

**A WEEK IN THE HORN OF AFRICA**  
**3<sup>rd</sup> August 2012**

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**Endorsement of Somalia's draft constitution: an important step**

The 825 member National Constituent Assembly of Somalia on Wednesday (1<sup>st</sup> August) endorsed the draft constitution which they had been debating over the previous week by a massive majority. Somalia's Constitutional Affairs Minister, Abdirahman Hosh Jabril, said: "This morning around 645 members of the constituent assembly gathered, and 96% of the members voted for the new provisional constitution." It was, he said, "an historic day" which "witnessed the completion of a task that has been worked on for the last eight years". The TFG's Prime Minister, Dr. Abdiweli Mohamed Ali said the TFG was "very happy" that the Constituent Assembly had "responsibly completed the procedure by voting for the constitution", adding that "I announce that Somalia has from today left the transitional period".

The endorsement of the draft constitution is a key step in bringing the transition to a successful end on 20<sup>th</sup> August when the new Parliament, currently being chosen by Traditional Elders, will hold an election for the position of President. The endorsed draft constitution will apply immediately and will serve as Somalia's Provisional Constitution for the next few years. It will later be ratified in a national referendum.

Partners of the peace process including the United Nations hailed the adoption of the draft constitution, stressing it was a key development for achieving the end of the transition on time and leading the country towards good governance and democracy. UN Secretary-General Ban ki-Moon issued a statement in New York congratulating the delegates and the Somali leadership "for this historic achievement and their commitment to ending the transition and to establishing new, representative political institutions in the country." He encouraged "all stakeholders to undertake the last steps to end the transition peacefully, united, and with the best interests of the Somali people in mind." He also noted that "The adoption of the Provisional Constitution is not the end of the process; it is an important step towards the creation of a better future for all Somalis".

Shortly before the final vote in the National Constituent Assembly, Al-Shabaab made a last ditch attempt to disrupt the proceedings. Two suicide bombers tried to stop the discussions with attempted suicide attacks. They were stopped by security forces, and only succeeded in killing themselves and wounding one security guard. Ban ki-Moon condemned the suicide attacks, noting that terrorism "must not be allowed to roll back the important gains that have been made so far".

The Secretary-General's Special Representative and Head of the UN Political Office for Somalia (UNPOS), Ambassador Mahiga said the day was "a day of celebration", adding that "the adoption of the Provisional Constitution is an historic achievement as it completes one of the most important milestones towards ending the current transitional period and ushering in a new political future." Ambassador Mahiga described the Constituent Assembly as embodying "the diversity of Somali society around the traditional clan system, and ensured inclusiveness by bringing together elders, religious leaders, women, youth, business people, intellectuals and the Diaspora." He said that the constitution must now be implemented to become a living reality and for that to happen "the final steps to ending the transition must be taken including selecting a representative Parliament, and electing a Speaker, the President, and appointing an executive government." The Special Representative of the Chairperson of the African Union Commission for Somalia, Ambassador Boubacar Diarra also congratulated the people of Somalia describing it as a major step forward on the road to national recovery, and calling for future steps in the political process, the election of the Members of Parliament, the Speaker and his deputies and the President, to be conducted in a fair and credible manner.

Ambassador Mahiga also warned against intimidation over the selection of members for the new Parliament, and urged the Traditional Elders to discharge their responsibility of selecting representatives that will work for the interest of the people of Somalia with care. He said Somalia was now entering the "difficult period" of establishing the new Federal Parliament which would be the real basis of good governance in Somalia. Currently, Somalia Traditional Elders are engaged in selecting representatives of the new Federal Parliament. Ambassador Mahiga said a lot of trust was being put in the Elders by Somalis. They had done exemplary work in nominating the 825 members of the National Constituent Assembly as well as finalizing their own list of 135 Elders through the Elders Arbitration Board. Now, he urged the elders to move beyond the good work they had shown during the selection of the members of the Assembly and make careful and fair selection of MPs. Ambassador Mahiga said being a Member of Parliament and a leader was a vocation, a calling, and a service; it was not a career, and he expressed his trust and his hope that those aspiring to be the new MPs would abide by these principles. Ambassador Mahiga said he looked forward to the emergence of the Parliament, but warned of "disturbing reports" of bribery and intimidation to secure seats in the new body. "We should not allow Parliamentary seats to become commodities for sale or items for auction to the highest bidders at a time when we are seeking to reclaim the true stature of a dignified and respected Somali nation," he said.

