



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Federal Democratic Republic of Ethiopia and welcome the constructive engagement of your Government during the 33<sup>rd</sup> session of the UPR Working Group in May 2019.

As the final outcome report on the review of Ethiopia has been recently adopted by the Human Rights Council at its 42<sup>nd</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Ethiopia – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 132 delegations and the presentation made and responses provided by the delegation of Ethiopia. I have also considered the actions taken by the Government to implement the 188 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I note with appreciation your Government's commitment to ensure that the elections to be held in 2020 would be free, fair and credible, and the initiatives that are being taken in that regard, including the enhancement of the independence, credibility and capacity of the National Election Board of Ethiopia. Also appreciated are the reforms introduced to widen the political and democratic space and generally improve the human rights situation in the country, as outlined in your delegation's statement.

I welcome the ongoing implementation of the Second National Human Rights Action Plan and the preparation of the Third National Human Rights Action Plan, which is expected to be adopted by the Parliament this year. I encourage Ethiopia to integrate into the Third National Human Rights Action Plan the recommendations from the third cycle of the UPR in order to achieve concrete results in the areas identified in the annex to this letter. These initiatives, coupled with the effective implementation of the Plan, would facilitate the preparations for Ethiopia's fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

H.E. Mr. Gedu Andargachew  
Minister of Foreign Affairs  
The Federal Democratic Republic of Ethiopia

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I am encouraged by your delegation's statement that Ethiopia was determined to strengthen the National Mechanism for Reporting and Follow-up Mechanism (NMIRF). The NMRF should comprehensively report and follow up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking this to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:  
[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

Please kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage Ethiopia to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Ethiopia in relation to the areas identified in this letter and its annex.

Please allow me to take this opportunity to extend my congratulations to H. E. Mr. Abiy Ahmed Ali, Prime Minister of Ethiopia, for being awarded the 2019 Nobel Peace Prize.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Michelle Bachelet', with a horizontal line underneath.

Michelle Bachelet  
High Commissioner for Human Rights

cc: H.E. Dr. Gedion Timothewos Hassebon  
Deputy Attorney General  
The Federal Democratic Republic of Ethiopia



## **Annex**

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the International Covenant on Civil and Political Rights; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Rights of Persons with Disabilities; the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa; and the International Labour Organization Protocol of 2014 to the Forced Labour Convention, 1930.
- Responding favourably to all outstanding requests for visits by Special Procedures mandate holders.
- Considering issuing a standing invitation to Special Procedures.

### **National human rights framework**

- Incorporating into the national legislative framework provisions of international human rights instruments to which Ethiopia is a party.
- Revising the Anti-Terrorism Proclamation (No. 652/2009), the Freedom of the Mass Media and Access to Information Proclamation (No. 590/2008), and the Computer Crime Proclamation (No.958/2016) to ensure they are in line with international human rights standards.
- Strengthening the Ethiopian Human Rights Commission and ensuring it is compliant with the Paris Principles.
- Providing human rights training to the various branches of the Government.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Adopting and implementing measures to combat discrimination against girls, children with disabilities, children belonging to ethnic minorities, children living in poverty and in street situations, and children with HIV/AIDS.
- Strengthening measures to ensure equality between men and women, for persons with disabilities, for persons from all ethnic groups, and for migrants, refugees, and internally displaced persons.



- Considering introducing measures to reduce the societal stigma faced by lesbian, gay, bisexual, transgender and intersex persons, including by repealing provisions in national law that criminalize consensual same-sex relations.

*Development, the environment, and business and human rights*

- Developing a national action plan for the implementation of the Guiding Principles on Business and Human Rights.

*Human rights and counter-terrorism*

- Considering repealing those provisions of the Anti-Terrorism Proclamation (No.652/2009), which infringe on the freedom of expression.

**B. Civil and political rights**

*Right to life, liberty and security of person*

- Establishing a formal moratorium on the execution of the death penalty and considering its abolition.
- Incorporating a comprehensive definition of torture in the Criminal Code, in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Designing and implementing concrete measures to prevent the occurrence of torture, and inhumane and degrading treatment in all detention facilities.
- Prohibiting all forms of coercive treatment of adults and children with disabilities, including physical restraint and isolation, which are considered to be cruel, inhuman or degrading treatment.
- Ensuring that the legal provisions prohibiting and criminalizing harmful traditional practices are adequately enforced, and that alleged perpetrators are prosecuted.

*Administration of justice, including impunity, and the rule of law*

- Accelerating the pace of ongoing reforms to ensure an independent judiciary.
- Bringing the juvenile justice system in line with applicable international norms and standards, including by raising the minimum age of criminal responsibility to an internationally acceptable level.
- Ensuring that the training of judicial staff, lawyers, court staff and the police on the rights of persons with disabilities is compulsory and regularly conducted.

*Fundamental freedoms and the right to participate in public and political life*

- Promoting an environment that guarantees the rights to freedom of opinion and expression and enables journalists and human rights defenders to undertake their work.
- Providing adequate guidance and sufficient training to the police on the use of force in public assemblies.



- Putting in place the necessary conditions to ensure that the 2020 national and regional elections are peaceful, free, transparent and fair.
- Promoting and supporting the participation of women in politics.

