

The State of Emergency (2016-2017)

Its Cause and Impact



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Abstract

Between the years of 2016 and 2017 Ethiopia was under a state of emergency for 10 months. This research which was undertaken by the Ethiopian Human Rights Project (EHRP) examines the State of Emergency proclamation and explores the Impact the proclamation had on the enforcement of civil and political rights in the country. In undertaking the research purposive sampling of interviewees, field investigations as well as document analysis were carried out. The report is prepared in a descriptive format.

As discussed in the research the main reason behind the adoption of the state of emergency was to control and arrest the popular uprisings which began in 2016. The protests covered the major regions in Ethiopia including Amhara region, Oromia region and some parts of the SNNPR. However, the immediate cause for the declaration of a state of emergency was the increased protests in Oromia towns surrounding Addis Ababa following the killings by security forces of protesters during the Erecha celebrations which took place in Bishoftu.

Despite the ability of the government to control the difficulties faced by the state through the operation of the ordinary law enforcement mechanism, the government used the state of emergency to suppress legal and peaceful protests. The state of emergency proclamation included provisions which clearly contradict the international conventions ratified by Ethiopia.

The research has also ascertained that the restrictions imposed by the state of emergency and the sweeping powers given to the command post by the proclamation as well as the command post's enforcement directive had a temporal coverage extending from the time before to the time after the state of emergency. The proclamation had the intention of legitimizing illegal acts committed prior to the enactment of the state of emergency and as a result relieving the security forces of liability. The findings of the research also show that the aim of the proclamation was to spread fear in attempt to arrest the popular protests which didn't show signs of cooling despite the arbitrary killings, mass arrests and cutting of communication mediums.

The major highlights of the state of emergency were arbitrary killings and mass arrests that were carried out indiscriminately in both peaceful and protest prone areas. The detainees were detained without charges in mass detention facilities that lacked adequate food, water and toilets. As a result of the forceful investigations the detainees were victims of temporary and long-term psychological and physical harm. Even after their release the detainees were compelled to live under economic troubles and fear. Many of the detainees were forced to take the so called "Tehadeso"/ "Reformation" trainings while others were simply released on bail

after counselling; among those that were charged some were released while others were sentenced to imprisonment. Despite an inquiry board being named by the House of Peoples Representatives to investigate the human rights violations that occurred during state of emergency, the board didn't report a single violation nor attempt to take any corrective measures. With regards to the arbitrary killings, despite their pervasiveness before, during and after the state of emergency no responsibility was attributed on the security forces.

The state of emergency proclamation has served as an impediment to the media, civil societies and opposition parties. The operations of medias and civil societies have been severely restricted by the proclamation. The closing of the internet space through which most human rights activists operate coupled with the fear evoked by the proclamation has restricted the publication of human right reports and political discussions.

The research finds that the 2016 state of emergency was primarily targeted at arresting dissent rather than maintaining peace and stability. This was done through violations of the civil and political rights and the sweeping powers given to security forces with no corresponding responsibilities.

Introduction

In 2016 the Ethiopian government proclaimed a nationwide state of emergency which lasted for 10 months. The cause of the state of emergency were the popular uprisings in Oromia, Amhara and SNNP regions and the huge loss of life caused by the security forces attempting to quell the protests. As a result, in an attempt to arrest the dissent, the government used arbitrary killings, mass detentions in addition to restricting the right of assembly, freedom of association, freedom of expression and right to obtain information. On the contrary the government alleged that all its actions were aimed at maintaining peace and stability and were executed within the bounds of the law.

The research gives answer to questions such as; What was the real cause and impact of the state of emergency? Was instituting a state of emergency necessary? How is the state of emergency proclamation evaluated in terms of the protection to civil and political rights? What happened during the state of emergency? What impacts did it have on civil, democratic and political right activists? Where there any corrective (investigative) measures carried out in relation to the human violations committed under the cover of the state of emergency? What should be done in the future with respect to enforcing civil and political rights?

Research Objective

General objective: determining the cause and impact of the 2016 state of emergency proclamation especially in relation to the protection of civil and political rights

Particular objective

- Determining the cause and impact of the state of emergency proclamation
- Assessing the state of human rights protection during the state of emergency
- Evaluating the proclamation, the directive and their enforcement in relation to the international human rights conventions signed by Ethiopia and universal detention standards
- Evaluating the impact, the state of emergency had on human rights activists, defenders and the general public
- Providing pointers which could serve as inputs to future human rights protection efforts in the country

Research Methodology

In preparing this report the Ethiopian Human Rights Project has thoroughly screened and interviewed 7 legal professionals, security affairs experts and human rights activists in addition to 28 victims of the state of emergency. The research has also used as input 115 questionnaires (a 20-question questionnaire) which were distributed over the social media¹. Apart from the field investigations, various legal documents, news publications and press releases were incorporated as secondary sources.

The research is presented in a descriptive style. We have requested and received the consent of all our interviewees whose words we have included in our reports. With the exception of the few interviewees who consented to having their names in our reports, we have preserved the anonymity of our interviewees for their safety.

Limitations of the Research

This research has various limitation among which financial and personnel limitations were the major ones. Additionally, having the security of the researchers in mind, reporting and investigation of the situations within governmental security institutions was impossible. The research concentrates on the two regions which were specifically targeted by the state of emergency; the Oromia and Amhara region. Especially in relation to detention we have used the camps in Tosay, Birsheleko and Awash Sebat Kilo as our major sources. Furthermore, the research highlights the influence exerted by the proclamation on members of political parties, human rights activists and journalists.

¹ Out of the 115 questionnaires filled through social media 14 were filled by females while the remaining 101 were filled by males.

Historical Background

The popular protests which started in November 2015² were unlike anything the country has seen since EPRDF took power in 1991, both in terms of the time it took and the area it covered³. Since May 1991, the Ethiopian People's Revolutionary Democratic Front (EPRDF) has been the only political party with political power in Ethiopia. Despite adopting the Federal Democratic Republic of Ethiopia (FDRE) constitution in 1995⁴ which includes among many rights democratic rights, the country is still marred with controversy over the adoption of ethnic federalism⁵. The government is also being repeatedly criticized for its inability to implement the constitution⁶. The EPRDF led FDRE government has been criticized by both domestic and foreign institutions for its lack of capacity to; protect human rights, hold democratic elections, guarantee the independence of institutions and ensure impartiality, which has resulted in the unequitable distribution of wealth.

