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Country Background Note Ethiopia

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Preface

Purpose

This note provides a summary of and links to country of origin information (COI) for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) general background to the country concerned, including demography and geography; and (2) issues which may be relevant to protection claims. Unlike country policy and information notes, it does **not** contain an assessment of risk, availability of protection or reasonableness of internal relocation.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information - Training Manual, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a <u>terms of reference</u> which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the <u>bibliography</u>.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the <u>Country Policy and Information Team</u>.

Independent Advisory Group on Country Information

The <u>Independent Advisory Group on Country Information</u> (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

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Country information

Section 1 updated: 18 November 2019

Geography and demography 1.

1.1 Key facts

Key geographical and demographic facts	
Full country name:	Federal Democratic Republic of Ethiopia ¹
Area:	Total area: 1,104,300 sq km land: 1,096,570 sq km water: 7,730 sq km ²
	For comparison, Ethiopia has roughly 4 times the total area of the UK ³ .
Border countries:	Ethiopia is a landlocked country with no coastline. Its borders (5,925 km) are with Djibouti, Eritrea, Kenya, Somalia, South Sudan, and Sudan ⁴ .
Flag:	5
Population:	108,386,391 (July 2018 estimate) ⁶ . The last official population census was carried out in 2007 and the population then was recorded as 73.7 million ⁷ .
	See also <u>Population distribution</u> , and <u>density</u> and <u>birth/death rate</u>
Capital city:	Addis Ababa ⁸
Languages:	See <u>Languages</u>
Administrative	9 ethnically-based regional states (kililoch, singular - kilil) and 2 self-governing administrations

¹ CIA, 'World Factbook, Ethiopia', 12 November 2019, <u>url</u>.

² CIA, 'World Factbook, Ethiopia', 25 October 2019, <u>url</u>.

³ CIA, 'World Factbook, United Kingdom', 13 November 2019, url.

⁴ CIA, 'World Factbook, Ethiopia', 12 November 2019, <u>url.</u> ⁵ CIA, 'World Factbook, Ethiopia', 12 November 2019, <u>url.</u>

⁶ CIA, 'World Factbook, Ethiopia', 12 November 2019, url.

⁷ World Population Review, Ethiopia Population 2019, <u>url</u>.

⁸ CIA, 'World Factbook, Ethiopia', 12 November 2019, <u>url</u>.

divisions:	(astedaderoch, singular - astedader); Adis Abeba
	(Addis Ababa), Afar, Amara (Amhara), Binshangul
	Gumuz, Dire Dawa, Gambela Hizboch (Gambela
	Peoples), Hareri Hizb (Harari People), Oromiya
	(Oromia), Sumale (Somali), Tigray, Ye Debub
	Biheroch Bihereseboch na Hizboch (Southern
	Nations, Nationalities and Peoples) ⁹

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- 1.2 Population distribution and density
- 1.2.1 Ethiopia had a population density in 2018 of 107.5 people per square kilometre¹⁰.
- 1.2.2 Around 20% of the Ethiopian population lived in urban areas and the remainder lived in rural parts of the country in 2018¹¹.

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- 1.3 Birth/death rate
- 1.3.1 There are 36 births per 1,000 people (2018 estimate) and the death rate is 7.5 deaths per 1,000 people (2018 estimate). The average fertility rate is over 5 children per woman. More than 40 per cent of the population is below the age of 15¹².

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1.4 Languages

- 1.4.1 The 2007 census showed that 29.3% of the country's population spoke Amharic as a first language ¹³ and it is the official language in which all federal laws are published ¹⁴. Amharic is also spoken by an additional 20% of the population as a second language. Tigrinya is spoken by 12% to 15% of the total population. English is the most widely spoken foreign language and is taught in all secondary schools. Amharic is Ethiopia's official language and was the language of primary school instruction but has been replaced in many areas by local languages, such as Oromifa and Tigrinya¹⁵.
- 1.4.2 The CIA World Factbook stated the following about Ethiopia's languages:

'Oromo (official working language in the State of Oromiya) 33.8%, Amharic (official national language) 29.3%, Somali (official working language of the State of Sumale) 6.2%, Tigrigna (Tigrinya) (official working language of the State of Tigray) 5.9%, Sidamo 4%, Wolaytta 2.2%, Gurage 2%, Afar (official working language of the State of Afar) 1.7%, Hadiyya 1.7%, Gamo 1.5%,

⁹ CIA, 'World Factbook, Ethiopia', 12 November 2019, url.

¹⁰ United Nations, World Statistics Pocketbook, 'Ethiopia – Country Profile', undated, url.

¹¹ CIA, 'World Factbook, Ethiopia', 12 November 2019, url.

¹² CIA, 'World Factbook, Ethiopia', 12 November 2019, url.

¹³ World Atlas, 'What Languages Are Spoken In Ethiopia?' 1 August 2017, url.

¹⁴ World Atlas, 'What Languages Are Spoken In Ethiopia?' 1 August 2017, url.

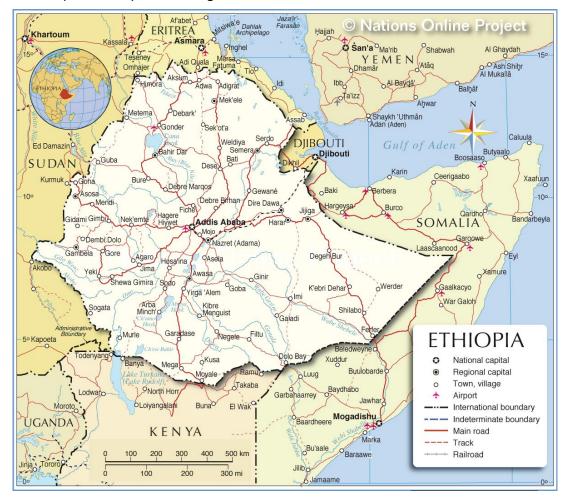
¹⁵ Global Security, 'Ethiopia – Ethnic Groups', 9 August 2016, url.

Gedeo 1.3%, Opuuo 1.2%, Kafa 1.1%, other 8.1%, English (major foreign language taught in schools), Arabic (2007 est.).' ¹⁶

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1.5 Map

1.5.1 Map of Ethiopia showing international borders, main roads and cities¹⁷.



1.5.2 See also map of Ethiopia's regions.

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1.6 Transport links

- 1.6.1 A Global Construction Review (GCR) article, 'Ethiopia to double road network to 200,000km by 2020', dated 30 May 2018, stated that as of 2018, Ethiopia's road network was 121,171 km in length. A quarter of the federal government's annual infrastucture spending is on road construction¹⁸.
- 1.6.2 The American export.gov website provided the following information, dated 11 December 2018: 'The GOE [government of Ethiopia] established the Ethiopian Railways Corporation (ERC) under the Ministry of Transport with a mandate to create a modern nationwide railway network, replacing the

¹⁶ CIA, 'World Factbook, Ethiopia', 12 November 2019, url

¹⁷ Nations online, 'Political Map of Ethiopia', <u>url</u>.

¹⁸ GCR, 'Ethiopia to double road network to 200,000km by 2020', 30 May 2018, url.

- Franco-Ethiopian railway that is no longer in service. ERC recently completed a 656 kilometers railway network construction project that links the capital city Addis Ababa to the port of Diibouti. 19
- The American export.gov website explained: 'Many international major 1.6.3 airlines use Addis Ababa's Bole International Airport including Lufthansa. Ethiopian Airlines, Turkish Airways, Egypt Air, Kenyan Airways and Emirates. Ethiopian Airlines, which is a member of the Star Alliance, operates domestically with services to major cities within the country. Private charter plane services are also available for domestic travel. ²⁰
- 1.6.4 Ethiopia's main airport is Addis Ababa Bole International Airport. It is the main hub of Ethiopian Airlines and has flight connections to Europe, Asia, North and South America and Eritrea. It is one of the busiest airports in Africa. It has two terminals – one for domestic and regional flights, and one for international flights²¹.

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Ethnic groups 1.7

- 1.7.1 Ethiopia's population, based on the 2007 census, is made up of the following ethnic groups: Oromo, 34.4%, Amhara 27%, Somali 6.2%, Sidam 4%, Gurage 2.5%, Welaita 2.3%, Hadiya 1.7%, Afar 1.7%, Gamo 1.5%, Gedeo 1.3%, Siite 1.3%, Kefficho 1.2%, and others 8.8%²².
- 1.7.2 The Ethiopian Gazette provided information regarding the 10 largest ethnic groups in Ethiopia²³:

Rank	Ethnic group	Population
1	Oromo	40,000,000
2	Amhara	32,000,000
3	Somali	6,186,774
4	Tigrayan	6,047,522
5	Sidama	3,978,633
6	Gurage	2,506,539
7	Welayta	2,257,874
8	Afar	1,720,759
9	Hadiya	1,710,812
10	Gamo	1,482,041

1.7.3 For further information about the Oromos, see the country policy and information note on Ethiopia: Oromos.

¹⁹ Export.gov, 'Ethiopia – Road and Railways', 30 October 2019, url.

²⁰ Export.gov, 'Ethiopia – Business Travel', 30 October 2019, <u>url</u>.

²¹ Addis Ababa Airport (AAD), undated, <u>url</u>.

²² MRGI, World Directory of Minorities and Indigenous Peoples, Ethiopia, January 2018, <u>url</u>.

²³ Ethiopian Gazette, 'The Ten Largest Ethnic Groups in Ethiopia 2018', 19 September 2018, url.

1.8 Religious demography

- 1.8.1 According to the 2007 census, around 44% of the population adheres to the Ethiopian Orthodox Church, 34% are Sunni Muslim, and 19% belong to Christian evangelical and Pentecostal groups²⁴.
- 1.8.2 There are a number of smaller groups that constitute less than 5 percent of the population including: Eastern Rite and Roman Catholics, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Jews, and practitioners of indigenous religions²⁵.
- 1.8.3 The Ethiopian Orthodox Church dominates in the northern regions of Tigray and Amhara, while Islam is most prevalent in the Afar, Oromia, and Somali Regions. Established Protestant churches are strongest in the southern regions of Ethiopia²⁶.
- 1.8.4 There is a Rastafarian community of approximately 1,000, whose members primarily reside in Addis Ababa and in the town of Shashemene in the Oromia Region²⁷.

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Section 2 updated: 18 November 2019

2. Economy

2.1.1 The Australian Department of Foreign Affairs and Trade (DFAT) Ethiopia Country Information Report of September 2017 stated:

'Despite very high growth rates, averaging more than 10 per cent per year over the last decade, Ethiopia remains a very poor country... More than a third of the population lives in extreme poverty (as measured by the World Bank's international extreme poverty line of [US]\$1.90 per day), and around another 40 per cent of the population is clustered just above this poverty line. The largely rural population is heavily dependent on agriculture, which accounts for around 36 per cent of GDP and 85 per cent of employment. Coffee is its major export commodity (around 27 per cent of all exports) along with other agricultural products, while major imports include machinery, metals and petroleum products...

'The government retains substantial control over the Ethiopian economy. All land is owned by the state, which provides long-term leases to residents. State-owned enterprises operate in almost all industries, and have monopolies in the telecommunications and utilities sectors. Foreign ownership is prohibited in the finance sector.' ²⁸

²⁴ USSD, 2018 International Religious Freedom Report, Ethiopia, section 1, 21 June 2019, url.

²⁵ USSD, 2018 International Religious Freedom Report, Ethiopia, section 1, 21 June 2019, <u>url</u>.

²⁶ USSD, 2018 International Religious Freedom Report, Ethiopia, section 1, 21 June 2019, <u>url</u>.

USSD, 2018 International Religious Freedom Report, Ethiopia, section 1, 21 June 2019, url.

