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Freedom on the Net 2020 - Ethiopia

NOT FREE

29 / 100

A Obstacles to Access 5 / 25

B Limits on Content 12 / 35

C Violations of User Rights 12 / 40

LAST YEAR'S SCORE & STATUS

28 / 100 Not Free

Scores are based on a scale of 0 (least free) to 100 (most free)

Overview

Ethiopia saw a slight improvement in internet freedom during the coverage period, but the online environment was marred by extensive local and nationwide internet shutdowns and social media blocks that were often executed for political reasons. The government of Prime Minister Abiy Ahmed restricted freedoms of expression and the press, notably by passing a law restricting online speech in the name of fighting misinformation and expressions of hate. Promisingly, the government continued to reform the telecommunications sector, creating a new regulator and continuing plans to partially privatize state-owned monopoly Ethio Telecom.

Ethiopia is undergoing a transition initiated by Prime Minister Abiy's 2018 appointment; Abiy came to power after predecessor Hailemariam Desalegn resigned in the face of mass protests where demonstrators demanded greater political rights. Abiy has pledged to reform the authoritarian state, ruled by the Ethiopian People's Revolutionary Democratic Front (EPRDF) since 1991. The government in the process of rewriting the country's repressive electoral, terrorism, media, and other laws. However, Ethiopia remains beset by political factionalism and intercommunal violence, abuses by security forces and violations of due process are still common, and many restrictive laws remain in force. A major reorganization of the ruling party, growing conflict between ethnic communities, and new claims for self-determination created a fluid political situation ahead of an anticipated August 2020 election, which was delayed due to the COVID-19 pandemic.

Key Developments, June 1, 2019 - May 31, 2020

Ethio Telecom sharply lowered rates for residential and business fixed-line broadband customers in February 2020, making internet access much more affordable (see A2).

The government imposed multiple internet shutdowns during the coverage period, including a nationwide shutdown that lasted at least 10 days in June 2019 and a three-month shutdown in parts of Oromiya state that began in January 2020 (see A3).

The government blocked social media platforms in the aftermath of the June 2019 killing of the Āmara region’s president and two of his aides (see B1).

A new law, passed in February 2020 to fight online misinformation and hate speech, enforces steep penalties for online speech deemed problematic and requires social media platforms to remove content within 24 hours (see B2 and C2).

The government declared a state of emergency in response to the COVID-19 pandemic in April 2020, instituting regulations banning the sharing of information that might cause “terror and undue distress among the public” (see C1).

That same month, a lawyer and an opposition-affiliated journalist faced charges for online posts about the COVID-19 pandemic under the new laws (see C3).

A Obstacles to Access

The government imposed a three-month internet shutdown in Oromīya, restricting internet access for millions of people as the COVID-19 pandemic arrived in Ethiopia. The government also enforced a weeklong nationwide shutdown after the June 2019 assassination of the Āmara regional president intensified political and communal tensions. The formation of a new communications regulator and the continued effort to partially privatize the state-owned telecommunications monopoly Ethio Telecom indicate continued progress toward an open information and communication technologies (ICT) sector.

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?	1 / 6
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Despite marginal gains in access, Ethiopia remains one of the least connected countries in the world. However, Ethiopians in major urban areas have seen considerable gains in both internet and telephone connectivity during the coverage period, as part of a trend that began with the introduction of reforms in April 2018.

As of January 2020, Datareportal reports that 21.1 million people use the internet in Ethiopia,¹ representing 18.5 percent of the total population. The 2.6 percent gain in internet penetration in 2019² mirrors the country’s population growth rate during the same period. Data from the International Telecommunication Union indicates that Ethiopia’s internet penetration rate stood at only 18.6 percent³ in 2017, compared with 15.4 percent in 2016.⁴ Internet penetration differs substantially between urban and rural areas (see A2).

Ethiopia’s electricity infrastructure is not totally reliable, and internet access was limited during the coverage period due to power outages. An outage caused by heavy rains lasted several days in February 2020.⁵ Previously, power consumers faced rationing between May and July 2019. ⁶ As of 2018, 48 percent of Ethiopia’s population had access to electricity.

While internet speeds have increased in Ethiopia, the country still fares poorly in global rankings. In May 2020, Ethiopia was ranked 105th and 152nd in Ookla’s SpeedTest global index for mobile and fixed-line

broadband speeds, respectively.⁷ Ookla reported Ethiopia’s average mobile data download and upload speeds as 17.15 Mbps and 11.43 Mbps, respectively, along with a 44-millisecond latency.⁸ These figures represented an increase over test results seen in Addis Ababa in May 2018, which found an average download speed of 6.28 Mbps and an upload speed of 0.21 Mbps, along with a 150-millisecond latency. The speeds encountered in the 2018 test made it difficult for users to download even simple images. A test conducted by a Freedom House researcher in 2016 found that logging into an email account and opening a single message took several minutes at a standard cybercafé with broadband in Addis Ababa, and even longer in rural areas.⁹ Despite improvements in internet speed, this overall finding remains largely unchanged.