Although the EPRDF led government has been holding general elections every five years, none of them have been free, fair or democratic⁷. The ruling party had been able to create a relatively open political space during the 2005 elections where it faced stern opposition⁸. Nevertheless, even then the government failed to peacefully resolve the post-election controversies that followed the elections⁹. In the two national elections that followed the controversial 2005 elections, EPRDF was capable of landslide victories. In the 2010 elections EPRDF and its partner parties won all except two of the 547 seats in the HoPR (House of Peoples Representative)¹⁰. In the last elections which were held in 2015 EPRDF and its affiliate parties won all seats in parliament¹¹. In the year before the 2015 elections, dozen bloggers and journalists were arrested¹², six newspaper publications were banned and Ethiopia was amongst the top five

² EHRP (March 2016), #OromoProtests: 100 Days of Public Protests

³ Human Rights Watch (2009), <https://www.hrw.org/tag/ethiopian-protests> (last accessed on January 12, 2018)

⁴ Gashaw Ayferam (2015), "Constitution, Constitutionalism and Foundation of Democracy in Ethiopia", Ambo University

⁵ Mariek Frank (2009), "Effects of Ethnic Federalism in Ethiopia. Holding Together or Splitting Apart?", Toronto University

⁶ Wubeshet Mulat, (November 27, 2016), "ሕገ መንግሥትን ሕገ መንግሥታዊ ነገት ሲርቀው", Reporter Newspaper (Sunday Edition)

⁷ Felix Horn (2015), <https://www.aljazeera.com/indepth/opinion/2015/04/elections-ethiopian-style150430084220440.html>, (last accessed on January 12, 2018)

⁸ Carter Center (December 2009) ፣ Observing The 2005 Ethiopia National Elections (Final Report)

⁹ Ibid.

¹⁰ EPRDF has member parties operating in only four regions (Oromia, Amhara, SNNP and Tigray). In the remaining five regions EPRDF has partner/affiliated parties to which it has given recognition.

¹¹ BBC (June 2015), <http://www.bbc.com/news/world-africa-33228207> (Last accessed on January 13, 2018)

¹² CPJ annual detained journalist count (2014), <https://cpj.org/imprisoned/2014.php#ethiopia> (Last accessed on January 13, 2018)

countries with the highest number of fleeing journalists¹³. During this period four opposition political party officials were arrested¹⁴ while two opposition political parties were split with what their members alleged was government interference¹⁵. By employing such repressive tactics EPRDF and its affiliates were capable of winning all seats of parliament at both the federal and regional levels.

What started as a small protest in the town of Ginchi¹⁶, six months after EPRDF announced its landslide victory, spread across 200 cities in Oromia¹⁷. Although, the cause for the protests in Ginchi was related to the announcement that the Chilmo forests would be cleared to make way for a factory, much of the popular protests that followed it were against the Addis Ababa Masterplan¹⁸. Despite the cancelling of the master plan with pressure from the Oromo People Democratic Organization (OPDO), a dominant member of the ruling EPRDF coalition, the protests didn't cease¹⁹. After ten months of uninterrupted protests in Oromia, similar popular protests broke out in Amhara region²⁰. The protests in Amhara region were triggered by the arrest of the members of the "Facilitation Committee for the Self-determination Question of Welqayit Amhara". Although, the protests initially broke out in Gondar it soon spread to Bahir Dar and five other zones in Amhara. In the protests that took place on the 7th of August 2016 in Bahir Dar 30 protesters were killed in a single day²¹. Similarly, the Southern Nations Nationalities and People's (SNNP) region was also the setting of similar protests. Especially, the popular protests in Konso, which took place for about ten months, were cause to the loss of life of many²².

¹³ CPJ (2015) : <https://cpj.org/x/5b94> (Last accessed on January 13, 2018)

¹⁴ Nuhamin Ashenafi (2014), <http://allafrica.com/stories/201407140328.html> (Last accessed on January 13, 2018)

¹⁵ Addis Standard (2015), <http://addisstandard.com/breaking-ethiopias-electoral-board-decides-on-udjand-aeup-fate/> (Last accessed on January 13, 2018)

¹⁶ Mahlet Fasil and Tsedale Lema (2008), <http://addisstandard.com/oromo-protests-defiance-amidst-pain-and-suffering/> (Last accessed on January 13, 2018)

¹⁷ Awol Kasim Alo (August 2016), <http://edition.cnn.com/2016/08/09/africa/ethiopia-romoprotest/index.html> (Last accessed on January 13, 2018)

¹⁸ The Addis Ababa and Finfine area coordinated development plan (Masterplan) was prepared by Addis Ababa administration and approved by the Oromia national regional administration

¹⁹ Salem Solomon (February 2016), <https://www.voanews.com/a/killing-detention-romia-human-rights-watchreport/3202181.html> (Last accessed on January 13, 2018)

²⁰ Addis Standard, (2015), <http://www.addisstandard.com/news-several-killed-ethiopian-police-force-attempt-arrest-individuals-sparking-city-wide-protest-gondar> (Last accessed on the January 13, 2016)

²¹ Amnesty International (October 2015), Ethiopia: Reform Only Feasible Way Out of Mounting Crisis, Public Statement

²² Addis Standard (May 2016) : <http://addisstandard.com/commentary-what-was-troubling-konso/> (Last accessed on the January 14, 2016)

Due to the unproportional use of force²³ by state security forces in their attempt to quell the protests, many peaceful protesters have been killed and countless have been arrested²⁴. However, the FDRE Human Rights Commission had in its findings asserted that the use of force by the state security forces was proportional²⁵.

The huge loss of life at the Erecha²⁶ celebrations on the 2nd of October 2016 had been the major cause for the intense protests that followed. Initially the attendants of the celebration were peacefully airing their protests before government security forces intervened. In an attempt to disperse the protesters, the security forces fired tear gas and rubber bullets which resulted in a huge rampage that took the life of many²⁷. Although the state officially admitted the death of 55 protesters, opposition parties claim that hundreds had died. The Erecha killings sparked huge public protests across Oromia cities surrounding Addis Ababa²⁸. These public protests were also the cause of a significant loss to property²⁹.

Despite the FDRE Council of Ministers adopting the state of emergency on the 8th of October 2018, six days after the Erecha killings³⁰, the government has been accused of using the state of emergency to silence opposition by granting security forces unfettered and sweeping powers³¹. After 10 months under a state of emergency, the state of emergency proclamation was lifted on the 4th of August 2017.

