

ANNEX: COMMENTARY ON THE ETHIOPIAN STATE OF EMERGENCY

EXECUTIVE SUMMARY

Six months after the end of the State of Emergency Proclamation (2016) that had been in force for 10 months, the Council of Ministers of the Federal Democratic Republic of Ethiopia declared another state of emergency on 16 February 2018. The latest State of Emergency Proclamation (Proclamation), if adopted by the country's federal parliament- House of Peoples Representatives (HPR), will remain in force for six months commencing from 16 February 2018.

This is a commentary on the Proclamation and Directive No 1 on the State of Emergency Proclamation (Directive) issued on 21 February 2018 by the State of Emergency Command Post (Command Post), the body established under the Proclamation. The commentary analyses the Proclamation and its enforcement Directive against established human rights standards, norms and principles emanating from customary international norms and treaties Ethiopia has ratified, including the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights (African Charter). These norms include requirement of notification to the United Nations Secretary General; respecting and protecting non-derogable rights and respecting principles of legality, necessity and proportionality with regard to restrictions imposed under the state of emergency.

Amnesty International's analysis reveals that some of the measures and restrictions introduced under the Proclamation and the Directive fail to comply with these international and regional human rights norms. Moreover, the UN Secretary-General has not yet received a notification from the Ethiopian government on the provisions of the ICCPR that Ethiopia is derogating from, the exigencies that required the state of emergency, and the measures and restrictions imposed under the Proclamation. The Proclamation also breached the principle of legality since the Ethiopian government not only failed to make publicly available the official text of Proclamation in an accessible form, but also because the measures and restrictions it imposes lack sufficient clarity and precision.

In addition, some of the measures and restrictions in the Directive, including provisions related to the powers of the Command post to detain people without judicial authorisation and subject them to an undefined "rehabilitative education" appear to violate, directly or indirectly, non-derogable rights such as freedom from torture and other ill-treatment.¹

The geographic expanse of the Proclamation, covering as it does the whole country, breaches the requirement that restrictions under a state of emergency shall be only what is necessary and proportionate to the exigencies that required the state of emergency.

Finally, this commentary proposes recommendations for the government of Ethiopia and the HPR to address the inconsistencies of the Proclamation and the Directive on the state of emergency with international and regional human rights treaties. These include revision of the provisions of the

¹ Directive No 1 on State of Emergency Proclamation, Article 27(1)

Proclamation and Directive to ensure they comply with Ethiopia's international and regional human rights obligations regarding notification, legality, and necessity and proportionality and do not violate non-derogable rights.

BACKGROUND

1. MASS PROTESTS

The genesis of the current human rights crisis goes back to October 2015, when mass protests broke out in Oromia Regional State (Oromia). The protests in Oromia were followed by protests in the Amhara Regional State in July 2016. The Konso community in Southern Nations' Nationalities and Peoples Region (SNNPR) also protested demanding respect for their right to self-determination in August and September 2016. Security forces responded to the protests with the use of excessive force against protesters despite the largely peaceful nature of the protests.

By the time the government declared a state of emergency on 9 October 2016, at least 800 protestors had been killed by security forces and hundreds including prominent politicians, human rights defenders and activists arrested and charged under the draconian Anti-Terrorism Proclamation (ATP).² The government lifted the state of emergency in August 2017. During this 10-month period of state of emergency, Amnesty International documented widespread human rights violations, including torture and other ill-treatment, arbitrary arrests and detentions as well as patterns of denial of access to justice.

Renewed protests flared up in many parts of Oromia within two weeks after the end of the first state of emergency period. By January 2018, the protests had spread to other regions, Oromia and Amhara Regional States of Ethiopia. At least seven people were killed in Woldiya town, Amhara Regional State when security forces opened fire on worshippers attending the annual Epiphany holiday on 20 January 2018. The following days, residents of Woldiya town protested the killings and demanded the army to withdraw from the town. During the same week, residents of nearby towns of Kobo (50 Km from Woldiya) and Mersa (both in Amhara Regional State) also joined these protests against the killing of protestors in Woldiya town. The protesters attacked government buildings and, according to reports, targeted homes and businesses owned by real or perceived supporters of the ruling party. Amnesty International received reports of residents of Tigryan descent being targeted in these attacks by protestors but could not independently verify these allegations. At least three people were killed in Kobo town during clashes with the security forces. In February 2018, mass protests were also held in Wolkite, the capital of city of Gurage Zone in SNNPR, demanding that the government take measures against corruption and deliver on its development promises. Students in several universities in Oromia also went on strike at different times in 2017 and 2018 echoing the various demands of protesters in Oromia.

