

A photograph of a person sitting on a bench in the rain, holding an umbrella. The person is wearing a light-colored, patterned shawl and a headscarf. The background is a blurred city street with buildings and a street sign. The entire image has a green color overlay.

The Impact of COVID-19 on Human Rights in Ethiopia

Association for Human Rights in Ethiopia

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List of Acronyms

ANRS	-	Amhara National Regional State
ARRA	-	Agency for Refugee and Returnee Affairs
ARS	-	Afar Regional State
Art.	-	Article
BGRS	-	Benishangul-Gumuz Regional State
EHRC	-	Ethiopian Human Rights Commission
EWLA	-	Ethiopian Women Lawyers' Association
GRS	-	Gambella Regional State
HRS	-	Harari Regional State
IDPs	-	Internally Displaced Persons
NGOs	-	Non-Governmental Organizations
No.	-	Number
OLF	-	Oromo Liberation Front
ONRS	-	Oromia National Regional State
OPRIFS	-	Organization for Prevention, Rehabilitation and Integration of Female Street Children
PPE	-	Personal Protective Equipment
SNNPRS	-	Southern Nations, Nationalities, and people's Regional State
SRS	-	Somali Regional State
TNRS	-	Tigray National Regional State
UNHCR	-	United Nations Higher Commissioner for Refugees
UNICEF	-	United Nations International Children's Emergency Fund

About Association for Human Rights in Ethiopia

The **Association for Human Rights in Ethiopia** (AHRE) is a non-governmental, non-partisan, and not-for-profit organization dedicated to the advancement of human rights in Ethiopia. The organization was initially registered and based in Geneva, Switzerland. It was established through an initiative of an Ethiopian human rights activist that fled the country and other members of the Ethiopian diaspora, as an overseas human rights organization that carries out activities that are difficult to undertake by organizations based in Ethiopia due to financial and administrative restrictions.

Taking advantage of the opening up of the civic space as a result of the revision of the restrictive CSO proclamation (proclamation no. 621/2009) AHRE decided to base its office in Ethiopia, and got registered with the Agency as of November 12/2020.

The organization is engaged in contributing for the improvement of the human rights situation in Ethiopia, mainly through its advocacy and research works. It is also engaged in Training local actors, publishing press statements monthly and a bi-monthly magazine online and trial monitoring activities. All the above activities are the tools used to work for creating awareness, strengthening the capacity of local actors and call upon concerned parties to give human rights due concern.

Recommendations

To the Government of Ethiopia, Federal and Regional Governments

- Adopt a human rights-based approach in response to pandemics like COVID-19 rather than relying on solely restrictive and punitive measures;
- Ensure that human rights such as the right to health, equality and non-discrimination are respected;
- Refrain from limiting freedom of speech and free flow of information which are required to provide regular and up-to date information and guidance;
- Promote kindness, solidarity, and ethic of care;
- Introduce a mechanism of independent oversight and accountability;
- Establish an emergency funding system so as to support those who lost their livelihood as a result of the pandemic and provide special treatment and attention to vulnerable and marginalized groups;
- Create awareness about the transmission and prevention mechanisms of the pandemic in a language and medium that people can understand;
- Work to prevent the rise of stigmatizing views towards those who had been infected with the virus and health care professionals;
- Continue to take measures necessary to control the spread of covid-19 in prisons, through measures such as reducing overcrowding, releasing those prisoners suspected or convicted of crimes punishable by simple-imprisonment, and reviewing pre-trial detention cases;
- Design a special response system for gender-based violence and child abuses, as correlated with the pandemic, where the community leaders and representatives take part;
- Provide training to law enforcement agents about the human rights-friendly way of enforcing measures of controlling and countering the pandemic;

- Investigate and prosecute human rights violations committed in the enforcement of emergency measures;
- Establish a mechanism of reparation of victims of violations of rights.

To Human Rights Organizations

- Advocate and lobby the government of Ethiopia to adopt a Human Rights-based approach to control and counter the spread of the pandemic;
- Document and report the human rights violations committed during the implementation of the emergency measures relating to emergencies like COVID 19 and urge the government to bring perpetrators to justice and award compensation to victims;
- Provide training to law enforcement agents about human rights-friendly ways of enforcing measures of controlling and countering the pandemic;
- Design community-centered gender-based violence, child abuse, early marriage, and abduction preventive and reporting systems;
- Combat all forms of stigma and discrimination directed towards marginalized groups that prevent them from accessing care.

To Partners

- Assist in the acquisition of protective equipment to the public particularly those who cannot afford to access;
- Support in establishing isolation, treatment, and care centers as well as by providing medicine and medical equipment.

Methodology

This research is an empirical investigation of the human rights impact of COVID-19 and the measures taken to control and counter its spread in Ethiopia. The inquiry focused on some selected human rights specifically related to socio-economic issues, and groups which were highly impacted by the pandemic.

Among the rights; right to life, the right to be free from torture and inhuman treatment, the right to work and subsistence, the right to health, prisoner's right, the right of access to justice, freedom of movement, and freedom of expression were examined. In relation to this socio-economic investigation was also made in relation to its health impact, welfare and social cohesion impacts, and micro-economic impacts on the low income segment of the society. Its impact on vulnerable groups such as persons with disabilities, women, children, IDPs, and refugees was analyzed.

Accordingly, the research adopted a qualitative research approach, documenting and analyzing what has happened on the ground. Apart from documents and state report analysis, unstructured interviews and personal observations were employed as data collection methods. To carry out the data collection in the 9 regional states and 2 city administrations, 12 assistant researchers were hired from University staff members located in the designated research area. While two assistant researchers were employed to collect data in Amhara (ANRS) and Oromia(ONRS) each, one assistant researcher has been used each for TNRS, Afar (ARS), Somali (SRS), Benishangul-Gumuz (BGRS), Southern Nations Nationalities and Peoples (SNNPRS), Gambella (GRS), Dire Dawa City Administration, and Addis Ababa City Administration.

The assistant researchers had interviewed more than 88 individuals. The interviewees included law enforcement agents, officers/authorities from Regional Bureaus of Women and Children Affairs, Labour and Social Affairs, Education Bureaus, Health Bureaus/centers/, judges, prisoners, persons working in refugee camps, refugees, internally displaced persons(IDPs), lawyers, leaders of civil society organizations, staff of Ethiopian Human Rights Commission, ordinary citizens, and victims of socio-economic crises and human rights violations. The data collected with unstructured interviews were triangulated with the personal observation of the assistant researchers and the state reports analyzed qualitatively and interpreted and discussed descriptively.

Data has been collected for a total of 3 months. Because of the COVID-19 protocols and prohibitions introduced in the State of emergency regulations, the assistant researchers had faced challenges in conducting interviews with the concerned authorities in the government.

The names used in the research have been changed except for that of officials.

1. Introduction

a. Background

In Ethiopia, the first case of COVID-19 was confirmed on 13 March 2020 in the capital, Addis Ababa. Apart from earlier preparations, in the aftermath of the first confirmed case, the federal government and regional states have been taking different measures to control and counter the spread of the pandemic. The measures extend from declaration of a state of emergency, postponement of the national and regional elections (except in Tigray National Regional State (TNRS)), as well as prohibition of conducting activities that involve crowds. There was a declaration of national state of emergency by the Federal Government as of April 8, 2020¹ and TNRS on March 26/2020². Before the declaration of the state of emergency, the Federal and State Governments imposed a total lockdown in the main cities and also a total ban on transportation for some time.

The national state of emergency which lasted for five months, had introduced more prohibitions and imposed additional duties. The measures suspending people's freedoms and rights were introduced in '*A State of Emergency Proclamation Enacted to Counter and Control the Spread of COVID-19 and Mitigate Its Impact Proclamation No. 3/2020*'³, '*State of Emergency Proclamation No. 3/2020 Implementation Regulation No.466/2020*'⁴, and '*A Directive issued for the Prevention and Control of the COVID-19 Pandemic No. 30/2020*'⁵.

These laws adopted a 'command-and-control' approach in the fight to control and counter the spread of the pandemic. They provided prohibitions and imposed duties, the violation of which resulted in criminal liability. There were around 41 prohibited acts and prescribed duties regarded as criminal acts, omission or commission, which entailed penalty.

¹ Grada World, 'Ethiopia: Government declares state of emergency due to COVID-19' <<https://www.garda.com/crisis24/news-alerts/330611/ethiopia-government-declares-state-of-emergency-due-to-covid-19-april-8-update-8>> accessed 19/4/2021

² Grada World, 'Ethiopia: State of emergency declared in Tigray region' <<https://www.garda.com/crisis24/news-alerts/326976/ethiopia-state-of-emergency-declared-in-tigray-region-march-26-update-5>> accessed 19/4/2021

³ A State of Emergency Proclamation Enacted to Counter and Control the Spread of COVID-19 and Mitigate Its Impact Proclamation No. 3/2020

⁴ State of Emergency Proclamation No. 3/2020 Implementation Regulation No.466/2020

⁵ A Directive issued for the Prevention and Control of the COVID-19 Pandemic No. 30/2020

Moreover, the emergency laws had also incorporated vague and subjective standards in defining the required behaviour. There are terms such as ‘the necessary precautionary measures’⁶ and ‘persons suspected of being infected with COVID-19’⁷ used to prescribe the prohibitions and duties imposed on ordinary subjects. Such terms are susceptible to abuse and open room for discrimination. In addition, the laws did not stipulate a specific penalty for each act or omission constituting a crime. Rather, the laws stipulated the punishment in general terms stating:

*“Notwithstanding relevant provisions of the Criminal Code, any person who violates the suspension of rights, measures, an instruction or command issued in accordance with this Proclamation shall be punished with simple imprisonment of up to 3 years or a fine of no less [than] one thousand Birr and not exceeding two hundred thousand Birr.”*⁸

Besides, the legislations authorized law enforcement agencies to use proportionate force in enforcing the prohibitions and the duties imposed,⁹ that can subject citizens to harassment and inhumane treatments.

The above discussion on the Ethiopian response to control and counter the COVID-19 pandemic with emergency measures indicates that the government of Ethiopia opts for a command-and-control approach than the human rights-based approach to slow and prevent the spread of the pandemic. The legislative measures are not formulated in a way to establish a foundation to have a community-centered and informed response, one that embraces solidarity and kindness that prioritizes the most vulnerable and that empowers people to be able to take action to protect themselves and others from the ‘pandemic’.¹⁰ They, in effect, exposed the public to human rights violations.

Consequently, this research is aimed at assessing the possible human rights and specifically socio-economic impacts of the outbreak of COVID-19 in general and the declaration of State of emergency in Ethiopian particular.

⁶ Directive, Art. 4(9)

⁷ Regulation, Art. 4(1 and 4)

⁸ Proclamation, Art. 6(1)

⁹ Proclamation, Art. 5(3) ‘The Federal and Regional law enforcement agencies may use proportionate force to enforce the suspension of rights and measures put in place.’

¹⁰ UNAIDS, *Rights in the time of COVID-19 Lessons from HIV for an effective, community-led response* (2020)

2. The Impact of COVID-19 on Human Rights in Ethiopia

As discussed in the background, the outbreak of COVID-19 had resulted in the declaration of state of emergency in Ethiopia. The laws enacted to implement the state of emergency introduced measures that further derogate human rights. Besides, the very pandemic itself had affected the lives of the society. Thus, this part of the research illustrates and analyses the empirical human rights impact of the pandemic and state response to control and counter it within the period of State of Emergency (April to August 2020).

The general human rights and socio-economic situation of each regional state for which data is gathered independently is provided in separate sections. However, the data collected from SRS, GRS, and Dire Dawa city administration relating to the situation of refugees and IDPs is discussed in one section.

The discussion is however limited to select human rights which were greatly affected. The areas of focus will be strictly targeted at those elements discussed in the methodology. Among the human rights, the situation of the right to life, freedom of movement and expression, access to justice, access to health and food are explored. In addition, the rights of prisoners, women and children are highlighted. The assessment of socio-economic impacts is also limited to health impacts, welfare, and social cohesion impacts.

a. Amhara National Regional State

Before the Federal Government declared a state of emergency which also covered the regional states, the ANRS ordered a 14 days total lockdown. The lockdown was from March 23/2020 to April 06/2020 in selected cities where there was a confirmed case of COVID 19. The total lockdown was effected in the cities like Bahir Dar, Gonder, Dessie, Debre Birhan, etc.

In the countering and controlling measures, there have been various human rights violations observed. As the interview with an inspector¹¹ from Ethiopian Human Rights Commission (EHRC) Bahir Dar branch office revealed police officers and the regional special force members were violating the rights of individuals. Youngsters were particularly targeted when found outside without even asking why they were found outside. People going to hospitals

¹¹ Association for Human Rights in Ethiopia interviews #A, August 2020, Bahir Dar, Human rights inspector at Ethiopian Human Rights Commission, (translation Amharic into English)

for medical treatment were also hit by police officers/Special Forces and forced to return home without getting medical service. Bachelors who do not prepare food at home were also victims of such measures when found outside in search of food.

