

Universal Periodic Review
Contribution of UNESCO to Compilation of UN information
47th session (April 2024)

Ethiopia

I. RATIFICATION OF UNESCO CONVENTIONS

<i>Title</i>	<i>Date of ratification, accession, acceptance, approval or succession.</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Ratification on 6 July 1977			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratification on 24 February 2006			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Ratification on 2 September 2008			Right to take part in cultural life
Convention against Discrimination in Education (1960)				Right to education

II. REVIEW OF LEGISLATIVE, REGULATORY AND POLICY FRAMEWORKS AND IMPLEMENTATION

A. RIGHT TO EDUCATION

Discrimination in education (UNESCO consultations)

1. Ethiopia did not submit a report to the 9th and 10th consultations on the implementation of the Recommendation against Discrimination in Education.¹

Constitution and main education law(s)

2. The Constitution of the Federal Democratic Republic of Ethiopia (1995)² does not enshrine the right to education. However, it provides for a principle of equality before the law and prohibits discrimination.
3. No guarantee of the right to education has been identified in national legislation. At the previous UPR cycle, several recommendations called for a legislative framework guaranteeing the right to education for all (recommendations 163.76, 163.78, 163.77, 163.281).
4. According to the 2019 Higher Education Proclamation³, the constitutional rights of students of any institutions shall be protected, including their rights to equality and protection from any form of discrimination or harassment. The Higher Education Proclamation is the only national legal framework identified that guarantees the principle of non-discrimination for any or all levels of education.
5. At the previous UPR cycle, Ethiopia was recommended to improve its national legislation on free and compulsory education (recommendation 163.79). No legal provision has been identified that guarantees compulsory education for any period or level to education. The New

¹ <https://unesdoc.unesco.org/ark:/48223/pf0000380609>

² <https://www.unesco.org/education/edurights/media/docs/225808f58dec4e22af73b8b7cfbcb181b9039e76.pdf>

³ <https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/109311/ETH109311.pdf>

Education and Training Policy (2023) provides that pre-primary, primary and secondary education are free from payment⁴, but there is no official information on the number of years it represents (13 years according to an unofficial translation)⁵. Higher education is not free as higher education and TVET students contribute through a cost sharing scheme⁶.

Corporal punishment

6. Every child has the right to be free from corporal punishment or cruel and inhumane treatment in schools (article 36, Constitution).

Minimum age of employment

7. According to the Labour Proclamation of 2019⁷, it is possible to employ a person between the ages 15 and 18, who will then have the status of a “young worker” (article 89.1), but it is prohibited to employ a person less than 15 years of age (article 89.2). As the national legal framework does not provide information about the age of the end of compulsory education, it is not possible to assess if the minimal age of employment is aligned.
8. According to ILO Convention 138 (Minimum age convention) “The minimum age [for admission to employment or work] shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years”. However, the minimum age can be lowered to 14 years under certain circumstances (article 4).

Enrolment rates/attendance:

9. Most recent UIS data for the gross enrollment rates is as follows:

	Pre-primary	Primary education	Secondary education	Tertiary
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⁴ Information provided by UNESCO liaison office in Addis Ababa.

⁵ Based on an unofficial translations, this is calculated as 2 years of pre-primary education, 6 years of primary education, 2 years of transitional education and 3 years of secondary education.

⁶ Information provided by UNESCO liaison office in Addis Ababa.

⁷ <https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/109825/ETH109825.pdf>

	education (2021)	(2022)	(2015)	education (2018)
Girls/Females	29%	82%	34%	8%
Boys/Males	31%	89%	35%	13%
Total	30%	86%	35%	10%

Investment in education

10. According to UIS, 3,74% of the GDP and 23,01% of public expenditure were allocated to education in 2022.

Rural and remote areas

11. Ethiopia was recommended during the previous UPR cycle to increase access to education in rural and remote areas (recommendations 163.266 and 163.278).

12. The government’s educational television programme targeted at rural regions received mixed reviews on its effectiveness due to a lack of interactivity and technical support for teachers, which the Ministry of Education has been working to address. ⁸

Refugees

13. Ethiopia was recommended to take steps to ensure the right to education of refugees (recommendations 163.128 and 163.276).

