

Ethiopia Safety of Journalists (SoJ) Assessment Report 2022

International Media Support



April 2022



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Executive Summary

IMS commissioned this assessment of Safety of Journalists (SoJ) in Ethiopia. It was initially written in 2021 by a consultant and later updated by IMS staff in March 2022. It is an output of the *Protecting Independent Media for Effective Development (PRIMED)*, which is a 3-year program to support the provision of public interest media in Bangladesh, Ethiopia, and Sierra Leone, beginning in October 2020 and funded by the UK Foreign, Commonwealth and Development Office (FCDO) and implemented by International Media Support, BBC Media Action, FreePressUnlimited and Media Innovation and Development Fund. This assessment report seeks to contribute to a better awareness of SoJ in Ethiopia, enabling local and international media development partners to focus on SoJ, which is key to the full realisation of good journalism and enjoyment of free expression rights in Ethiopia.

This assessment report is based on interviews with various media actors in Ethiopia, including journalists, activists, human rights defenders, academia, international media development organisations (IDOs), and community media. This report is organised under thematic SoJ issues as informed by the UNESCO SoJ indicators.

The assessment focused on the status of SoJ in Ethiopia, looking at root causes of attacks or threats to journalists, collation of views on SoJ and what can be done to mitigate attacks or threats against journalists, and the potential role of key State and non-state actors in promoting the rights and safety of journalists. The initial report was carried out during COVID19 and growing security threats which invariably limited the spectrum of stakeholders that IMS could reach. IMS endeavoured to dispassionately assess the SoJ situation in Ethiopia by balancing views and reaching out to various and diverse groups to paint a more accurate and holistic picture of the SoJ situation in Ethiopia.

The assessment report notes that overall, there has been a significant rise in threats against journalists from State and non-state political actors over the past three years, fuelled by the explosion in political polarisation as seen in social media use by various groups, the crisis of the conflict in Tigray, COVID-19, and the ethnification of the media itself. It is important to note that the Ethiopian government has committed in policy and various actions to support SoJ and media and free expression rights. The challenge, however, remains the disjuncture between policy and practice.

This report notes that journalists working for national and international media face threats from state and non-state actors. These include unlawful detention, physical attacks, harassment, intimidation, and psychological threats.

Among others, threats to journalists are worsened by the absence of a national SoJ mechanism to monitor and mitigate attacks against journalists. In establishing such a mechanism, great care is required not to exacerbate existing threats and media polarity. It should be conducted using participatory and inclusive approaches to ensure relevant actors' ownership, trust, and accountability. We also found out that the media is also divided along partisan lines, hence failing to speak with one voice on issues of SoJ.

Media development interventions by a range of International Development Organisations (IDOs) lack coordination. The report's first main conclusion is an urgent need for a multi-stakeholder **COORDINATION** to develop a SoJ mechanism for Ethiopia.

The second main conclusion is that there are significant opportunities for local and IDOs to **CONSOLIDATE** the significant gains that have been made under Prime Minister Ahmed's reforms. The government acknowledges the right of journalists to carry out their work and exercise free speech.

The recently reconstituted Ethiopian Media Authority says it is committed to developing public interest media. The national Ethiopian Human Rights Commission (EHRC) has shown considerable autonomy to investigate and publicise human rights abuses. Recently established and active professional associations inside the country - the Ethiopian Mass Media Professionals Association, the Editor's Guild, the Ethiopian Media Council - indicate the potential for local networks to be organised to play a part on SoJ issues in Ethiopia.

Finally, **CAPACITY** building for journalists, lawyers, and other stakeholders is needed to build local skills that sustain a SoJ protection mechanism into the future. There is also widespread support among interviewees for a media campaign to raise public awareness on the essential civic service that good journalism performs.



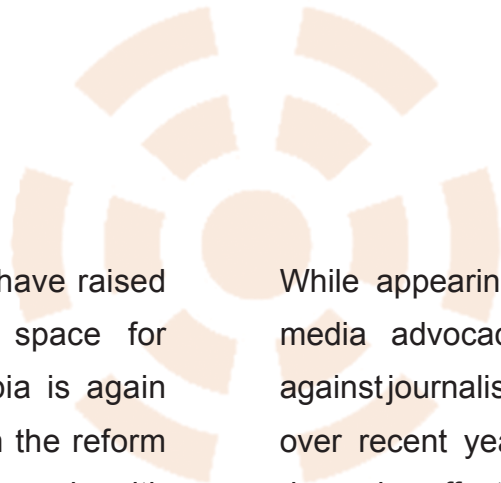
Key Recommendations:

- Conduct thorough and regular risk assessments (monitoring attacks and threat levels) in collaboration with CSOs concerned with freedom of expression and human rights, academia, and local media representatives.
- Facilitate regular dialogues between security forces and media to improve relations and mutual understanding on the critical role of journalists and the media.
- There is a need for coordination of SoJ efforts at a local and international level, building the capacity of local media actors to engage authorities on issues of safety of journalists.
- In line with the above, consultations are needed on efforts to develop an Ethiopia SoJ mechanism that local actors own with support from regional and international actors.
- Ethiopia's legal and justice system needs reform to protect journalists better, and the capacity of Human Rights Defenders, including human rights lawyers, needs to be enhanced.
- Ethiopia journalists in exile, in prison, and facing continued threats need practical support, and campaigns must be done to advocate for the release of imprisoned journalists and support and solidarity to journalists facing threats in Ethiopia and those in exile.
- All above efforts must be anchored on increased local media sector capacity to monitor, document, and publicise violations against journalists.
- Spaces for SoJ dialogue between media and public officials, including the justice and security sectors, must be created and sustained to build trust, ownership, and cooperation.

Introduction

In Ethiopia, the working environment for journalists has become increasingly hostile. Journalists are not fully empowered to bring vital information to the people. They do not have adequate access to public information and freely express themselves. Despite some efforts, they find it challenging to accurately and objectively convey the actions and attitudes of power holders, hence unable to become agents of democracy and freedom or to play their watchdog role. They are also increasingly vulnerable to human rights violations which often remain unexposed. Because of the insecure operational environment and rise in violent assaults, they act in fear or are generally uncertain about their profession.

Over the past two decades, the issue of journalists' safety has catapulted to the forefront of international attention. But after taking office in 2018, Ethiopia's Prime Minister Abiy Ahmed released political prisoners, freed dozens of jailed journalists and bloggers, restored more than 200 websites and blogs, passed a new media proclamation, and repelled several repressive laws. He also took several other steps as part of the political reform process and hoped to transition to a peaceful democratic country.



While these reform measures have raised hopes and created a new space for freedom of expression, Ethiopia is again facing challenges that threaten the reform process - the country had to grapple with the country's significant challenges. The military conflict in the Tigray region, inter-communal violence, drought, and other humanitarian crises in other parts of the country have damaged the economy and pressured food costs. Inflation has risen sharply during the last quarter of 2021, which World Bank data showed to be the highest since 2008. The UN has so warned that 'famine has returned'. Linked to famine is a growing concern on Ethiopia's economic prosperity. Before the war in Tigray, Ethiopia was emerging as one of the most dynamic large economies in Africa, but today foreign investors are increasingly worried and putting projects on hold.

While these difficulties remain, there is optimism on reform efforts.

Freedom of expression and rights of journalists have also fallen victim to the conflict. There is also an alarming rise in social media posts advocating ethnic violence. Although some elements in the legal framework are still not implemented, the passing of new laws is an essential landmark for the reform process, which is still ongoing.

While appearing as a peripheral issue in media advocacy, the scale of violence against journalists, including growing attacks over recent years, have far-reaching and damaging effects. Suppressing independent media, for example, through arbitrary arrests and prosecutions, oppressive political and commercial pressures also have become commonplace for journalists working in Ethiopia. These actions have paved the way for increased fear and uncertainty among journalists and other media members. This may also have a chilling effect on freedom of expression within the broader society.

While internet access has increased and transformed Ethiopian society over the last few years, there is also an alarming increase in hate speech, misinformation and disinformation. Therefore, online journalists, bloggers, and Internet users have increasingly become targets of violence and spurious criminal behaviour allegations intended to silence them. All of these have a cumulative effect on freedom of the media and freedom of expression, depriving populations of the ability to make informed decisions about their lives.

After the June 2021 elections, much of the political discourse was dominated by the conflict in Tigray. It continuously threatens hopes of a more open media - journalists have been arrested, exiled, and threatened. There has been a rise

in threats against journalists from state and non-state actors, fuelled by the explosion in social media use, the crisis of COVID-19, and the continued ethnification of the media. According to the 2021 Press Freedom Index by Reporters Without Borders, Ethiopia had dropped slightly from position 99 on the world ranking to 101 out of 180 countries, primarily influenced by the growing conflict in Tigray.

Two journalists were killed in the first six months of 2021, the first such deaths of journalists since 1998, and a strong indicator of the critical situation of SoJ in the country. Journalists working for international media have also faced threats from state and non-state actors, prompting Reuters to pull its reporters out of Ethiopia, while a prominent foreign correspondent was expelled. Some journalists who reported on the Tigray conflict have fled Ethiopia or gone into hiding after receiving threats from state and non-state actors, with ethnicity an aggravating risk factor.

Imprisonment of journalists, usually without charge, has been witnessed through 2020 and 2021. Between 10 and 21 reporters were jailed from 2020 to 2021. In the first quarter of 2022, more than ten journalists and media professionals were imprisoned. The psycho-social safety of journalists is also threatened as journalists are deployed to report war and ethnic

conflicts without training and preparation. For instance, there are recorded cases of post-traumatic stress disorder among journalists who reported from Mai-Kadra, Benishangul, and West Wellega.

Recognising the gravity of the issue, IMS seeks to support SoJ in Ethiopia and support local partner networks and coalition building on SoJ. IMS puts the safety of journalists at the core of its work, noting that without safe and conducive operating spaces for journalists, public access to information is impaired as journalists play a crucial role as purveyors of information. IMS is also aware that effective Public Interest Journalism can only occur when SoJ is assured. In those contexts where SoJ is under threat, IMS works with local and international partners to improve such operating spaces.

Safety of Journalists (SoJ) is a strategic priority within IMS' core mission, particularly the intersection between public interest media, SoJ, and human rights. Journalists' safety is an

<https://www.mediasupport.org/publication/the-ethnification-of-ethiopian-media/>

<https://www.ema.gov.et/>

<https://www.bbc.com/news/world-africa-57432280>

<https://www.worldbank.org/en/country/ethiopia/overview>

<https://www.reuters.com/world/africa/ethiopias-economic-reform-drive-splutters-foreign-investors-2021-06-15/>

Ethiopia | RSF

essential human rights obligation directly bearing on states through their ratification of International Human Rights Law (IHRL). It is also central to the realisation of the right to freedom of expression. SoJ is also key to the health, quality, credibility, and survival of public interest media.

In 2016 IMS initiated the Global Safety Hub to support the implementation of the United Nations Plan of Action for the Safety of Journalists and the Issue of Impunity (UN Plan of Action). In-depth research and analysis are IMS's Global Safety Hub's building blocks through its Defending Journalism publications. The UN Plan of Action calls for a global response to the unacceptably high level of personal risk journalists and media workers face for exercising their right to freedom of expression, prioritising a gender-sensitive and human rights-based approach.



Methodology

This assessment is informed by the objectives of the Protecting Independent Media for Effective Development (PRIMED), launched in October 2019. Other PRIMED partners include BBC Media Action, Free Press Unlimited (FPU) and the Media Development Investment Fund. Funded by the UK Foreign, Commonwealth, and Development Office (FCDO), PRIMED seeks to strengthen independent media's ability in Bangladesh, Sierra Leone, and Ethiopia to produce public-interest journalism.

