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Country Report on Human Rights Practices for 2011 - Ethiopia

EXECUTIVE SUMMARY

Ethiopia is a federal republic led by Prime Minister Meles Zenawi and the Ethiopian People's Revolutionary Democratic Front (EPRDF). In national parliamentary elections in May 2010, the EPRDF and affiliated parties won 545 of 547 seats to remain in power for a fourth consecutive five-year term. The EPRDF is made up of four ethnically based political organizations: the Tigrayan People's Liberation Front, Amhara National Democratic Movement, Oromo People's Democratic Organization, and Southern Ethiopian People's Democratic Movement. Although the relatively few international officials allowed to observe the elections concluded that technical aspects of the vote were handled competently, some also noted that an environment conducive to free and fair elections was not in place prior to election day. Several laws, regulations, and procedures implemented since the 2005 national elections created a clear advantage for the EPRDF throughout the electoral process. Security forces generally reported to civilian authorities; however, there were instances in which special police and local militias acted independently of civilian control.

The most significant human rights problems included the government's arrest of more than 100 opposition political figures, activists, journalists, and bloggers. The government charged 14 of those arrested under the antiterrorism proclamation. In addition it charged another 17 persons outside the country in absentia under this proclamation. The government restricted freedom of the press, and fear of harassment and arrest led journalists to practice self-censorship. The Charities and Societies Proclamation (CSO law) continued to impose severe restrictions on civil society and nongovernmental organization (NGO) activities.

Other human rights problems included torture, beating, abuse, and mistreatment of detainees by security forces; harsh and at times life-threatening prison conditions; arbitrary arrest and detention; detention without charge and lengthy pretrial detention; infringement on citizens' privacy rights, including illegal searches; allegations of abuses in connection with the continued low-level conflict in parts of the Somali region; restrictions on freedom of assembly, association, and movement; police, administrative, and judicial corruption; violence and societal discrimination against women and abuse of children; female genital mutilation (FGM); exploitation of children for economic and sexual purposes; trafficking in persons; societal discrimination against persons with disabilities; clashes between ethnic minorities; discrimination against persons based on their sexual orientation and against persons with HIV/AIDS; limits on worker rights; forced labor; and child labor, including forced child labor.

Impunity was a problem. The government did not take steps to prosecute or otherwise punish officials who committed abuses other than corruption.

The Ogaden National Liberation Front (ONLF), an ethnically based, violent, and increasingly fragmented separatist group operating in the Somali region, was responsible for abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed politically motivated killings during the year.

Human Rights Watch reported that it received reports of five to six persons dying due to security force beatings in connection with the government's "villagization" program during the year (see section 1.f.).

In May gunmen linked to the ONLF killed a humanitarian aid worker (see section 1.g.).

Clashes between ethnic groups during the year resulted in dozens of deaths, as well as the displacement of persons (see sections 2.d. and 6, National/Racial/Ethnic Minorities).

b. Disappearance

There were no reports of politically motivated disappearances; however, there were credible reports that security officials temporarily detained opposition activists and held them incommunicado.

The ONLF held two humanitarian aid workers for more than six weeks (see section 1.g.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, there were credible reports that security officials tortured and otherwise abused detainees.

Authorities reportedly tortured Ethiopian National Unity Party president Zerihun Gebre-Egziabher and journalist Woubishet Taye, two of the nine persons arrested June 19-21 and accused of terrorist activity and involvement with the Oromo Liberation Front (OLF) (see section 1.e.).

In November 2010 the UN Committee Against Torture reported that it was "deeply concerned" about "numerous, ongoing, and consistent allegations" concerning "the routine use of torture" by the police, prison officers, and other members of the security forces--including the military--against political dissidents and opposition party members, students, alleged terrorists, and alleged

supporters of violent separatist groups like the ONLF and the OLF. The committee reported that such acts frequently occurred with the participation of, at the instigation of, or with the consent of commanding officers in police stations, detention centers, federal prisons, military bases, and unofficial or secret places of detention. Some reports of such abuses continued during the year.

Numerous credible sources confirmed in 2009 that in Maekelawi, the central police investigation headquarters in Addis Ababa, police investigators often used physical abuse to extract confessions. Citizens widely believed that such treatment remained a common practice at Maekelawi. Authorities continued to restrict access by diplomats and NGOs to Maekelawi.

Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. Severe overcrowding was common, especially in sleeping quarters. The government provided approximately eight birr (\$0.46) per prisoner per day for food, water, and health care. Many prisoners supplemented this with daily food deliveries from family members or by purchasing food from local vendors. Medical care was unreliable in federal prisons and almost nonexistent in regional prisons. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. Many prisoners had serious health problems in detention but received little treatment.

The country has three federal and 120 regional prisons. There also are many unofficial detention centers throughout the country, including in Dedessa, Bir Sheleko, Tolay, Hormat, Blate, Tatek, Jijiga, Holeta, and Senkele. Most are located at military camps.

At the end of 2010 there were an estimated 86,000 persons in prison, of whom 2,474 were women and 546 children incarcerated with their mothers. Juveniles sometimes were incarcerated with adults who were awaiting execution. Male and female prisoners generally were separated. Authorities generally permitted visitors. In some cases family visits to prisoners were restricted to a few per year. Some of those charged with terrorist activity reported that their families were not allowed to visit them in prison.

Prisoners generally were permitted religious observance, but this varied by prison, and even by section of prison, at the discretion of prison management. Prisoners may, during trial, make complaints about prison conditions or treatment to the presiding judge.

During the year the International Committee of the Red Cross (ICRC) visited regional prisons but, like all international organizations and NGOs, remained barred from visiting federal prisons, which held persons accused or convicted of crimes against national security, and all prisons in the Somali region. Regional authorities allowed NGO representatives to meet regularly with prisoners without third parties present.

The government and prison authorities generally cooperated with efforts of the Ethiopian NGO Justice for All-Prison Fellowship Ethiopia (JFA-PFE) to improve prison conditions. JFA-PFE was granted access to various prison and detention facilities, including federal prisons. It ran “model” prisons in Adama and Mekele, with significantly better conditions than those found in other prisons.

Because the government routinely failed to meet its accepted obligation to notify diplomatic missions of the arrest of foreign nationals, foreign representatives had only rare access to prisons and other detention facilities.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, the government often ignored these provisions in practice.

Role of the Police and Security Apparatus

The Federal Police Commission reports to the Ministry of Federal Affairs, which is subject to parliamentary oversight; however, this oversight was loose in practice. Each of the country's nine regions has a state or special police force that reports to the regional civilian authorities. Local militias operated across the country in loose coordination with regional and federal police and the military, with the degree of coordination varying by region. In many cases these militias functioned as appendages of local EPRDF political bosses.

Security forces were effective, but impunity remained a serious problem. The mechanisms used to investigate abuses by the federal police were not known. Since 2010 regional police in the Somali region came under increasing control by the regional government and several members were subject to arrest for acts of indiscipline. The government rarely publicly disclosed the results of investigations into abuses by local security forces, such as arbitrary detention and beatings of civilians. In its November 2010 report, the UN Committee Against Torture noted that there were "numerous and consistent reports" about the government's "persistent failure" to investigate allegations of torture and prosecute perpetrators, including Ethiopian National Defense Force (ENDF) or police commanders. The committee further noted the absence of information on cases in which soldiers and police or prison officers were prosecuted, sentenced, or subjected to disciplinary sanctions for acts of torture or mistreatment.

The government continued its efforts to provide human rights training for police and army recruits. During the year the government continued to accept assistance from the JFA-PFE and the Ethiopian Human Rights Commission (EHRC) to improve and professionalize its human rights training and curriculum, by including more material on the constitution and international human rights treaties and conventions. The JFA-PFE and the EHRC conducted human rights training for police commissioners, prosecutors, judges, prison administrators, and militia in Tigray; Amhara; Oromia; Afar; Southern Nations, Nationalities, and People's Region (SNNPR); Gambella; and Addis Ababa.