The State of Emergency: It's Legal Aspect

²³ Amnesty International (August 2016), <https://www.amnesty.org/en/latest/news/2016/06/08/ethiopia-dozenskilled-as-police-use-excessive-force-against-peaceful-protesters/> (Last accessed on the January 13, 2018)

²⁴ Aljazeera (February 2016), <http://www.aljazeera.com/news/2016/02/ethiopia-accused-bloody-crackdownprotesters-160222061910090.html>, (Last accessed on the January 13, 2018)

²⁵ Addis Standard (July 2016), <http://addisstandard.com/news-rights-commission-declares-measuresagainst-protesters-in-oromia-proportional-admits-excessive-force-used-against-qimant-people> (Last accessed on the January 13, 2016)

²⁶ Erecha is a holiday celebrated by followers of the Waqefeta religion as a thanksgiving for the passing year.

²⁷ The independent (September 2015), <http://www.independent.co.uk/news/world/africa/ethiopia-stampede-killed-dead-protesters-oromia-police-tear-gas-rubber-bullets-a7341741.html>, (Last accessed on the January 13, 2018)

²⁸ Arron Masho (October 2016), <https://www.reuters.com/article/us-ethiopia-protests-idUSKCN1231PL>, Reuters (Last accessed on the January 13, 2018)

²⁹ Arron Masho (October 2016), <https://www.reuters.com/article/us-ethiopia-unrest-idUSKCN1270MX>, Reuters (Last accessed on the January 13, 2018)

³⁰ The Guardian (October 2016), <https://www.theguardian.com/world/2016/oct/10/ethiopia-declares-state-of-emergency-as-deadly-protests-continue> (Last accessed on the January 13, 2018)

³¹ Human Rights Watch (2016) <https://www.hrw.org/news/2016/10/30/legal-analysis-ethiopia-stateemergency>, (Last accessed on the January 11, 2018)

The state of emergency proclamation no. 01/2009 which was initially adopted by the council of ministers and signed by prime minister Hailemariam Dessalegn on the 8th of October to maintain public peace and security had four sections and fourteen provisions. The first section had general provision; the second section included acts prohibited and measures to be taken during the state of emergency; the third section established and designated the responsibilities of the state of emergency command post and inquiry board; the fourth section included miscellaneous provisions. The House of Peoples Representative (HoPR) proclamation no. 984/2009, which was adopted and published in the Federal Negarit Gazette on the 1st of November 2016 to validate the council of ministers' state of emergency, had twelve provisions. The Council of Ministers' state of emergency implementation regulation no. 39/2009 was also published in the Federal Negarit Gazette on the 27th of October 2016. The command post also had a state of emergency implementation directive. When the implementation proclamation was revised on the 8th November 2016, the travel restriction on diplomats and the permit for security forces to arrest without showing identification were lifted.

The state of emergency was being implemented even before the state of emergency proclamation was adopted by the House of Peoples Representative. Government administered media outlets repeatedly televised the special State of Emergency press briefings of Prime Minister Hailemariam Dessalegn and Federal Prosecutor-General Getachew Ambaye. However, the popular protests could have been controlled by the application of the ordinary law without the need for adoption of the state of emergency proclamation or its implementation directive³². Nevertheless, the government used the state of emergency to silence opposition and evade legal responsibility³³.

A state of emergency shall only be proclaimed when the application of the ordinary laws of a country are no longer capable of regulating the exceptional threat faced by the state. Ato Zelalem Kibret (Legal Expert) explains how the situation in the country could have been controlled by the application of the ordinary law and gives two reasons as to why the governments measures were exaggerated.

“As stated in the proclamation and the command post implementation directive no.1, the cause for the institution of a state of emergency were certain illegal activities [...] that took place in some parts of the country. The first issue here is whether or not such problems happened in the whole of Ethiopia or certain parts of the country. Therefore, imposing a state of emergency across the entire country to control protests that broke out in certain parts of the country's territory is an exaggerated move. The second point is the lack of proper understanding of the problem. While the major cause for the problem was the collapse of the existing political structure, deciding that

³² Zelalem Kibret (2016), <http://www.addisstandard.com/why-ethiopias-freewheeling-regime-does-need-a-state-of-emergency/> (Last accessed on January 11, 2018)

³³ An interview with Henok Aklilu (December 29, 2017)

the political protests can't be regulated by the application of the ordinary law and instituting a nationwide state of emergency is a serious miscalculation."³⁴

The Federal Negarit Gazette establishment proclamation states under sub-article 2 of article 2 that "All laws of the Federal Government shall be published in the Federal Negarit Gazette". Sub article 4 of the same provision also asserts that "The Federal Negarit Gazette shall be published in both the Amharic and English Languages".

*"In this regard, the state of emergency proclamation wasn't published in the Negarit Gazette nor was it translated into English. This has made the state of emergency proclamation, which already lacked consistency with international covenants, also lack officialization."*³⁵

Article 4 sub-article 1 of the International Covenant on Civil and Political Rights (ICCPR), to which Ethiopia is a party to, states that member countries shall be governed by international conventions while declaring state of emergency. Article 4 sub-article 2 of the same covenant lays down seven rights/freedoms which can't be restricted. These are; the right to life (article 6), freedom from inhumane and degrading treatments (article 7), freedom from slavery (article 8), freedom of movement (article 11), non-retroactive application of laws (article 15), right of equality before the law (article 16) and the freedom of thought and religion (article 18). The Federal Democratic Republic of Ethiopia (FDRE) constitution under article 93 sub-article 4(c) lists only four rights as rights that can't be restricted or suspended by a state of emergency. These are nomenclature of the state (article 1), prohibition against inhumane treatment (article 18), right to equality (article 25), right of nation, nationalities and peoples (sub articles 1 and 2 of article 39).