This current report is delivered as part of IMS's role in the 'Coalitions for change' PRIMED workstream, which seeks to create supportive, resilient alliances and networks of media practitioners in Ethiopia. It builds on a series of recent research reports into different aspects of Ethiopia's emerging media sector. In November 2018, IMS published an assessment of the media landscape in Ethiopia after two in-country missions.

In April 2019, IMS also produced a comprehensive report into Ethiopia's community radio sector. In 'Building Media Alliances in Ethiopia', IMS interviewed and listed 37 media stakeholders, held a series of focus group discussions (FGDs), and reviewed key IDOs scoping documents on Ethiopia up to mid-2019. In November 2020, IMS, in collaboration with other three organisations supported an academic research study into the ethnification of Ethiopian media. In March 2021, IMS and FOJO Media Institute published an extensive report with recommendations for IDOs on gender in Ethiopia's media sector. Finally, UNESCO has produced an, as yet, unpublished comprehensive report on media development in Ethiopia based on its Media Development Indicators, which was made available to IMS.

A significant amount of research is available into the broad socio-economic background of Ethiopia's media sector, its major stakeholders, and the crucial aspects of ethnicity

and gender that shape it. This report aims not to repeat work already completed but rather to pinpoint issues around SoJ in Ethiopia as a contribution to local partners, IMS, and other IDOs' development of an Ethiopian media safety and security framework that is informed by local needs and priorities.

Research into SoJ in the context of local partners and IDO interventions must also consider UNESCO's work on Journalists' Safety Indicators (JSIs) and its guidance for researchers, which make clear that such indicators are the agreed international framework within which such research should take place.

<https://undocs.org/A/HRC/39/23>

<https://www.cogitatiopress.com/mediaandcommunication/article/view/2873>

<https://en.unesco.org/un-plan-action-safety-journalists>

<https://www.mediasupport.org/publication/defending-journalism/>

<https://impact.gfmd.info/meetings/march-2021/primed>

<https://www.bbc.co.uk/mediaaction/>

<https://www.mdif.org/>

<https://www.mediasupport.org/publication/media-assessment-ethiopia-in-transition-hope-amid-challenges/>

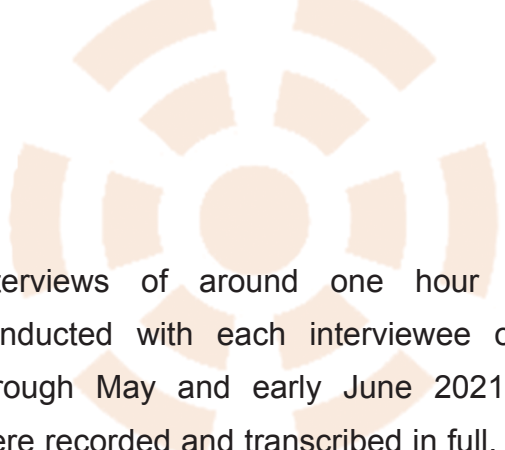
<https://www.mediasupport.org/publication/assessing-the-capacity-challenges-and-sustainability-of-the-community-radio-sector-in-ethiopia/>

The report is not published but is available on request.

<https://www.mediasupport.org/publication/the-ethnification-of-ethiopian-media/>

<https://www.mediasupport.org/publication/gender-in-ethiopian-media-landscape/>





To meet these three priorities of building coalitions of media practitioners in Ethiopia, pinpointing SoJ issues according to local priorities; setting the research within the internationally agreed framework, and meeting time constraints of completing the work within two months and in a COVID19 pandemic, the following approach was adopted.

This study used a qualitative approach to the research, identifying a key media actor whose particular experience of Ethiopia's media sector would provide insights into understanding SoJ. To that end, interviewees included journalists directly threatened by state and non-state actors, heads of recently formed professional associations, leading scholars, public and private media editors, and lawyers and civil society organisations working on media development.

A set of ten questions were asked of every contributor to the research. While trying to cover as many JSIs as possible, it was considered that better quality answers would emerge from keeping questions open, more general, and less numerous than a complete application of the JSIs would produce.

Interviews of around one hour were conducted with each interviewee online through May and early June 2021 and were recorded and transcribed in full. Each interviewee was informed of the purpose of the report, and to protect the safety of interviewees, respondents are anonymised except where specific cases of arrests are mentioned.

Finally, the content of each interview was disaggregated according to the main headings and sub-headings provided in the JSI, which also provided the overall structure of the report. This enabled putting together all relevant comments from all interviewees under each distinct JSI as was possible, thus analysing where significant agreement or disagreement existed and which of the indicators appeared relatively more or less necessary in the Ethiopian context.

Further to the research reports already noted, the author also conducted comprehensive desk research of reports on Ethiopia from 2020 to the end of 2021. The present situation was assessed by IMS staff, focusing mainly on international media watchdogs, leading news organisations, and monitoring social media platforms to gain insight into the role of social media and its impact on SoJ in Ethiopia.

Those news and analysis sources were used to contextualise the interviewees' responses and are quoted where necessary. The report's emphasis remains firmly on presenting as much of the original research gathered from interviewees as is relevant to achieving the aim of the work. The first report was finalised and published in June 2021, and a revision was made in March 2022. Hence it may not reflect developments after that.

A General Safety Indicators

Two journalists were killed in Ethiopia in the circumstances connected with their work during the first six months of 2021, the first such deaths since 1998 and a strong indicator of the critical situation of SoJ in the country. Having released more than a dozen imprisoned journalists from 2018, the Ethiopian government has since arrested between 10 and 21 reporters since a spike in ethnic tensions, exacerbated by the war in Tigray. Many of these journalists were released in the following months. In early 2022, more than ten were released, and few remain in prison. Threats to reporters working for international media became acute. Reuters had to move its

<https://en.unesco.org/themes/safety-of-journalists/journalists-safety-indicators#:~:text=Background,to%20crimes%20committed%20against%20them>.

office out of Addis Ababa for two months, while some interviewees for this report had fled the country fearing for their lives. The ethnification of Ethiopian media and the weakening of federal control to the benefit of regional armed groups drove a massive increase in online abuse, some of it targeted at journalists.

The killing of Journalists:

On January 19 2021, yet unidentified attackers in the northern region of Tigray shot and killed Dawit Kebede Araya, a well-known journalist for state-owned broadcaster Tigray TV. He had been detained by police three days earlier and questioned about his coverage of the war in Tigray. Araya was found in his car on the road near Mekelle, the regional capital, with a gunshot wound to his head, alongside his friend Bereket Berhe, according to the Committee to Protect Journalists (CPJ) and several of IMS' interviewees. Two other people in the car at the time, who were driving after the military curfew, are still missing. The Ethiopian army took control of Mekelle in late November 2020 "Being questioned by police is a regular occurrence, so much of the security network in Tigray has been dismantled and replaced by the army," said an experienced journalist. "So, it is challenging to know if he was targeted because of his work or a victim of war."

On the evening of May 9 2021, two unidentified attackers in the town of Dembi Dollo in the central Oromia region shot and killed Sisay Fida, a journalist for the Oromia Broadcasting Network, owned by the regional government. A regional official told Voice of America he believed Fida had been killed by 'Aba Torbe', a hit squad linked to the Oromo Liberation Army (OLA). The OLA is a paramilitary group that split from the Oromo Liberation Front (OLF) after the latter renounced armed struggle. According to reports, the OLA denied killing Fida, who was shot while walking home from a wedding. On May 6 2021, Ethiopia's parliament endorsed the government's decision to list the TPLF and the OLA as terrorist groups. "These days, everything that happens is blamed on the TPLF or the OLA," said an interviewee. According to the CPJ's database on journalists killed in the course of their work, there had not been a journalist who died in Ethiopia since 1998.

Threats to foreign media operating in Ethiopia:

On December 24 2021, Kumerra Gemechu, a cameraman working for Reuters covering the war in Tigray, was arrested at his home in Addis Ababa. A judge subsequently ordered his detention for up to 14 days allowing the police to conduct investigations, as is available under the Ethiopian Criminal Procedure Code.

Gemechu was released without charge after 12 days. A week earlier, Reuters photographer Tiksa Negeri was beaten by two federal police officers. "It seems they just wanted to scare us," said a journalist working for international media. "Since Tigray, the whole atmosphere has changed. It has become very scary. Only the international media reported the atrocities, so there has been vilification of journalists working for international media as working against Ethiopia," said a veteran journalist. Several interviewees confirmed that in response to the threats against their staff, Reuters had pulled staff out of Addis Ababa to its office in Nairobi, Kenya, for two months from January 2021. "Senior Reuters editors had conversations with the Ethiopian Media Authority seeking assurances that their journalists would be safe. The authority said it could guarantee no more arrests but would try to facilitate matters," said the reporter for international media. New York Times correspondent

Ethiopia Archives - Committee to Protect Journalists (cpj.org)
<https://cpj.org/2021/01/reporter-dawit-kebede-araya-shot-and-killed-in-ethiopia/>

<https://cpj.org/2021/05/oromia-broadcasting-network-journalist-sisay-fida-shot-and-killed-in-ethiopia/>

<https://www.africanews.com/2021/05/06/tigray-conflict-ethiopia-lists-tplf-as-a-terrorist-group/>

<https://www.reuters.com/article/ethiopia-arrest-int-idUSKBN2920A1>

<http://www.pretrialrights.org/ethiopia/>

Simon Marks, an Irish citizen who has reported in Ethiopia since 2019, had his credentials revoked by the Ethiopian Media Authority, the state regulator, accusing him of producing “fake news” and “unbalanced” reporting on the war in Tigray. This was a day after he interviewed civilians in Tigray about abuses committed by Eritrean and Ethiopian troops.

Targeting of journalists based on ethnicity:

“The biggest issue in the country is that all mainstream media, whether state or private, has been co-opted either directly or indirectly by political parties and ethnic groups,” said a veteran journalist. Public media journalists are perceived as serving as a mouthpiece for the State and thus face threats reporting from areas of the country in opposition. “When I was working at the state media, journalists who worked with me faced some challenges moving throughout the country, especially areas where there are serious government protests, or armed opposition groups, like in some parts of Oromia region, or Somali region,” said a source. “Even the regional governments assume that the state media is often only concerned about the federal government.”

“Journalists from the state media have experienced increased threats from these non-state actors, which is not entirely new.

But when they travel to a region, they can have stones thrown at them because people hate state media,” said a source. Journalists for regional networks owned by regional governments and formed around ethnic identity can also face threats when traveling around the country. “For example, some people consider that the Oromia Broadcast Network favors the government or regional government in their coverage, so they cannot go out to a different region to report. They are afraid to put the microphone with their logo on the camera,” said a source. Sisay Fida, the journalist shot and killed in May 2021, was working for OBN. There appears to be a trend of journalists not only being polarised along ethnic lines but could face attacks based on one’s ethnicity, be it online vilification and threats, arrests, or worse. “We can see some patterns definitely and what we know is that many of the cases we have seen in the past year can specifically be linked to the situation in Tigray,” said an informant. “Many of the journalists who experienced detentions and abuse and threats over the past year are Tigrayan.”

Ethnic and political agendas dominating Ethiopian media risk being at odds with media professionalism concluded the report into the ethnification of the media from 2020. “Journalists are highly inclined to use sources which support their ideological interests and avoid quoting sources from

other ethnicities which could balance the story,” said the report, noting that ethnicity is a “strong predictor of political sympathy among Ethiopian journalists.” “For the state, many journalists working for private media appear to be activists first, and reporters second,” said a source.

