

Explanatory Note

The Embassy of the Federal Democratic Republic of Ethiopia (FDRE) in Washington D.C. is of the view that the new draft house resolution - H. RES 128 under the title "Respect for Human Rights and Encouraging Inclusive Governance in Ethiopia," which was introduced on 15 February 2017 is inappropriate and untimely. The draft resolution contains sweeping generalizations and is full of factual errors. Moreover, it is counterproductive setting the cordial relations between the United States and Ethiopia in the state of uneasiness.

The draft resolution makes a blanket assertion that **"democratic space in Ethiopia has steadily diminished since the general elections of 2005"** and that the ruling party **"claimed 100 percent of the parliamentary seats"** in the 2015 elections. Ethiopia has made numerous strides in enlarging universal suffrage. During the 2015 elections there were many opposition parties and candidates contested more than the 2005 elections. Anyone present in Ethiopia all the way through the pre-election season would have observed the numerous televised debates during which all sorts of political issues were vociferously voiced and argued between the candidates. Thus, the claim that the democratic space has diminished in Ethiopia since 2005 is a claim often repeated without any basis of proof whatsoever.

The assertion that the ruling party "claimed" to have won 100% of the parliamentary seats is factually incorrect for two reasons.

First, during the 2015 election, the Ethiopia Peoples' Revolutionary Democratic front (EPRDF) won only 500 seats out of the total number of seats in the House of people's Representative. One important point which is often ignored is that EPRDF is a coalition of four major political parties with proportional representation from four regions; namely from Oromia, Amhara, Southern nations and Tigray. Other regional independent parties, the Somali people's Democratic Party (SPDP) won 24, the Bensishangul Gumuz Peoples Democratic party(BGPDP) won 9; the Afar National Democratic Party (ANDP) won 8; the Gambela People's Unity Democratic Movement (GPUDM) won 3; the Harari N ational League and (HNL) the Argoba People Democratic Organization (APDO) won 1 each.

Second, Ethiopia's electoral system, has first-past-the-post system in which parliamentary seats are taken by those who win a majority of the popular vote in any electoral district. For instance in some districts, the EPRDF candidate actually obtained less votes than the other candidates combined. However, because of the fact that EPRDF's candidate received a majority vote compared to other would automatically won from an electoral district. The opposition candidates, had they formed unity, would have carried the electoral seats in those districts. This is the advantage of the ruling party across the country. As to the ruling party, both the House of Representatives and House of Federation could include members of the opposition parties if they win after forming unity at the polling stations.

After reviewing the Ethiopian political landscape and the pre-election process in 2015, the African Union observers concluded that the elections had been free, peaceful, and credible and had provided an opportunity for the Ethiopian People to express their choices at the poll. Overall, the AU Mission offered conclusions and recommendations to the Government, the Electoral Board, the Political Parties and the media to strengthen the electoral process encouraging all parties to participate actively.

Peaceful protests were often hijacked by violent elements

Last year, there were protest and demonstrations in parts of Oromia and Amhara region. This resulted from the fact that the government was able to build a demanding society. The youth in small towns raised their voice in quest of opportunities. The Embassy of Ethiopia would like to underscore that the militant opposition groups operating from a foreign countries including the United States have been trying to foment unrest and incite violence to advance their political agenda to dismantle the constitutional system. It is essential to note that the government has duty, like any other country, to ensure law and order in all situations, including in the context of protests, by ensuring accountability of those elements engaged in violence or committing illegal acts during the protests. The declaration of the provisional State of Emergency (SOE) on October 9, 2016 aimed at bringing peace and security in the country. The Government was forced to introduce this temporary measure to deal with an alarming threat to the country's peace and stability as well as extensive damage to public and private properties, including the torching of a significant number of factories which employed tens of thousands of people. Since, then there are no more protests and turmoil in the country. The Government listens to the call of many people in the cities who testify that the state of emergency enabled them to conduct their regular daily life peacefully by deterring those who were propagating to create ethnic tensions. Once the SOE realize this objective it will be lifted when law and order is fully restored. It is to be recalled that the government has released significant numbers of people among those who participated in illegal activities during the protests. Some of them who participated in criminal acts such as burning down investment ventures and attacking commercial farms will face justice.

Measures by the Government

The Government of Ethiopia duly acknowledges that the people have legitimate grievances and expressed its willingness to address those issues. The problems facing the country, including lack of basic social services, lack of good governance and corruption are handled at all levels by the leadership. Those who were engaged in corrupt practices were ousted from office and the legal process is underway. The political reform which begun with the reshuffling of the cabinet is an ongoing activity. The ruling party has embarked on a dialogue and negotiation with 22 opposition parties. The dialogue and consultations will include the discussion on amending the election laws and encouraging the participation of different voices in the parliament.

The House of Peoples Representatives (HPR) of the FDRE shoulders the responsibility to investigate the situation of the protests. In doing so, the government will facilitate the necessary conditions for all stakeholders and legal measures will be taken on those who violate human rights during the demonstration. The Ethiopian Human Rights Commission (EHRC) started, in close consultations with all stakeholders involved in the matter, an independent and thorough investigation into the deaths and injuries caused during the protests. The government, as in similar situation in the past, will make sure that those responsible for violent or other illegal acts

during the protests will be brought to justice. The outcome of the investigations will be made public in due course. The Embassy will share the outcomes of the investigations and measures taken based on the outcomes with all interested institutions.

The Government expressed its commitment to take measures to curtail corrupt practices and discriminatory treatment. The judicial authorities will conduct thorough investigation and those who incited violence will be held responsible for their illegal acts. The regional governments will address the genuine demands of good governance and those who are responsible for illegal acts will be made accountable in accordance with the law. The investors who lost their properties have received compensation and started operations. The government also allocated significant resources to create opportunities to the youth.

In light of the above and the various measures taken by the government in the past six months it is important to highlight the following points:

- Series of public dialogue and consultation in town hall meetings took place to involve the society at large in the resolution of the problems.
- The EHRC has started an independent and thorough investigation into deaths and injuries caused during the protests. The results of the investigation will be presented to the HPR.
- With the active participation of the people the SOE stopped the violence and ensured law and order in the country.
- The ruling party has embarked on a dialogue and negotiation with 22 opposition parties. The dialogue and consultation will include the discussion on amending the election laws and encouraging the participation of different voices in the parliament.
- The second National Human Rights Action Plan, which will enhance the promotion and protection of Human rights, has been adopted by the House of People's Representatives.
- Measures were taken on the Government officials who were engaged in corrupt practices, some were removed from office and the legal process is underway.
- The investors who lost their properties during the violence have received compensation and resumed operations with the support of the government.
- The Government has allocated over 500 Million USD to provide opportunities to the youth to engage in productive activities.

The reference in the preamble to regarding the weakness of Courts in Ethiopia, the prison conditions, the Zone 9 bloggers, the villagization and the CSO law are irrelevant and outdated. For instance, the annual report of the State Department acknowledged that the villagization program is called "accelerated development program" with a clear objective of providing people access to health care, education and water. International partners who visited the site concluded that the situation didn't corroborate the allegations. In September 2016, more than 230 prisoners including those convicted on terrorism were pardoned. Some of the substantive provisions outline measures that are uncalled for. In conclusion, the Embassy of the Federal Democratic Republic of Ethiopia, while expressing its regrets on this approach taken to introduce a draft resolution, wishes to convey its readiness to update the progress made on the investigation against rights violation during the violence via appropriate channel. The Embassy, is ready to discuss the possibility for a positive engagement.

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