

Surveillance and State Control in Ethiopia

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Tactics

The Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power in 1991 as an insurgent coalition intent on transforming Ethiopia's politics and economy. Over the past two decades, the government's heavy-handed approach has fostered significant regional and ethnic discontent. As the EPRDF's grip on power has weakened, it has moved to further close political and civic space. Two laws adopted in 2009—the Charities and Societies Proclamation and the Anti-Terrorism Proclamation—decimated the country's already weak human rights community. The government's crackdown has also extended to development and humanitarian groups, which have been targeted with burdensome funding regulations and government harassment.

The closing of civic space in Ethiopia has the following key features:

-) Harsh restrictions on foreign funding for civil society organizations working on a wide range of politically related issues.
-) Violent repression of civic mobilization in the name of counterterrorism and anti-extremism.

- J) Efforts to bring all independent civil society groups—including development and humanitarian actors—in line with the government’s national development policy.

Civil Society Growth Amid Constraints

A History of Repression

While Ethiopia has a long history of mutual self-help organizations and informal community groups, the formal nongovernmental sector has historically been weak and marked by adversarial relations with the state.⁴⁰⁷ Any autonomy enjoyed by civil society during the reign of emperor Haile Selassie was severely restricted after the Marxist Derg regime assumed power in 1974. State authorities closed down or co-opted almost all independent professional organizations and interest groups, including traditional associations in rural areas. Those organizations that survived state repression focused on providing emergency relief services. However, the famines of the 1970s and 1980s forced the Derg leadership to open the door to international assistance, triggering an influx of foreign NGOs that often relied on local partners to facilitate delivery of humanitarian aid.⁴⁰⁸

Ethiopia’s NGO sector expanded rapidly during the brief period of political liberalization that followed the EPRDF’s ascent to power. As aid flowed into the country to support the political transition, new professional associations and development organizations emerged, as well as a handful of advocacy groups.⁴⁰⁹ The Ethiopian Teachers Association took an active role in challenging the government’s education reforms. Traditional associations such as the Mekane Yesus church in western Oromia and the Southern Nations, Nationalities, and Peoples’ Region added human rights components to their community work, and student activism flourished.⁴¹⁰ At the same time, most civil society organizations had relatively

limited resources and capacity, and their impact on state policy remained marginal. Given Ethiopia's dire humanitarian situation after years of civil war, many groups continued to focus on service delivery and relief efforts.⁴¹¹ Those that ventured into advocacy typically worked on relatively safe issues such as children's and women's rights and operated within existing policy frameworks.⁴¹²

Continued Government Suspicion

Despite efforts at liberalization, the EPRDF remained suspicious of independent media and civil society. Beginning in the early 1990s, the government sought to bring independent trade unions under EPRDF control by replacing government critics with party loyalists. The Ethiopian Teachers Association and the Confederation of Ethiopian Trade Unions—both of which had been critical of the government's reforms—experienced sustained harassment. The president of the teachers association was convicted of armed conspiracy in 1996, and the confederation chairman fled the country in 1997. State officials also set up a rival teachers association of the same name that was staffed exclusively with EPRDF supporters.⁴¹³

The lack of a comprehensive legal framework governing civil society created additional barriers for nongovernmental groups, with some being arbitrarily denied registration for having ostensibly political goals. For instance, the ruling party characterized the Ethiopian Human Rights Council, the country's most prominent human rights monitoring group, as a partisan political movement affiliated with the Amhara-dominated opposition, rejected its application for registration, and temporarily blocked the organization's bank account.⁴¹⁴ When prominent intellectuals and professionals from Addis Ababa's Oromo community formed the Human Rights League in 1996, the group's leaders were promptly arrested for being

supporters of the Oromo Liberation Front—although their case never went to trial.⁴¹⁵

Throughout the 1990s and early 2000s, the civil society sector as a whole remained vulnerable to state control. Most civil society organizations were led by urban elites and lacked a strong grassroots base. Many did not have a significant presence beyond the capital and in rural areas. This provided fodder for government accusations of parasitism and rent-seeking. Distrust among NGOs also stood in the way of forming sector-specific coalitions and consortiums that could have maximized their outreach and impact. At the same time, the government rarely consulted civil society organizations in its policy formulation processes.⁴¹⁶ Beginning in 2003, it began to consider restrictions on foreign funding of civil society organizations, arguing that external funding for political and rights advocacy amounted to illegitimate meddling in the country's internal affairs.⁴¹⁷

Narrowing of Political Space

The 2005 Postelection Crisis

The 2005 election proved to be a turning point for Ethiopian civil society. The run-up to the election witnessed unprecedented displays of political competition and opposition party coordination. Civil society organizations sponsored televised debates on public policy issues and sued the government to be allowed to monitor the polls.⁴¹⁸ Early election results indicated that the opposition coalition had made unexpected gains, suggesting a win of more than 180 parliamentary seats. When official tallies indicated that the ruling party had won, the largest opposition coalition refused to concede defeat. They alleged that the ruling party had stolen the election, while the EPRDF claimed that opposition parties had conspired to overthrow the government by unconstitutional

means. The ensuing standoff continued for months, with violence erupting between protesters and security forces across the country.⁴¹⁹

In this climate of intense polarization, government authorities accused civil society organizations that had monitored the polls and conducted voter education efforts of sparking unrest and inciting violence.⁴²⁰ Even before the election, the government had ordered representatives of highly visible international organizations providing democracy and governance aid to leave the country, including the International Foundation for Electoral Systems, the International Republican Institute, and the National Democratic Institute. Surprised by the outpouring of opposition support, EPRDF officials concluded that foreign-funded human rights groups and independent media outlets had coordinated with the opposition to undermine the ruling party.⁴²¹

Yet the EPRDF did not immediately move to impose legal restrictions on civil society. Rather, the clampdown unfolded in two main phases. In the immediate aftermath of the election, the EPRDF was in crisis mode. Its initial efforts centered on quelling opposition protests and consolidating power ahead of the 2008 local elections. Approximately 20,000 protesters and as many as 150 opposition leaders, activists, and journalists were arrested, and numerous independent newspapers and magazines were shut down.⁴²² Two well-known human rights lawyers, Daniel Bekele and Netsanet Demisse, were among the first to be charged with conspiracy and incitement to overthrow the government. In 2007, both were sentenced to two and a half years in prison.⁴²³

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The EPRDF viewed the opposition's success as an existential threat to its own survival and to the ethnic federation it had constructed. Starting in 2005, the party leadership embarked on a massive party rebuilding effort, investing significant resources in expanding local party structures and bringing the rural population back into the party's fold.⁴²⁴ It strengthened its control over local administrative units (*kebele*) that have the capacity to monitor households and restrict access to government services.⁴²⁵ Party membership increased from 760,000 in 2005 to more than 4 million in 2008. The government also passed electoral reforms that ensured the EPRDF's dominance in the 2008 polls. For example, it drastically increased the number of local council seats, which made it impossible for any but the largest parties to field enough candidates to seize control of the councils. These efforts paid off: in 2008 the EPRDF won virtually all the local council seats. Together with the revival of mass associations and youth cooperatives, these reforms effectively incorporated millions of Ethiopians into EPRDF structures and government organizations.⁴²⁶

