHCR, a three-year regional project on Child Protection was developed to address the needs of unaccompanied refugee children in Ethiopia, Sudan, Egypt and Yemen. The project involves support for the establishment of appropriate care arrangements, increased opportunities for education and livelihoods, greater access to family reunification and improvement of basic services. At the beginning of 2013, and with the participation of key partners UNHCR established a multi-agency Task Force on Eritrean unaccompanied minors and separated children in the Shire camps (Tigray region) to ensure a joint, coordinated response to this urgent protection situation. The Government of Ethiopia, through the Administration for Refugee and Returnee Affairs (ARRA), participates in the Task Force.

While UNHCR notes with appreciation the work being done by Ethiopia, it remains concerned about the situation of vulnerable refugees in Ethiopia, in particular Eritrean UASCs in the north. UNHCR is also concerned about the situation of female refugees who are the victims of SGBV and harmful traditional practices (e.g. FGM).

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Continue to work closely with UNHCR and partners in improving conditions for Eritrean UASCs and promote durable solutions for them;
- Continue to ensure access of SGBV survivors to effective services and legal remedies (mobile courts, legal assistance).

Issue 2: Internally Displaced Persons (IDPs)

The magnitude of the IDP population in Ethiopia remains largely unknown, but is presumed to be relatively large resulting from natural disasters, public projects, inter-ethnic conflict and clashes between the military and liberation groups particularly in the Somali regional state.

Ethiopia is a signatory to the *2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention)*, but has not yet ratified the Convention. In its advocacy role, UNHCR conducted two trainings in 2012 and 2013 on the IDP Kampala Convention to strengthen capacity building and knowledge on the protection concepts of IDPs. The lack of a government counterpart and a national strategic framework for IDPs hampers targeted protection interventions and well-tailored technical support. UNHCR continues to play mainly an advocacy role in the protection of IDPs in Ethiopia through leadership in the Protection Cluster. The Human Rights Committee recommended the Government of Ethiopia to consider ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons (2009).²

²Human Rights Committee (HRC), concluding observations on Ethiopia, 102nd session, 19 August 2011, CCPR/C/ETH/CO/1, paragraph 14. The Committee also recommended Ethiopia to (a) increase protection for displaced persons; (b) formulate and adopt a legal framework and a national strategy covering all phases of

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Ratifies the *Kampala Convention* and ensures its domestication;
- Develop a strategy and national plan of action on internal displacement with the technical support of international and national partners; and
- Identify an entity within the government administration to be mandated to deal with the protection and assistance of IDPs.

Issue 3: Right to Education

Although refugees have access to education in camps and through the urban programme, this access is often limited, especially at the secondary level, due to lack of resources. The Government of Ethiopia (ARRA) manages the primary level education programme in most refugee camps. Whereas there is increased coordination between ARRA and the Ministry of Education, cooperation needs to improve further.

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Cooperates closely with UNHCR and partners to increase enrolment of primary and secondary level education in the refugee camps;
- Continue to increase the coordination between ARRA and the Ministry of Education in order to attain coherent and quality education and continue efforts in achieving this end.

Issue 4: Out of camp policy

Until 2009, Ethiopia enforced a strict policy of encampment for all refugees with the exceptions of those who demonstrated reasons for staying out of camps, such as on medical, protection and humanitarian grounds. Freedom of movement from the camps is subject to the grant of exit permits, issued by government officials in the camp. Since 2009, Ethiopia introduced a new policy known as the “Out of Camp Policy” which mainly Eritrean refugees and refugee university students are benefit from.

Ethiopia has also adopted an urban policy for vulnerable refugees, in order to respond to their specific protection and/or medical needs that cannot be properly addressed in a camp setting. Under the Out of Camp programme, refugees who have stayed for 6 months in a camp, can demonstrate they can live without assistance from GOE and UNHCR and have no criminal record, are allowed to leave the camps, and reside elsewhere in the country.

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Continue to allow refugees to move from refugee camps to urban or other areas when needed;
- Further expand the Out of Camp Policy to include refugees of all nationalities and ensure equal access to this beneficial programme.

displacement; (c) create conditions that offer lasting solutions to displaced persons, including their voluntary and safe return.