Before the commencement of the 14 days lock down, there was a 48 hour period of notice which was not enough for people to prepare for it.¹² Market areas were crowded with individuals trying to buy things with fear that the lockdown may be extended indefinitely. Many people were forced to spend their savings while others took debts to buy food and other necessary items. As a result of the panic there was a shortage of supply and escalation on the price of food items and detergent products. This change in the price in turn led to the exposure of low income earning households and daily labourers to starvation. Daily labourer Abeba narrates the situation as follows:

“I work in the construction sites in Addis Kidam town as a daily labourer. I have a 5 year old son. During the lockdown, since everything was closed, I did not have a job. And I did not have money to fulfill my basic needs. Since I am living a hand to mouth’ life I could not store enough foodstuffs for me and my son for the lockdown. I used to eat once a day. Thanks to my neighbors, my son survived with their help. I have had the hardest time of my life. Many of my friends also went through the same experience.”¹³

Another interviewee Inku also noted that she and her friends who worked at construction sites suffered during the lockdown and ate once a day.¹⁴

The pandemic has also affected street vendors that win their daily bread by selling foodstuff and other commodities on the streets. The public was not interested in buying foodstuffs and street commodities fearing the transmission of COVID-19. As a result they could not feed their dependents (children and elders). The twenty street vendors interviewed in ANRS responded that they are struggling to survive. Women supporting their livelihood by selling coffee on roadsides were also highly affected by the pandemic. One such seller Liyu noted that:

¹² Ibid

¹³ Association for Human Rights in Ethiopia interviews #1, April 2020, Addis Kedam (translation Amharic into English)

¹⁴ Association for Human Rights in Ethiopia interviews #2, April 2020, Bahir Dar (translation Amharic into English)

“I sell coffee on a street in Bahir Dar. Because of COVID-19, I have become bankrupt. I had to use the budget for myself and my elderly mother who lives with me. As a result of the stay-at-home policy, people stopped visiting my coffee shop. Most of the time I was reluctant to open the shop due to fear of contracting the virus and transmitting it to my old mother who is diabetic. I don't have anyone that is supporting me. The virus had a devastating effect on my life.”¹⁵

The implementation of the lockdown measure had also resulted in several other problems. On one hand, the law enforcement agents used inappropriate and sometimes excessive power in contravention to the fundamental rights of citizens. On the other hand, individuals who breach such restrictions sometimes refuse to submit to law enforcement officials. For instance, one of the interviewees Abay from Bahir Dar city responded:

“On 29 July 2020 around 9:00 p.m., I was driving my three-wheel vehicle¹⁶ and had two passengers on board. I was asked by a police officer to stop but I refused and continued driving. Then the officer fired a bullet towards us and shot one of the passengers to death.”¹⁷

The policeman and the driver were arrested on the same day. The following day, they appeared in court and the driver's lawyer asked for his release on bail. The court rejected the request for bail and ordered a remand for 8 days even though it was proved that it was the gunfire that caused the death of the victim. It was the appellate Court that granted his release on bail on 10 August 2020 and the case is still pending.¹⁸

The interview with the Head of Kobo Town City Administration Security Office¹⁹ revealed that a mother and her daughter were also the victims of a similar incident. He narrates the incident as follows:

¹⁵ Association for Human Rights in Ethiopia interviews #3, April 2020, Bahir Dar (translation Amharic into English)

¹⁶ Hereinafter Bajaj

¹⁷ Association for Human Rights in Ethiopia interviews #4, August 2020, Bahir Dar (translation Amharic into English)

¹⁸ Ibid

¹⁹ Association for Human Rights in Ethiopia interviews #B, September 2020, Kobo (translation Amharic into English)

“On 05 August 2020 around 8:45 in the evening the driver Kifle was driving his Bajaj and on board he had W/ro Liya and her three year old daughter Muna. While they reached a place called "Kidamie Gebeya" a law enforcement officer ordered the driver to stop and asked for his driver’s license, and said he had violated the curfew which commences at 9:00 in the evening. However, the driver refused the request for his license and began to drive. The officer then fired a bullet towards the taxi. The first bullet hit the right tire at the back and the second bullet hit the mother and her little daughter. The driver stopped and called for an ambulance that took the victims to Kobo Hospital. They were then referred to Woldya Hospital; the mother died at midnight and the daughter also died after two days. Although both the driver and the officer were initially arrested, they were acquitted and the investigation was closed. The reason being that the death was said to have occurred due to the car accident.”²⁰

In the course of enforcing the COVID-19 restriction measures, Seyum Mesfin, head of Kobo district Administration, and Menegsha Molla, Security head of the district in ANRS were killed on 31 June 2020.²¹ Our interviewee Worku explains the incident as follows:

“The deceased, on their way to Wolidya town, witnessed a bajaj with 6 passengers on board, in violation of the restriction.²² They signalled the driver to stop for further questions and possible administrative penalty. However, the driver refused and continued to drive until he reached his destination, Menjelo. When the driver stopped at his destination Mr. Mengesha immediately grabbed him and they started arguing, during which Mr. Seyoum was shot to death by a man. Mr. Mengesha then ran to give his partner help, unfortunately, he was also shot to death by another man. Two suspects have been identified and are now under custody following criminal charges at North Wollo Zone High Court.”²³

²⁰ Ibid

²¹ Ibid

²² Directive, article 5(5)

²³ Association for Human Rights in Ethiopia interviews #B, September 2020, Kobo (translation Amharic into English)

Furthermore, the 14 days lockdown ordered in ANRS has also become a reason for the death of a pregnant woman in Bahir Dar as she was unable to reach the hospital on time due to transportation restrictions.²⁴

In the implementation of the COVID-19 emergency measures, arbitrary arrest, and inhuman treatments were effected in ANRS. Particularly, the legislative authorization on the use of force had provided a way for security forces to beat individuals who violate the restrictions and prohibitions. For example, Berhe, a 25-year-old man, who lives in Bahir Dar, was beaten by the security forces and seriously injured for being found outside on the first day of the 14 days of lockdown in search of food. He describes what had happened that day as follows:

*“On the day the lockdown commenced, I went out in search of breakfast as I didn't have any ingredients in my home to prepare food. However, I was captured by a group of Special Forces patrolling around my vicinity. They ordered me to stop and started beating me without asking further questions. One of them slapped and kicked me with his leg when I tried to run back home and another threw his cudgel and wounded the back of my head. My head was cracked and bleeding. After I returned home I did not go to a medical center for treatment due to fear of the security forces. I recovered from my wound after a few days. I didn't even try to accuse them because I did not remember their identity. There is still a scar on the back of my head.”*²⁵

In ANRS, personal observation of the research team indicates that security forces were also seen while forcing travellers to get off the car, while beating and insulting them in enforcing the restrictions imposed on transportation. During the emergency period, transport service providers were required to carry only 50% of passengers, and the passengers were required to wear a facemask.²⁶ Our research team members from ANRS had personally witnessed the brutality of the treatment by security forces in enforcing restrictions. Security forces were also seen forcing pedestrians who failed to wear a facemask to kneel on the ground, do physical exercises (like push up), and sometimes beat them with sticks and cudgel.

²⁴ Association for Human Rights in Ethiopia interviews #A, August 2020, Bahir Dar (translation Amharic into English)

²⁵ Association for Human Rights in Ethiopia interviews #5, May 2020, Bahir Dar (translation Amharic into English)

²⁶ Regulation, Art. 3(4-6)

In some other places of the region, the security forces were violating the rights of detainees in the guise of breaching the emergency declaration for other crimes they were suspected of. For example, in West Gojam Zone South Achefer Woreda Police Station two individuals named Dejen and Hagos who were suspected of theft were arrested. There they were severely beaten by police officers and arrested in the station with inadequate food and water for 13 days without being brought before court of law.²⁷ The case was reported to EHRC by the victims' sister. The EHRC Bahir Dar Branch inspectors found the victim suspects highly wounded in different parts of their body due to the acts committed by the police.²⁸ The inspection group recommended that the South Achefer Police Office investigate the Police officers who committed the acts and take appropriate legal measures.²⁹

Similarly, COVID-19 pandemic and the declaration of state of emergency highly affected the right to access to justice in ANRS. In the Region, courts were only entertaining grave criminal cases and crimes related to the emergency. They disregarded light criminal cases (which they were not allowed to disregard in the Emergency Regulation) and civil cases.³⁰ The regulation's suspension of criminal procedure laws had contributed to the denial of people's right to a fair trial.³¹ Even though there was an order by ANRS Supreme Court to consider civil cases of an urgent nature, some courts still continued to adjourn the civil suits until after September.³²

Even cases related to domestic violence were not investigated after victims reported to the police. In this regard, it is worthy to mention the case of a woman who was beaten and thrown out from her house by her husband on 15 July 2020.³³ As explained by her neighbor, Gelila:

“Although the victim went to Ginbot 20 sub-city Zetenegna police station and accused her husband of physical assault, the next day, the police officer who was

²⁷ EHRC Bahir Dar Branch, Weekly Report on the Inspection of Emergency Proclamation Implementation on Human Right in the Amhara Region, (30 April 2020), p 1

²⁸ Association for Human Rights in Ethiopia interviews #C, June 2020, Bahir Dar (translation Amharic into English) of Kindaye Meberat, member of the inspection group

²⁹ Above note 27

³⁰ Regulation, Art. 6(4)

³¹ Id Art. 6(1)

³² Association for Human Rights in Ethiopia interviews #D, August 2020, Bahir Dar (translation Amharic into English), of Assefa Sentayehu, Director of the Inspection and Follow up Directorate of EHRC Bahir Dar branch

³³ Association for Human Rights in Ethiopia interviews #6, August 2020, Bahir Dar (translation Amharic into English)

on duty was not willing to accept her claim. His decision was that the applicant was not physically injured except for some bruise and such cases were not entertained during the emergency period as courts considered only certain severe and urgent cases.”³⁴

Moreover, the outbreak of the pandemic and controlling measures (like school closure) had contributed to the furtherance of gender based violence and child abuse in the region. For instance, the region’s Bureau of Women and Children Affairs documented 203 rape cases (of which 54 are child victims), 208 physical assaults (of which 192 are women and 8 are child victims), 30 homicides (of which 25 are women and 5 are child victims) for the period between April to June 2020.³⁵ Parents in rural areas of the region forced their minor children to marry believing that schools will never reopen or stay closed for a long time. The Secretary of Amhara Women’s Association revealed that the reduction of controlling and monitoring activities by responsible government officials also contributed to the escalation of child marriage in rural areas.³⁶ Out of 3613 child marriage reports to the Regional General Attorney, 845 were proved to be child marriage and cancelled by police intervention.³⁷

In addition, during the lockdown women were forced to remain home with violent partners, which in turn led to the rise in domestic violence cases.³⁸ This is also confirmed by the region’s police report providing that in 2020 crimes committed on women in the region increased by 8.92% in comparison with last year.³⁹

³⁴ Association for Human Rights in Ethiopia interviews #7, August 2020, Bahir Dar (translation Amharic into English)

³⁵ ANRS Women and Children’s Affairs Bureau, *Report on Overall Impact of COVID-19 on Women and Children in ANRS*, (Report presented on the Consultative Workshop to Mitigate Overall Impacts of COVID-19 on Women and Children, Debre Tabor, July, 2020). There is no organized data to make comparison with previous year and to make logical opinion on escalation or otherwise of gender and child violence during the epidemic. Even the number of cases reported as to the number of abuses committed against women and children vary among various offices. The interviewees Tewachew Simachew, from ANRS Women and Children’s Affairs Bureau, Titiknesh Alemu, from Amhara Women’s Association, and Konjit, head of Women and Children affair at Ethiopian Human Right Commission Bahir Dar branch unanimously stated that there is lack of coordination among different stockholders who are responsible to combat Covid19.

³⁶ Association for Human Rights in Ethiopia interviews #D, August 2020, Bahir Dar (translation Amharic into English), Titekness Alemu, Secretary of Amhara Women’s Association

³⁷ Ibid

³⁸ Association for Human Rights in Ethiopia interviews #E, September 2020, Bahir Dar (translation Amharic into English), Simachew Dagne, Women’s Empowerment and Participation Coordination Director at ANRS Bureau of Women and Children Affairs

³⁹ ANRS Police Commission Bureau Women and Children Office, Yearly Report (June 2020) p. 11

Apart from intimate partner violence, women were highly exposed to rape. The three cases below illustrate this concern.

Hirut⁴⁰, a 17-year-old young girl and resident of Semen Achefer Libo town, is a grade 10 student, who left for Bahir Dar in search of a job when schools got suspended. She then began to work as a Waitress in Bahir Dar. On 17 June 2020 around 3:00 pm while she was walking along the shore of Lake Tana, six guys approached her and took her to an unknown place. They forcefully raped her taking turns in a vacant house and threw her out on the street. Now she is at the Organization for Prevention, Rehabilitation, and Integration of Female Street Children (OPRIFS) taking rehabilitation. Five of the culprits were captured and they confessed to the crime. The case was adjourned for judgment at the time the interview was carried out with the victim.

The Victims' counsellor at OPRIFS told stories of other victims of attempted rape and forced marriage.⁴¹ Melat and Nunu, 16 –year-old girls, in the 6th and 7th grade respectively, used to live in South Gondar Zone Gayint town with their parents. Due to the closure of school their parents thought of forcefully getting them married. They escaped and came to Bahir Dar and started working as daily labourers to make a living. On 25 July 2020 around 7:00 pm, someone attempted to rape Melat on her way to her home. She called out for help and nearby villagers saved her and brought her to a police station. The next day, both her and Nunu were admitted to OPRIFS. After consultation with their parents their arranged marriages were canceled and they were reintegrated with their parents.

The other case is about Roza, a 15 year old, 6th grade student from Awi Zone, Wenj Wuha Kebele, whose parents had forced her to engage in an arranged marriage. She escaped and came to Bahir Dar. On 26 August 2020 morning, she went to a broker to get a job as a domestic servant. Learning her vulnerability the broker tried to rape her, but she escaped and went to the police station. Then she stayed at OPRIFS until her parents were ascertained. Finally, her arranged marriage was cancelled and she was reunited with her parents.⁴²

The impact of the pandemic on the right to education of boys and girls, the right to work and subsistence was tremendous in the ANRS. Due to the prohibition of conducting classes as

⁴⁰Association for Human Rights in Ethiopia interviews #8, October 2020, Bahir Dar (translation Amharic into English)

⁴¹ Association for Human Rights in Ethiopia interviews #F, October 2020, Bahir Dar (translation Amharic into English), Senait Gedamu, Victims' counselor at OPRIFS

⁴² Ibid

one of the measures to counter and control the spread of COVID-19, schools were forced to conduct classes in distance and through different electronic media and platforms. Private schools, which are located in urban centers and with better infrastructures, were able to deliver distance classes relatively better. While public schools, that accommodate the majority of the students, struggled to deliver distance classes due to lack of the basic infrastructure which in turn compromised the quality of education.