Institutionalization of Legal Restrictions

The second phase of the crackdown began as the 2010 general election drew near. Aiming to prevent a repeat of the 2005 crisis, the EPRDF introduced a series of laws that specifically targeted activities that had facilitated widespread popular mobilization during the previous election cycle: independent media publishing, civil society advocacy and monitoring, free public debate, and opposition party coordination. The Mass Media and Freedom of Information Proclamation, passed in December 2008, allowed prosecutors to stop any print publication that threatened national security concerns or the public order—a provision that has been used to target independent newspapers. In addition, the law criminalized the

“defamation” of legislative, executive, or judiciary authorities and raised defamation fines to about \$10,000.⁴²⁷

In February 2009, the government adopted the Proclamation for the Registration and Regulation of Charities and Societies (referred to hereafter as the Charities and Societies Proclamation), the first comprehensive law governing Ethiopian nongovernmental organizations. While civil society organizations were allowed to contribute to the draft proclamation, they had little meaningful influence over the final version.⁴²⁸ The law imposed a wide range of burdens on civil society. Most important, it divided all civil society organizations into three categories: Ethiopian charities and societies, Ethiopian resident charities and societies, and foreign charities and societies. The first category comprises all NGOs that receive at least 90 percent of their funding from domestic sources, and only these groups are allowed to work on “the advancement of human and democratic rights; the promotion of equality of nations, nationalities and peoples and that of gender and religion; the promotion of the rights of the disabled and children’s rights; the promotion of conflict resolution or reconciliation; and the promotion of the efficiency of the justice and law enforcement services.”⁴²⁹ This means that any organization that receives significant outside funding is effectively barred from a wide range of advocacy, peacebuilding, and rights-focused activities. The government justified this provision as necessary to ensure that organizations working on political issues are “Ethiopian in character” and, in an apparent nod to Russia, to prevent “color revolutionaries” from trying to overthrow the regime.⁴³⁰

For many Ethiopian civil society organizations, this provision was devastating. Given the dearth of domestic funding sources, they had relied almost exclusively on external aid. They had few alternative options; the Ethiopian government was unlikely

to fund any advocacy efforts or politically related programs. In addition, the proclamation specified that any charity or society could allocate no more than 30 percent of its budget to administrative activities—while classifying an unusually wide range of expenditures as administrative costs.⁴³¹ As a result, organizations were forced to count basic operational expenses—including staff allowances and benefits, monitoring and evaluation expenditures, and travel and training costs—as administrative overheads, triggering widespread pushback.⁴³²

The 2009 Anti-Terrorism Proclamation also had a debilitating effect on civil society and independent media. Like similar legislation around the world, the law includes extremely broad definitions of terrorist activity and material support for terrorism and imposes long prison sentences and even the death penalty for a wide range of crimes.⁴³³ The law's vague language grants authorities the power to prosecute journalists who publish articles about protest movements, armed opposition groups, or any other individuals deemed as terrorist or anti-peace.⁴³⁴ Rights advocates also found themselves at risk of prosecution for carrying out or supporting terrorist acts.⁴³⁵ The law was particularly pernicious given the Ethiopian government's extensive capacity to monitor citizen communications, including mobile phones and landlines.⁴³⁶ Since coming into force, the law has been broadly applied in criminal cases involving opposition politicians, activists, and journalists, even though credible evidence of communication with or support for terrorist groups is almost never provided. The judicial system lacks the independence and capacity to push back against abusive applications of the law.⁴³⁷

Repression in the Name of National Security

Targeting of Activists for Security-Related Offenses

With this restrictive legal framework in place, government authorities had new tools at their disposal to suppress civic activism and independent media in moments of crisis. Two key patterns have emerged over the past six years. First, the EPRDF has relied on its almost complete control over radio, television, and print media to cast pro-democracy and human rights activists as terrorists and foreign agents, tapping into popular fears of Islamic radicalism, foreign intervention, and ethnic strife. For example, after the U.S. Department of State issued its 2009 Human Rights Country Report on Ethiopia, the state-controlled Ethiopian Television Agency broadcast a three-part series accusing several Ethiopian human rights groups of supplying false information to the U.S. government in exchange for support.⁴³⁸ Media outlets also regularly blame foreign powers and organizations for stirring domestic unrest and use this alleged interference to justify extrajudicial action.⁴³⁹

“These prosecutions had a chilling effect on the country’s online activists and remaining independent reporters—at least sixty journalists have fled the country since 2010.

Second, the government has used court proceedings to selectively intimidate and silence high-profile activists, reporters, and civil society leaders, typically based on alleged national security threats. For example, following repeated demonstrations by Ethiopia’s Muslim community against government interference in religious affairs between 2012 and 2014, Ethiopia’s Federal High Court convicted the protest leaders on charges of terrorism and conspiracy to create an Islamic state in Ethiopia.⁴⁴⁰ In the thirteen months before the 2015 polls—the first to be held following former prime minister

Meles Zenawi's death in 2012—journalists also witnessed escalating harassment by security and judicial officials.⁴⁴¹ In April 2014, this campaign culminated in the arrest of three journalists and six bloggers from the Zone 9 blogging collective, who were convicted under the criminal code and the antiterrorism law for having links to banned opposition groups and attempting to violently overthrow the government.”⁴⁴² In August 2014, an additional six newspapers and magazines were charged with encouraging terrorism, among other charges.⁴⁴³ These prosecutions had a chilling effect on the country's online activists and remaining independent reporters—at least sixty journalists have fled the country since 2010.⁴⁴⁴ Security forces have also arrested and detained rights activists and lawyers who defend political prisoners, often without formally charging them with crimes.⁴⁴⁵

Extension of Rural Surveillance and Control

At the same time, the state's extensive administrative apparatus has continued to subject citizens in rural areas to threats and detention, creating a pervasive climate of fear. The state's surveillance capacities at the local level have stifled civic activism and dissent in many places without the need for violent repression.⁴⁴⁶ The EPRDF has relied on a pre-existing system of local governance that existed under the Derg regime to extend government control. Officially, Ethiopian officials insist that these local-level institutions are voluntary associations formed in regions like Oromia in order to advance rural agriculture and development. However, human rights organizations report that they are often used to monitor citizens' activities, report incidents of dissent, and selectively withhold government benefits.⁴⁴⁷ Attesting to this dramatic closing of civic and political space, the EPRDF and its affiliates claimed 99.6 and 100 percent of parliamentary seats in 2010 and 2015, respectively. These overwhelming majorities signaled political

continuity after the upheaval that followed the 2005 polls and Zenawi's sudden death, reminding the party's rank and file that defection was pointless given that the EPRDF still controlled all access to public office.⁴⁴⁸

Citizens have nevertheless continued to mobilize, as evidenced by the widespread antigovernment protests that broke out in the Oromia and Amhara regions in 2015 and 2016. The government's response to these outbursts of citizen discontent has been violent suppression: security forces arrested more than 11,000 people over the course of one month and killed at least 500.⁴⁴⁹ Once again, authorities have claimed that demonstrators are part of banned opposition groups in order to delegitimize the protests. The current state of emergency, declared in October 2016 and extended repeatedly since then, has imposed additional barriers on freedoms of assembly, association, and expression. The implementing directive initially restricted access to and usage of social media and banned communication with so-called terrorist and anti-peace groups as well as contact with foreign governments and NGOs that could affect "security, sovereignty and the constitutional order."⁴⁵⁰ It also allowed the army to be deployed across the country for a period of at least six months. The government has blamed human rights groups seeking to document violations by security forces for stirring up unrest and has denounced diaspora groups for spreading misinformation about the government's response to the protests.⁴⁵¹

