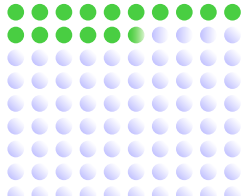


UPR SESSION 33

# ETHIOPIA

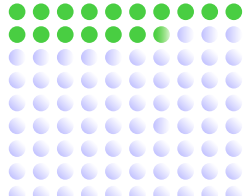
FREEDOM OF EXPRESSION & INTERNET FREEDOM

### HOUSEHOLDS WITH INTERNET ACCESS



15.4%

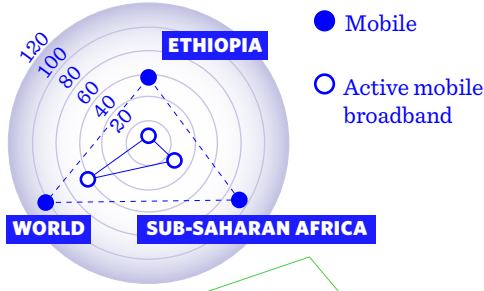
### INDIVIDUALS USING THE INTERNET



16.4%

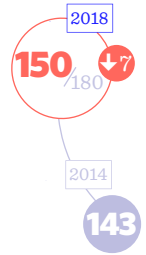
Sources: ITU, Country Statistics 2018

### SUBSCRIPTIONS PER 100 INHABITANTS



Ethio Telecom, Bulletin Annual Report, July-December 2018

### PRESS FREEDOM RANKING



## After a period of change, Ethiopia has an opportunity to radically reform laws to protect citizens' rights to privacy and freedom of expression.

Prime Minister Abiy Ahmed Ali and his political reform agenda have kickstarted a process of transformation in politics and society in Ethiopia. After a long period during which the state exercised tight control over all forms of media, proposed reforms offer a golden opportunity to realise Ethiopians citizens' rights to freedom of expression.

Yet laws limiting freedom of expression remain in force, including the 2008 Mass Media and Freedom of Information Law, which leaves media houses open to fines of up to USD 3,500 on the basis of 'defamation' claims, and gives public prosecutors license to censor content without oversight. Other problematic legislation includes the 2009 Anti Terrorism Law, the Computer Crime Law of 2016 and Telecom Fraud Offences (2012), all containing provisions at odds with freedom of expression and privacy standards.

Government efforts to promote and protect citizens' rights both offline and online should now be encouraged.

## RECOMMENDATIONS

- Desist from the throttling or shutdown of Internet communications on any basis, including national security, protests, or national exams
- Revise the Anti-Terrorism Law, Computer Crime Law and Telecom Fraud Offences Law to bring them into line with international standards relating to freedom of expression
- Amend the Freedom of the Mass Media and Access to Information Act to bring it into line with international standards with regard to freedom of expression
- Implement changes to curb state surveillance of citizens, including by introducing independent judicial oversight over the interception of communications

### SUBMITTING ORGANISATIONS



CIPESA



accessnow

ACCESS NOW



SMALL MEDIA

- **Desist from the throttling or shutdown of Internet communications on any basis, including national security, protests, or national exams.**

Since November 2015, the Ethiopian government has repeatedly imposed online censorship, blocked websites and initiated national or regional shutdowns during public protests and university exams. Internet access in the regions affected by shutdowns was restored during early 2018, but there were reports of a shutdown in the eastern part of country in August 2018.

The shutdowns have not only had a significant impact on freedom of expression, but there has been a significant economic cost too.

A September 2017 report by CIPESA estimates that Ethiopia lost around USD 3.5 million per day due to internet shutdowns and almost USD 875,000 per day as a result of social media shutdowns.

- **Revise the Anti-Terrorism Law, Computer Crime Law and Telecom Fraud Offences Law to bring them into line with international standards relating to freedom of expression.**

Ethiopia has repressed critical voices under provisions of the laws noted. In 2014 several media houses were forced to close and journalists were convicted on allegations of encouraging terrorism, inciting violence, and “undermining public confidence”.

The government has engaged in repeated violations of freedom of expression online through internet shutdowns, content censorship and the arrest of bloggers.

The new government has undertaken radical reforms, including freeing thousands of prisoners; dropping charges against opposition leaders, bloggers, and activists, reconnecting internet services, and unblocking 246 websites. The creation of the Advisory Law Reforms Committee, with a mandate to review existing laws to bring them in line with human rights standards, is a promising development. However, pledges to reform problematic legislation are yet to be delivered.

● Amend the Freedom of the Mass Media and Access to Information Act to bring it into line with international standards with regard to freedom of expression.

- Amend the FMMAI Act to protect journalists and media houses from arbitrary defamation charges
- Ensure oversight mechanisms are in place to regulate prosecutors' powers to censor online content under Article 42

The Freedom of the Mass Media and Access to Information Act offers a number of challenges to citizens' right to freedom of expression.

The Act allows for stiff penalties for defamation through mass media under Article 41(2). Upon conviction, individuals or media houses face a fine of up to 100,000 birr (around USD 3,500). Defamation charges have previously been brought against journalists, including Temesgen Desalegn, former editor of the newspaper Feteh.

Over the years, hundreds of prominent sites critical of the Ethiopian government were blocked and remained inaccessible, upon arbitrary state decisions, taken without judicial oversight and with no possibility of legal challenge. In June 2018, the government restored access to 264 websites, including the sites of diaspora media outlets. Legislative measures must now be taken to ensure judicial oversight over future online censorship requests.

● Implement changes to curb state surveillance of citizens, including by introducing independent judicial oversight over the interception of communications.

- Enact a data protection and privacy law. The law should be drafted through participatory/consultative processes

State surveillance, perceived or real, remains a significant impediment to the practice of independent journalism and freedom of expression. Global watchdog groups have documented how information obtained through warrantless digital surveillance, has been used to justify the arrests of journalists and sometimes violent interrogations of individuals perceived as dissenters.

A 2017 report from CitizenLab produced evidence to suggest that Ethiopian intelligence services were using commercial surveillance technologies to launch digital attacks against opposition figures and human rights activists based in the diaspora.

**UPROAR** is coordinated by Small Media, in collaboration with a network of digital rights organisations working internationally.

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# UNIVERSAL PERIODIC REVIEW