²⁸ DFAT, 'Country Information Report – Ethiopia', page 6, 28 September 2017, <u>url</u>.

2.1.2 Key facts

Currency:	Ethiopian Birr (ETB). The Ethiopian Birr is subdivided into santim (100 santim = 1 ETB). Br is the symbol used for the Birr ²⁹ .
Exchange rate:	1 GBP = 38 Birr ³⁰ (18 November 2019)
GDP growth:	7.7% in 2017/18 ³¹
GDP per capita:	US\$2,200 ³² (2017 estimate). This figure shows GDP on a purchasing power parity basis.

2.1.3 Additionally:

- Ethiopia ranked 173 out of 189 countries in the <u>United Nations</u>
 <u>Development Programme (UNDP) Human Development Indicators and Indices: 2018 Statistical Update</u>³³. The UNDP Human Development Index is a composite index measuring average achievement in 3 basic areas of human development a long and healthy life, knowledge and a decent standard of living.
- The proportion of the Ethiopian population living in poverty has reduced from 44% in 2000 to 23% in 2018³⁴.
- The labour force is divided into the the following sectors: agriculture 72.7%, industry – 7.4%, services – 19.9%³⁵.

2.1.4 For more information, see:

- The World Bank in Ethiopia
- CIA World Factbook Ethiopia: The economy
- World Finance Ethiopia continues its economic ascent.

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Section 3 updated: 17 July 2019

3. History

3.1.1 Key events³⁶

1935	Italy invades Ethiopia.
1936	Italians capture Addis Ababa. Haile Selassie flees. Ethiopia combines with Eritrea and Italian Somaliland to become Italian East Africa.

²⁹ Oanda.com, 'Ethiopian Birr – Overview', undated, <u>url</u>.

³¹ World Bank, 'The World Bank in Ethiopia – overview', updated: 12 April 2019, <u>url</u>.

³⁰ XE currency converter, <u>url</u>.

³² CIA, 'World Factbook, Ethiopia', 12 November 2019, url.

³³ UNDP, 'Human Development Indicators and Indices: 2018 Statistical Update', <u>url</u>.

³⁴ Department for International Development, 'DFID Ethiopia', undated, <u>url</u>.

³⁵ CIA, 'World Factbook, Ethiopia', 12 November 2019, <u>url</u>.

³⁶ BBC, 'Ethiopia profile – Timeline', 24 June 2019, url.

1941	British and Commonwealth troops aided by the Ethiopian resistance defeat the Italians, and restore Haile Selassie.	
1952	United Nations federates Eritrea with Ethiopia.	
1962	Haile Selassie annexes Eritrea, which becomes an Ethiopian province.	
1974	Haile Selassie overthrown in military coup. General Teferi Benti becomes head of state.	
1975	Haile Selassie dies in mysterious circumstances while in custody.	
1977	Benti killed and replaced by Colonel Mengistu Haile Mariam.	
1977- 79	Thousands of government opponents die in "Red Terror" orchestrated by Mengistu; collectivisation of agriculture begins; Tigrayan People's Liberation Front launches war for regional autonomy.	
1977	Somalia invades Ethiopia's Ogaden region.	
1978	Somali forces defeated with massive help from the Soviet Union and Cuba.	
1984- 85	Worst famine in a decade strikes; western food aid sent; thousands forcibly resettled from Eritrea and Tigre.	
1987	Mengistu elected president under a new constitution.	
1988	Ethiopia and Somalia sign a peace treaty.	
1991	Ethiopian People's Revolutionary Democratic Front captures Addis Ababa, forcing Mengistu to flee the country.	
1993	Eritrea becomes independent following referendum.	
1994	New constitution divides Ethiopia into ethnically-based regions.	
1995	Meles Zenawi assumes post of prime minister.	
1999	Ethiopian-Eritrean border clashes turn into a full-scale war.	
2000	Eritrea and Ethiopia sign a peace accord which envisage troop withdrawals and UN peacekeepers. A boundary commission is given the task of defining the border, which awards Badme to Eritrea.	
2005	May - disputed multi-party elections lead to violent protests over months.	
	August-September - election re-runs in more than 30 seats: Officials say the ruling party gains enough seats to form a government.	
2010	May - ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) wins huge majority in parliamentary elections, handing Prime Minister Meles Zenawi a fourth term. International observers highlight shortcomings.	

2012	August - Prime Minister Meles Zenawi dies. Succeeded by Foreign Minister Hailemariam Desalegn in September.
2015	May - ruling EPRDF scores another victory in general election widely criticised by the opposition.
2016	October - government declares state of emergency following months of violent anti-government protests.
2018	February - as anti-government protests continue, Prime Minister Desalegn resigns.
	April - Abiy Ahmed, an ethnic Oromo, wins over his challengers to become leader of the ruling EPRDF and therefore prime minister.
	May-June – the government releases thousands of political prisoners, and lifts the state of emergency.
	July - Ethiopia and Eritrea declare their war is over as Ethiopia agrees to evacuate disputed territory.
	October - the government signs a peace deal with the separatist Ogaden National Liberation Front (ONLF), ending a 34-year armed rebellion.
2019	June - army chief, Seare Mekonnen, and Amhara State Governor, Ambachew Mekonnen, killed while putting down coup attempt against the federal government.

- 3.1.2 See also <u>History</u> section of the Ethiopian government portal, and also the Ethiopia section of <u>Encyclopaedia Britannica</u>.
- 3.1.3 For more information on recent political history see: country policy and information note: Ethiopia: opposition to the government.

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Section 4 updated: 18 November 2019

4. Media and telecommunications

4.1.1 The American export.gov website stated:

'There is only one telecommunication service provider in the country--the state-owned Ethio Telecom (ET) that operates all fixed, mobile, and internet services. Phone and internet services are poor due to the lack of sufficient infrastructure, lack of competition, and frequent power outages, although this capacity has improved with Ethiopia's connection to the undersea/ground fiber optic cable built by Seacom via Djibouti. SIM cards and phone cards (for minutes) are available for sale through retail outlets, supermarkets, and hotels. There are pay phones available both inside the airport and in parts of the city. Internet service is available at major hotels (Although fees can be high) and at numerous internet cafes throughout the capital and in some larger regional cities.' ³⁷

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³⁷ Export.gov, 'Ethiopia – Business Travel', 30 October 2019, <u>url</u>.

4.1.2 Key facts:

International dialling code:	+ 251 ³⁸
Time in Ethiopia:	see World Clock
Internet domain:	.et ³⁹
Main press:	Addis Zemen - state-owned daily Ethiopian Herald – state-owned, (English) The Daily Monitor – private, (English) Addis Admass – private, (Amharic) weekly The Reporter – private, (English) webpages Capital – (English), business weekly Addis Fortune – (English) business weekly
Television stations:	Ethiopian Television (ETV) Fana TV Walta TV ESAT ⁴¹
Radio stations:	Radio Ethiopia - state-owned, operates national service and regional stations Voice of Tigray Revolution - Tigray Regional State government radio Radio Fana - founded in 1994 by ruling party Sheger FM - private, Addis Ababa Zami Radio - private, Addis Ababa

Other notable points:

- million subscribers have access to the landline telephone network.
- 15.7 million people have access to the internet (July 2016 estimate).
- 62.6 million subscribers have access to the mobile telephone network⁴³.
- 4.1.4 For information on media freedom, see the country policy and information note on Ethiopia: opposition to the government and Reporters Without Borders, Don't reverse course on press freedom, RSF urges Ethiopia, 22 July 2019.

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Section 5 updated: 29 May 2019

5. Citizenship and nationality

5.1.1 The Ethiopian Nationality Law Proclamation No. 378/2003 states how Ethiopian nationality can be obtained, namely – naturalisation, descent

³⁸ Country Code, Ethiopia, undated, <u>url</u>.

³⁹ 101domain.com, Ethiopia, undated, <u>url</u>.

⁴⁰ BBC, 'Ethiopia profile – Media', 23 September 2018, <u>url</u>.

⁴¹ BBC, 'Ethiopia profile – Media', 23 September 2018, <u>url</u>.

⁴² BBC, 'Ethiopia profile – Media', 23 September 2018, <u>url</u>.

⁴³ CIA, 'World Factbook, Ethiopia', 12 November 2019, url.

- (at least one parent has to be Ethiopian) and marriage. Dual nationality is not recognised by the nationality law⁴⁴.
- 5.1.2 The Ethiopian constitution confirms that: 'any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian,' and, 'foreign nationals may acquire Ethiopian nationality.' ⁴⁵ The constitution also states that: 'No Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will', and Ethiopians have the right to change their nationality⁴⁶.

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Section 6 updated: 4 June 2019

6. Official documents

- 6.1 Registration of births, marriages and deaths
- 6.1.1 On 4 August 2016, Ethiopia introduced a permanent, compulsory and universal registration and certification of births, deaths, marriages and divorces. Apart from divorce decrees, all certificates are available in the local language or English⁴⁷.
- 6.1.2 UNICEF noted in 2016 that 90 percent of the population under 18 years old were unregistered⁴⁸.
- 6.1.3 The USSD Bureau of Consular Affairs website stated that civil registration of births, marriages, and deaths in Ethiopia is relatively new and largely confined to urban areas⁴⁹.

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6.2 Birth certificates

- 6.2.1 Birth certificates are only available to those born in Ethiopia and are issued by the Vital Events Statics Registration Agency. Parents of children up to 18 years old can register their children's birth in the local district by presenting a hospital birth certificate, baptismal certificate, or school document to obtain a birth certificate. Any of the above documents and an identity card are required for the issuance of birth certificates for persons over the age of 18⁵⁰.
- 6.2.2 The Australian DFAT Country Information Report on Ethiopia stated:

'Local administrative offices known as "kebele" issue birth certificates for applicants residing in their area at the time of the birth. The Addis Ababa City Government Administration issued birth certificates to applicants born in Addis Ababa, prior to January 2009. Since January 2009, local kebele offices (of which there are more than 100 in Addis Ababa) issue certificates.

⁴⁴ Chilot.me, Ethiopian Nationality Law Proclamation No. 378/2003, url.

⁴⁵ Constitution of the Federal Republic of Ethiopia, section 3 and 33, 21 August 1995, <u>url</u>.

⁴⁶ Constitution of the Federal Republic of Ethiopia, section 3 and 33, 21 August 1995, <u>url</u>.

⁴⁷ UNICEF Ethiopia, 'Ethiopia: Vital events registration launched', 25 August 2016, <u>url</u>.

⁴⁸ UNICEF Ethiopia, 'Ethiopia: Vital events registration launched', 25 August 2016, <u>url</u>.

USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url.</u>
 USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url.</u>

'An applicant under the age of 18 must provide ID cards for both parents, two passport-sized photos and a notification of birth either from a hospital (if the birth took place in a hospital) or from the kebele office (if the birth took place at home) in order to obtain a birth certificate. Applicants over the age of 18 must present their ID card or passport, a completed application form and two passport-sized photos. All applicants, regardless of age, must present a statutory declaration issued by a court and signed by three witnesses...

'Adoptive parents can obtain a birth certificate for their adopted children reflecting the names of the adoptive parents as the parents of the child. This can be obtained following the grant of an adoption order, which is required to be presented in support of the birth certificate application. The birth certificate will in these cases contain a footnote indicating that the parents are adoptive parents.' ⁵¹

6.2.3 For more information on birth certificates, see:

<u>US Department of State – Bureau of Consular Affairs.</u>

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6.3 Marriage certificates

6.3.1 The USSD Bureau of Consular Affairs website stated that the issuing authority for marriage certificates is the Vital Events Statics Registration Agency. The physical presence of the bride and groom at their local district authority office with their IDs and two witnesses for each is required. The marriage will be registered in a log book. If a couple are married in a traditional or religious ceremony, the bride and groom may register and obtain a civil marriage certificate at their local district authority. Certified copies of marriage certificates are available⁵².