Also the closure of schools exposed students who depended on school feeding projects for daily meals to hunger. Nutrition Technology Expert at ANRS Education Bureau, noted that:

“To support students who come from poor families and are faced with nutrition deficiency the ANRS Education Bureau has a budget and organized a school feeding system. Even though the nutrition deficiency is rampant in the region, due to budget constraints the bureau carried out school feeding in 75 primary schools. The schools are found in three districts of Wagemera Zone where the problem is most severe. Hence, in the 2019/2020 academic year 36,517 students were embraced in the school feeding system. It was interrupted during the fourteen days lockdown but not the entire five months emergency period. Children or their parents came to school and took the food aid until June 2020 as the budget was set for 10 months from September to June. Nonetheless, due to loss of jobs consequent to the pandemic families of some of the students changed their residence and they were inaccessible for the food support.”⁴³

In the rural part of ANRS, the outbreak of the pandemic and the suspension of litigation in civil cases had opened room for the eviction of peasants from their landholdings. The arbitrary evictions mainly targeted vulnerable groups of the society, like women and elders. According to our interview with Simachew and Titekenesh, during the emergency period, the number of women and elders who alleged that their rural landholding was taken against their consent highly increased.⁴⁴ To protect the interest of vulnerable groups, administrative measures were taken in the region. One of such measures was to put the disputed land

⁴³ Association for Human Rights in Ethiopia interviews #G, September 2020, Bahir Dar (translation Amharic into English), Tewachew Alemu, Nutrition Technology Expert at ANRS Education Bureau

⁴⁴ Note above 36 and 38. The exact number of applicants who alleged loss of their lawful rural land holding during the epidemic is not known due to absence of recorded data.

holding under the possession of the vulnerable party until the matter is settled in the court of law.⁴⁵

There were cases of eviction of those considered as vulnerable to the pandemic by landlords in urban centers as well. The victims of this discrimination and stigmatization were mostly bankers and health workers.⁴⁶

In the region, people's right to health was dramatically affected due to the outbreak of the pandemic. Particularly, as personal observation of the research team reveals at the beginning of the pandemic public health centers were refusing to admit patients of other diseases. It was because of the fear of contraction of COVID-19 as there was no adequate personal protective equipment. Consequently, patients were exposed to unaffordable medical costs in private health centers. Patients also avoided visits to hospitals due to fear of contraction of the pandemic. Our informant from Dessie referral hospital who wanted to remain anonymous reveals this fact stating that:

“Dessie used to be the center for referral medical treatments for North East Amhara, Southern Tigray, and Afar regions. But since the outbreak of COVID-19, patients from distant places are not coming due to fear of contracting the virus. Patients who decide to visit the referral hospital are faced with the unaffordable round-trip travel cost doubled due to the COVID-19 measures. Patients who could have been admitted to the hospital are forced to look for private hospitals as the number of in-patient per/ward is decreased from ten to five. This has subjected individuals to excessive medical costs in private hospitals. Patients with chronic diseases like diabetes and blood pressure are not allowed to make regular check-ups in the hospital. They simply take the drugs without their regular check-ups which could worsen their case. Health care professionals are highly exposed to COVID-19 due to a shortage of personal protective equipment (PPE) both in the hospitals and other public health centers. Physicians and nurses are thus obliged to touch patients without replacing their gloves which could transmit the virus. Pregnant women are unable to follow up their prenatal

⁴⁵ Ibid

⁴⁶ Personal Observation of the research team

*care as the hospital temporarily stopped ultrasound services due to COVID-19.*⁴⁷

b. SNNP Regional State

In SNNPR, the human rights impact of COVID-19 began to manifest itself immediately after the first case was confirmed in the region and before the declaration of the nationwide state of emergency. The observation of the researcher showed that the region in its executive order restricted freedom of movement by imposing a ban on public transport within the region until the federal government allows public transport with some restrictions. In the region the ban on transportation has caused a serious impact on businesses and people's access to health. People were forced to use risky illegal night travel and excessive tariffs. Some individuals were also denied access to advanced health services because of their inability to travel to health centers outside their places.

Unlike the cases in other regional states, the SNNP regional state did not impose a total lockdown as a measure to contain the spread of the pandemic. Rather, it was intensively engaged in awareness creation about the prevention methods, introducing working shifts for government employees, arranging forced annual leave to employees, establishing temporary isolation centers in all 23 prisons, and releasing convicted prisoners on pardon were among the measures taken.⁴⁸ The command-and-control approach was not as such employed to enforce the emergency measures. However violations have been observed and the security forces used to beat those who failed to wear facemasks on the road.

The awareness creation measure intended to control the spread of the pandemic was not fruitful and widespread as expected. Since the awareness creation was carried out through broadcasting media, the majority of the residents of the region living in the rural areas were not aware of the pandemic. And those who were aware of the pandemic associated it with sin and curse, and they assumed that the pandemic affects only sinful persons. As a result, a majority of the society in the region was not observing the prevention measures like social distancing, wearing of facemask, and hand washing.

⁴⁷ Association for Human Rights in Ethiopia interviews #H, June 2020, Dessie (translation Amharic into English)

⁴⁸ SNNP Regional State Prison Commission, *Report on Measures Taken to Counter and Control the Spread of COVID-19 in Prison and Detention Centers* (Submitted to the Federal Supreme Court), 2020. (translation from Amharic into English)

A serious violation of human rights was documented concerning access to justice and prisoner's rights. As the proclamation authorized courts to limit the cases to entertain, courts in the SNNP region stopped litigating civil cases during the emergency period.⁴⁹ This situation exposed people to arbitrary evictions in the town of Dilla and Hawasa city as there was no government body willing to accept and hear their complaints. Saba, a victim of eviction in Dilla town describes what happened to her as follows:

“On March 25/2020 Dilla town municipality has forcefully evicted me from the house that I have validly rented from the kebele administration. There was no court order and they took my house and threw away my property and stuff to the roadside.”⁵⁰

The same municipality has also evicted Salaheden Ali in August 2020. Salaheden in his application to Dilla First Instance Court revealed that persons from the municipality destroyed his property and beat him up.⁵¹ A similar case was also reported in the city of Hawassa. The victim Tersit provided that:

“On 29/10/2012 Hawasa City municipality together with the police office evicted me and my family, which includes a disabled family member from the house that we were born and lived in for more than 50 years. Our parents have lived with us until they passed away after which we inherited the house.”⁵²

These acts of the municipalities were against the COVID-19 emergency measure that prohibits eviction during periods of emergency. The total closure of the courts from entertaining civil cases in the region left the victims without remedy.

Similarly in criminal cases, the public prosecutor failed to charge arrested persons even though the police completed the investigation. This made suspects stay under arrest without a formal charge and in police stations without being moved to prison centers. Three interviewees, who wanted to remain anonymous, noted that they were arrested and stayed in the police station for about a month without being formally charged and appearing in a court

⁴⁹ Association for Human Rights in Ethiopia interviews #H, August 2020 Hawasa (translation Amharic into English), attorney Markos

⁵⁰ Association for Human Rights in Ethiopia interviews #9, July 2020, Dilla (translation Amharic into English).

⁵¹ Salaheden Ali Vs. Dilla city Municipality, File Number 15220, Dilla First Instance Court (pending)

⁵² Association for Human Rights in Ethiopia interviews #10, July 2020, Hawasa (translation Amharic into English)

of law.⁵³ Moreover, as an investigative police officer, who wanted to stay anonymous, exposed, during the state of emergency period the criminal investigation process and collection of evidence were not effectively conducted due to fear of the pandemic and the closure of courts.⁵⁴

This situation, in turn, forced suspects to stay in the police station until the investigation was completed. It undermined their right to a speedy trial; they were also prohibited from being visited by family and lawyers and denied their bail rights. As they were stationed in police stations and not in prison centers, the region's Police Commission report revealed that detainees were exposed to food and water shortage, COVID-19 protective equipment, and high vulnerability to the pandemic due to concentration in one room.⁵⁵ Furthermore, in the absence of health services within police stations and prison centers the suspects' health was highly deteriorated as they were not taken to health institutions for a long time.⁵⁶

In the SNNP regional state, the outbreak of the pandemic has contributed to violations of women's and children's rights. This is basically manifested in the form of sexual violence and abuse against women and children, and women's child delivery outside health institutions which endanger their health rights. The Communication Director of SNNP Regional State Women and Children's Affairs Bureau revealed the increase of sexual and domestic violence during the COVID-19 Pandemic in the region. He stated that:

“Although the data is not accurate as it only shows the reported violence, there is an increase when compared with last year's report during the same period. This year, 152 beatings, 119 abductions, 82 rapes, 180 refusals of maintenance, 2 Female Genital Mutilations, 54 early marriages, 26 disappearances of children, 84 polygamy marriages, and 39 intimidation cases are reported in the region.”⁵⁷

⁵³ Association for Human Rights in Ethiopia interviews #11, 12, 13, May 2020, Hawasa (translation Amharic into English)

⁵⁴ Association for Human Rights in Ethiopia interviews #I, July 2020, Hawasa (translation Amharic into English)

⁵⁵ SNNP Regional State Police Commission, *Report on Impact of COVID-19 Pandemic* (Submitted to the Federal Supreme Court), 2020. (translation from Amharic into English)

⁵⁶ Above note 48.

⁵⁷ Association for Human Rights in Ethiopia interviews #J, August 2020, Hawasa (translation Amharic into English), Ume Chekol, the Communication Director of SNNP Regional State Women and Children's Affairs Bureau,

He noted further that:

“Women’s delivery in health centers has fallen by one percent from 73 to 72%. When expressed in number 510 women who delivered at home without a health professional’s assistance were identified. This has caused from minor health problems up to death. Moreover, there was also a decrease in the number of users of family planning by 27,731 and pre-natal follow-up by 6,850 in the regional state. Due to the wrong perception that health care institutions are the source of COVID-19.”⁵⁸

c. Tigray National Regional State

Even though the first case of COVID was reported on 24 May 2020, the regional government had proactively declared a fifteen day region-wide state of emergency on 26 March 2020. It was the only region that declared a state of emergency even before a case was reported in the region. And also the first to order inter-country mandatory quarantine which somehow affects the freedom of movement of people. The declaration resulted in the banning of the unreasonable movement of people in the region and also prohibited landlords from evicting tenants and increasing rent.⁵⁹ It was the only region that required mandatory quarantine to any person entering the region unless the person presents a negative COVID-19 test result, taken less than 24 hours before arrival.

In TNRS the pandemic put pressure on the right to life of people owing to various reasons. Our interviewee, Welela, a nurse at Ayder Hospital in Mekele City noted that:

“Due to lack of testing kits, health professionals and those that might be exposed to the virus were not given priority in getting tested and took the necessary precautions as a result. Besides, there was a delay in notifying results after a test has been made and these results in lack of taking safety measures assuming that the delay is a confirmation of a negative test result. This, as a result, made the attempt to stop the spread of the virus difficult. And even those who tested positive for COVID-19 were discharged after serving the mandatory quarantine time without being subject to another test. There are also times where those who were identified as negative were later on notified that they carry the virus. All these

⁵⁸ Ibid

⁵⁹ Tigray National Regional State, State of Emergency Decree No.1/2020

factors contributed to the spread of the virus and thereby affect the right to life of the people.”⁶⁰

Furthermore, there was extra-judicial killing of individuals under the guise of violating the state of emergency declared in the region to halt the spread of the pandemic. Our anonymous interviewee from Mekelle City revealed that:

“two persons were shot dead for failing to comply with the state of emergency measures to prevent the spread of the pandemic. Those individuals who were shot dead are from different parts of the region, one in a town named Naeder Adet and the other in Mekelle City.”⁶¹

Concerning the right of access to justice, the Supreme Court of TNRS developed a strategy as a response to COVID-19 pandemic. According to the interview with Fana Hagos, the chief justice of the region’s Supreme Court:

“the list of cases that can be entertained during the state of emergency were provided. These include; adjournment, bail, arrest warrant, search warrant, record statements and confessions, preliminary inquiry, domestic violence, cases adjourned for judgment, maintenance, employment, parole, coronavirus emergency restrictions, and others if decided by the president of the supreme court to be considered. It was also commendable that the courts were able to consider women and children facing the risk of violence during the pandemic.”⁶²

At the early stages of the pandemic, foreigners and migrants who came from abroad experienced discrimination. People who did not contract the virus but with similar symptoms were also suffering from stigma. Such a situation was also observed on health professionals. There were health professionals that were discriminated against in transportation, other social relations and even told to vacate their rented houses. This could have negatively affected the

⁶⁰ Association for Human Rights in Ethiopia interviews #K, August 2020, Mekele (translation Tigergna into English)

⁶¹ Association for Human Rights in Ethiopia interviews #L, August 2020, Mekele (translation Tigergna into English)

⁶² Association for Human Rights in Ethiopia interviews #M, June 2020, Mekele (translation Amharic into English).

efforts to control the outbreak because people might hide their illness in fear of discrimination and become discouraged to seek health care instantly.⁶³

In TNRS the scarcity of water has also posed a serious challenge in countering and controlling the spread of COVID-19. As water scarcity is common in the region and access to clean and safe water is still a challenge in many parts of the region, it was reported that washing hands as COVID-19 countering and preventing method was difficult to implement.

