

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	213
Land:	Etiopien
Kilde:	Human Rights Watch
Titel:	Ethiopia: Terrorism Law Decimates Media
Udgivet:	3. maj 2013
Optaget på baggrundsmaterialet:	4. august 2014

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- **Source:**
HRW - Human Rights Watch
- **Title:**
Ethiopia: Terrorism Law Decimates Media
- **Publication date:**
03 May 2013
- **ecoi.net summary:** Supreme Court upholds 18-year prison sentence under the anti-terrorism law for journalist and blogger Eskinder Nega Fenta; 11 journalists convicted since 2011 under the same law; several other journalists are undergoing trial [ID 248761]
- **Countries:**
Ethiopia
- [Original link](#)

Recommended citation:

HRW - Human Rights Watch: Ethiopia: Terrorism Law Decimates Media, 03 May 2013 (available at [ecoi.net](#))

http://www.ecoi.net/local_link/248761/359096_en.html (accessed 29 August 2013)



Ethiopia: Terrorism Law Decimates Media

Free Jailed Journalists, Allow Media Freedom

May 3, 2013

(Nairobi) – The Ethiopian government should mark World Press Freedom Day, on May 3, 2013, by immediately releasing all journalists jailed under the country’s deeply flawed anti-terrorism law. On May 2, 2013, the Supreme Court upheld an 18-year sentence under the anti-terrorism law for Eskinder Nega Fenta, a journalist and blogger who received the 2012 PEN Freedom to Write Award.

Eleven journalists have been convicted and sentenced since 2011 under [Ethiopia](#)’s repressive anti-terrorism law, including six *in absentia*. Three of the eleven are currently in prison. Two other journalists are currently on trial under the anti-terrorism law. Another journalist, Temesgen Desalegn, the editor of the now defunct independent magazine *Feteh*, is on trial for three offenses under the criminal code.

“Ethiopia’s journalists shouldn’t be spending World Press Freedom Day in jail on trumped-up

terrorism charges,” said [Leslie Lefkow](#), deputy Africa director at Human Rights Watch. “Freeing these journalists would be an important step toward improving Ethiopia’s deteriorating record on press freedom.”

Since Ethiopia’s anti-terrorism law was adopted in 2009, the independent media have been decimated by politically motivated prosecutions under the law. The government has systematically thwarted attempts by journalists to establish new publications. Blogs and Internet pages critical of the government are regularly blocked, and in 2012 printing houses came under threat for printing publications that criticized the authorities. Mastewal Birhanu, the manager of Mastewal Publishing, for example, was charged under the criminal code for printing the editions of *Feteh* that were the basis for the charges against Temesgen.

Human Rights Watch has repeatedly raised concerns about the anti-terrorism law’s overly broad definition of “terrorist acts.” The law’s provisions on support for terrorism contain a vague prohibition on “moral support” under which only journalists have been convicted.

One of the three journalists sentenced under the law who remain in prison is Eskinder Nega Fenta, a veteran Ethiopian journalist. He had been detained numerous times, and was sentenced in July 2012 to 18 years in prison for conspiracy to commit terrorist acts, as well as participation in a terrorist organization. Eskinder’s sentence was upheld on appeal on May 2, 2013. The United Nations Working Group on Arbitrary Detention, a panel of independent experts, concluded in November that Eskinder’s imprisonment was arbitrary and “a result of his peaceful exercise of the right to freedom of expression.”

Woubshet Taye Abebe, who is serving a 14-year sentence under the anti-terrorism law, was a winner of the [2012 Hellman-Hammett Award](#), administered by Human Rights Watch. Woubshet was the deputy editor of the *Awramba Times* prior to his arrest in 2011. He alleged in court that he was tortured in pretrial detention, as have other defendants detained on terrorism charges. The court did not investigate his complaint.

Reeyot Alemu Gobebo, a journalist for *Feteh*, was convicted on three counts under the terrorism law for her writings. Her sentence was reduced from 14 years to 5 years on appeal, and she remains in prison. Reeyot was recently awarded the prestigious 2013 UNESCO/Guillermo Cano World Press Freedom Prize. She will miss the May 3 award ceremony in Costa Rica.

Members of the international media have also been charged under the anti-terrorism law. In December 2009, two Swedish journalists, Martin Schibbye and Johan Persson, were convicted for “rendering support to terrorism” and entering the country illegally “to commit an act that is a threat to the well-being of the people of Ethiopia.” They had entered the country without a visa and were arrested while investigating the situation in Ethiopia’s eastern Somali region, site of a longstanding insurgency. They were pardoned and released in September 2012 after more than a year in prison.

“The journalists who have been detained and convicted have one thing in common – they were all exercising their right to freedom of expression, a right guaranteed by the Ethiopian constitution and international law,” Lefkow said.

In 2012 Hailemariam Desalegn became Ethiopia’s prime minister following the death of Meles Zenawi, under whose leadership the country experienced a sharp decline in civil and political rights

– including freedom of expression. Hopes that Hailemariam’s government would improve Ethiopia’s record on free expression have been dashed by ongoing arbitrary arrests and detentions of journalists and others.

Since January 2012, members of Ethiopia’s Muslim community have held regular [protests](#) in the capital, Addis Ababa, and other towns over alleged government interference in religious affairs. The government has harassed and detained journalists who have reported on these protests. Yusuf Getachew, former editor of the now-defunct Islamic magazine *Yemuslimoch Guday*, was charged under the anti-terrorism law and is on trial, though the trial is closed to the public. Solomon Kebede, Getachew’s successor at the magazine, was arrested on January 17 and has also been charged under the anti-terrorism law. Prior to charges being brought, Solomon spent more than two months in pre-trial detention at Maekelawi prison in Addis Ababa, which is notorious for torture, without access to legal counsel.

The right to freedom of expression is guaranteed in the Ethiopian constitution, and in numerous African and international conventions, including the African Charter on Human and Peoples’ Rights, which Ethiopia has ratified. In November, Ethiopia was appointed to the United Nations Human Rights Council and as such has made a commitment to uphold “the highest standards of human rights as enshrined in the constitution of the country and in the international and regional human rights treaties that Ethiopia has ratified” – including rights to freedom of expression.

“As a recently appointed member of the UN’s Human Rights Council, Ethiopia should take swift steps to improve the media environment in the country,” Lefkow said. “These include immediately releasing all journalists imprisoned under the anti-terrorism law, amending the law’s worst provisions, and ending the harassment of what little independent media remains in the country.”

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