**Disinformation and Freedom of Opinion and Expression during the War in Ethiopia**

**To UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**

**Submitted by: International Alliance for Peace and Development.**

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**Preface**

International Alliance for Peace and Development (IAPD) presents this report in conjunction with the Special Rapporteur’s annual thematic report to be presented to the Human Rights Council at its 47th session in June 2021.

This report illustrates how the Ethiopian government violates the international conventions and treaties. Not to mention "article 19" of the Universal Declaration of Human Rights stipulates that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers". Also, it concentrates on the recent Tigray crisis between the federal government and the State of Tigray.

**Disinformation**

Although the federal government asserts that the military operation ended in late November, some fighting clearly continues. The human costs continue to mount as the United Nations estimates that 1.3 million people need emergency assistance as a result of the conflict, and over 64,000 people have fled to neighboring Sudan. Eritrean refugees that had fled to Ethiopia have reportedly been attacked, in some cases forcibly repatriated. UN agencies remain unable to access some areas with humanitarian relief until the end of January. The overall number of civilians killed remains unknown while the death toll on regional stability will only become apparent over time[[1]](#footnote-1).

Abiy Ahmed's claims in late November that not a single civilian was killed in the military assault on Tigray were contradicted by desperate testimonials that emerged despite the state’s attempt to impose a total communications blackout across the region. Journalists are being attacked and harassed for reporting the truth and reflecting the extreme violations done by leadership in Addis Ababa. There were lots of evidences and testimonials that deny his claims about the Eritrean involvement in the war[[2]](#footnote-2).

Losing accountability and credibility may seem insignificant compared with the numbers killed, wounded, and displaced, but it is grave nonetheless.

The government possesses the advantage of being able to channel strategic messages through high-profile or official government accounts with very large followings. This means they are able to spread information widely without relying heavily on new accounts or copy-and-paste campaigns like the Tigrain opponents[[3]](#footnote-3).

Pro-government online activism tends to be more responsive than proactive. The Unity for Ethiopia website, which appeared in response to Stand with Tigray, similarly includes instructions for creating Twitter accounts and has a repository of pre-written tweets. As a kind of disinformation, new accounts created between November and January were responsible for 30 percent of all Unity for Ethiopia tweets during the two most active days of the campaign; Jan. 1 and Jan. 6[[4]](#footnote-4).

**Hate Speech Law**

It was until the beginning of 2021 when national and international NGOs express their fears of the adopted version of the Ethiopian Hate Speech and Disinformation Prevention and Suppression Proclamation law, 2020 (the 2020 Proclamation). Some of them are concerned that many of the problems raised by the Draft Proclamation have failed to be addressed. While some minor changes appear to have been made consistent with our prior recommendations, which we acknowledge, they still fail to make the 2020 Proclamation compatible with relevant international standards. It is still wholly unclear to content authors and hosts what will or will not subject them to criminal penalty under the Proclamation. The essence of their concerns remains the same, as the 2020 Proclamation still broadly defines ‘hate speech’ and ‘disinformation’ (substituted in the place of ‘false information’ in the prior Draft).

While some aspects of the wording in the definitions of hate speech and false information in the Draft have been changed, many human rights groups are concerned that their core problems of over breadth remain. “Hate speech,” for instance, as defined in Article 2 includes “speech that deliberately promotes hatred, discrimination or attacks against a person or a discernible group of identity, based on ethnicity, religion, race, gender or disability.” This is particularly problematic given that Articles 4 and 5 of the law prohibit “any” dissemination of these forms of content on a multitude of media, including broadcast, print, or social media using text, image, audio, or video.

**Access to Internet**

Internet connectivity was cut across Tigray immediately after Prime Minister Abiy Ahmed “declared war” on the TPLF in early November 2020 as federal forces engaged the regional forces in hostilities that have triggered a humanitarian crisis along the border with Sudan[[5]](#footnote-5).

Days after the operation began in western Tigray, the government announced official social media channels like Facebook and Twitter to face fake news. Relaying official account of the operation and debunking misinformation was the main task of the State of Emergency Fact-Checking handles but the claims of the federal government itself were unreal as they were contradicted by through the interviews of the eyewitnesses[[6]](#footnote-6).

The Ethiopian government’s appetite for internet shutdowns as "insatiable and atavistic" "…in blatant disregard of basic human entitlements, the government of Ethiopia never missed an opportunity to violate the rights of citizens. At the slightest provocation, the government appears to always have as its first option, internet shutdowns and communication restriction"[[7]](#footnote-7). Internet shutdowns are never a good option in times of crisis or national emergencies. A society that does not have access to information is a society that is walking in a fathomless abyss.

The federal government did not give any reasons. It hardly ever gives reasons for such security-related shutdowns but IAPD is worried that these measures were to ensure that government controls the war narrative plus to disrupt communication lines of "opponents". Despite not being opponents, the media became one of the most adversely impacted by the communications blackout. People outside of the region could also not connect with family and friends trapped in the region. In a recent Reuters report, the script read in part: "Claims from all sides are difficult to verify since phone and internet links to the region have been down" Several journalists have had to depend on diplomatic sources and other means to report incidents.

IAPD stress on the impact of unverifiable information. In which instance people peddle fake news along with its attendant dangers. Local and international watchers have tasked the government to lift the outage.

UN human rights commissioner Michelle Bachelet said in a November 6 statement "Cutting off communication has severely hampered the ability to monitor the situation on the ground, particularly the impact of the clashes in the local population". He also asked Addis Ababa to "re-establish all basic services, including Internet and telephone connections". Adding that “the right of all people to be informed and to access information is particularly vital in a crisis situation". However, the Ethiopian government didn’t take any measures towards that.