During the COVID-19 pandemic, which forced most people to conduct business online, Ookla reported that mobile broadband speeds fell by 22 percent and fixed-line broadband speeds fell by 5 percent.¹⁰

Ethiopia has among the lowest smartphone ownership rates in the world, at only 4 percent according to a 2016 Pew Research Center survey.¹¹ In a bid to boost smartphone ownership, Ethio Telecom introduced installment and credit plans for prospective customers in March 2020.¹²

In September 2019, the World Bank announced a \$300 million loan to support the expansion of high-quality internet services for Ethiopian individual, business, and government users.¹³

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons? 1 / 3

Score Change: The score improved from 0 to 1 after the state-owned Ethio Telecom, which holds a monopoly on the telecommunications market, lowered residential fixed-line broadband rates by more than half.

While price reductions in recent years have made mobile and fixed-line broadband internet services less prohibitively expensive for Ethiopians,¹⁴ prices are kept artificially high due to state-owned Ethio Telecom’s monopoly.¹⁵ Ethiopians have previously spent an average of \$85 per month for limited mobile or fixed-line internet access. Better-quality services in neighboring Kenya and Uganda cost less than \$30 a month. In May 2020, the Abiy government announced its decision to finalize the offering of a 40 percent stake in Ethio Telecom to private companies (see A4).¹⁶

In February 2020, Ethio Telecom announced it would lower rates significantly for fixed-line broadband customers,¹⁷ reducing rates for residential customers by up to 69 percent; business customers saw rates fall by as much as 65 percent, while virtual private network (VPN) users saw a decline of up to 72 percent. A 1-Mbps residential connection that previously cost 978 birr (\$31) per month cost 499 birr (\$16) after the price cut, while 4-Mbps services that previously cost 3191 birr (\$103) per month were made available for 699 birr (\$23). Ethio Telecom also began offering 12-month payment plans for installation-related costs for clients situated over 500 meters from the provider’s nearest connection point¹⁸.

Ethio Telecom has instituted price cuts in recent years. For example, in August 2018, the provider introduced a new pricing structure, stating that it reduced rates by 43 percent for mobile internet service, 40 percent for voice calls, 43 percent for text messaging, and 54 percent for fixed-line broadband internet connections.¹⁹ During that time, Ethio Telecom advertised a 25 MB data plan for 3 birr (\$0.09) a day, a reduction from the 7 birr reported during the 2017–18 coverage period. While the 25 MB package was made

more affordable, its usefulness was still limited; a standard Google search uses up to 79 KB of data. Customers who load websites containing 1 GB of multimedia content could spend the equivalent of \$9 per day.²⁰

Public internet access is reportedly becoming more common in major cities such as Addis Ababa, Bahir Dar, Mekele, Adama, Hawasa, and Dire Dawa, as internet service and Wi-Fi are freely available in public places such as hotels, regional universities, phone shops, and internet cafés.²¹ Telecommunications infrastructure is almost entirely absent from rural areas, where more than 80 percent of the population resides.²² A handful of signal stations serve the entire country, resulting in network congestion and frequent disconnections.²³ In smaller towns, users often hike to the top of the nearest hill to receive a stronger signal for their mobile devices.

Many Ethiopians rely on cybercafés, universities, and government offices for internet access. In rural areas and small towns, cybercafés are reportedly the most common means of accessing the internet. Cybercafé rates range from 7 to 10 birr (\$0.22 to \$0.32) for an hour of access. Rates in rural cybercafés tend to be higher. There have been some efforts to address the urban-rural divide and the gender gap in internet usage. In March 2019, Ethio Telecom announced that it would distribute mobile phones to women in rural areas.²⁴ That July, it announced that it would provide mobile customers 1 GB of internet data and 20 minutes' worth of local calling credits free of charge.²⁵ The impact of such efforts is unclear.

Ethiopia's digital divide was exacerbated by the COVID-19 pandemic, as in-person activities such as education were halted.²⁶

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity? 1 / 6

The government frequently imposes connectivity restrictions, often for political means and with little transparency.

In early January 2020, the government disconnected mobile phone, landline, and internet services in parts of the Oromīya region, amid reports of fighting between government forces and a splinter faction of the Oromo Liberation Front (OLF), which advocates for a sovereign state for the Oromo ethnic group.²⁷ The government restored services in early April.²⁸ Human rights groups warned that the Oromīya shutdown limited access to critical information about the COVID-19 pandemic.²⁹

In December 2019, the Information Network Security Agency (INSA) disclosed that the government disabled Ethiopia's internet infrastructure for 20 minutes to counter a cyberattack targeting the country's financial infrastructure (see C8).³⁰

In late June 2019, the government imposed a nationwide internet shutdown that lasted at least ten days.³¹ The shutdown, which affected both mobile and fixed-line connections, followed the assassination of government and military officials in the northern region of Āmara, which prompted fear of political and communal tensions.³² That same month, mobile internet services were suspended nationwide for seven days, which some Ethiopians speculated was a measure to stop students from cheating on national exams that week.³³

At the end of June 2020, after the coverage period, Ethiopian authorities imposed a nationwide internet shutdown following the murder of prominent Oromo singer and activist Hachalu Hundessa in Addis Ababa. Some connectivity was restored by mid-July 2020, primarily for fixed-line broadband users, but most of the country remained offline until late July.³⁴ Protests in the aftermath of Hundessa's death saw over 200 people killed. Following Hundessa's murder, members of the Oromo ethnic group reportedly attacked non-Oromo and non-Muslim people in the Oromīya region, with much of the violence happening before the internet shutdown.³⁵