Many protestors were killed by security forces including 10 people in Ambo, a town located 100 kilometres west of the capital Addis Ababa and the epicentre of the Oromo protests, on 26 October

² Amnesty International, *Ethiopia: Draconian State of Emergency Measures* (AI Index: AFR 25/5669/2017) p. 2

2017, and 15 in Chelenko town in East Haraghe Zone on 11 December 2017.

The mass protests taking place across Oromia in October 2015 and Amhara Regional State in July 2016 started as opposition against specific government policies. However, the protests evolved into the primary forum for expression of other popular demands including equitable distribution of political power, self-rule, economic justice, democratic reform and respect for human rights, including the release of prisoners, many of whom are prisoners of conscience, detained solely because of their peacefully expressed political opinions.

2. EVICTION AND FORCED DISPLACEMENT OF OROMOS BY SOMALI REGIONAL STATE FORCES

The Oromia and Somali Regional States share a long and contentious border, which has been the subject of repeated disputes between the two regional states. The matter was put to a referendum in 2004 in which residents of the contested territories were asked to vote the jurisdiction they desired to be administrated under. Most of the contested areas voted to be administered under the Oromia Regional State. Yet, the results of the referendum have mostly not been implemented.³

On 12 September 2017, following the killing of two Oromo officials by the Somali Regional Special Police (Liyu Police), violent protests broke out in the town of Aweday resulting in the deaths of 18 people. Most of those killed were people of Somali descent. In response, the Somali Regional Liyu Police and local militia forcibly expelled residents of Oromo descent from their homes, particularly from Jiggiga, Togo Wajale, and other towns in Somali Regional State to Oromia. Dozens were killed by the Liyu police and at least 67, 000 Oromo have been evicted from towns and cities of the Somali Region to Oromia. According to testimonies of people Amnesty International interviewed, the stated reason the Liyu Police and militia gave for evicting Oromo residents from Somali Regional State was because of the alleged killing of Somalis by Oromos in Aweday town in Oromia.

There are also forced displacements of Oromo farmers from Oromia villages that border Somali Region, due to attacks by the Somali Region Liyu Police. According to official figures by the Ethiopian government, in 2017 some 857,000 people were displaced from Oromia districts bordering Somali Region. The International Organization for Migration (IOM) puts this figure at 1,000,000 with 700,000 being displaced in 2017 alone.⁴ The overwhelming majority of those displaced are Oromos.

3. PLEDGE OF REFORM

The Chairpersons of the ruling coalition parties of Ethiopian People's Revolutionary Democratic Front (EPRDF), including the Prime Minister, announced, on 3 January 2018, a decision by the ruling party to undertake another round of deep reforms in response to the unabated mass protests. The goal of

³ BBC, What is behind clashes in Ethiopia's Oromia and Somali Regions?, 2017, <http://www.bbc.com/news/world-africa-41278618>. (accessed on 1 March, 2018)

⁴ AFP, *Renewed Oromo-Somali clashes in Ethiopia kill more than 20: state media*, 2017, www.nation.co.ke/news/africa/Ethiopia-Oromo-Somali-ethnic-clashes-kill-more-than-20/1066-4205614-6m1ikq/index.html

the reform announced by the Chairmen of the Coalition parties is to foster national reconciliation. Among the promised reform measures was the release of ‘political leaders and individuals whose crimes have resulted in court convictions or have resulted in their ongoing prosecution under the country's law’ through pardons or termination of prosecutions. Since the announcement, more than 7,000 prisoners have been released. It is still not clear if all of those released were imprisoned for their political activities. Bekele Gerba (Vice-Chairman of the Oromo Federalist Congress), Dr. Merera Gudina (Chairman of the Oromo Federalist Congress) and Eskinder Nega (a prominent journalist) are among the prominent politicians and journalists the Ethiopian government has released since January 2018.