To control and counter the spread of COVID-19 among street children and homeless people, the region's Bureau of Labour and Social Affairs in collaboration with different NGOs provided shelter to around 3,125 homeless persons for some time.⁶⁴ However, the service lasted no longer than a month and was discontinued. As a result the homeless and elderly people returned to their normal life on the streets with a higher risk of contracting the virus.

In TNRS the outbreak of the COVID-19 pandemic has also impacted the right to property of the residents of the region. Particularly, the regional government forced landlords to reduce rent of houses by half for a month at the early stage of the pandemic.

As is the case in the country, there was also an increase in the exposure to domestic violence during the period of declaration of the State of Emergency. In most of the cases, the perpetrators were close to the survivors. One anonymous interviewee, from the region's Bureau of Women's and Children's affair, noted that:

“It is a matter of fact that all of the violence against women is not reported, among those reported, 233 women and girls were raped in 2020, and among these 70 percent of them are underage. Sadly, most of the survivors have contracted HIV. There is an opinion that COVID 19 made the situation worse for women as they are forced to be confined with their abusers even after the incident. With the idea of supporting survivors, there is a one-stop-shop center established in Mekelle city that provides health, psychological and legal services

⁶³ Interview with 12 Mekelle city residents who do not want their identity to be disclosed

⁶⁴ Association for Human Rights in Ethiopia interviews #N, June 2020, Mekele (translation Amharic into English).

in one place. But, this is not adequate to the survivors and it is temporary in its nature.”⁶⁵

The same interviewee also revealed that:

“18 women were dead due to physical violence and 35 women and children were suffering from severe bodily injury. Early marriage has also shown an increase as a result of closure of schools and interruption of follow-ups by Women Development Groups as a result of the pandemic. The early marriage of 735 children was discontinued while 162 children got married without the knowledge of the concerned authorities.”⁶⁶

The pandemic also contributed to women's lack of accessing reproductive health services in the region. Our anonymous interviewee indicated that:

*“With the perception that health centers are the main cause of the virus, pregnant women were reluctant to visit health centers to give birth. Thus 6,333 women gave birth at home during the last year [2020]. Among which 32 died as a result of complications related to birth.”*⁶⁷

With respect to the right to education of students, with the prohibition of face-to-face classes most of the private schools have been teaching students from home as the observation of the research team revealed. Nonetheless, similar arrangements were not designed for students in public schools.⁶⁸ Without adequate delivery of the lessons, students were forced to pass to the next grade freely.

Prevention of the spread of the virus in the prison centers was not dissimilar. For instance, our interview with a police commissioner who wanted to remain anonymous told us that:

“In Mekelle city persons detained during the outbreak of the virus were kept in a separate place to halt the spread of the pandemic. At some police stations, such as the case in Humera, suspects are placed in different rooms based on the date

⁶⁵ Association for Human Rights in Ethiopia interviews #O, June 2020, Mekele (translation Amharic into English)

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ Personal observation of the research team

they came to the police stations. However, in some detention centers for instance in Shire town newcomers were detained with others. While in others like Axum, detainees shared equipment to fetch and drink water.”⁶⁹

Consequently, the above facts on the ground reveal how far the human rights of individuals and people are threatened and affected by the outbreak of COVID-19 in TNRS.

d. Oromia National Regional State

The impact of COVID-19 on the human rights situation in ONRS was not similar throughout its administrative boundary. As there was no central documentation of data in the region on the situation, which forced our research team to select two parts of the region (Jimma and Wollega) to collect data. Like the other regions, the first measure taken by ONRS to counter and control the spread of COVID-19 was the banning of transportation for two weeks as of March 30, 2020. All transportation services within and out of the region were suddenly prohibited.⁷⁰ The prohibition being spontaneous lacked clarity in terms of who adopted it, the extent of the prohibition, and its duration which was not predefined. Moreover, it wasn't sufficiently communicated to the public, and law enforcement agents suddenly started prohibiting the movement of people and transportation services. It was finally lifted and amended after the federal government proclaimed the five month state of emergency on April 13, 2020.

The ban of transportation affected people's right to movement. Other measures like the closure of schools and academic institutions and the outbreak of the pandemic also impacted people's access to food, health, and work particularly for daily labourers, domestic servants, and small business runners. This fact was confirmed by the EHRC ONRS branch office and Jimma Zone Labor and Social Affairs Office. The following two cases of interviewees provide an illustration in this regard.

⁶⁹ Association for Human Rights in Ethiopia interviews #P, June 2020, Mekelle (translation Amharic into English).

⁷⁰ Ethiopia: Regional authorities ban public transportation as of March 30, available at <https://www.garda.com/crisis24/news-alerts/327836/ethiopia-regional-authorities-ban-public-transportation-as-of-march-30-update-6>.

Sara,⁷¹ a mother and resident of Jimma city Kochi Mendera kebele, lives in a rental house for 500 birr. She has been working as a housemaid for 4 postgraduate students of Jimma University to make a living. She also raises her daughter on her own as she is neglected by her father. When the university closed due to the pandemic, she was left without a job to support herself and her daughter without any source of income. She struggled to cover the cost of food and rent. As a result, Almaz and her daughter suffered from hunger and the owner of their house had been threatening to evict them. Finally, She went to Mendera Kochi kebele administration in search of a remedy and told her story to the officials. The kebele, in collaboration with Jimma University, then provided her with some food items to help feed them for more than a month. However, her suffering continued after the help ended.

Robel⁷² (a husband and father of two) and his other two friends were employed by a commercial center at Jimma city and had been working there for the past two and half years. Following the outbreak of the virus, their employment contract was terminated using the pandemic as an excuse. This is in disregard of the prohibition provided under article 3 (19) of the regulation regarding firing employees. Moreover, the type of job they are engaged in is finishing construction works has not been interrupted consequent to the outbreak. However, the employer used the pandemic as a pretext to terminate their contract.

Following the termination, Robel was faced with a critical problem of feeding his family as his employment was his only source of income. To seek a legal remedy, he approached the EHRC ONRS branch in Jimma, and they led him to Jimma town labor and social affairs office. The labour and social affairs office tried to mediate with the employer, but the employer was not voluntary to settle the dispute amicably. Following this they advised him to contact Jimma University Legal Aid Center, and the case was brought to court of law and is still pending.

The legal authorization of the use of force in implementing COVID-19 countering and controlling measures had also caused human rights violations. According to the testimony of one anonymous interviewee⁷³ In Wellaga, harassment, inhumane treatment, and the threat of life in the pretext of enforcing COVID-19 measures were very common. In Jimma similar

⁷¹ Association for Human Rights in Ethiopia interviews #14, June 2020, Jimma (translation Afan Oromo into English)

⁷² Association for Human Rights in Ethiopia interviews #15, June 2020, Jimma (translation Amharic into English)

⁷³ Association for Human Rights in Ethiopia interviews #16, July 2020, Nekemet (translation Afan Oromo into English)

incidents were common. For example, the police terribly beat three persons who went to Saint Gabriel church in Jimma city on 7 April 2020.⁷⁴ One of the victims Mesay reflected on the incident as follows:

*'The policeman never tried to listen to us and directly started beating us immediately. We never resisted going back from the church, but the police had not given us the chance.'*⁷⁵

The use of force in enforcing COVID-19 prohibitions and impositions, without informing the public and without trying another alternative enforcement mechanism, was common in most of the region that has caused serious violations. This is, perhaps, without undermining the efforts made to create public awareness and disseminate information about the pandemic using public media and community radio. Head of the office of the Attorney General of Western Wellega Zone, Fayisa Dinsa, said that:

*"We have done many awareness creation programs for the public in general without any discrimination. We have used different outlets such as mini-media, Fana FM 96.1, published banners and different brochures, and made public announcements traveling within and across towns to create public awareness about the pandemic and its protection methods."*⁷⁶

With partial closure of courts, people were also unable to seek judicial redress in ONRS. The list of criminal cases which courts were entertaining has been limited to the ones in which the suspect is under arrest, cases related to breach of the proclamation, cases related to bail, search warrant, appeal right, and gender-based violence. There were mass arrests made following the protest due to the death of Artist Hachalu Hundessa. As a result, courts were fully engaged in entertaining the cases of the detainees. Because of the large number of suspects detained in small police stations, it was assumed that it would expose them to COVID-19 if they stayed longer. Nonetheless, Getnet, one of the detainees, indicated that:

⁷⁴ An interview held with Mesay, a resident of Jimma city and who has been bitten by the police in front of the church. The victim said that the police has never tried to listen to them and he directly started biting them by the time. "We never resisted getting back from worship, but the police had not given them the chance" he said.

⁷⁵ Association for Human Rights in Ethiopia interviews #17, May 2020, Jimma (translation Amharic into English)

⁷⁶ Association for Human Rights in Ethiopia interviews #Q, June 2020, Nekemet (translation Afan Oromo into English), Fayisa Dinsa

“The criminal suspects were staying in the prison centers without either being charged or released on bail. I stayed for months in a police station without being brought to the court of law.”⁷⁷

Similarly, Nekemet prison administration head, Commander Hailu, revealed that:

“Because of the outbreak of COVID-19 about 73 detainees were neither charged nor released on bail in the center that I administer.”⁷⁸

As Head of Jimma City Attorney General Office, Zelalem Kenasa noted that:

“in the region, the prison centers were not prepared and rearranged to ensure the prevention of COVID-19. There were no testing and isolation centers in the detention centers for prisoners showing symptoms of the virus. Rather, the COVID-19 controlling measures that criminalized certain acts and activities have contributed to the increment of prisoners in the prison centers.”⁷⁹

The civil matters that were tried by the courts were limited to cases that were concluded and adjourned for judgments before the pandemic, family cases, labor relation disputes, and other cases that were urgent by their nature. These restrictions clearly showed that the outbreak had a great impact on people’s right of access to justice in the region.

Moreover, the outbreak and the measures taken to counter and control its spread had contributed to the prevalence of gender-based violence and child abuse. Meskerem, Head of Women’s and Children’s Affairs Office, in Nekemte, is of the opinion that the cases of gender-based violence and child abuse have increased due to COVID-19, even though cases were not reported to her office as a result of fear of social stigma.⁸⁰

Similarly, in Jimma, different gender-based violence and child abuses were documented. Jimma Zone Women’s and Children’s Affairs Office had received information that there was

⁷⁷ Association for Human Rights in Ethiopia interviews #17, August 2020, Jimma (translation Amharic into English)

⁷⁸ Association for Human Rights in Ethiopia interviews #R, July 2020, Nekemet (translation Afan Oromo into English)

⁷⁹ Association for Human Rights in Ethiopia interviews #S, August 2020, Jimma (translation Afan Oromo into English)

⁸⁰ Association for Human Rights in Ethiopia interviews #T, August 2020, Nekemet (translation Amharic into English).

an increase in the number of domestic violence, rape, under-age marriage, female genital mutilation, abduction, bigamous marriages, and killings during the pandemic. Kidanu Gobana, an expert of women participation and engagement in development at Jimma Zone Women’s and Children’s Affairs Office said:

“The pandemic has increased the number of women victims as they have to remain at home during the pandemic.”⁸¹

In terms of number, the expert has provided the following data regarding the number of victims during the pandemic.

No.	Type of violence	Number of victims	Remarks
1	Domestic violence (including physical abuse, battery, and beatings)	25	The majority of the perpetrators are husbands against their wives. But, some children are beaten by their families
2	Abduction	7	All the victims are minors
3	Rape	25	Among the perpetrators, 13 of them have been brought to justice, while the rest are still under investigation.
4	Bigamous marriage	13	They are husbands who married another one while they are still in a spousal relationship.
5	Female genital mutilation (FGM)	7	
6	Early marriage	1	The perpetrator is under police custody and an investigation is underway.
7	Killings	11	Among the victims, the majority were women and it happened at home.

⁸¹ Association for Human Rights in Ethiopia interviews #U, November 2020, Jimma (translation Amharic into English).

The above data was collected from 21 woredas/districts in Jimma Zone. All the violations happened within the five months of the declaration of the state of emergency. Kidanu asserted that:

“The victims were more exposed for the sufferings because during the pandemic women and children must stay at home with their husbands and families respectively; in which case the rate of vulnerability was more compared to other times. Wives were usually beat by their husbands and similar incidents were faced by children.”⁸²

People’s access to health was also severely compromised during the pandemic. This was due to two main reasons. First, most health centers had shifted their focus to fighting COVID-19. For instance, Dr. Temesgen Tilahun, the Medical Director of Wollega University Referral Hospital, affirmed and recognized this fact stating that:

“Health centers didn’t give due attention to other diseases and patients. Even due to fear of being infected by COVID-19 private medical centers were not admitting patients. This situation has worsened the health condition of our society.”⁸³

Second, people were avoiding visiting physicians and health centers due to the fear that health centers are more vulnerable to COVID-19. As a result, they opted for traditional treatment which exposed society to another health risk. Dr. Temesgen illustrates the matter citing women’s family planning program as a showcase. He explained that:

“Although the system to follow-up pre-and post-natal and birth care services amid COVID-19 was facilitated and arranged in isolated rooms within hospitals, women were not coming to the centers due to fear of COVID-19.”⁸⁴

The outbreak of the pandemic and the closure of schools had also greatly impacted the right to education of children in ONRS just like the case in other regional states. There was an attempt to use public and social media to educate the students from home. Kassahun Tadelle, Head of Jimma Zone Education Bureau, said:

⁸² Ibid.