Issue 5: Durable Solutions and access to livelihoods

With the absence of local integration prospects or voluntary repatriation in the foreseeable future, resettlement is used by UNHCR in a strategic manner and as a tool for protection. Local integration prospects are very limited due to the reservations made by the Government of Ethiopia to the 1951 Convention with respect to employment. While many refugees work informally (in camps or urban setting), access to the formal employment market is prohibited. In 2012, 2,300 refugees were submitted for resettlement from the Ethiopia operation.

The Ethiopian Proclamation on Ethiopian Nationality (Proclamation No. 378/2003) allows for the naturalization of any “foreigner” (non-Ethiopian) married to an Ethiopian national, with certain conditions attached (renunciation of current nationality, residence in Ethiopia for one year, etc.). UNHCR has sought to pursue the naturalization of refugees married to Ethiopian nationals, with limited success to date.

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Lift the reservations made to Articles 17-19 (the right to wage-earning, self-employment and liberal professions) of the the *1951 Convention* and allows refugees to have access to the labour market and become self-sufficient;
- Facilitate the naturalization of refugees married to Ethiopian nationals in accordance with the Proclamation on Ethiopian Nationality, if married to an Ethiopia national and otherwise fulfilling the criteria set out in the relevant provisions.

Issue 6: Human Trafficking and Smuggling

Human trafficking and smuggling of people is a phenomenon affecting significant numbers of members of communities in Ethiopia. Refugees and asylum-seekers are particularly at risk of falling victim to trafficking or smuggling due to the vulnerable and volatile situations they often face. The social situation of asylum-seekers and refugees and the absence of special programs to facilitate their local integration in the country make refugees, particularly refugee women, especially vulnerable to human trafficking for sexual exploitation.

A National Council on Human Trafficking, chaired by the Deputy Prime Minister was established in 2012 to respond to the situation of human trafficking and smuggling. The Council is developing a national strategy on the issue, but this has not yet been shared with UN/NGO partners. The Committee on Economic, Social and Cultural Rights had expressed concerns that despite concerted efforts by the State party to address internal trafficking and sexual exploitation of children, the problem remains widely prevalent.³ UNHCR notes with appreciation significant efforts made by Ethiopia to combat and prevent trafficking and smuggling and remains concerned about the risk of refugees and asylum-seekers to become victim of trafficking. While the focus of the National Council is on the trafficking and smuggling of Ethiopian nationals, UNHCR encourages the Government to ensure coordination of efforts addressing trafficking of refugees as well.

Recommendations:

³Committee on Economic, Social and Cultural Rights, 48th session, 31 May 2012, Concluding Observations on Ethiopia, paragraph 16.

UNHCR recommends that the Government of Ethiopia:

- Develop a legal framework to address the problem of trafficking in persons;
- Further strengthen the cooperation with the UN and NGO community in Ethiopia to respond more effectively to the situation of smuggling and trafficking;
- Provide protection for victims of trafficking and ensure their access to medical, social, rehabilitative and legal services, including counselling services; and
- Develop a standard operating procedure for the identification of victims of trafficking and those who may be in need of international protection.

Issue 7: Registration and issuance of birth certificates

All refugees are registered in Ethiopia on an individual basis, both by the Government and UNHCR. The Government of Ethiopia commenced the issuance of ID cards to refugees in early 2012, which stands at present around 40.000 individuals.

Ethiopia has a very low rate for issuance of birth certificates to Ethiopian nationals.⁴ As a general matter, birth certificates are not issued to refugee new-borns, rather birth notifications are provided by ARRA or the health facility. While useful, these notifications do not carry the same legal weight as birth certificates.

Birth registration can contribute to the realization of the right of every child to a nationality. Birth registration helps to prevent statelessness by establishing a legal record of where a child was born and who his or her parents are. As such it serves as important documentary proof to acquire the parents' nationality or the nationality of the State in which the child is born. It also provides children with a degree of protection against child labour, illegal adoption, early marriage, sexual exploitation, and trafficking.⁵ In 2012, the Human Rights Council adopted a resolution on birth registration and the right of everyone to recognition everywhere as a person before the law, calling upon "*State to ensure free birth registration, including free or low-free late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures without discrimination of any kind.*"⁶

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Continue providing ID cards to all refugees in the country, across all operations;
- Pursue efforts aiming at strengthening the national registration system, including the birth registration of refugees;
- Ensure the issuance of birth certificates to refugees, and not just birth notifications, as part of the overall efforts to strengthen civil registration systems in the country.