Support for Mass-Based and Development Associations

In contrast to its crackdown on independent groups, the EPRDF government has encouraged the growth of mass-based and state-supported development associations as a more authentic expression of grassroots activism. While these organizations have traditionally focused on development and service delivery,

the government elevated their role with respect to governance and rights advocacy after the 2005 election—just as it began cracking down on independent media and civic activism. Most mass-based associations have their roots in the armed struggle against the Derg regime. For example, the Women’s Association of Tigray can be traced back to the Women’s Committee of the Tigray People’s Liberation Front, established in 1976.⁴⁵² The structures of these associations typically extend from the national level down to the regional, district (*woreda*), and village (*kebele*) levels, providing a wide societal reach. Development associations, on the other hand, are membership organizations that focus on promoting local development in their respective areas of operation.⁴⁵³ In Ethiopia, each regional state has its own development association, such as the Tigray Development Association and the Oromo Development Association.

Both mass-based and development associations generally lack political independence and financial and technical capacity.⁴⁵⁴ They tend to collaborate closely with sector ministries and bureaus, and government bodies often view them as implementing agencies rather than independent actors that represent the interests of their members.⁴⁵⁵ For example, owing to their presence in remote rural areas, mass-based organizations have played an important role in recruiting new party members and mobilizing EPRDF support ahead of local and national elections.⁴⁵⁶ In contrast, the few remaining independent trade unions and professional societies have experienced continued harassment and government interference. For example, the government has refused to register the National Teachers Association, which was forced to hand over its property, assets, and name to the government-aligned Ethiopian Teachers Association. Security agents have subjected the association’s members to surveillance and

harassment.⁴⁵⁷ The Confederation of Ethiopian Trade Unions, the Ethiopian Bar Association, and the Ethiopian Free Press Journalists Association have faced similar attacks.

Drivers

The Ethiopian government's efforts to restrict civil society are a function of the EPRDF's doctrine of revolutionary democracy, state-led development agenda, and struggle for political survival. Despite the party's control over state institutions, the country's political structure remains fundamentally fragile. A small Tigray elite dominates a political system that formally derives its legitimacy from ethnoregional autonomy and representation. This has fueled resentment and discontent in many parts of the country. As a result, the government fears that any space for autonomous civic action could spark further mobilization and unrest, potentially triggering defections within the ruling apparatus. The opposition's unexpected gains in the 2005 election in particular sparked a renewed effort to consolidate party control by eliminating or co-opting alternative centers of power.

The EPRDF's Ideological Underpinnings

The EPRDF was formed as a political coalition between different ethnic-based liberation fronts that had fought Mengistu Haile Mariam's military regime. The Tigray People's Liberation Front, which had led the insurgency under the command of Zenawi, recognized that transitioning from a rebel movement to a national government would require the support of the country's many ethnic groups. At the same time, Zenawi sought to preserve the Tigray People's Liberation Front's highly hierarchical structure. He and his allies were trained in Marxist ideology and rejected liberal democracy as a viable political model to achieve economic and political

transformation.⁴⁵⁸ Instead, they conceived of the EPRDF as a Leninist vanguard party that rules on behalf of the rural masses. While the party adapted to the end of the Cold War by retreating from an explicitly socialist approach, it retained its core—though ambiguously defined—doctrine of revolutionary democracy, which stresses grassroots participation via mass organizations and party cells. Political competition and interest representation occur under the mantle of the vanguard party. As a result, even in the 1990s, the party had limited interest in encouraging the expansion of an independent civil society, which it considered an urban and elite-driven phenomenon with limited transformative potential.

The EPRDF's pursuit of rapid economic development further reinforced the government's efforts to extend its control over the civic sphere. The EPRDF came to power with a vision of itself as the only actor that could effectively tackle the country's underdevelopment. Other societal actors—including civil society—had to be subordinated to the government's modernization and industrialization efforts. Party leaders viewed development NGOs as opportunists who sought out foreign money to fund their inflated salaries and expenses without serving the public interest. They also blamed them for fostering aid dependence at the expense of long-term development and argued that their funding streams and activities should be subjected to greater government control.⁴⁵⁹ According to the EPRDF model, the development state not only intervenes in the economy, but “also has a role in guiding ‘appropriate’ citizen behavior and constructing useful social networks” that advance the national development agenda.⁴⁶⁰ Local *kebele* and sub-*kebele* administrative structures have been imposed from above both as tools of development and mechanisms of political control.⁴⁶¹ This approach has gone hand in hand with a dramatic expansion of public goods and

services meant to ensure continued popular support—particularly in light of growing ethnoregional discontent.⁴⁶²

A Contested Political Settlement

At the core of the EPRDF's efforts to suffocate independent civil society lies the fear of further antiregime mobilization. Despite the government's developmental success record, its position of power remains fundamentally fragile, owing primarily to the internal contradictions of the EPRDF regime. After coming to power, the EPRDF instituted a complex system of ethnic federalism that granted an unprecedented degree of political autonomy and representation on the basis of ethnicity. The EPRDF's ascent was celebrated as the liberation of Ethiopia's nations and nationalities from decades of centralized rule. The party also formally committed to multiparty elections and political pluralism.

However, these constitutional guarantees have not resulted in an actual decentralization of executive power.⁴⁶³ Instead, the state has become increasingly intertwined with the ruling party, and political and economic power has gradually become concentrated in the hands of a small elite. Ethiopia's regions are governed by ethnoregional parties that are de facto subordinate branches of the EPRDF—which remains dominated by the ethnic Tigray, who make up only 6 percent of Ethiopia's total population. Party leaders know that if the EPRDF were to open space for civic mobilization, it could mean the end of Tigray rule. The opposition's unexpected gains in the 2005 election justified these fears. Throughout the 1990s and the early 2000s, Ethiopia had held regular elections, but the hegemony of the ruling EPRDF was never threatened. The opposition remained divided, and the ruling party used coercive means and its incumbency advantage to prevent rival parties from participating on a level playing field.⁴⁶⁴ When political space

temporarily opened up in the lead-up to the 2005 polls and opposition actors unified, the EPRDF's grip on power proved to be tenuous. As a result, the EPRDF under the leadership of Zenawi embarked on a de facto restoration of the one-party state.