Somalia has been one of the principal sources of instability in the Horn of Africa. Its people have now taken a lead with the adoption of the new draft constitution to stabilize their situation. The TFG, with the assistance of the African Union Mission in Somalia (AMISOM) and Somalia's neighbours has continued to make significant gains in degrading Al-Shabaab's capability to disrupt the country. It is taking and maintaining liberated areas including large areas of Gedo, Lower Juba, Middle Shebelle and Hiiraan. The TFG and allied forces, and AMISOM are now designing strategies to make further crucial advances against Al-Shabaab. Foreign fighters and Al-Shabaab members are now largely confined to carrying out sporadic and small-scale terrorist activities. AMISOM and TFG forces are expected to advance on Kismayo, Al-Shabaab's last major stronghold very soon. The aim of this and of the political developments is to provide for the establishment of a permanent government which will ensure good governance and democracy, law and order.

### **No state interference in religion**

A couple of times in recent weeks in Addis Ababa, notably on 13<sup>th</sup> July and 20<sup>th</sup> July, there were incidents at mosques, sparking clashes with police around the Anwar Mosque and elsewhere. One incident, deliberately intended to attract publicity, took place while Heads of State were in Addis

Ababa for the AU Summit. After warrants issued by the court, a number of arrests were made. Last week the Federal Police Commissioner gave some details of the resulting police investigations and about some of those arrested during a subsequent incident at the Anwar Mosque. Those detained were masked assailants who had been trying to prevent people leaving the mosque after noon prayers. They were throwing stones, damaging property and trying to incite violence. They were arrested as they themselves left the compound of the mosque. The police did not enter the mosque nor did they fire tear gas. Specific care was taken to avoid casualties. Preliminary questioning of the detainees has indicated their actions were politically rather than religiously motivated and that some of those detained have links with externally funded organizations. Federal Police Commissioner-General, Workneh Gebeyehu, blamed a self-appointed committee for instigating the unrest. He noted that even earlier some of those involved “were urging others to follow in their footsteps”, adding that the ongoing police investigation already “shows the whole movement is associated with extremism.”

The Deputy Police Commissioner of Addis Ababa subsequently provided additional details about those involved: a group which had “been calling unpermitted meetings in mosques [and] engaged in inciting youth to violence. They had been agitating the youth saying they should not surrender to fear and that the youth should be ready to spill their blood till their demands are met”. The police and elders had pleaded with the group to listen, but the group refused and then called a demonstration, without permission, at the Anwar mosque with the intention of disrupting the AU Summit. During this they violently drove off the security guards and other members of the Mosque, and occupied the Mosque for two days, breaking into the Mosque’s audio equipment room and using the equipment to try and incite further violence.

The highly exaggerated media reports of the incidents indicated that some of the reporting might have political motives. Irrespective of what actually happened or the reality of the arguments at issue, opposition organizations abroad immediately laid claim to a long narrative of “Muslim persecution in Ethiopia”, interpreting these incidents in terms of an imaginary, if horrifying, picture of Ethiopia engulfed in growing conflict with extremism on the one hand and a violent outbreak of Muslim activism against state-led persecution and a fight for freedom of religion on the other.

None of this bears any relation to the truth, which is that the incidents during the last month originated with the activities of a self-appointed body claiming to speak on behalf of the entire Muslim community of Ethiopia against the activities of the country’s Supreme Council for Islamic Affairs, ‘the Mejlis’, the governing body of the Muslim community. The original complaints against the Mejlis were that new elections for the Mejlis were “overdue”, and to this were added allegations that the Council had been trying to forcibly impose their own views on the Muslim community.

To help resolve a standoff between the two parties, the government, although insistent that the election of the Mejlis was purely a matter for the Islamic community, indicated it was prepared to moderate discussions in the interests of peace and security. It firmly underlined that the Constitution forbade any government interference in religious affairs. It could not, and would not express any view about the doctrines of one sect or another. Any allegations to the contrary are absolutely untrue. The government, in fact, has a positive duty to ensure freedom of religion in the country and make certain that others do not affect this.

Despite the agreement by the Mejlis to hold elections for membership of the Council, the self-appointed committee immediately came up with fresh demands, including a requirement that the process should take place in mosques and not be handled by the local kebele offices, which would normally deal with any electoral processes. It clearly believed elections held in mosques would give it a greater chance of winning more seats in the Mejlis and enable them to raise the issue of the supposed “heretical” views. The Mejlis has now announced that the elections will be held throughout the country over a two week period starting on 26<sup>th</sup> August. Polling stations will be set up in local offices as on previous occasions. The President of the Council, Hadji Mohammed Yusuf pointed out

that polling stations had to be established outside mosques in order to allow women to participate. In any case mosques, he said, should be reserved only for prayers.