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6.4 Divorce certificates

6.4.1 The USSD Bureau of Consular Affairs website stated that the issuing authority for divorce certificates is the Vital Events Statics Registration Agency. A court divorce decree has to be produced before a divorce certificate can be issued. Certified copies are available. Most marriages in Ethiopia are religious in nature and sometimes customary. Nevertheless, a civil divorce procedure is mandatory for all divorces to be valid⁵³.

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6.5 Death certificates

6.5.1 The USSD Bureau of Consular Affairs website stated that the issuing authority for death certificates is the Vital Events Statics Registration Agency. If the death occurred at home, an acknowledgement of dwellers association (Eder) or three witnesses, and a certificate from the church indicating where the body is buried, are required for the issuance of a death

⁵¹ DFAT, 'Country Information Report – Ethiopia', page 30, 28 September 2017, url.

USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url.</u>
⁵³ USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url.</u>

certificate from the local district authority. If the death occurred in a hospital, a death certificate issued by the hospital and a church or burial site certificate is required for the issuance of a death certificate from the local district authority. Certified copies are available⁵⁴.

6.5.2 The Australian Department of Foreign Affairs and Trade (DFAT) Country Information Report on Ethiopia stated:

'Local kebele in the area of residence of the deceased issue death certificates. As with birth certificates, the Addis Ababa City Government Administration issued death certificates prior to January 2009 for all residents of Addis Ababa; thereafter death certificates were issued by local kebele in Addis Ababa.

'Proof of death is needed to register a death. A letter from the kebele is required If the death occurred at home, whereas if the death occurred in a hospital, a certificate from the hospital attesting to the death is required. Applicants need to provide a statutory declaration issued by a court and signed by three witnesses attesting to the details of the death. Applicants, who must be an immediate relative of the deceased, must also present the ID card of the deceased. In cases where a minor child is an orphan with no identified guardian, the minor child is able to obtain death certificates for their parents.' ⁵⁵

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6.6 National identity cards

- 6.6.1 The USSD Bureau of Consular Affairs website stated that national identity cards are issued by districts to persons eighteen years old and older. The issuing authority is the Vital Events Statistics Registration Agency. There is no uniform identification document. Certified copies are not available ⁵⁶.
- 6.6.2 A response to an information request published by the Immigration and Refugee Board of Canada (IRBC), dated October 2014, stated:

'In correspondence with the Research Directorate, an official at the Embassy of the Federal Democratic Republic of Ethiopia in Ottawa indicated that there is no identity card issued at the national level, except for passports (Ethiopia 22 Sept. 2014). The Ethiopian official explained that instead, all the regional governments, which use different languages such as Oromifa, Amharic, Somali, Tigregna and English, have their own identification cards, including Kebele cards (ibid.)...

'The Canadian embassy official explained that as of 2012, all ID cards in Addis Ababa have been standardized and contain the same information, but vary in colour (Canada 17 Sept. 2014).' 57

6.6.3 The Australian DFAT report on Ethiopia stated:

⁵⁴ USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url</u>.

DFAT, 'Country Information Report – Ethiopia', pages 30-31, 28 September 2017, <u>url.</u>
 USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url.</u>
 IRBC, 'Ethiopia: Appearance of identity cards...', 1 October 2014, <u>url.</u>

'Ethiopia issues kebele cards, which are similar to national identity cards. Kebele offices issue ID cards to applicants who are resident in their local area of responsibility upon reaching 18 years of age. Kebele in the Somali and Oromia regions sometimes issue kebele ID cards to individuals upon reaching 16 years of age.

'Kebele maintain household records showing when a house was acquired, and all individuals declared to be resident in the house, as well as each resident's relationship with the head of the house. Responsibility for updating these records lies with the household members, but this is not always done and records can be several years out of date.

'The format of ID cards varies between regions, but all ID cards should contain: a photograph of the holder; the name and address of the holder; and the date of issue. New-style ID cards issued in Addis Ababa are computer generated and similar in appearance to a credit card. ID cards issued in rural areas may be handwritten, and may appear as a small booklet or cardboard ID card.' 58

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6.7 Prison release documents

6.7.1 The USSD Bureau of Consular Affairs website stated that prison release documents are issued by local district authorities to persons over the age of 18. There is no uniform identification document. Certified copies are not available⁵⁹.

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6.8 Military discharge documents

6.8.1 The USSD Bureau of Consular Affairs website stated military discharge documents are available in prinicipal to any person who has served in the military. Military records are generally available. The discharge document is called a letter of discharge and the issuing authority is the Military Personnel Department. Certified copies are not available ⁶⁰.

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6.9 Passports

6.9.1 The USSD Bureau of Consular Affairs website stated that passport documents are issued by the Main Department for Immigration and Nationality Affairs for a 5-year period. There are 3 types of passport - regular, diplomatic, and official. To obtain a passport, an ID card and birth certificate are required. In emergency cases and for one-way travel only, Ethiopian embassies or consulates may issue a 'laissez passer' document, which are valid for six months⁶¹.

6.9.2 The Australian DFAT report on Ethiopia stated:

⁵⁸ DFAT, 'Country Information Report – Ethiopia', page 31, 28 September 2017, <u>url</u>.

⁵⁹ USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url</u>.

USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, url.
 USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, url.

'All Ethiopian citizens are entitled to an Ethiopian passport. To obtain a passport the applicant needs to present: a completed application form; an application fee; a kebele ID card or government employee card (for applicants over the age of 18); a birth certificate (for applicants between 6 months and 18 years of age); a clinic card or letter from the institution of birth (for applicants under six months of age); passport photographs; and a recently issued police certificate. Fingerprints are taken at the time of application...

'Ethiopia issues one-year, non-renewable Alien passports to Eritrean nationals resident in Ethiopia who cannot obtain Eritrean passports. These enable the holder to return to Ethiopia without a residence permit...

'Ethiopian passports have a number of security features. The "prayer page" contains an oval Optically Variable Device (OVD) showing Amharic writing in the centre and the letters "ETH" repeated. Micro-printing and a latent image in Amharic are also present on the prayer page, which under UV light shows the Ethiopian pentagram and repeated writing "Ethiopian passport" in Amharic (this also appears on the inside back cover). Page one of the passport has a barcode and the passport number, both of which react under UV light. The biodata page has a digitised photo of the holder on the left side, and this photo is also superimposed over the passport details. There is a holographic pattern incorporated onto the laminate that covers the whole page. Under UV light a pattern appears over the top half of the page which repeatedly reads "Federal Democratic Republic of Ethiopia" in English and Amharic. The biodata page also has a code that can only be read by a decoder that contains the holder's biodata as well as an image of the passport holder.

'The passport number is laser perforated from Page 17 through to the back cover. There is a watermark on all inner passport pages, as well as security thread reading "Ethiopian Passport" in English and Amharic and microprinting in Amharic under the word "Visa" on each page. There is rainbow printing across adjoining pages, and under UV light there is a pattern across adjoining pages that repeatedly reads "Ethiopian Passport" in English and Amharic. The stitching does not reach the edge of the passport and reacts under UV light, and page numbers appear at different locations on each page under UV light. On the inside back cover, there is intaglio printing for the patterns on the sides as well as micro-printing that repeatedly reads "Federal Democratic Republic of Ethiopia" and a latent image that reads "Ethiopia." ⁶²

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6.10 Fraudulent documents

6.10.1 A response to an information request published by the Immigration and Refugee Board of Canada (IRBC), dated July 2016, stated that fraudulent identity documents were not prevalent in Ethiopia. According to sources, Ethiopia does not have a universal format for their national identity card and there is no national or regional Ethiopian identity card. Each kebele (local

⁶² DFAT, 'Country Information Report – Ethiopia', page 32, 28 September 2017, url.

- authority) has its own identity card. There have been instances when false identity documentation have been used⁶³.
- 6.10.2 The United States State Department (USSD) Bureau of Consular Affairs website stated that, '...even genuinely-issued documents can be obtained with false information due to the lack of a centralized database. A church-issued document, an acknowledgment from one's district, and affidavits from three witnesses, all of which can be obtained for a price, are sufficient evidence for issuance of certificates. Relationships are rarely investigated for veracity.' ⁶⁴
- 6.10.3 The Australian DFAT report on Ethiopia stated:

'The NISS [National Intelligence and Security Service] controls travel documentation. Fraudulent passports are rare and expensive to produce because of security features, but they do appear. Credible contacts in Addis Ababa told DFAT that Ethiopian passports are typically genuine and reliable, but sometimes contain falsified visas to build up a fake travel history. Also common are genuine passports based on fraudulent feeder documents. Ethiopian civil documents such as birth and death certificates are issued on the basis of statements made by the applicant and supporting witnesses with limited supporting documentation required. Documents such as medical and school records tend to be more reliable in determining age and guardianship compared to civil documents, but these can also be easily falsified. Documents considered to be higher-risk in terms of fraud include birth certificates, death certificates and national ID cards. Medical/hospital records and school records are also a high risk of fraud, but can be more easily verified. Documents assessed as being low-risk include police certificates, adoption orders, bank statements and university documents. Passports also tend to be low risk, although as noted above, genuine passports may be based on fraudulent feeder documents.' 65

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Section 7 updated: 17 July 2019

7. Healthcare

7.1 Overview

- 7.1.1 The Pacific Prime website provided the following information: 'Ethiopia's healthcare system is inadequate and its country's health indicators rank as one of the lowest in the world...Not only does Ethiopia have insufficient facilities, they also lack equipment, staff, and supplies. In rural areas, it is even harder to find a healthcare center or medical personnel.' ⁶⁶
- 7.1.2 The Australian DFAT report on Ethiopia considered that: 'There have been strong improvements in some health outcomes; however, these improvements have come from a very low base...Ethiopia still lags on a number of important health indicators. Rates of skilled attendance at births in

⁶³ IRBC, 'Ethiopia: Availability of fraudulent identity documents...', 28 July 2016, url.

⁶⁴ USSD, Bureau of Consular Affairs, visa reciprocity and civil documents, Ethiopia, undated, <u>url</u>.

⁶⁵ DFAT, 'Country Information Report – Ethiopia', page 32, 28 September 2017, <u>url</u>.

⁶⁶ Pacific Prime, 'Ethiopia Medical Insurance', undated, url.

Ethiopia are among the lowest in the world. Malnutrition rates are high, and around 40 per cent of children under the age of five exhibit moderate or severe stunting.⁶⁷

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7.2 Organisation and personnel

7.2.1 The Pacific Prime website provided the following information:

'Ethiopia currently has about 1 doctor per 100,000 people, 119 hospitals, and 412 health facilities. These public centers are usually in urban areas and can only provide basic health services and generally have insufficient medical staff, supplies, and medicine. With a large patient base, waiting times can also be extremely long. Facilities in rural areas are extremely rare. These facilities only provide the most basic health services and almost none have anything beyond basic medical supplies. The only private facilities are ones established by NGOs and other charities. Most of these provide free healthcare or services at a very low rate. However, even these facilities are not well equipped and medical supplies will vary.' ⁶⁸

7.2.2 The Australian DFAT Country Information Report stated: 'Ethiopia's health system has undergone a significant transformation over the last two decades, including an expansion of health facilities and an increase in the number of health professionals working across the country.' ⁶⁹

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7.3 Mental healthcare

7.3.1 An Ethiopian Psychiatric Association (EPA) article about mental health services in Ethiopia, dated 19 July 2018, stated:

'It is estimated that about 25 million Ethiopians s [sic] suffer some form of mental disorder, while less than 10 percent receives any form of treatment, and less than 1 percent receive specialist care.