All the rights and freedoms not mentioned under article 93 of the FDRE constitution can be restricted or suspended. Henok Aklilu (attorney and legal consultant) explains in the following manner;

*"The right to life (article 15 of the FDRE constitution), the non-retroactive application of criminal law (article 22 of the FDRE constitution) and freedom of thought and religion (article 27 of the FDRE constitution) are rights which the International Covenant on Civil and Political Rights (ICCPR) asserts as rights that can't be suspended by a state of emergency declaration. However, these rights can be restricted or suspended during a state of emergency if deemed necessary. This particular position of the FDRE constitution has placed it in contradiction with the international covenant."*³⁶

The inconsistencies between the international covenants, the constitution and the state of emergency proclamation has been the major reason for the violation of the rights of citizens;

"Article 17 of the command post's implementation directive no.1 suspends the right of refugees to get in or out of refugee camps in direct contradiction to the international covenant. This

³⁴ An interview with Zelalem Kibret (December 27, 2017)

³⁵ Ibid

³⁶ An interview with Henok Aklilu (December 29, 2017)

restriction violates not only the right of movement which can't be suspended by a state of emergency but is also contrary to refugees' right to equality."³⁷

*Article 18 of the command post implementation directive no.1 restricts the movement of diplomats to a 40KM radius of Addis Ababa. However, non-diplomats and Ethiopians didn't face such restrictions. This shows the discriminatory nature of the directive.*³⁸

The state of emergency proclamation had been extended for an extra 4 months on the 10th of March 2017³⁹. During the extension of the state of emergency, the situation in the country was relatively calm and didn't require an extension⁴⁰. Additionally, the lack of legal document clearly laying out when a state of emergency can be lawfully extended, also opened the door for the arbitrary extension⁴¹. After 10 months under a state of emergency, when the state of emergency was finally lifted⁴², the fate of those detained during the longevity of the proclamation wasn't clear.

*"It is usually common to issue transitional laws when proclamations are repealed. This ensures what happens to the measures previously taken during the application of the proclamation. However, with regards to the state of emergency proclamation as there was no transitional document there were lots of confusions."*⁴³

In general, the state of emergency proclamation was a law that; violated the international covenants Ethiopia is party to, eroded civil and democratic rights, shielded security forces from responsibility and run contrary to the principle of equality. The proclamation also violated the major legal principle "non-retroactive application of laws". Under these circumstances we can safely conclude that the state of emergency proclamation was finely crafted to silence dissent rather than stabilizing the countries security ⁴⁴.

Prior to the State of Emergency

In the protests that took place between November 2015 and October 2016, more than 800 people (600 from Oromia region and 200 from Amhara region) were killed⁴⁵. Within a single day on the

³⁷ Ibid

³⁸ An interview with Zelalem Kibret (December 27, 2017)

³⁹ Aljazeera,(2016) <http://www.aljazeera.com/news/2017/03/ethiopia-extends-state-emergency-months170330110807086.html> , (last accessed on January 11, 2018)

⁴⁰ An interview with Henok Aklilu (December 29, 2018)

⁴¹ An interview with Zelalem Kibret (December 27, 2018)

⁴² Aljazeera, <http://www.aljazeera.com/news/2017/08/ethiopia-lifts-state-emergency-imposedoctober-17080544440548.html> (last accessed on January 12, 2018)

⁴³ An interview with Interviewee no. 23 (Judge), Bahir Dar, interview held on December 21, 2017

⁴⁴ Human Rights Watch (2017), <https://www.hrw.org/news/2016/10/30/legal-analysis-ethiopia-state-emergency> (last accessed January 12, 2018)

⁴⁵ Amnesty International, (October 2016), Ethiopia: Reform Only Feasible Way Out of Mounting Crisis, Public Statement

7th of August 2016, 97 people were killed by security forces in protests that took place in Amhara and Oromia regions⁴⁶. (The Ethiopian Human Rights Commission, which operates under the Ethiopian government, claimed that the total death toll was 669 and further asserted that the use of force by government security forces was proportional⁴⁷). Throughout the protests mass arrests were very common. During the mass detentions, as there wasn't enough detention facility, many of the detainees were cramped up in police stations and halls without food, water and toilets.

*"After being caught through house to house raids, we were initially taken to various police stations before being taken to a certain hall in Abay mado. Although the hall was big it was dusty. As we didn't have an option we slept on the dusty floors. What was more troubling was the fact that the hall didn't have toilets. We had to use one of the corners of the hall as a toilet for those who were in dire need to use a toilet. "*⁴⁸

Some detainees were released on bail after being charged⁴⁹ while others were released through the family connections they had⁵⁰. Those detainees that weren't lucky enough to get released were transferred to military camps⁵¹. The detainees, which were transferred to military camps, were subject to forceful interrogation and torture.

"I was caught in Addis Ababa on the 6th of August 2016 while participating in the Mesqel Square protests. After spending the night at a police station we were taken to the Awash 7 federal police training camp. The number of detainees that were taken to this camp would have been more than a thousand. We spent forty days in the Awash 7 camp. They made us walk barefoot on the desert asphalt road till our feet were burnt. Every morning we were given punishments in the form of sporting activities. The punishments among others included doing leapfrogs and pushups. If we didn't perform the activities within the timeframe required, we would be flogged. We weren't taken to court. Our families didn't know our whereabouts. During mealtimes we were given a single bread and Shiro wot. In the afternoon we would be beaten by the officers until we confessed or gave them the name of the person or the organizations that sent us. After a month the beatings eased due to the training. The trainings were on Ethiopian history and constitution. In one of the trainings some of us asked "well, why isn't the constitution respected?". Those of us who asked questions were locked in a separate room and beatings continued. After forty days we were all brought back to Addis Ababa. While most of the detainees were released those detainees

⁴⁶ Aljazeera (2015), <http://www.aljazeera.com/news/2016/08/30-killed-ethiopia-protest-opposition160808105428331.html> ,(Last accessed on the 23 of January 2018)

⁴⁷ Addis Standard (April 2017), <http://addisstandard.com/news-rights-commission-say-security-measureskilled-hundreds-civilians-recent-protests-mostly-proportional-2/> , (Last accessed on the 26 of January 2018)

⁴⁸ An interview with Interviewee no. 21, (Bahir Dar, December 2017)

⁴⁹ Nathnael Feleke, one of the zone nine bloggers was detained with his friends on the 4th of October at Lalibela Hotel while discussing current political affairs. They were released on the 7th of October after each of them paid a 5000 Birr release bail.