14. The Refugees Proclamation⁹ of 2019 provides that recognized refugees or asylum seekers shall have access to pre-primary and primary education in the same manner than Ethiopian nationals (article 24.1). Access to secondary education, higher education, TVET and adult and non-formal education is provided “within available resources and subject to the education policy of Ethiopia” (article 24.2). They may also receive the most favourable treatment as accorded to foreign nationals in respect to education other than primary education (regarding access to

⁸ <https://unesdoc.unesco.org/ark:/48223/pf0000385723/PDF/385723eng.pdf.multi>

⁹ <https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/109317/ETH109317.pdf>

studies, recognition of foreign school diplomas or degrees, remission of fees and charges, award of scholarships) (article 24.3).

15. Moreover, the Refugees Proclamation applies without discrimination on the grounds of “race, religion, nationality, membership of a particular social group, political opinion or similar grounds” (article 4).
16. It is important to note in this respect that Ethiopia has not yet ratified the Global Convention on the Recognition of Qualifications concerning Higher Education, nor the Revised Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in African States.

Persons with disabilities

17. Several recommendations aimed at strengthening the access to education for persons with disabilities (163.128, 163.270, 163.268), and children in particular (163.311 163.276, 163.306).
18. The 2019 Higher Education Proclamation¹⁰ provides that education for students with complete hearing impairment shall be given or supplemented by appropriate sign language (article 19.3). Also, institutions have the obligation to make, to the extent possible, education accessible (i.e. facilities, means of instruction or programs) for both physically challenged students and students with learning disabilities (article 40).
19. However, the absence of assistive technologies, such as screen readers or magnifiers, e-books or word prediction programs, prevents the full engagement of visually impaired teachers; in fact, there are teachers who may not even be aware of some assistive technologies¹¹.

B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION

Constitutional and Legislative Framework

¹⁰ <https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/109311/ETH109311.pdf>

¹¹ <https://unesdoc.unesco.org/ark:/48223/pf0000385723/PDF/385723eng.pdf.multi>, p.166

20. Article 29 of the Constitution (1995) guarantees the right to freedom of thought, opinion, and expression without any interference and through any media. It also guarantees freedom of the press and access to information of public interest and prohibits any form of censorship.¹²
21. Following a government reform in 2018, the provisions on mass media in the Ethiopian Mass Media and Access to Information Proclamation 590/2008 were replaced by a new Media Proclamation No. 1238/2021 in 2021.¹³ The new proclamation is more in line with international standards on freedom of expression. It decriminalizes defamation, prohibits pre-trial detentions of journalists, and protects confidentiality of journalists' sources. The law also outlines the responsibilities of the Ethiopian Media Authority.
22. The Criminal Code of Ethiopia (2005) penalizes spreading "alarm among the public" or "deliberately spreading false rumours" (article 485), "inciting the public through false rumours" (Art. 486), and spreading "false, exaggerated, or biased news" (article 813).¹⁴
23. The Hate Speech and Disinformation Prevention and Suppression Proclamation No. 1185/2020 criminalizes the dissemination of hate speech and disinformation with up to five years imprisonment. The law does not limit the offense of hate speech according to the principles of the Rabat Plan of Action. The law puts the burden of proof on the speaker to demonstrate that reasonable effort has been made to determine the veracity of the speech or if the speech is more inclined to political commentary and critique instead of being a factual or news report (article 6).¹⁵
24. The Mass Media and Access to Information Proclamation No. 590/2008 guarantees access to information.¹⁶
25. Draft proclamations for Access to Information and Computer/Cybercrime, drafted with UNESCO's support, have not yet been adopted even though they were drafted along with the media proclamation.

Implementation of legislation

¹² <https://www.wipo.int/wipolex/en/legislation/details/7438>

¹³ <https://www.wipo.int/wipolex/en/legislation/details/21659>

¹⁴ https://adsdatabase.ohchr.org/IssueLibrary/ETHIOPIA_Criminal%20Code.pdf

¹⁵ <https://www.lawethiopia.com/index.php/volume-3/6504-hate-speech-and-disinformation-prevention-and-suppression-proclamation>