'Psychiatrists are an extremely scarce resource in Ethiopia; in the population of over 101 million, there are only 63 psychiatrists, yielding a ratio of 0.65 psychiatrists to 1 million people. Most of the psychiatrists are concentrated in the large cities and consequently, treatment gap[s] exists as a high proportion of Ethiopians live in rural areas (more than 80 percent of the populations of the country live in rural areas) and therefore have no access to mental health services.' ⁷⁰

7.3.2 The same EPA report noted the difficulties with the community model of mental health care in Ethiopia, including:

"...the uneven distribution of mental health resources, problems of accessing services in remote locations, affordability, and social acceptability in relation to ignorance and belief systems. Families often have to make out-of-pocket payments for these services due to nonavailability of social support systems.

⁶⁹ DFAT, 'Country Information Report – Ethiopia', page 6, 28 September 2017, <u>url</u>.

⁶⁷ DFAT, 'Country Information Report – Ethiopia', pages 6-7, 28 September 2017, <u>url</u>.

⁶⁸ Pacific Prime, 'Ethiopia Medical Insurance', undated, <u>url</u>.

⁷⁰ Ethiopian Psychiatric Association, 'Mental Health Services in Ethiopia', 19 July 2018, url.

Specifically, on the National Health Insurance Scheme (NHIS), there is limited coverage for mental health care.

'The resultant effect...is the rising number of people with mental health disorders living on the streets.

'In order to overcome problems of low coverage of mental health service[s] in Ethiopia, [the] ministry of health is practicing community based mental health services including integration of mental health service at primary health care (PHC) level.' ⁷¹

7.3.3 See also the World Health Organisation, <u>Ethiopia Country data and statistics</u>, the <u>Ethiopian Ministry of Health</u> website, and the World Health Organisation Mental Health Atlas 2017.

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⁷¹ Ethiopian Psychiatric Association, 'Mental Health Services in Ethiopia', 19 July 2018, <u>url</u>.

Key issues relating to protection claims

Section 8 updated: 31 October 2019

- 8. Criminal justice system
- 8.1 The police and security forces
- 8.1.1 The United States State Department (USSD) Country Report on Human Rights Practices for 2018 stated:

The Federal Police report to the newly created Ministry of Peace as of October and are subject to parliamentary oversight. That oversight was limited. Each of the nine regions has a regional or special police force that reports to regional civilian authorities. Local militias operated across the country in loose and varying coordination with these regional police, the Federal Police, and the military. In some cases militias functioned as extensions of the ruling party. Local militias are members of a community who handle standard security matters within their communities, primarily in rural areas...

'Impunity remained a problem, including for killings and other violence against protesters. An internal investigation process existed within the police forces, although officials acknowledged that it was inadequate, and there were continued efforts to reform and modernize these internal mechanisms... The government rarely disclosed the results of investigations into abuses by local security forces, such as arbitrary detention and beatings of civilians.

'The government supported limited training on human rights for police and army personnel. It accepted assistance from NGOs and the EHRC [Ethiopian Human Rights Commission] to improve and professionalize training on human rights by including more material on the constitution and international human rights treaties and conventions. Additionally, the Ethiopian National Defense Force routinely conducted training on human rights, protection of civilians, gender-based violence, and other courses at the Peace Support Training Center in Addis Ababa.' 72

8.1.2 The Clingendael (Netherlands Institute of International Relations) report, Perpetuating power – Ethiopia's political settlement and the organization of security, published in September 2016, stated:

'The Ethiopian Federal Police force was created in 1995 to maintain law and order at the federal level (including riot control) and to investigate organized crime. It estimates its own size at around 30,000 personnel. The federal police force comes under the Federal Police Commission that reports to the Ministry of Federal Affairs (until recently the Ministry of Justice). Its legal basis is article 51 of the Constitution.

'Ethiopia's State Police Forces (regional police) maintain law and order in Ethiopia's consituent states. While their numbers, structure and even uniforms may vary, they each report to a Regional Police Commission that works loosely together with the Federal Police Commission. The federal

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 $^{^{72}}$ USSD, 2018 Human Rights Report, section 1d, Ethiopia, $\underline{\text{url}}.$

police can intervene in regions by invitation of the state police. However, Oromia Regional State and in particular the city of Addis Ababa have seen uncoordinated police interventions. Petty corruption is especially a problem at the level of state police (traffic bribes and bribes to avoid arrest). The state police forces' legal basis is article 52 subsection 2 of the Constitution.

'The Ethiopian National Intelligence and Security Service was established in 1995 and currently enjoys ministerial status, reporting directly to the Prime Minister. It is tasked with gathering information necessary to protect national security. Its surveillance capacities have been used both to prevent terrorist attacks, such as those by Al-Shabaab, and to suppress domestic dissent.' ⁷³

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8.2 The judiciary and courts system

8.2.1 The United States State Department (USSD) Country Report on Human Rights Practices for 2018 stated:

'The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, criminal courts remained weak, overburdened, and subject to political influence...

'The law requires translation services provided in a language defendants understand. The federal courts have staff working as interpreters for major local languages and are required to hire interpreters for defendants that speak other languages...

'The constitution recognizes both religious and traditional courts. Many citizens residing in rural areas had little access to formal judicial systems and relied on traditional mechanisms for resolving conflict. 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 may appeal to a regular court at any time. Sharia (Islamic law) courts may hear religious and family cases involving Muslims if both parties agree to use the sharia court before the formal legal process begins. Sharia courts received some funding from the government. These sharia courts adjudicated a majority of cases in the Somali and Afar Regions, which are predominantly Muslim. Other traditional systems of justice, such as councils of elders, functioned predominantly in rural areas.'

8.2.2 The Freedom House Freedom in the World 2019 report, commenting on events in 2018, stated:

'The judiciary is officially independent, but in practice it is subject to political interference, and judgments rarely deviate from government policy. The November 2018 appointment of lawyer and civil society leader Meaza Ashenafi as chief justice of the Supreme Court has raised hopes for judicial reform. Ashenafi has promised to build judicial independence and reduce corruption in the courts, and she claims to have the support of Prime Minister Abiy in this endeavor...

⁷⁴ USSD, 2018 Human Rights Report – Ethiopia, section 1e, 13 March 2019, url.

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⁷³ Clingendael, 'Perpetuating power – Ethiopia's political settlement...', September 2016, <u>url.</u>

'Due process rights are generally not respected. However, in 2018, the Legal and Justice Affairs Advisory Council began a review of the 2009 Anti-Terrorism Proclamation, which has been used to arbitrarily arrest opposition figures, NGO leaders, journalists, and other critics of the government. In February 2018, 10,000 people who had been arbitrarily detained under a state of emergency imposed in October 2017 were released, though the government also said it intended to bring charges against thousands of others detained in the sweep.

'Despite some positive developments in 2018, arbitrary arrest and detention remains common...The right to a fair trial is often not respected, particularly for opponents of the government charged under the antiterrorism law.' 15

The Bertelsmann Stiftung Transformation Index (BTI) 2018 Ethiopia Country 8.2.3 Report (covers the 1 February 2015 to 31 January 2017 period) stated:

'Corruption within the judicial branch is not seen as a major problem. The problem is more severe at the local level but this is rarely reported. The judicial branch is administered by a Judicial Administration Commission at both the state and federal level. Although theoretically independent, the commission is constituted of individuals loyal to the ruling party. The commission is one of the key ways through which the executive branch ensures control of the judiciary. Judicial appointment is often made on the basis of loyalty to the government and individual judges are assigned to cases involving the government on the basis of strategic consideration. They often ensure that judicial decisions are consistent with the policy of the government, even if that means contravening the rule of law and the constitution. The Ethiopian judiciary lacks both a structural and functional independence. Despite the lack of resources and qualified judges responsible for dwarfing the institution's ability to ensure a fair, impartial and expeditious administration of justice, government's undue intervention in the administration of justice is a severe problem...The independence of the judiciary is heavily impaired by political authorities and high levels of corruption. Its judgments rarely deviate from government policy.' ⁷⁶

- An Ethiopian government national report, dated May 2019, submitted to the 8.2.4 United Nations Human Rights Council (UNHRC) as part of a universal periodic review stated:
 - '57. The Ethiopian Constitution establishes an independent judiciary. A number of laws have been enacted at the federal and regional levels to further ensure the independence of the judiciary. The Federal Supreme Court is conducting an inspection aimed at identifying the practical challenges and legal loopholes that may contribute to the erosion of the judicial independence and decline in public trust in the courts. Similar initiatives are underway in a number of regional states.
 - '58. The Federal Supreme Court of Ethiopia has recently established a Judiciary Affairs Reform Task Force. The taskforce is composed of 20 prominent independent legal professionals and is mandated to identify

⁷⁵ Freedom House, 'Freedom in the World 2019', Ethiopia, 2019, <u>url</u>.

⁷⁶ Bertelsmann Stiftung Transformation Index (BTI) '2018 Ethiopia Country Report', 2018, url.

and recommend measures that will enhance the independence and professionalism of the courts. To enhance the accessibility, video conference and e-litigation centers are being expanded across the country and a study to connect all federal courts via Wide-Area Network (WAN) is underway.⁷⁷

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Section 9 updated: 15 October 2019

9. Freedom of movement

- 9.1.1 Article 32 of the Ethiopian constitution of 1995 stated: 'Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to', and also stated: 'Any Ethiopian national has the right to return to his country.' ⁷⁸
- 9.1.2 The USSD Country Report on Human Rights Practices for 2018 stated: 'The law provides for freedom of internal movement, foreign travel, emigration, and repatriation...At times authorities or armed groups limited the ability of humanitarian organizations to operate in areas of insecurity, such as on the country's borders.'
- 9.1.3 The Freedom House Freedom in the World 2019 report stated:

'While the constitution establishes freedom of movement, violence, particularly in the Oromia and Somali regions, impedes people's ability to travel freely.

'In September 2018, following a declaration of peace between Ethiopia and Eritrea in July, key border crossings between the two countries opened for the first time in 20 years.' 80

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Section 10 updated: 14 October 2019

10. Children

10.1 Infant mortality

10.1.1 The UNICEF report, Maternal and Newborn Health Disparities – Ethiopia, undated, stated that Ethiopia's neonatal mortality rate (NMR) is 28 deaths per 1,000 live births. The NMR in rural areas is 43 deaths per 1,000 live births and 41 deaths per 1,000 live births in urban areas. The NMR among the poorest households is 50 neonatal deaths per 1,000 live births, compared to 37 deaths per 1,000 live births among the richest households⁸¹.

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10.2 Education

10.2.1 The Australian DFAT report on Ethiopia stated:

Ethiopian government national report, 6-17 May 2019, submitted to the UNHRC, url.

⁷⁸ Ethiopian constitution 1995, <u>url</u>.

⁸⁰ Freedom House, 'Freedom in the World 2019', Ethiopia, 2019, <u>url</u>.

⁷⁹ USSD, 2018 Human Rights Report, section 2d, Ethiopia, 13 March 2019, url.

⁸¹ UNICEF, 'Maternal and Newborn Health Disparities – Ethiopia', undated, <u>url</u>.

While educational attainment has expanded across all levels, the focus has been on primary education.

'Primary education (typically from 7 years to 15 years of age) is officially free and compulsory...The net enrolment rate (i.e. the proportion of primary school-aged children enrolled in primary school) is around 86 per cent, almost triple the rate in 1994. Secondary school enrolment rates have also increased, but remain well below primary school enrolment rates.

'There is evidence that education outcomes are improving, albeit from a very low base.' 82

10.2.2 The Scholaro website stated:

'Primary Education

'The academic year runs from September to July and education is free at the primary level. Students enter school at age 7 and compulsory (primary) education lasts for six years and ends at age 12...Education in Ethiopia remains less than satisfactory. In rural areas where facilities are often thinly spread and there are wide disparities between the poorest and richest children, especially at the primary level.