The government has justified internet shutdowns, which sometimes occurred in the context of political and ethnic violence, by citing the need to maintain security and public order. Fixed-line and mobile internet services were shut down for most of August 2018 in the eastern Sumalē region, where federal troops were engaged in clashes with local authorities.³⁶ Mobile internet access was separately shut down for three days in September 2018 in Addis Ababa following protests and an outbreak of ethnic violence.³⁷ At least 23 people were killed in the violence,³⁸ with some observers estimating over 50 deaths.³⁹

Until April 2018, internet and mobile service shutdowns were commonly imposed in response to large-scale demonstrations that began in late 2015—triggered by a government plan to appropriate land from the Oromīya region for an expansion of the capital—and later spread to other regions and ethnic groups.⁴⁰ For example, after student protests led to violent clashes in December 2017, the government imposed a blanket internet shutdown on all regional states, leaving haphazard access available only in Addis Ababa.⁴¹ Mobile internet services were then shut down nationwide for several days following the resignation of Prime Minister Hailemariam Desalegn in February 2018, as the country was placed under a state of emergency. Oromīya experienced another unexplained internet blackout for over two weeks in March 2018.⁴²

The process and legal underpinnings for the shutdowns were not clear, though officials claimed that they were necessary to prevent ethnic violence and curb the spread of false news and hate speech.

The Ethiopian government's monopolistic control over the country's telecommunications infrastructure via Ethio Telecom enables it to restrict information flows and access to internet and mobile phone services. As a landlocked country, Ethiopia has no direct access to submarine cable landing stations; instead, it connects to the international internet via satellite, a fiber-optic cable that passes through Sudan and connects to its international gateway, and another that passes through Djibouti to an international undersea cable. All connections to the international internet are completely centralized under Ethio Telecom, allowing the government to cut off traffic at will.

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers? 1 / 6

The space for independent initiatives in the ICT sector, entrepreneurial or otherwise, is extremely limited, with Ethio Telecom holding a firm monopoly on fixed-line and mobile services. In May 2020, the government announced its intent to sell a 40 percent stake in Ethio Telecom,⁴³ a step toward opening the country's market up to other players.⁴⁴ In June 2020, after the coverage period, the Ethiopian Communications Authority (ECA), the ICT regulator established in 2019 (see A5), reported receiving 11 complete submissions from operators applying for two new telecommunications licenses offered by the government.⁴⁵

An estimated \$40 million of the \$300 million World Bank loan finalized in September 2019 is committed to support the diversification of the telecommunications sector, including the restructuring and partial privatization of Ethio Telecom.⁴⁶

China is a key investor in Ethiopia's telecommunications industry. Two major Chinese firms, ZTE and Huawei, were involved in upgrading Addis Ababa's mobile broadband networks to fourth-generation (4G) technology and expanding 3G networks elsewhere.⁴⁷ In February 2020, Ethiopian government paid Huawei 173 million birr (\$5.6 million) to install LTE network infrastructure in Addis Ababa.⁴⁸ The partnership enabled the government to maintain its hold over the telecommunications sector,⁴⁹ though the networks built by the Chinese firms have been criticized for their high cost and poor service.⁵⁰ In May 2018, Beijing-based telecommunications company Hengbao was contracted to supply SIM cards for Ethio Telecom.⁵¹ These relationships have led to growing fears that Chinese entities may be assisting the authorities in developing more robust ICT censorship and surveillance capacities (see C5).⁵²

While the government maintains that ICT infrastructure is key to modernizing Ethiopia's economy,⁵³ onerous government regulations still stymie the sector. For example, imported ICT items are tariffed at the same high rate as luxury items, unlike other imported goods such as construction materials and heavy-duty machinery, which are given duty-free import privileges to encourage investments in infrastructure.⁵⁴ Ethiopians are required to register their laptops and tablet computers with the Ethiopian customs authority before they travel out of the country, ostensibly to prevent individuals from illegally importing electronic devices. Observers believe the requirement enables officials to monitor citizens' ICT activities by accessing the devices without consent.⁵⁵

Cybercafés are subject to burdensome operating requirements under the Telecom Fraud Offences Proclamation of 2012,⁵⁶ which prohibits them from providing Voice over Internet Protocol (VoIP) services and mandates that owners obtain a license from Ethio Telecom through an opaque process that can take months. Violations of the requirements entail criminal liability, though no cases have been reported.⁵⁷

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner? 1 / 4

Score Change: The score improved from 0 to 1 after the Abiy government established a new communications regulator that shows signs of asserting greater transparency than its predecessor.