The reaction to the Council's decision to hold an election makes clear the political ambitions of its opponents. Not content with inventing new demands and raising alleged issues of "heresy", opponents of the Mejlis have tried to organize demonstrations and turn peaceful Friday prayers into clashes with the police. The police have refused to allow themselves to be provoked despite the attempts to use violence.

One point that comes out very clearly from this whole episode is that the Government takes the constitutional guarantees of equality of religion, principles of secularism and non-interference in religious matters, very seriously. It does not and will not interfere with religious issues or matters of doctrine. Issues of peace and security are, of course, something else and the government is obviously obligated to respond to the activities of radical extreme elements in burning shrines and churches, destroying tombs and other efforts to politicize religious activity. It has done so. As Commissioner Workneh said, the influence of foreign extremist elements must clearly be a matter of concern, and these disturbances were "not about religion, [and] people, particularly peace-loving Muslims, should understand this."

### **Extending AGOA's Third Country Fabric Provision**

AGOA, the African Growth and Opportunity Act, is an historic milestone in trade relations between the United States and Sub-Saharan Africa. It is a trade preference programme enacted by the United States Congress in 2000 and aimed at stimulating economic growth and assistance to help integrate Africa into the global economy. As an integral tool of the trading relationship between Sub-Saharan Africa and the United States, AGOA provides unilateral trade preferences to products entering the US if they originated in Sub-Saharan Africa. It offers market access opportunities for over six thousand items from Sub Saharan African countries in the US, making it the most comprehensive trade and investment package between Sub-Saharan Africa and the US.

According to a study conducted by the Economic Commission for Africa, AGOA has already, in its early years, made a real impact on US-African trade. US imports from Africa increased significantly - from US\$5 billion in 2001 to US\$25 billion in 2005. Between 2005 and 2010 they fluctuated because of the expiration of the Multi-Fibre Agreement and falls in world commodity prices on which almost all of the AGOA countries are highly dependent. In fact, imports entering the US market from AGOA eligible countries are dominated by only a few products and the opportunities provided by AGOA are utilized by only a handful of countries. The 2009 figures of these imports show that energy-related products took the lion's share, accounting for almost 90% of imports at a value of US\$30 billion. The next leading imports were transportation equipment (valued at US\$1.4 billion, or 4.2%) and textiles and apparel (valued at \$918 billion, 1.2 %).

Although energy, mineral and related products predominate, the textile, apparel and clothing sector represents a rising share of US AGOA imports. A study commissioned by the African Union Mission to the US early this year, found that textile and clothing products from AGOA states grew from US\$355.8 million in 2001 to peak in 2004 at US\$1.6 billion. They then declined to US\$726.5 million in 2010, largely because of falling world commodity prices and other extraneous pressures. Despite this, there is no doubt that AGOA continues to offer Sub-Saharan Africa's textile and clothing exporters the opportunity to compete globally in a number of categories.

A central factor in this is the Third Country Fabric Provision of AGOA. This allows AGOA beneficiaries to outsource yarns and fabrics from third countries and it is seen a major component in assisting in the growth of exports to the US in this sector. This provision is also considered to be a key element

responsible for the growth of new textile, apparel and clothing industries among a number of African countries, including Botswana, Ethiopia, Ghana, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Namibia, South Africa, Swaziland, Tanzania, Uganda and Zambia. In Lesotho, for example, the textile and apparel industry was almost non-existent prior to AGOA. Today, it is the country's leading employer, providing 40,000 jobs. In Mauritius, too, the textile industry is now the largest private sector employer.

There is no doubt that Sub-Saharan Africa's textile, clothing and apparel sector has been one of the main beneficiaries of AGOA. Now, however, a problem has arisen because of a delay in extending the Third Country Fabric Provision. This is set to expire in September this year, and this possibility has created uncertainty among both the Sub-Saharan exporters and US retailers who typically place their orders with manufacturers up to nine months in advance. They have been concerned that non-renewal of the Provision will lose markets as well as guarantees of obtaining textile and apparel products at competitive prices. Not surprisingly, the issue of the extension of the Third Country Fabric Provision has been a subject of intense lobbying of the US Congress and of the Administration by concerned parties including the African Diplomatic Group of AGOA eligible countries. Calls have been made for Congress to give immediate extension of the Provision by Congressmen from both Republicans and Democrats; and the US administration also exerted efforts to try to secure renewal of the Provision ahead of the annual AGOA Forum last month.

