

EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS NETWORK

Oral Statement

14th May 2010

On the occasion of the 47th Ordinary Session of the African Commission on Human and People's Rights, Banjul, The Gambia

Special Rapporteur on Human Rights Defenders

Presented by:

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The East and Horn of Africa Human Rights Defenders Network
(EHAHRDP/Net)

On behalf of a network of over 65 human rights organizations from the East and Horn of Africa I would like to start off by welcoming the Commissioner Mohamed Khalfallah into his new post. It is our hope that all member states of the African Union will offer the Special Rapporteur the support necessary for him to accomplish his mandate especially at such a critical time.

We will focus this intervention on the situation facing human rights defenders in Ethiopia.

The situation facing human rights defenders in **Ethiopia** continues to deteriorate. The Charities and Societies Proclamation is the most restrictive of such laws in the region and threatens the very future of independent human rights work.

Its implementation has so far been arbitrary and broad. Organisations renowned for their independent human rights work have been harassed in the course of the registration process and its aftermath by the Agency in charge of implementing the law. One evident example is the case of the Ethiopian Human Rights Council(EHRCO), one of the oldest and most prominent human rights organisations in the country: their registration took several months, they were forced to remove the "*monitoring elections or providing voter education*" from their mandate as a condition for their registration as an Ethiopian Charity, and the day after finally being registered saw their bank accounts frozen by the Agency a decision whose very legal groundings are questionable. Organisations currently have no means of legal recourse as the Board which was to be established under the law to offer such means of recourse has of yet not been set-up.

As organisations grapple with the fundamental changes which the new law has imposed on them, in terms of scope and nature of their work, given that certain organisations choosing to register as Ethiopian Charities have had to shut down many of their branches, lay off the majority of their staff and change aspects of their mandate, , and with the added challenges the Agency has imposed, independent human rights work in the country is at a standstill one week before the crucial May 2010 elections.

EHAHRDP-Net therefore calls on the African Commission on Human and Peoples Rights to:

- Call on the Ethiopian authorities to significantly amend the Charities and Societies Proclamation in order to ensure that it complies with the country's national obligations, including its Constitution, as well as its regional and international legal responsibilities;
- Encourage the Ethiopian authorities to create space for independent human rights work in the country;
- Call on the Ethiopian authorities to issue a standing invitation to all Special Procedures, especially the SR on HRDs;

More generally:

- Continue monitoring the situation facing HRDs in the above mentioned countries, notably by re-enforcing the capacity of the Special Rapporteur (SR) on Human Rights Defenders;
- Ensure that Member States provide the SR with the necessary assistance in the course of country visits whilst ensuring the protection of all those meeting with the SR in the course of formal and informal visits;
- Call on relevant stakeholders, authorities, as well as non-state actors in these countries, to bring an immediate end to arbitrary arrests, harassments and targeted killings of all human rights defenders;
- Call for an end to all practices, notably legal restrictions, which threaten the fundamental rights and legitimate work of HRDs.

EHAHRDP-Net therefore calls on the Special Rapporteur on Human Rights Defenders to:

- Pay specific attention to the situation of HRDs in Ethiopia;
- Place a priority on visiting Ethiopia either formally or informally in the near future;
- Support initiatives by Ethiopian HRDs to strengthen their position, notably by attending events organised by HRDs;

More generally:

Closely monitor legislative restrictions on HRDs throughout the continent and their impact on independent human rights work.

Thank you for your attention.