⁵⁰ An interview with Interviewee no. 21 and interviewee no.22, (Bahir Dar, December 2017)

⁵¹ Human Rights Watch (June 2016), "Such a Brutal Crackdown": Killings and Arrests in Response to Ethiopia's Oromo Protests

like me, who gave comments or asked questions during the trainings, were charged for inciting violence. However, we were finally released on bail on September 2016.”⁵²

Similarly, in March 2016 over 2500 youngsters from different parts of Oromia, were arrested in masses without a court warrant. They were detained without charge at Tolay military camp for 2 months where they were tortured, interrogated and trained until they were finally released⁵³. In the same way in the Amhara region, after the 7th of August 2016 protests in Bahir Dar, over 1000 suspected protesters were arrested through house to house raids. These detainees were taken to Bir Sheleko military camp where they underwent torture and training for more than forty days before they were released in late September 2016.⁵⁴

In various occasions during the peak periods of the protest, the internet was shutdown. The internet shutdown allowed the state to hide the violations committed by its security forces. Since the start of the popular protests in November 2015, social media was blocked for the first time on August 2016. The government justified its acts by claiming that the measures were taken so as to avoid the repeat of the National Higher Education Exit Exam hacking, which took place earlier that year⁵⁵. This act has been called the “unconstitutional state of emergency”⁵⁶. However, through the use of various anti-blocking applications such as “VPN”, users were able to use social media. This was probably why the government decided to block the internet totally. For the first time the internet was fully blocked at a national level on the 7th August 2016 during the Bahir Dar protests. The Ethiopian economy had lost more than 8.5 million dollars due to the first internet shut down (a total of 30 days of internet shut down,) which took place prior to the state of emergency⁵⁷. On the 5th of October 2016 mobile internet was fully blocked.

The above-mentioned measures show that the state of emergency was indeed in force way before it was declared by the Council of Ministers or adopted by the House of People’s Representative. This begs the question, “why was the state of emergency proclamation needed?”. Zelalem Kibret (a legal expert) provides three possible reasons as to why the government opted to declare a state of emergency. These reasons are; one to evade responsibility, two to control public protests by spreading fear and three to show to the outside world that the government can withstand, control and overcome trouble⁵⁸. The aim of the State of Emergency proclamation was “creating institutional fear”⁵⁹.

⁵² An interview with interviewee no.1 (December 2017)

⁵³ An interview with Interviewee no. 21, (Bahir Dar, December 2017)

⁵⁴ An interview with Interviewee no. 21 and interviewee no.22, (Bahir Dar, December 2017)

⁵⁵ Aljazeera (2016), <http://www.aljazeera.com/news/2016/07/ethiopia-blocks-social-media-sites-leak160711183939642.html> (last accessed on January 22, 2017)

⁵⁶ Zeni Kemahu

⁵⁷ Daril West, (October 2016), Internet Shutdowns Cost Countries \$2.4 billion Last Year, Center for Technology Innovation at Brookings.

⁵⁸ Zelalem Kibret, <http://www.addisstandard.com/why-ethiopias-freewheeling-regime-does-need-a-state-of-emergency/>, (last accessed on January 12, 2018)

⁵⁹ An interview with Kumlachew Dagne (December 2017)

During the State of Emergency

A week after the Erecha killings, the Council of Ministers declared a nationwide state of emergency on the 8th of October 2016. Starting from the 9th of October 2016 government administered media outlets repeatedly televised the special State of Emergency press briefings of Prime Minister Hailemariam Dessalegn and Federal Prosecutor-General Getachew Ambaye. Among the restrictions imposed by the state of emergency some were; making communications which are likely to provoke covert or overt acts of violence, showing hand signs or body gestures, watching foreign based channels such as OMN and ESAT, closing private businesses and resigning from their posts (for members of government security forces). The command post implementation directive also allowed the command post to arrest without warrant those who violate the state of emergency, keep detainees at a location of its choice for the longevity of the state of emergency, close communication means and restrict movement⁶⁰.

The proclamation establishes a command post that would implement the state of emergency. With regards to the organization of the command post the proclamation provides nothing apart from mentioning that the defense force, federal police and special state forces would make up the command post. Sirage Fergesa the Minister of defense and secretary of the command post has guaranteed that “the command post is a centrally administered unit with uniform mode of operations from top to bottom”⁶¹. The command post has an organizational set-up at all levels including the Woreda Militia officer, Woreda security officer, Woreda administrator, Woreda police officer and Woreda justice bureau officer⁶². However, the Woreda justice bureau officers are not normally part of the command posts organizational set up⁶³. They are included whenever there are individuals being convicted.

Following its declaration, the state of emergency created huge fear among the public. The command post campaigns resulted in arbitrary killings, mass arrests, torture of detainees, restriction on the right to fair trial, restriction on the freedom of expression, limitation on the right to access to information, suspension of the freedom of assembly and association.

Arbitrary Killing

Due to the blocking of the internet during the state of emergency, many of the right violations have gone unreported. In the human rights violation investigated in Oromia, Amhara and SNNP regions from October 2016 to May 2017 by the Ethiopian Human Rights Council (HRCO), 19 deaths were reported⁶⁴. Out of these 15, 3 and 1 deaths were reported in Oromia,

⁶⁰ Command Post State of Emergency Implementation Directive No. 1

⁶¹ Fana Broadcasting Corporation (October 2016), <http://www.fanabc.com/index.php/component/k2/item/19388.html> (last accessed on January 26, 2018)

⁶² An interview with interviewee no.23 (then a judge) (Bahir Dar, December 2017)

⁶³ An interview with interviewee no.33 (Member of the Federal Police Force) (Addis Ababa, January 2018)

⁶⁴ Ethiopian Human Rights Council (May, 2017), 142nd Special Report

Amhara and SNNP regions respectively. However, the death toll could even be higher than the projected figures.

Mass Arrest

Mass arrest was one of most common measures taken during the state of emergency. The victims of the arrest campaigns were; members and officials of opposition political parties, journalists, bloggers, human rights defenders, students and teachers. Although many of the arrests were made after the declaration of the state of emergency, there were individuals who were arrested even before the state of emergency. After the adoption of the state of emergency their cases were dropped before being transferred to the command post.

I was caught on the 30th of September 2016 at 6:30 in the morning. I was charged with the crime of inciting violence for writing articles on the "Horn Affairs" website. On the 20th of October 2016, the court in Weliso released me of all charges as the police couldn't furnish sufficient evidence. However, I wasn't released because the command post requested right away that I be transferred to them under the charge that I violated the state of emergency proclamation. What was surprising was that I was in detention during the adoption of the state of emergency and I couldn't have possibly violated it.

The arrests were usually made by intelligence and police officers not wearing uniforms. They don't carry with them court warrants or identification cards. When the command post implementation directive was revised on the 8th of November 2016, officers were obliged to furnish their ID's before arrest as such loopholes were being used for criminal activities. Many of the detainees who were arrested after the coming into force of the state of emergency weren't brought to court. Those who were brought to court in one or two occasions were later restricted from appearing on their next appointment. Some remained under detention despite receiving bail while others were arrested after being released on bail. A blue part member Blen Mesfin was arrested on the 11th of October 2016 before she was later released on the 4th of November 2016 with 10 thousand Birr bail bond. On the same day of her release she was arrested by intelligence and security officers who weren't wearing uniforms.