After having eliminated the immediate threat of the political opposition, the government's attention turned to civil society and the media. The ruling party's continued control and legitimacy depends on regulating access to information and channeling civic activism through party and state structures. The fact that civil society organizations had monitored the 2005 elections, conducted voter education efforts, and condemned the security forces' subsequent crackdown only reinforced the government's view that advocacy organizations were partisan actors allied with opposition forces and set on upending EPRDF rule. As a result, most civil society organizations were not surprised when the government moved to enact further NGO restrictions ahead of the 2010 polls, even though many had not anticipated just how stifling the legislation would be.⁴⁶⁵ In sum, the EPRDF has compensated for vulnerabilities of the current political settlement by continuously extending the party's control over Ethiopian society; any alternative space—whether in the political sphere or in civil society—could potentially emerge as a challenge to its continued authority.⁴⁶⁶

Impact

The political and legal changes introduced between the 2005 and 2010 elections had a profound impact on Ethiopian civil society. The total number of active organizations has shrunk, and many groups have been forced to shift their focus from political and rights-based work to development and service delivery in order to keep receiving foreign funding. As a result, there are very few advocacy and human rights monitoring

groups left in the country. Initially, development organizations did not feel affected by the new legal regime. However, government-imposed budget specifications have forced them to abandon certain activities and have hindered the formation and operation of civil society networks and umbrella organizations.

Consequences of the Crackdown

Shrinking of the Human Rights Community

The Charities and Societies Proclamation and the Anti-Terrorism Proclamation had a dramatic impact on human rights work in Ethiopia. The circle of active and professional human rights organizations was already small before the laws were passed. These groups, which were mostly established during the 1990s, provided legal aid and civic education, monitored elections and human rights violations, and advocated for the rights of minorities, women, and other vulnerable groups. Many were focused on single issues, such as voter education, religious freedom, peacebuilding and conflict resolution, and women's rights.

The restrictions on foreign funding caused a near cessation of independent advocacy activities.

After the Charities and Societies Proclamation took effect, human rights and conflict resolution organizations faced a stark choice: they could either try to continue their work, which meant they would have to raise 90 percent of their funding from domestic sources, or register as resident charities and shift toward more politically neutral development and relief work. Given the lack of domestic funding sources, the restrictions on foreign funding caused a near cessation of independent advocacy activities. Many organizations opted to change their focus, knowing that they would not be able to sustain their work without international support.⁴⁶⁷ For example, local and

international organizations such as Mercy Corps, Pact Ethiopia, Action for Development, and the Oromia Pastoralist Association abandoned their conflict resolution work and reduced their support for local peace committees.⁴⁶⁸ Those that lacked the resources and human capacity to retrain their staff and develop new programming shut down their operations altogether. Others fled the country in fear of prosecution under the antiterrorism law.⁴⁶⁹ The result was a rapid decline in the number of active human rights organizations in the country. Only around 10 percent of the 125 previously existing local rights groups reregistered under the new law.⁴⁷⁰

Reduced Capacity for Advocacy, Outreach, and Assistance

A small number of organizations—including the Ethiopian Bar Association, the Human Rights and Peace Center, the Human Rights Council (HRCO; previously the Ethiopian Human Rights Council), and the Ethiopian Women Lawyers Association (EWLA)—chose to reregister as Ethiopian charities and societies to continue their work. These groups have faced a dearth of domestic funding, which has forced them to scale back their work. While community-based giving is common across Ethiopia, there is no strong tradition of donating to charitable organizations. Organizations have struggled to raise money through membership fees and fundraising events.⁴⁷¹ As noted above, the Charities and Societies Proclamation imposed additional hurdles by giving the Charities and Societies Agency the power to deny or delay any fund-raising or income-generation proposals.⁴⁷² The law also prohibits anonymous donations, which means that citizens who donate to human rights groups face potential political repercussions.⁴⁷³ To make matters more difficult, the agency froze the bank accounts of both the HRCO and EWLA after the law had been passed, depriving them of their accumulated savings.⁴⁷⁴

Faced with harassment and funding cuts, human rights organizations had to disband key training and assistance programs. For example, the HRCO had previously conducted human rights education seminars and workshops that aimed to raise awareness of human rights standards among public servants, police officers, and judicial officials. Despite initial skepticism, participation in these workshops was on the rise before the passage of the Charities and Societies Proclamation: in 2009, a total of 1,034 officials took part.⁴⁷⁵ After the law was passed, the organization's budget shrank from \$351,000 in 2008 to \$26,300 in 2011, forcing it to disband the program.⁴⁷⁶ Another civil society initiative to establish child protection units at police stations was similarly suspended.⁴⁷⁷ EWLA—the only major NGO advocating for women's rights and gender equality at the national level—has had to abandon key areas of work. The association had provided free legal aid to more than 17,000 women and established an emergency hotline for women that received 7,332 calls in the first eight months of its existence.⁴⁷⁸ After the Charities and Societies Proclamation was passed, EWLA was forced to cut 70 percent of its staff, shut down its hotline, and give up most of its public education work, continuing to provide only a small amount of free legal aid using volunteers.⁴⁷⁹

Reduction in Human Rights Monitoring

It has also become much more difficult for local and international groups to accurately document human rights violations and security force abuses. Before 2009, the HRCO monitored and documented human rights violations through twelve branch offices across Ethiopia. It was the only civil society group conducting extensive field investigations, including in high-risk areas.⁴⁸⁰ After the enactment of the Charities and Societies Proclamation and the Anti-Terrorism Proclamation, half of the organization's staff—including the

director—left the country in fear of government reprisals. The organization was forced to close nine of its twelve branch offices, which curtailed its ability to effectively collect information and communicate with victims of human rights abuses.⁴⁸¹ The number of field investigators decreased from seventeen to four, dramatically limiting the organization's reach. Increased government harassment makes the work of the remaining investigators more difficult and dangerous.⁴⁸²

International organizations that could complement domestic monitoring efforts have been barred from entering the country or accessing certain regions. The International Red Cross was expelled from the Ogaden region in 2007 for allegedly aiding separatist forces, and Médecins sans Frontières has been denied access to certain areas.⁴⁸³ Ethiopian officials have denied entry to Human Rights Watch researchers and prevented Amnesty International, the International Federation for Human Rights, and the East and Horn of Africa Human Rights Defenders Project (among others) from opening offices in Ethiopia. The government has then used their absence from the ground to deny the legitimacy of their reports.⁴⁸⁴

“Those who tried to systematically collect information faced government surveillance, threats, and repression.”

As a result of these restrictions, it has become increasingly difficult to undertake independent investigations into human rights abuses and monitor the government's use of international donor funds.⁴⁸⁵ This became evident during the recent suppression of antigovernment protesters in Oromia and Amhara. As demonstrations broke out in Oromia in 2015, there were few independent analysts on the ground who could corroborate reports of security force abuses.⁴⁸⁶ Those who tried to systematically collect information faced government surveillance, threats, and repression. In the summer of 2016,

four of the HRCO's members were arrested and detained, likely because they were documenting the crackdown on antiregime demonstrators.⁴⁸⁷ Government restrictions on Ethiopian NGOs have impeded their ability to prepare and submit parallel reports to international human rights treaty bodies.⁴⁸⁸ The Ethiopian diaspora has attempted to fill this gap by gathering information remotely through their contacts in the country.⁴⁸⁹

Faced with criticisms, the Ethiopian government has highlighted its own human rights institution, the Ethiopian Human Rights Commission, which was created in 2000 and has been tasked with monitoring and raising awareness of human rights issues in the country. However, the commission lacks the technical and financial capacity to effectively carry out its mandate. It has yet to publish a single report detailing human rights violations in the country.⁴⁹⁰ In fact, it has at times been used to counteract the work of independent civil society organizations.⁴⁹¹ For example, in 2016, the commission denied allegations made by civil society groups that Ethiopian security forces had used excessive force against demonstrators and declared the government's response to have been "proportional."⁴⁹²