There was little progress until a week or two ago when the U.S. Senate Finance Committee voted to renew the Third Country Fabric Provision. Committee Chairman, Max Baucus, noted that: "A timely extension of this Provision will help stem the tide of job losses in Africa and it will ensure that U.S. retailers will have the certainty they need to help their businesses succeed and grow." In a press statement, U.S. Trade Representative, Ron Kirk, said: "It is critical for workers and businesses in the U.S. and in Africa that we extend this key provision before it is due to expire in September. Just last week, I visited a textile factory in Ghana that will likely have to close its doors and lay off nearly 500 employees if [the] Third-Country Fabric [Provision] expires - and that is just one example."

There is still a way to go before the bill to provide an extension of the Third Country Fabric Provision becomes law and is signed by President Obama. Equally, when it does become operational, it can be expected to go a long way to reinvigorate the African textile, clothing and apparel industry, continue to create jobs and further consolidate the gains made in trade and investment in sectors benefitting from AGOA.

Ethiopia, too, will benefit significantly from the extension which is a source of hope for the country's textile and apparel industry. Ethiopia exports textile, clothing and apparel as well as footwear products to the US market. The quantities may still be small but the figures show an encouraging and increasing trend. According to data from the Ministry of Trade, Ethiopia was able to export to the US under the AGOA scheme close to US\$10 million textile and apparel products in 2011, up from US\$6.6 million in 2009. AGOA's impact has not yet been as significant as was hoped, but it has still had a noticeable effect on investment and export diversification. The extension of the Third Country Fabric Provision can certainly be expected to have a positive effect on export of textile, clothing and apparel products.

### **"Particular Concern" over violations of religious freedom in Eritrea**

The United States' State Department issued its annual report on Religious Freedom for 2011 this week. Eritrea comes in for severe criticism as among the worst offenders against the inalienable right of its citizens to freedom of religious worship. The report unequivocally affirms a deteriorating trend in the observance of freedom of religion as demonstrated in various cases of systematic persecution of citizens by the state authorities in Eritrea. Alluding to a deplorable state of repression which turned Eritrea in to "a 75,000 square mile prison", the report accused the government of

Eritrea of violating the freedom of religion for citizens despite various human rights instruments to which Eritrea is a signatory. This is nowhere more apparent than in the government's practice of forcing detainees to sign a declaration relinquishing their membership of certain sects under threat of severe penalties.

The report is filled with specific details of killings, illegal detention, forced conscription, torture, forced military service, the closure of chapels and places of worship and various other forms of persecution. The various abuses and maltreatment of the government can be broadly classified into attacks on religious institutions themselves and secondly on the followers of different sects and religious denominations.

Officially, the regime in Asmara and its leader has decided that there are only four religious beliefs that are acceptable for the people of Eritrea. They can only be followers of the Eritrean Orthodox Church, the Evangelical (Lutheran) Church of Eritrea, the Roman Catholic Church, or Sunni Islam. These are the religions groups registered and recognized and therefore allowed to undertake any activities. In clear violation of the concept of freedom of religion: "the government has not approved the applications for registration of the Meherte Yesus Evangelical Presbyterian Church, the Seventh-day Adventist Church, the Faith Mission Church, or the Baha'i Faith, despite their having met all registration requirements since 2002. All registrations require the president's signature for full approval." The report notes that all religious facilities that do not belong to the four officially recognized religious groups have been forced to close. This followed the 2002 government decree that all religious groups must register or cease all religious activities. In addition to this, non-registered religious organizations have been "asked for the names and addresses of all members under the threat of arrest for noncompliance".

In fact, registered institutions, even though they are nominally recognized, are by no means immune from a degree of state interference which totally compromises their institutional independence. The report is quite specific that "recognized religious groups were often forbidden from managing their own operations and finances. The government appointed both the Mufti (head) of the Islamic community in the country and the current Patriarch of the Eritrean Orthodox Church, as well as numerous other lower-level positions. The government maintained control over the operations of the Eritrean Orthodox Church. A government-appointed lay administrator managed church operations and controlled all church donations".

With respect to the treatment of individuals and prevention of their ability to carry out religious activity the report makes it clear that things have continued to deteriorate. Followers of non-registered faiths are continually harassed and detained under conditions of harsh brutality. These include being held in metal containers under sweltering heat in prisons scattered across the Eritrean desert and the Red Sea islands, or confined in underground, unventilated cement cells without sanitation facilities with 200 others. Some were hung from trees in painful positions until they could no longer move their arms and legs, forced to walk barefoot over sharp stones and thorns, beaten and threatened with death.

Government secrecy makes it impossible to determine the exact number of religious prisoners but the estimates are that "the population of religious prisoners remained at 2,000 to 3,000, with a significant majority being Christian". The report notes that this figure does not include the approximately 3,000 religious workers belonging to government-approved Eritrean Orthodox, Evangelical (Lutheran), and Islamic communities who were rounded up in May and June and sent to the Wi'a military camp for national service training against their will. Nor does it include the members of the Catholic Church arrested during the year for involvement in protests, though they were subsequently released. A number of approximately 100 individuals detained during the year were released "on condition of recanting their faith or paying a fine".