'Middle Education

'Middle school, or lower secondary school, lasts for four years. Lower secondary school covers the first four years of the six year complete secondary education program. Students are generally ages 13 - 16. Lower secondary education culminates in the Ethiopian General Secondary Education Certificate, which grants access to upper secondary education.

'Secondary Education

'Upper secondary education begins at age 17 and lasts for two years. Two concentrations, science or social science, are offered and upon completion of study the students sit for the Ethiopian School Leaving Certificate and more recently the Ethiopian Higher Education Entrance Examination...

'Vocational Education

'A vocational stream is also offered and lasts 2 or 3 years in the fields of teacher training, commerce, technology, agriculture, and military training. Upon completion of the vocational track, students receive the Technical and Vocational Education Diploma or Training or Teacher Training College Diploma...

'Tertiary Education

'Tertiary education options range from the Teacher's Certificate (one year of study at a teacher training college), to Diploma/Advanced Diploma (Diploma/Advanced Diploma - 2 or 3 years of study offered by engineering and technological institutes, health and commercial institutions, agricultural colleges), to the three year Diploma from teacher training colleges.' 83

⁸³ Scolaro.com, 'Education System in Ethiopia', undated, <u>url</u>.

⁸² DFAT, 'Country Information Report – Ethiopia', 28 September 2017, <u>url</u>.

10.2.3 The United States State Department (USSD) Country Report on Human Rights Practices for 2018 stated:

'Primary education is 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. The most recent data showed the net primary school enrollment rate was 90 percent for boys and 84 percent for girls...School enrollment was low, particularly in rural areas. To reinforce the importance of attending school, joint NGO, government, and community-based awareness efforts targeted communities where children were heavily engaged in agricultural work.' ⁸⁴

- 10.2.4 An Ethiopian government national report, dated May 2019, submitted to the United Nations Human Rights Council (UNHRC), as part of a universal periodic review, stated:
 - '92. The Government has given high priority to education for which it is allocating everincreasing resources to the sector with the view to realizing the right to education. The primary strategic direction of the education sector is to ensure equitable access to quality education at all levels. Primary education is free to all citizens, and all children of school age are strongly encouraged to attend school. In 2017/18, primary education was provided in more than 51 mother tongue languages compared to 49 in 2014/2015.
 - '93. The number of primary schools (Grades 1-8) increased from 30,495 in 2012/13 to 36,466 in 2017/18. In other words, almost 6000 primary schools were either constructed or opened during the last four years. The net enrolment rate increased from 85.9 percent in 2012/13 to 100.05% in 2017/18 (the net enrollment ratio for primary level has been exceeded but figures suggest inaccuracies in population calculations and recorded child age at the point of enrollment). The number of students in primary schools increased from 17.4 million in 2012/13 to 20,783,078 in 2016/17. Currently the national pupil section ratio (PSR) has reached 56 and all regions have achieved a primary pupil teacher ratio of below 50 with the exception of Somali and Oromia regional states; in 2017/18 this figure stood at 43. The Gross Enrolment Rate in primary schools was 96.4% by 2010/11. The figure rose to 109.3% in 2017/18. This trend however is not followed through to secondary level with the gap becoming higher at tertiary level.' 85

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10.3 Child labour

10.3.1 The USSD Country Report on Human Rights Practices for 2018 stated:

'The law prohibits the worst forms of child labor. The government did not effectively enforce the applicable laws, and penalties were not sufficient to deter violations. By law the minimum age for wage or salaried employment is 14. The minimum age provisions, however, apply only to contractual labor

⁸⁴ USSD, Human Rights Report for 2018, section 6, Ethiopia, 13 March 2019, url.

⁸⁵ Ethiopian government national report, 6-17 May 2019, submitted to the UNHRC, <u>url</u>.

and do not apply to selfemployed children or children who perform unpaid work, which constituted the vast majority of employed children.

'The law prohibits hazardous or night work for children between ages 14 and 18. The law defines hazardous work as any work that could jeopardize a child's health. Prohibited work sectors include passenger transport, work in electric generation plants, factory work, underground work, street cleaning, and many other sectors. The law expressly excludes children younger than 16 attending vocational schools from the prohibition on hazardous work.

'The law does not permit children between ages 14 and 18 to work more than seven hours per day, between 10 p.m. and 6 a.m., or on public holidays or rest days...

'Child labor remained a serious problem...and significant numbers of children worked in prohibited, dangerous work sectors, particularly construction.

'In both rural and urban areas, children often began working at young ages. Child labor was particularly pervasive in subsistence agricultural production, traditional weaving, fishing, and domestic work. A growing number of children worked in construction. Children in rural areas, especially boys, engaged in activities such as cattle herding, petty trading, plowing, harvesting, and weeding, while girls collected firewood and fetched water. Children worked in the production of gold. In small-scale gold mining, they dug mining pits and carried heavy loads of water.

'Children in urban areas, including orphans, worked in domestic service, often working long hours, which prevented many from attending school regularly. Children also worked in manufacturing, shining shoes, making clothes, parking, public transport, petty trading, as porters, and directing customers to taxis. Some children worked long hours in dangerous environments for little or no wages and without occupational safety protection. Child laborers often faced abuse at the hands of their employers, such as physical, sexual, and emotional abuse...

'Children also worked in forced domestic labor. Situations of debt bondage also occurred in traditional weaving, pottery making, cattle herding, and other agricultural activities, mostly in rural areas.' 86

10.3.2 The Australian DFAT Ethiopia Country Information Report stated:

'Ethiopia has ratified all major international conventions on child labour, but child labour continues to occur across the country...Girls also undertake paid domestic work, where they are vulnerable to mistreatment and sexual abuse. Prosecution rates for domestic trafficking of children for forced labour and sexual exploitation are reportedly low. Girls as young as 11 are reportedly trafficked to work in brothels. Unmarried girls who fall pregnant after being forced into sex work or raped have little in the way of support. Facilities such as shelters are limited, and families often shun these girls because of social

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⁸⁶ USSD, Human Rights Report for 2018, section 7c, Ethiopia, 13 March 2019, <u>url</u>.

stigmas. DFAT is not aware of any reports of child recruitment for the armed forces, or by armed opposition groups.' ⁸⁷

10.3.3 The United States Department of Labor's (USDL) annual report on child labor noted that in 2018:

'In 2018, Ethiopia made a moderate advancement in efforts to eliminate the worst forms of child labor...children in Ethiopia continue to engage in the worst forms of child labor, including in forced labor in domestic work. Children also perform dangerous tasks in agriculture. The law in Ethiopia does not include free basic education or a compulsory age for education, leaving children vulnerable to the worst forms of child labor. Social programs to combat child labor have also not sufficiently targeted sectors with high incidences of child labor.' 88

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10.4 Child marriage

- 10.4.1 The USSD Country Report on Human Rights Practices for 2018 stated: 'The law sets the legal age of marriage for girls and boys at 18; however, authorities did not enforce this law uniformly, and rural families sometimes were unaware of this provision. The government strategy to address underage marriage focused on education and mediation rather than punishment of offenders.' 89
- 10.4.2 The DFAT Ethiopia report on Ethiopia stated:

'Early marriage and marriage by abduction are prevalent across Ethiopia, with girls sometimes married by the age of seven. The legal age for marriage is 18, but this law is inconsistently applied. The incidence of child marriage has reportedly declined in recent years, but remains highly prevalent...

'Girls generally leave school on marriage, so early marriage also affects female education outcomes. According to the 2011 Demographics and Health Survey by the Central Statistics Agency (the most recent reliable data available), the median age of first marriage for Ethiopian women is 16.5 years (below the minimum age of marriage under the law). In Amhara, the median age of first marriage for girls was 14.7 years. However, early marriage rates for younger cohorts in the survey were much lower than for older cohorts, suggesting significant progress in reducing early marriage rates in recent years.' ⁹⁰

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10.5 Female genital mutilation (FGM) - the law

10.5.1 The 28 Too Many report of July 2018, Ethiopia: The law and FGM, stated: 'The main law governing FGM in Ethiopia is Proclamation No. 414/2004, also known as The Criminal Code of the Federal Democratic Republic of

⁸⁷ DFAT, 'Country Information Report – Ethiopia', page 22, 28 September 2017, url.

⁸⁸ USDL, '2018 Findings on the Worst Forms of Child Labor: Ethiopia', 27 September 2019, url

USSD, Human Rights Report for 2018, section 6, Ethiopia, 13 March 2019, <u>url.</u>
 DFAT, 'Country Information Report – Ethiopia', page 22, 28, September 2017, <u>url.</u>

Ethiopia 2004 (the Criminal Code). This is a federal act that makes it a criminal offence to perform or procure FGM in Ethiopia.

'In addition, as well as being a criminal offence, performing any action that causes bodily harm is a civil offence under the Ethiopian Civil Code (1960).

'What The Law Covers

'Articles 561–570 of Chapter III of the Criminal Code deal with 'Crimes Committed Against Life, Person and Health through Harmful Traditional Practices'. They criminalise the performance and procurement of FGM in Ethiopia, but do not provide a clear definition of the practice.

'Specifically, the Criminal Code sets out the following offences:

- Articles 561 and 562 refer to endangering life or causing bodily injury or mental impairment of a pregnant woman or new-born child as a result of the application of harmful traditional practices known by the medical profession to be harmful.
- Articles 565 and 566 respectively set out punishments for the performance of FGM on 'a woman of any age' and infibulation of 'the genitalia of a woman'.
- Article 568 states that the transmission of communicable disease through harmful traditional practices is subject to penalties.
- Articles 569 and 570 cover the procurement of, and aiding and abetting, FGM by making it a criminal offence for 'a parent or any other person' to commission the practice or encourage someone to disregard the legislation prohibiting harmful traditional practices. They also criminalise organising or taking part in any movement that promotes FGM.

'The Criminal Code does not specifically criminalise the failure to report FGM, whether it is planned or has taken place. However, more generally, Article 443 sets out the punishments for failing to report certain crimes... The Criminal Code also fails to protect uncut women (and their families) from verbal abuse or exclusion from society, which is included in the laws of some other countries in East Africa (such as Kenya and Uganda).

'Regarding the liability of traditional practitioners, Article 2067(1) of the Civil Code may be applied to FGM performed on women and girls. It states the principle, 'A person shall be liable where by his act he inflicts bodily harm on another'. As such, under Ethiopian law, victims of FGM could bring about actions that seek compensation from practitioners.' ⁹¹

10.5.2 The 28 Too Many report, Ethiopia: The law and FGM, also stated:

'The Criminal Code establishes the following penalties for its violation:

 Article 565: Performing FGM on a woman of any age is punishable by imprisonment (where performance of this sentence can be suspended by the courts) for not less than three months or a fine of not less than 500 Birr (US\$188).

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⁹¹ 28 Too Many, 'Ethiopia: The law and FGM', July 2018, url.