Those arrested by the command post's mass arrest campaign included; youngsters living in areas that witnessed popular uprisings, individuals who have been reported to the command post, individuals suspected of having participated in protests, university students and lecturers who aired their criticism of the government in public discussions as well as students suspected of having coordinated protests. The detainees would initially be kept at police stations and makeshift prisons. As many of the detention centers weren't regular prisons, they didn't provide food or water. The centers also lacked toilets.

The day I was arrested 10 other individuals were also arrested around "Ferensay Legasion" (French embassy) for violating the state of emergency. We were all taken to Yeka police station. That night I asked one of the police officers, who was there to count the detainees, "why don't you transfer us to the station at Ferensay? We will be closer to our families plus you will have less of a crowd." He replied, "it's better here, the station at Ferensay is overcrowded, detainees have to sleep in shifts". Then at mid night they took us to a station in "Wosen". Since we were the first

batch of detainees at the station, we only ate what our family brought. And the place was quite far. Plus, we were eleven detainees cramped in a 3 meter by 3-meter cell.

Detainees were forced to share food brought by few family members. Sometimes, detainees were forced to share one bread for the day. Those detainees who were transferred to Woreda, Zonal or sub-city police stations were often referred to as “command post prisoners” “trustee prisoners” and “temporary”. They were kept separately from ordinary prisoners and were also treated differently. There were also prisoners who were transferred from one region to another.

“I was a member of the “Andinet” party and was initially arrested in Gonder. After me and my fellow “Andinet” members were gathered up in Gonder, we were taken to “Bado Shidset” prison in Tigray where we were heavily tortured. I was finally released after a couple of “Andinet” members from Addis Ababa lobbied foreign embassies for our release.”

Many of the detainees were forced to take the so called “Tehadeso” / “Reformation” trainings while others were simply released on bail after counselling and others were charged. However, none of the detainees were certain about their future during their time in captivity.

Reformation “Tehadeso” Trainings

There was no effort on the side of the government to inform its mass detainees what the future holds for them. One day a couple of the detainees were being taken away from the prisons they were held at. This was mind wrecking both for the ones being taken and the ones being left behind. No one knew which one of the two situations was favorable. They were being taken away from the location they were detained at night by a bus filled with armed policemen. None of the detainees knew where they were being taken. They all thought they were being taken for execution.

I was arrested in Bole sub-city police station. On the 17th of November 2016 when we were taken away from the 200 inmates arrested I thought we were either being released or being taken to Meakelawi investigation center. Everything happened very fast. The situation was scary even the police officers were terrified. We didn't tell our family. The escorting policemen didn't also know where we were going. They even told us that they haven't seen their families in 48 hours. All detainees collected from the different police stations were placed in five cars. We started heading in the Nazareth (direction). It was dark. When we reached Awash the buses kept on circling. All we can see was the forest. There were four ladies in my bus. One was pregnant. The whole bus started crying because we thought we were being taken for execution.

The sites which served as a “Reformation” / “Tehadeso” training centers were; Tolay, Bersheleko, Awash 7 kilo and Alage. All centers had already served as training grounds (albeit with harsh physical punishment) even before the first official training took place between the 17th of November and the 18th of December. The fact that all four training camps were former police or military training camps coupled with their location in an arid environment and an isolated area makes them similar.

When detainees arrive at the training centers they were forced to throw away their shoes while the male prisoners were ordered to shave off their hair. There was a serious lack of sanitary equipment in all centers; detainees had to stay weeks without showering having walked bare

foot the whole time. Since there were no toilets in the training centers, prisoners were forced to use the ditches, they dug in the fields behind the camps, as toilets. Detainees had to use leaves as toilet papers.

Apart from the attempted protests of the 6th of August 2016, which was ended by the police force, there were no anti-government protests in Addis. However, there were detainees who had been arrested in Addis Ababa and were taken to the training camps. In the first round 242 detainees that were arrested in Addis Ababa had been taken to Awash 7 Federal Police training camp for the reformation trainings. In the second round 236 detainees that were arrested in Addis Ababa had been taken to Tolay military training camp. The trainees taken from Addis Ababa in the first round spent 33 days at Awash 7 camp from November 17, 2016 till December 20, 2016. The trainees taken from Addis Ababa in the second round spent 45 days at Tolay camp from December 20, 2016 to February 3, 2017.

Those arrested in Addis Ababa had to stay one or two months in a temporary detention facility. During this period, they were told the charges brought against them; some admitted while the majority contested the charges. However, the path was quite different for detainees arrested in other parts of the country. Within days they were transferred to military training camps which were later called training centers. However, what was waiting for them in these camps was forced and brutal interrogations;

“When we reached Awash 7 training camps we joined over 1000 detainees that were collected from different parts of Oromia, Burayu, Alem Gena. They moved in two lines holding each other’s hands. They showed extreme obedience to the police. We later heard that they came to the camps 40 days before us. A day before we arrive 500 detainees were transported to an unknown location. During the stay at the camps they faced torture and beatings. In comparison to them we can say we didn’t face anything.”

The trainings were delivered on the basis of six modules. Initially, the detainees were grouped according to one’s level of education and health. But later the groups were reshuffled to create several groups. Each group was given a name that resembled the name of a military division. The names include “Abay force”, “Awash force” and “Gibe force”. They used to conduct the trainings in rooms and under trees.

“The trainings site in Tolay was far from where we slept. The lack of food coupled with the warm weather made the journey to and from the training sites difficult. When we returned to our rooms, they were very hot and had no ventilator. Plus, we weren’t allowed to get up, we were ordered to lay down on our blankets at all times. Many detainees use to faint. I also passed out.”

Initially members of the police force and the military used to read out the modules and ask questions to the detainees. There was low participation because the names and comments of those who participate in the trainings was sent to the central command post. However, after the third trainings, trainees were allowed to discuss amongst themselves and submit their comments in a piece of paper without having their names written on it. Following the changes, the discussions started improving. After the completion of each training module, government officials, members of the defense and police force would answer questions, and provide clarification.

There were six training modules prepared both in Amharic and Affan Oromo. All modules have a “do not copy” marks on them.