The state-owned media has been used as a tool in the government’s attempt to intimidate and silence journalists reporting contrary to official views, particularly on abuses against civilians in Tigray. A senior Ethiopian journalist working for the Associated Press has had his photograph and name broadcast on the Ethiopian Broadcasting Corporation (EBC), the state-owned and largest broadcaster in the country, and on privately owned but pro-government Fana Broadcasting Corporation. The journalist was accused of working to mislead the international community while taking money from the TPLF through banks in London and Dubai. Following a wave of social media attacks against him,

since November 2020, he has stopped posting his reports and views on social media and no longer uses his by-line in reports for AP. “The sad part about the media environment in Ethiopia is when you stand up when you raise questions about killing or harassment of journalists. Some media try to label you as someone pressuring the government,” said an interviewee.

Individual journalists have also deliberately put their colleagues in danger. A source said a member of a WhatsApp group set up between foreign correspondents to share information took screenshots of the communications and sent them to a government-owned media. “They ran a program saying reporters for the international media were working for unknown interests”. That feeds into the online abuse. Some of it from unknown individuals, some from state officials. They say foreign media is working with the TPLF, they are not patriotic, they are traitors, they are working with the whites.” The WhatsApp group has since been closed. A smaller number of trusted journalists continue their communication on another platform. “So, it’s not just the government that is the problem, it’s also the media,” said a source.

<http://www.pretrialrights.org/ethiopia/>
<https://cpj.org/2021/05/cpj-condemns-ethiopia-expulsion-of-new-york-times-reporter-simon-marks/>
<https://www.facebook.com/OBNAfaanoromo/>
<https://www.mediasupport.org/publication/the-ethnification-of-ethiopian-media/>

“Once you try and gather different sections of the media together you tend to feel the tensions.” The veteran journalist said he knew several journalists who are paid to troll. “I know someone who is a board member of the Journalists Association who was harassing a female reporter and insulting her. There are organised amplifiers on social media who start spreading misinformation and disinformation about a reporter,” said an interviewee.

Arrest and Imprisonment of journalists:

Soon after becoming Prime Minister in 2018, Abiy Ahmed released all imprisoned journalists, overturning decades in which Ethiopia was one of the world’s leading jailers of the media, with 35 imprisoned in 1995 and 18 in 2014, according to the CPJ. “So there has been, relatively speaking, some important progress. However, the transitional window is closing very quickly. Despite some of the gains over the past three years, we are seeing a climate of self-censorship and increasing incidents of attacks on journalists,” said one journalist.

A human rights lawyer working in media development agreed: “honeymoon period was very fundamental for the safety and freedom of journalists.” However, as Reporters Without Borders (RSF) noted in its 2020 report on Ethiopia, old bad habits are re-emerging, noting the arrest of tens of journalists from 2020 to 2021. More than ten journalists were arrested in 2020 for often unclear reasons, said RSF. Some were held incommunicado for several weeks without access to legal representation.

In a report on November 16 2020, IFEX, a global network of NGOs working on press freedom, said at least 17 journalists had been arrested in connection with their work in 2020. In a report on July 2

<https://www.facebook.com/EBCzena/>

<https://www.fanabc.com/english/>

Ibid

<https://qz.com/africa/1494561/ethiopia-has-no-jailed-journalists-in-2018-the-first-since-2004/>

<https://cpj.org/blog/africa/ethiopia/>

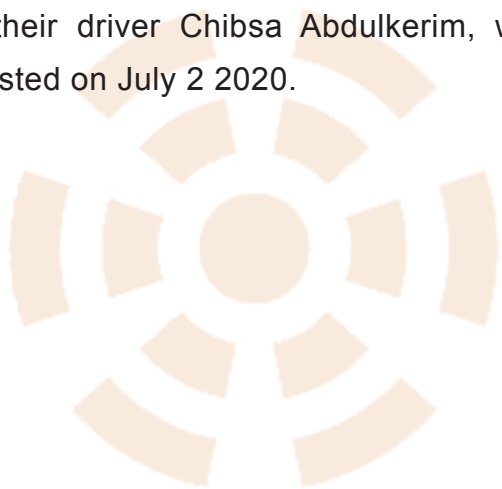
<https://rsf.org/en/ethiopia>

<https://ifex.org/initial-press-freedom-gains-eroding-fast-under-ethiopian-prime-minister-ahmeds-leadership/>



2021, the Addis Standard reported that ten journalists had been detained, including five reporters for the online Awlo media. A police source told the newspaper the men had been arrested for affiliation with an outlawed terrorist group.

The arrest of journalists on national security grounds appears to have been triggered by the spike in ethnic tensions, caused among others by the murder on June 29 2020, of prominent Oromo singer Hachalu Hundessa that led to riots and the death of at least 181 people in ethnic violence in the central and southern region of Oromia. Four journalists and a media worker were among at least 4,700 people arrested in the wake of the violence. Kenyan journalist Collins Juma Osemo, also known as Yassin Juma, three journalists from the Oromia Media Network (OMN), Melese Direbssa, Guyo Wariyo, and Mohammed Siraj, as well as their driver Chibsa Abdulkerim, was arrested on July 2 2020.



The four journalists were not charged, but authorities were investigating them on allegations of incitement to violence and the operation of illegal communication equipment. Wariyo was released after being in detention for 45 days. Juma was later released, but Deribssa was still fighting in court against criminal charges at the time of writing this report. Direbssa, news director of the OMN, was accused but not charged with incitement to violence after OMN had interviewed Hundessa just days before his murder. The killing of Hachalu Hundessa also led to the closure of media houses. The government accused OMN of airing hate against other ethnicities and instigating violence in Oromia and Addis Ababa following the killing of Hundessa. The Federal Attorney-General indicated that the *OMN*, *Asrat TV*, and *Dimtsi Woyane TV* studios in Addis Ababa were raided and documents seized. The stations stopped airing programs from Addis as of June 30 2020. *OMN* is now broadcasting from outside Ethiopia. *Dimtsi Woyane TV* had been broadcasting from Tigray, while *Asrat TV* was off-air when writing this report.

On August 9 2020, three Asrat TV journalists were arrested, while *Wolaita Times* online media editor Natnael Gecho was detained and released on September 4, 2020, after four days for “inciting violence using Facebook.” On the same day, the managing editor of *Feteh Magazine*, Temesgen Dessalegn, and the Editor in Chief of the magazine, Misgan Zinabe, were arrested by police on charges of defamation and violation country’s Communications Act. Temesgen and Misgan were released the next day on the condition that they would report to the police whenever they were needed. Ermias Mulugeta, Editor in Chief of the weekly *Addis Maleda* newspaper, was taken from his office on October 26, 2020, and released without charge after nine hours in detention.

Lucy Kassa, a reporter for the LA Times, was forced to flee Addis Ababa in February 2021 after armed men who had no search warrants broke into her home and threatened to kill her over her interviews with women who reported being raped by soldiers in Tigray. The men questioned her

on why she was reporting on the conflict in Tigray, threatening that she could be killed if she did not stop. Personal gadgets that included a computer and documents were seized. Kassa says she felt her safety was no longer guaranteed.

<https://rsf.org/en/ethiopia>

<https://addisstandard.com/news-12-journalists-arrested-in-two-days-media-authority-unaware-of-the-arrests-fed-police-says-arrests-linked-to-association-with-terrorist-organization/>

<https://www.bbc.com/news/world-africa-53298845>

<https://cpj.org/2020/08/authorities-in-ethiopia-detain-four-journalists-one-media-worker-amid-unrest/>
Ibid

<https://www.voanews.com/press-freedom/two-omn-journalists-freed-bail-colleagues-remain-ethiopian-jail>

<https://www.capitalfm.co.ke/news/2020/08/journalist-yasin-juma-opts-to-stay-in-ethiopia-after-release/>

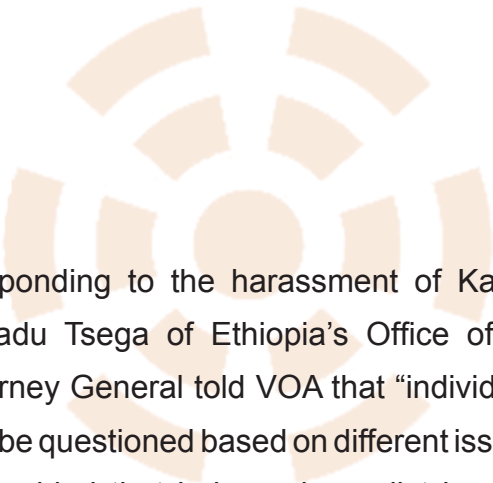
<https://cpj.org/2020/08/authorities-in-ethiopia-detain-four-journalists-one-media-worker-amid-unrest/>

<https://www.thereporterethiopia.com/article/media-implicated-violence-following-hachalus-death>

<https://www.facebook.com/ASRATMEDIA>

[HOUSE/posts/1356029641270095?__tn__=-R](https://www.facebook.com/ASRATMEDIA)





Responding to the harassment of Kassa, Fekadu Tsega of Ethiopia's Office of the Attorney General told VOA that "individuals can be questioned based on different issues" and added that being a journalist is not a protection "if a crime is committed". The Ethiopia State of Emergency Fact Check, a government platform, said that Lucy Kassa did not have the necessary press pass.

A veteran journalist, who asked to remain anonymous, said he was facing an unprecedented level of threats and harassment both from state officials and non-state actors aligned with the government. "I find myself in a very difficult position, especially since the start of this conflict in Tigray. There is a tendency by the government or pro-government activists to harass and defame and call for our arrest and prosecution. One thing is the government arrests me and puts me in jail. The other is getting attacked in the streets. Something can happen anytime. I am just like a sitting duck here."

Within a fortnight of launching military operations against the TPLF on November 4 2020, the government had arrested at least six journalists: three from the state-owned Ethiopia Press Agency (EPA) - Haftu Gebregziabher, Tsegaye Hadush, and Abreha Hagos - were arrested along with Udi Mussa from the Oromia Media Network (OMN),

Medihane Ekubamichael, the editor from the Addis Standard and Bakalu Alamirew, of YouTube news channel Awlo media. They were variously accused of "collaborating with foreign forces," "incitement", and attempting to "dismantle the constitution through violence" after they interviewed TPLF officials.

From late February 2021, the government arrested at least four local journalists working for international media, including those working for the BBC, Agence-France Press, the Financial Times, and the New York Times. Speaking to the New York Times after the expulsion of Marks, Yonatan Tesfaye, the deputy head of the Ethiopian Media Authority (formerly EBA), said: "We want the media to take the context we are in, and we want them to operate respecting the rule of law that the country has." "Over the past year, detentions have been used as the biggest tool of the government, massively, not just against journalists but against all opposition," said a source. "You are called to court, there's some detail that's not in place, and then you have to wait another two months." "It's a kind of political struggle," said an interviewee. "They are trying to control the journalists trying to reveal what is going on in Tigray."

There was a notable spike of arrests of journalists from 2021 to early 2022, this after the declaration of the state of emergency. Some of the journalist arrested include Eyasepid Tesfaye of Ubuntu Youtube TV. Tesfaye was released on January 19, 2022, after 43 days at AA Police Sostegna Police Station.