- Article 566(1): Infibulating the genitalia of a woman carries a punishment of imprisonment (which cannot be suspended) for a period of three to five years.
- Article 566(2): Where FGM results in injury to body or health, the punishment is imprisonment (which cannot be suspended) for a period of five to ten years.
- Article 569: A parent or any other person who participates in the commission of FGM is punishable by imprisonment (which can be suspended) for a period not exceeding three months or a fine not exceeding 500 Birr (US\$18).
- Article 570: Encouraging another to disregard the law prohibiting FGM or organising or taking part in any movement that promotes FGM is punishable by imprisonment (which can be suspended) for a period of not less than three months or a fine of not less than 500 Birr (US\$ 18), or both.' 92

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10.6 Female genital mutilation (FGM) - enforcement of the law

10.6.1 The Australian DFAT report on Ethiopia stated:

'FGM is illegal under the criminal code, and is punishable by up to ten years' imprisonment, but these laws are rarely enforced. DFAT is not aware of any criminal charges laid for practising FGM, and the practice remains highly prevalent. Rather than taking a law and order approach to the problem, the government is reportedly attempting to change cultural and societal attitudes to FGM by working with communities, including schools and religious institutions.' ⁹³

10.6.2 The 28 Too Many report, Ethiopia: The law and FGM, further stated:

There have been intermittent reports regarding law enforcement and FGM in Ethiopia over recent years, but detailed information on cases is not widely available. In 2012, for instance, a cutter and the parents of six girls were arrested and charged. The cutter received a six-month sentence and the parents were fined 500 Birr (equivalent to US\$27 at the time). Isolated cases were also reported in 2011 and 2010.

'It appears that, although the number of arrests may have increased, law enforcement is weak and very few cases proceed to court in Ethiopia. The UNFPA-UNICEF Joint Programme to Eliminate Female Genital Mutilation (UNJP) report for 2015 noted that, although 279 arrests had been recorded in Ethiopia that year, there was only one conviction. In 2016, again, only one conviction was recorded.' 94

10.6.3 The 28 Too Many report, Ethiopia: The law and FGM, also stated:

^{92 28} Too Many, 'Ethiopia: The law and FGM', July 2018, url.

DFAT, 'Country Information Report – Ethiopia', page 21, 28 September 2017, url.

'Despite national legislation being in place, those working in communities to end FGM report continuing challenges around knowledge and enforcement of the law. Awareness of the law and its content is very poor, even among those in law-enforcement agencies, and there is a reluctance by local officials to fully enforce the law. Some local community leaders still support traditional practitioners who cut girls, even though FGM is illegal. It is also reported that in many rural communities, it is not the police or courts that people naturally turn to: disputes are more likely to be settled through traditional or informal justice systems such as those run by elders.

'Reports suggest, too, that rural families have increasingly carried out FGM in secret to avoid the law and that this can put girls at even greater risk (for example, because the practice often takes place at night with poor lighting and using less-experienced practitioners). Women and girls are further disadvantaged in respect of awareness of the law and their rights by the low level of literacy in Ethiopia (estimated to be 41.1% for women in 2015).

'The media continues to report limited application of the law in Ethiopia; however, regulations on press freedom and civil-society activity around human rights, including work to promote gender equality, remain in place. These restrict access to and exchanges of information, which in turn reduce the ability to gather data and share knowledge in the work to end FGM.

'As well as low awareness of the law in remote rural communities, further concerns raised by civil society during the course of this research include the fear women and girls have of reporting FGM and that the whole mechanism and structure around the law makes it inaccessible. It is not felt that education around the law has yet had a lasting impact on behaviour, and the challenges of adherence to Sharia law and the practice of sunna 19 as a form of FGM remain a barrier to law enforcement.'

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10.7 Female genital mutilation (FGM) – prevalence and practice

10.7.1 The 28 Too Many website stated:

'FGM is practised across all regions, religions and ethnic groups in Ethiopia. FGM among women aged 15-49 is more prevalent in the east of the country, and the region with the highest prevalence is Somali, at 98.5%. The lowest prevalence is in Tigray, at 24.2%. It should be noted that small sample sizes were used in many of the regions and figures therefore may not be accurate. Women who live in rural areas are more likely to be cut (68.4% of women aged 15-49) than women who live in urban areas (53.9%).

'The Somali are the ethnic group with the highest prevalence of FGM among women aged 15-49, at 98.5%, followed by the Afar, at 98.4% (however, once again, the small sample size makes this figure potentially unreliable). The ethnic group with the lowest prevalence is the Tigray, at 23%.

'82.2% of Muslim women aged 15-49 have undergone FGM, compared to 54.2% of Orthodox women and 65.8% of Protestant women.

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 $^{^{95}}$ 28 Too Many, 'Ethiopia: The law and FGM', July 2018, $\underline{\text{url}}$.

Between 2005 and 2016, the overall prevalence for women aged 15-49 fell from 74.3% to 65.2%. Due to the large age-range of women included, however, the overall prevalence alone may not fully reflect the progress that has been made in recent years. Breaking down the most recent data by age group shows that the prevalence for women aged 45-49 is 75.3%, while for the youngest age group this has fallen to 47.1%. Despite the fact that a small proportion of women may be cut after the age of 15, the lower prevalences among younger women suggest that the practice is declining.' ⁹⁶

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- 10.8 Children's social care and support organisations
- 10.8.1 An Ethiopian government national report, dated May 2019, submitted to the United Nations Human Rights Council (UNHRC), as part of a universal periodic review, stated:
 - '98. Ethiopia recognizes the need to take special measures to ensure that persons with disabilities enjoy the full range of human rights and fundamental freedoms.
 - '99. To reduce the impact of the wrong perceptions of society about persons with disability, especially after the accession to the International Convention on the Rights of Persons with Disabilities, the Government has worked to develop public awareness and delivered successive trainings on its implementation. Moreover, the Convention has been translated into five local languages and distributed to the public.
 - '100. Government institutions and private organizations give due emphasis to address the problems of children with disabilities at different levels and scales of interventions within their respective mandates. The Ministry of Education, for instance, has been providing inclusive support and attention to children with disabilities starting from their pre-school education. Nonetheless, despite all the efforts, accessibility of social services to persons with disabilities remains a major challenge.' 97
- 10.8.2 A number of NGOs are active in Ethiopia, which provide food, medication, shelter, clean water, education services, support for orphans and vulnerable children or children with physical disabilities or children with physical disabilities.
- 10.8.3 See also section 36 of the Ethiopian constitution about the rights of children.

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Section 11 updated: 13 June 2019

- 11. Oromos
- 11.1.1 See the Country Policy and Information Note on Ethiopia: Oromos.

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Section 12 updated: 11 September 2019

⁹⁶ 28 Too Many, Ethiopia, undated, url.

⁹⁷ Ethiopian government national report, 6-17 May 2019, submitted to the UNHRC, <u>url</u>.

⁹⁸ Global Giving, 'Explore Projects in Ethiopia', undated, <u>url.</u>

⁹⁹ Cheshire Ethiopia, 'History of Cheshire Ethiopia', undated, url.

12. People of mixed Eritrean/Ethiopian nationality

12.1 Existing UK caselaw

12.1.1 The Upper Tribunal of the Immigration and Asylum Chamber considered and made findings of risks faced by Ethiopians of Eritrean heritage in the country guidance case of ST (Ethnic Eritrean – nationality – return) Ethiopia CG [2011] UKUT 00252(IAC), heard 18-20 January 2011, and promulgated on 30 June 2011. This caselaw continues to be extant and should be considered alongside any relevant country information available since ST was promulgated in making a decision on an asylum application based on a person's mixed heritage/nationality.

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12.2 Border conflict 1998-2000

- 12.2.1 An article by Katherine Southwick published in the Forced Migration Review in April 2009 explained that tensions between Ethiopia and Eritrea, which had built up over a number of years, finally:
 - "... erupted into armed conflict in May 1998. By the end of the fighting in December 2000, both sides had lost tens of thousands of soldiers and around one million people were displaced.

'In 1998, an estimated 120,000 to over 500,000 persons of Eritrean origin were living in Ethiopia. During the course of the war the Ethiopian government sought to justify denationalising and deporting them on the basis that they had acquired Eritrean citizenship by voting in the referendum. Individuals had not been informed that participation in the referendum would amount to renunciation of their Ethiopian citizenship. Around 70,000 people were expelled, initially individuals deemed to be security threats (including those prominent in business, politics, international organisations – including the UN – and community organisations with links to Eritrea). In July 1999, the Ethiopian government declared that all those who had been expelled to Eritrea were Eritrean citizens, having acquired citizenship by voting in the 1993 referendum. In August 1999, all those who had voted in the referendum and remained in Ethiopia were ordered to register for alien residence permits, which had to be renewed every six months.

'Those who were to be expelled were interrogated at police stations, where their identification documents were destroyed. Their assets were frozen and business licences revoked, and most of them were unable to dispose of their property before being deported. They were detained for days, weeks or months before they were bussed up to the Eritrean border or forced to flee through Djibouti. The EECC determined that loss of nationality and expulsion of individuals identified through Ethiopia's security review procedures were lawful "even if harsh for the individuals affected." However, deprivation of nationality and expulsion for any other reasons were deemed illegal.

'Eritrea also deported around 70,000 Ethiopians during the conflict, although the nationality status of persons of Ethiopian origin in Eritrea was never in dispute. Most of them were resident aliens working in urban areas. They too suffered discrimination, violence and harsh conditions during deportation.' 100

12.2.2 The Australian DFAT Ethiopia report stated:

'During the border war with Eritrea in the late 1990s, the Ethiopian government withdrew the citizenship of people who were of Eritrean origin, either because Eritrean Ethiopians were a security risk or because the government considered those who had voted in the 1993 referendum on Eritrean independence to have renounced their citizenship. Government forces arrested and forcibly deported an estimated 75,000 people from Ethiopia to Eritrea during the conflict. The deportations reduced dramatically after 2000.' 101

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- 12.3 Treatment in Ethiopia
- 12.3.1 In January 2004, the Ethiopian Ministry of Foreign Affairs issued a directive, entitled, '<u>Directive Issued to Determine the Residence Status of Eritrean Nationals Residing in Ethiopia</u>'. This was intended to address the status of persons of Eritrean origin who continued to live in Ethiopia following the independence of Eritrea.
- 12.3.2 An article by Katherine Southwick published in the Forced Migration Review stated:
 - 'On the fate of people of Eritrean origin in Ethiopia, reports are mixed. Between 2000 and 2004, individuals of Eritrean origin or from mixed families were allegedly arrested, detained and sometimes beaten or raped by Ethiopian authorities on suspicion of collaborating with or spying for Eritrea. To its credit, the Ethiopian government quietly introduced a new nationality proclamation in 2003, which apparently enabled many Eritreans living in Ethiopia to re-acquire Ethiopian citizenship.'102
- 12.3.3 The Australian DFAT Ethiopia report also stated: 'According to a 2008 Refugees International Report, "many, perhaps most, Eritreans living in Ethiopia reacquired citizenship under a nationality proclamation enacted in 2003". Some of these people reportedly have identity cards that show a "previous nationality" as Eritrean. There is no credible evidence to suggest that Ethiopians of Eritrean heritage have faced deportation to Eritrea since the early 2000s.' 103
- 12.3.4 See also Languages, Ethnic groups, and Citizenship and nationality.

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Section 13 updated: 19 November 2019

Forced Migration Review, 'Ethiopia-Eritrea: statelessness...', Katherine Southwick, undated, <u>url.</u>
 DFAT, 'Country Information Report – Ethiopia', page 14, 28 September 2017, <u>url.</u>

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Forced Migration Review, 'Ethiopia-Eritrea: statelessness…', Katherine Southwick, undated, <u>url.</u> DFAT, 'Country Information Report – Ethiopia', page 14, 28 September 2017, <u>url.</u>

13. Political system and political opposition

13.1.1 See the country policy and information note on Ethiopia: opposition to the government.

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Section 14 updated: 17 September 2019

14. Sexual orientation, gender identity and expression

14.1 Legal rights

14.1.1 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA World) report, 'State-Sponsored Homophobia 2019', noted the following regarding the Penal Code (as amended by Act No. 5 of 2003):

'Carnal knowledge against the order of nature

'Section 162. Any person who: (a) has carnal knowledge of any person against the order of nature; or (b) [...]; or (c) permits a male person to have carnal knowledge of him or her against the order of nature, is guilty of a felony and is liable to imprisonment for fourteen years.