#### *Prohibition of all forms of slavery*

- Enacting legislation criminalizing the trafficking of women and children, in accordance with international standards.
- Revising the Criminal and Criminal Procedures Codes to explicitly prohibit and criminalize the sale of children, and aligning these instruments with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
- Developing and implementing strategies to eliminate domestic rural-urban and international flows of trafficking, with particular attention to vulnerable children.
- Establishing adequate rehabilitation and reintegration centres to provide child victims of trafficking and commercial sexual exploitation with adequate, age-sensitive medical and psychological assistance.
- Effectively monitoring the implementation of bilateral and multilateral agreements on the issue of trafficking, with special attention to children who are returned to their country of origin, and ensuring that best interest of the child is always respected.

#### *Right to family life*

- Repealing those provisions in the Family Code that allow for the adoption of children while *in utero*.
- Developing and implementing a comprehensive framework on domestic and intercountry adoptions, with particular attention to the child's best interest, and ratifying the Hague Convention of 29 May 1993 on Protection of Children and Cooperation in Respect of Intercountry Adoption.
- Supporting single-parent and vulnerable families and developing policies and tools to reduce reliance on institutional care, pursuant to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex) of 20 December 2009; and developing a comprehensive strategy on family and community-based alternative care for children deprived of a family environment based on the best interests of the child.

### **C. Economic, social and cultural rights**

#### *Right to work and to just and favourable conditions of work*

- Establishing a minimum wage in line with the standard of living.
- Taking effective and affirmative measures to ensure the employment of persons with disabilities in the open labour market.



### *Right to social security*

- Effectively implementing a multi-dimensional approach to reducing child poverty, including by eliminating serious gaps in basic social services for children in the most vulnerable situations.
- Enhancing the availability, accessibility and inclusiveness of public services, and developing further community-based services for persons with disabilities.

### *Right to an adequate standard of living*

- Strengthening the Productive Safety Net Programme to address the chronic food shortage and other measures aimed at securing food security and poverty reduction.

### *Right to health*

- Considering raising the annual per capita expenditure on health in light of the concern that the per capita spending on basic health is well below the internationally accepted levels.
- Reducing the rates of malnutrition, infant mortality, under-five mortality, noma prevalence and maternal mortality.
- Providing adequate training to medical personnel working with persons with disabilities.
- Allocating adequate human, technical and financial resources for the implementation of the National Adolescent and Youth Reproductive Health Strategy and establishing a specialized body within the Federal Ministry of Health responsible for coordinating and monitoring the implementation of adolescent health programmes and policies.
- Ensuring access to adequate mental and reproductive health services with particular attention given to vulnerable teenagers and adolescents; and designing and implementing sex and reproductive health education programmes for adolescents with a view to reducing the prevalence of teenage pregnancies.
- Strengthening the capacity of health services at all levels to deliver quality adolescent-sensitive services, including developmental, mental and reproductive health counselling services.

### *Right to education*

- Strengthening the legislative framework in relation to education, including to ensure free and compulsory education.
- Addressing the high number of school-age children, particularly girls, who remain out of school, as well as the high drop-out rates, and the significantly low enrolment rates in pre-primary education and secondary education.
- Addressing the concerns about the scarcity of school facilities to accommodate children's education needs, especially refugee children, children of displaced indigenous and minority ethnic groups, teenage girls and children with disabilities.



## D. Rights of specific persons or groups

### *Women*

- Effectively mainstreaming the rights of women with disabilities in law and in practice.
- Eradicating female genital mutilation in law and in practice.

### *Children*

- Enacting specific legislation to ensure the protection of the rights of children with disabilities against abandonment, neglect, mistreatment and corporal punishment in all aspects of life.
- Effectively addressing the high levels of child sexual abuse and the absence of information on specific strategies and initiatives targeting children at particular risk of becoming victims of sexual abuse, and the high proportion of girls experiencing forced sexual initiation, particularly within the context of early marriage and sexual harassment.
- Urgently addressing the persistent violence against children in school, in the home, and in alternative care settings, including by establishing effective procedures and mechanisms to receive, monitor and investigate cases of child abuse and neglect, by ensuring proper prosecution of alleged perpetrators, and by guaranteeing that abused children are not victimized in legal proceedings.
- Addressing the concerns about the high number of children living and/or working in the streets, particularly in urban areas, and designing and implementing specific programmes to facilitate access to education and health care for children in street situations, and ensuring sufficient shelters and rehabilitation centres for these children.
- Addressing the high prevalence of child labour, including its worst forms, and revising the legislative framework, which allows for children above the age of 14 years to be engaged in hazardous work as part of vocational training programmes.

### *Persons with disabilities*

- Providing legal protection against disability-based discrimination and establishing effective legal remedies, and adopting a national disability awareness strategy to effectively prevent and combat disability stereotypes and discrimination.
- Eliminating the use of all derogatory language in legislation and policies to refer to persons with disabilities, and in developing law and policies to ensure systematic and meaningful consultation with organizations working with persons with disabilities.

### *Indigenous peoples*

- Addressing the concerns about the forced relocation of indigenous families, including Anuak and Nuer, that took place in 2010, particularly in the regions of Gambella, Benishangul-Gumuz, Somali and Afar, due to agricultural planning strategies and investments.



*Refugees, asylum seekers and internally displaced persons*

- Addressing the concerns about the lack of security and protection of refugee, asylum seekers and internally displaced children from violence, exploitation and abuse within and outside refugee camps.
- Investigating all reports of disappearances of refugee and asylum seeking children from refugee camps, and addressing the poor living conditions in the camps.

*Stateless persons*

- Addressing the concerns arising from the high rate of unregistered children, including by adopting a comprehensive birth registration policy and providing all the necessary human, financial and technical resources for its effective implementation.