⁸³ Association for Human Rights in Ethiopia interviews #V, June 2020, Jimma (translation Amharic into English)

⁸⁴ Ibid

“The regional government of ONRS has arranged two broadcast channels to transmit educational programs for grades 5 and above. Accordingly, an attempt was made to teach through OBN television channel and Oromia radio. We also attempted to distribute the hard copy of teaching materials, but later we stopped due to the fear that it could escalate the virus. Private schools disseminated materials using telegram. With all these efforts, the teaching of students was not as fruitful as it was expected. The quality of education was also severely compromised.”⁸⁵

The shutdown of internet and phone communications in the western part of the ONRS, for two months (from the beginning of January to the end of March 2020) was also detrimental. As the government claimed, this was done with the view to counterinsurgency operations of OLF-shane in the area. As a result this had prevented families from communicating, disrupted life-saving services, and contributed to an information blackout about COVID-19 in its earliest stage. The internet and communication blockage had also undermined people’s right to access to information and freedom of expression.

The outbreak of COVID-19 also affected the lives of street children in the ONRS. An illustration from Jimma Zone tells what happened to them in the region as a whole. To protect children living on the streets from the virus, Jimma Zone Labor and Social Affairs Office has done work to reunite the children with their families. Accordingly, Amarech Ayalew, an expert in the Office, revealed that the office was able to reunite 3,032 children with their parents throughout the 21 woredas of Jimma Zone.⁸⁶ There was a transportation service arranged from Jimma to the areas/woredas where their families are located. Moreover counselling service has been given both for the children and their parents to stay together. Amarech, however, said that,

“Even if we are able to reunite them, the children couldn’t stay longer with their families, and they get back to the streets. Even some children went out of their families’ home the day they were reunited with them.”⁸⁷

⁸⁵ Association for Human Rights in Ethiopia interviews #W, November 2020, Jimma (translation Amharic into English)

⁸⁶ Association for Human Rights in Ethiopia interviews #X, November 2020, Jimma (translation Amharic into English)

⁸⁷ Ibid

Persons with disabilities were not provided with special treatment about awareness creation and the necessary equipment for the prevention of the pandemic. Our informant, Henock Worku, President of Jimma City Disability Association, noted that no organ has taken an initiative to create awareness among and assist persons with disabilities in Jimma and its surrounding.⁸⁸ He summarizes the situation of persons with disabilities during the emergency period as follows:

“The problem of persons with disabilities in and around Jimma is not confined to lack of awareness about the pandemic. Rather lack of access and availability of protective materials is equally a challenge. Taking into account the economic factors and availability of the materials, the disabled couldn’t access the protective materials. In addition to that, every measure that is taken by the government to control the pandemic, like curfew measures, hasn’t taken into account the special circumstances of persons with disabilities. Persons with disabilities have survived, including during the pandemic, only because they used to endure every kind of pain and curse all the time, which includes hunger, lack of shelter, bad weather conditions, and others, which are common all the time.”⁸⁹

e. Afar Regional State

In ARS too, the outbreak of the pandemic and the measures adopted to counter and control its spread had impacted the human rights in the region.

To begin with, although extra-judicial killings were not carried out to enforce the COVID-19 measures, there was a claim that in the quarantine centers, people were more exposed and vulnerable to the virus that threatened their life. One of our informants, who wanted to remain anonymous, stated that:

“The treatment of citizens in quarantine exposed us to threats. There is no strict protection of individuals from possible and imminent health threats in the quarantine centers. Individuals contact physically when they get their meals and

⁸⁸ Association for Human Rights in Ethiopia interviews #Y, November 2020, Jimma (translation Amharic into English). Henock Worku said there is no special information communication channel that is provided to persons with disabilities taking into account their special circumstances. As to him, there are disables who are deaf, blind and other types of disabilities requiring special kind of assistance. However, no government office or others have approached to inform these persons about the corona virus pandemic.

⁸⁹ Ibid

live together in the center though they have their room. Such negligence will expose individuals to the virus which results in threat to their life.”⁹⁰

In relation to the use of force to enforce the countering and controlling measures, incidents of inhumane treatment have happened in quarantine centers. In an interview, a former patient of Semera University Quarantine Center, who wanted to remain anonymous, revealed the occurrence of an act of harm on quarantined individuals. He described the situation as follows.

“There were incidents of bodily harm. I remember one of the members of the warden beat one individual since he shouted and asked the security forces to help him get physicians for treatment. Such kind of incidents occurring in the quarantine center forced citizens to conceive quarantine centers as hell and resist to go to when suspected of COVID -19.”⁹¹

In ARS, Courts were partially closed. They were allowed to see and try cases related to COVID-19 controlling measures, maintenance, gender violence, labor cases, bail issues, and other similar urgent matters. Other matters were not allowed to be taken to court. This prohibition may be assumed to impact the right to access to justice as is the case in other regions. Nevertheless, our interview with Musa Hummed, the president of Samara-Logia Woreda/district Court, brought to our attention that even concerning the allowed matters, people were not lodging cases in the court of law. He further noted that:

“There are no case logs and there will not be such serious problems in handling cases when the courts reopen in the future. It is because most people in the region are organized in a clan system and they resort to the cultural dispute settlement mechanisms, the partial closure of courts doesn't as such impede and undermine the right of access to justice.”⁹²

The pandemic and its countermeasures had also inflicted serious damage on socio-economic rights in the region. Particularly, the sudden transportation ban and the total lockdown in the

⁹⁰ Association for Human Rights in Ethiopia interviews #Y, August 2020, Samara (translation Amharic into English).

⁹¹ Association for Human Rights in Ethiopia interviews #18, August 2020, Samara (translation Amharic into English).

⁹² Association for Human Rights in Ethiopia interviews #Z, August 2020, Samara (translation Amharic into English).

first two weeks with the first case confirmed in Ethiopia exposed the region to food shortage. Our informants, Kelemua from Logia, and Dawit from Samara, illustrate their experience as follows:

“There was a serious shortage of vegetables and fruits due to the fact that Loggia- Dessie transportation was closed for weeks.”⁹³

Moreover, because of the travel restriction which limited freedom of movement, the region’s pastoralist communities were exposed to harsh/hot weather which they would have avoided by moving to another place. Consequently, they have faced a serious health crisis. Our two interviewees from the pastoral community, who wanted to stay anonymous, reveal this fact as follows:

“We wanted to move to TNRS to escape the hot season but due to the 14 days quarantine rule of TNRS and travel restrictions in ARS we were not able to go to TNRS. But as pastoralists we always travel. However, we were forced to stay in the very hot season which forced us to face serious health problems bigger than COVID-19.”⁹⁴

The other fundamental human rights impact of COVID-19 in ARS was seen in relation to the right to work. The pandemic has significantly contributed to the termination of employment, disregarding the prohibition of the state of emergency proclamation. At the time of preparation of this report, Bogale, an officer at ARS Bureau of Social Affairs stated that:

“There are more than 256 employees fired by private companies. Mainly from the construction and education sector. Their employees are alleging that they are not able to pay salaries due to the economic crisis of COVID-19.”⁹⁵

This was also confirmed from our interview with advocate Belay and agent Asefa. Belay who believed that the pandemic has greatly impacted workers at large taking the number and nature of cases he represents. He stated that:

⁹³ Association for Human Rights in Ethiopia interviews #19, 20, August 2020, Samara and Logia (translation Amharic into English)

⁹⁴ Association for Human Rights in Ethiopia interviews #21, 22, August 2020, Logia (translation Amharic into English)

⁹⁵ Association for Human Rights in Ethiopia interviews #A1, August 2020, Samara (translation Amharic into English)

“I have had a lot of cases since the outbreak of COVID 19 and the declaration of the state of emergency. Most of these cases are labor disputes and disputes related to non-compliance with the rules of state of emergency. In Semera and Logia alone, large number of workers were fired because of COVID 19. For example, a Construction company has terminated the contract of 90 workers by alleging its inability to operate by moving from place to place. Hotels have also reduced their workers since it is prohibited to sell alcoholic beverages; two private schools have also failed to pay their workers’ salaries.”⁹⁶

Similarly, Asefa also confirmed that his company has reduced workers. He stated that:

“In the first three months since the declaration of the state of emergency, we have not sold anything, we have left all the warehouses we have, and returned all the trucks without selling a single bottle of beer. After that, we started selling a little more, using other mechanisms. But we are still suffering because it is still difficult to do business openly. As a result, we have reduced our workforce by three-quarters.”⁹⁷

Furthermore, the two workers, who lost their jobs and whom our team interviewed, have shared their devastating situation after losing their job. The first victim is Jemal who used to be a primary school teacher at a private school in Logia. He narrates his situation as follows:

“I worked as a teacher at a private school. But after the pandemic, the school was closed. The director of the school called and told me ‘you are no longer an employee of this school; the school is going to be closed because we don't have any money to pay you.’ As a result, I am currently working as a daily laborer. I'm working for a construction company as we speak. I was studying to get my master's degree, but I could not afford to pay the tuition fee. May Allah respect them and it was my friends who paid for me.”⁹⁸

In the same fashion, Semira, who used to teach at the same school as Jemal, tells her story as follows.

⁹⁶ Association for Human Rights in Ethiopia interviews #B1, September 2020, Logia (translation Amharic into English)

⁹⁷ Association for Human Rights in Ethiopia interviews #C1, September 2020, Logia (translation Amharic into English)

⁹⁸ Association for Human Rights in Ethiopia interviews #23 September 2020, Logia (translation Amharic into English)

“I was working as a teacher in a private school. I have not been paid since the state of emergency was declared. I have no other income and I can't manage my household. I am living with the help of my family. I took the case to court but I could not do anything because I failed to support my case with the necessary documents.”⁹⁹

In ARS, the outbreak of the pandemic and its countering and controlling measures had also affected the right to education as conducting face-to-face classes was prohibited during the emergency period. Abdu Endris, an officer at ARS Women’s, Children’s and Youths’ Affairs Bureau noted that:

“Although an attempt was made to educate students from home in collaboration with the regional bureau of Education, it was not successful as the students have limited access to technology. This has seriously undermined the quality of education.”¹⁰⁰

Furthermore, the pandemic has contributed to domestic and gender-based violence. According to a report from ARS Women’s, children’s and Youths’ Affairs Bureau, region-wide there were 14 reported rape cases within the period this research covered. This number is twofold compared to cases reported before the pandemic.¹⁰¹ The office thus thought that the increment of the cases is directly associated with the outbreak of the pandemic and the countering measures such as the closure of schools and lockdown.

In the region, the situation of the destitute, homeless, and children on the street has worsened. An officer, who wanted to remain anonymous, from the region’s Bureau of Social affairs stated:

“There is no organized action to mitigate the impact of Covid 19 on those vulnerable groups. There is no organized data at the regional level as to the total

⁹⁹ Association for Human Rights in Ethiopia interviews #23 September 2020, Logia (translation Amharic into English)

¹⁰⁰ Association for Human Rights in Ethiopia interviews #D1, September 2020, Logia (translation Amharic into English)

¹⁰¹ Ibid

number of such groups. What we have is only the number of homeless and street children living in the capital- Semera and Logia City.”¹⁰²

One street child, who wanted to remain anonymous, describes his experience as follows:

“I came from one of the rural Woredas of Wolaita Zonal Administration of SNNPR. I have been living here in Logia for the past three years in a destitute way without access to food, hygiene, and health care facilities. Nobody cared about our health situation.”¹⁰³

In relation to detention centers, different measures were taken to contain the spread of the pandemic in ARS. Vice Commander Ahmed Reshid Habib, Director of Human Resource Directorate of Prison Administration stated:

*“Out of 900 detainees we had before the outbreak of COVID-19, we released 200 because of the pandemic. Most of them were detainees who have been convicted of felony criminal mischief and prisoners with illnesses. We have done preventive work; such as cutting off external communication and supplying masks and sanitizers for all detainees and members of the prison police. As a result, every detainee as well as member of the security force cannot walk around the yard without wearing a mask. Every new entrant was quarantined for 14 days and after taking tests if they tested negative they joined the other detainees who were there. By doing so, we have found three positive cases, two on new entrants and 1 member of the police. Now, laboratory tests are conducted for all 700 detainees and 500 members of prison police found in all detention centers.”*¹⁰⁴

f. Benishangul-Gumuz Regional State

In BGRS, like the case of other regional states, the outbreak COVID-19 pandemic and the declaration of the national state of emergency have resulted in serious human rights concerns. The regional government had taken different emergency and restrictive measures to fight the

¹⁰² Association for Human Rights in Ethiopia interviews #E1, September 2020, Logia (translation Amharic into English)

¹⁰³ Association for Human Rights in Ethiopia interviews #24, September 2020, Logia (translation Amharic into English)

¹⁰⁴ Association for Human Rights in Ethiopia interviews #F1, September 2020, Logia (translation Amharic into English).

pandemic. One of the measures taken was awareness creation about the pandemic and its prevention methods. The Region's Bureau of Health and concerned organizations were providing information to the public as much as possible. Nevertheless, there were complaints from the non-Amharic speaking community that they weren't able to understand the information as it was provided in Amharic. Even illiterate people were complaining that the information was hard to understand initially. Additionally there were no special information dissemination mechanisms designed for children and persons with disabilities. One informant, who wanted to remain anonymous, stated in the following:

*"I could not understand the precautionary measures that have been transmitted through different media. Mainly, because it was transmitted in Amharic which I do not understand. This makes it hard for me to know and apply the proper measures to protect myself and my family from the pandemic."*¹⁰⁵

Apart from the information gap, in BGRS there were also grievances concerning unavailability and insufficiency of prevention and protective equipment. According to an interview with an anonymous regional task force member to mitigate the pandemic:

*"There was no government and public institution which provided sanitizer for their customers and the general public. Some government officials and health workers got sanitizers from the Regional Health Bureau and donors. Physicians were criticizing the shortage and provision of Personal Protective Equipment (PPE) to government officials but not to the physicians. This happened because government officials' were a member of the task force and they decided to use the limited PPE in their own office."*¹⁰⁶

Personal observation of the research team inferred that government offices in the region had forced workers to work in rotation. This was done with a view to keep the social distance to fight the pandemic; by reducing the number of workers who work from the office. Nonetheless, the same limit was not imposed on customers. As a result, it was common to see crowds in public service provision sectors in the region.