'Attempted acts against the order of nature

'Section 163. Any person who attempts to commit any of the offences specified in section 162 is guilty of a felony and is liable to imprisonment for seven years.

'Gross indecency Section 165. Any male person who, whether in public or private, commits any act of gross indecency with another male person, or procures another male person to commit any act of gross indecency with him, or attempts to procure the commission of any such act by any male person with himself or with another male person, whether in public or private, is guilty of a felony and is liable to imprisonment for five years.' ¹⁰⁴

- 14.1.2 The Australian DFAT report stated: 'Homosexual acts are illegal in Ethiopia, and are punishable with up to 15 years' imprisonment under Article 629 of the criminal code...There are no laws prohibiting discrimination against lesbian, gay, bisexual, transgender or intersex (LGBTI) people, nor are there specific hate-crime laws.' 105
- 14.1.3 The United States State Department (USSD) Country Report on Human Rights Practices for 2018 also stated that consensual same-sex sexual activity is illegal and the law does not prohibit discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals¹⁰⁶.
- 14.1.4 The Australian DFAT Ethiopia report stated: 'In 2014 the Ethiopian government considered legislation that would make convictions for homosexual acts non-pardonable under the law, similar to the treatment of some serious violent crimes. This legislation was not passed, reportedly due in part to pressure from international donors. There are no laws prohibiting

106 USSD, Human Rights Report for 2018, section 6, Ethiopia, url.

¹⁰⁴ ILGA World, 'State-Sponsored Homophobia 2019', Ethiopia, 2019, url .

DFAT, 'Country Information Report – Ethiopia', page 21, 28 September 2017, url.

discrimination against lesbian, gay, bisexual, transgender or intersex (LGBTI) people, nor are there specific hate-crime laws.¹⁰⁷

14.1.5 See also the Ethiopian Criminal Code.

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14.2 State treatment

14.2.1 The USSD Country Report on Human Rights Practices for 2018 stated: 'There are no hate crime laws or other criminal justice mechanisms to aid in the investigation of abuses against LGBTI individuals...There were no reports of persons incarcerated or prosecuted for engaging in same-sex sexual activities...Activists in the LGBTI community reported surveillance and feared for their safety." ¹⁰⁸

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14.3 Societal treatment and discrimination

14.3.1 The Australian DFAT report on Ethiopia stated:

'LGBTI people face high levels of societal discrimination in Ethiopia, and often conceal their sexual orientation or gender identity to avoid severe social stigma, including from their families...There are some reports of people being jailed for allegedly engaging in homosexual acts. There are also reports of violence against LGBTI individuals, but these incidents are highly likely to be underreported due to the illegal nature of homosexual activity and the high level of societal discrimination against LGBTI people. DFAT assesses that LGBTI people in Ethiopia face high levels of official and societal discrimination and violence.' 109

14.3.2 The USSD Country Report on Human Rights Practices for 2018 stated:

'There were reports of violence against LGBTI individuals; however, reporting was limited due to fear of retribution, discrimination, or stigmatization...Individuals generally did not identify themselves as LGBTI persons due to severe societal stigma and the illegality of consensual same-sex sexual activity...

'The AIDS Resource Center in Addis Ababa reported the majority of self-identified gay and lesbian callers, most of whom were men, 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.' 110

14.3.3 A BBC News report, dated 4 June 2019, stated:

Ethiopian church groups have called on the government to block a planned visit to the country by a US-based company that organises tours for gay people. The groups were particularly angry that the itinerary published by the Toto Tours company includes religious sites. Many Ethiopians are deeply

¹⁰⁷ DFAT, 'Country Information Report – Ethiopia', page 21, 28 September 2017, url.

¹⁰⁸ USSD, Human Rights Report for 2018, section 6, Ethiopia, <u>url</u>.

DFAT, 'Country Information Report – Ethiopia', page 21, 28 September 2017, url.

¹¹⁰ USSD, Human Rights Report for 2018, section 6, Ethiopia, url.

religious and disapprove of homosexuality, which is also prohibited under the law.

'The owner of Toto Tours told the BBC the company had received threats and hate messages on social media...

'The president [Dereje Negash], of Selestu Me'et a coalition of Ethiopian Orthodox church associations, told BBC Amharic that the government "should ban this group from entering the country and visiting the sacred sites. They should not be allowed to leave their mark. Our religion condemns this act, and it's disgraceful." He emphasised that homosexuality was illegal in Ethiopia, and said the tour company should not be allowed to "violate the law of the land". Mr Negash is also a deacon of the Ethiopian Orthodox church, and has been lobbying against homosexuality in the country.

'The call for the government to ban the tour was reportedly echoed by the Inter-Religious Council of Ethiopia, which includes Christian and Islamic denominations...

'Bahiru Sheway, the co-founder of House of Guramayle, a London-based organisation that advocates for the recognition of LGBT rights in Ethiopia, told the BBC that homophobia had deep roots in the country. Most gay Ethiopians did not reveal their sexuality, he said, for fear of physical harm and ostracism. He added that the row over Toto Tours had triggered a social-media storm, with many Ethiopians expressing outrage at the prospect of gay tourists visiting the country - and even calling for attacks against them and their straight allies.' 111

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Section 15 updated: 23 September 2019

15. Women

15.1 Legal, social, and economic rights

15.1.1 The Australian DFAT report on Ethiopia stated:

'Article 35 of the Constitution sets out a number of rights for women, including: equality with men in the enjoyment of rights and protections under the Constitution; equal rights in marriage; the entitlement to "affirmative measures" to remedy the historical legacy of inequality and discrimination against women in Ethiopia; the right to maternity leave at full pay; equal rights to property, including land, such as in the inheritance of property; equal rights in employment; and the right of access to family planning education, information and capacity.' 112

15.1.2 The Organisation for Economic Co-operation and Development's (OECD) Social Institutions and Gender Index for 2019 stated:

'Regarding land, property and other non-land assets, the law provides married women with the same rights as married men to own, use, make decisions and use as collateral (Family Code, art. 57, 58 & 59), as well as

¹¹² DFAT, 'Country Information Report – Ethiopia', page 20, 28 September 2017, url.

BBC News, 'Ethiopia religious anger over US gay tour plan', 4 June 2019, url.

unmarried women and men (Constitution, art. 35). Furthermore, women and men are granted the same rights after divorce or separation to own, use, make decisions and use as collateral land, property and other non-land assets (Family Code, art. 85 & 90). Women's right to acquire, administer, control, use and transfer of property and to use, transfer, administer and control land is specifically enshrined in the Constitution under article 35 (7). Moreover, regarding marital property, a married woman has the same rights as a married man to administer (Family Code, art. 66). Additionally, the law provides for joint land titling for land used or acquired by married couples and informal unions (Family Code, art. 62 & 102).' 113

15.1.3 The Social Institutions and Gender Index for 2019 stated:

'The law provides women with the same rights as men to initiate divorce (Family Code, art. 76). Additionally, the law stipulates that the causes and effects of dissolution of marriage shall be the same whichever the form of celebration of the marriage (civil, religious or customary) (Family Code, art. 74). Women and men have the same requirements to finalise a divorce or annulment (Family Code, art. 81)...

While legally no reason is necessary to file for divorce, it is estimated that men are likely to divorce if their wife is childless or cannot bear children (Emery, 2013).' 114

15.1.4 The Social Institutions and Gender Index for 2019 stated:

'There is no legal discrimination affecting women's citizenship rights or legal rights to apply for identity cards or passports, and there are no discriminatory practices that may restrict those rights.

The law provides married/unmarried women with the same rights as married/unmarried men to acquire, change and retain their nationality (Nationality Proclamation, art. 4, 6, 16, 19 & 22). Additionally, the law provides married women with the same rights as married men to confer nationality to their spouse (Nationality Proclamation, art. 6) and children (Nationality Proclamation, art. 3).

'The law does not provide women with the same rights as men to register the birth of their children, as article 101 of the Civil Code stipulates that the birth of a child shall be declared by the father or in his default by the mother.' 115

15.1.5 An Ethiopian government national report, dated May 2019, submitted to the United Nations Human Rights Council (UNHRC), as part of a universal periodic review, stated:

'66. The Constitution guarantees women equal rights as men during and after marriage. The Family Code enacted by the Federal Government and family laws of the regional states provide for the equal rights of women to communal property during the dissolution of marriage. Special family benches have been designated in federal court structures to entertain all family matter cases. These courts are equipped with trained judges and

¹¹³ OECD, 'Social Institutions and Gender Index 2019', Ethiopia, <u>url</u>.

OECD. Social Institutions and Gender Index 2019, Ethiopia, url.

¹¹⁵ OECD, 'Social Institutions and Gender Index 2019', Ethiopia, url.

social workers to ensure best interest of the family members throughout the litigation process. Moreover, free legal aid service on cases of family matters are offered by the Ethiopian Human Rights Commission, MOWCYA, the federal and regional offices of the Attorney General, Regional Justice Bureaus as well as CSOs.' 116

15.1.6 The United States State Department (USSD) Country Report on Human Rights Practices for 2018 stated:

'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 older than five...Courts generally did not consider domestic violence by itself a justification for granting a divorce. Irrespective of the number of years married, the number of children raised, and joint property, the law entitles women to only three months' financial support if her relationship ends...

'All federal and regional land laws empower women to access government land. Inheritance laws also enable widows to inherit joint property acquired during marriage; however, enforcement of both legal provisions was uneven.' 117

15.1.7 See also Citizenship and nationality and Official documents.

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15.2 Discrimination

15.2.1 The Australian DFAT report on Ethiopia stated:

While women still face some discrimination around land-use rights, progress has been made in this area. Increasingly, women are recognised as users of farmland following the death of their husband, although widows and divorced mothers remain highly economically vulnerable; this is particularly an issue in the context of a high prevalence of child marriage and the early age at which many Ethiopian girls have their first child...

'Ethiopia is a conservative society and women face high levels of societal discrimination. While women officially have access to police and the court system, societal norms mean that they seldom pursue that right. Limited infrastructure and low levels of financial independence exacerbate this problem, particularly in rural areas. Sharia law is permitted for use, where both parties are Muslim and with both parties' consent, in cases involving personal status issues in Ethiopia. Women can face some difficulties in gaining equal access and influence to these processes. Women typically have fewer employment opportunities than men, in both urban and rural areas. This is influenced by societal discrimination, norms around women's roles and women's generally lower levels of educational attainment.' 118

15.2.2 The USSD Country Report on Human Rights Practices for 2018 stated:

'Discrimination against women was widespread. It was most acute in rural areas, where an estimated 80 percent of the population lived...

¹¹⁶ Ethiopia national report, 6-17 May 2019, submitted to the UNHRC, <u>url</u>.

USSD, Human Rights Report for 2018, section 6, Ethiopia, url.

¹¹⁸ DFAT, 'Country Information Report – Ethiopia', page 20, 28 September 2017, url.

'Women's access to gainful employment, credit, and the opportunity to own or manage a business was limited by their lower levels of educational attainment and by traditional attitudes. There were a number of initiatives aimed at increasing women's access to these critical economic empowerment tools.' 119

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15.3 Sexual and gender-based violence (SGBV)

15.3.1 The Australian DFAT Ethiopia report stated:

'Domestic violence is explicitly prohibited in the Ethiopian criminal code and is punishable by up to 20 years' imprisonment, but this is rarely enforced. There are a number of other gaps in the formal legal framework; for example, the law does not explicitly prohibit spousal rape.

'In practice, gender-based violence (including physical, psychological and sexual violence) is common across all regions, ethnic groups and religious groups in Ethiopia. Societal norms and a lack of financial independence lead to under-reporting, particularly in rural areas.