4. PROCLAMATION OF STATE OF EMERGENCY

On 15 February Prime Minister Hailemariam Dessalegn announced his decision to resign from office, which came just days after the release of hundreds of prisoners. The next day, the Council of Ministers declared a state of emergency, which it said, was necessary to forestall the complete breakdown of law and order threatening the constitutional order. According to the statement from the Prime Minister’s office issued to the media, the Council of Ministers declared the state of emergency after noting:

“the protracted and widening situation in some parts of the country that is endangering the Constitution, the Constitutional Order and the peace and stability of the people”⁵

The State of Emergency Proclamation (Proclamation) established a Command Post with the powers to determine, through directives, the specific measures, restrictions and areas for implementation of the state of emergency. The Prime Minister chairs the Command Post and the Minister of Defence serves as its Secretary. The other members of the Command Post are the Deputy Prime Minister, the Federal Police Commissioner, Director of National Intelligence and Security Services.⁶

Under the Proclamation, the Command Post wields wide powers to derogate from a range of Ethiopia’s human rights obligations and provides a list of restrictions the Command post can impose through directives. These are powers to:⁷

1. Prohibit the publication and dissemination of any material ‘designed to sow suspicion and discord among people’;
2. Prohibit all public display of materials and ‘messages inciting violence including signs displayed using body parts’;
3. Cause any means of communication to be shut down or terminated;

⁵ Fana BC, የሚኒስትሮች ምክር ቤት የአስቸኳይ ጊዜ አዋጅ አወጀ, <http://fanabc.com/index.php/news/item/31235>, 14 February 2018.

⁶ Fana BC, የአስቸኳይ ጊዜ አዋጁ ለስድስት ወራት ይቆያል (State of Emergency remains in effect for six months) 17 Feb, 2018 <http://fanabc.com/index.php/news/item/31241> (accessed on 27 February 2018).

⁷ The government communicated the contents of the state of emergency to the public through reports in the media, including interviews in the media by government authorities, but as at the date of writing, the full text of the State of Emergency Proclamation has not yet been made publicly available in official Gazettes. It is not clear if the list of the powers of the Command Post reported in the media is full or partial.

4. Prevent public protests and demonstrations, assembling and moving in groups, in order to maintain peace and tranquility;
5. Order the arrest without a court warrant of anyone who is suspected of having participated in any capacity in the preparation and commission of crimes against the constitution and constitutional order' and power to order the investigation and prosecutions of such persons before ordinary civilian courts.
6. Order, without a court warrant, the search and seizure of any material believed to have been or planned to be used to commit crimes. All buildings including residential homes and means of transportation and other places are subject to the search and seizure regime. All objects seized will be returned to the owner after investigation and subject to their use as evidence in criminal proceedings.
7. Declare curfews;
8. Order the temporary closure of roads and transport service providers, and temporarily freeze movements in and out of identified places;
9. Issue measures to protect governmental institutions and public infrastructure;
10. Prohibit the carrying of dangerous weapons and inflammable substances in certain identified places;
11. Rebuild administrative structures and facilities that have collapsed in many parts of the country because of recent violence;
12. Resettle those that have been displaced from their homes due to ethnic based attacks in some parts of the country, in collaboration with regional governments;
13. Issue measures to protect service providers, businesses and homes from violent attacks and intimidation;
14. Ensure the safe movement and delivery of basic goods and services;
15. Ensure safety of road transportation;
16. Prevent the occurrence of disruptive acts that interfere with normal functioning of schools and universities; and
17. 'Take all necessary measures' to protect the constitution and the constitutional order and ensure peace and security of the people.⁸

Pursuant to the Proclamation, the Command Post issued Directive No 1 on the State of Emergency Proclamation (Directive) on 20 February 2018, which lists the actions prohibited throughout the country and in specific parts of the country, state of emergency measures, and businesses' obligation to keep records of home and vehicle leases and communicate these records to the police. The Directive, among other things, gags federal and regional government organs from reporting on security matters without the permission of the Command Post. Another restriction on freedom of expression includes the prohibition on 'criticizing the State of Emergency Proclamation and the Directive'.

The Directive also provides law enforcement officials⁹ with powers to enforce the state of emergency.

⁸ Fana BC, የአስቸኳይ ጊዜ አዋጁ ለስድስት ወራት ይቆያል (State of Emergency remains in effect for six months), 17 Feb, 2018 <http://fanabc.com/index.php/news/item/31241>.

⁹ The Directive states 'ህግ አስከባሪዎች', which literally means 'law enforcement officials.' However, in practice, the government widely used the military and local militia members before and during the state of emergency. Hence, the phrase 'law enforcement officials' does not capture all actors involved in implementation of the state of emergency.