**Safety of Journalists**

During the conflict on Tigray, there were many journalists and reporters that face assault and attacks while the internet was inaccessible to most of them even if most of them do their due diligence and refrain from becoming swayed along ethnic or political lines. Shutting down internet connection does not only affect journalists deployed in Ethiopia but also journalists working abroad to cover the situation in Ethiopia. "There are gaps created as a result of working from abroad but responsible journalists always verify information using all the means available, but there is a big gap when it comes to implementation of journalism principles not only caused by physical distance, but also taking sides"[[8]](#footnote-8).

The challenges of reporting from overseas have been exacerbated during the information blackout and despite the governmental order to shut down internet, the government denied responsibility for the latest internet cuts. A tweet by the Ethiopia State of Emergency Fact Check, which says it provides the latest information on the state of emergency, shared a video on Twitter that it says shows unidentified individuals breaking into the northern region’s office of Ethio-Telecom, the country’s sole internet provider and then “intentionally” disconnecting the network which considered to be misleading information as internet blocks during times of conflict or unrest in Ethiopia aren’t new. Data from NetBlocks, which tracks cybersecurity and internet governance, shows other regions in the country were cut off during protests or violence following major events such as the killing of prominent Oromo artist Hachalu Hundessa in June 2020. In that case, internet service was cut off for 23 days[[9]](#footnote-9).

Journalists also were in a deteriorating situation as they find themselves in a precarious position whenever there is conflict. Since the military confrontation between the federal government and the Tigray region started, about seven journalists are detained and were in detention centers for weeks[[10]](#footnote-10).

In addition to these challenges, journalists working in the diaspora endure regular threats and accusations of bias. Many journalists say the harassment and intimidation comes from all sides but can be strong from the government.

An Ethiopian journalist and his friend have been reportedly shot dead by an unidentified person in the northern Tigray region’s capital Mekelle, an aid worker and a resident said on January 20, 2021[[11]](#footnote-11).

Dawit Kebede, who worked for Tigray regional state TV, was shot on Tuesday night while in a car with friends, one aid worker said. A worker, who asked not to be mentioned said "Both were shot in their head and their bodies were found in a car they were driving"[[12]](#footnote-12).

Their bodies were found the next day after shooting by people who were going to church and called the Red Cross. Dawit’s friend was identified as Bereket Berhe, whom was the brother of one of Dawit’s colleagues.

Both were killed at around 7.30 p.m. The motive of the attack was unclear. However, it is a negative indicator in terms of respecting the right to free journalism[[13]](#footnote-13).

Kahsay Biru, director of the Tigray Mass Media Agency which is the umbrella body for the broadcaster where Dawit worked, said police had briefly detained Dawit on Friday and asked him to report to them on Monday. "They asked him about our institution, and how they were reporting during the conflict", Kahsay told Reuters[[14]](#footnote-14).

**Recommendations**

In the light of the above and bearing in mind the international standers of the freedom of opinion and expression, International Alliance for Peace and Development (IAPD) recommends:

* Forming a national institution or observatory in Ethiopia to observe disinformation and misleading information with an adequate representation of different ethnic groups, minorities and regions.
* Organizing social dialogues to edit the Hate Speech and Disinformation Prevention and Suppression Proclamation law, 2020 (the 2020 Proclamation).
* Just and satisfactory fair trial on the crimes against journalists and reporters during the war.
* The trials of Ethiopian and foreign journalists, bloggers, reporters, human rights defenders and civil society activists should be attended by a UN backed committee.
1. Paradigm Initiative, Ethiopia’s Tigray Crisis: Net Blackout and Govt’s One-Way Fact Check., 2020, available at: <https://paradigmhq.org/ethiopias-tigray-crisis-net-blackout-and-govts-one-way-fact-check/> [↑](#footnote-ref-1)
2. Ibid [↑](#footnote-ref-2)
3. Ibid [↑](#footnote-ref-3)
4. ibid [↑](#footnote-ref-4)
5. VAO, For Ethiopia’s Diaspora, Seeking News Amid Communication Blackout is a Challenge, December 2020, available at: <https://www.voanews.com/africa/ethiopias-diaspora-seeking-news-amid-communication-blackout-challenge> [↑](#footnote-ref-5)
6. ibid [↑](#footnote-ref-6)
7. Op.cit [↑](#footnote-ref-7)
8. Washington Post, In Ethiopia’s digital battle over the Tigray region, facts are casualties, 2020, available at: <https://www.washingtonpost.com/politics/2021/02/05/ethiopias-digital-battle-over-tigray-region-facts-are-casualties/> [↑](#footnote-ref-8)
9. Ibid, Rodnaq, Ethiopia: Legislating On Hate Speech And Disinformation – Lessons From Ethiopia, June 2020, available at: <https://www.mondaq.com/social-media/959728/legislating-on-hate-speech-and-disinformation-lessons-from-ethiopia> [↑](#footnote-ref-9)
10. Council of Foreign Relations, Amid Misinformation and Suppressed Free Speech, Ethiopian Conflict Erodes Abiy's Credibility, 2020, available at: <https://www.cfr.org/blog/amid-misinformation-and-suppressed-free-speech-ethiopian-conflict-erodes-abiys-credibility> [↑](#footnote-ref-10)
11. Reuters, Journalist shot dead in Ethiopia's Tigray - aid worker, residents, January 21, 2021, available at: <https://www.reuters.com/article/uk-ethiopia-conflict-journalist-idUSKBN29Q21I> [↑](#footnote-ref-11)
12. Ibid, Reuters, Ethiopia bars journalists from flying to Tigray regional vote, passengers say, 2020, available at: <https://www.reuters.com/article/us-ethiopia-politics-idUSKBN25Y156> [↑](#footnote-ref-12)
13. Op.cit [↑](#footnote-ref-13)
14. ibid [↑](#footnote-ref-14)