Barriers to Election Monitoring and Voter Education

Independent civil society groups have also been forced to strike election monitoring and voter education from their mandates. Ahead of the 2005 elections, civil society organizations conducted civic and voter education efforts across the country. International donors allocated \$6.2 million to support a free and fair electoral process, which included \$1.6 million for twenty-four Ethiopian NGOs to provide information about the polls to voters.⁴⁹³ The National Electoral Board of Ethiopia initially barred most civic groups from observing the election, but national courts reversed the board's decisions shortly before the

vote. Despite the lateness of the court decision, the HRCO sent out 1,550 observers on polling day to monitor the vote.⁴⁹⁴

The 2010 and 2015 parliamentary elections occurred in an entirely different context. Ahead of the 2010 polls, independent groups struggled to obtain the necessary accreditation from the electoral board to monitor the elections or conduct voter outreach. For example, the HRCO was asked to remove both election observation and voter education from its statute to reregister with the government.⁴⁹⁵ The Ethiopian Civil Society Network for Elections, which consisted of twenty-four member groups, was dissolved.⁴⁹⁶ The InterAfrica Group, which played a key role in organizing public debates in the run-up to the 2005 election, had shifted toward other activities and receded from the public eye.⁴⁹⁷

The Charities and Societies Proclamation encourages mass-based organizations to “actively participate in the process of strengthening democratization and election,” observe the electoral process, and cooperate with electoral organs.⁴⁹⁸ However, as noted above, these organizations remain closely aligned with the ruling party. The largest authorized domestic election observation group to monitor the 2010 polls, the Consortium of Ethiopian Civil Societies for Election Observation, is a case in point: it found the elections to be free and fair, despite a 99.6 percent victory by the ruling party.⁴⁹⁹ In contrast, the EU Election Observation Mission stated that the elections fell short of international standards.⁵⁰⁰ Since the 2010 election, the only international observers to monitor Ethiopian elections have been from the African Union. The EU declined to take part after its previous recommendations were rejected by the Ethiopian government.⁵⁰¹ Meanwhile, voter education has been taken over by the electoral board, which lacks independence from the government. In 2015, the board launched its voter education campaign just days before the

election and limited its efforts to instructing citizens on how to find polling stations and complete their ballots.⁵⁰²

New Constraints for Development Work

Initially, development organizations did not feel particularly affected by the new legal framework.⁵⁰³ A key feature of the Charities and Societies Proclamation is that it treats rights advocacy and development work as distinct areas of activity. While organizations working on issues such as gender equality, children's rights, and minority protection are prohibited from receiving foreign funding, the same restriction does not apply to development aid and humanitarian organizations. Indeed, the total number of organizations involved in development and service delivery grew in the six years following the enactment of the law.⁵⁰⁴

However, the government's new funding rules and the overall shrinking of civic space have nevertheless constrained their work. First, the government's bifurcation of Ethiopian civil society organizations failed to take into account that many aid organizations over the past few decades have embraced a rights-based approach to development that focuses on the connections between poverty, political marginalization, and discrimination. These groups were forced to abandon their work on national policy questions and shift toward more apolitical and service-oriented activities. The fear of criminal prosecutions for infringements of the NGO law reinforced this trend: many NGOs began practicing self-censorship and refraining from any open criticism of government policies to avoid administrative or legal reprisals.⁵⁰⁵

Second, the Charities and Societies Proclamation prohibits any organization from spending more than 30 percent of their budgets on administrative costs.⁵⁰⁶ Government officials

justified this provision—what became known as the 70/30 regulation—as a mechanism to ensure that the majority of project funding reaches the intended beneficiaries rather than going toward excessive overhead costs. Yet for many organizations, the government’s expansive definition of administrative overhead meant that they could not comply with the requirement without drastically reducing the scope of their work. Expenses they considered critical to project implementation—such as staff allowances, travel and trainings costs, monitoring and evaluation expenses, and vehicle purchases—suddenly counted as administrative costs. Many organizations noted that spending on vehicles, fuel, and driver salaries was essential to maintaining project sites in remote rural areas. For example, health organizations providing mobile outreach services, trainings for health extensions workers, and clinical mentorship suddenly had to classify all of their core activities as administrative expenses.⁵⁰⁷ The guideline proved particularly challenging for civil society networks and umbrella groups that aimed to enhance individual member organizations’ influence and shape national policy discussions. Under the new guideline, these networks are no longer allowed to engage in advocacy work and can only finance their work through member contributions.⁵⁰⁸

Adaptation Strategies

Shift Toward Development and Service Provision Activities

To survive in the new legal and political environment, the majority of Ethiopian civil society organizations have chosen to shift their activities toward technical development and local service delivery work, moving away from any issues that could be construed as politically sensitive. A 2011 survey of thirty-two NGOs conducted by the Taskforce for Enabling Environment for Civil Society in Ethiopia found that 70 percent

of development organizations and 44 percent of human rights organizations changed their organizational mandates and activities in order to preserve their access to foreign funding.⁵⁰⁹

Some organizations were able to simply rebrand stigmatized activities in a way that made them more palatable to government officials. They did so by removing any references to rights or governance from their mission statements, funding applications, and activity reports. Most international organizations successfully reregistered using the same tactic.⁵¹⁰ For example, the pre-2010 mission statement of Action Aid's Ethiopia branch was titled Rights to End Poverty and noted their work with excluded populations "to eradicate absolute poverty, inequality and denial of rights." In response to the new law, the group changed its mission to ensuring "that poor people effectively participate and make decisions in the eradication of their own poverty and their well-being generally."⁵¹¹

"To survive in the new legal and political environment, the majority of Ethiopian civil society organizations have chosen to shift their activities toward technical development and local service delivery work.

Other groups had to undergo a more radical restructuring process. A significant shift in mandate and programming was feasible only for larger organizations that had sufficient human resources.⁵¹² For example, the prominent human rights organization Action Professionals' Association for the People completely reoriented its mission toward providing socioeconomic services for the poor, producing research, and conducting capacity development activities. The Organization for Social Justice Ethiopia renamed itself the Organization for Social Development and shifted from human rights and voter education to corporate social responsibility. The Ethiopian Arbitration and Conciliation Center stopped providing conflict

resolution and arbitration and began focusing on capacity building and judicial training.⁵¹³

The abandonment of the rights-based focus has had a significant impact on the Ethiopian development landscape. Moving away from the underlying drivers of marginalization, many organizations have ceased their awareness-raising, advocacy, and training activities. For example, NGOs that previously worked on child trafficking, child labor, and juvenile justice had to abandon their focus on children's rights and focus instead on livelihood improvements and direct support to orphans and vulnerable children.⁵¹⁴ The Forum on Street Children Ethiopia, which had sponsored child protection units in police stations and trained justice sector officials on children's rights, ceased its child protection activities at the end of 2010.⁵¹⁵ Resident charities that have nevertheless engaged in gender equality, children's rights, and justice sector reform have received official warnings from the government.⁵¹⁶ Foreign-funded organizations are also barred from working on women's rights and gender equality, meaning that they no longer advocate for policy and legal reforms on key issues such as female genital mutilation, unsafe abortions, and childhood marriage.⁵¹⁷ On the other hand, those organizations that successfully shifted their work to purely developmental activities have continued to collaborate closely with government agencies at the national and regional levels and maintain fruitful working relationships.⁵¹⁸