These powers include:

- Arrest without warrant;¹⁰
- Authority to detain those arrested in locations designated by the Command Post until the end of the state of emergency;¹¹
- Search and seizure without a warrant;¹²
- Surveillance and control of any messages through radio, television, articles, pictures, photographs, theatre and movies.¹³
- Release or charge detainees in a court of law after providing them with 'rehabilitative education'.¹⁴

This commentary analyses the measures and restrictions under the Proclamation and Directive assesses the extent to which they are compatible with Ethiopia's international and regional human rights obligations.

2. INTERNATIONAL LAW AND STATE OF EMERGENCY

The International Covenant on Civil and Political Rights (ICCPR) provides, in Article 4, that in time of an officially proclaimed public emergency which threatens the life of the nation, states may take measures derogating from certain obligations under the Covenant. Those derogations shall be limited to the extent strictly required by the exigencies of the situation, be consistent with their other obligations under international law and not be discriminatory. However, Article 4 of the ICCPR also explicitly lists certain rights that may not be derogated from at all.

The UN Human Rights Committee, the body of independent experts established under the ICCPR to monitor states' compliance with their obligations under the Covenant, has clarified that not only the decision to derogate in itself, but each specific measure taken under the derogation, must be demonstrably required by the exigencies of the situation.

2.1 NOTIFICATION

During a public emergency, States Parties to the ICCPR have an obligation to notify other States Parties of the provisions they are derogating from, through the UN Secretary General. The notification must state the provisions of the ICCPR from which they have derogated and the reasons for so doing.¹⁵

Notification is crucial not only for other states parties, but also to enable the UN Human Rights Committee to monitor the human rights situation in the country during the emergency period. The UN

¹⁰ Command Post, Directive No 1 for the Implementation of the State of Emergency Proclamation, Article 28(1).

¹¹ Command Post, Directive No 1 for the Implementation of the State of Emergency Proclamation, Article 28(2).

¹² Command Post, Directive No 1 for the Implementation of the State of Emergency Proclamation, Article 28(4).

¹³ Command Post, Directive No 1 for the Implementation of the State of Emergency Proclamation, Article 28(5).

¹⁴ Command Post, Directive No 1 for the Implementation of the State of Emergency Proclamation, Article 26(3).

¹⁵ ICCPR, Article 4(3).

Human Rights Committee has stressed the requirement of notification is important “...in assessing whether the measures taken by the State party were strictly required by the exigencies of the situation”.¹⁶

As of 23 February 2018, the UN had not received notification from the Ethiopian government of the Proclamation of the state of emergency and the derogations as required.¹⁷

2.2 LEGALITY

The principle of legality requires that laws shall be available and accessible to the public. Apart from reports on media, the exact contents of the State of Emergency Proclamation is still not officially available to the public, in violation of this principle of legality. The failure to make the text publicly available also fails to meet requirements of national law, specifically that all legal proclamations to be published in Ethiopia’s Gazette.

Both the Proclamation and its enforcement Directive also fail to comply with another element of the principle of legality, the requirement that provisions with legal consequences be clear and precise. Clarity and precision is important so that people know what actions are allowed or prohibited. When laws are clear and precise, people can also foresee the consequences of breaking the law. However, the Proclamation and its enforcement Directive use imprecise terms such as ‘sow suspicion and discord among people’, ‘messages inciting violence including signs displayed using body parts’, ‘constitutional order’ and ‘take all necessary measures’.

2.3 NON-DEROGABLE RIGHTS

Article 4(2) of the ICCPR prohibits derogation from some provisions of the ICCPR, even during public emergency. These are: Article 6 (right to life and freedom from arbitrary deprivation of life); Article 7 (freedom from torture and other forms of ill-treatment); Article 8(1 and 2) (freedom from slavery and servitude); Article 11 (freedom from imprisonment due to failure to fulfil contractual liability); Article 15 (freedom from non-retroactive application of criminal law); Article 16 (right to recognition before the law); and Article 18 (freedom of thought, conscience and religion).

The UN Human Rights Committee, in its General Comment Number 29, identified additional non-derogable provisions, including: Article 2(1) (non-discrimination); Article 3 (the right to an effective remedy); Article 14 (right to fair trial); and the right to take proceedings before a court to challenge the lawfulness of detention (Article 9(4) on *habeas corpus*).¹⁸

Some measures provided for under the emergency Proclamation and Directive are in breach of some of the ICCPR’s non-derogable rights. The right to freedom from torture and other ill-treatment is one of the non-derogable rights explicitly listed in Article 4(2) of the ICCPR.¹⁹

¹⁶ UN Human Rights Committee, General Comment Number 29, Paragraph 17.

