**Written contribution by Elizka Relief Foundation on Academic Freedom and the Freedom of Opinion and Expression in the Federal Democratic Republic of Ethiopia to contribute to the report of the Special Rapporteur on Freedom of Opinion and Expression to the 75th Session of the General Assembly in the Fall of 2020.**

**Preface**

Academic freedom in the Federal Democratic Republic of Ethiopia, has experienced many transformations in the past ten years. It swings between full control and repression by the Ethiopian government. There are several observations about the availability of academic freedom in a country that has suffered a lot from restriction and isolation, and in the light of the fear of returning to these conditions again.

Article 29 of the Ethiopian Constitution proclaimed that everyone has the right to freedom of thought, opinion, and expression and that everyone has the right to hold opinions without interference. This includes freedom to search, receive and impart information and ideas of all kinds. However, academic freedom is not explicitly provided for in the Constitution. And it is up to the laws that cause great controversy to guarantee these freedoms.

Elizka Relief Foundation submits this report to discuss several observations related to the above and to shed the light on some issues that may compromise the freedom of opinion and expression, in a controversial country at the ethnic level.

**Academic freedoms for students are threatened by tension**

The country is witnessing recently some setbacks concerning freedom of opinion and expression, including academic freedoms that violate the constitution and are not in line with the international agreements to which Ethiopia accedes.

Higher education institutions in Ethiopia are witnessing violence among students due to ethnic and religious differences. In the past two years, the security situation in universities has deteriorated due to ethnic violence, leading to the death of students at Assosa, Adigrat, Aksum and Deberemarkos universities. Other universities, such as Poly Hora University and Mito University, suffered from violence but for different reasons. Students, professors, and academics are increasingly targeted in violent attacks - an unacceptable trend that jeopardizes the future of freedoms in universities in general. For example, what happened on June 9, 2018, when an unknown individual launched a grenade attack on students studying at the University of Della Library, causing injuries to at least nine students. The reason behind this attack is still mysterious and the identity of the perpetrators remains unknown to date, and authorities indicate that an investigation is still ongoing.[[1]](#footnote-1) However, this was just the beginning of a series of attacks that were launched later, such as ethnic clashes at different Ethiopian universities that took place in November 2019 and have killed more than a dozen students and injured others.

Perhaps the most prominent is what happened in January 2020, and according to a report published by the Ethiopian Ministry of Science and Higher Education, the protests and unrest that occurred within the universities prompted about 35,000 students to drop out of 22 universities. The ministry stated that it had taken many disciplinary measures against more than 640 students and 40 teachers, as part of anti-unrest measures in various Ethiopian universities.[[2]](#footnote-2) The clashes prompted Ethiopian Prime Minister Abi Ahmed to warn that his government might shut down universities if the unrest continues.[[3]](#footnote-3)

As a precautionary measure, and to replace calm between about 30 million students in Ethiopian schools and about one million in 50 public universities and more than 250 private academic institutions,[[4]](#footnote-4) the Ministry of Science and Higher Education announced that current and new students will have to sign a document with education offices based on the areas where they live with their parents. The Ministry prepared a form that students and their parents fill in and submit to the Education Office in their areas of residence. Moreover, fresh or junior students are not accepted unless they submit a completed, signed, and stamped form. The Ministry threatened that it would detain both parents and students in the event of any violations that would negatively affect peace and security in universities.[[5]](#footnote-5) This is even though most college students are of legal age (18 years according to the constitution). However, the new regulation holds parents responsible for actions that may be carried out by these students.

Therefore, two things must be warned: The first is the government's inability to control the security situation inside universities, despite the reported threats received by some students. The second is the arbitrary measures taken by the government that prevented this huge number of students from exercising their right to academic education. Even if it is understood that a large part of the decision is due to the tension resulting from these disturbances, it is important to reduce losses as much as possible, especially since shutting down universities may postpone the crisis but not solve it permanently.

**Freedom of opinion and expression in light of unstable national condition in Ethiopia**

Despite what is stated in Article 29 of the Ethiopian Constitution that "everyone has the right to hold opinions without harassment. Everyone has the right to freedom of expression without any interference”, and its assertion that "these rights can be restricted only through laws that are guided by the principle that freedom of expression and information cannot be restricted due to the content of the expressed viewpoint or the influence it may have on people."[[6]](#footnote-6) Although Abi Ahmed, after coming to power, has ended the ban on more than 260 websites,[[7]](#footnote-7) there are several objections to the anti-terrorism declaration that was announced and revised in August 2018 due to fears that it could be used to restrict academic freedom as before.