In August 2019, the government established the ECA, the primary regulatory body overseeing the telecommunications sector;⁵⁸ it is not yet clear if the ECA will operate in a fair and independent manner. Prime Minister Abiy appointed Balcha Reba as its first director general; Reba previously led the ECA's predecessor, a directorate of the Ministry of Innovation and Technology.⁵⁹

In October 2019, the ECA conducted a public consultation process on the liberalization of the telecommunications market and the ECA's plans to issue new telecommunications licenses.⁶⁰ In June 2020, after the coverage period, the ECA opened a public consultation process on five draft directives, including regulations for consumer protection, dispute resolution, and telecommunications licensing. The ECA made the draft directives available on their website in English and Amharic.⁶¹

Activists and civil society raised concerns about the ECA's independence. In May 2020, Kinfel Yilma, a law professor at Addis Ababa University, wrote that the regulator's responsibilities remained unclear, referring to overlapping responsibilities shared with other government ministries and agencies.⁶²

Prior to the establishment of the ECA, the Ethiopian Telecommunications Agency was the primary regulatory body overseeing the telecommunications sector.⁶³ In October 2018, INSA, a government agency that has de facto authority over the internet with a mandate to protect the communications infrastructure and prevent cybercrime, was placed under a new Ministry of Peace created by the Abiy government.⁶⁴

B Limits on Content

In June and July 2019, the government blocked social networks as a part of a broader telecommunications clampdown following the June assassination of Āmara regional officials. An opposition-affiliated journalist's Facebook page was disabled after he shared purportedly false information about the government's pandemic response. A new law requires social media companies to remove content that is reported as disinformation or hate speech with 24 hours' notice.

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content? 3 / 6

The government blocks internet content, including social media platforms. In July 2019, the government intermittently blocked social media platforms, including Facebook, Instagram, YouTube, and messaging services including Messenger, the WhatsApp web client, and Telegram following the end of the internet shutdown imposed after the June assassination of Āmara regional officials.⁶⁵ In June 2019, access to WhatsApp and Telegram was blocked for three days following a separate set of internet shutdowns that coincided with national exams (see A3).⁶⁶

In August 2019, the website of African Arguments, a pan-African magazine, was blocked for mobile internet users, according to testing from the Open Observatory of Network Interference (OONI).⁶⁷ The blocking may have been instigated by articles published by the magazine that criticized the government.⁶⁸

In June 2019, when an American LGBT+ tour company announced its plan to offer a trip to Ethiopia, the company's owner received online death threats and its website was reportedly blocked temporarily in Ethiopia.⁶⁹

During the previous coverage period, in June 2018, the Ethiopian government reported that it unblocked 264 websites, which was verified by OONI.⁷⁰ Websites belonging to Ethiopian Satellite Television (ESAT) and the Oromo Media Network (OMN), both diaspora satellite television stations, were among those unblocked. Ayyantuu.net and Opride.com, prominent websites known for their reporting on the country's protests, became accessible as well.

A manual test conducted by local researchers in April 2019 found that a large number of websites tested by Freedom House each year since 2012 remained unblocked, though several have not been updated for years and appeared abandoned.⁷¹ Three websites that were allegedly run by members of the previous government—Aiga Forum, Tigray Online, and Tigrasolidarity.org⁷²—were reportedly blocked in September 2018, but they were accessible during the test. The websites of international digital rights organizations, including the Electronic Frontier Foundation and Tactical Technology Collective, and select

tools such as messaging applications and services on Google’s Android mobile operating system, which were inaccessible at irregular intervals during 2018, were all accessible during the 2019 test.

Despite recent improvements, Ethiopia still has a nationwide internet blocking and filtering system that can be redeployed at any time for political reasons. To filter the internet, specific internet protocol (IP) addresses or domain names are generally blocked at the level of the connection to the international gateway. Deep packet inspection (DPI) is also employed, enabling blocking based on a keyword in the content of a website or of a communication such as an email message.⁷³

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content? 2 / 4

Internet users have reported incidents of content removals, while a February 2020 law requires social media companies to remove comment that is considered hate speech or disinformation within 24 hours of notice.

In March 2020, Yayeew Shimelis, a journalist affiliated with the Tigray People’s Liberation Front (TPLF), posted a video on YouTube and Facebook with information about the government’s response to COVID-19, which the health ministry said was false later that month. Yayeew claimed his Facebook page was suspended without his knowledge. ⁷⁴ He has since returned to Facebook.⁷⁵ In May, he accused INSA of controlling his Facebook page (see C8).⁷⁶ Yayeew was detained shortly after he posted the video, before being released on bail a month later (see C3). In April, prosecutors charged Yayeew under the Hate Speech and Disinformation and Prevention and Suppression Proclamation (see C2).

In February 2020, the Ethiopian government passed the Hate Speech and Disinformation Prevention and Suppression Proclamation (see C2). Under the law, social media companies are required to remove content that is reported as disinformation or hate speech within 24 hours of notice, though there are no penalties or sanctions for companies that do not comply.⁷⁷

Nonstate actors such as organized youth groups reportedly coerced bloggers and other users to remove objectionable content, usually by way of threats. In the past, politically unfavorable content was often targeted for removal by security officials, who personally sought out users and bloggers and instructed them to take down the material in question.

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or 0 / 4 an independent appeals process?

There are no procedures for determining which websites are blocked or why, precluding any avenues for appeal. The authorities do not publish lists of blocked websites or criteria for how blocking decisions are made, and users receive a generic error message when trying to access blocked content. The decision-making process does not appear to be controlled by a single entity, as various government bodies—including INSA, Ethio Telecom, and the Ministry of Innovation and Technology—seem to maintain their own lists, contributing to a phenomenon of inconsistent blocking.⁷⁸ The lack of transparency is exacerbated by the government’s typical refusal to admit its censorship efforts. Government officials have flatly denied the blocking of websites or jamming of international satellite operations while also stating that the government has a legal and a moral responsibility to protect the Ethiopian public from extremist content.