⁴ According to reports, only 4% of the population has been registered.

⁵ UN High Commissioner for Refugees, *Birth Registration: A Topic Proposed for an Executive Committee Conclusion on International Protection*, 9 February 2010, EC/61/SC/CRP.5, para. 2, available at: <http://www.unhcr.org/refworld/docid/4b97a3242.html>.

⁶ UN Human Rights Council Resolution A/HRC/RES/19/9, 3 April 2012, available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/19/9. The Human Rights Council adopted another resolution on this issue at its 22nd session in March 2013; UN Human Rights Council Resolution A/HRC/RES/22/1.14/Rev.1, 19 March 2013, available at: <http://daccess-dds-ny.un.org/doc/RESOLUTION/LTD/G13/123/89/PDF/G1312389.pdf?OpenElement>

Issue 8: Prevention and reduction of statelessness

Ethiopia is not a State party to the *1954 Convention relating to the Status of Stateless Persons* or the *1961 Convention on the Reduction of Statelessness*. Accession to the Statelessness Conventions would establish a framework to prevent and reduce statelessness and avoid the detrimental effects of statelessness on individuals and society by ensuring minimum standards of treatment for stateless persons.

The *1954 Convention relating to the Status of Stateless Persons* ensures minimum standards of treatment for stateless persons in respect to a number of fundamental rights. These include, but are not limited to, the right to education, employment, housing and public relief. Importantly, the 1954 Convention also guarantees stateless persons a right to identity and travel documents and to administrative assistance.

The *1961 Convention on the Reduction of Statelessness* establishes an international framework to ensure the right of every person to a nationality by establishing safeguards to prevent statelessness at birth and later in life. This treaty is therefore complementary to standards contained in other human rights treaties that address the right to a nationality. An increase in the number of State parties to the two Statelessness Conventions is essential to strengthening international efforts to prevent and reduce statelessness and ensuring full enjoyment of a number of these rights.

The Committee against Torture and the Human Rights Committee also recommended the Government of Ethiopia to become a party to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness.⁷

In 2009, UNHCR commissioned a study about statelessness, through the University of Addis Ababa, to obtain a better understanding on the dimensions of statelessness in Ethiopia. Although the study did not yield conclusive findings on stateless populations in the country, it served to trigger an initial discussion on the issue of statelessness with the Government and other partners.

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- Accede to the *1954 Convention relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness*;
- Design strategies and adopt national plan of actions to identify and reduce statelessness in Ethiopia; and
- Establish mechanisms at national and regional levels to capture data about stateless individuals.

Human Rights Liaison Unit
Division of International Protection
UNHCR
September 2013

⁷ See the concluding observations of the Committee against Torture, CAT/C/ETH/CO/1, 45th Session, 20 January 2011, paragraph 19; and the Human Rights Committee concluding observations CCPR/C/ETH/CO/.1, 102nd session, 19 August 2011, paragraph 13.

ANNEX

Excerpts of Concluding Observations and Recommendations from UN Treaty Bodies and Special Procedures Reports

- Universal Periodic Review -

Ethiopia

We would like to bring your attention to the following excerpts from UN Treaty Monitoring Bodies' Concluding Observations and Recommendations and from UN Special Procedures mandate holders' reports relating to issues of interest and persons of concern to UNHCR with regards to the Ethiopia.

I. Excerpts from UN Treaty Monitoring Bodies

Committee on Economic, Social and Cultural Rights

E/C.12/ETH/CO/1-3, 48th Session

31 May 2012

Positive Aspects

4. The Committee notes with appreciation efforts made by the State party in promoting the implementation of economic, social and cultural rights. The Committee welcomes in particular:

(d) The definition of trafficking in persons as a crime under the Criminal Code.

Trafficking

16. The Committee is concerned that despite concerted efforts by the State party to address internal trafficking and sexual exploitation of children, the problem remains widely prevalent (art.10).

16. The Committee recommends that the State party intensify its efforts to prevent and combat the trafficking and sexual exploitation of children, including through the adoption of a new national plan of action to combat the problem.