Meaza Mohammed co founder of online Roha media was released after 47 days in detention. She was arrested under the state of emergency. Tamrat Negera was arrested on 31 December 2021, Amir Aman, Associated Press, Correspondent and Cameraperson Tomas Engida arrested late November 2021 remain in prison by March 2022. Kibrom Worku, News editor of Ahadu Radio and TV was arrested on October 22, 2021 and spent 70 days in detention. He was released on January 26, 2022. Others who were arrested under unclear circumstances and latter released include Tamrat Abera and Getiye Yalew of Ahadu Radio, Temesgen Desalegn of Fitih Newspaper arrested and detained several times. Bekalu Almirow of Awlo Radio and Melesse Diribsa of OMN are other journalists arrested under unclear circumstances.

The report on media and ethnicity published in November 2020, just as the war in Tigray began, concluded that the “press situation in the country is deeply disconcerting. The reason for this is that the media landscape

is as polarised as never before. Parts of the media have been blamed for playing a pivotal role in the turbulence in various parts of the country since 2019. Many people suspect that the media are being exploited to propagate an ethnic agenda.”

Social media and non-state actors: A new front on SoJ

In April 2019, Fojo Media Institute published a report, ‘Social media and journalism in Ethiopia’, which found Ethiopia had the second largest relative growth of social media in the world in 2018. Out of the 68.34 million Ethiopians in 2018 that had mobile connectivity – a massive increase from 53.3 million in 2017 – only 5.6 million (in Jan 2019) are active social media users, which was a significant increase from 3.8 million in 2017. The report opened with the memorable quote from a contributor: “Social media is the dark horse. Social media has, in a few years, turned the political landscape in Ethiopia on its head not only as a means of mobilising people but also as a means of spreading rumours, hate speech, and disinformation.” Facebook dominates the social media scene. The latest figures show just over six million Facebook users, still just five percent of Ethiopia’s population, and two-thirds of users are men.

<https://ifex.org/initial-press-freedom-gains-eroding-fast-under-ethiopian-prime-minister-ahmeds-leadership/>
https://m.facebook.com/story.php?story_fbid=10207939606845019&id=1742543861
Ethiopian Journalist Attacked in Her Home, Questioned on Tigray Connections | Voice of America - English (voanews.com)
Ethiopia State of Emergency Fact Check
Ibid
<https://reliefweb.int/report/ethiopia/ethiopia-media-crackdown-amid-military-offensive-tigray-region>
<https://ipi.media/six-journalists-arrested-in-ethiopia-on-trumped-up-charges/>
<https://ipi.media/ethiopia-ipi-condemns-arrests-of-media-workers-in-conflict-hit-tigray/>
<https://www.nytimes.com/2021/05/13/world/africa/ethiopia-tigray-journalists.html>



“Under the previous administration, only the government could target you on social media. At this moment, the threats come from everywhere,” said an interviewee. “These are special interest groups,” said a source. “They are organised around some ethnic or religious identity or associated businesses. They are always there to threaten you, particularly with cyberbullying, posting your photo saying you have done wrong. Everyone is trying to promote their interests, and this distorts the overall media landscape.” Said an interviewee. Sources highlighted a relative weakening of federal control to the benefit of informal groups and officials at the local or district level since Prime Minister Ahmed opened the country up and allowed the return of formerly banished opposition leaders, such as Berhanu Nega and Jawar Mohammed, owner of the Oromia Media Network (OMN). “These informal groups are becoming strong, trying to pressure the media in general,” said a source. “Officials at the local or district levels are becoming more influential than the federal government. They can threaten to kill a journalist, and no one can help that journalist. These non-state groups are armed with their special forces. I can’t say these armed groups are beyond the control of the government, but they have lots of supporters inside the government, so it’s very difficult for the government to control these groups.”

A senior journalist said attacks on journalists are sometimes perpetrated by non-state actors who are influenced by Ethiopia's polarised politics. Some interviewees insinuated that some non-state actors have state support, mostly from regional government leaders using social media, satellite TV, and radio coordinated from within and outside the country. "I have been a journalist for over 15 years...It used to be that the basic challenge to journalists came from the government, starting from denial of access to information access to threats like, 'You are reporting on this, I want to report on this instead'", said an interviewee. "For the last three years, there is also another challenge, and this is from ethnic driven groups, religious groups, or business gangs. They're all very tough on the journalists." "These non-state actors are now the principal threat to journalists," said a source. There is evidence of radical views from both political and religious groups that threaten the free work and safety of journalists.,

Meanwhile, COVID-19 further fuelled threats to journalists. "Whenever there is a pandemic, there is corruption: people getting services based on ethnicity or class or group status," said a source.

An interviewee, however, cautioned against reading too much into the increase in threats. "Despite the rise of a more active and critical private media over the past two or three years, most Ethiopian journalists still work for state-owned media or regional state media, and most of those journalists will never experience any direct physical threats," he said. "I think there were fewer reported abuses and threats previously because there were fewer critical journalists. The mechanism of self-censorship has been very strong in Ethiopia."

<https://www.mediasupport.org/publication/the-ethnification-of-ethiopian-media/>

http://media.fojo.nu/2019/04/Ethiopia_Social_media_in_Ethiopia.pdf

<https://napoleoncat.com/stats/facebook-users-in-ethiopia/2020/01>

<https://www.aa.com.tr/en/africa/ethiopia-welcomes-return-of-exiled-opposition-leader/1250507>

<https://www.bbc.com/news/world-africa-54236276>

<https://www.bbc.com/news/world-africa-53306091>

https://en.wikipedia.org/wiki/National_Movement_of_Amhara

Trust and solidarity on SoJ in Ethiopia

“There is a lot of disjointed efforts by the different journalists’ associations,” said a source, citing Ethiopia’s decades of authoritarian rule as ingraining suspicion among its people, including within media associations. “It’s very difficult. For example, if one association calls for cooperation, others will likely decline and vice versa,” he said. That’s why journalists don’t go to these associations when they feel threatened.” A source agreed that Ethiopia’s history plays a large part in its fractured present: “It’s so difficult for organisations to work on the safety of journalism both in terms of capacity but also because of the divide and rule approach of previous eras which has prevented a culture of working together.” In place of institutional relationships established through strategic plans for communicating with one another, said an informant, “you have instead organisations set up by committed individuals. “So, relationships are personal, not institutional.” However, there was widespread support among interviewees for a media campaign to raise public awareness about the essential civic service that good journalism performs.

Role and Responses of State Institutions and Political Actors on SoJ

Freedom of expression is guaranteed under the 1995 Constitution, with restrictions that are compatible with Ethiopia’s obligations under International Human Rights Law. The February 2021 Media Proclamation garnered widespread support among interviewees for establishing the independence of media regulation, decriminalising defamation, and strengthening the role of professional associations. However, Access to Information law remains restrictive in practice, and reforms have yet to be passed by parliament. The introduction of a Hate Speech law in March 2020 aimed at reducing violence caused by ethnic-driven politics has unfortunately contributed to

threats to journalists and limitations to the right to free expression. In a country where ethnicity forms the basis of political parties, experts warn the law could be used to stifle debate. The much-needed reform to the previous Anti-Terrorism law, also in March 2020, removed the vague offense of ‘encouragement of terrorism’ for the more narrowly defined ‘incitement’, and removed protests that block public services as being a terrorist act. Both reforms strengthen free speech, an integral component of SoJ, and narrow the grounds on which journalists can be arrested on security grounds. However, given that 2020 through June 2021 saw at least a dozen arrests of journalists, it is far from clear if the new law will, in practice, improve SoJ. The government has made outward statements of support for SoJ with the Ethiopia Media Authority (EMA), stating that “freedom of expression and the protection of the press are sacred values that are enshrined in the Ethiopian constitution.” There are concerns that the police and judiciary appear to lack independence from the executive, and there are no publicly recorded convictions for attacks on journalists.

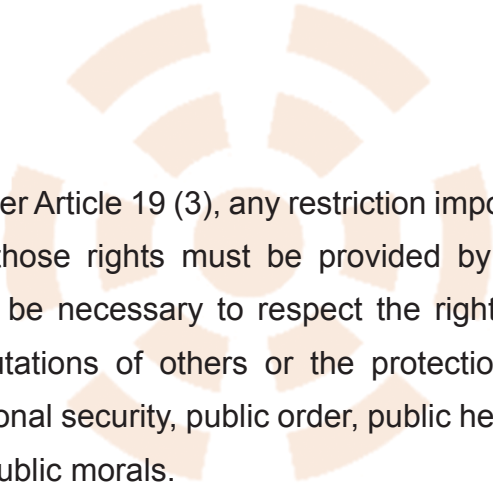
Does Ethiopia’s Media policy protect journalists?

Article 29 of Ethiopia’s 1995 Constitution guarantees the right to hold opinions and to freedom of expression without interference. The same article also guarantees press freedom by prohibiting any form of censorship, recognising the importance of access to information of public interest, and providing the press with legal protections to ensure its operational independence and its capacity to report on diverse opinions. The constitutional right under Article 29 can be limited by laws “to protect the well-being of the youth and the honour and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law.”

Ethiopia acceded to the International Covenant on Civil and Political Rights (ICCPR) on June 11 1993, thereby pledging, among other things, to ensure and protect the right of its population to seek, receive and impart information and ideas of all kinds under article 19 (2). It is stated in article 19 (1) of the Covenant that everyone shall have the right to hold opinions without interference.

Interview

Ethiopia’s press freedom flourished before fear returned |
The Independent



Under Article 19 (3), any restriction imposed on those rights must be provided by law and be necessary to respect the rights or reputations of others or the protection of national security, public order, public health, or public morals.

Ethiopia acceded to the African Charter on Human and Peoples' Rights in 1998, became a party to the Declaration of Principles on Freedom of Expression in Africa in 2002, and ratified the African Charter on Democracy, Elections, and Governance in 2008. In keeping with the obligations of Ethiopia under human rights law, article 13 of the country's Constitution establishes that fundamental rights and freedoms outlined in the Constitution must be interpreted in a manner that conforms with international human rights instruments adopted by Ethiopia.

In February 2021, the parliamentary approval of a new Media Proclamation, broadly based on media laws from South Africa and Kenya and serving as the latest legal basis on which print, broadcast, and online media organisations operate,

was recognised by interviewees as a significant achievement. "It's a perfect law if you're considering media law," said an interviewee working in media development, adding that the law offers protection to media. However, there is still a lack of awareness. "The legal framework as it stands now offers robust protection. Another interviewee said that access to justice procedures had been adjusted in line with best practice in international human rights instruments," said another interviewee.

Previous proclamations, such as the Press Law of 1992 and the Proclamation on Freedom of the Mass Media and Access to Information of 2008, were criticised for imposing defamation provisions on journalists and giving authorities broad authority over licensing and registration.

The new law establishes the Ethiopian Media Authority (EMA), the state media regulator, as an autonomous federal government agency.

The government asserts that the EMA's role has been transformed from a media watchdog to a media advocate. The authority removed

applicants' substantive political identity assessment within the licensing process and implemented a transparent and mostly procedural process. As a clear product of this reform, no outlets have been denied a license since the authority began its reforms. According to the data available, the number of private print and electronic media outlets has significantly increased, with more than 246 websites and television channels licensed.

In a statement in April 2021, EMA said the government was deeply committed to press freedom, evidenced by the release of journalists from prison and liberalising the media sector. "Even amid the law enforcement operation in the Tigray Region, more than 82 foreign journalists from various countries have been given access to the area with a temporary permit," said EMA. "However, it should also be noted that such respect to universal values needs to be reciprocated. We expect professional reporting that lives up to the standards of journalistic ethics."