The government's failure to recognize the status of 'conscientious objector' had made Jehovah's Witnesses particular targets of abuse. Jehovah's Witnesses and other conscientious objectors are normally willing to perform non-military national service duties. The government does not accept this and they are subjected to harsh treatment. The report revealed that "At least three Jehovah's Witnesses have been detained for 15 years, reportedly for evading compulsory military service, a term far beyond the maximum legal penalty of two years".

The report makes it clear that the year 2011, as previous years, was for many religious Eritreans another year of persecution. The government authorities responsible for religious affairs refused to discuss abuses of religious freedom. With international NGOs largely left or forced out of the country, religious leaders maintained a low-profile "in order to attempt to avoid government repercussions, including arrest and death." Thousands continued to leave the country despite the shoot-to-kill policy along the borders. In the circumstances it was hardly surprising that the US Secretary of State felt obliged to re-designate Eritrea as a Country of Particular Concern under the International Religious Freedom Act in August "for having engaged in or tolerated particularly severe violations of religious freedom."

### **The London Olympics – Cultural events and Team Ethiopia's schedules**

In advance of the Olympics, the Ethiopian Mission in London launched a six-week promotional campaign which is to culminate in a Gala Dinner to honour Ethiopia's athletes in the presence of government officials, members of parliament, High Commissioners, representatives of organizations, members of the Diaspora and invited guests. The campaign has included distribution of massive displays of examples of Ethiopia's horticultural export of cut-roses, notably to the Queen in her Jubilee Year. Other elements have included the hosting of an Ethiopia day for schools at which lessons were given in Ethiopian singing and dancing, an Ethiopian lunch and films on Ethiopia's athletes. A Chefs' competition was launched. The final is being held today (3<sup>rd</sup> August) in the presence of invited guests and celebrity chef and reggae star, Levi Roots. The Ethiopian Stand at Africa Village in Kensington Gardens, close to the Embassy, was officially opened by Abdissa Yadeta, Commissioner for Sports, Ambassador Berhanu Kebede, and also the Chairman of Ethiopia's National Olympic Committee, and has been visited by Mr Henry Bellingham, UK Minister for Africa and by President Alassance Ouataro of Cote d'Ivoire. The Embassy will formally celebrate Ethiopia Day on 11<sup>th</sup> August for invited guests with a programme to celebrate the country's rich and varied culture.

Ethiopia, of course, is best-known for its long-distance running and with 33 athletes picked for track events it expects to shine in these events in the next few days. Two swimmers are also involved for the first time, in the men's and women's freestyle races taking place yesterday and today. Yanet Seyoum, the first Ethiopian Olympic swimmer, was the flag-bearer for Ethiopia at the opening ceremony of the Games. Haile Gebrselassie, not competing this time round, also participated in the opening ceremony as an Olympic flag-bearer, honouring his Olympic record.

Ethiopia won seven medals at the Beijing Olympics in 2008. It has real hopes of increasing its medal count this time round. We will hope that this is the case and offer our best wishes to all those competing in the next few days.

The full schedule of runners and events is listed below.

No	Name	Category	Date
1	Mulualem Girma	<a href="#">Men's 50m Freestyle Swimming</a>	Qualification Heat – Aug 2 @ 10:00 Semi-final – Aug 2, 2012 @

			19:32 Final – Aug 3, 2012 @ 20:09
2	Tirunesh Dibaba Belaynesh Algera Worknesh Kidane	Women's 10,000m	Final - Friday Aug 3 <sup>rd</sup> - @ 21:25
3	Mekonnen Gebremedhin, Dawit Wolde, Teshome Dirirsa	Men's 1,500m	Round 1 – Aug 3 @ 20:05 Semi-final – Aug 5 @ 20:15 Final – Aug 7 @ 21:15
4	Roba Gari, Birhan Getahun, Nahom Mesfin	Men's 3,000m Steeplechase	Round 1 – Friday Aug 3 @ 13:00 Final – Aug 5 @ 21:25
5	Yanet Seyoum	<a href="#">Women's 50m Freestyle Swimming</a>	Qualification Heat – Aug 3 @ 10:00 Semi-final – Aug 3 @ 20:27 Final – Aug 4 @ 19:30
6	Hiwot Ayalew Etenesh Diro Sofia Assefa	Women's 3,000m Steeplechase	Round 1 qualification – Aug 4 @ 11:30 Final – Aug 6 @ 21:05
7	Kenenisa Bekele, Tariku Bekele, Gebregziabher Gebremariam	Men's 10,000m	Saturday Aug 4 <sup>th</sup> - final
8	Bereket Desta	Men's 400m	Round 1 – Aug 4 @ 10:35 Semi-final – Aug 5 @ 20:40 Final – Aug 6 @ 21:30
9	Tiki Gelana, Aselefech Mergia, Mare Dibaba	Women's Marathon	Sunday Aug 5 <sup>th</sup> -final
10	Mohammed Aman	<a href="#">Men's 800m</a>	Round 1 – Aug 6 @ 10:50 Semi-final – Aug 7 @ 19:55 Final – Aug 9 @ 20:00
11	Abeba Aregawi Genzebe Dibaba, Meskerem Assefa	Women's 1,500m	Round 1 qualification – Aug 6 @ 11:45 Semi-final – Aug 8 @ 19:45 Final – Aug 10 @ 20:55
12	Meseret Defar Gelete Burka	Women's 5,000m	Round 1 qualification – Aug