¹⁷ <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280004bf5> (accessed on 27 February 2018).

¹⁸ UN Human Rights Committee, General Comment Number 29, Paragraphs 13-16.

¹⁹ ICCPR, Articles 4(2) and Article 7. The Convention against Torture (CAT), Article 2(2) has also underlined the non-derogable nature of freedom from torture and other ill-treatment: “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked

The Directive for instance empowers the Command Post to detain people, who violate the restrictions in the Proclamation, without judicial authorization and subject them to mandatory 'rehabilitative education'. While the exact meaning and duration of such 'rehabilitative education' is unclear, Amnesty International is concerned that it could include torture and other ill-treatment. Amnesty International has already documented, during the state of emergency in 2016-17, the use of torture and other forms of ill-treatment during mass detentions of protesters in Ethiopia, which the Ethiopian government called 'rehabilitative education.'²⁰ Several people who were subjected to rehabilitative education at training camps such as Awash Arba, Awash Sebat and Tolay during the previous State of Emergency Proclamation told Amnesty International that the police repeatedly beat them with sticks and forced them to do strenuous physical exercises. For example, an activist who was detained in Tolay detention centre for more than a month told Amnesty International that the police beat and kicked detainees including himself. The detainees had no recourse in the absence of judicial oversight on conditions of detention as per the State of Emergency Proclamation.

The Ethiopian authorities have not yet made public if they ever conducted an independent, impartial, thorough, and credible investigation into the allegations of torture and other ill-treatment in the rehabilitation training camps during the state of emergency period of 2016-17. Amnesty International is concerned -informed by previous practices of torture and ill-treatment of detainees during rehabilitative education- that security forces might torture and ill-treat people subjected to rehabilitative education pursuant to the Directive.

2.4 NECESSITY AND PROPORTIONALITY-STRICTLY REQUIRED BY THE EXIGENCIES OF THE SITUATION

Any measure derogating from the ICCPR under a state of emergency must be limited to what is strictly required by the exigencies of the situation that gave rise to the Proclamation of the state of emergency. As the UN Human Rights Committee has stated clearly in its General Comment:

A fundamental requirement for any measures derogating from the Covenant...is that such measures are limited to the extent strictly required by the exigencies of the situation. This requirement relates to the duration, geographical coverage, and material scope of the state of emergency and any measures of derogation resorted to because of the emergency. Derogation from some Covenant obligations in emergency situations is clearly distinct from restrictions or limitations allowed even in normal times under several provisions of the Covenant. Nevertheless, the obligation to limit any derogations to those strictly required by the exigencies of the situation reflects the principle of proportionality which is common to derogation and limitation powers.²¹

The UN Human Rights Committee referred to the principles of necessity and proportionality, set out in Article 4(1) of the ICCPR, which apply to measures derogating from or limiting certain rights under the ICCPR. The principles of necessity and proportionality require that any measures imposed in the context of a state of emergency which derogate from provisions of the ICCPR must be demonstrably

as a justification of torture."

²⁰ The use of the term 'rehabilitation measures' [DO YOU NEED TO REPHRASE THIS TO MATCH THE WAY YOU HAVE REVISED THIS PHRASE IN THE MAIN TEXT?] to detain protesters for prolonged periods without access to court and other safeguards pre-dates even the State of Emergency Proclamation in 2016. Please see Amnesty International, *Because I am Oromo: sweeping repression in the Oromia Region of Ethiopia*, October 2014, (AFR 25/006/2014), pages 56-92.

²¹ UN Human Rights Committee, General Comment Number 29, Paragraph 4.

necessary for the achievement of their intended purpose, must be proportionate to that purpose and must not jeopardize the rights restricted.

However, the geographic extent and material scope of the measures imposed under the Proclamation and Directive exceed what is required by the exigencies of the situation, as discussed below.