Arrest Procedures and Treatment While in Detention

Although the constitution and law require that detainees be brought to court and charged within 48 hours of arrest, sometimes this requirement was not respected in practice. With court approval, however, persons suspected of serious offenses can be detained for 14 days without being charged and for additional 14-day periods if an investigation continues. Under the antiterrorism law, police may request to hold persons without charge for 28-day periods, up to a maximum of four months. The law prohibits detention in any facility other than an official detention center; however local

militias and other formal and informal law enforcement entities used dozens of unofficial local detention centers.

A functioning bail system was in place. Bail was not available for murder, treason, and corruption. In most cases authorities set bail between 500 and 10,000 birr (\$29 and \$580), which was too costly for most citizens. Police officials did not always respect court orders to release suspects on bail. The government provided public defenders for detainees unable to afford private legal counsel, but only when their cases went to court. While detainees were in pretrial detention, authorities allowed them little or no contact with legal counsel.

Arbitrary Arrest: Authorities regularly detained persons without warrants and denied access to counsel and in some cases to family members, particularly in outlying regions.

The government arrested more than 100 opposition political figures, activists, journalists, and bloggers.

In contrast with previous years, there were no reports that Ethiopian asylum seekers deported from Yemen were detained upon return to the country.

Pretrial Detention: Some prisoners reported being detained for several years without being charged and without trial. Pretrial detention continued to decline during the year. Approximately 80 percent of those incarcerated during the year in Amhara, Benishangul-Gumuz, Oromia, SNNPR, and Tigray had been sentenced.

Trial delays were most often caused by lengthy legal procedures, the large numbers of detainees, judicial inefficiency, and staffing shortages.

Amnesty: On June 1, after extensive lobbying by the Ethiopian Orthodox Church and other religious institutions, and despite the protests of the family members of victims of the Red Terror, the government commuted the death sentences of 23 officials of the previous military regime, known as the Derg (1974-91). The officials, convicted of genocide, had their sentences reduced to life imprisonment; 16 of those officials were released from prison on October 4 for good behavior.

On September 10, in keeping with a long-standing tradition of issuing pardons at the Ethiopian New Year, the government pardoned 2,620 prisoners. In addition the SNNPR government pardoned 5,671 prisoners.

On September 27, officials commuted the life sentence of Ginbot 7 member Tsige Habtemariam and released him. Tsige was more than 80 years old at the time of his release. Tsige is the father of Andargachew Tsige, the secretary general of Ginbot 7, who received a death sentence in absentia in 2009.

e. Denial of Fair Public Trial

The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, the criminal courts remained weak, overburdened, and subject to political influence. The upper house of parliament has sole responsibility for judging the constitutionality of

proposed new laws, handling judicial appointments, and reviewing judicial conduct. Courts have the ability to convict defendants on charges not raised by the prosecution.

Regional offices of the federal Ministry of Justice, known as bureaus of justice, monitored developments in local courts, but the federal judicial presence in the regions was otherwise limited. Some regional courts had jurisdiction over both local and federal matters, as the federal courts in those jurisdictions were not operational. Many citizens residing in rural areas generally had little access to formal judicial systems and relied on traditional mechanisms of resolving conflict.

A severe lack of experienced staff in the judicial system sometimes made the application of the law unpredictable. The government continued to train lower court judges and prosecutors and made effective judicial administration the primary focus of this training.

The seventh criminal branch of the Federal Court of First Instance, headed by three judges, handled cases involving juvenile offenses and cases of sexual abuse of women and children. There was a large backlog of juvenile cases, and accused children often remained in detention with adults until officials heard their cases. There were also credible reports that domestic violence and rape cases often were delayed significantly and given low priority.

The law provides legal standing to some preexisting religious and traditional courts and allows federal and regional legislatures to recognize decisions of such courts. By law all parties to a dispute must agree to use a traditional or religious court before such a court may hear a case, and either party can appeal to a regular court at any time. Sharia (Islamic) courts may hear religious and family cases involving Muslims. In addition other traditional systems of justice, such as the Council of Elders, continued to function. These customary mechanisms resolved disputes for the majority of citizens who lived in rural areas. Some women complained of lack of access to free and fair hearings in the traditional justice system because they were excluded by custom from participation in the Council of Elders and because there was strong gender discrimination in rural areas.

Trial Procedures

By law accused persons have the right to a fair public trial by a court of law within a “reasonable time,” a presumption of innocence, the right to be represented by legal counsel of their choice, and the right to appeal. The law gives defendants the right to present witnesses and evidence in their defense, cross-examine prosecution witnesses, and access government-held evidence. However, in practice the government did not always respect the right of access to evidence it held. In some sensitive cases deemed to involve matters of national security, notably the Ginbot 7 and OLF trials, detainees stated that authorities initially denied them the right to see attorneys. The court system does not use trial by juries. Unlike in previous years, there were no reports that persons charged with corruption were denied access to evidence against them prior to their trials.

Judicial inefficiency and lack of qualified staff often resulted in serious delays in trial proceedings. The Public Defender’s Office provided legal counsel to indigent defendants, although its scope and quality of service remained limited due to the shortage of attorneys.

During the year 31 persons were charged with terrorist activities under the antiterrorism proclamation, including 12 journalists, opposition political figures, and activists based in the country; two foreign journalists; and 17 Ethiopians living abroad who were charged in absentia. The

first formal charges in such cases were filed on September 6. Several international human rights organizations raised concerns over the law's broad definition of terrorism, as well as its severe penalties, its broad rules of evidence, and the discretionary powers afforded police and security forces. In at least one case defense attorneys were not given access to the prosecution's evidence before the start of the trial.

Political Prisoners and Detainees

The government arrested more than 100 persons between March and September, including opposition political figures, activists, journalists, and bloggers. The government charged several of those arrested with terrorist or seditious activity, but observers found the evidence presented at trials to be either open to interpretation or indicative of acts of a political nature rather than linked to terrorism.

Estimates on the number of political prisoners varied. Domestic and international NGOs estimated that there were 200 to 300 political prisoners and detainees at year's end. The government did not permit access by international human rights organizations.

From March 13 to 16, in the Oromia region the government arrested members of the Oromo Federalist Democratic Movement (OFDM) and the Oromo People's Congress (OPC). The opposition parties stated that the government arrested 74 of their members and claimed that the arrests were politically motivated. The government stated that authorities arrested 120 persons, and that those arrested were affiliated with the OLF.

A second wave of arrests between June and September included a number of prominent journalists, political opposition figures, and activists, many of whom the government alleged were involved with terrorism. For example, on September 14, authorities arrested Andualem Arage, the vice chairman of the opposition front Medrek and a Unity for Democracy and Justice Party (UDJ) official; the well known blogger and journalist Eskinder Nega; and the UDJ official Natnael Mekonnen. Representatives of the opposition said that the arrests were politically motivated. The trial continued at year's end.

Civil Judicial Procedures and Remedies

The law provides citizens the right to appeal human rights violations in civil court; however, no such cases were filed during the year.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires authorities to obtain judicial warrants to search private property; however, in practice police often ignored the law, and there were no records of courts excluding evidence found without warrants. Opposition political party leaders reported suspicions of telephone tapping and other electronic eavesdropping. In 2009 a former employee of the Ethiopian Telecommunication Corporation (ETC), the state-run monopoly telecommunications and Internet provider, reported from self-imposed exile that the government had ordered ETC employees to record citizens' private telephone conversations unlawfully. It was widely believed that this practice continued during the

year. In at least one instance, a foreign diplomat received a communication from a service provider stating that the government had accessed the diplomat's private e-mail account.

The government reportedly used a widespread system of paid informants to report on the activities of particular individuals. During the year opposition members reported that ruling party operatives and militia members made intimidating and unwelcome visits to their homes, although the number of reports of such visits declined significantly compared with the previous year, when there was an election.

Human Rights Watch and some opposition parties alleged that the government politicized foreign donor assistance and that humanitarian assistance was used as an incentive to secure support for the ruling coalition. In 2010 the donor community based in the country, collectively known as the Development Assistance Group, conducted an assessment of the four largest donor-supported development programs. The assessment concluded that all four programs had accountability systems in place that provided effective checks against distortion for political purposes in the distribution of assistance.