<https://www.wipo.int/edocs/lexdocs/laws/en/et/et007en.pdf>

<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

https://au.int/sites/default/files/treaties/36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_e.pdf

<https://www.achpr.org/legalinstruments/detail?id=69>

<https://au.int/sites/default/files/treaties/36384-treaty-african-charter-on-democracy-and-governance.pdf>

<https://chilot.me/2021/04/20/media-proclamation-no-1238-2021/>

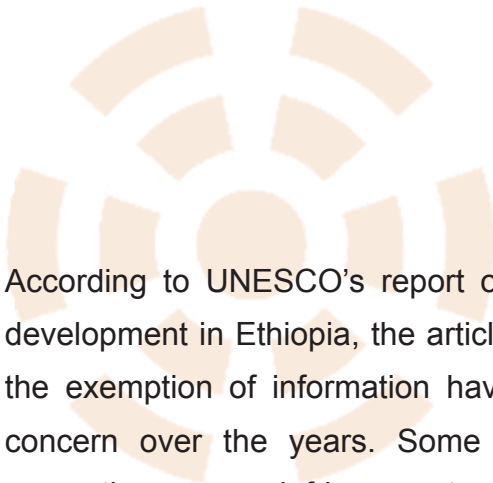
<https://www.mediasupport.org/news/new-liberal-media-law-in-ethiopia>

<http://www.eba.gov.et/index.php/enhome>

Among its major reforms, the Media Proclamation decriminalises defamation, empowers journalists' associations to regulate the media sector, and allows foreigners to invest in Ethiopian media companies up to a 25 percent share. The process of passing the law was also praised. "It was quite democratic. There were 23 public consultations, inputs were taken seriously, and a group of independent volunteers drafted it," said a source.

Access to Information law and its limitations:

The 2008 Freedom of the Mass Media and Access to Information Proclamation (ATI) establishes the right to seek, obtain and communicate any information held by public bodies except as proscribed by the law. However, there are significant hindrances to the right of access in practice. "We are one of a handful of African countries with such access to information laws for the media and the public," said a source. "But when we go into practice, there is no information given." Article 14 (3) allows information officials to reject requests with written reasons and provides for 30 days in which to consider the requestor ten days in an urgent case.



According to UNESCO's report on media development in Ethiopia, the articles about the exemption of information have raised concern over the years. Some see the exemptions as an infringement on access to information because the provisions are general, vague, and give wide discretionary power to public relations officers working for source organisations.

“For example, Articles 16, 17, 18 and 19 of the Mass Media and Access to Information Proclamation are all about exemption on the grounds of protection of personal, commercial and confidential information. Similarly, Articles 20 through 26 of the same bill justify information exemption in the interest of protecting the safety of individuals and property, protection of proceedings of law enforcement, legal investigation, and protection of records privileged from production in legal proceedings, information about defence, security and international relations, cabinet documents, economic interests and financial welfare of the country and commercial activities and operations of public bodies.

Media scholars and journalists in Ethiopia and beyond have been critical of these lengthy periods put for waiting to get information and lodging appeals in cases of denial. Given their limited financial and human resources and the timeliness of their information, media houses in Ethiopia find it very difficult to go through all the steps as the law requires. Thus, journalists get discouraged and refrain from lodging appeals.

“Ethiopia's freedom of information law is based on Canada's. It's a good law, but there's zero implementation,” said a source. “The new proclamation will have some safeguards penalties introduced for public officials who do not respond to ATI requests.”

The Ethiopian Institution of Ombudsman (EIO) implements the ATI law and is partnered with the UN Development Programme (UNDP) through the

<https://undocs.org/A/HRC/44/49/Add.1> para. 40

<https://www.facebook.com/ethiopian.media.authority/posts/4140937842611151>

<https://www.thereporterethiopia.com/article/council-ministers-approves-draft-media-proclamation>

<https://ictpolicyafrica.org/en/document/vp8kzn3zfg?-page=9>

The report is not published but is available on request. Ethiopia-Freedom-of-the-Mass-Media-and-Access-to-Information-Proclamation-2008.pdf (africanplatform.org)

multi-partner Governance and Democratic Participation Programme (GDPP). The GDPP brings together UNDP and the governments of Austria, Denmark, Norway, and Sweden to provide support for 11 public institutions in Ethiopia.

Interviewees say that the access to information law has yet to gain traction, with few journalists and the public aware of the law. Another source agreed that too often, reform to media laws can be more window dressing than reality, “there is an exaggerated belief from the outside world when analysing the media situation that looking at the legislative framework becomes the measure of progress, but that legislation is sometimes used just to show off”, said an interviewee. At the time of writing, the reform of the ATI law was pending approval by parliament.

The Hate Speech Proclamation as a threat to the rights of journalists

On March 23 2020, the Hate Speech and Disinformation Prevention and Suppression Proclamation (HSP) came into force. The HSP opens by asserting that “it has become necessary to prevent and suppress by law the deliberate dissemination of hate speech and disinformation”, which it says pose a threat to “social harmony, political stability, national unity, human dignity, diversity and equality” but recognises that “limitations on

fundamental rights should be proportionate, narrowly tailored and prescribed by law in pursuit of aims that are legitimate in a democratic society”.

Article 2 (2) defines hate speech as “speech that deliberately promotes hatred, discrimination or attack against a person or a discernible group of identity, based on ethnicity, religion, race, gender or disability”. Article 2 (3) defines disinformation as “speech that is false, is disseminated by a person who knew or should reasonably have known the falsity of the information and is highly likely to cause a public disturbance, riot, violence or conflict.”

By way of comparison, in 2008, the European Council, the body that defines the overall political direction of the EU, issued a Framework Decision that defined criminal hate speech as including “public incitement to violence or hatred directed against a group of persons or a member of such a group defined based on race, colour, descent, religion or belief, or national or ethnic

<https://www.et.undp.org/content/ethiopia/en/home/press-center/articles/2021/advancing-the-access-to-information-agenda-in-ethiopia.html>

<https://www.et.undp.org/content/ethiopia/en/home/projects/governance-and-democratic-participation-programme.html>

<https://www.accessnow.org/cms/assets/uploads/2020/05/Hate-Speech-and-Disinformation-Prevention-and-Suppression-Proclamation.pdf>

origin".The UK's new Online Safety Bill defines disinformation as "information which is created or disseminated with the deliberate intent to mislead; this could be to cause harm, or for personal, political or financial gain. The proposed bill imposes no criminal liability on individuals but a 'duty of care on social media companies to remove harmful content.

There are exceptions in the HSP for both categories based on use in academic study or scientific inquiry; a news report, analysis, or political critique; artistic creativity, performance, or another form of expression; religious teaching.

The law provides criminal liability for both hate speech and disinformation offences. An offence of hate speech carries a maximum term of two years of 'simple' Imprisonment or a fine not exceeding 100,000 Ethiopian Birr (EUR 1,900). An offence of disinformation has a maximum term of one year 'simple' Imprisonment or a fine not exceeding 50,000 Ethiopian Birr (EUR 950).

Despite the exception for 'news reports' or 'political critique', the law makes a distinction of hate speech or disinformation if committed through a social media account "having more than 5,000 followers or through a broadcast service or print media". In that case, the person responsible for the act shall be punished with simple Imprisonment not exceeding three years or a fine not exceeding 100,000 Birr.

Finally, the sentence for hate speech that results in "an attack against a person or a group" that has been "committed as a result of a hate speech" rises to a simple maximum imprisonment of five years, while if "violence or public disturbance occurs due to the dissemination of disinformation, the punishment shall be rigorous imprisonment from two year up to five years."

In his December 2019 report on Ethiopia, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on Freedom of Expression noted that international



law provides that under Article 20 ICCPR, States must prohibit by law advocacy of national, racial and religious hatred that constitutes incitement to discrimination, hostility, and violence, but that the obligation is not necessarily to criminalise such.

Criticising the law’s “excessive vagueness” as going beyond the lawful restrictions to free speech from the protection of national security, public order, public health, moral, and the rights or reputations of others, as set out under Article 19 (3) of the Covenant, the (now former) UN Special Rapporteur David Kaye wrote that there is “a high risk that its application will result in arbitrary interpretation, with dire consequences for legitimate expression.

Furthermore, he feared that “officials at the federal and regional levels would have practically unbounded discretion to determine whom to investigate and prosecute, resulting almost certainly in enforcement leading to a wave of arbitrary arrests and prosecutions.”

“There is a serious risk that the law may be used to silence critics. Given the ethnic representation within political parties and within general governance at the national and regional levels, numerous individuals whom the Special Rapporteur met shared their fear that political debate and minority voices might be penalised under the new law.”

Ibid

<https://www.theguardian.com/media/2021/may/12/uk-to-require-social-media-to-protect-democratically-important-content>

<https://www.gov.uk/government/consultations/online-harms-white-paper/online-harms-white-paper-Hate-Speech-and-Disinformation-Prevention-and-Suppression-Proclamation.pdf> (accessnow.org)

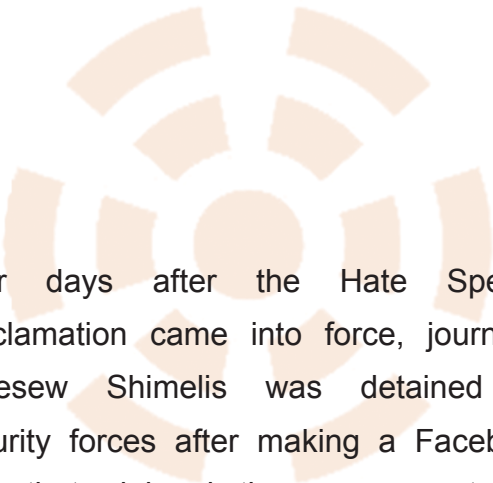
Ibid

[https://undocs.org/A/Hat the saRC/44/49/Add.1](https://undocs.org/A/Hat%20the%20saRC/44/49/Add.1)

<https://undocs.org/A/HRC/44/49/Add.1> para. 33

Ibid





Four days after the Hate Speech Proclamation came into force, journalist Yayesew Shimelis was detained by security forces after making a Facebook post that claimed the government had ordered the preparation of 200,000 graves for projected COVID-19 casualties. The Ministry of Health condemned his report as false information. Shimelis, who hosts a weekly political program on Tigray TV and contributes a column to the privately-owned *Feteh* magazine, was initially accused by police of breaking anti-terror laws. When a court rejected those charges, on April 21, Shimelis became the first Ethiopian journalist to be charged under the new Hate Speech laws, according to the Addis Standard newspaper.

On July 2, 2021, police raided and arrested 12 journalists at independent broadcaster Awlo Media Center. No charges were preferred against the journalists. At the same time, police also arrested online media organisations, Ethio Forum journalist Abebe Bayu, and administrator Yayesew Shimelis. The government stated that the journalists had been arrested for associating with a terrorist group that had been banned; this was about the TPLF.

Gaps in the reformed Terrorism Crimes Proclamation law.

On March 25 2020, the new Prevention and Suppression of Terrorism Crimes Proclamation (TCP) came into force. The TCP defines “terrorist act” as an act which “causes serious bodily injury to a person; endangers the life of a person; hostage-taking or kidnapping; causes damage to property, natural resource or environment; or obstructs public or social service” and is done “to advance political, religious or ideological causes for terrorising, or spreading fear among the public or section of the public or coercing or compelling the government, Foreign Government or International Organisation.”

The important reform for SoJ was the replacement of the broadly construed offence of ‘encouragement of terrorism’ under Article 6 of the 2009 Anti-Terrorism Proclamation, which allowed for “rigorous imprisonment” of up to 20 years for the publication of a statement “likely to be understood” by any member of the public as “direct or indirect” encouragement to an act of terrorism.