Resettlement

21. The Committee is concerned about reports that the Voluntary Resettlement Program, as described in the State party report, entails the forced eviction of thousands of people in various regions of the State party, who are relocated to villages that lack basic infrastructure, such as health clinics, clean water supplies and schools, as well as agricultural assistance or food assistance (art.11).

21. The Committee urges the State party to ensure that the relocation of people is done on a voluntary basis, following prior consultation, to provide adequate compensation or alternative accommodation to those people that have been forcibly evicted, and to guarantee that people living in relocation sites are provided with basic services (including drinking water, electricity, and washing, sanitation and transportation facilities) and adequate facilities (including schools and health-care centres). The Committee draws the State party's attention to its general comments No. 4 (1991) on the right to adequate housing and No.7 (1997) on forced evictions.

Access to safe drinking water

23. The Committee is concerned that a large percentage of households in rural areas as well as people living in refugee camps do not have ready access to safe drinking water and sanitation, with over half of the households having to make a long journey to fetch drinking water (art.11).

23. The Committee recommends that the State party take steps to improve the accessibility to safe drinking water and sanitation, in particular in rural areas as well as in refugee camps.

Education

26. The Committee is concerned that primary education is neither free nor compulsory, notwithstanding the efforts made by the State party to this end. It is also concerned about low primary school enrolment and attendance rates, including for refugee children, high dropout rates, the gender gap in enrolment, the insufficient number of trained teachers, and the poor quality of education. The Committee also notes with concern that the literacy rates in rural areas, in particular among women and girls, remain low (arts.13 and 14).

26. The Committee recommends that the State party strengthen its efforts and take urgent measures to ensure that primary education is free and compulsory for all children, in line with articles 13 and 14 of the Covenant, and that the age of completion of compulsory schooling is set at 14 years. It recommends that the State party take urgent steps to increase primary school enrolment and attendance rates, including for children with disabilities, decrease the high dropout rate, and address indirect and hidden costs of school education, and the gender gap in enrolment rates. It also recommends that the State party take measures to train more teachers, especially female, and further increase the number of school facilities, in particular in rural areas. The Committee furthermore recommends that the State party take steps to increase the literacy rate in rural areas, in particular of women and girls.

Human Rights Committee

CCPR/C/ETH/CO/1, 102nd session,
19 August 2011

8. The Committee is concerned that marital rape is not criminalized in the revised Criminal Code (arts. 2, 3 and 26).

The State party should criminalize marital rape. It should vigorously prosecute and punish such acts, and provide the police with clear guidelines, together with awareness-raising and other training.

10. While noting the recent decrease in the number of cases of female genital mutilation and other harmful traditional practices, as indicated in the State Party's report, the Committee notes with regret that such practices continue. The Committee regrets the discrepancy in the statistics related to these practices presented by different sources, which makes it difficult for the Committee to have a clear picture of the situation in the country. The Committee also regrets the lack of information on possible cases of prosecution of perpetrators (arts. 2, 3, 7 and 26).

The State party should further enhance its efforts to prevent and eradicate harmful traditional practices including female genital mutilation and strengthen its awareness-raising and education programmes in that regard, in particular in those communities where the practice remains widespread. It should ensure that perpetrators are brought to justice and present data on this matter in its next report.

11. While the Committee acknowledges the efforts of the State party to address and combat trafficking in women and children, the Committee remains concerned about the prevalence of this phenomenon in Ethiopia, about the lack of information on the investigation and prosecution of trafficking cases and the protection of the rights of victims (arts. 3, 8, 24 and 26).

The State party should reinforce its measures to combat trafficking in women and children and prosecute and punish perpetrators. The State party should collect and submit data in this regard in its next periodic report. The State party should also put in place strong programmes to support the human rights of the victims.

13. While the Committee welcomes the development since August 2010 of the out-of-camp policy for Eritrean refugees and is conscious of the increasingly large refugee population within its borders, it is concerned by the difficulties other refugees experience, which are preventing any long term solution for them, beside resettlement (arts. 2 and 26).

The State party should strive to promote the integration of asylum seekers and refugees, including by extending the out of camp policy to the extent possible. The Committee invites the State party to ratify the Convention relating to the Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961).