¹⁶ <https://www.refworld.org/legal/decrees/natlegbod/2008/en/72574>

26. Ethiopian Media Authority (EMA) is the federal media regulatory body in charge of licensing, registration, and regulation of broadcasting institutions. It regulates advertisements and provides legal recognition to print and online media. The Authority is accountable to the House of Peoples Representatives (HoPR). The members of the Board are appointed by HoPR on the recommendation of the Prime Minister.¹⁷
27. Despite the new Media Proclamation No. 1238/2021, implementation remains limited. Reports indicate arbitrary arrests and detentions of journalists, media workers, including pre-trial detention, non-disclosure of whereabouts, and detention in irregular detention facilities, as well as of human rights defenders, government critics and activists.¹⁸
28. Reports indicate the use of criminal provisions by the authorities, including those of Proclamation No. 1176/2020 on the Prevention and Suppression of Terrorism Crimes and of Proclamation No. 1185/2020 on the Prevention and Suppression of Hate Speech and Disinformation, to suppress dissenting opinions and critical reporting, including about the ongoing conflict.¹⁹
29. The implementation of the Mass Media and Access to Information Proclamation No. 590/2008 remains limited, as reports indicate internet and telecommunication shutdowns without a clear legal basis and disproportionate in range and duration.²⁰

¹⁷ <https://www.lawethiopia.com/index.php/federal-laws/6653-proclamation-no-1238-2021-media-proclamation>

¹⁸ <https://ehrc.org/over-a-dozen-media-personnel-in-unlawful-detention/>
<https://ehrc.org/detention-of-journalists-and-media-personnel-update/>
<https://ehrc.org/dont-detain-journalists-for-doing-their-job-lament-ethiopias-media-houses-in-press-freedom-celebrations-capital-ethiopia/>
<https://www.ohchr.org/en/statements-and-speeches/2023/09/statement-chairperson-and-members-un-international-commission-human#:~:text=Mr.,Human%20Rights%20Experts%20on%20Ethiopia>
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FETH%2FCO%2F2&Lang=en

¹⁹ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FETH%2FCO%2F2&Lang=en

²⁰ <https://www.ohchr.org/en/statements-and-speeches/2023/09/statement-chairperson-and-members-un-international-commission-human#:~:text=Mr.,Human%20Rights%20Experts%20on%20Ethiopia>
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FETH%2FCO%2F2&Lang=en

30. Reports indicate the government restricts the access of independent journalists and human rights monitors to conflict-affected areas.²¹

Safety of journalists

31. Since 2008, when systematic reporting began, UNESCO recorded the killing of two journalists in Ethiopia in 2021.²² The Government of Ethiopia did not respond to requests for information concerning judicial inquiries into these cases.

32. Reports indicate arbitrary arrests and detention of journalists, media workers, including pre-trial detention, non-disclosure of whereabouts, and detention in irregular detention facilities. These include 39 journalists from June 2021 to June 2022 in Addis Ababa and the Amhara and Oromia regions, as well as prominent journalists critical of the Government during a crackdown on the media between January and May 2022.²³

33. A UN report covering the 2020-2022 period indicated the need for a more enabling environment for the safety of journalists.²⁴

C. RIGHT TO SHARE IN SCIENTIFIC AND ADVANCEMENT AND ITS BENEFITS

34. Article 51 of the Constitution creates an obligation to establish and implement national standards and basic policy criteria for science and technology. However, it does not provide for the right to share in scientific advancement and its benefits, nor specific aspects thereof.

²¹ https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/chreetiopia/A_HRC_54_55_AUV.pdf

²² <https://www.unesco.org/en/safety-journalists/observatory?hub=72609>

²³

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FETH%2FCO%2F2&Lang=en

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FNHS%2FETH%2F50190&Lang=en

²⁴

<https://ethiopia.un.org/sites/default/files/2023-01/United%20Nations%20Ethiopia%20UNSDCF%20Results%20Report%202020-2022.pdf>

III. RECOMMENDATIONS

A. RIGHT TO EDUCATION

35. Ratify the Convention against Discrimination in Education as per recommendation n°163.279 of the previous UPR cycle.
36. Enshrine the right to education in the Constitution.
37. Adopt an education act in addition to the relevant policy to ensure inter alia, the right to education for all without discrimination, respecting international standards and commitments, including 12 years of free primary and secondary education, of which nine years at least are compulsory, and at least one year of free and compulsory pre-primary education. UNESCO is ready to help in such a process.
38. Align the minimum employment age with the end of compulsory education.
39. Strengthen efforts to increase the percentage of boys/males and girls/females in pre-primary, secondary and tertiary education.
40. Continue efforts to ensure the right to inclusive education for persons with disabilities, refugees and persons from rural and remote areas.
41. Ratify the Global Convention on the Recognition of Qualifications concerning Higher Education and/or the Revised Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in African States.
42. Continue to ensure regular reporting to UIS on education data.
43. Submit regularly comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably the ongoing 11th consultation on

the Recommendation against Discrimination in Education (2024-2025).