Security forces continued to detain family members of persons sought for questioning by the government. There were credible reports that unemployed youths who were not affiliated with the ruling coalition sometimes had trouble receiving the "support letters" from their kebeles (neighborhoods or wards) necessary to get jobs.

The national government and regional governments continued to put in place "villagization" plans in the Gambella, Benishangul-Gumuz, and Somali regions. These plans involved the resettlement of scattered rural populations from arid or semiarid lands vulnerable to recurring droughts into designated clusters by regional governments. The stated purposes of villagization were to improve the provision of government services (i.e., health care, education, and clean water), protect vulnerable communities from natural disasters and attacks, and change environmentally destructive patterns of shifting cultivation. However, some observers stated that the purpose was to enable the large-scale leasing of land for commercial agriculture, a claim the government denied. The plan involved the resettlement of 45,000 households in Gambella and Benishangul-Gumuz and 70,000 in the Somali region from 2008-11. The government described the villagization program as strictly voluntary, and assessments by international donors found no systematic evidence to the contrary. These assessments found that communities and individual families appeared to have agreed to move based on assurances from authorities of food aid, services, and land, although in some instances communities moved before adequate basic services and shelter were in place in the new locations. They also noted that community members who objected to moving were allowed to stay, with consultations continuing, and some persons later returned to their original homes without hindrance. A Human Rights Watch report characterized the process as "far from voluntary." The report described a process in which security forces and local militia attended meetings with those communities that had initially indicated they did not want to move and later went with villagers to the new locations, where they oversaw the construction of tukuls (traditional huts) by the villagers. According to the report, security forces beat (sometimes leading to death), threatened, arrested without charge, and detained persons who were critical of planned villagization of their communities, and this caused persons to fear speaking out against the process.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Since 1994 the ONLF has engaged in armed conflict with the government. During the year scattered fighting continued between government forces, primarily regional government-backed militia, and residual elements of the ONLF. Allegations of human rights abuses committed by government forces (including regional police), government-aligned local militias, and ONLF forces continued. Often fighting was reported only well after the fact with the opposing sides alleging vastly differing and unverifiable accounts of events. In June parliament declared the ONLF and four other entities as terrorist organizations.

Most allegations of human rights abuses involving government actors came from ONLF sources, typically conveyed via diaspora blogs, and could not be readily investigated. Some villagers continued to report that local authorities threatened to retaliate against anyone who reported abuses by security forces. The number of reports of such human rights abuses continued to decline. The “Admiral Osman faction” of the ONLF, consisting of hard-core fighters and supported by the Eritrean government, was believed to be responsible for an attack against aid workers on May 13 and attacks against the government. Deliveries of food and medicine were temporarily halted in the limited areas affected by fighting due to security concerns.

The 2010 peace agreements that the government signed with the United Western Somali Liberation Front and the Salahdin Ma’ow faction of the ONLF held.

Killings

On May 13, gunmen affiliated with the ONLF attacked a vehicle belonging to the UN World Food Program (WFP), killed its driver, Farhan Hamsa, and injured one other staff member.

Abductions

The persons responsible for the May 13 attack on the WFP vehicle also kidnapped two other WFP employees in the vehicle. The ONLF admitted that it had the two employees in its custody without taking responsibility for the attack. On June 30, the ONLF released the two WFP employees unharmed.

Child Soldiers

There was no additional information regarding reports in past years that some local militias in the Somali region recruited child soldiers.

Also see the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip.

Other Conflict-related Abuses

Civilians, international NGOs, and other aid organizations operating in the Somali region reported that government security forces, local militias, and the ONLF committed abuses such as arbitrary arrest to intimidate the civilian population. In contrast with the previous year, there were no reports

that special police and or militias forcibly relocated whole villages believed to be supportive of the ONLF.

Restrictions that limited the access of NGOs and journalists to conflict regions continued, although these were relaxed significantly in comparison with previous years and large portions of the region were opened to diplomatic visitors. At year's end no areas of the region were officially off-limits, and the government generally encouraged travel in the region as a means of spurring potential investment. The government continued strongly to advise caution in areas of recent fighting. Journalists must register before entering conflict regions. NGOs had to request permission to enter the Fik zone in the Somali region. There were isolated reports of regional police or local militias blocking NGO access to particular locations on particular days, citing security concerns as the reason for this. NGO workers generally turned back and did not press the point. Several foreign missions and other groups continued to exercise caution in traveling to the area.

Authorities arrested and convicted two Swedish journalists who entered the Somali region after crossing the border from Somalia illegally; the journalists were in the company of ONLF fighters when they were arrested (see section 2.a.). The government continued to ban the ICRC from the region, having previously alleged that it cooperated with the ONLF. During the year some humanitarian groups reported roadblocks manned by insurgent groups that occasionally briefly detained them. These same humanitarian groups reportedly were interrogated by the ENDF on their encounters with insurgents at the roadblocks.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

While the constitution and law provide for freedom of speech and press, the government did not respect these rights in practice.

Freedom of Speech: Authorities arrested and harassed persons for criticizing the government.

Freedom of Press: Approximately 20 private Amharic- and English-language newspapers with political and business focuses were published, with a combined weekly circulation in Addis Ababa of more than 150,000. Most newspapers were printed on a weekly basis with the exception of the state-owned Amharic and English dailies.

The government controlled the only nationally broadcast television station which, along with radio, was the primary source of news for much of the population. Apart from three private FM radio stations in the capital city and community radio stations in the regions, the government controlled all radio broadcasting.

Government-controlled media mostly reflected the views of the government and the ruling EPRDF coalition. The government periodically jammed foreign broadcasts. For example, Voice of America's Amharic-language programs experienced periodic jamming throughout the year. Deutsche Welle also reportedly experienced jamming in early April. The broadcasting law prohibits political and religious organizations or foreigners from owning broadcast stations.

Violence and Harassment: The government continued to arrest, harass, and prosecute journalists, publishers, and editors. During the year the government arrested nine journalists, five of whom remained in custody at year's end. Two journalists fled the country, citing fear of arrest; one of the two reported having his accreditation revoked prior to departure.

On February 8, the Ministry of Justice filed approximately 130 charges against Temesgen Dessalegn, editor in chief and owner of the private Amharic weekly newspaper *Feteh*. The charges included 35 criminal offenses and approximately 100 other allegations. Dessalegn was charged with inciting public violence and protests in order to boost sales. Reportedly, the charges cited articles in 13 issues of the newspaper published between September and December 2010 as "defaming the EPRDF and the government, inciting the public against the government and the constitution, and dishonoring the flag."

In November Dawit Kebede, editor in chief of the *Awramba Times*, reportedly fled the country due to harassment and intimidation by government officials. Following his departure the *Awramba Times* ceased publication. Its license was in Dawit's name and was essentially nontransferable.

Censorship or Content Restrictions: Government harassment of journalists caused them to fear reporting on sensitive topics. Many private newspapers reported informal editorial control by the government through article placement requests and calls from government officials concerning articles perceived as critical of the government. Private-sector and government journalists routinely practiced self-censorship. In contrast with previous years, there were no reports that the government used its licensing authority to censor the media indirectly.

Libel Laws/National Security: The government used the antiterrorism law to suppress criticism. Journalists feared reporting on the five groups designated by parliament in June as terrorist organizations (Ginbot 7, the ONLF, the OLF, al-Qaida, and Al Shabaab), citing ambiguity on whether reporting on these groups might be punishable under the law. From June through September, the government arrested and charged five journalists under the antiterrorism proclamation. Several journalists, both local and foreign correspondents, reported an increase in self-censorship.

On June 19 and 21, authorities arrested nine persons under the antiterrorism proclamation, including two journalists--Woubishet Taye, deputy editor of the *Awramba Times*, and *Feteh* columnist Reyot Alemu--as well as Zerihun Gebre-Egziabher, president of the Ethiopian National Unity Party. Reports indicated that Woubishet and Reyot were not allowed to receive visitors and did not have access to counsel while awaiting formal charges, although they had counsel once their trial began. The families of Zerihun and Woubishet stated that the two men had been tortured. On September 6, Woubishet, Reyot, and Zerihun were charged formally with terrorist activity. The trial continued at year's end. Four others of those arrested were later released.