1st. “Never again”- a country that registered double digit growth does not deserve violence and protests

2nd. “The color revolution”- The protests and violence that broke out in Ethiopia were orchestrated by neo-liberal states

3rd. “Some points on Ethiopian History”- It is a political history of Ethiopia concentrating on how the EPRDF is a popular government in relation to previous regimes

4th. “Constitutional Democracy”- Discusses the importance of constitutionalism

5th. “The coming period is Ethiopia’s Renaissance”- It explains how poverty is the only enemy facing Ethiopia and how we should work to tackle it

6th. “The role of the youth in nation building”- It explains how the youth must fully concentrate on development

Until the end of the trainings nobody could be sure about anything. The fact that nobody knew what was happening, when the training will begin or end, what will happen if one participates or not was terrifying. When the trainings ended few trainees were selected to perform on the graduation event. On the date of the graduation those trained in Oromia region wore a white T-shirt saying “Irra Hin Deebi’amu” (never again) while the ones that were trained in Amhara wore a T-shirt saying “Aydegemim” (never again). The following day all of them were taken back to their home towns by bus without accompanying officers.

After release the detainees were forced to lead their lives in fear. Most of the private or government employees found it hard to get back on their feet as they weren’t earning income during their six months detention. Some had to sell their household or working equipment to pay their arrears in rent. Some others were forced to litigate for six months to be reinstated to their posts. Some have even left their jobs;

I was initially arrested for my anti-government comments during teachers meeting. After taking “reformation’ trainings in detention I was also told that along with other teachers I would receive another “deep reformation” training. I was initially arrested for speaking out, even now I won’t stop speaking out. That’s when I decided I won’t be arrested again for my individual efforts. That’s when I quit my job, joined Blue party and started an institutional struggle.

Charge and Release

On the 18th of March 2017, the state of emergency inquiry board had explained to the House of People’s representatives that during the past six months 26130 individuals had been arrested in Oromia, Amhara and SNNP regions of which 20659 had been release after receiving trainings. The remaining 457 have been released after counseling while a charge has been brought against 4599 detainees.

In the police station I was held at there were 400 detainees. 42 prisoners were released on bail after counseling. Some detainees were individuals who unintentionally rented their house to suspected individuals while others were police officers who were absent without permission.

The crimes with which detainees were charged include; “insulting the government”, “contacting a terrorist groups”, “showing opposition signs or hand gestures” and “listening to music that has an opposition content”. Dr. Merara Gudina, chairperson of the Oromia Federalist Congress (OFC) was charged with the crime of contacting terrorist groups in violation of the state of emergency implementation directive no.1 after he briefed the European Union on the current political situation in Ethiopia. On the 9th of January 2018 the federal attorney- general dropped all charges against Dr. Merara. He was release on the 17th of January with 115 other detainees whose cases were dropped.

Torture

Arrested individuals had been victims of both psychological and physical torture from the moment they were arrested till their release. Detainees faced various acts of tortures such as flogging, sterilization, rape, heavy sporting punishments and starvation. Although, these acts had caused long-term physical and mental damage to detainees, no one has been accounted for them.

When adopting the state of emergency proclamation on the 20th of October 2016, the House of People’s Representative also named a “a state of emergency inquiry board”. Few members of the board were delegated to visit the training centers but they only had the chance to talk to selected trainees. However, there was no change;

Before the “reformation” or “Tehadeso” trainings, the police at Awash 7 camp used to beat and harshly interrogate us. That’s when I broke one of my ankles. The medical treatment I was given at the camp was temporary. They bandaged my feet and I was barely able to walk with support. My wounds started healing over my broken ankle. I asked repetitively to be taken to a proper health facility. But they kept on dragging my request till the end of the trainings. When a member of the inquiry board came to visit, I cried and made similar request but nothing changed.”

The forced interrogations and beatings had an institutional look;

I know a person who can’t walk because they broke his back bone during interrogation beatings. Once, while I was being taken to the clinic I passed through a couple of halls. Some were lying on the doors after being beaten, others were being beaten in the halls while the rest were waiting in line at the door. It looked as if the state of emergency gave the police a license to torture.

Suppression of Freedoms

One of the features of the state of emergency was its suppression of freedom of expression, freedom of association, freedom of assembly and the right to access information. The proclamation with its vague provisions and even broader implementations have resulted in the restriction and violation of freedom of expression, freedom of assembly and the right to access information.

Five journalists and bloggers were arrested during the state of emergency. Addis standard, an English monthly newspaper that has been under publication for 5 years, went out of publication due to the restrictions imposed by the state of emergency.

Since there were no publishers willing to publish Addis Standard during the state of emergency, we didn't even print the editions we wrote. Our special issue on Erecha is still unpublished. We tried repetitively but no publishing company agreed to publish our newspapers. Those that didn't say no, required that we furnish publishing permit from the command post. Since we didn't find it appropriate to request publishing permit every time we issued a publication, Addis Standard went out of the market.

Article 1 of the command post state of emergency implementation directive no.1, which prohibits the publication or dissemination of inciting documents, has forced publishing companies to do pre-screening of their publications and be selective of what they print., Similarly, as watching ESAT and OMN television networks was prohibited by article 2 of the implementation directives, we can say that the right to access information was restricted.

Since “Addis Standard” was out of business for ten months during the state of emergency, it was financially weakened to the extent that it couldn't revive. People, owing to the fear created, have stopped giving information. Even the information we used to get from government communication bureau has dropped.

Freedom of assembly and association are amongst the freedoms that are crushed by the state of emergency. The association rights ranging from a simple fundraising program for a human rights organization to a monthly religious gathering had been restricted. Thirteen members of “Kidus Minas” religious group had been arrested in Bahir Dar days before the state of emergency came into force. They were detained without charge before being released after the state of emergency expired. The fundraising event of Human Rights Council (HRCO), the only Ethiopian-based impartial human rights organization, was also cancelled. The walking event which was planned on the occasion of HRCO's 25th anniversary was also aborted. HRCO had also cancelled the publishing of its special report on current issues as it was not certain of the command posts position. HRCO's written requests to the command post on how it must conduct its activities have all been unanswered. Additionally, HRCO was forced to prepare and implement a six page “Manual Guiding HRCO's activity during the State of Emergency”. This had a huge impact on HRCO's operation.