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship? 1 / 4

Media freedom and freedom of expression in Ethiopia were better respected during the coverage period than they have been in decades, but serious threats to media persist enough that self-censorship is common.

The Abiy government eased state restrictions on the media, and citizens flocked to social media to participate in conversations about their country's potential transition from authoritarianism and to hold the government accountable for promised reforms. However, fear of reprisals by nonstate actors continued to encourage self-censorship (see B2 and B5). While most bloggers and journalists who were released from prison returned to their professional activity, they began to report concerns again in September 2018 and April 2019 as rising ethnic tensions led to violence and displacement.

Self-censorship remains common in the LGBT+ community. Same-sex sexual activity is a criminal offense in Ethiopia,⁷⁹ deterring open discussion of related topics. Although there are various Ethiopian LGBT+ groups on Facebook, most are run by anonymous accounts.

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest? 1 / 4

Online misinformation is rife, particularly following the assassination of the Āmara regional president and the killing of Hachalu Hundessa. The Tigray regional government reportedly coordinates an online campaign that exacerbates ethnic tensions, while the former government employed online trolls.

Despite Ethiopia's low levels of internet access, the former government was known to employ an army of online trolls to distort the information landscape.⁸⁰ Opposition groups, journalists, and dissidents used the contemptuous Amharic colloquial term "Kokas" to describe the progovernment commentators.⁸¹ Observers say the Kokas regularly discussed Ethiopia's economic growth in favorable terms and posted negative comments about Ethiopian journalists and opposition groups on Facebook and Twitter. In return, they were known to receive benefits such as money, land, and employment promotions.⁸² It is uncertain whether the current government uses the same online manipulation tactics, but supporters of the old government have accused the new government of doing so. They scornfully refer to supporters of the new government as "Tekas."

Some powerful nonstate actors also command large numbers of followers and trolls, especially on Facebook. There have been reports that online trolls pose as members of different ethnic groups to incite tensions between them. For instance, the TPLF, the ruling party of the Tigray region, coordinates party loyalists in the "Digital Woyane" campaign,⁸³ in which participants reportedly seek to create ethnic tension on social media.

Meanwhile, the spread of unconfirmed information, the phenomenon of purportedly false news, and the growing problem of hate speech in the context of ethnic clashes have had a major negative effect on the credibility of legitimate online information. Misinformation and disinformation campaigns peaked within Ethiopia and among members of the Ethiopian diaspora following the June 2019 assassination of the Āmara region's president and that month's internet shutdown.⁸⁴ A surge in online misinformation and disinformation was also noted in response to Oromo activist Jawar Mohammed's October 2019 claim that

the government intended to assassinate him. Rival factions within the former EPRDF also reportedly spread online misinformation and disinformation as the Prosperity Party was formed to succeed it at the end of 2019.⁸⁵

During the previous coverage period, there was a flood of rumors on social media about the power struggle within the EPRDF coalition in the months before the appointment of Abiy as prime minister in April 2018.⁸⁶

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish content online? 1 / 3

Lack of adequate funding is a significant challenge for independent online media in Ethiopia, as fear of government pressure dissuades local businesses from advertising with politically critical websites. A 2012 Advertising Proclamation also prohibits advertisements from firms "whose capital is shared by foreign nationals."⁸⁷ The process for launching a website on the country's .et domain is expensive and demanding,⁸⁸ requiring a business license from the Ministry of Trade and Industry and a permit from an authorized body.⁸⁹

B7 0-4 pts

Does the online information landscape lack diversity? 2 / 4

Various constraints impede the development of diverse media outlets and perspectives online. With few exceptions, the media environment often leans toward the government. While domestic usage of social media platforms, particularly Facebook, Twitter, YouTube, Telegram, and Instagram, has been expanding and slowly replacing the nascent Ethiopian blogosphere, these platforms also suffer from misinformation and polarization.⁹⁰

The media landscape has benefited from Prime Minister Abiy's reforms. Access to diaspora-based media and opposition outlets such as ESAT and OMN has been restored,⁹¹ and a number of new online media outlets have launched.

Ethiopian online media lack diversity in some sensitive areas, such as coverage of LGBT+ issues.

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues? 2 / 6

Despite hostile conditions caused by poor internet access and repressive laws, online activism has gained considerable momentum and influence over the past few years. Notably, social media and communications platforms have been integral to the mobilization of widespread antigovernment protests in the Oromiya and Amara regions since November 2015,⁹² enabling activists to post information about the demonstrations and disseminate news about police brutality as the government cracked down on protesters.⁹³ Activists have also used social media platforms to consistently report on the arrests, trials, and releases of political prisoners.

The government routinely shut down networks and blocked social media in order to hinder mobilization efforts. Localized shutdowns in Oromiya were imposed in January 2020 to impede an OLF faction as it reportedly engaged in fighting with government forces (see A3).

During the coverage period, activists used social media platforms to express concern and frustration with the government's response to the COVID-19 pandemic.⁹⁴ Commentators have more openly criticized government decisions on social media since 2014.