14. The Committee notes with concern that there is no comprehensive mechanism established by the State Party to address the protection needs of internally displaced persons, and in particular for those who are displaced as a result of conflict (arts. 2, 3, 12 and 24).

The State party should, in accordance with international standards on the subject, including the Guiding Principles on Internal Displacement, take measures to: (a) increase protection for displaced persons; (b) formulate and adopt a legal framework and a national strategy covering all phases of displacement; (d) create conditions that offer lasting solutions to displaced persons, including their voluntary and safe return. The Committee invites the State party to consider ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons (2009).

Committee on the Elimination of Discrimination against Women

CEDAW/C/ETH/CO/6-7, 49th Session

27 July 2011

Trafficking and exploitation of prostitution

24. While noting that the State party has taken measures to combat trafficking in human beings, in particular women and girls, by criminalizing it, raising awareness, training law enforcement officials, creating a special prosecution unit, and concluding agreements with neighbouring countries, the Committee is concerned about the lack of data and the low prosecution and conviction rates in relation to, in particular, internal trafficking of women and children for forced labour and sexual exploitation, the limited measures to address poverty as the root cause of

trafficking, the lack of victim assistance, and the lack of protection of refugee and internally displaced women and children vulnerable to become victims of trafficking.

25. The Committee recommends that the State party:

- (a) Adopt a national plan of action to combat trafficking in human beings, in particular women and girls, including refugees and IDPs;**
- (b) Continue raising awareness about human trafficking and training law enforcement officials on the strict application of relevant criminal law provisions;**
- (c) Address the root causes of trafficking by further enhancing the economic potential of women, including by expanding the Ethiopian Women's Development Fund to cover more Regional States and beneficiaries and by further enhancing women's access to land;**
- (d) Establish appropriate mechanisms aimed at early identification, referral, assistance and support for victims of trafficking, including refugee and internally displaced women and girls; and**
- (e) Collect disaggregated data on the number of complaints, investigations, prosecutions and sentences in relation to trafficking and include such data in its next periodic report.**

Disadvantaged groups of women

38. The Committee is concerned about the lack of disaggregated data on the situation of women who are reportedly among the most vulnerable and neglected groups of women in the State party and typically face multiple forms of discrimination, such as older women, women with disabilities, pastoralist women, and refugee and internally displaced women.

39. The Committee recommends that the State party:

- (a) Collect disaggregated data on the situation of women facing multiple forms of discrimination, such as older women, women with disabilities, pastoralist women, and refugee and internally displaced women, and include such information in its next periodic report;**
- (b) Adopt measures, including temporary special measures within the meaning of article 4, paragraph 1, of the Convention, to eliminate any such discrimination, ensure equal rights and opportunities for those women, including, as applicable, in political, public, social and economic life and in the areas of education, employment and health, and protect them from violence, abuse and exploitation.**
- (c) Adopt targeted policies to protect and integrate those women into society such as, for example, a national IDP policy and policies for the local integration of refugees.**

Committee against Torture

CAT/C/ETH/CO/1, 45th Session

20 January 2011

Refugees and asylum-seekers

19. While acknowledging the State party's generous policy to admit and grant permission to stay to a significant number of nationals from Eritrea, Somalia and Sudan, the Committee notes with concern that decisions taken by the National Intelligence and Security Service (NISS) denying refugee status or ordering deportation can only be appealed to the Grievance Hearing Committee or the Appeal Hearing Council, respectively, both of which are composed of representatives of various Government departments. The Committee also notes with concern that the State party

has not acceded to the Convention relating to the Status of Stateless Persons or to the Convention on the Reduction of Statelessness (arts. 2, 3, 11 and 16).

19. The State party should ensure that foreign nationals whose refugee or asylum applications have been rejected by the National Intelligence and Security Service (NISS) can appeal such decisions and deportation orders against them to court. The Committee recommends that the State party consider becoming a party to the Convention relating to the Status of Stateless Persons and to the Convention on the Reduction of Statelessness.

Human trafficking

33. The Committee expresses concern about the low prosecution and conviction rates in relation to child abduction and human trafficking, in particular internal trafficking of women and children for forced labour and sexual and other forms of exploitation. It is also concerned at the general lack of information on the extent of trafficking in the State party, including the number of complaints, investigations, prosecutions and convictions of perpetrators of trafficking, and on the practical measures taken to prevent and combat human trafficking (arts. 1, 2, 12 and 16).