Internet Shutdown

Under article 4 sub-article 2, the proclamation lists the blocking or restricting of all communication means as one of the measures which could be taken during the state of emergency. Since mobile internet service was blocked during the months of October and November one of the major mediums of communication was restricted. Additionally, the fact that the popular social media sites such as Facebook, Twitter and You Tube were blocked had severely hampered citizen's ability access information. There were also individuals who lost their mobile phones while using anti-blocking technologies. While, some rights activists abstained from writing others used pseudonyms to express their thoughts. Businesses like that of “Internet Cafes”, which are heavily dependent on internet services, went bankrupt.

I have owned and run an "Internet Cafe" for years in Arat Kilo. During the state of emergency, the internet barely worked. Most of my clients usually come to access Facebook, or Twitter. After the state of emergency most of them didn't show up as they were scared and those that came couldn't use Facebook or Twitter. We were afraid of using proxy servers to allow our clients access to these sites because there was a rumor about the restrictions against such acts. Since the number of customers significantly dropped, I was forced to sell my computers and shift businesses.

After the State of Emergency

Although the state of emergency had weakened the protests it didn't kill it. In Bahir Dar, traders had observed a stay at home strike in memory of the August 7 killings. Because of this strike 200 traders had been arrested for two weeks. The traders were forced to apologize and return to their businesses after the municipality had closed their stores. However, many have stated the decline in business. Some have even indicated the existence of the restrictions even after the lifting of the state of emergency.

The arbitrary killings have persisted even after the expiry of the state of emergency. In November 2017, 10 people were killed by security forces after a protest broke out in the town of Ambo when residents attempted to stop a vehicle alleged to be carrying contraband sugar. In Chelenko, eastern part of Ethiopia security forces had killed 16 individuals including five individuals from a single household. On October 2017, government security forces killed pilgrims (which included a 12-year-old child) who aired their protests while returning from "Kana Ze Gelila" celebrations. Angered by these killings the opposition protests spread to the towns of Qobo and Mersah, where many were killed and arrested.

In Oromia region many public protests including the one during the 2017 Erecha celebrations had ended peacefully. This was primarily due to the measures taken by the Oromia regional state to restrict the presence of the Federal Police Force. However, eight people were killed in Oromia region in the month of October. During the time when this research was finalized (January 2018) there was a relatively calm across cities in Oromia as the new regional administration had granted its residents space (albeit limited) to exercise their freedoms. Nevertheless, this is not the case in Amhara region where there is still fear.

Since December 2017, mobile internet services have been blocked across Ethiopia (except in Addis Ababa). Many suggest the measure could have been taken to prevent the spread of the ethnic based disputes which broke out at Adigrat University. However, the internet shutdown has lasted to this day.

Conclusion

As has been discussed in the research, in the past two decades the Ethiopian hasn't developed the culture of peacefully settling public protests. Arbitrary killings, mass arrests, restrictions on

the rights to access information, the right to assemble and the right of association are common practices following protests. The practice of entertaining protests in a peaceful manner, investigating human rights violations and taking corrective measures against the right violators are unheard of. Before, during and after the 2016 state of emergency, the government had resorted to the suppression of rights as opposed to answering popular demands.

This research has proved that the prohibitions as well as the sweeping powers given to security forces by the state of emergency proclamation and the command post's implementation directive had been exercised both before and after the state of emergency. One of the reasons for instituting the state of emergency was to legalize the illegal acts that were done prior to the declaration of the state of emergency and relieve the security forces of all responsibilities. The other reason was to control the protests, which persisted through the mass arrests, arbitrary killings, and shutdown of communication means, by spreading fear. However, the government could have resolved the protests without the need to declare a state of emergency; one, by entertaining the people's questions peacefully; two, by respecting citizen's right of assembly, protest, association and ensuring the security of protesters; three, by regulating illegal protest through the operation of ordinary criminal law.

The major highlights of the state of emergency were arbitrary killings and mass arrests that were carried out indiscriminately in both peaceful and protest prone areas. The detainees were detained without charges in mass detention facilities that lacked adequate food, water and toilets. As a result of the forceful investigations the detainees were victims of temporary and long-term psychological and physical harm. Even after their release the detainees were compelled to live under economic troubles and fear. Many of the detainees were forced to take the so called "Tehadeso"/"Reformation" trainings while others were simply released on bail after counselling; among those that were charged some were released while others were sentenced to imprisonment. Despite an inquiry board being named by the House of Peoples Representatives to investigate the human rights violations that occurred during state of emergency, the board didn't report a single violation nor attempt to take any corrective measures. With regards to the arbitrary killings, despite their pervasiveness before, during and after the state of emergency no responsibility was attributed on the security forces.

The state of emergency proclamation has served as an impediment to the media, civil societies and opposition parties. Addis standard, an English monthly newspaper that had been in circulation for 5 years, went out of publication due to the restrictions imposed by the state of emergency. The blocking of the internet has been a serious obstacle to the communication flow. The shutdown of the internet during the state of emergency had resulted for many of the right violations to go unreported.

In general, the 2016 state of emergency was primarily targeted at arresting dissent rather than maintaining peace and stability. This was done through violations of the civil and political rights coupled with the sweeping powers given to security forces with no corresponding responsibilities.

Recommendations

As we have gathered from our research, the main cause for the violation of human and democratic rights is the inability of the state to peacefully resolve the populations demands. This has resulted in the destruction of property, loss of life and a social crisis. However, the protests have continued even after the expiry of the 10-month long state of emergency. Therefore, the FDRE must perform the following;

1. Understanding that there will always be question from the public and entertaining these questions peacefully
2. Respecting citizen's right to assemble (publicly or privately), protest and associate. Ensuring opposition rallies end peacefully by providing security to protesters
3. Respecting and ensuring respect for the freedom of expression and right to access information
4. Regulating illegal protest through the operation of ordinary criminal law
5. When declaring a state of emergency is deemed necessary, ensuring that the state of emergency is consistent with international covenants Ethiopia has signed by either revising Article 93 of the constitution or specifically mentioning and respecting the rights which can't be restricted by the state of emergency proclamation.
6. Holding members of the security force that use illegal or excessive force responsible
7. Allowing and facilitating an impartial body to carry out an inquiry on the human and democratic right violations which have occurred. Accordingly, taking corrective measures against the right violators.

This research was prepared under huge personnel and financial constraints. Therefore, we call upon governmental and non-governmental human rights bodies to do further research in this area. Especially because the magnitude of the human rights violation is far greater than what has been provided in this research. More research needs to be conducted on the current state of those who were victims of permanent physical and mental damage during their detention under the state of emergency.