On June 30, Swedish freelancers Johan Persson and Martin Schibbye, a photographer and a journalist, respectively, were arrested in the Somali region. Reports indicated that they were found with a group of ONLF rebels and that prior to their capture the rebels and government troops were in a firefight. The journalists admitted to embedding themselves with the ONLF and entering Ethiopia illegally but otherwise denied actual involvement with or support for the organization. On December 21, they were found guilty of rendering support to a terrorist organization and illegally entering the country. They each received sentences of 11 years in prison.

The government did not use libel laws during the year to suppress criticism.

Publishing Restrictions: The government owned the only high-quality newspaper printing press and regularly increased costs to publishers. Reports indicated that this practice influenced the circulation numbers of the private newspapers, forcing them to adjust their printing runs according to what they could afford. One private publisher claimed to have purchased and imported a news printing press but cited government-imposed obstacles that prevented delivery and installation.

Internet Freedom

The government restricted access to the Internet and blocked several Web sites, including news sites, blogs, opposition Web sites, and Web sites of domestic groups designated as terrorist organizations by parliament (Ginbot 7, the OLF, and the ONLF). Several news blogs and Web sites run by opposition diaspora groups, such as Addis Neger, Nazret, Ethiopian Review, CyberEthiopia, Quatero Amharic Magazine, Tensae Ethiopia, and the Ethiopian Media Forum, were not accessible. In general blog sites were not accessible. The news Web site for VOA News was only available periodically, although users could generally access their proxy Web sites.

On September 14, authorities arrested the journalist and blogger Eskinder Nega (see section 1.e., Political Prisoners and Detainees).

Academic Freedom and Cultural Events

The government restricted academic freedom, including the curriculum, teachers' appointments, and student enrollment decisions. Speech, expression, and assembly frequently were restricted on university and high school campuses.

Students in schools and universities were indoctrinated in the core precepts of the ruling EPDRF party's concept of "revolutionary democracy." According to credible sources, the ruling party "stacks" student enrollment at Addis Ababa University, which is the nation's largest and most influential university, with students loyal to the party to ensure further adherence to the party's principles and to forestall any student protest.

The government also restricted academic freedom in other ways. Authorities did not permit teachers at any level to deviate from official lesson plans and actively prohibited partisan political activity and association of any kind on university campuses. Numerous anecdotal reports suggested that non-EPDRF members were more likely to be transferred to undesirable posts and bypassed for promotions. There was a lack of transparency in academic staffing decisions, with numerous complaints from individuals in the academic community of bias based on party membership, ethnicity, or religion.

Some college students reportedly were pressured to pledge allegiance to the EPRDF in order to secure enrollment in universities or government jobs after graduation. According to multiple credible sources, teachers and high school students in grade 10 and above were required to attend training on the concepts of revolutionary democracy and EPRDF party ideology. Many students reportedly believed that they needed EPRDF membership to gain admission to a university and consequently became members.

During the year the Ministry of Education relaxed some restrictions in its 2010 directive prohibiting private universities from offering degree programs in law and teacher education. The directive also requires private universities to align their curriculum offerings with the previously announced ministry's policy of a 70-to-30 ratio between science and social science academic programs. Private university curricula had focused heavily on the social sciences. Ministry officials originally cited a need to maintain quality standards as the reason for the directive.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly; however, the government restricted this right. On one occasion during the year, authorities injured and arrested protestors who were reportedly demonstrating without a permit.

Organizers of large public meetings or demonstrations must notify the government 48 hours in advance and obtain a permit. Local government officials, almost all of whom were affiliated with the EPRDF, controlled access to municipal halls, and there were many complaints from opposition parties that local officials denied or otherwise obstructed the scheduling of opposition parties' use of halls for lawful political rallies.

Regional governments, including the Addis Ababa regional administration, were reluctant to grant permits or provide security for large meetings.

In September the All Ethiopia Unity Party and Ethiopia Unity Democratic Organization stated that they were not granted permission by the Addis Ababa city administration to hold a peaceful demonstration.

Freedom of Association

Although the law provides for freedom of association and the right to engage in unrestricted peaceful political activity, the government limited this right in practice.

In accordance with the CSO law, anonymous donations to NGOs are not permitted. All donors are therefore aware that their names will be public knowledge. The same is true of all donations made to political parties.

The Ministry of Foreign Affairs screens registration applications from international NGOs and submits a recommendation on whether to approve or deny registration.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

Although the law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, the government restricted some of these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and returning citizens.

In-country Movement: The government relaxed but did not completely remove restrictions on the movement of persons into and within the Ogaden area of the Somali region, continuing to argue that the ONLF posed a security threat (see section 1.g.).

Exile: The law prohibits forced exile, and the government did not employ it. Several citizens sought political asylum in other countries or remained abroad in self-imposed exile, including prominent human rights advocates. For example, during the year *Awramba Times* editor Dawit Kebede fled the country after receiving information that he was going to be imprisoned (see section 2.a., Violence and Harassment).

Internally Displaced Persons (IDPs)

The total number of IDPs in the country during the year was not known. Many persons who had been displaced due to conflict in Gambella, Oromia, SNNPR, and the Somali region remained displaced. Drought also caused displacements during the year.

The government did not recognize IDPs as a distinct group, and there was no specialized office charged with managing matters such as IDP protection, return, resettlement, or durable solutions. The government did not maintain data on IDPs. The Federal Disaster Risk Management and Food Security Sector, under the authority of the Ministry of Agriculture and Rural Development, is the main government agency responsible for emergencies, in collaboration with the Ministry of Health and the Ministry of Water and Energy.

Government restrictions on the access of human rights organizations, the media, humanitarian agencies, and diplomatic missions to conflict-affected areas significantly decreased in comparison with previous years. There were isolated reports of regional police or local militias blocking NGO access to particular locations on particular days, citing security concerns as the reason for this. NGO workers generally turned back. Access to conflict-affected IDPs often was difficult and limited; hence assistance provided to them was often inadequate.

During the year drought caused displacements in the Somali region, a situation exacerbated in some cases by the continuing conflict (see section 1.g.). The government limited humanitarian access to the Fik zone of the Somali region.

In Oromia religious violence caused temporary displacement. In March between three thousand and four thousand evangelical Protestants were displaced temporarily when Muslims attacked and burned more than 60 homes and churches in Asendabo, a small town near Jimma, the principal city of western Oromia. The federal police quelled the violence. Virtually all of those who left had returned to their homes by year's end.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status and the government has established a system for providing protection to refugees.

According to the UNHCR, the country hosted 290,304 refugees at year's end. The majority of refugees were from Somalia (185,473), with others coming from Sudan and South Sudan (46,129) and Eritrea (55,085). New arrivals from Somalia increased significantly during the year, most being women and children who were not in good health. Most Somali refugees went to camps in the Dollo Ado area. Deaths of Somali refugee children increased significantly compared with previous years, mainly due to severe malnutrition. Mortality rates peaked in July and August. In August the UNHCR reported that an average of 10 children under age five died every day in Kobe camp (located in the Dollo Ado area) since it opened in June.

The UNHCR, the government, and humanitarian agencies activated contingency plans to care for Sudanese arrivals who fled from conflict in Sudan's Blue Nile State.

Eritrean asylum seekers continued to arrive at the rate of approximately 1,000 new arrivals per month, according to the UNHCR. Hundreds of Eritrean refugees reportedly departed monthly on secondary migration through Egypt and Sudan to go to Israel, Europe, and other final destinations. The UNHCR assisted in the reception and transportation back to My Ayni or Adi Harush camps of more than 723 Eritrean refugees who had been detained in Egypt and deported by the Egyptian authorities. The UNHCR reported that the population of unaccompanied minors who fled Eritrea was 1,197 at year's end. Unaccompanied minors in the 15- to 17-year-old age group represented more than 75 percent of the total population of such minors, who stated they fled Eritrea to avoid military conscription.