In BGRS, there was partial closure of courts during the five-month emergency period. Courts were only entertaining urgent cases and those related to COVID-19 restrictions. This

¹⁰⁵ Association for Human Rights in Ethiopia interviews #25, July 2020, Assosa (translation Berta into English)

¹⁰⁶ Association for Human Rights in Ethiopia interviews #G1, August 2020, Assosa (translation Amharic into English).

situation apart from affecting people’s right of access to justice opened room for denial of justice in the region. In this regard interview with Tsega lawyer and Women’s rights defender in Assosa city, indicated that:

“suspension of courts created opportunities for some potential defendants to get time to hide some properties and conceal evidence since courts failed to accept fresh pleadings, suspending on-going trial and unwillingness to give restraining order until the case received a final decision.”¹⁰⁷

According to the Region’s Attorney General Office report, an anonymous expert noted that 2,281 people were suspected of 1780 cases of violating the state of emergency restrictions. Among them, 13 were penalized and put in prison from three months up to one year and others were fined.¹⁰⁸

Moreover, the Region’s Attorney General Office revealed the release of 931 prisoners on amnesty as one of the measures to control and counter the pandemic.¹⁰⁹ Nevertheless, the detention centers were crowded irrespective of the release of some of the prisoners. There were no testing centers and protective equipment in the prisons. Except Kamashi, Gligal Blese, and Assosa prison centers, there were no designated prison cells to isolate new prisoners and those who show the symptoms in the other prisons.¹¹⁰ Consequently, the families of the prisoners were complaining that there is a high possibility of transmitting the virus because of poor protection in prison centers.

The restriction imposed in the transportation sector also highly affected the public in BGRS. The restriction caused the cost of transportation to increase threefold. As a result people were complaining that they could not afford it in their daily movements. The existence of a restriction on the passenger-carrying capacity of transport means persons with a disability; sick persons; and persons in an urgent situation, were unable to move with their immediate caregivers which further complicated their life. Since the region shares a border with Sudan, people who went there before the declaration of the state of emergency were not allowed to

¹⁰⁷ Association for Human Rights in Ethiopia interviews #H1, August 2020, Assosa (translation Amharic into English)

¹⁰⁸ Association for Human Rights in Ethiopia interviews #H1, August 2020, Assosa (translation Amharic into English)

¹⁰⁹ Ibid

¹¹⁰ Ibid

come back to their home as the emergency measure prohibited entry into or exit from the country through inland entry ports.

The pandemic and the restrictive measures had also caused a serious impact on the economy and livelihood of residents. While hotels and restaurants were allowed to provide their services in compliance with COVID-19 protocols, bars engaged in selling alcohol were not allowed to operate. Most bars were accidentally closed by government authorities without prior notice to collect private belongings. It forced a large number of women to become unemployed who then shifted to become commercial sex workers to make their living. Deborah, one of our informants in the city of Assosa, describes her situation as follows.

“I am a single mother of three kids and I make a living by selling alcohol in my bar. But now I am prevented from opening my bar and this has affected my economy badly. I have been forced to fire three of my employees because of this. But, hotels located beside my bar have been carrying on their business which is not fair.”¹¹¹

The pandemic and emergency measures have also opened room for the reduction of workers. It is basically related to the closure of schools and the reduction of business mainly in the service sector. One of our informants, a teacher in a private school, explains the situation in the following manner.

“I have been teaching Mathematics in one of the private schools in Asosa. But now, I have become jobless because I am fired since the school is closed due to the pandemic and parents are not paying the school fee. I intend to sue the school.”¹¹²

As per the report of an anonymous expert in the Region’s Bureau of Women’s and Children’s Affairs indicated, it engaged in fundraising for low-income segments of the society whom the pandemic affected enormously.¹¹³ It also planned to establish centers for people living in the streets. Accordingly, it collected more than 10 million Ethiopian Birr from non-governmental

¹¹¹ Association for Human Rights in Ethiopia interviews #26, August 2020, Assosa (translation Amharic into English)

¹¹² Association for Human Rights in Ethiopia interviews #27, July 2020, Assosa (translation Amharic into English)

¹¹³ Association for Human Rights in Ethiopia interviews #J1, August 2020, Assosa (translation Amharic into English)

organizations and public servants and identified 236 street people.¹¹⁴ Nevertheless, the region failed to establish the centers, and the money collected did not reach those in need.¹¹⁵

COVID-19 pandemic and the restrictive measures have also impacted education in the region. According to the interview with the region's Education Bureau experts, Dessalegn Alega and Asmamaw Embiyale:

“there were attempts to produce television and radio education programs. Because of the absence of commitment and willingness the recorded programs were not broadcasted as planned. Private schools had tried to deliver classes through social media but they were not effective as well.”¹¹⁶

Moreover, the outbreak of the pandemic had contributed to the intensification of gender-based and domestic violence. The region's Bureau of Women's and Children's affair documented 73 rape cases and 31 signals of early marriage cases reported in the period between February to July 2020.¹¹⁷ Among the rape victims, one was a boy, 48 were under the age of 18 and the rest were adults. With the effort of the regional government, 29 early marriages were cancelled.¹¹⁸ The numbers indicated here show the increment of the cases which is attributed to the outbreak of the pandemic as our informant reveals. He noted that:

“The report has documented cases reported to the law enforcing organs. We believe that there are so many cases that did not get coverage because of many reasons. The closure of schools and other public service sectors escalate the number of gender-based violence in the regional state. The number is increasing because of the pandemic.”¹¹⁹

Our interviewee Tsega also shared the fact that gender-based violence is underreported. She is of the opinion that:

¹¹⁴ Ibid

¹¹⁵ Ibid

¹¹⁶ Association for Human Rights in Ethiopia interviews #K1 L1, September 2020, Assosa (translation Amharic into English)

¹¹⁷ Above note 108

¹¹⁸ Ibid

¹¹⁹ Ibid

“There are many victims who hide due to lack of awareness, the inadequate justice system, fear of social outcast, and the reluctance of justice and gender-based office response.”¹²⁰

g. Dire Dawa City Administration

In Dire Dawa, the pandemic has affected the socio-economic situation of the people and caused restrictions and possibilities for abuse of human rights as the national state of emergency declared was applied in the city. In fact, the impact varies depending upon the economic and social status of the people.

To begin with, various institutions, governmental and non-governmental organizations, volunteer groups, religious institutions together with the city administration’s health bureau, had engaged in the provision of information about nature and prevention methods of the virus. They have also provided food and sanitary items to the low-income segments of the society, as noted by Tigistu Yemane from the Health Bureau of the city.¹²¹ The information had been disseminated through various platforms such as radio, TV, flyers, hotline (toll), home to home awareness creation with health extension workers, volunteers, and the police.¹²² Economic support from volunteers, charity organizations, and the city administration was also extended to the low-income residents of the city which covered one-month consumption.¹²³

As the personal observation of the research team reveals the dissemination of information about the pandemic was not inclusive. However, it did not consider the special needs of children and persons with disabilities. Especially those visually impaired, living in the street have been put in difficulties to protect themselves and find their daily living through begging. Because of distancing, staying at home, and avoidance of contact orders, they have lost support from the community, and there were even suicidal attempts.

The other impact the pandemic caused in the city was stigma and discrimination as per the observation of the researcher. In the beginning of the pandemic, it was common to see social

¹²⁰ Above note 107

¹²¹ Association for Human Rights in Ethiopia interviews #M1, August 2020, Dire Dawa (translation Amharic into English)

¹²² Ibid

¹²³ Ibid

stigmatization and discrimination against those who were infected with the virus, their family, and those who stayed in quarantine centers. This was due to a misconception of the society about the virus which was later changed after intensive public awareness.

Unlike other places in Ethiopia, one of the difficult things faced in Dire Dawa was with enforcement of the emergency measures. Given that the city is well-known for its communal way of life and lack of fear in obeying the security officers who are close with the community, enforcing the restriction was hard as noted by Rediet Girma, head of the Attorney General office of the city.¹²⁴ It was considered that this has contributed to the spread of the virus in the city.

The other impact of COVID-19 in the city was on the right to education and quality of education. As the country's emergency measure prohibited conducting class on a face-to-face basis, there was an attempt to deliver class through public and social media. Dire Dawa city Education Bureau together with the support of USAID prepared TV and radio transmissions for the students as mentioned by Sintayehu Ayele from the Education Bureau of the city.¹²⁵ However, there were no follow-up mechanisms to ensure whether the students followed the lesson.¹²⁶ And as observed, the transmission had not been followed by the students. Private schools also tried to reach students via social media. But, as per the evaluation of the Bureau, the attempts were not successful and the pandemic had compromised the quality of education. Besides, the closure of schools has also affected students who relied on school feeding for daily meals. The Education Bureau confirmed that no substitute mechanism was put in place to feed the students.¹²⁷

The virus has also affected people's visits to health centers. Due to the virus, regular activities of health centers were also disrupted as people were not visiting them. Since individuals considered health centers and the professionals as agents of transmission as stated by Tigistu Yemane.¹²⁸ People panicked and were very worried about exposure to the virus in

¹²⁴ Association for Human Rights in Ethiopia interviews #N1, August 2020, Dire Dawa (translation Amharic into English)

¹²⁵ Association for Human Rights in Ethiopia interviews #O1, September 2020, Dire Dawa (translation Amharic into English)

¹²⁶ Ibid

¹²⁷ Ibid

¹²⁸ Above note 121

visiting health centers. This fear was also shared by those who needed family planning services although it was not interrupted.

Unlike most Regional States, Dire Dawa City Administration had done exemplary work in taking precautions to control child abuse, gender-based and domestic violence during the emergency period. The Women's and Children's Affairs Office of the city has developed its own mechanism to protect children from abuse and harmful traditional practices. The office said they have the a program called Community Conservation (CC), which involves discussion and reporting regarding abuse and harmful traditional practices in the community as noted by Tsegaye Abegaz.¹²⁹ The mechanism was effective in containing the abuse as people feared exposure and being subjected to justice. Concerning gender-based violence, different measures were taken to control it and create awareness. These include the establishment of a task force consisting of people from the Police Commission, Attorney General Office, Health Bureau, and Women's and Children's Affairs Office. To tackle domestic violence, awareness creation was done through the media in Amharic, Afaan Oromo, and Somali language. A hotline was also created to report cases of gender-based and domestic violence.¹³⁰ As a result cases were not reported during the state of emergency period.

The situation of detention centers during the emergency period of COVID-19 was not different from the situation in most regional states. Apart from prisoners who were convicted/suspected of other crimes there were prisoners who were convicted/suspected of violation of the COVID-19 countering and controlling measures. This resulted in the increment in the number of prisoners, and exposed them to the virus due to crowding. Additionally there were no isolation centers and new prisoners or those showing the symptoms were not tested.¹³¹ An anonymous detainee revealed that there was no information provided about COVID-19 and the information wasn't accessible.¹³² There was a shortage of water and sanitary items in the prison centers as revealed by the detainees.

¹²⁹ Association for Human Rights in Ethiopia interviews #P1, September 2020, Dire Dawa (translation Amharic into English)

¹³⁰ Ibid. Hotline 8955 is used to report any cases of domestic violence

¹³¹ Above note 124

¹³² Association for Human Rights in Ethiopia interviews #28, July 2020, Dire Dawa (translation Amharic into English)

Efforts were also made to reduce the crowd in prison centers. Basically in the city administration, two fundamental measures were taken to prevent the spread of the virus in the prison. The first one was using schools as detention centers as they were closed. The second measure was the release of prisoners who were convicted of minor offenses; detainees that were not charged; detainees in the pre-trial stage and the like.¹³³ With all these efforts the problem was not resolved to the required level.

h. Addis Ababa City Administration

In Ethiopia, the first case of COVID-19 was confirmed on 13 March 2020, in the capital Addis Ababa. The government then began to take countering and controlling measures on the spread of the pandemic before the declaration of state emergency. The measures were later incorporated in the regulation enacted to implement the state of emergency declared on 08 April 2020. In the capital, the measures included among other things: total closure of school since 16 March 2020 (which later lasted up to the end of November);¹³⁴ total closure of the federal courts from 18 March 2020 to 02 April 2020 (which was later partially opened to entertain urgent cases, cases related to the COVID-19 prohibitions and restrictions, issues of maintenance, child custody, bail and remand cases);¹³⁵ prohibition of public gatherings and events, etc. The outbreak of the pandemic and these controlling and countering measures have impacted the human rights and socio-economic situation in particular of the inhabitants of Addis Ababa.