That offence has been removed from the 2020 TCP and replaced with an offence of “incitement” to terrorism that requires statements made “in a clear manner” and that the “crime was attempted or committed.” Before Abiy Ahmed’s rise to power, the government routinely used the 2009 Terrorism Proclamation to detain and charge activists, journalists, and opposition politicians.

Opcit

<https://cpj.org/2020/04/ethiopian-journalist-yayese-ew-shimelis-detained-fo/>

<https://cpj.org/2020/04/ethiopian-police-hold-journalist-yayese-ew-shimelis/>

<https://twitter.com/addisstandard/status/1252597335085010944>

Ethiopian authorities arrest at least 15 employees of 2 independent media outlets - Committee to Protect Journalists (cpj.org)

Ibid

<https://chilot.me/wp-content/uploads/2020/04/A-PROCLAMATION-TO-PROVIDE-FOR-THE-PREVENTION-AND-SUPPRESSION-OF-TERRORISM-CRIMES.pdf>

<https://www.refworld.org/docid/4ba799d32.html>

<https://chilot.me/wp-content/uploads/2020/04/A-PROCLAMATION-TO-PROVIDE-FOR-THE-PREVENTION-AND-SUPPRESSION-OF-TERRORISM-CRIMES.pdf>

The 2020 TCP also introduces the right to lawful strikes and the obstruction of public services, which under the 2009 law could constitute terrorist acts. “The new anti-terrorism proclamation has still got a lot of space for interpreting what would be a threat to the nation,” said Terje Skjerdal (PhD). “Any such law will have this flexibility, but the room is very large in an authoritarian context.”

Special Rapporteur (former) Kaye, while noting some safeguards in the TCP to protect the expression of political dissent, said he was concerned at the harsh punishment provided in the law, which allows for a minimum of 15 years and up to life in prison or even the death penalty. His report “urges the Government to reconsider this provision in light of the previous law’s role in arresting and detaining opposition leaders and journalists exercising legitimate forms of expression.”

Local and International efforts towards advancing SoJ in Ethiopia.

In its latest Universal Periodic Review by the UN Human Rights Council in 2019, the Ethiopian government supported the recommendation by Chile to ensure that journalists and human rights defenders undertake their work in a free environment that guarantees the rights to freedom of opinion and expression.

In November 2017, the Federation of the African Journalists issued the ‘Addis Ababa Resolution on the Creation of AU Working Group on the Safety of Journalists and the Issue of Impunity in Africa’. Its proposals included establishing National Mechanisms for Safety of Journalists that comprise “representatives from the three branches of government (Executive, Legislature and Judiciary), associations of journalists and media workers, media owners, lawyers associations, civil society/human rights defenders, journalism training and research institutions, media regulatory bodies, NGOs, INGOs, relevant United Nations Agencies, Programmes and Funds, bilateral and international media development partners and other friends of the media with each contributing within their mandate and respective roles and authorities.”

The African Union was requested to establish a Working Group on Safety of Journalists to be convened by the African Commission on Human and Peoples’ Rights (ACHPR), including “Representatives of Government acting as focal persons on the safety of journalists and to the issue of impunity”.

In November 2018, Ethiopian government officials took part in the Addis conference entitled, ‘Strengthening National Monitoring and Reporting Mechanisms for the Safety of Journalists in Africa in realising Agenda 2063 and SDG 16.10.1’. Less than six months later, Addis played host to the UN World Press Freedom Day conference, which included an Academic Conference on the Safety of Journalists.

Perhaps the most detailed and precise explanations of the government’s position on key issues surrounding SoJ in the country can be found in the comments it made to the draft report of Special Rapporteur Kaye following his visit to Ethiopia in the first week of December 2019. As such, they warrant quoting at some length here.

[https://www.africanews.com/2020/01/05/ethiopia-amends-controversial-anti-terrorism-law-that-banned-protests//](https://www.africanews.com/2020/01/05/ethiopia-amends-controversial-anti-terrorism-law-that-banned-protests/)

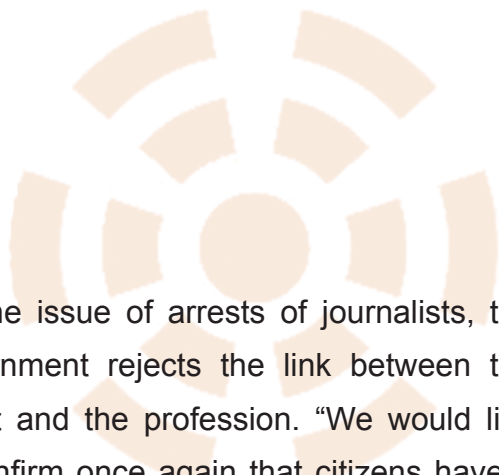
<https://undocs.org/A/HRC/44/49/Add.1> para. 27

<https://www.ohchr.org/EN/HRBodies/UPR/Pages/ETIndex.aspx>

<https://safetyofjournalistsinafrica.africa/wp-content/uploads/2021/01/Addis-Ababa-Resolution-on-Creation-of-AU-Working-Group-on-Safety-of-Journalists-and-the-Issue-of-Impunity-in-Africa.pdf>

<https://safetyofjournalistsinafrica.africa/wp-content/uploads/2021/01/Addis-Interregional-Forum-Programme-20181117.pdf>

<https://en.unesco.org/news/academic-conference-safety-journalists-2019>



On the issue of arrests of journalists, the government rejects the link between the arrest and the profession. “We would like to confirm once again that citizens have a constitutionally protected right to choose whatever profession they want for their calling, and no one has been arrested for exercising journalism as it will be against article 41 (2) of the FDRE constitution, which guarantees everyone to have the right to choose his/her occupation and profession”.

In his report, Kaye also noted that journalists in Ethiopia face threats while covering public events, stating, “in the light of threats and violence faced by journalists covering public events, especially women journalists, the Special Rapporteur calls upon authorities and others to publicly express their rejection of any form of threat and intimidation against journalists or other professionals carrying out reporting work and to initiate prompt and impartial investigations and prosecutions,” wrote Kaye in his April 2020 report. “The Government, politicians, community leaders, and other leading figures in society should refrain from making statements that encourage or promote intolerance against individuals based on protected characteristics, such as ethnicity. Instead, they should work together to develop a culture based on knowledge, tolerance, respect, and intercultural understanding.”

Responding to Kaye’s concerns that the definitions of “terrorism” and “incitement” in the Anti-Terrorism Proclamation could stifle legitimate expression, the government responded that an “individual seeking to express political dissent or expressing comments could not be penalised on the pretext of incitement of terrorism. Any opinion expressed will have to constitute an actual incitement of a terrorist act beyond mere expression.”

On the criticism that Internet shutdowns are disproportionate and violate the ICCPR’s requirement for restrictions of human rights to be “provided by law” and “necessary to achieve a legitimate aim”, the government pointed to “proclamation no 808/2013 which re-establishes Information Network Security Agency, the agency among others is vested with the power to keep the country safe from any threats against national security, and it can take measures when the necessity arises.”

The government concedes that national security laws will be interpreted differently, and achieving policy consensus is difficult in a society emerging from decades of authoritarian rule. “As it was evident, it is unfortunate that our people were exposed to extreme measures during the previous administration’s tenure.

This has crystallised into a norm in some minds, resulting in attaching justice and the rule of law with needless violence against bodies and lives. It takes too much patience to balance a polarised concept of the rule of law vis a vis the delicate task of transitioning the nation.”

Public and security officials' attitudes towards safety of journalists

Several interviewees recounted direct attempts by state officials to censor their use of language or face penalties since Prime Minister Ahmed's 2018 rise to power and before the current war in Tigray created a crisis in relations between the government and media. “I had written that there was ‘tension’ between Ethiopia and Egypt over the dam project,” said a source. “I was summoned to the foreign ministry where the spokesman had a highlighter pen. He said, ‘Why do you say this? It sows discord.’”

<https://safetyofjournalistsinafrica.africa/wp-content/uploads/2021/01/Addis-Interregional-Forum-Programme-20181117.pdf>

<https://en.unesco.org/news/academic-conference-safety-journalists-2019>

<https://undocs.org/A/HRC/44/49/Add.3>
Ibid.

<https://undocs.org/A/HRC/44/49/Add.1> para. 67 and para. 77

<https://undocs.org/A/HRC/44/49/Add.3>

<https://undocs.org/A/HRC/44/49/Add.3>

They threatened to suspend my license from the Broadcast Authority.” After reporting on difficult working conditions for Ethiopian workers in Chinese factories, the same journalist said the Ethiopian Investment Commission had requested the same Broadcasting Authority (Now EMA) to suspend his license to operate as a journalist, clearly concerned about the impact of the report on Chinese investor sensibilities. “One time, I did a report on Afar and then got threatening letters to sue me from the regional government,” he said. Also, a veteran of the news business before he turned to legal media reforms, a source said ministers would make him appear in their office, “daily. Their PR officer would threaten legal action or lock me in a room for hours. Phone reprimands are common”, said an interviewee.

After the war in Tigray, the effort to control and censor the media became intense, said several interviewees. “In press releases and statements from officials leading up to the war, it was quite clear journalists were expected to call it not a war but a law enforcement operation,” said a source. “They would enforce the use of that in public media, as the ruling party appoints public newsroom editors.”

“You can’t use the words ‘civil war’, you must call the TPLF the ‘junta’, and you cannot report on the strength of their forces,” said an interviewee. “They want you to be their propaganda machine. They want to be your editor” A source agreed that the State was involved in “a political struggle; they are trying to control the journalists trying to reveal what is going on in Tigray.”

As well as direct acts of officials, several interviewees reported a massive increase in online threats and abuse against them, the majority from government supporters and sometimes at the direct instigation of officials. “After my reports were published using the words ‘civil war’, pro-government activists started posting my picture on social media accusing me of supporting the TPLF,” said a source. Some of these activists have two million followers, and they are calling me a junta sympathiser and saying the government should act against me. So, it was a very scary moment for me. And later, I had a government official told me, ‘If it was based on the accusations against you that are on social media, we could have arrested you a long time ago. We understand your situation, but you must be very careful with your stories.’” On February 5 2021, CPJ Africa

condemned threats made by an Ethiopian official through his Twitter account against freelance journalist Zecharias Zelalem, in which the journalist was called a “lead misinformer”.

On July 3, the account of Seyoume Teshome, who activists say is a pro-government blogger, contained images of arrested journalists with an X on their head calling for them to be shot.

“They call it their digital army,” said a source. “I can see that these are organised groups supported or financed by the government. It can be officials; it can be some rich people. I can

<https://www.wsj.com/articles/egypt-ethiopia-tensions-escalate-as-nile-dam-talks-falter-11617808239>

<https://twitter.com/CPJAfrica/status/1357825796488970247>

<https://twitter.com/tsedalelemma/status/1411272864897110027?s=11>

<https://freedomhouse.org/country/ethiopia/freedom-world/2021>

assure you that the government has their groups who are always writing to support the government or criticise others.” Social media also contains examples of direct harassment of journalists by government officials, said, several interviewees.

“The harassment starts online with activists of political groups, and it is kind of a way of giving you an early warning,” said the experienced journalist. “Some people leave as a result. Others stay. But overall, it has a chilling effect on media freedom, increasing self-censorship.” Lucy Kassa, driven into exile after receiving direct threats from state security officials, said before working for the LA Times and other international media, she would always publish articles without her by-line. “If you want to work safely in Ethiopia as a journalist, you have to join the propaganda machine or completely avoid touching some issues and focus on soft issues like entertainment or sport. That’s the way you can be safe,” said a source.