44. Share with UNESCO any relevant information to update Ethiopia's profile on UNESCO's Observatory on the Right to Education²⁵ and Her Atlas.²⁶

B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION

45. Ethiopia is recommended to revise existing legislation, undefined and overly broad terminology, which may restrict the exercise of freedom of expression in ways that are incompatible with international human rights law. This includes the Hate Speech and Disinformation Prevention and Suppression Proclamation No. 1185/2020, articles 485, 486, and 813 of the Penal Code, the Access to Information provision in the Mass Media and Access to Information Proclamation No. 590/2008, Proclamation No. 1176/2020 on the Prevention and Suppression of Terrorism Crimes.
46. Ethiopia is encouraged to continue investigating the cases of killed journalists and to voluntarily report on the status of judicial follow-up to UNESCO and to the SDG 16.10.1 monitoring processes.
47. Ethiopia is encouraged to implement the recommendations on the promotion of freedom of expression and access to information its Government accepted during the 33rd UPR session, notably recommendations 163.63, 163.58, 163.60, 163.56, 163.219.²⁷
48. Ethiopia is encouraged to consider using the UN Plan of Action on the Safety of Journalists and the Issue of Impunity to strengthen the protection of journalists and the relevant domestic legal framework.

²⁵ <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

²⁶ <https://en.unesco.org/education/girls-women-rights>

²⁷ <https://www.ohchr.org/en/hr-bodies/upr/et-index>

**C. RIGHT FREELY TO PARTICIPATE IN THE CULTURAL LIFE OF THE COMMUNITY
(CULTURAL RIGHTS)**

49. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), Ethiopia is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Ethiopia is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and civil society organizations as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young people and persons with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

**D. RIGHT TO SHARE IN SCIENTIFIC AND ADVANCEMENT AND ITS BENEFITS (RIGHT TO
SCIENCE)**

50. Ethiopia did not submit its national report on the implementation of the 2017 Recommendation on Science and Scientific Researchers (thereafter 2017 Recommendation) for the consultation period from 2017 to 2021. Ethiopia is invited to upscale efforts to ensure the full and comprehensive implementation and monitoring of the 2017 Recommendation in accordance with the relevant decision of UNESCO's Executive Board (216 EX/Decision 45, May 2023). Furthermore, Ethiopia is invited to engage in UNESCO's Program on the promotion of scientific freedom and the safety of scientists and support the related Call to Action in line with the 2017 Recommendation and decisions of UNESCO's General Conference (42 C/Resolution 26, November 2023) and Executive Board (219 EX/Decision 30, March 2024).

Grounded in the 2017 Recommendation, the Call to Action underlines the need to protect science and scientific researchers, allow for a free and safe science ecosystem where there is trust in science, and scientific evidence informs decision making. It further emphasizes the need for well-resourced policies dedicated to this agenda, data collection and analysis of both determinants and trends, and for attention to be paid in emergencies and conflict situations. It also urges to enhance awareness, education, advocacy, and international and multistakeholder cooperation in relation to the protection of science and scientific research.

51. Thus, Ethiopia is encouraged to report to UNESCO in the context of the second consultation concerning the 2017 Recommendation (2024-2025) on implementation actions, especially legislative or other measures to ensure uptake of its norms and standards in national law, policy and practice. Particular attention should be paid in the national report to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers (rights of association, freedom of research, expression and publication, equal opportunities and treatment, including for girls and women pursuing a scientific career, etc.) and human rights obligations related to the practice of science generally; the human rights related to access to and uses of scientific knowledge through education; the sharing of benefits of scientific progress and its applications with emphasis on non-discrimination and inclusion; protection for the rights of human subjects of research; and promotion of the science society interface.
52. UNESCO stands ready to support Ethiopia develop and nurture its science ecosystem, and the protection of their science and scientific researchers, in line with the 2017 Recommendation. Ethiopia is invited to reach out to the UNESCO Secretariat for that purpose.
53. Finally, Ethiopia is encouraged to expand input on issues covered by the 2017 Recommendation in its UPR report – particularly providing information about the implementation of constitutional provisions and national legislation on the right to science and scientific freedom – to allow further discussions at the Human Rights Council and the formulation of specific recommendations. Ethiopia is also urged to consider expanding the scope of freedom of expression to include scientists and to address the relevant dimensions of

the right to science while reporting on the impact of COVID-19 and of responses thereto.