'Violence against women is prevalent across all parts of the country, but is reportedly most prevalent in the Somali and Afar regions, where the vast majority of the population is Muslim and the family legislative framework is based on traditional practices and Sharia law and is not aligned with the corresponding laws at the federal level...There is no credible up-to-date data on the incidence of rape and sexual violence and harassment, but sexual violence is widely considered to be highly prevalent, and perpetrators are rarely punished. 120

- 15.3.2 The Social Institutions and Gender Index for 2019 stated: 'However, the CEDAW Committee (2011) notes that gender-based violence is underreported because of cultural taboos and victims' lack of trust in the legal system and there is a lack of effective management, knowledge of laws and coordination between different actors.' 121
- 15.3.3 The Ethiopian Central Statistical Agency (CSA) and ICF report, Ethiopia Demographic and Health Survey 2016 – Key Indicators, stated:

'More than one-third of ever-married women (35 percent) report that they have experienced physical, emotional, or sexual violence from their husband or partner at some point in time. Twenty-four percent of women report that they experienced emotional violence, 25 percent experienced physical violence, and 11 percent experienced sexual violence. Experience of physical, emotional, or sexual violence from a husband or partner is higher among older women 40-49 (38 percent), formerly married women (45 percent), those living in rural areas (36 percent), and women in Oromia (39 percent), Harari (38 percent), and Amhara (37 percent). Experience of

¹¹⁹ USSD, Human Rights Report for 2018, section 6, Ethiopia, <u>url</u>.

DFAT, 'Country Information Report – Ethiopia', pages 20-21, 28 September 2017, <u>url</u>. ¹²¹ OECD, 'Social Institutions and Gender Index 2019', Ethiopia, circa December 2018, url.

spousal violence decreases with increasing educational level and household wealth.' 122

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15.4 Sexual harassment

- 15.4.1 Sexual harassment is covered in legislation under article 625 of the Criminal Code¹²³. The penal code prescribes penalties for conviction of 18 to 24 months' imprisonment¹²⁴. The definition of sexual harassment covers the workplace, educational establishments and public places (Criminal Code, art. 625 & 846)¹²⁵.
- 15.4.2 The USSD Country Report on Human Rights Practices for 2018 noted: 'Sexual harassment was widespread...authorities generally did not enforce the law.' 126
- 15.4.3 The Social Institutions and Gender Index for 2019 stated:

'Verbal harassment was found to be the most prevalent form of sexual harassment, but victims seldom report it to authorities due to feelings of shame and a lack of information on the procedures for reporting; sexual harassment through the use of technology is reportedly common in the university setting...

'Sexual harassment in the workplace is reportedly common. However, it is difficult to assess its prevalence as women are reluctant to talk about such practices. It appears that sexual harassment is mostly perpetrated by male supervisors and co-workers and occur mostly in the service and agriculture sectors...' 127

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15.5 Access to support and services

15.5.1 The Social Institutions and Gender Index, based on source material released up to 2018, stated:

'... the Women, Children and Youth Affairs offices at various levels (federal, regional and woreda) provide legal aid to women (Federal Democratic Republic of Ethiopia, 2014). Under a Flagship Joint Programme on Gender Equality and Women's Empowerment developed by the Government in cooperation with UN Agencies, four safe houses and two one stop gender-based violence centres are providing women victims of violence with multi-sectoral assistance services, such as medical and psychological treatment, legal support, and shelter (Federal Democratic Republic of Ethiopia, 2014). The Government in cooperation with civil society organisations additionally leads educational and awareness-raising programmes on gender-based

¹²² CSA/ICF, 'Ethiopia Demographic and Health Survey 2016 – Key Indicators', url.

¹²³ OECD, Social Institutions and Gender Index 2019, 'Ethiopia', undated, <u>url</u>.

¹²⁴ USSD, Human Rights Report for 2018, Ethiopia, section 6, 13 March 2019, <u>url</u>.

¹²⁵ OECD, 'Social Institutions and Gender Index 2019', Ethiopia, undated, <u>url</u>.

USSD. Human Rights Report for 2018, Ethiopia, section 6, <u>url</u>.

¹²⁷ OECD, 'Social Institutions and Gender Index 2019', Ethiopia, undated, <u>url</u>.

violence and gender equality (Federal Democratic Republic of Ethiopia, 2014).' 128

15.5.2 An undated Danish Ministry of Foreign Affairs (DMFA) article, Ethiopia: Supporting women and girls survivors of violence, stated:

'Since its opening in 2015, the women's shelter in Adama has helped 680 women, girls and their children to rebuild their lives and move on from a past haunted by violence. The women and girls are provided with accommodation, medical treatment, psychological support and counselling, legal aid, education, vocational training, and lessons in self-defence. The shelter is helping the women to become self-sufficient and resilient in the world outside its walls...

'The women's shelter not only supports the survivors of gender-based violence escape from their difficult situation; it also supports efforts to restore their self-esteem and give them hope for a better future...

'Since 2015, the women's shelter in Adama has also provided training to police in handling cases of violence against women and girls. This training programme has helped 764 police officers and 1,115 police academy cadets to improve their ability to handle cases of gender-based violence and offer counselling to women survivors of violence, their families and the local community.

"We are seeing a major change in the local community. When the population is well-informed, they can change society. They have no interest in being a society with rampant crime, but in the past, they didn't know how to respond to the violence. Now we get more help from the community, and this is what society must be built on," says Deputy Superintendent Ms. Sintayhew Botela, who heads the local police division for the protection of women and girls survivors of violence.

'The cooperation with the local police has improved their ability to investigate violent crimes, and thanks to coaching at the shelter, the women and girls are now more confident when testifying against the perpetrators in court.' 129

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15.6 State response

15.6.1 An Ethiopian government national report, dated May 2019, submitted to the United Nations Human Rights Council (UNHRC), as part of a universal periodic review, stated:

'120. The Government recognizes gender based violence as violation of basic human rights. Accordingly, effective legal and policy frameworks are put in place to promote the rights of women and girls. These rights are enshrined in the Constitution as well as in International and regional agreements that promote and protect women's rights, including the Convention on the Elimination of Discrimination against Women (CEDAW), and the Protocol to the African Charter on the Rights of Women in Africa (the

¹²⁸ OECD, 'Social Institutions and Gender Index 2019', Ethiopia, undated, url.

DMFA, 'Ethiopia: Supporting women and girls survivors of violence', undated, url.

Maputo Protocol). Specific legal measures and actions are being taken to address violence, including the Revised Family Law of 2000 and the Revised Criminal Code in 2005. The Government has also put in place the requisite institutional mechanisms at federal and regional levels, including the establishment of Federal and Regional Women, Children and Youth Affairs Offices, Special Child and Women Protection Units within the police and prosecution offices and special benches for violence against women cases within the federal and numerous regional courts.' 130

15.6.2 The UNHCR Ethiopia National Refugee Strategy for Prevention and Response to Sexual and Gender based Violence 2017-2019 stated:

'Different national legal instruments are put in place to protect Ethiopian women from domestic violence and ensure equal protection of the law, equality in marital affairs, protection from harmful traditional practices, and access to family planning information and services, among others. To be more specific, article 7 of the Family Code prohibits marriages for both men and women under the age of 18, while article 50 emphasises on the equal rights between spouses. The Constitution of Ethiopia has recognised protection from domestic violence as one of the fundamental rights, and it has also confirmed that all ratified international instruments are integral parts of the law of the country, which includes African Charter on Human and People's Rights, CEDAW, ICCPR and ICESCR. In its article 35, the Constitution confirms equality between men and women and their rights to participate and compete in political, social and economic life on the basis of equality, among other fundamental rights. In light of the Constitution, more specific gender sensitive law such as family law and criminal panel code were issued. With the national Refugee Strategy to Prevent and Respond to SGBV, UNHCR and partners strive to ensure adherence to national laws of Ethiopia and be guided by the set goals which aim at protecting refugees from SGBV, and respond by facilitating the access of SGBV survivors to services including justice as per the country's laws.' 131

15.6.3 The USSD Country Report on Human Rights Practices for 2018 stated:

'The law criminalizes rape and conviction provides for a penalty of five to 20 years' imprisonment, depending on the severity of the case. The law does not expressly address spousal rape. The government did not fully enforce the law. Article 564 of the criminal code generally covers violence against a marriage partner or a person cohabiting in an irregular union without specifically mentioning spousal rape. Some judges interpret this article to cover spousal rape cases, but others overlook such cases.

'Domestic violence is illegal, but government enforcement of laws was inconsistent. Domestic violence, including spousal abuse, was a pervasive social problem.' 132

15.6.4 The Social Institutions and Gender Index for 2019 stated:

¹³⁰ Ethiopian government national report, 6-17 May 2019, submitted to the UNHRC, <u>url</u>.

UNHCR, 'Ethiopia National Refugee Strategy...', undated, <u>url</u>.

¹³² USSD, Human Rights Report for 2018, Ethiopia, section 6, 13 March 2019, <u>url</u>.

'Domestic violence is a criminal offense under article 564 of the Criminal Code, which stipulates that the provisions on grave wilful injury (art. 555), common wilful injury (art. 556) and assault (art. 560) notably are applicable to a person who, by doing violence to a marriage partner or a person cohabitating in an irregular union, causes grave or common injury to his/her physical or mental health. Penalties range from three months to 15 years of imprisonment (Criminal Code, art. 555-560)...Additionally, the provision encompasses physical and psychological violence, but there is no mention of sexual or economic violence within the family in the legislation. Moreover, Dugasa Fite (2014) notes that there are no civil remedies available to victims of domestic violence in Ethiopian law, such as protection order, compensation, custody order, residence order, shelter or medical benefits.

'A Flagship Joint Programme on Gender Equality and Women's Empowerment, gathering the Government and UN Agencies, has developed centres providing shelters and services to victims such as medical and psychological treatment, for women victims of violence, including domestic violence (Federal Democratic Republic of Ethiopia, 2014).' 133

15.6.5 The Social Institutions and Gender Index for 2019 also stated:

'There is no law addressing violence against women, including a comprehensive approach to address violence against women with specific provisions for investigation, prosecution and punishment of the perpetrator and protection and support services for survivors.

'Nonetheless, the Government has implemented several measures aiming at ensuring the prosecution and punishment of perpetrators of violence against women, such as child and women protection units in police stations, the Violence against Women Investigation and Prosecution Team in Addis Ababa and Dire Dawa, as well as child and victim friendly benches within Federal and Regional courts (Federal Democratic Republic of Ethiopia, 2014).' 134

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OECD, 'Social Institutions and Gender Index 2019', Ethiopia, undated, <u>url.</u>
 OECD, 'Social Institutions and Gender Index 2019', Ethiopia, undated, <u>url.</u>

Terms of reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the <u>country information section</u>. The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned. For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Geography and demography
 - Key facts
 - Map
 - Population distribution, density and birth/death rate
 - Transport links
 - Languages
 - Ethnic groups
 - Religious demography
- o Economy
- History
- Media and communications
- Citizenship and nationality
- Official documents
 - Registration of births, marriages and deaths

- Birth certificates
- Marriage certificates
- Divorce certificates
- Death certificates
- National identity cards
- Prison release documents
- Military discharge documents
- Passports
- Fraudulent documents
- o Healthcare
 - Overview
 - Organisation and personnel
 - Mental healthcare
- o Key issues relating to protection claims
 - Political system and political opposition
 - Criminal justice system
 - Freedom of movement
 - Children
 - Oromos
 - People of mixed Eritrean/Ethiopian nationality
 - Sexual orientation, gender identity and expression
 - Women

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Version control

Clearance

Below is information on when this note was cleared:

- version 1.0
- valid from 20 November 2019

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First version in this format.

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