An expert in Ethiopia’s media sector evolution said that contrary to a simple understanding of the government as being intolerant of criticism, he cites “numerous examples of critical coverage” and “they don’t react to it.” “There are outlets and journalists who have been on the scene for many years, and they’ve sort of earned this right, they’ve learned the craft of how to be a bit more nuanced in their criticism, and again there’s an ethnic dimension to this, why some cases are treated differently from others,” he said.

A case for reforming Ethiopia’s criminal justice system

Ethiopia’s judiciary is officially independent but has been criticised for being subject to political interference with judgments rarely deviating from government policy and interests. “The appointment of lawyer and civil society leader Meaza Ashenafi as president of the Supreme Court in November 2018 and the selection of constitutional scholar Gideon Timotewos as attorney general in August 2020 raised hopes for reform and greater independence of the courts. However, according to some observers, Ethiopia’s security forces have maintained significant influence over the judicial process, especially in cases against opposition leaders and other political adversaries. The police also overruled several court-approved bail orders during the year”.

The arrest and bail of journalist Dessu Dulla, a deputy director at the private Oromia News Network broadcaster, on charges of illegally photographing the police station in 2020, serve as an illustration of the influence of police over the judiciary.

On March 30, a court in Burayu ordered Dulla released after prosecutors said they could not make a case against him. The police ignored the court order and kept Dulla in custody. After a habeas corpus application, a second release order was issued on April 8, 2020, also ignored. In an April 21 2020, court document reviewed by CPJ, the court said police did not comply with orders, failed to produce defendants when requested, and did not provide evidence for their case. The court ordered the officers to explain during an April 23 2020 hearing, but they did not appear in court. On May 13, 2020, Burayu police said Dulla had been transferred to a police station in Gelan, a town south of Addis Ababa. Contacted by CPJ, several Oromia regional officials could not confirm why Dulla was being held.

“Over the past year, detentions have been used as the biggest tool of the government, not just against journalists but against the opposition,” said a source. “You are called to court; some

detail is not in place, and then you have to wait another two months.” A prominent example of such detention was that of Kumerra Gemechu, a cameraman working for Reuters who was detained in December 2020 and held without charge for 12 days before being released. Police told his lawyer that lines of inquiry included accusations of disseminating false information, communicating with groups fighting the government, and disturbing the public’s peace and security.

“The government can take someone to jail to keep that person without charge for two or three weeks. That’s common because no one is fighting for these people. No one is strong enough to raise that issue,” said a source. Another informant said she could only think of two lawyers willing to represent journalists. “Whenever a journalist is taken to court, the court already has the presumption that you’re a criminal because you are a journalist,” she said.

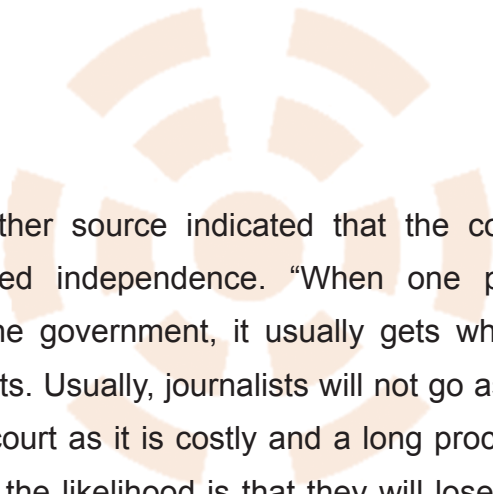
<https://freedomhouse.org/country/ethiopia/freedom-world/2021>

Ibid

<https://cpj.org/2020/05/ethiopian-police-ignore-court-orders-to-free-journ/>

Dessu Dulla Archives - Committee to Protect Journalists (cpj.org)

Ibid



Another source indicated that the courts lacked independence. “When one party is the government, it usually gets what it wants. Usually, journalists will not go as far as court as it is costly and a long process, and the likelihood is that they will lose [...] The fine is usually about 100,000 Birr [EUR 1,900] which is a large amount. So, when a journalist hears about that, it’s kind of a warning, and they get easily scared.” Court victories for journalists are rare. However, a source recalled the story of an editor who succeeded in obtaining a court order to release documents from a government ministry using an article in the 2008 Mass Media Proclamation.

The use of the courts to seek justice is not seen as favourable by many journalists who also avoid seeking help from the police when in distress. “I’ve been to court 59 times. It would be crazy for me to ask the police for help,” said an interviewee. Another source, who also faced direct threats to her safety as a journalist, agreed. “Our institutions are not independent. If you call the police and report a threat, you create more problems for yourself, so I didn’t report it to the police.” That lack of independence also determines responses by media organisations to threats against their staff.

“To seek justice, you don’t call the police. It’s better to communicate with the official who is ordering the police to do the thing, as often it is the official who is ordering the harassment,” said a source. An informant confirmed that when he attempted to help Lucy Kassa, having heard about the threats against her, he did not consider calling the police: “They will refer me to the Broadcast Authority (now EMA) because that is where journalists get their license. State-owned media also maligned Kassa. “They accused Lucy of operating without a license, so instead of addressing the incident that happened at her home, they are diverting it into another issue. They become accusatory instead of trying to explain what happened. Instead of helping the victims, they are prosecuting them.”

The fact that there is no publicly available news about investigations into the killings of journalists Dawit Kebede Araya and Sisay Fida speaks volumes on the negative attitudes and manner in which attacks on journalists are handled. This being said, hope was raised in late June 2021 by the announcement from the office of the Attorney General that three Ethiopian soldiers had been convicted and sentenced for rape and one for killing a civilian in connection with the civil war in Tigray.

The statement acknowledged the parallel investigation of war crimes by the Ethiopian Human Rights Commission and said military prosecutors had pressed charges against 28 soldiers, while federal police had arrested 28 civilians and their cases processed for trial at the Federal First Instance Court.

The Roles and Response of Civil Society Organisations (CSOs) and Academia

In the UN Plan of Action on the Safety of Journalists, civil society and academia are recognised as important actors regarding journalists' safety. Both CSOs and academia in Ethiopia are indeed taking the lead in researching media development and providing capacity building and safety training for journalists. While most CSOs and some academics remain wary of provoking the State, the recently reformed Human Rights Commission, a body established by parliament, appears able and willing to exercise considerable autonomy and to highlight in international media the human rights abuses committed by the State, across all regions of Ethiopia, including in the war in Tigray.

<https://www.reuters.com/business/media-telecom/ethiopian-police-release-detained-reuters-cameraman-without-charge-2021-01-05>

<https://www.refworld.org/docid/4ba7a6bf2.html>

<https://cpj.org/reports/2020/10/global-impunity-index-journalist-murders/#map>

1. Role of Ethiopia's civil society in promoting SoJ

On March 12, 2019, the Organisations of Civil Societies Proclamation came into force, which repealed and replaced the repressive Charities and Societies Proclamation of 2009. The previous law had been criticised for giving the overseeing agency broad discretionary powers over organisations, imposing strict budgetary limitations on charities that prohibited them from receiving more than 10 percent of their funding from foreign sources, and imposing criminal penalties for failing to comply with specific provisions. Significant changes in the Civil Societies Proclamation include the repeal of the previous 10 percent foreign funding restrictions, the removal of many of the intrusive powers of the overseeing agency, and the right of organisations to appeal registration decisions issued by the overseeing agency.

The 2019 Civil Society Proclamation was widely seen as an important step towards democratisation, allowing CSOs for the first time to receive significant foreign funding to work on human rights issues. "Civil society organisations are now allowed to engage in profit-making

activities as long as the money goes to projects that are kosher according to civil society law, so it's about capitalising on that," said a source. However, the space in which CSOs operate is hardly unlimited. "It is very important not to be seen as anti-state because of the highly polarised political environment," said a source. "The economy is controlled by the State, and right now it is you are either with me or against me. It doesn't help when the government sees you in a different light." "At the moment, we are not receiving threats from the government because they don't yet see civil society as a threat, but perhaps that time will come, but for now, we are seeking to grow," said a source.

Several interviewees praised the Centre for Advancement of Rights and Democracy (CARD) as playing an active role in training journalists in digital security and advocating for them when facing online harassment.

<https://cpj.org/reports/2020/10/global-impunity-index-journalist-murders/#map>

<https://www.facebook.com/FAGEthiopia/photos/pcb.4036890836404970/4036889639738423>

<https://www.abysinnialaw.com/uploads/1113.pdf>

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3822261

https://mehrteableul.com/images/Organization_of_Civil%20Society_Legal_Update%20_2019.pdf

Mersa Media Institute is another leading CSO that operates firstly as a media reform think tank and provides journalists training. Some interviewees also noted the Ethiopian Lawyers Association as playing a more prominent role in advancing the rule of law reforms.

Likewise, the Human Rights Commission promotes human rights work using its investigative capacity under an enhanced legal autonomy. This has helped turn the Commission into something approaching a proper watchdog. Therefore, efforts and interventions on SoJ should seek to strengthen state and human rights defenders' cooperation.

2. The Roles and Response of Media Actors and Intermediaries

The media in Ethiopia cannot effectively discharge its responsibilities for the safety of journalists. Still, they are also too often guilty of endangering other professional members through attacks on fellow journalists.

<https://www.facebook.com/FAGEthiopia/photos/pcb.4036890836404970/4036889639738423>

<https://www.abysinnialaw.com/uploads/1113.pdf>

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3822261

https://mehrteableul.com/images/Organization_of_Civil%20Society_Legal_Update%20_2019.pdf



Ethiopia's media is sharply divided along ethnic and political fault lines, meaning SoJ has failed to become an issue of public concern.

However, there was consensus that the safety of journalists and their right to report free from threats has the potential to be an issue on which usually rival stakeholders could agree. There was consensus that the media itself needs to advocate in public for its role, with local radio seen as the best means to reach audiences.

Several newly set up media professional associations and networks established to represent the interests of owners, editors, journalists, and women journalists, are somewhat active, and to varying degrees, in training and advocating for SoJ. Intermediary organisations, such as Internet Service Providers, social media networks, and telecoms companies, while essential to the operation of a free press, continue to be used by the State as a vehicle for censorship and, to a lesser degree than previous governments, surveillance.



3. Media newsrooms/ organisations capacity and contribution on SoJ

An informant said most Ethiopian journalists had never received any security training. “I never had any training with local media before they would send us to cover conflict areas or protests,” said the reporter for international media, who previously worked for two local newspapers. There was also no provision of safety equipment such as helmets or vests.

A source portrayed an ad hoc approach to SoJ threats amid a fragmented criminal justice system, emphasising individual rather than institutional responses. “For example, we had a journalist reporting on corruption in a land issue in Oromia, so the Oromia police came to Addis to arrest him. Regional police are not meant to have any jurisdiction in Addis, but they had a court order and wore their uniforms. They came on a Friday afternoon, knowing there was no court on Saturday or Sunday. We tried to contact the regional police chief and the prime minister’s office. After three days, he was released anyway without charge.” Notably, the source did not report the incident to any national or international media organisation, it being too familiar an incident and with no effective SoJ mechanism to provide redress.

The “struggle to survive” financially has hampered the capacity of media organisations to report from all areas of Ethiopia, the type and depth of news they report on, and the ability of journalists to manage risks. “A study three years ago found about 80 percent of advertising comes from government organisations, and almost 99 percent of that goes to state media. From the other 20 percent, it was mostly alcohol advertising, and then that was banned.” In its upcoming report on Ethiopia’s Media Development Indicators, UNESCO found that “Public Service Advertisements (PSB) are not fairly distributed among the media due to various reasons” and that some respondents “stated that the government institutions often favour the public media in their allocation of a large proportion of the advertising budget.”