	Tirunesh Dibaba (Genet Yalew)		7 @ 10:5  Final – Aug 10 @ 20:05
13	Dejen Gebremeskel, Hagos Gebrihiwet, Yenew Alamirew; Kenenisa Bekele	Men’s 5,000m	Schedule: Round 1 – Wednesday Aug 8 @ 10:45  Final – Aug 11 @ 19:30
14	Fantu Magiso	<a href="#">Women’s 800m</a>	Round 1 qualification – Aug 8 @ 11:35  Semi-final – Aug 9 @ 19:30  Final – Aug 11 @ 20:00
15	Ayele Abshero, Dino Sefer, Getu Feleke	Men’s Marathon	Sunday Aug 12-Final

### **The saga of Skype and international comment on press freedom in Ethiopia**

Recently, the Internet Huff Post in its Blog section ran a piece by Marietje Schaake, a Dutch member of the European Parliament, attacking governments which tried to control the Internet. Under the title “Stop Balkanizing the Internet” Ms. Schaake began: “The government of Ethiopia has announced a ban on the use of a wide range of Internet communication services. According to reports, the draft Telecom Law criminalizes the use of Skype and other Voice over Internet Protocol (VoIP) services. Violators face a high financial penalty or a 15 year prison sentence. In practice, the law would also mean that all Internet traffic of 85 million Ethiopians will be monitored. End of story for unrestricted Internet access, freedom of expression and access to information online. The subsequent international outcry has forced the government to clarify its intentions and signaled a possible backtracking of the initial plans.”

In fact, as has been well known for some weeks this whole story was complete nonsense. Its origins lie with Reporters Without Borders (RWB) which on 7<sup>th</sup> June ran a press statement which alleged that the use of VoIP hardware and software had been made a crime by new Ethiopian Telecom Service legislation, which RWB said had been passed into law on 24<sup>th</sup> May. RWB also claimed anyone violating this could be sentenced to up to 15 years in prison. This entirely mythical story seems to have originated from the fact that two weeks earlier a draft proclamation on the subject of Telecom Fraud Offences had been referred back by the Science and Technology Committee of the House of Representatives for further clarification (and redrafting) to the Information Network Security Agency which had been responsible for the original draft.

RWB’s story may have borne no relation to the reality, but once run the allegations were rapidly picked up by Al Jazeera, the BBC and other international media outlets as an example of “draconian law passed by a government dedicated to reducing freedom to receive or impart information”. Others which blindly repeated the alleged story, without checking, included PC Magazine, the Atlantic Magazine, the Los Angeles Times and numerous bloggers. All these and many other media outlets were quite content merely to quote RWB. Almost immediately a number of commentators waded in to add their voices to condemn “this gross infringement of press freedom”. All failed to make any checks or any efforts to investigate the story’s accuracy.

Response from Ethiopia was at first muted. No one could understand from where the story was coming. There had been no such law passed by the House of Representatives and the only previous legislation on the subject had been a whole decade earlier. It was not until 17<sup>th</sup> June that Daniel

Berhane, a blogger in Ethiopia, worked out that RWB must have been referring to the Telecom Fraud Offences draft. The blog printed relevant sections of the draft which made it quite clear that RWB had either not seen the draft or had failed to take the trouble to read it properly. It had merely fitted its ideas about it into its own preconceived and inaccurate ideas of government media and press relations in Ethiopia. This included the oft repeated claim that there is no free press in Ethiopia, a gross libel on a number of English and Amharic language newspapers including Reporter, Fortune, Capital, Sub-Saharan, Daily Monitor, Seven Days, the Press Gazette, Fiteh and others.