Refugee Abuse: The out-of-camp policy for Eritrean refugees, which permits Eritrean refugees to live outside the camps, remained in place. Prior to this policy, such permission was given primarily to attend higher education institutions, undergo medical treatment, or avoid security threats at the camps. Officially, the out-of-camp policy is not extended to refugees from places other than Eritrea. However, in practice such persons were not prevented from moving in and out of camps.

Employment: The government does not grant refugees work permits.

Access to Basic Services: Refugees in camps were provided with schooling and health services. For those outside of camps, there were no reports of discrimination in access to public services.

Durable Solutions: During the year, the International Organization for Migration processed 4,746 refugees who departed for resettlement and family reunification abroad.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully. In practice the country has never had a peaceful change of government.

Elections and Political Participation

Recent Elections: In the May 2010 national parliamentary elections, the EPRDF and affiliated parties won 545 of 547 seats to remain in power for a fourth consecutive five-year term. In simultaneous elections for regional parliaments, the EPRDF and its affiliates won 1,903 of 1,904 seats. The EPRDF and its affiliates received approximately 79 percent of total votes cast but won more than 99 percent of all seats at all levels. Independent observation of the vote was severely limited due to government restrictions. Although the relatively few international officials allowed to observe the elections concluded that technical aspects of the vote were handled competently, some also noted that an environment conducive to free and fair elections was not in place prior to election day. Several laws, regulations, and procedures implemented since the 2005 national elections created a clear advantage for the EPRDF throughout the electoral process. There was ample evidence that unfair government tactics—including intimidation of opposition candidates and supporters--influenced the extent of the EPRDF victory. In addition voter education was limited in scope to information about technical voting procedures and done only by the National Electoral Board, and then only days before voting began.

The African Union, whose observers arrived one week before the vote, pronounced the elections as free and fair. The European Union, some of whose observers arrived a few months before the vote, concluded that the elections fell short of international standards for transparency and failed to provide a level playing field for opposition parties. Overall the EU observed a “climate of apprehension and insecurity,” noting that the volume and consistency of complaints of harassment and intimidation by opposition parties was “a matter of concern” and had to be taken into consideration “in the overall assessment of the electoral process.”

Political Parties: Political parties were predominantly ethnically based. Membership in the EPRDF conferred advantages upon its members; the party directly owned many businesses and was broadly perceived to award jobs and business contracts to loyal supporters. The opposition reported that in many instances local authorities told its members to renounce their party membership and join the EPRDF if they wanted access to subsidized seeds and fertilizer; food relief; civil service job assignment, promotion, or retention; student university assignment and postgraduate employment; and other benefits controlled by the government.

During the year there were credible reports that teachers and other government workers had their employment terminated if they belonged to opposition political parties. According to opposition groups such as the OFDM and the OPC, the Oromia regional government continued to threaten to

dismiss opposition party members--particularly teachers--from their jobs. At the university level, however, members of Medrek and its constituent parties were able to teach.

Registered political parties must receive permission from regional governments to open and occupy local offices.

In early 2010 a system of public campaign finance was announced. Under this system parties are to receive public funds based in part on the number of parliamentary seats they hold.

Participation of Women and Minorities: No laws or cultural or traditional practices prevented women or minorities from voting or participating in political life on the same basis as men or nonminority citizens.

The government policy of ethnic federalism led to the creation of individual constituencies to provide for representation of all major ethnic groups in the House of People's Representatives. There were more than 80 ethnic groups, and small groups lacked representation in the legislature. There were 24 nationality groups in six regional states (Tigray, Amhara, Beneshangul-Gumuz, SNNPR, Gambella, and Harar) that did not have a sufficient population to qualify for constituency seats based on the 2007 census result; however, in the May 2010 elections, individuals from these nationality groups competed for 24 special seats in the House of People's Representatives. Additionally these 24 nationality groups have one seat each in the unelected, largely ceremonial House of Federation.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; despite the government's prosecution of numerous officials for corruption, some officials continued to engage in corrupt practices. Corruption, especially the solicitation of bribes, remained a problem among low-level bureaucrats. Police and judicial corruption also continued to be problems. Some government officials appeared to manipulate the privatization process, and state- and party-owned businesses received preferential access to land leases and credit.

The Ministry of Justice has primary responsibility for combating corruption, largely through the Federal Ethics and Anti-Corruption Commission.

A large number of arrests for corruption were made during the year, including of significant regional politicians and government officials. For example, in May authorities arrested the deputy head of the Bureau of Land Administration and Environmental Protection for the Oromia region, Mohammed Ebrahim Mussa, on corruption charges. The Oromia Ethics and Anti-Corruption Commission arrested more than 60 government officials in the first half of the year.

On August 16, eight team leaders and staff members of the Department of Trade, Industry, and Transport in two Oromia cities, Adama and Bishoftu, received fines and prison terms of up to five and a half years. They were convicted of misusing their offices for illicit gain in the importation of

duty-free vehicles; the financial loss to the government was reportedly 1,755,585 birr (\$101,950). In addition 26 other individuals convicted of benefiting from the scheme received similar sentences.

The law requires that all government officials and employees officially register their wealth and personal property. The president, prime minister, and all cabinet-level ministers registered their assets by the end of 2010, and by the next September a total of 9,102 elected officials, political appointees, and public servants had registered their assets, according to the Federal Ethics and Anti-Corruption Commission.

There was progress in the 2008 case of former ETC managing director Tesfaye Birru and 12 other senior management staff accused of approving an equipment and technology contract that violated government bid regulations and cost 1.52 billion birr (\$88.3 million). On August 24, the federal high court convicted five of the 13 defendants and sentenced them to five to nine years in prison and fines of 7,000 to 40,000 birr (\$406 to \$2,323).

The law provides for public access to government information, but access was largely restricted in practice. The law included freedom of information provisions.

The government publishes its laws and regulations in the national gazette prior to their taking effect. The Government Communications Affairs Office managed contacts between the government, the press, and the public; however, the private press reported that the government rarely responded to its queries.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few domestic human rights groups operated, but with significant government restriction. The government was generally distrustful and wary of domestic human rights groups and international observers. State-controlled media were critical of international human rights groups such as Human Rights Watch. The government strongly criticized Human Rights Watch on several occasions during the year for what it described as biased and inaccurate reporting.

The CSO law prohibits charities, societies, and associations (NGOs or CSOs) that receive more than 10 percent of their funding from foreign sources from engaging in activities that advance human and democratic rights or promote equality of nations, nationalities, peoples, genders, and religions; the rights of children and persons with disabilities; conflict resolution or reconciliation; or the efficiency of justice and law enforcement services. There were 3,522 organizations registered before the CSO law was adopted, although not all were active, and as of June 2,059 CSOs--old and new--were registered under the law. Of these, 262 were foreign charities, 1,330 were "resident" charities, 371 were "local" charities, 62 were adoption agencies, and 34 were consortia. The government maintained that the majority of organizations that did not reregister were not functional organizations prior to the passage of the law. In December the government participated in the first

session of a civil-society sector working group with donor countries and resident CSOs. Some human rights defender organizations adjusted by registering either as local charities, meaning that they could not raise more than 10 percent of their funds from foreign donors but could act in the enumerated areas, or as resident charities, which allowed foreign donations above 10 percent but prohibited activities in the enumerated areas.

Two prominent human rights defender organizations--the Human Rights Council (HRCO) and the Ethiopian Women Lawyers' Association (EWLA)--registered as local charities to preserve their mission and adjust to the law. However, due to the restrictions of the CSO law, both the HRCO and the EWLA cut most of their staff in 2010, drastically reducing the services they provided. In 2010 the Charities and Societies Association (CSA), set up by the government to oversee NGOs, froze the accounts of these two and four other organizations, claiming that funds raised in 2009 would have to be cross-checked against the annual work plan for the year. The funds remained frozen during the year. On October 25, the Federal High Court 11th Civil Bench upheld the CSA's decision to block the funds. Both the EWLA and the HRCO signed agreements with the government-run EHRC that allowed them to gain access to some limited funding through the EHRC. The EWLA's agreement with the EHRC allowed it to establish legal aid centers in tandem with the government-run agency, which effectively began to expand the organization again during the year.