Various sources link the struggle to receive advertising revenue in the private sector and criticism of the government. “Government officials always say to us private media that we are not reporting what the government is doing well, that we’re only reporting what the government is failing. So, we are sometimes pushed to report what the government is doing well because survival is a major issue. Private media also need to survive, so we must lower down the tone on the government,” said an interviewee.

Media actors rely on civil society to provide training in digital security, of which CARD is a leading group. Training in digital security was, until recently, considered a threat to state security. Atnafu Berhane, CARD’s Programme Director, spent 18 months in prison on terrorism charges related to his membership of the Zone 9 blogging collective and his work training activists on digital security before being acquitted by a court in 2015. “Over the past few years, I’ve conducted hundreds of digital security training, and no one tried to interfere with my work,” he said.

Interviewees agreed that local media organisations had limited monitoring of threats to journalists because of limited capacity and skills. The nearly 14 media associations in Ethiopia are still building capacity and dealing with issues of polarisation that had negatively impacted their performance and mandates.

The Ethiopian Media Authority has the potential to play a role in protecting media and freedom of expression rights, as noted by the UN Special Rapporteur on Freedom of Expression David Kaye, who met with its officials in December 2020. In his mission report, he stated the “leadership’s positive approach to the promotion of accessible and independent broadcast journalism,” adding the Broadcasting Authority (EMA), “recognises

that due to the history of repression of the media profession, the country is in dire need of capacity building. The authority hosts training for various actors from state-sponsored and independent outlets to learn and discuss innovative reporting tactics and professional responsibility. It also provides confidential monthly reports on journalism ethics and integrity to increase the media's aptitude to report factually and professionally."

4. Media CSOs, associations, networks, and the international community as key players on SoJ

Ethiopia's media sector has become more pluralistic since the 2018 reforms and significantly more polarised. New media companies organised around an ethnic identity include the Oromia Mass Media Agency, the Amhara Mass Media Agency, Tigray Mass Media Agency Dimtsi Weyane TV broadcasting in Tigrinya language from Tigray's capital, Mekelle. The Oromia News Network, which operated in exile until 2018, primarily covers politics and is targeted at an Oromo-speaking audience, which broadcasts some of its programmings on the news network, hosts programming supporting the Oromo Liberation Front opposition party, and covers regional news.

The 14 Journalists' Associations include regional branches such as the Amhara Journalists Association, the Oromia Journalists Association, and the Tigray Journalists Association. Sources picked out the Amhara and Oromia Associations as relatively strong: "But they are not working together." Analysts, however, see some scope in engaging the two Associations in discussions around shared professional priorities, of which SoJ could form a central part. Providing safety and security to journalists could be a common issue for the associations.

Ethiopian media associations and networks are weak, with journalists saying they trust and would rather report media rights violations to international media organisations such as CPJ. This points to a need for capacity building on local media rights defenders and more synergies between local groups and international media rights defenders.

<https://www.africanews.com/2019/04/10/ethiopia-passes-tough-law-regulating-sale-and-advertising-of-alcohol/>
'Assessment of Media Development in Ethiopia; Based on UNESCO's Media Development Indicators' (unpublished)

<https://undocs.org/A/HRC/44/49/Add.1>

<https://www.facebook.com/Oromia-Mass-Media-Agency-101581391832364/>

<https://www.facebook.com/AIMRoom/>

<https://www.facebook.com/sbo1973/>

<https://cpj.org/2020/05/ethiopian-police-ignore-court-orders-to-free-journ/>

Ethiopian Media Women Association (EMWA) established a decade ago, is regarded as an independent, less political, and capable organisation with a history of defending its members.

The Editors' Guild of Ethiopia was formed in 2019 and is a professional association for editors in Ethiopia working in print, broadcast, and online media companies.

With 54 media bosses as members, though notably no members from Tigray or Oromia, the Ethiopian Media Council is the largest and a significant group in the media landscape. The council's focus is primarily on professional media development and not much on the safety of journalists. A big achievement of the Council had been pushing back against state efforts over the past 15 years to control press regulation. The Council was forming an Ombudsman's office with 18 representatives who would deal with complaints from journalists about threats and violations of press freedom.

Formed in June 2020, the Ethiopian Media Professionals Association (EMPA) is a professional body monitoring and issuing statements about press freedom violations.

5. Role, challenges, and limitations of the telecoms sector in protecting media.

Despite the reform agenda of the current government, there is a continuation of the habit of regularly imposing blanket bans on Internet access on security grounds. The effect is to hamper the work and safety of journalists who rely on the net for their work. Rights abuses also take place in the darkness of net blackouts. The Ethiopian government shut down the Internet and telephone services several times in 2020, once for three months from January 2020 in the Oromia region after the military clashes with the rebel Oromo Liberation Army, and once for the entire country, including text messaging, for most of July 2020 following the killing of a popular Oromo musician. In early November 2020, the government repeated the shutdown of all communications in the northern Tigray region after declaring a state of emergency in response to an ambush on the military by the TPLF. By April 2021, several interviewees reporting on Tigray said the Internet and mobile phone services remained blocked, with a few landlines still working.

“The government can do this unchallenged,” said a source. “Civil society here is still very weak after 27 years of totalitarian control.” The state-run Ethio Telecom, the country’s only telecoms provider, has refused to comment on the outages. Billene Seyoum Woldeyes, a spokesperson for the Ethiopian prime minister’s office, said the authorities did not cause the disruption. Ethio Telecom did not respond to the requests for a comment on the ongoing problems.

UN Special Rapporteur Kaye said blanket Internet shutdowns were a violation of Ethiopia’s human rights obligations: “Ethiopia has continued to shut down the Internet with no apparent legal basis. These shutdowns severely undermine the ability of the public to access information – which is even more important in times of unrest, health crisis, or elections, so that the public can be informed and take proper safety precautions. The Special Rapporteur urges the government to cease its continued use of Internet shutdowns.”

<https://www.facebook.com/etmwa>

<https://www.facebook.com/Etheditorsguild/>

<https://www.bbc.com/news/world-africa-48653392>

<https://www.hrw.org/news/2020/03/09/ethiopia-communications-shutdown-takes-heavy-toll>

<https://www.accessnow.org/back-in-the-dark-ethiopia-shuts-down-internet-once-again>

<https://www.theeastafrikan.co.ke/tea/rest-of-africa/ethiopia-telephone-internet-services-tigray-2731442>

Previous Ethiopian governments also had a long history of using surveillance software against those deemed its domestic opponents, including sophisticated Israeli technology. When interviewee Berhane went on trial in 2015 on terrorism charges as a member of the Zone 9 bloggers, he recalls that two years of his transcribed phone records were presented as evidence in court. However, a source noticed a decline in such intrusive state surveillance today. “I don’t think it’s such a priority for them anymore, or perhaps they just lack capacity themselves,” he said. There is no evidence that Internet, IT, and telecoms companies have policies to inform their users about data requests by government agencies.

Towards Support for Ethiopia Media on Safety.

Recommendations:

- There are a need for Ethiopia media associations and networks and international development organisations (IDOs) to agree on a single, unified strategy on SoJ in Ethiopia. There is a need for better coordination on SoJ among IDOs working in Ethiopia. The SoJ must inform this coordination of Ethiopian media and participation by Ethiopian media partners in SoJ actions. State-run media and government officials must be approached and brought on board the process. This

is essential for the intervention not to be perceived as serving international interests. The participation, at some level, of the Ethiopian Media Authority, as the state regulator, is required. Greater participation could be expected of and be welcomed by the recently reformed national Ethiopian Human Rights Commission.

- SoJ awareness, skills, and tooling amongst Ethiopian journalists are weak, and training is often ad-hoc. There is a need for more coordinated training and SoJ training that considers the needs of various Ethiopian media: media operating in conflict zones, digital security, and support for newsrooms' Safety preparedness.

<https://cpj.org/2021/05/journalists-shutdowns-myanmar-ethiopia-kashmir/>

<https://undocs.org/A/HRC/44/49/Add.1>

<https://www.hrw.org/news/2017/12/06/ethiopia-new-spate-abusive-surveillance>

<https://www.refworld.org/docid/5626303340b.html>

- Experience sharing and exposure are key to sustaining SoJ actions and building solidarity networks. Partnership with regional and international like-minded organisations should be pursued to strengthen local groups to defend and protect journalists.
- An effective media violation monitoring mechanism that reports or alerts on media violations are key to informing SoJ advocacy and coordination of support to journalists in distress or need. Monitoring violations also leads to more awareness and action to support journalists in need.
- Monitoring of SOJ issues, both the law and practice, can be a coordinated program of the Editors Guild, the Ethiopia Lawyers Association, and other media groups.
- Ethiopia's Criminal and civil justice system needs reform through coordinated advocacy to address issues of arbitrary arrests and prosecution of journalists. This advocacy must also incorporate skills capacity for Human Rights Lawyers to grow and strengthen media lawyers and Human Rights Defenders.
- There is a need to build the capacity of media lawyers to better understand and represent journalists in legal cases and participate in advocacy efforts towards democratic media policies. As noted in this report, often, journalists struggle to get lawyers who are willing to represent them, especially in cases seen as politically sensitive.

- Government actors (EMA, Ombudsman, AG office, Courts, Human rights organisations, academia, etc.) have limited knowledge and experience on SoJ issues. In some reports, they confuse the rights of journalists, ATI, and FOI. Hence, a need to train, engage and empower such entities to actively work with Journalist associations and networks.
- Linked to awareness is TRUST building which is, an important element to mitigate conflict between media and authorities and build inter- association coordination. Due to the history of conflict, culture, and other factors, the key actors and individuals lack trust resulting in a lack of cooperation on SOJ.
- SoJ interventions must ensure that the processes are locally owned as this will promote and advance trust-building and honest networking between govt and media networks.
- Campaigns targeting the security sector (Federal and regional police, courts, security, intelligence agents) are needed to build trust and raise awareness of journalists' rights. There is a need for SoJ Advocacy campaigns focusing on awareness-raising targeting the public, INGOs, and the other actors such as lawmakers, the executive, and the judiciary.
- Overall, SoJ is linked to many regulations, directives, processes, and practices discussed in the report. Support for SoJ must include broad-based media reforms, hence a need for Ethiopian media sector players to better understand existing laws and engage authorities on reforms.
- Within the context of ongoing political conflict in Ethiopia's IDOs and local media, partners must engage in emergency support to journalists in distress in Ethiopia and those who have gone into exile. The assessment report indicates that support to journalists in need is weak.
- To enhance solidarity, Ethiopian media associations and networks need to be more looped into regional and international safety and advocacy networks. IDOs have an opportunity and capacity to enhance these interlinkages that will build local SoJ capacity and solidarity, and support networks.
- SoJ support must be linked to the professional development of the Ethiopian media. This necessitates that divisive issues such as ethnicity that often leads to unethical journalism are addressed through dialogues, training, and national media platforms in which journalists from different regions and media interact.
- Media companies struggling to survive financially. They also struggle to train and protect their staff against threats to their safety. Strengthening sustainable media business models will likely improve SoJ.
- There is a need for a media campaign to raise public awareness of the essential civic service that good journalism performs. Such a campaign should emphasise journalism as a national good that strengthens and contributes to good governance.



Pictures from Post Election Media Dialogue in Ethiopia



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