Compliance and Resistance in Response to the 70/30 Guideline

Adaptation to the 70/30 rule proved to be another significant challenge for the sector. Organizations undertook different measures to ensure their compliance, including cutting down on staff training and salaries, giving up capacity-building and

training activities, reducing the frequency of field visits, or refocusing their work on urban or semi-urban areas.⁵¹⁹ In addition, many groups had to drastically reduce their expenditures on monitoring and evaluation, which in turn made them less attractive partners for international donors.⁵²⁰ According to civil society representatives working in education, health, gender equality, and food security, the overall impact of the 70/30 directive was a decrease in the quality of service delivery and an inability to meet donor expectations with respect to project design, implementation, and monitoring and evaluation.⁵²¹

After extensive domestic and international pressure, the government agreed to amend the 70/30 guideline in 2015. The regulation now classifies salaries, transportation costs, and training-related expenses as operational rather than administrative expenses. However, the majority of Ethiopian civil society organizations still struggle to fulfill the requirements. While the Charities and Societies Agency has been slow and inconsistent in enforcing the law, it has repeatedly closed down organizations that have failed to comply. In June 2016, the agency announced that it had shut down more than 200 NGOs over the previous nine months. The announcement followed a new directive imposing additional penalties for noncompliance with the Charities and Societies Proclamation.⁵²² The effort may have been triggered by the Federal Auditor General's performance audit of the agency, which found evidence of widespread inefficiencies and weak enforcement.⁵²³

Working Under the Radar

The few Ethiopian human rights groups that remain active in the country have struggled to survive. Raising local funding has proven particularly difficult. Before the Charities and Societies

Proclamation came into force, the HRCO successfully negotiated with its international funders to invest some of the organization's core funding into a property that could generate rental income for the organization.⁵²⁴ Other groups have organized film screenings or music evenings. However, such efforts have raised only small amounts that fail to cover even basic operating expenses.⁵²⁵ In addition, applications to the Charities and Societies Agency for proposed fund-raising activities have often been met with delays, forcing organizations to cancel planned events.⁵²⁶ As noted above, all active human rights groups have adjusted to the new context by further downsizing their activities and disbanding central areas of work.⁵²⁷

The primary survival strategy has been to carve out space at the local level, with the support of international donors. For example, the EU successfully negotiated exemptions in the government's restrictive legal framework that allow limited amounts of international funding to flow to Ethiopian charities and societies, in spite of the 10 percent foreign funding limit. While these funding arrangements depend on the approval of Ethiopian authorities, they have ensured the survival of organizations like the HRCO, Vision Ethiopian Congress for Democracy, and EWLA that would otherwise most likely have vanished.⁵²⁸ However, receiving aid through government-approved channels has not protected these groups from harassment by security officials. Most recently, in October 2016, security agents raided an HRCO's organizational fundraiser—which had earlier been authorized by government authorities—and briefly detained the organization's leaders before releasing them with a warning not to criticize the government.⁵²⁹ A number of regional organizations registered with local sector offices have been able to continue their work on gender equality, children's and disability rights, and the

rights of the elderly. For example, the Amhara Women's Association has continued to focus on gender-based violence and the prevention of female genital mutilation. However, these types of regional organizations tend to have limited resources, which reduces their scope for action.⁵³⁰

International Responses

Similarly as in the case of Egypt, U.S. and European security interests have constrained Western responses to shrinking civic space in Ethiopia. The Ethiopian government's successful development track record has further complicated international pushback. European and U.S. leaders have primarily engaged in quiet diplomacy rather than public shaming of Ethiopian authorities. They have focused their behind-the-scenes pressure on short-term issues on which they felt tangible progress could be achieved, such as the release of political prisoners. Lastly, they have generally not used overseas development assistance or security cooperation as tools to gain leverage, even though the EU managed to renegotiate assistance modalities to channel limited amounts of funding to embattled civil society organizations.

Competing Economic and Security Interests

International responses to the closing of space for civil society in Ethiopia have to be understood in the context of Ethiopia's broader relationship to Western donor governments. In recent years, Ethiopia has been one of the largest African country recipients of overseas development assistance, receiving an average of \$3.5 billion from international donors.⁵³¹ However, although the Ethiopian government is highly dependent on external development assistance, Western governments have been hesitant to use this leverage to push back against repressive efforts in the country for several reasons.

First, Ethiopia's status as a security and counterterrorism partner has made the country relatively impervious to external conditionality. The Ethiopian government has built an international reputation as an anchor of stability in a fragile region.⁵³² The Ethiopian National Defense Forces have played a key role in the fight against Al-Shabaab in Somalia and served as peacekeepers in the disputed Abyei area between Sudan and South Sudan. From 2011 to 2016, the U.S. military also used an Ethiopian base to launch unmanned aerial vehicles assigned to counterterrorism operations in East Africa.⁵³³ The EU, on the other hand, has relied on Ethiopia to stem the flow of migrants from East Africa and the Horn of Africa.⁵³⁴ Western governments fear that heightened pressure could destabilize the Ethiopian government, thereby creating further instability in the Horn of Africa.⁵³⁵ Second, Ethiopian leaders have been highly effective at warding off international pressure by highlighting the government's commitment to economic development and its substantial developmental track record, as well as by threatening to turn further toward China in the event of Western funding cuts. Third, international donors have been unwilling to cut their humanitarian and development assistance out of concern that such a drastic step would only end up hurting the country's poorest populations, which are already vulnerable to drought and famine.

Behind-the-Scenes Pressure Against the Charities and Societies Proclamation

In 2008, news of the draft Charities and Societies Proclamation triggered international diplomatic pressure behind the scenes. International partners privately lobbied the Ethiopian government to remove some of the law's harshest provisions. Throughout the drafting process, Western governments showcased an unusual degree of unity and coordination in condemning the law. Delegations from the EU, the United

States, and the United Kingdom (UK) expressed their concern over the legislation during high-level meetings with Ethiopia's prime minister and Ministry of Justice officials.⁵³⁶ For example, the assistant secretary for democracy, human rights, and labor traveled to Ethiopia to share U.S. concerns with Zenawi, raising issues such as the 10 percent cap on foreign funding and the limit on administrative overhead.⁵³⁷ However, these efforts did not significantly impact the final proclamation. The government agreed to a few amendments but retained the core features of the law. At the same time, it publicly accused the international community of illegitimate meddling.⁵³⁸

The international reaction to the passing of the law was timid. In a presidential declaration, the EU welcomed the “thorough exchanges of views” it had with the Ethiopian government regarding the law.⁵³⁹ It neither condemned the law nor asked for its repeal. The statement stood in contrast to the EU's significantly stronger criticism of the 2006 Russian NGO law and similarly repressive legislation passed in Zimbabwe in 2004.⁵⁴⁰ Moreover, the European Commission simultaneously announced 250 million euros in additional assistance for the Ethiopian government. On the U.S. side, the Department of State issued a public statement of concern.⁵⁴¹ Various high-level U.S. officials subsequently raised the issue of the shrinking civic space in meetings with their Ethiopian counterparts, but they rarely addressed the question in public.