**Cutting Off the Internet: Back to the same usual tools**

It is worth noting that Ethiopia still lacks internet services. Since 2016, the Internet has been shut down more than six times under the pretext of national security, with four times in 2019 only, and Ethiopia is ranked second in Africa’s most countries shutting down the Internet in 2019 after Algeria. This is due to several reasons, including stopping the increasing protests, controlling strikes, or closing it during exams to prevent leakage.[[8]](#footnote-8) During the wave of protests in September 2018, the government blocked access to the Internet in parts of the country where there were demonstrations. Ethiopia has cut off internet access nationwide until at least June 2019 to try to prevent posting high school exam papers on social media. This was not the first time that Addis Ababa had blocked Internet services during exams. It took a similar step three years ago, when it banned the Internet from May 31 to June 8 in 2017, after exam papers were being shared on the Internet. [[9]](#footnote-9)

In August 2019, the Prime Minister of Ethiopia said that if the deadly unrest in the country continues to incite the Internet, then the country's Internet may be cut off "forever". The Prime Minister declared that Ethiopia wanted the Internet to help advance development, but he warned that it is dispensable service, 'it's neither water nor air'.[[10]](#footnote-10) Since January 3, 2020, the authorities have cut off mobile networks, landlines, and Internet services in the regions of Klem Velija in western Oromia, West Weliga, and Horo Godro and Weliga. In eastern Welega, residents reported that Internet and social media services had been blocked, and this shutting down occurs in areas under federal military control in light of government-led military operations against the armed wing of the Oromo Liberation Front that was previously banned before Abi Ahmed.[[11]](#footnote-11)

Elizka Relief Foundation believes that this measure shows that the Ethiopian government is ready to return to the same tools of the last regime to deal with such problems, which allows the possibility of using the same tools to suppress freedom of opinion, expression and academic freedom. About 16 million Ethiopians, who make up 15.4% of the total population, are prohibited from exercising it.

Elizka also expresses its concern about the possibility of exploiting these conditions if they are repeated in the future and imposing arbitrary restrictions on freedom of opinion, expression, and academic freedom, under the pretext of "exceptional circumstances", as was the case before 2018.

Regardless of the reasons for the discontinuation, this certainly obstructs academic freedom in Ethiopia and impede virtual and distant education, designing to overcome mobility difficulties due to the higher costs of higher education for some families at times. Students enrolled in virtual or online courses cannot access reading materials, interact with their lecturers and colleagues, and conduct research, among other activities.

Some refer to “closing the internet in critical moments” as “shooting at our feet.”[[12]](#footnote-12) Regardless of the fact that shutting down the internet is a violation of fundamental rights, it causes more economic, social and financial damage. And at a critical time such as the current situation of the spread of the Coronavirus (COVID) -19), which forced millions of students to stay home, the interruption of the Internet in such cases would paralyze academic freedom.

And on the sidelines, this communication disruption caused the inability to communicate with 17 abducted University Students in Oromia, who were kidnapped by unknown figures in November 2019 and arrested, and have been missing since then.[[13]](#footnote-13)

**Recommendations**

From the previous presentation, Elizka Relief Foundation makes the following recommendations to stakeholders:

* Investigate all cases of violence in universities, and announce the results of the investigations immediately to the public opinion.
* There is an imperative to find more innovative solutions to face the leakage of exams, to stop shutting down the Internet in the country, because of the damages it results in and the retreats in freedom of opinion, expression, and academic freedom.
* The Ethiopian government should abide by the United Nations Human Rights Council Resolution 2016 that urges states to respect rights online.
* Not to impose arbitrary restrictions on academic freedom, either on students or professors, on the grounds of "exceptional circumstances," as was the case before 2018.
* The newly established Ethiopian Communications Regulatory Authority should establish a legal framework to address the Internet shutdown. Because there is no legal framework governing the shutdown of the Internet in Ethiopia.
* The proposed law against hate speech must conform to international standards and reflect the global focus on preventing hate advocacy that constitutes incitement to discrimination, hostility or violence, without restricting academic freedom or restricting the elements of the educational system; students and professors.
* Encourage the creation of safe spaced to discuss hate speech in universities, civil society organizations, political parties, etc., which have great momentum in Ethiopian society, as a way to confront the protests rather than shutting down universities and block the Internet from entire regions.
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2. “Unrest in universities forces 35,000 students to quit class”, Xinhua News Agency 24 January 2020, available at: <https://bit.ly/3dCjhTg> [↑](#footnote-ref-2)
3. Ethiopia State of Higher Education: 35,000 Students to Quit Class from 22 Universities”, Endangered Scholars Worldwide, available at: <https://bit.ly/2xso0q6> [↑](#footnote-ref-3)
4. Lessons from the shutdown – How one university responded”, UWN, 26 March 2020, available at: <https://bit.ly/2Uo144e> [↑](#footnote-ref-4)
5. Ethiopia introduced new university admission rule as a security measure”, September 24, 2019, borkena, available at: <https://bit.ly/2QTc4UV> [↑](#footnote-ref-5)
6. Constitution of the Federal Democratic Republic of Ethiopia, 21 August 1995, available at: <http://bit.ly/35UfooK> [↑](#footnote-ref-6)
7. Muthoki Mumo, “Under Abiy, Ethiopia's media have more freedom but challenges remain”, CPJ Sub-Saharan Africa, April 29, 2019, available at: <http://bit.ly/31H2vei> [↑](#footnote-ref-7)
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9. إثيوبيا تحجب الإنترنت خشية تسريب الامتحانات"، موقع العين الإخباري، 2019/6/11، على الرابط التالي: <http://bit.ly/35ZAphX> [↑](#footnote-ref-9)
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12. Wagdy Sawahel, “Frequent internet disruptions impede virtual learning”, UWN, 12 March 2020, available at: <https://bit.ly/2xw48SY> [↑](#footnote-ref-12)
13. Demand for Return of 17 Abducted University Students in Oromia, Ethiopia, January 29, 2020, available at: <https://bit.ly/2JlKUSz> [↑](#footnote-ref-13)