The first impact was on the provision of health services and the right to health of persons. Apart from being a public health threat by itself, COVID-19 had also limited the public's access to health services for other illnesses and disrupted other health service measures. In the capital, observation deduced that health care institutions were mainly mobilized towards responding to COVID-19. There was a temporary suspension of treating patients with other problems and health care institutions have been giving priority to COVID-19 patients. Moreover, there was self-restraint by patients themselves from seeking medical care due to

¹³³ Above note 24

¹³⁴ Negash Mohammed, 'የኮሮና ቫይረስ ትምህርት በኢትዮጵያ' Deutsche Welle <<https://www.dw.com/am/a-53002686>> accessed 06 November 2020; Mihiret Moges, 'ትምህርት ሚኒስቴርና የክልል ትምህርት ቢሮዎች በቀጣይ ትምህርት አጀማመር ላይ ውሳኔ ሊያሰጡ ነው' The Reporter 23 September 2020 <<https://www.ethiopianreporter.com/article/19904>> accessed 05 November 2020

¹³⁵ Fana Broadcasting Corporation የፌዴራል ፍርድ ቤቶች የኮሮና ቫይረስን ለመከላከል በክፍል ሊዘገ ነው <<https://www.fanabc.com/የፌዴራል-ፍርድ-ቤቶች-የኮሮና-ቫይረስን-ለ/>> accessed 07 Nov. 2020

fear of being under confinement. According to the UNICEF Ethiopia report, the outbreak of the pandemic also disrupted and caused the postponement of the measles and polio campaigns planned for March/April 2020. The vaccination of children was delayed thereby exposing them to these contagions.¹³⁶

In the capital, the total closure in the beginning and partial closure of the Federal courts later on had also impacted people's access to justice. The impact was also sensed by NGOs engaged in the provision of legal aid to vulnerable segments of society. An interviewee from Ethiopian Women Lawyers' Association (EWLA), who wanted to remain anonymous, explains the situation as follows:

“EWLA was closed in the months of April and May 2020. The closure of courts was a big problem for victims. Especially those who seek maintenance allowance (initially). We were forced to provide legal aid services through phones from our home for easy cases.”¹³⁷

Regarding freedom of opinion and expression, the unnecessary and restrictive prohibition stipulated in the regulation had been practically used as an instrument to harass and silence human rights defenders and vocal critics of the government. The best illustration of this among others is the case of human rights defender and activist Elisabeth Kebede, who was accused of spreading false information relating to COVID 19.¹³⁸ It was just for what she wrote and posted on Facebook, expressing her concerns about Harari Regional State (HRS) officials who had contact with a COVID-19 patient that should have been quarantined.¹³⁹ The truthfulness of her post was neither contested nor caused “terror and undue distress among the public” by any standard to establish the crime. As the charge was possibly politically-driven, she was accused in HRS while she permanently resided in Addis Ababa. She was taken to Harari and detained there for two days. She was also denied bail rights until she was released, granted bail, and the case was referred to a court in Addis Ababa due to the pressure from Human Rights Organizations.

¹³⁶ UNICEF Ethiopia, Socio-economic impacts of COVID-19 Update - 14th May 2020 p. 2

¹³⁷ Association for Human Rights in Ethiopia interviews #Q1, September 2020, Addis Ababa (translation Amharic into English)

¹³⁸ Elisabeth Kebede v. Harari Regional State General Attorney file no. 19978

¹³⁹ HRW, ‘Ethiopia: Free Speech at Risk Amid Covid-19’ <<https://www.hrw.org/news/2020/05/06/ethiopia-free-speech-risk-amid-covid-19>> accessed 18 November 2020

A similar situation has happened to journalist Yayeew Shemelis for what he stated on Facebook with the anticipation of COVID-19 danger stating: “the Ethiopian government ordered the reading of 200,000 burial places.”¹⁴⁰ Although he issued an apology for it (his statement was discredited then), he was detained longer in disregard of the Court’s order for release on bail. His charges were changed now and then just to keep him in prison.¹⁴¹

The Regulation’s authorization of the use of force has opened room for security forces to commit human rights violations. It was common to see security forces beating those who failed to wear facemasks and comply with social distancing rules. An anonymous eye witness narrates what she saw as follows:

“At my workplace at Sedest Kilo area, I always see the security forces beating and also forcing those who failed to wear facemasks and walk in groups to kneel. It caused people to suffer physical harm and feel shame as they were seen by the public on the roadside.”¹⁴²

Furthermore, this was accompanied by mass arrest as an operation to enforce the wearing of face masks. For instance, it was reported that until 13 May 2020 over 1,300 people were arrested for failure to wear facemask.¹⁴³

In Addis Ababa, the closure of schools had affected the delivery of education as well as access to food and sanitary items. Addis Ababa City Administration Education Bureau had introduced a school feeding program for all primary government schools for students estimated at 564,722.¹⁴⁴ The disruption of school feeding programs not only affected children’s access to food but also aggravated the household poverty situation.¹⁴⁵ In the same

¹⁴⁰ Mahlet Fasil, ‘Police Vague about Journalist Yayeew Shimelis as CPJ Calls for his Release’ <https://addisstandard.com/news-police-vague-about-journalist-yayeew-shimelis-as-cpj-calls-for-his-release/> Addis Standard, accessed 3 April 2020

¹⁴¹CPJ, ‘Ethiopian police hold journalist Yayeew Shimelis pending terrorism investigation’ <https://cpj.org/2020/04/ethiopian-police-hold-journalist-yayeew-shimelis/> accessed 17 April 2020; Mahelt Fasil, ‘Prosecutors Charge Journalist Yayeew with Newly Enacted Hate Speech Law’ <https://addisstandard.com/news-update-prosecutors-charge-journalist-yayeew-with-newly-enacted-hate-speech-law/> accessed 21 April 2020

¹⁴² Association for Human Rights in Ethiopia interviews #28, November 2020, Addis Ababa (translation Amharic into English)

¹⁴³ <https://www.africanews.com/2020/05/19/ethiopia-s-coronavirus-rules-crowd-ban-free-transport-regulate-essentials-etc/> accessed 20 June 2020

¹⁴⁴ Above note 136 p. 4

¹⁴⁵ Plan International, ‘under siege impact of COVID-19 on girls in Africa’ June 2020 p. 15

fashion, the closure of schools had caused a significant impact on female students who depended on menstrual hygiene interventions through schools.¹⁴⁶

Moreover, the outbreak of the pandemic and its countering measures had also affected the livelihood of the low-income segment of the society in the capital. As it was prohibited to run trading activities on the roadside, people making a living from such small business were at the brink of destitution. In this regard, the situation of Woinshet Fanta as documented by UNICEF is worth considering. Woinshet Fanta who lives in a cramped single room with her four children in the shadow of Addis Ababa old train station was unable to carry out her roadside work. She faced a shortage of food as a result of loss of income and was supported by her neighbours.¹⁴⁷

Similarly, Agitu, who works at Sedest Kilo in a container and who makes a living selling food, was also in a similar condition as a result of the closure of higher education institutions. As her workplace is nearby Addis Ababa University, almost all of her customers were university students. The decision to close higher education institutions made her lose her daily subsistence. She was unable to pay her monthly rent and was exposed to intimidation by her landlords.¹⁴⁸ A staff member of EWLA who wanted to remain anonymous noted that there was a case in which EWLA advised a woman who was forced to leave her rented home because she failed to afford her rent. Later as she invoked the regulation that prohibits eviction during the emergency period, she was not evicted from her house.¹⁴⁹

In Addis Ababa, the other major impact of COVID-19 was its contribution to the increment of gender-based violence and child abuse as a result of lockdown, school closure, stay-at-home orders, and workplace closures. Almaz Aberha, Director of Addis Ababa City Women's, Children's and Youths' Affairs Office noted that violence against children and

¹⁴⁶ Alessandra Cancedda et al, 'Mitigating the socio-economic impacts of COVID-19 in Ethiopia, with a focus on vulnerable groups' UNICEF August 2020 p. 10; UNICEF Ethiopia (2017), 'Menstrual Hygiene in Ethiopia – the Importance of Including Boys in the Discussion'

<<https://unicefethiopia.org/category/programmes/wash-programmes/>> accessed 06 November 2020.

¹⁴⁷ Unicef Ethiopia, 'in Ethiopia, protecting vulnerable families becomes more urgent as COVID-19 takes its economic toll' <<https://www.unicef.org/ethiopia/stories/ethiopia-protecting-vulnerable-families-becomes-more-urgent-covid-19-takes-its-economic>> accessed 14 November 2020

¹⁴⁸ Above note 142

¹⁴⁹ Above note 137

women was alarming during the emergency period.¹⁵⁰ Data from a few hospitals in Addis Ababa showed that, between mid-March and mid-May 2020, more than 100 girls were raped, some by close family members.¹⁵¹ In the same period, 50 women were exposed to domestic violence.¹⁵² This situation had forced the Association for Women Sanctuary and Development (AWSAD) to provide alternative shelter for victims of domestic violence, for the period that the state of emergency lasted, as the Director Mahlet Hailemariam stated.¹⁵³

A good job by Addis Ababa City Administration during the emergency period was concerning homeless people. As the city administration estimated the number of homeless individuals in the city was to be around 50,000 in 2018.¹⁵⁴ As part of the prevention measure of the spread of COVID-19 those living and/or working on the street were ‘picked up’ and held in institutions for safety and to reduce the risk of spread.¹⁵⁵ More than 4,100 have been placed in shelters in Addis Ababa.¹⁵⁶ According to Thomson Reuters Foundation, street children who were taken to shelters by the authorities or charities receive food, clothes, healthcare, and counselling.

i. The Situation of IDPs and Refugees

A separate examination of the situation of IDPs and Refugees in relation to COVID-19 in Ethiopia is imperative for two main reasons. First, crowding, which is common in Internally Displaced Persons (IDPs) and Refugee camps, provides a favourable condition to the spread of COVID-19. As a result, utmost care and preparedness, and readying equipment necessary for controlling and countering its spread would become a top priority in camps. Second, Ethiopia is one of the top countries in Africa in receiving refugees. And since 2018 it is the

¹⁵⁰ Initiative Africa 17 June 2020, በ2 ወር ውስጥ 101 ሕጻናት ተደፍረዋል! <<https://initiativeafrica.net/%E1%89%A02-%E1%8B%88%E1%88%AD%E1%8B%8D%E1%88%B5%E1%8C%A5-101-%E1%88%95%E1%8C%BB%E1%8A%93%E1%89%B5-%E1%89%B0%E1%8B%B0%E1%8D%8D%E1%88%A8%E1%8B%8B%E1%88%8D/>> 17 Nov. 2020

¹⁵¹ Kalkidan Yibeltal, ‘Child abuse rises in Ethiopia with COVID-19 restrictions’, BBC News, Addis Ababa, 4 June 2020; Supra notes 145 p. 8

¹⁵² Ibid

¹⁵³ Women Kind World Wide, ‘COVID-19 and Women’s Rights in Ethiopia’ July 2020 <<https://www.womankind.org.uk/covid-19-and-womens-rights-in-ethiopia/>> accessed 17 Nov. 2020

¹⁵⁴ Federal Democratic Republic of Ethiopia - Ministry of Labour and Social Affairs, 2018. The State of People with Special Needs (urban destitute) & Capacities of Service Providers- A Study of 11 cities in Ethiopia. Soberland International Institute of Development Services.

¹⁵⁵ Emeline Wuilbercq, ‘Ethiopia moves children from streets to shelters to slow coronavirus’ Thomson Reuters Foundation 12 June 2020 <<https://news.trust.org/item/20200611231733-qqa06/>> accessed 19 Nov. 2020

¹⁵⁶ Ibid

country where a large number of IDPs have been recorded. According to the report of UNHCR as of April 2020, there were approximately 761,000 refugees and asylum seekers in Ethiopia, as well as 1.74 million IDPs.¹⁵⁷

Since it is difficult to reach every refugee camp and displaced person in Ethiopia, the assessment here is on the COVID-19 protection situation in selected areas. For this reason, the research team collected data from ONRS, TNRS, ANRS, ARS, and Dire Dawa City Administration on the situation of IDPs and from GRS (Jewi and pugnido 1 refugee camps) and TNRS (Mai-ayni refugee camp) about the situation of refugees.

In TNRS, it was estimated that there are over 100,000 IDPs (this is data collected before the beginning of the war). The Largest numbers of IDPs have settled in and around Mekelle city. As a precautionary measure, they prohibited non-staff members from getting into the camps during the state of emergency. However, in interviewing individuals working in one of the camps in Mekelle it was found out that no special arrangement was put in place to grant support to IDPs in particular. They were just being treated as an indigent member of society. The anonymous interviewee revealed that:

“Preventing COVID-19 in the camp is hardly possible as it is overcrowded and many people live in a single room. All the displaced people in the camp share a lavatory and a place to fetch water. And they are complaining that this would expose them to the virus. They are not getting support for their daily consumption and there are times where they, including children, do not get any food to eat. The IDPs in the camp where I am working have received one time financial support that ranges up to 5,000 Birr per family. The government has also given them 15kg of wheat flour and 0.45l of oil just for a month. However, it is very difficult to think that such an amount would be enough to feed a family with children. Among the people, the elderly and people with chronic conditions are at higher risk. And some even died inside the camps without getting medical support. Besides, some of the displaced people suffered from a bodily injury at the places they were living before they were displaced; and are still suffering and have no one to look after

¹⁵⁷ UNHCR, ‘Weekly Operational Update’, May 8, 2020 < <https://data2.unhcr.org/en/country/eth> > accessed 20 November 2020.