The government denied NGOs access to federal prisons, police stations, and political prisoners.

Restrictions that limited access of NGOs and journalists to conflict regions continued, although these were relaxed significantly compared with previous years. Journalists must register before entering conflict regions. NGOs had to request permission to enter the Fik zone in the Somali region. There were isolated reports of regional police or local militias blocking NGOs' access to particular locations on particular days, citing security concerns as the reason for this (see section 1.g.).

There were credible reports that security officials continued to intimidate or detain local individuals to prevent them from meeting with NGOs and foreign government officials investigating allegations of abuse.

On August 27, authorities jailed Bekele Gerba, an Addis Ababa University professor and deputy chairman of the opposition OFDM, as well as OPC member Olbana Lelisa. Representatives of Amnesty International had met with Bekele and Olbana several days prior to their arrest. Bekele and Olbana were accused of involvement with the OLF. At the same time, 20 Addis Ababa University students were arrested under similar allegations, and several remained incarcerated at year's end. The government also expelled the Amnesty International staff from the country. Court proceedings against Bekele and Olbana were beginning at year's end.

UN and Other International Bodies: The government generally cooperated with international organizations such as the UN.

Government Human Rights Bodies: The government-established EHRC, which is funded by the parliament and subject to parliamentary review, investigates human rights complaints and produces both annual and thematic reports, although it did not release any reports during the year. The commissioner reported that 11 investigative reports were issued. He also stated that the commission

established 106 legal aid centers, 16 of which were affiliated with universities and 31 with the EWLA, pursuant to an agreement that enables the EWLA branches to access EHRC funds. The EHRC itself also reviewed more than 1,400 complaints submitted to it during the year, the vast majority of which were not directed against the government or government bodies. The EHRC, however, is not a body independent of government influence, as it is controlled by parliament.

The Office of the Ombudsman has the authority to receive and investigate complaints with respect to administrative mismanagement by executive branch offices. The agency received hundreds of complaints during the year, mainly focused on delays or denials in services, improper institutional decisions, promotions or demotions, and pension matters. It was not known which complaints were investigated or acted upon.

In September the government launched a steering committee for its National Action Plan on Human Rights; however, no action took place by year's end.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides all persons equal protection without discrimination based on race, nation, nationality or other social origin, color, gender, language, religion, political or other opinion, property, birth, or status. However, in practice the government did not fully promote and protect these rights.

Women

Rape and Domestic Violence: The law criminalizes rape and provides for penalties of five to 20 years' imprisonment, depending on the severity of the case; however, the law does not expressly address spousal rape. The government did not fully enforce the law, partially due to widespread underreporting. Recent statistics on the number of abusers prosecuted, convicted, or punished were not available.

Domestic violence, including spousal abuse, was a pervasive social problem. The government's 2005 Demographic and Health Survey (DHS) found that 81 percent of women believed a husband had a right to beat his wife. A 2005 World Health Organization study found that in two SNNPR rural districts, Meskan and Mareko, 71 percent of women were subject to physical or sexual violence, or both, by an intimate partner during their lifetime. Although women had recourse to the police and the courts, societal norms and limited infrastructure prevented many women from seeking legal redress, particularly in rural areas. The government prosecuted offenders on a limited scale. Domestic violence is illegal, but government enforcement of laws against rape and domestic violence was inconsistent. Depending on the severity of damage inflicted, legal penalties range from small fines to imprisonment for up to 10 to 15 years.

Domestic violence and rape cases often were delayed significantly and given low priority (see section 1.e.). On December 17, Fisseha Tadesse was convicted of attempted murder after gouging out his ex-wife's eyes. On December 30, he was sentenced to 14 years' imprisonment. In the

context of gender-based violence, significant gender gaps in the justice system remained, due to poor documentation and inadequate investigation.

During the year the Ministry of Health began the expansion of the rape crisis center at Gandhi Hospital into a training center for health workers, law enforcement personnel, and others. Police officers were required to receive domestic violence training from domestic NGOs and the Ministry of Women's Affairs. There was a deputy commissioner of women's and children's rights in the EHRC.

Women and girls experienced gender-based violence, but it was underreported due to cultural acceptance, shame, fear, or a victim's ignorance of legal protections.

The government established a National Commission for Children's and Women's Affairs in 2005, as part of the EHRC, to investigate alleged human rights violations against women and children. During the year the commission focused its efforts on workshops and seminars, and not on investigations.

Female Genital Mutilation (FGM): One of the most prevalent harmful traditional practices, FGM, is illegal, but the government did not enforce this prohibition or punish those who practiced it. The practice was still widespread but declining. The 2000 DHS found that 80 percent of all women surveyed had undergone FGM, while the total dropped to 74 percent of all women surveyed in 2005. In addition the number of younger women subjected to FGM was declining more rapidly; in 2005, 81 percent of women ages 35-39 had been subjected to FGM, compared with 62.1 percent of women ages 15-19. The same survey found that four in five women who had been subjected to FGM in the Somali region, and three in five in the Afar region, underwent infibulation, the most severe form of FGM (see Children, Harmful Traditional Practices).

Other Harmful Traditional Practices: The most prevalent harmful traditional practices, besides FGM, were uvulectomy (cutting or removal the uvula, the piece of flesh that hangs down at the rear of the mouth), tonsillectomy (cutting or removal of the tonsils), and marriage by abduction.

Marriage by abduction is illegal, although it continued in some regions, including Amhara, Oromia, and SNNPR, despite the government's attempts to combat the practice. Forced sexual relationships accompanied most marriages by abduction, and women often experienced physical abuse during the abduction. Abductions led to conflicts among families, communities, and ethnic groups. In cases of marriage by abduction, the perpetrator did not face punishment if the victim agreed to marry the perpetrator. Ethiopia Goji Limadawi Dirgitoch Aswogaj Mahibar (EGLDAM), an NGO that combats harmful traditional practices, reported in June 2010 that there were significant decreases in this practice in all regions over the past decade. Overall, 25 percent of women ages 60 and above reported marriage by abduction, but only 8 percent of women under age 30 reported this practice.

Sexual Harassment: Sexual harassment was widespread. The penal code prescribes penalties of 18 to 24 months' imprisonment; however, harassment-related laws generally were not enforced.

Reproductive Rights: Neither law nor practice curtailed the right of individuals to decide freely and responsibly the number, spacing, and timing of children, and to have the information and means to do so free from discrimination, coercion, and violence. The 2011 DHS Preliminary Report indicated a contraceptive prevalence of 29 percent nationwide among married women, a twofold increase

from five years ago. A 2009 modeling study by the World Health Organization indicated that the maternal mortality rate was 590 per 100,000 live births. The principal causes of maternal mortality were excessive bleeding, infection, hypertensive complications, and obstructed labor, and the underlying cause for these was the prevalence of home births. Only 9 percent of women reported delivering in a health facility or with a skilled birth attendant.

Discrimination: Discrimination against women was most acute in rural areas, where an estimated 82 percent of the population lived. The law contains discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children over five years old. Courts generally did not consider domestic violence a justification for granting a divorce. There was limited legal recognition of common-law marriage. Irrespective of the number of years the marriage existed, the number of children raised, and joint property, the law entitled women to only three months' financial support if a relationship ended. A common-law husband had no obligation to provide financial assistance to his family, and as a result, women and children sometimes faced abandonment. Notwithstanding progressive provisions in the formal law, traditional courts continued to apply customary law in economic and social relationships.

According to the constitution, all land belongs to the government. However, both men and women have land-use rights, which they can pass on as an inheritance. Land law varies among regions. All federal and regional land laws empower women to access government land. Inheritance laws also enable widowed women to inherit joint property they acquire during marriage.

In urban areas women had fewer employment opportunities than men, and the jobs available did not provide equal pay for equal work. Women's access to gainful employment, credit, and the opportunity to own or manage a business was further limited by their low level of education and training and by traditional attitudes.