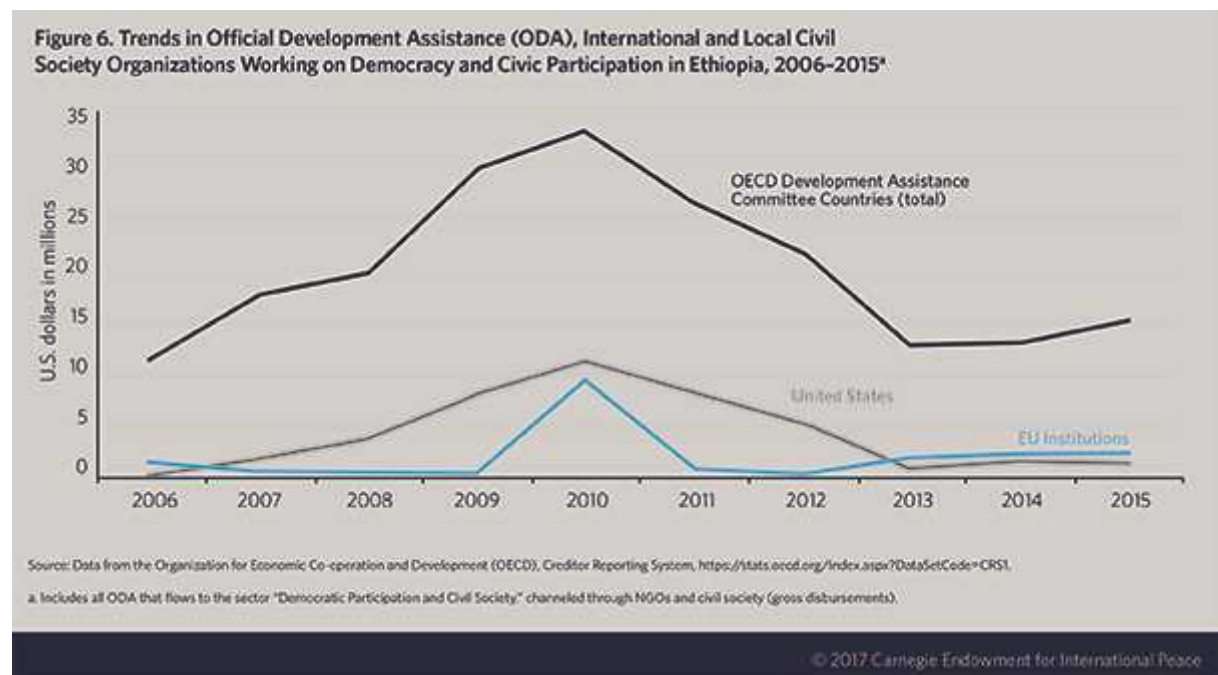
Shift to New Funding Modalities

After the law's passage, Western governments shifted their focus from lobbying to adaptation. The Civil Society Sub Group of the Development Assistance Group—a network of bilateral and multilateral donors established in 2001—set up a monitoring system to track the enforcement of the Charities and Societies Proclamation and collect systematic evidence on the

challenges faced by civil society organizations. In addition, the group funded an Adaptation Facility to help Ethiopian civil society groups adjust to the new legal environment.⁵⁴² The first part of this project was funded by USAID, whereas the second part was funded by a group of donors that included the Swedish International Development Agency, Irish Aid, the Danish and Dutch embassies, and the Canadian International Development Agency and was executed by a local CSO Taskforce.⁵⁴³

The EU also successfully pushed for an exemption from the Charities and Societies Proclamation. Thanks to the Cotonou Agreement—a treaty that obliges EU partner countries to more fully involve nonstate actors in development and policy planning—the EU convinced Ethiopian authorities to label the EU’s Civil Society Fund a domestic funding source. As a result of this exemption, the EU was able to keep funding civil society groups engaged in human rights and advocacy work, which would otherwise have been barred from raising more than 10 percent of their budget from foreign sources.⁵⁴⁴ Between 2006 and 2012, the Civil Society Fund dispensed 14.9 million euros in small grants and capacity-building support to more than 250 Ethiopian civil society organizations.⁵⁴⁵ In 2012, the EU launched a second incarnation of the fund that allocated an additional 12 million euros to Ethiopian NGOs.⁵⁴⁶ As part of the agreement, Ethiopian government authorities participate in the funding allocation decisions and therefore exercise some degree of control over the process. The program has nevertheless benefited a few organizations working directly on democracy and rights, including the HRCO, EWLA, the Consortium of Christian Relief and Development Associations, and the Vision Ethiopian Congress for Democracy. In addition, the EU has channeled grants to Ethiopian NGOs through the European Instrument for Democracy and Human Rights.⁵⁴⁷

The U.S. government has struggled to continue its democracy assistance activities in the country. USAID initially continued funding the United Nations Development Program’s Democratic Institutions Program, which provided technical capacity building to Ethiopian governmental institutions, including the Ethiopian Human Rights Commission and the Federal Ethics and Anti-Corruption Commission. Yet it phased out its support after the Electoral Board denied civil society groups the right to provide voter education ahead of the 2010 elections.⁵⁴⁸ The National Democratic Institute and the International Republican Institute did not resume their in-country activities after having been expelled from the country in 2005.⁵⁴⁹ However, the National Endowment for Democracy has continued disbursing small discretionary grants to Ethiopian civil society organizations, including the Vision Ethiopian Congress for Democracy, the Forum for Social Studies, and the Peace and Development Center (see Figure 6).⁵⁵⁰



Quiet Diplomacy

At the diplomatic level, both the EU and United States continued to address the human rights situation in Ethiopia privately and within the framework of high-level meetings and formal political dialogues with the Ethiopian government. Their efforts centered primarily on monitoring the impact of the Anti-Terrorism Proclamation and its use against journalists, opposition activists, and religious leaders. U.S. officials raised these issues in meetings of the U.S.-Ethiopian bilateral Democracy, Governance, and Human Rights Working Group.⁵⁵¹ EU officials also regularly discussed the Charities and Societies Proclamation and the Anti-Terrorism Proclamation during its Article 8 dialogues with the Ethiopian government. These dialogues derive their name from Article 8 of the Cotonou Agreement, which requires the EU and its development partners to “regularly engage” in dialogue about democracy and human rights.⁵⁵²

This type of quiet diplomacy led to little political change. The Ethiopian government adopted a highly formalistic approach to dialogue that provided few opportunities for a genuine debate on governance and human rights. On the EU side, the Article 8 dialogues were hampered by the lack of political engagement by member states and the absence of verifiable human rights benchmarks.⁵⁵³ International lobbying efforts proved most effective when they centered on specific cases, such as the release of political prisoners. For example, U.S. officials privately urged the government to cease the harassment and detention of opposition party supporters, which may have contributed to the release and pardon of a number of opposition leaders and journalists.⁵⁵⁴ Similarly, the EU expressed strong concern about the fate of the Zone 9 bloggers, who were imprisoned in 2014 and ultimately released in 2015 shortly after Obama’s visit.⁵⁵⁵