2.4.1 Geographic extent

The Ethiopian government has affirmed that the current mass protests and events that prompted the Proclamation of the state of emergency are limited to the Oromia, Somali and Amhara Regions, but most of the following prohibitions as per the Directive apply across the country:

- Disseminating and receiving publications from abroad without the permission of the Command post and communications that can create violence, suspicion, unrest or conflict among people through internet, writings, television, radio, social media or any other channel;
- Communication with groups designated as terrorist groups, possession and distribution of publications of terrorist groups, possession of the emblems of terrorist groups or promoting their aims;
- Failure to provide public services, closure of shops, absenteeism from work without sufficient reason;
- Inciting violence and unrest that are against sport ethics on sports grounds;
- Obstruction and of disruption of religious, cultural and public ceremonies or reciting slogans with political content unrelated to the ceremony;
- Criticizing the State of Emergency Proclamation and directives issued to implement the Proclamation;
- Any statement by Federal and regional officials regarding security issues without the permission of the Command Post.

As the alleged violence and mass protests are happening primarily in some districts of Oromia, Somali, and Amhara Regions, it is unclear why it is necessary for the measures imposed under Proclamation to be applicable in all parts of the country – in other words, it is unclear how the exigencies of the situation require the imposition of such measures across the whole country. To that extent, the geographic coverage of the state of emergency is disproportionate to the exigencies of the situation.

2.4.2 Material scope of derogations: restrictions on human rights information-sharing and freedom of expression

The Proclamation provides for measures derogating from provisions of the ICCPR, which the Ethiopian government claims to be necessary to curtail the violence that occurred in some districts and regions of the country following the mass protests and strikes. However, it is unclear how criticizing the State of Emergency Proclamation and its enforcement Directive can lead to violence. Instead, this restriction would only hinder all dialogues on the state of emergency, and, more broadly, on the current political and human rights crisis in the country.

The Directive also prohibits disseminating and receiving publications from abroad without the permission of the Command post, using mobile, social media, radio and television. During the protests, political parties and individual activists have been key sources of information, for the media and human rights organizations, on human rights violations committed by government security forces. People in different parts of, Somalia, Oromia and Amhara Regions reported human rights violations to

the media and human rights organizations through social media and other internet-based services, in real time. Political parties in support of the protesters also reported such human rights violations.

Hence, the new prohibitions imposed under the Proclamation and Directive place heavy restrictions on the right to freedom of expression and the right to seek, receive and impart information and ideas on matters of public importance. In particular, the measures inhibit access to information regarding the human rights situation for both the Ethiopian and other public and human rights organisations.

3. RECOMMENDATIONS

Amnesty International's review of State of Emergency Proclamation and its enforcement Directive illustrates that many of the measures adopted fail to meet the requirements of legality, notification, necessity and proportionality set out in the ICCPR. Moreover, the measures and restrictions both under the Proclamation and Directive are expressed in terms that fail to meet the requirements of precision and clarity.

Amnesty International, therefore, urges the Ethiopian government to ensure the Proclamation and its enforcement Directive are fully compliant with Ethiopia's international and obligations.

Specifically, Amnesty International calls upon the Ethiopian government to:

- Notify state parties to the ICCPR, through the UN Secretary General, about the state of emergency and the measures derogating from provisions of the ICCPR and the reasons why they are necessary to the exigencies of the situation;
- Revise the State of Emergency Proclamation and its enforcement Directive to ensure all measures adopted comply with the requirements of legality, necessity and proportionality and are set out in terms which meet the requirements of precision and clarity so that people know what actions are allowed or prohibited.
- Ensure the State of Emergency Proclamation and its enforcement Directive do not violate non-derogable rights, such as the right to freedom from torture and other ill treatment.

Moreover, Amnesty International urges members of the HPR to:

- Refrain from adopting the State of Emergency Proclamation without clear amendments to ensure that the Proclamation guarantees all powers or restrictions imposed under the emergency, which involve derogations from the state's normal human rights obligations, including all specific measures taken under such powers or imposing such restrictions, are limited to what is strictly required by the exigencies of the situation which has given rise to this Declaration;
- Substantially revise the current State of Emergency Proclamation the Council of Minister has adopted to ensure that the restrictions and measures as per the Proclamation comply with the requirements of legality and are set out in terms which meet the requirements of precision and clarity so that people know what actions are allowed or prohibited;
- Ensure the State of Emergency Proclamation and subsequent Directives do not violate non-derogable rights, such as the right to freedom from torture and other ill treatment; and
- Ensure that restrictions and measures in the Proclamation are consistent with Ethiopia's obligations under international human rights law.