The Ministry of Education reported that female participation in undergraduate and postgraduate programs increased to 123,706 during the 2010-11 academic year, compared with 90,938 in 2008-09, continuing the trend of rising female participation in tertiary education.

Children

Birth registration: Citizenship is derived from one's parents. The law requires that all children be registered at birth. In practice children born in hospitals were registered while most children born outside of hospitals were not. The overwhelming majority of children, particularly in rural areas, were born at home.

Education: As a policy, primary education was universal and tuition-free; however, there were not enough schools to accommodate the country's youth, particularly in rural areas. The cost of school supplies was prohibitive for many families, and there was no legislation to enforce compulsory primary education. The number of students enrolled in schools expanded faster than trained teachers could be deployed.

Child Abuse: Child abuse was widespread. A 2009 study conducted by the African Child Policy Forum revealed that prosecuting offenders for sexual violence against children was difficult due to inconsistent interpretation of laws among legal bodies and the offender's right to bail, which often resulted in the offender fleeing or coercing the victim or the victim's family to drop the charges.

Harmful Traditional Practices: Societal abuse of young girls continued to be a problem. Harmful practices included FGM, early marriage, marriage by abduction, and food and work prohibitions. A 2006 African Child Policy Forum retrospective survey indicated that 68.5 percent of girls surveyed had been abused sexually and 84 percent had been abused physically.

The majority of girls in the country had undergone some form of FGM. FGM was much less common in urban areas, where only 15 percent of the population lived. Girls typically experienced clitoridectomies seven days after birth (consisting of an excision of the clitoris, often with partial labial excision) and faced infibulation (the most extreme and dangerous form of FGM) at the onset of puberty. A 2008 study funded by Save the Children Norway reported a 24 percent national reduction in FGM cases over the previous 10 years, due in part to a strong anti-FGM campaign. The campaign continued to have an effect in SNNPR and Afar during the year. The penal code criminalizes practitioners of clitoridectomy, with imprisonment of at least three months or a fine of at least 500 birr (\$29). Infibulation of the genitals is punishable with imprisonment of five to 10 years. However, no criminal charges have ever been brought for FGM. The government discouraged the practice of FGM through education in public schools, the Health Extension Program, and broader mass media campaigns (see Women, Female Genital Mutilation (FGM)).

Child Marriage: The law sets the legal marriage age for girls and boys at 18; however, this law was not enforced uniformly. In several regions it was customary for older men to marry young girls, although this traditional practice continued to face greater scrutiny and criticism. Child marriage was a problem, particularly in Amhara and Tigray, where girls were married routinely as early as age seven, despite the legal minimum age of 18 for marriage. Regional governments in Amhara and Tigray ran programs to educate young women on issues associated with early marriage. There were some signs of growing public awareness in communities of the problem of abuse of women and girls, including early marriage.

Sexual Exploitation of Children: The minimum age for consensual sex is 18 years, but this law was not strictly enforced. The law provides for three to 15 years in prison for sexual intercourse with a minor. The law provides for one year in prison and a fine of 10,000 birr (\$580) for trafficking in indecent material displaying sexual intercourse by minors. The law prohibits profiting from the prostitution of minors and inducing minors to engage in prostitution; however, commercial sexual exploitation of children continued, particularly in urban areas. Girls as young as age 11 reportedly were recruited to work in brothels and often sought by customers who believed them to be free of sexually transmitted diseases. Young girls were trafficked from rural to urban areas. They also were exploited as prostitutes in hotels, bars, resort towns, and rural truck stops. Reports indicated that some young girls were forced into prostitution by their family members.

Infanticide: Ritual and superstition-based infanticide continued in remote tribal areas, particularly the South Omo Valley. Local government worked to educate communities against the practice.

Displaced Children: According to a 2010 report by the Ministry of Labor and Social Affairs, approximately 150,000 children lived on the streets, and 60,000 of these children lived in the capital. The ministry's report stated that families' inability to support children due to parental illness and insufficient household income exacerbated the problem. These children begged, sometimes as part of a gang, or worked in the informal sector. Government and privately run orphanages were unable to handle the number of street children.

Institutionalized Children: There were an estimated 5.4 million orphans in the country, according to a 2010 report by the Central Statistics Authority. The vast majority lived with extended family members. Government-run orphanages were overcrowded, and conditions were often unsanitary. Due to severe resource constraints, hospitals and orphanages often overlooked or neglected abandoned infants. Children did not receive adequate health care, and several infants died due to lack of adequate medical attention. There were multiple international press reports that parents received payment from some adoption agencies to relinquish their children for international adoption, and that some agencies concealed the age or health history of children from their adoptive parents and also misled birth parents about the conditions of adoption. The government had begun to investigate the allegations.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

The Jewish community numbered approximately 2,000; there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The constitution does not mandate equal rights for persons with disabilities. However, two laws prohibit discrimination against persons with physical and mental disabilities in employment and mandate access to buildings. It is illegal for deaf persons to drive.

The Right to Employment of Persons with Disabilities Proclamation prohibits employment discrimination on the basis of disability. It also makes employers responsible for providing appropriate working or training conditions and materials to persons with disabilities. The law specifically recognizes the additional burden on women with disabilities. The government took limited measures to enforce the law, for example, by assigning interpreters for hearing-impaired civil service employees.

The Ethiopian Building Proclamation mandates building accessibility and accessible toilet facilities for persons with physical disabilities, although specific regulations that define the accessibility standards have not been adopted. Buildings and toilet facilities were usually not accessible. Landlords are required to give persons with disabilities preference for ground-floor apartments, and this was respected in practice.

Women with disabilities were more disadvantaged than men with disabilities in education and employment. An Addis Ababa University study from 2008 showed that female students with disabilities were subjected to a heavier burden of domestic work than their male peers. The enrollment rate for girls with disabilities was lower than for boys at the primary school level, and this gap increased at higher levels of education. Girls with disabilities also were much more likely to suffer physical and sexual abuse than girls without disabilities.

There were approximately seven million persons with disabilities, according to the Ethiopian Federation of Persons with Disabilities. There were one mental hospital and an estimated 10 psychiatrists in the country. There were several schools for hearing and visually impaired persons and several training centers for children and young persons with intellectual disabilities. There was a network of prosthetic and orthopedic centers in five of the nine regional states.

The CSO law prohibits organizations receiving more than 10 percent of their funding from foreign sources from promoting the rights of persons with disabilities. Several domestic associations, such as the Ethiopian National Association of the Blind, Ethiopian National Association of the Deaf, and Ethiopian National Association of the Physically Handicapped continued to be affected negatively by the legislation.

National/Racial/Ethnic Minorities

The country has more than 80 ethnic groups, of which the Oromo, at 35 percent of the population, is the largest. The federal system drew boundaries roughly along major ethnic group lines, and regional states had much greater control over their affairs than previously. Most political parties remained primarily ethnically based.

Clashes between ethnic groups during the year resulted in deaths. Water shortages contributed to interethnic conflict.

On January 2, a territorial dispute in SNNPR between members of the Guji Oromo and the Sidama ethnic groups left five persons dead and 11 injured.

On April 4, a dispute in SNNPR over land ownership between members of the Geweda and Kolme ethnic groups resulted in the death of three persons and the injury of seven others. The federal police and local administration intervened quickly to bring calm to the area.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual activity is illegal and punishable by imprisonment under the law. There were some reports of violence against lesbian, gay, bisexual, and transgender (LGBT) individuals; however, reporting was limited due to fears of retribution, discrimination, or stigmatization. Persons did not identify themselves as LGBT persons due to severe societal stigma and the illegality of consensual same-sex sexual activity.

In early December Christian and Muslim religious leaders attempted to derail a seminar on sexual health that was targeted at men who have sex with men. The government intervened, and the seminar went ahead, although at a different location.

The AIDS Resource Center in Addis Ababa reported that the majority of self-identified gay and lesbian callers, the majority of whom were male, requested assistance in changing their behavior to avoid discrimination. Many gay men reported anxiety, confusion, identity crises, depression, self-ostracism, religious conflict, and suicide attempts.

