

Public Statement

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KAMPALA: EHAHRD-Net deplores the passing of the law on Charities and Societies in Ethiopia which threatens the very future of human rights work

The Charities and Societies Proclamation was passed by the Ethiopian Parliament, largely dominated by the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) party, on the 6th January 2009 despite considerable efforts on behalf of national, regional, international organisations as well as the diplomatic community to bring about significant amendments to the bill.

The law contains a series of provisions aimed at thwarting and criminalising human rights work. It considers any organisation receiving more than 10% of its funding from abroad as "a foreign NGO". Once deemed "foreign" an organisation is not allowed to, amongst other issues, engage in activities relating to human rights, governance and conflict resolution.

Given that even the largest human rights organisations in Ethiopia generate only very limited funds from internal sources in this poverty-ridden country, such provisions are directly aimed at thwarting human rights work, stifling one of the few avenues available for expressing critical opinions and creating service provision oriented organisations.

The East and Horn of Africa Human Rights Defenders Network (EHAHRD-Net) is therefore particularly concerned about the impact that this law will have on its Ethiopian member organisations, most particularly its focal point organisation the Ethiopian Human Rights Council (EHRCO), the main organisation carrying out human rights monitoring, reporting and advocacy in the country. Such organisations cannot depend entirely on volunteers and their mere basic running costs will never be met by internal funds. Without such voices violations of fundamental human rights, most notably the continued political repressions carried out at the hands of the ruling party will pass unnoticed.

EHAHRD-Net has been significantly involved at both a regional and international level in efforts to thwart the passing of this law. Mr Hassan Shire, Chairperson of EHAHRD-Net, has described the Proclamation as:

"...a flagrant violation of the rights of freedom of association and expression which are guaranteed in the Ethiopian constitution and in many of the international treaties to which Ethiopia is signatory. In a country receiving much more than 10% of its funding from abroad [Ethiopia is one of the world's top aid recipients] this law is clearly merely a new instrument through which the ruling party will crack down on all form of criticism"

The Proclamation also provides for the establishment of a regulating body - the Charities and Societies Agency (CSA) - which will have extensive, albeit unclear and arbitrary, powers over the registration of charities and their very functioning. The right to appeal accorded to charities is very limited. Given the demonstrated lack of commitment to democracy and human rights evidenced in recent times by the ruling party, this vagueness and consequent discretion placed in the hands of the CSA is particularly troubling.

“Given the essential role which human rights defenders have and can continue to play in their country to shed light on continuing rights violations, this crackdown is of great concern and should remain at the forefront of all future agendas dealing with Ethiopia. Donors, in particular, should continue to call for significant amendments to the law or for its repeal. In the meantime all possible efforts should be made at assisting human rights organisations in the country to deal with the current situation” says Mr Shire.

This law confirms the trend currently seen throughout the East and Horn of Africa of governments using legislative restrictions as a means of stifling the legitimate and vital work of human rights defender and attacking the rights of their own citizens, the citizens that they are entrusted to protect. It is feared that this law may in fact serve as a precedent for the passing of similar laws in neighbouring countries.

EHAHRD-Net therefore calls on the international community to ensure that the rights of human rights defenders remain at the centre of their agendas when dealing with this sub-region and encourages key donors to continue to call on the Ethiopian government for a significant amendment or for the repeal of this new law.

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