



The Chairperson
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Item 9 (b, iv.): Special Rapporteur on Freedom of Expression and Access to Information in Africa: Ethiopia

Madame Chairperson, Honourable Commissioners,

Ethiopia has a long-standing pattern of major restrictions on freedom of expression, including the targeting of the independent media, political opposition parties, and civil society, and systemic restrictions such as the use of repressive legislation to curtail freedom of expression.

The provisions of Ethiopia's Anti-Terrorism Proclamation, introduced in 2009, define terrorist activities so broadly as to raise significant concerns that they can be used to criminalise freedom of expression and peaceful assembly. Provisions of the legislation appear to go beyond what can be justified as necessary and proportionate counter-terrorism measures. The definition of terrorist acts does not include an intent to use or assist in the use of violence against persons for political or ideological ends. As a result individuals risk being charged under this law for actions that do not amount to terrorist activities. Journalists can be prosecuted under the legislation for simply referring in their articles to individuals or groups deemed to be terrorists.

In the six months since the last session of this Commission, Ethiopia has witnessed another widespread attack on freedom of expression. Since March 2011, 106 members of political opposition parties and six journalists, along with countless other individuals, have been arrested in Ethiopia on suspicion of committing terrorist offences.

The prolonged series of arrests indicates a clear pattern of the use of judicial measures and pretext of counter-terrorism to silence groups that are critical of the government, particularly opposition politicians and the independent media. These groups have often been targeted for arrest, prosecution and harassment in the past. However, the sheer numbers arrested in 2011 represents the most wide-reaching crackdown on freedom of expression for several years.

Many of those arrested during 2011 have been vocal in their commentary on national politics, in criticising government practise and in calling for reform. Many of those arrested publicly criticised the government or were involved in public calls for reform in the days immediately before their arrests. Two of the detainees were arrested within days of meeting with Amnesty International delegates. Both men reported that they were questioned about these meetings during their interrogation in detention. On the same day that the two men were arrested, the government ordered the Amnesty International delegates to leave the country.

Of the 112 known cases of journalists and politicians who have been arrested during 2011, more than 100 have been charged to date. All have been charged with terrorism-related activities, or of belonging to a terrorist group.

Those arrested during 2011 have been denied rights accorded to detainees under Ethiopian and international law. All have been denied bail. Detainees have been denied access to family members and lawyers during the initial stages of their detention. In several cases representatives of the government, including the Prime Minister, have made public comments on the guilt of the detainees, in violation of their right to be presumed innocent until proven guilty in a court of law. Several of the detainees have complained in court that they were subjected to torture or other forms of ill-treatment. According to the information that Amnesty International has received, none of the complaints of torture have been investigated by the authorities.

The arrests also send a chilling message to other opposition politicians and journalists to either cease exercising their right to freedom of expression altogether, to self-censor, or risk arrest.

It has been reported that a smear campaign has begun in a government-run publication against the newspaper of one of the journalists arrested – the Awramba Times. In 2009, the management team of the independent and widely-respected Addis Neger newspaper shut down the print version of the newspaper and a number of senior editors and journalists fled the country after a smear campaign in the same government-run publication. Amnesty International is concerned that the journalists of the Awramba Times will be further targeted in the ongoing crackdown.

Amnesty International calls upon the African Commission to

- Urge the Ethiopian authorities to observe their obligations under domestic and international law to protect and promote freedom of expression, by immediately ending the practise of arresting and prosecuting those who hold different political opinions;
- Call upon the Ethiopian authorities to cease the targeting of journalists who are conducting their legitimate professional work, which includes reporting on peaceful protests and reporting on the activities of proscribed terrorist groups;
- Urge the Ethiopian authorities to cease the use of criminal prosecutions to silence the freedom of expression of opposition politicians, independent media, and other groups critical of the government.
- Request an invitation from the government of Ethiopia for the Special Rapporteur on Freedom of Expression to visit the country to determine the extent to which the government of Ethiopia is complying with its regional and international human rights obligations on freedom of expression.