Other Societal Violence or Discrimination

Societal stigma and discrimination against persons living with or affected by HIV/AIDS continued in the areas of education, employment, and community integration. Despite the abundance of anecdotal information, there were no statistics on the scale of this problem.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides most workers with the right to form and join unions. However, the law specifically excludes managerial employees, teachers, and civil servants (including judges, prosecutors, and security service workers) from organizing unions.

A minimum of 10 workers is required to form a union. While the law provides all unions with the right to register, the government may refuse to register trade unions that do not meet its registration requirements. The law stipulates that a trade union organization may not act in an overtly political manner. Seasonal and part-time agricultural workers cannot organize into labor unions. The law prohibits antiunion discrimination by employers and provides for reinstatement for workers fired for union activity.

The law protects the right of collective bargaining for most workers.

Although the constitution and law provide workers with the right to strike to protect their interests, it contains detailed provisions that make legal strike actions difficult to carry out, such as a minimum of 30 days' advance notice before striking when the case is referred to a court or a labor relations board. The law requires aggrieved workers to attempt reconciliation with employers before striking and includes a lengthy dispute settlement process. These provisions applied equally to an employer's right to lock workers out. Two-thirds of the workers involved must support a strike for it to occur. If a case has not already been referred to a court or labor relations board, workers retain the right to strike without resorting to either of these options, provided they give at least 10 days' notice to the other party and the Ministry of Labor and Social Affairs and make efforts at reconciliation.

The law also prohibits strikes by workers who provide essential services, including air transport and urban bus service workers, electric power suppliers, gas station personnel, hospital and pharmacy personnel, firefighters, telecommunications personnel, and urban sanitary workers. The law prohibits retribution against strikers.

The government permits unions in practice. Approximately two-thirds of union members belonged to organizations affiliated with the Confederation of Ethiopian Trade Unions. There was no reported government interference in trade union activities during the year, although the major trade unions were government-established entities. There were no reports that the government used its authority to refuse to register trade unions during the year. Approximately 400,000 workers were union members. Based on a 2008 Council of Ministers' regulation, the government sued the Workers'

Association of the National Bank of Ethiopia (central bank) in the federal High Court, claiming that the bank was a nonprofit government agency and that the labor union should be dissolved. In 2009 the High Court ruled that the association could not be dissolved by a regulation while the rights of workers of the bank were protected by law. The government appealed to the Supreme Court, and at year's end the case was pending; however, the worker's association was not functional.

The government allowed citizens to exercise the right of collective bargaining freely. Labor experts estimated that collective bargaining agreements covered more than 90 percent of unionized workers. Representatives negotiated wages at the plant level. It was common for employers to refuse to bargain. Unions in the formal industrial sector made some efforts to enforce labor regulations.

Despite the law prohibiting antiunion discrimination, unions reported that employers frequently fired union activists. Lawsuits alleging unlawful dismissal often take years to resolve because of case backlogs in the courts. Employers found guilty of antiunion discrimination were required to reinstate workers fired for union activities and generally did so in practice. While the law prohibits retribution against strikers, most workers were not convinced that the government would enforce this protection. Labor officials reported that, due to high unemployment and long delays in the hearing of labor cases, some workers were afraid to participate in strikes or other labor actions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits most forms of forced or compulsory labor, including by children; however, the law also permits courts to order forced labor as a punitive measure. The government did not effectively enforce the forced labor prohibition.

Forced labor occurred in practice. Both adults and children were forced to engage in street vending, begging, traditional weaving, or agriculture work. Children also worked in forced domestic labor. Situations of debt bondage also occurred in traditional weaving, pottery, cattle herding, and other agricultural activities, mostly in rural areas.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

By law the minimum age for wage or salary employment is 14 years. The minimum age provisions, however, do not apply to self-employed children. Special provisions cover children between the ages of 14 and 18, including the prohibition of hazardous or night work. By law children between the ages of 14 and 18 are not permitted to work more than seven hours per day or between 10 p.m. and 6 a.m., on public holidays or rest days, or overtime. The law defines hazardous work as work in factories or involving machinery with moving parts or any work that could jeopardize a child's health. Prohibited work sectors include passenger transport, electric generation plants, underground work, street cleaning, and many other sectors.

The government did not effectively enforce these laws in practice. The resources for inspections and the implementation of penalties were extremely limited. Child labor issues are covered by the

Ministry of Labor and Social Affairs, with support from the Ministry of Women, Youth, and Children. Cooperation, information sharing, and coordination between and among the ministries improved during the year. Courts are responsible for enforcing children's rights, and criminal and civil penalties may be levied in child rights violation cases. In the absence of a national strategy, investigation and disposition in cases of the violation of children's rights was minimal.

Child protection units, which the NGO Forum for Street Children (FSCE) had sponsored, ceased child protection activities at the end of 2010 due to restrictions in the CSO law and did not resume them during the year. The FSCE changed its name to Forum on Sustainable Child Empowerment and piloted a child-labor-free zone at the subcity level in Addis Ababa. In this zone the FSCE worked with child protection officers, labor inspectors, and police to reintegrate child laborers.

During the year the government continued to invest in modernizing agricultural practices as well as in constructing schools to combat the problem of children in agricultural sectors

Child labor remained a serious problem, both in urban and rural areas. According to the Ministry of Labor and Social Affairs, many children worked for their families without pay. In both rural and urban areas, children often began working at young ages. The Ministry of Labor and Social Affairs reported that two of five working children were below the age of six. Child labor was particularly pervasive in subsistence agricultural production, traditional weaving, and small-scale gold mining. Children in rural areas, especially boys, also engaged in activities such as cattle herding, petty trading, plowing, harvesting, and weeding, while other children, mostly girls, collected firewood and fetched water. Children in urban areas, including orphans, also worked in domestic service, often working long hours, which prevented many from attending school regularly. Children in urban areas also worked in construction, manufacturing, shining shoes, making clothes, portering, directing customers to taxis, parking, public transport, petty trading, and occasionally herding animals. Child laborers often faced physical, sexual, and emotional abuse at the hands of their employers.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

There is no national minimum wage. Some government institutions and public enterprises, however, set their own minimum wages. Public sector employees, the largest group of wage earners, earned a monthly minimum wage of approximately 420 birr (\$24); employees in the banking and insurance sector had a minimum monthly wage of 336 birr (\$20).

Wages in the informal sector were generally below subsistence levels. Consequently, most families in the wage sector required at least two wage earners to survive, which forced many children to leave school early. Only a small percentage of the population was involved in wage-labor employment, which was concentrated in urban areas.

The law provides for a 48-hour maximum legal workweek with a 24-hour rest period, premium pay for overtime, and prohibition of excessive compulsory overtime. The country has 13 paid public holidays per year. The law entitles employees in public enterprise and government financial institutions to overtime pay; civil servants receive compensatory time for overtime work.

The government, industries, and unions negotiated occupational health and safety standards. Workers have the right to remove themselves from dangerous situations without jeopardizing their employment. However, due to lack of resources, the Ministry of Labor and Social Affairs inspection department did not effectively enforce occupational health and safety standards. Lack of detailed, sector-specific health and safety guidelines also precluded enforcement. The country had 130 labor inspectors. Penalties were not sufficient to deter violations. Compensation, benefits, and working conditions of seasonal agricultural workers were far below those of unionized permanent agricultural employees. Although the government did little to enforce the law, in practice most employees in the formal sector worked a 39-hour workweek. However, many foreign, migrant, and informal sector workers worked more than 48 hours per week.

Despite the law providing for the right to remove themselves from dangerous situations without jeopardizing their employment, most workers feared losing their jobs if they were to do so. The Ministry of Labor and Social Affairs did not have an effective mechanism for receiving, investigating, and tracking allegations of violations.

Hazardous working conditions existed in the agricultural sector, which was the most primary base of the country's economy. There also were reports of hazardous and exploitative working conditions in the fledgling construction and industrial sectors. The Ministry of Labor and Social Affairs attempted to enforce occupational health and safety laws, but its investigative and administration capacity was severely limited.