*them. There is also a shortage of water and hygiene facilities to protect themselves from the virus.”*¹⁵⁸

In BGRS, according to the region’s Disaster Risk Management Bureau’s report, more than 174,905 people are displaced including returnees in the last two years as noted by Habtamu Zegeye, an expert in the Bureau.¹⁵⁹ From September to November 2020 it was reported that more than 50 thousand citizens are displaced because of identity-based militant gangs¹⁶⁰. In the region special arrangements haven’t been put in place to ensure the safety of the displaced persons from COVID-19. The government is trying to supply food and they are still scattered in meeting halls and their relatives’ homes. Personal protective equipment has not been supplied and there is no quarantine center designated for the IDPs. Displaced students were also unable to continue their education even in distance as the case of other students.¹⁶¹

In Dire Dawa City Administration, it is estimated that there are about 5,000 IDPs.¹⁶² Compared with other displaced persons in other areas, those in Dire Dawa are provided with COVID-19 protective equipment and regular health services though not adequate.¹⁶³ This is made possible because the support comes from the SRS, ONRS, and the City Administration. The big challenge in the center is keeping social distance and the absence of quarantine centers.¹⁶⁴ With regard to the education of children, nothing is done. And even if there were radio and TV lessons the children were unable to follow up since they didn’t have access to such devices.¹⁶⁵

In ARS, because of the flooding, there are about 144,255 IDPs placed in 49 centers mainly schools as noted by Mahie Ali, Emergency Prevention Specialist at ARS Disaster and Security Program Coordination Office. He explains the situation of countering the spread of COVID-19 in the centers as follows:

¹⁵⁸ Association for Human Rights in Ethiopia interviews #R1, August 2020, Mekelle (translation Tigrigna into English)

¹⁵⁹ Association for Human Rights in Ethiopia interviews #S1, November 2020, Assosa (translation Amharic into English)

¹⁶⁰ Ibid

¹⁶¹ Ibid

¹⁶² Above note 121

¹⁶³ Ibid

¹⁶⁴ Ibid

¹⁶⁵ Above note 125

*“So far the emphasis is on making those people safe from flooding. As a result special weight was not given to the supply of COVID prevention facilities like soap, sanitizer, and mask. Although the Health Bureau of the region tried to supply soaps, it was not sufficient to address all sites. There are no quarantine centers in the camps. Regarding the provision of emergency relief materials, both government and non-governmental organizations have tried their best to provide the required foodstuffs and medical facilities. About education, nothing has been done. But now we are working with the Education Bureau and other NGOs to open mobile schools.”*¹⁶⁶

In ANRS, IDPs from the Western part of ONRS, Southern TNRS, and BGRS were camped in different areas. Around 4000 IDPs are camped in Hara, Kobo, and Mersa cities of North Wollo Zone of the Region, as noted by Yasin Mohammed, a volunteer.¹⁶⁷ Observation and interviews with some of the IDPs reveal that their living situation was dire even before COVID-19. Illness, hunger, depression, and hopelessness are common in the centers. Since COVID-19 began, the following actions, even if very inadequate, were taken to support IDPs:

- ✓ Provision of masks, soaps, and sanitizers through NGOs and government
- ✓ Isolation centers for COVID suspects; which lasted only for a month
- ✓ Measuring body temperature in the centers; this was done sporadically.

Following the 2016 Oromo-Somali conflict, hundreds of thousands of the Oromo community living in the SRS have been forced to leave the region. The ONRS government has settled the displaced persons in different parts of the region. Jimma Zone and the city of Jimma are some of the recipients of the IDPs among others. Among these IDPs, those who settled in Jimma city have been residing in a hall. The number of dwellers in this hall is more than a hundred and some of them are living with their children. Our research team's observation revealed that COVID-19 prevention safety standards have not been observed. In the center the IDPs were not seen wearing facemasks, washing hands/using hand sanitizer, or keeping their social distance. Moreover, our interviewee from the center Chaltu describes the situation as follows:

“We don’t know much about COVID-19 and its prevention as we don’t have access to the media. There are no television or radio services in the room/hall

¹⁶⁶ Association for Human Rights in Ethiopia interviews #T1, October 2020, Semera (translation Amharic into English)

¹⁶⁷ Association for Human Rights in Ethiopia interviews #U1, November 2020, Dessie (translation Amharic into English)

*and we heard about the virus only when the government prohibited our engagement in ordinary activities. We only have hearsay information. Nobody supplies us with protective equipment. As the medical and food aid from the government is not sufficient, we let our children work as daily laborers and shoeshiners. However, the state of emergency has prohibited them from engaging in such activities. As a result, we have lost the income.*¹⁶⁸

With respect to refugees in Ethiopia, as they are supported by different international organizations, the care taken to counter and control the spread of COVID-19 in refugee camps is much better compared with the IDPs. For instance, as our anonymous interviewee working there revealed; in Mai-ayni refugee camp where there are 11,587 refugees located in the northern part of TNRS, health and safety, food and shelter, and psycho-social service are provided by different governmental agencies and NGOs.¹⁶⁹ The involvement of such organizations made the fight against COVID-19 meaningful.

In the camp, different measures were taken to counter and control the spread of the pandemic. The refugees were required and restricted to stay in the camp which limits their freedom of movement. Apart from the regular health care center, a quarantine center was also established in the camp.¹⁷⁰

The basic problem that COVID-19 caused in the camp was the exposure of children to house work they are incapable of due to closure of school.¹⁷¹ Moreover, some of the refugees' were not implementing the protective measures, despite constant efforts of awareness creation through door to door, mini media, billboard, flyers, etc.¹⁷²

Nonetheless, things are very different and worrisome in Jewi and Pignudo 1 refugee camps in GRS. Gatluak Koang, Chairperson of Jewi Camp said that the region accommodates about 319,130 refugees settled in seven camps; among which 58,270 refugees are in Jewi camp and 43,4313 refugees are in Pignudo.¹⁷³ The entry of the refugees in the region continued even in

¹⁶⁸ Association for Human Rights in Ethiopia interviews #29, November 2020, Jimma (translation Afan Oromo into English)

¹⁶⁹ Association for Human Rights in Ethiopia interviews #V1, October 2020, Shire (translation Amharic into English)

¹⁷⁰ Ibid

¹⁷¹ Ibid

¹⁷² Ibid

¹⁷³ Association for Human Rights in Ethiopia interviews #W1, September 2020, Jewi

the presence of the prohibition as a measure to control and counter the spread of COVID-19. As a result of the large influx of refugees, generally, it is recognized that the overall provision of humanitarian and basic goods and services is insufficient. Thus, the outbreak of the pandemic has added to the problems.

Despite joint efforts of UNHCR, Agency for Refugee and Returnee Affairs (ARRA), and other organizations to provide facilities and services in the Jewi and Pignudo 1 refugee camps, the situation in the camps makes the refugees vulnerable to COVID-19. There is a serious shortage of shelter in the camps. Our interview with refugees like Leul and Alazar (from Jewi) and Cherenet and Dibaba (Pignudo 1) revealed that there is a shortage of shelter, food, health facilities, sanitary, protective equipment, quarantine and isolation centers.¹⁷⁴ As the camps are crowded and the shelters are temporary as they are constructed from plastic materials, they are required to be repaired and remade every three months. The food and meals are insufficient in quantity and nutritionally poor.¹⁷⁵

Provision of essential health services is limited. Particularly critical health services such as mental health/psychosocial problems, sexual and gender-based violence counselling services have not been initiated. There is also a shortage of trained health professionals. The outbreak of COVID-19 has placed further restraint on the provision of essential health services to the refugee camps. This is because of: the reluctance to visit the health centers in the refugee camps due to fear of contracting COVID-19, lack of PPE stuffs, lack of adequate medical staff at the different sections of service delivery, including maternal health care. Consequently, women and patients with urgent cases have died and maternity death is very common in those refugee camps.¹⁷⁶

As a response to COVID-19 GRS, ARRA and UNHCR have made joint coordination efforts to reinforce the public health emergency operation center on the following pillars: community engagement; Risk communication, point of entry and Quarantine, infection prevention, control and WASH, Planning and Monitoring, Case movement, Capacity building, and Logistics.¹⁷⁷ An anonymous interviewee from the GRS Bureau of Health revealed that on this basis temporary isolation centers were established. Capacity-building activities have been

¹⁷⁴ Association for Human Rights in Ethiopia interviews #30, 31, 32, 33 September 2020, Jewi and Pignudo

¹⁷⁵ Ibid

¹⁷⁶ Above note 173

¹⁷⁷ Ibid

conducted with a total of 465 individuals of which 220 are host communities and 245 are from refugee camps. In addition to the health workers that were trained 661 community health workers 478 from the host community and 183 individuals from refugee communities were additionally trained on active case finding and risk communication activities. Moreover, 62 laboratory experts are working to collect, transport, and analyze the sample when necessary.¹⁷⁸

However, side-line challenges have emerged with these efforts to control and counter COVID-19. The health workers were not regularly paid, and claimed that they had been paid only for one month. And until then no incentives have been provided to them from the GRS Health Bureau for host communities and from UNHCR to the Refugees communities in the Refugee camps.¹⁷⁹ Nowadays the trained health workers have stopped working and there is a lack of adequate medical supplies, like PPE for the frontline health workers.¹⁸⁰

The refugees in the two camps are also complaining that they weren't made to be aware of the pandemic and the necessary protective equipment was not made available. One of our interviewee, Fitsum from Pignudo 1, stated that:

“since the outbreak of this new virus the representatives of agents and working partners once came to us in the refugee camps and informed us about the virus. They said it is a new virus that has emerged all over the world and it is a very dangerous virus and that it can be transmitted through gatherings and air so people must stop gathering in one place, handshakes, everyone needs to keep distance from one another, and to prevent this virus people must wash their hands with soap everyday”.¹⁸¹

Refugees Hiruy from Pignudo 1 and Mezgebe from Jewi camp indicated that in the camps there was no supply of facilities to prevent the virus such as facemask, soap, water containers and hand sanitizers to the refugee communities. Instead, every household in the camp buys those facilities as a prevention mechanism. As part of the regular food distribution program, they get two soaps for two months. The only people that used to get the supplies are the people who are working in the organization within the refugee camps. There are no

¹⁷⁸ Association for Human Rights in Ethiopia interviews #W1, September 2020, Gambella.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

¹⁸¹ Association for Human Rights in Ethiopia interviews #34, September 2020, Pignudo 1.

isolation/treatment and quarantine centers in the camps and those in the region are very far from the place where the camps are located.¹⁸²

Apart from the above health crises caused due to COVID-19 on refugees in GRS, testimony was received from the refugees about the contribution of COVID-19 to child abuses. In the region, there are 208,542 children below the age of 18, and 66% of them are refugees. Awelli from Pignudo camp and Nye-koang Deng from Jewi Camp said that children are facing different risks such as neglect, domestic violence, child labor, and dropping out of school.¹⁸³ These were happening even in the presence of child protection services. The outbreak of the pandemic has also heightened the risk of child marriage and forced marriage of adolescents since the schools are closed and the girls are at home. There is also an increase in cases of domestic violence. Moreover, women and girls are also confronted with harassment, physical attacks, and rape in areas where they used to collect firewood and water.¹⁸⁴

Kwow Obang, a school director in the Pignudo camp noted that good efforts were made to ensure the continuity of the education in the refugee camps.¹⁸⁵ UNHCR, Operational partners, and home facilitators were supporting elementary students with home-based education and numeracy-related activities. For instance, for primary education level students (1-8 Grade) radio and media-print based learning initiatives were provided. Radio lesson episodes were being developed by the GRS Education Bureau with technical and financial support from UNICEF.¹⁸⁶ Regarding secondary level education, self-learning materials were distributed to about 74% of the total students.¹⁸⁷ In addition to this teachers had been urged to carry out home-based visits to support the students and monitor the learning progress at home.¹⁸⁸ As a supplement to the above, additional resources have been mobilized to obtain a solar radio program to follow up the learning and teaching process.

¹⁸² Association for Human Rights in Ethiopia interviews #35, 36, September 2020, Pignudo 1 and Jewi

¹⁸³ Association for Human Rights in Ethiopia interviews #37, 38, September 2020, Pignudo 1 and Jewi

¹⁸⁴ Ibid

¹⁸⁵ Association for Human Rights in Ethiopia interviews #X1, September 2020, Pignudo 1

¹⁸⁶ Ibid

¹⁸⁷ Ibid

¹⁸⁸ Ibid

3. Conclusion

The occurrence of public emergencies like the COVID-19 pandemic poses a practical challenge resulting in violation of human rights and impacting the life of the society. This is because as it is not possible to counter and control such phenomena through ordinary state functioning, it requires empowering the executive with extraordinary power that forces it to compromise people's human rights beyond the natural limitations attached to them. This in turn restrains and damages the socio-economic life of the people. However, the response to control and counter the spread of the pandemic should not be based on a 'command-and-control approach'; that prohibits certain acts and imposes certain duties, the violation of which results in criminal liability and penalty, and that develops a sense of fear and stigma. The response must be based on a 'human rights-based approach' that develops a sense of solidarity, trust, kindness, respect, and fulfilment of human rights. Otherwise, the response is not only ineffective in addressing the public health crisis but also undermines the human rights and socio-economic lives of the society.

In Ethiopia, the response to COVID-19 adopted a command-and-control approach. Rather than the response being grounded in the realities of people's lives and one focused on eliminating the barriers people face in being able to protect themselves and their communities, it adopted restrictive ways by introducing prohibitions and imposing duties. This approach exposed people to human rights violations and socio-economic crises. This is, in fact, without undermining the efforts made to: provide the public with the protective and sanitary equipment, create awareness about the pandemic, and supply of food for the needy by governmental institutions and civil societies in the early stage.

Nonetheless, with the declaration of the state of emergency for five months as of 8 April 2020, the situation was changed. The emergency measures came up with restrictions, prohibitions, and imposed duties the violation which entailed criminal liability. As a result, during the enforcement of the measures, people were exposed from mere harassment and inhumane treatment to killings by law enforcement agents. People were also denied enforcing their rights and claims in a court of law; their movement and freedom of speech were highly restricted; prisoners were denied visit by families and detained for a prolonged time without being charged and granted bail.

Moreover, the outbreak of COVID-19 and the restrictive countering emergency measures adopted also caused health impacts, welfare and social cohesion impacts, and microeconomic impacts in Ethiopia. The health impacts were reflected in terms of reduced access to health care, interruption of and lower access to vaccination and preventative care services, reduced access to WASH services, reduced access to sexual and reproductive health services, deteriorated mental health and psychosocial wellbeing, and worsen child nutrition outcomes.

The welfare and social cohesion impacts have taken the form of worsened educational outcomes for girls and boys and interrupted school meals, worsened living conditions for people with disabilities, and increased exposure of women and children to violence, exploitation, and abuse, among others.

The microeconomic impact was seen mainly on a low-income segment of the society. Particularly, those who win their daily bread from daily income like small retail businesses, daily labourers, begging, and domestic work were highly affected in terms of loss of income and food insecurity. Private organizations were also seen firing their workers.

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