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H.E. Tadesse Chafo
Speaker of the House of People's Representatives
Federal Democratic Republic of Ethiopia (FDRE)
Niger Street
Addis Ababa
Ethiopia

24 January 2019

Your Excellency,

RE: OPEN LETTER TO MEMBERS OF THE HOUSE OF PEOPLES REPRESENTATIVES ON ETHIOPIA'S DRAFT CSO LAW

Amnesty International is writing this letter to request you and all members of the House of Peoples Representatives (HoPR) to carefully consider our concerns on the proposed Civil Societies and Organizations (CSO) law and our recommendations as laid out in the Commentary posted on our website, the link of which is provided below: <https://www.amnesty.org/en/documents/afr25/9622/2018/en/>. As you know, the HoPR is reviewing the draft CSO law, which if adopted, will replace the Charities and Societies Proclamation 621/2009.

Amnesty International is pleased that the draft CSO law has made major strides towards ensuring greater respect for the right to freedom of association¹ by removing some of the restrictions under Proclamation 621/2009. It proposes to remove funding restrictions currently imposed on CSOs that promote human rights, good governance, and related themes such as anti-corruption and conflict resolution. The draft law also removes the intrusive powers of the Charities and Societies Agency in the Charities and Societies Proclamation that have hitherto violated the privacy and independence of CSOs. It further removes restrictions on CSO membership on the basis of nationality and residence, which might in future help broaden funding opportunities for CSOs. Equally important is recognition of the right of CSOs denied registration by the CSO Agency, including foreign ones, to challenge the decision before the court of law.

However, we are concerned that some provisions of the draft CSO law, if passed in their current form, would unduly restrict the right to freedom of association in Ethiopia. The provision that requires registration for new CSOs and re-registration for existing CSOs with the CSOs Agency would maintain an authorization regime that falls short of international standards on freedom of association, including the African Commission on Human and Peoples' Rights (African Commission) Guidelines on Freedom of Association and Assembly in Africa. Also, Ethiopia is a State Party to the African Charter on Human and Peoples' Rights (African Charter) and the International Covenant on Civil and Political Rights (ICCPR). The African Charter and the ICCPR both guarantee the right to freedom of association. Our analysis identifies areas where the draft legislation falls short in this regard, including in relation to the African Commission Guidelines on Freedom of Association and Assembly adopted in 2017 which interpret these requirements under international law.

¹ Amnesty International, *Stifling Human Rights Work; The Impact of Civil Society Legislation in Ethiopia*, 12 March 2012 (AFR 25/002/2012).

In the commentary, we have proposed recommendations for the consideration of the HoPR members and to assist members as they work to further strengthen the draft law in line with the Ethiopian government's expressed commitment to revise restrictive laws and bring any such laws into conformity with international human rights standards.

Thank you in advance for your attention. I look forward to continued dialogue on the issues raised in this commentary.

Sincerely,

Joan Nyanyuki

Regional Director - Regional Office for East Africa, the Horn and the Great Lakes

CC.

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