Ethiopians mobilized in protests and on social media, using the hashtags #BringBackOurGirls and #BringBackOurStudents, after a group of students and others, many of whom are women who belong to the Amhara ethnic group, were kidnapped in Oromiya in December 2019. Ethiopians used social media to criticize the government's failure to find those kidnapped, likely prompting greater government action.⁹⁵ As of September 2020, most of the students remain missing.⁹⁶

In November 2018, activists created a hashtag and used Facebook for a 16-day campaign against such violence.⁹⁷ In 2014, activists employed social media to raise awareness about gender-based violence.

C Violations of User Rights

State-of-emergency regulations imposed in response to the COVID-19 pandemic prohibit the sharing of information about the pandemic that would "cause terror and undue distress among the public." A new law intended to limit the spread of online hate speech and disinformation carries steep penalties for violators. A lawyer and an opposition-affiliated journalist faced charges for sharing COVID-19-related information the government claimed was false during the coverage period.

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence? 1 / 6

The law formally guarantees fundamental freedoms for Ethiopian internet users, but these rights have been routinely flouted in practice. The 1995 constitution provides for freedom of expression, freedom of the press, and access to information, while also prohibiting censorship.⁹⁸ The 2008 Freedom of Mass Media and Access to Information Proclamation, known as the press law, affirms such constitutional safeguards.⁹⁹ Nevertheless, the same law includes problematic provisions that restrict free expression, such as complex registration processes for media outlets and high fines for defamation.¹⁰⁰ The criminal code penalizes defamation with a fine or up to one year in prison.¹⁰¹ These laws remained on the books under Prime Minister Abiy, though he promised to revise the press law.¹⁰²

In April 2020, the government declared a five-month state of emergency in response to the COVID-19 pandemic.¹⁰³ Shortly after the declaration, the Council of Ministers gazetted state-of-emergency regulations that significantly curtail the rights of Ethiopians, including a provision that prohibits the dissemination of "any information about COVID-19 and related issues which would cause terror and undue distress among the public." The regulations further obligate media outlets and professionals to ensure their reporting on COVID-19 is "without exaggeration, appropriate, and not prone to cause panic and terror among the public."¹⁰⁴ Article 93 of the constitution permits the government to suspend the "political and democratic rights" upheld by the constitution when a state of emergency is declared.¹⁰⁵

To quell antigovernment protests that forced the resignation of Prime Minister Hailemariam Desalegn, the government imposed a six-month state of emergency in February 2018 that included restrictions on certain online activities, including a ban on the circulation of "any information that could cause disturbance or suspicion."¹⁰⁶ As with a previous state of emergency imposed from October 2016 to August 2017, the

authorities also criminalized accessing or posting content related to the protests on social media, and any efforts to communicate with “terrorist” groups, a category that included exiled dissidents. Emergency rule undermined other fundamental rights, for example by prohibiting unauthorized protests and allowing security forces to arbitrarily arrest and detain citizens without charge. In a positive step, Prime Minister Abiy, who took office in April 2018, ended that year’s state of emergency in June, two months early.¹⁰⁷

The judiciary is officially independent, but in practice it is subject to political interference, and judgments rarely deviate from government policy.

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities? 0 / 4

Several laws designed to restrict and penalize legitimate online activities remain in place from the previous government, and a new law was passed during the coverage period.

In February 2020, the Ethiopian government enacted the Hate Speech and Disinformation Prevention and Suppression Proclamation, a law intended to combat online disinformation and speech that “deliberately promotes hatred, discrimination, or attack against a person.” The law criminalizes posting or sharing content on social media that authorities determine to cause violence or disturbance of public order. Violating the law carries fines of up to 100,000 birr (\$2,700) or up to five years’ imprisonment, with the steepest penalties for people with more than 5,000 followers. The law does not carry penalties for tagging such content.¹⁰⁸

Activists, civil society organizations, and the UN’s special rapporteur for freedom of opinion and expression criticized the law for profoundly chilling free expression in Ethiopia.¹⁰⁹

The 2016 Computer Crime Proclamation also criminalized an array of online activities.¹¹⁰ Civil society activists expressed concern that the law would be used to intensify a crackdown on critical commentary, political opposition, and public protest.¹¹¹ For example, content that “incites fear, violence, chaos, or conflict among people” can be punished with up to three years in prison.¹¹² Other problematic provisions ban the dissemination of defamatory content, which can be penalized with up to 10 years in prison,¹¹³ and the distribution of unsolicited messages to multiple email addresses (spam), which carries up to five years in prison.¹¹⁴

The 2012 Telecom Fraud Offences Proclamation extended the violations and penalties defined in the 2009 Anti-Terrorism Proclamation and the criminal code to electronic communications, including both fixed-line and mobile internet services.¹¹⁵ The antiterrorism legislation, which was revised in January 2020,¹¹⁶ prescribed prison sentences of up to 20 years for the publication of statements that can be understood as a direct or indirect encouragement of terrorism, which is itself vaguely defined.¹¹⁷ The law also banned VoIP services such as Skype,¹¹⁸ and required all individuals to register their telecommunications equipment—including smartphones—with the government. Security officials typically enforced that rule at checkpoints by confiscating ICT equipment from people unable to produce a registration permit, according to sources within the country.

C3 0-6 pts

Are individuals penalized for online activities? 3 / 6

Score Change: The score declined from 4 to 3 because of arrests made under new laws and emergency regulations that criminalize online speech.