A few days after RWB published its story, the Minister of State in the Government Communication Affairs Office (GCAO), Ato Shimelis Kemal, made it clear that the use of Voice over Internet Protocol, including Skype and Google Talk, was not, and would not be, banned in Ethiopia. He also made it clear that no law had been passed on 4<sup>th</sup> May though the Telecom Fraud Offence bill was under consideration. Indeed, the House of Peoples' Representatives did pass the Proclamation on Telecom Fraud Offences, Proclamation 761/2012 but not until 11<sup>th</sup> July. This not only does not ban any VoIP services, it actually replaces a 2002 law which did, in theory, forbid such usage though it was never implemented and no one was ever prosecuted under it. The 11<sup>th</sup> July Proclamation is, in fact, concerned with illegal private use of telecom operator services including VoIP for gain without a permit from Ethio Telecom which has the monopoly of such activities.

RWB's original response to all this was to ignore the refutation of its story, though it appeared from an internal memo towards the end of June that it was thinking of trying to defend its position despite all the evidence against it. It apparently intended to claim that the law had really been passed and that "criminalization of VoIP" although not mentioned was actually "embedded" in the drafting. Even RWB must have felt this was hardly plausible as it quietly dropped the 7<sup>th</sup> June press statement from its website without comment.

It did not, however, get round to issuing any correction until 6<sup>th</sup> July when it quoted from a meeting with Ato Shimeles Kemal, who detailed the background to the proposed law as technological progress "and the alarming increase in the incidence of illegal telephone services that bypass the national network, posing loss of revenue and national security risks." At the same time, RWB immediately added that it remained concerned over the issue, claiming that the draft was vaguely worded. It continued to try to defend its position with misleadingly selective, and inaccurate, quotations, continuing to ignore the clear and specific purpose of the draft. Indeed, as one commentator noted: RWB's whole approach "...casts serious doubt on the qualification, professional integrity and motive of the individuals who contributed, edited and approved" the story and RWB's subsequent actions.

It is a point it is hard to disagree with, especially since RWB's failure to apologize or correct in detail such a serious mistake has allowed others, like Ms. Schaake, to continue to pick up its original discredited allegations. Even the Internet Advocacy Coordinator of the Committee to Protect Journalists, who certainly should know better by now, attacked Ethiopia at the end of last month for "the introduction of legislation that would criminalize the offering of VoIP and Skype-like services". He also claimed, equally erroneously, that the government had earlier blocked foreign VoIP services on an individual basis. Human Rights Watch was quick to pick up the allegations, and as of now has also failed to acknowledge that any mistake was made.

This is not the place, nor is there space, to go into detail about the way that a free, unregulated press operates or should operate, but it is pertinent to raise two points. Journalists, and organizations like RWB, are very capable of making "mistakes" and these can have a serious political or economic impact. There is a need for journalists themselves to be responsible in their reporting; and equally, of course, governments must provide the space in which journalists can operate freely and without fear. As important, this whole sorry saga of the way this story of Skype in Ethiopia was reported

underlines the critical importance of organizations like RWB or CPJ taking the elementary precaution of carrying out basic factual checks about the accuracy of claims and allegations, and of looking from where their information is coming.

The Leveson Inquiry into the media in the UK is a fascinating example of the way an irresponsible media organization, News International, controlled by a single person, Rupert Murdoch, became powerful enough to believe it was above the law and above moral and ethical imperatives. It has been involved in a veritably swamp of illegalities, accused of extensive bribery of the police as well as hacking of phone conversations and other activities including inventing interviews and stories, and providing favours for politicians and others. Its activities have led to the closure of one paper and dozens of journalists being questioned and some arrested. The focus of the Leveson Inquiry is one particular media organization in the UK but there is plenty of evidence that other newspapers in the UK and those in other countries have indulged in similar practices if not on quite the scale of News International.

The real surprise of the Inquiry is not the way News International has behaved. It is that there has been so little outcry over all the political and police activity apart from complaints by a few News International journalists, who have spoken of a 'witch-hunt'. One at least referred to a "huge operation driven by politicians [that] threatens the very foundation of a free press...Should we not be asking where all this is likely to lead? Will we have a better Press? Or a Press that has been bullied by politicians into delivering what they, not the readers, think fit?"