33. The State party should increase its efforts to prevent and combat, in particular, child abduction and internal trafficking of women and children and provide protection for victims and ensure their access to legal, medical, psychological and rehabilitative services. In this regard, the Committee recommends that the State party adopt a comprehensive strategy to combat trafficking in human beings and its causes. The State party should also investigate all allegations of trafficking, and ensure that perpetrators are prosecuted and punished with penalties appropriate to the nature of their crimes. The State party is requested to provide information on measures taken to provide assistance to victims of trafficking and statistical data on the number of complaints, investigations, prosecutions and sentences in relation to trafficking.

Data collection

35. The Committee regrets the absence of comprehensive and disaggregated data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment by law enforcement, security, military and prison personnel, and extrajudicial killings, enforced disappearances, trafficking and domestic and sexual violence (arts. 12 and 13).

35. The State party should compile statistical data relevant to the monitoring of the implementation of the Convention at the national level, including data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment, extrajudicial killings, enforced disappearances, trafficking and domestic and sexual violence, and on means of redress, including compensation and rehabilitation, provided to the victims. The State party should include such data in its next periodic report.

Committee on the Elimination of Racial Discrimination

CERD/C/ETH/CO/7-16, 75th Session

7 September 2009

Factors and difficulties impeding the implementation of the Convention

4. The Committee notes that the State party has faced several challenges in recent years, including serious economic hardship, famine, internal unrest and conflicts with neighbouring states, which have resulted in a very large number of internally displaced persons and refugees.

Positive aspects

5. The Committee acknowledges with appreciation that the State party continues to host a large number of refugees from countries within the region, including Sudan, Kenya and Somalia.

Refugees

18. While taking note of the State party's information that it has enacted legislation to ensure the protection of refugees, the Committee is concerned at the lack of detailed information on the extent to which refugees enjoy the rights set out in article 5 of the Convention. Similarly, the State party has provided insufficient information on the human rights situation of the internally displaced persons scattered in many parts of the country. (art. 5)

18. The Committee recommends that the State party ensure that refugees and other vulnerable persons, such as internally displaced persons, enjoy their rights under national law as well as the various international legal instruments to which it is a party. Furthermore, the State party is requested to provide, in its next periodic report, detailed information on the human rights situation of refugees and internally displaced persons on its territory, particularly in relation to article 5 of the Convention.

II. Excerpts from UN Special Procedures mandate holders' reports

General Assembly: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns

A/HRC/23/47/Add.5

27 May 2013

Ethiopia

JUA 22/05/2012 Case No. ETH 3/2012

Alleged incidents of violence, including against members of the Anywa community and the deteriorating security situation in the Gambella region following involuntary displacement of communities from the region.

Character of reply: no response

General Assembly: Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya

A/HRC/21/47/Add.4, 21st Session

7 September 2012

12. Case no. ETH 3/2012. The situation of alleged incidents of violence against members of the Anywa community and involuntary displacement of indigenous communities in the Gambella region

- Joint urgent appeal: JUA 22/05/2012
- State reply: None to date

Observations

44. In the urgent appeal, the Special Rapporteur brought to the attention of the Government information regarding a series of violent incidents in the Gambella region triggered by the forced displacement of the minority/indigenous people of the region from their traditional territories in order to make way for agro business enterprises supported by the Government.

45. The letter was sent jointly with the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Chair-Rapporteur of the Working Group on Arbitrary Detention; the Independent Expert on minority issues; and the Special Rapporteur on extrajudicial, summary or arbitrary executions. The communication it followed-up on a letter previously sent jointly with the Independent Expert on minority issues on 13 May 2011 (A/HRC/18/51) regarding the Anywa community and other ethno-linguistic communities in the Gambella region and their alleged involuntary displacement from their land, to which no reply had been received from the Government.

46. The Special Rapporteur regrets that there is no response to the joint communications sent on 22 May 2012 in the files of the Office of the High Commissioner for Human Rights. The Special Rapporteur will continue to monitor this situation may issue observations in the future.