Following the government's enactment of emergency regulations in April 2020, at least two individuals have been arrested or charged with criminal offenses relating to their opinions about the government's response to the COVID-19 pandemic.

In early April 2020, police detained Elizabeth Kebede, a volunteer lawyer with the Ethiopian Women's Lawyers Association, and accused her of spreading false information related to COVID-19 on Facebook. The Facebook post in question named individuals reportedly infected with the novel coronavirus and identified personal information about those individuals.¹¹⁹ By early May, Kebede was released on bail.¹²⁰

In late March 2020, opposition journalist Yayesew Shimelis was arrested after he posted purportedly false information about the government's response to the pandemic (see B2).¹²¹ While Yayesew was initially detained without charge, prosecutors charged Yayesew under the Hate Speech and Disinformation Prevention and Suppression Proclamation in April, under provisions that carry a penalty of up to three years' imprisonment or a fine of 100,000 birr (\$2,700). Prosecutors also filed charges under a terrorism statute and a penal code statute, both of which were thrown out by the courts.¹²² Yayesew was released in late April, after a judge granted him bail earlier that month.¹²³

The Committee to Protect Journalists reported that 2018 was the first year since 2004 in which Ethiopian authorities did not imprison a journalist. However, in February 2019, Fasil Aragay of Mereja TV, an online news channel, and cameraman Habtamu Oda were briefly detained by police—and then assaulted by a mob—while on duty in a suburb of Addis Ababa.¹²⁴

After many years in which the authorities arrested antigovernment protesters and handed down long prison sentences to critical bloggers and journalists, the government stunned observers in January and February 2018 by releasing thousands of political prisoners, including blogger Eskinder Nega, who had been serving an 18-year sentence since 2012.¹²⁵ Bloggers who have been convicted on terrorism charges—Zelalem Workagegnehu, Yonatan Wolde, and Bahiru Degu, among others—were also eventually released, and outstanding charges against members of the critical Zone 9 blogging collective were dropped.¹²⁶

Despite these signs of progress, authorities later made arrests under the state of emergency imposed in February 2018. That March, police arrested Seyoum Teshome, a well-known academic and blogger, for criticizing the state of emergency online.¹²⁷ He was released that April without charge.¹²⁸ Separately, several bloggers and journalists were arrested in late March 2018 while at a social gathering; such gatherings were prohibited without prior authorization under the state of emergency.¹²⁹ Those arrested included recently released Eskinder Nega, though they were all released after 12 days.¹³⁰

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption? 2 / 4

Anonymous communication is compromised by strict SIM card registration requirements. Upon purchase of a SIM card through Ethio Telecom or an authorized reseller, individuals must provide their full name, address, government-issued identification number, and a passport-sized photograph. Ethio Telecom's database of SIM registrants enables the government to terminate individuals' SIM cards and restrict them from registering for new ones. Internet subscribers are also required to register their personal details, including their home address, with the government. During the antigovernment protests in 2016, Ethio

Telecom announced plans to require mobile phones to be purchased from Ethiopian companies and to create a tracking system for all mobile devices in Ethiopia. Observers believe the plan aims to allow the government to track and identify all communications from subscribers on its network.¹³¹

There are no explicit restrictions on encryption, though police officers or members of the security services may assume malign intent on the part of someone who uses encryption.

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy? 1 / 6

Government surveillance of online and mobile phone communications has been pervasive in Ethiopia, and the relevant laws and practices have not been reformed since Prime Minister Abiy took office in April 2018. Activists have reported that their phone communications were under surveillance in previous years.

The 2016 Computer Crime Proclamation strengthened the government's surveillance powers, enabling real-time monitoring or interception of communications when authorized by the justice minister. The law also obliges service providers to store records of all communications and metadata for at least a year.¹³²

Ethiopia's telecommunications and surveillance infrastructure has been developed in part through investments from Chinese companies with backing from the Chinese government, creating strong suspicions that the Ethiopian government has implemented highly intrusive surveillance practices modeled on the Chinese system. These suspicions were reinforced in January 2018, when African Union (AU) officials accused China of hacking into its headquarters' servers and secretly transferring data to servers in Shanghai over the course of five years, from 2012 to 2017.¹³³ The state-owned China State Construction Engineering Corporation built the AU's headquarters in Addis Ababa and connected the building's telecommunications infrastructure through Ethio Telecom.

A 2015 Human Rights Watch report revealed strong indications that the Ethiopian government deployed a centralized system developed by the Chinese telecommunications firm ZTE to monitor mobile phone networks and the internet.¹³⁴ Known for its use by repressive regimes in Libya and Iran, the monitoring system facilitates deep packet inspection (DPI) across the Ethio Telecom network and has the ability to intercept emails and web chats.