Yet high-level public pressure remained rare, even as the human rights situation in Ethiopia deteriorated further. Several prominent U.S. officials glossed over Ethiopia's backsliding on democracy in public statements. The former under secretary of state for political affairs, Wendy Sherman, caused a small stir among human rights organizations in 2015 when she referred to Ethiopia as "a democracy that is moving forward" and asserted that Ethiopia was willing to "make every election better than the last one in being inclusive" and "[make] sure everybody's rights are respected."⁵⁵⁶ Obama faced a similar backlash in 2015 when he became the first sitting U.S. president to visit Ethiopia—the same year that the EPRDF claimed to have won all 547 parliamentary seats in a landslide victory. During his visit, Obama called Ethiopia's government "democratically elected," seemingly legitimizing the flawed elections.⁵⁵⁷ While praising Ethiopia as an "outstanding" partner in the war on terror, he privately pressed Prime Minister Hailemariam Desalegn for improvements on human rights and political freedoms.⁵⁵⁸ Faced with criticism, the Obama administration argued that raising the profile of governance concerns during a high-level meeting would be more effective than sidelining the Ethiopian government.⁵⁵⁹ As in the case of Russia and Egypt, Obama's team thus prioritized what they termed "principled engagement" over punitive diplomacy.⁵⁶⁰

Continued Aid Flows

While the United States and European countries have engaged Ethiopian authorities on democracy and human rights issues in public statements and private meetings, they have not applied any significant financial or economic sanctions to pressure the Ethiopian government to open up political space. U.S. aid to Ethiopia has fluctuated greatly over the years, but it has generally not been subject to conditions relating to democracy and human rights. The Security Assistance Monitor reports that

the United States has provided between \$300 million and \$900 million in economic aid and between \$1 million and \$25 million in security aid to Ethiopia every year since 2003.⁵⁶¹ While Ethiopia's access to foreign military financing and military education and training funds has been subject to certifications from the secretary of state that Ethiopia has improved along various political indicators, U.S. support for peacekeeping, counterterrorism, and other defense operations is exempt from such certifications.⁵⁶²

In Europe, the Nordic countries and the European Parliament have been the most vocal and public advocates for greater European conditionality toward Ethiopia. In January 2013, the European Parliament passed a resolution imploring the European Commission and other international donors to make military and development assistance to Ethiopia contingent on political reforms, including “the repeal or amendment of the Charities and Societies Proclamation and the Anti-Terrorism Proclamation.”⁵⁶³ However, these efforts have translated into few tangible changes in assistance modalities. For example, the EU has never activated Article 96 of the Cotonou Agreement to suspend development aid to Ethiopia over democracy and governance concerns.⁵⁶⁴ After the Ethiopian government's 2005 postelection crackdown, the EU did cancel its direct budget support to Ethiopia's national treasury.⁵⁶⁵ Yet it redirected the funds to the World Bank's Protection of Basic Services program in Ethiopia, which later came under fire from human rights organizations for enabling the EPRDF's human rights abuses.⁵⁶⁶ The EU also approved a “middle-sized” governance incentive tranche—meant to incentivize and reward political reform—even as the country experienced a significant tightening of civic and political space.⁵⁶⁷ Ethiopia stands out as the only low-income African country other than The Gambia where the European Development Fund has not named

democratic governance as a “focal area.”⁵⁶⁸ Between 2005 and 2014, the EU allocated only 3 percent of its total EU aid to Ethiopia to support governance reform programs.⁵⁶⁹

The United Kingdom, another major source of economic and military assistance for Ethiopia, has not significantly changed its policy toward Ethiopia since the crackdown on civil society intensified in 2009. In recent years, Ethiopia has consistently been among the top five recipients of British development aid. In fact, between 2015 and 2016, Ethiopia moved up from being the UK’s third-highest aid recipient (313 million pounds) to being the UK’s second-highest aid recipient (388 million pounds), with only Pakistan receiving more aid.⁵⁷⁰ In the past, UK aid has come under fire for allegedly supporting human rights abuses by the Ethiopian government, as in the case of Mr. O, an Ethiopian farmer who filed a suit against the UK Department for International Development for indirectly funding a “villagization” program in which Ethiopian security forces displaced hundreds of Ethiopian villagers.⁵⁷¹

As noted in the introduction, the reluctance to use political conditionality partly stems from donors’ desire to support the Ethiopian government’s development efforts and concerns that increased pressure in the form of financial and development penalties would only hurt the most marginalized and impoverished Ethiopians.⁵⁷² Donor governments also worry that isolating the Ethiopian government could further increase China’s influence in the country—particularly since the EPRDF already views Chinese investment as an important alternative to Western support.⁵⁷³ They point to existing evidence that democratic conditionality rarely works.⁵⁷⁴ Moreover, the belief that sustainable democracy in fact requires economic development and political stability remains prevalent among many donors, reinforced by multiple short-term incentives to

continue diplomatic and assistance cooperation around counterterrorism and migration management.

Weak Responses to the Current Crisis

The disjunction between Western countries' aid relationship to the Ethiopian government and concerns over increasing repression in the country became even more apparent during the Ethiopian government's crackdown on protesters in 2015 and 2016. On the one hand, the frequency of high-level statements and condemnations increased. The European Parliament repeatedly issued strong statements criticizing the EPRDF's handling of the protests. In January 2016, it passed another resolution calling on the EU to link its development cooperation with Ethiopia to democratic reform commitments and mitigate the "negative impact of displacement within EU-funded development projects."⁵⁷⁵ In 2016, the EU delegation in Addis Ababa and various EU member states cosponsored a joint mission to Ethiopia's Oromia region to conduct field visits, meet with stakeholders, and evaluate the human rights situation of protesters targeted by Ethiopian security forces. Similarly, twelve U.S. senators in April 2016 introduced a resolution condemning the use of violence against protesters and civil society and calling on the secretary of state to review U.S. security assistance to Ethiopia.⁵⁷⁶

At the same time, U.S. and EU officials have given no indication of a broader policy shift. In November 2015, the EU and Ethiopia signed a Declaration on a Common Agenda on Migration and Mobility, which allocates further financial support to the Ethiopian government to manage migration flows in the Horn of Africa.⁵⁷⁷ On the sidelines of the European Development Days in June 2016, EU leaders and the Ethiopian prime minister signed a joint declaration, Towards an EU-Ethiopia Strategic Engagement, which sets up a comprehensive

process of cooperation along shared interests, including counterterrorism, trade, migration and economic development.⁵⁷⁸ While the initiative includes annual consultations on human rights and governance, it remains to be seen whether they will serve as an effective forum to challenge Ethiopian officials on the shrinking of civic space. After meeting Desalegn in March 2017, the EU's high representative, Federica Mogherini, did not address the ongoing state of emergency in Ethiopia, and even praised the government's establishment of a dialogue with the opposition.⁵⁷⁹ For now, it seems that the EU will continue to embrace quiet diplomacy while refraining from applying public pressure or conditionality, while the new U.S. administration has given no indication of a shift in approach.

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