Another ZTE technology, known as ZSmart, is a customer management database installed at Ethio Telecom that provides the government with full access to user information, allows it to intercept short-message service (SMS) texts, and can record phone conversations.¹³⁵ ZSmart also allows security officials to locate targeted individuals through real-time geolocation tracking of mobile phones.¹³⁶ While the extent to which the government has made use of the full range of ZTE's sophisticated surveillance system is unclear, the authorities frequently present intercepted emails and phone calls as evidence during trials of journalists and bloggers, or as a scare tactic during interrogations.¹³⁷

Meanwhile, exiled dissidents have been frequent targets of surveillance-enabling malicious software, or spyware, over the years. In February 2018, Citizen Lab published research detailing how spyware from an Israeli company was used against Jawar Mohammed, an Oromo political activist and the once-exiled executive director of the diaspora-run news outlet OMN, which had been banned by the previous government for allegedly inciting violence and promoting terrorism.¹³⁸

Previous Citizen Lab research published in 2015 found that Remote Control System (RCS) spyware had been used against employees of ESAT, a diaspora-run media outlet based in the United States, in 2014. RCS, a product of the Italian company Hacking Team, was advertised as “offensive technology” and was sold to law enforcement and intelligence agencies around the world, with the ability to monitor user activity and steal data.¹³⁹ While Hacking Team denied that it dealt with “repressive regimes,”¹⁴⁰ analysis of the RCS attacks uncovered credible links to the Ethiopian government, with the spyware’s servers registered at an Ethio Telecom address under the name “INSA-PC,” an apparent reference to INSA, the government’s communications security agency.¹⁴¹

In a positive step, Prime Minister Abiy—who is regarded as one of the founders of INSA—forced the resignations in April 2018 of agency officials who were accused of monitoring and hacking activists, leading to some optimism that INSA may become less abusive regarding its surveillance powers.¹⁴²

C6 0-6 pts

Are service providers and other technology companies required to aid the government in monitoring the communications of their users? 1 / 6

Ethiopian law allows the government to obtain user information from telecommunications providers.

The Computer Crime Proclamation requires service providers to store records of all communications and related data for at least a year, and this information must be shared with the government if requested.¹⁴³ The lack of separation between state-owned Ethio Telecom and the government raises significant concerns about the company’s degree of cooperation with the government. Ethiopia lacks a data protection law.

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities? 3 / 5

Harassment of and violence toward users still occur, though at lower levels than in the past. Prime Minister Abiy fired the head of Ethiopia’s prison service and other top officials in July 2018 based on allegations of systemic torture within the prison system.¹⁴⁴

In June 2019, when a US-based LGBT+ tour company announced its plan to offer a trip to Ethiopia, it received online death threats and hate messages on social media.¹⁴⁵

Dawit Wassihun Kassa, a journalist for the online news outlet Akiya Media, reported that he was assaulted in Ethiopia’s Southern Region in May 2019 while on assignment. He alleged that police officers were among those who assaulted and harassed him, and that the perpetrators accused him of spying.¹⁴⁶

That same month, activist Eskinder Nega, who has maintained a provocative presence on Twitter since his release from prison, received a threat from someone who pledged to physically attack him unless he ceased his online activities.¹⁴⁷

Under the former government, security agents frequently harassed and intimidated bloggers, online journalists, and ordinary users. Independent bloggers were often summoned by the authorities, who warned them against discussing certain topics online, while activists reported that they were regularly threatened by state security agents.¹⁴⁸ Ethiopian journalists in the diaspora were also targeted for harassment.¹⁴⁹

Amid escalating antigovernment protests in 2017 and early 2018, the authorities reportedly harassed, detained, and abused several people who used their digital devices to record videos of demonstrations. Political prisoners, many of whom were jailed for their online writings, have been subjected to grave human rights abuses, including torture, while in detention.¹⁵⁰ Imprisoned bloggers reported being held in degrading conditions and tortured to extract false confessions.¹⁵¹

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack? 1 / 3

Government entities and political parties are frequently subject to cyberattacks, while opposition journalists and activists have alleged that they have been targeted by security forces.

In December 2019, INSA disclosed that a group of hackers attempted to immobilize the Ethiopian financial system through a distributed denial-of-service (DDoS) attack. INSA stated that it briefly shut down Ethiopia's internet infrastructure in response.¹⁵² In June 2020, after the coverage period, ISNA disclosed that three different groups attempted to attack Ethiopia's network structure. INSA alleged that the attack originated in Egypt, linking it to the controversial Renaissance Dam project.¹⁵³

In October 2019, opposition blogger Seyoum Teshome posted screenshots of emails that he alleged were hacked from the email account of a TPLF official. The emails describe an attempt to target Ethiopian universities with disruption in order to reduce trust in Prime Minister Abiy.¹⁵⁴

In May 2020, Yayeshew Shimelis, a TPLF-affiliated journalist who was arrested for sharing purportedly false information about the government's response to the COVID-19 pandemic, accused INSA of hacking his Facebook page (see B2).¹⁵⁵ Daniel Berhane, an ardent supporter of the previous government who runs a news and opinion website, accused the new government of hacking his Facebook page in early 2019. According to local sources, his account was hacked, and some of his details were leaked. He subsequently regained control of the page.

Opposition critics and independent voices have faced frequent technical attacks over the years, even when based abroad. In February 2018, Citizen Lab published research detailing how spyware had been used to target Jawar Mohammed, the previously exiled executive director of OMN, throughout 2016 and 2017 (see C5).¹⁵⁶

According to research from the cybersecurity firm Kaspersky, a hacking group likely connected to a state government targeted at least one Ethiopian organization with a highly sophisticated malware attack. The group, which was active from 2009 to 2017, targeted military organizations, medical institutions, and telecommunications companies. Kaspersky did not disclose the identity of the targets in Ethiopia or the group's suspected state affiliation.¹⁵⁷

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