It's a good question if only because if this sort of activity had been taking place anywhere in Africa or the Third World, Reporters Without Borders, the Committee to Protect Journalists or Human Rights Watch would have been falling over themselves to comment on the dangers to the right to free expression and the threats to free speech and to a free press, demanding that everyone should be released immediately and all police activity dropped. Western based international advocacy organizations have a very similar, and simple, approach to dealing with the Developing World: all allegations against a government must be true, and all government claims must be false. This is buttressed by their arrogant certainty that they are always right even when all the facts are against them. Human Rights Watch even tends to carry this argument to the logical absurdity that elections in Africa can only be classified as fair and free if the opposition wins. The phrase "double standards" comes to mind.

It all also underlines a point that should not need to be emphasized again and again: the need to ensure the accuracy of comment and criticism. This saga of RWB and of its false alarms over Skype seriously detracts from issues where there should be genuine concern over the problems of a free press. If RWB or CPJ continue to get it so badly wrong, they weaken their chance of having influence in cases where there is real need. The importance of getting it right can hardly be overstressed. It is a lesson that RWB in particular should clearly take to heart.

## **NEWS AND VIEWS**

### **The Abyei Joint Oversight Committee to meet this weekend**

The Abyei Joint Oversight Committee (AJOC), on which Sudan and South Sudan are jointly represented, is to meet on Sunday (5<sup>th</sup> August) to discuss the security and humanitarian situation in the disputed Abyei region. The joint chairman of the AJOC, Sudan's Al-Khair Al-Faheem, has said that the agenda will include humanitarian matters as well as formation of the Abyei police service. The AJOC was established as part of the 20<sup>th</sup> June agreement last year to resolve security-related matters in Abyei and oversee the withdrawal of both sides' forces from the region. The Sudanese army finally withdrew from the region in May this year; South Sudan forces had withdrawn earlier. Abyei is now controlled by a UN force, the United Nations Interim Security Force for Abyei (UNISFA) made up of

Ethiopian peacekeepers. It is mandated by the Addis Ababa agreement to keep security in the region until the dispute over Abyei's future status is resolved. The Addis Ababa agreement also provided for the establishment of Joint Executive and Legislative Councils in Abyei but their formation has been delayed due to continued disagreement between the two sides. The issue is one of those recently referred back to the two presidents. Sudan's Al-Faheem said that Sudan is keen to implement the Addis Ababa deal and the Abyei Protocol of the Comprehensive Peace Agreement which stipulates a referendum should be held in Abyei to determine whether it should belong to Sudan or South Sudan. The referendum was supposed to take place in January 2011 at the same time as the referendum on South Sudan's independence but the vote was stalled by disagreements over eligibility for participation. South Sudan, which recently proposed that the referendum be organized by the African Union and the United Nations, insisted that only Abyei's indigenous population of Dinka Ngok groups should vote; Sudan was equally insistent the Arab nomadic pastoralists of the Al-Messiryah who pasture their herds in the region for half the year should also be allowed to participate.

### **The Security Council renews the mandate for UNAMID**

On Tuesday (31<sup>st</sup> July) the U.N. Security Council extended the mandate of the joint U.N.-African Union Mission in Darfur (UNAMID) for another year. The Council passed a British-drafted resolution with 14 votes in favour and one abstention from Azerbaijan which supported the force but had reservations about the text. The inclusion of references to the Ugandan rebel group known as the Lord's Resistance Army apparently irritated several council members. The resolution says the Council "encourages UNAMID, within existing capacities and consistent with its mandate, to cooperate and share information" on the LRA which is led by Joseph Kony, who is wanted by the International Criminal Court in The Hague to face war crimes charges. Khartoum's U.N. ambassador, Daffa-Alla Elhag Ali Osman, complained that the reference was unwarranted. "The LRA is known, it's a rebel group, a terrorist group which Sudan condemns," he said. "We do not find any logic in linking UNAMID with the LRA." Earlier this year, a senior U.N. official said Kony might have slipped across the border into Darfur. The UNAMID resolution which reduced the maximum number of the peacekeeping force, also expressed the Security Council's concern at the continued violence in Darfur where continuing fighting and widespread banditry have hampered peace efforts.

### **US Secretary of State Clinton in East Africa**

U.S. Secretary of State, Hillary Clinton, is on an eleven day tour of African states, including Uganda, and South Sudan, and Kenya where she will also meet Somali leaders, to encourage them to boost security and political stability in a region threatened by al-Qaeda and growing in importance to the US as a source of energy. Security is certainly going to be a central element of her visit to East Africa. Her meeting with President Sheikh Sharif comes as Somalia has taken a significant step forward towards the re-establishment of a permanent administration and the end of the transition period on 20<sup>th</sup> August. Mrs Clinton is expected to discuss the progress made in the continued offensive against Al-Shabaab with particular reference to the strategy of fighting Islamist militants to help reduce the threat that terrorism poses regionally and internationally. The Secretary of State was in Uganda on Thursday (2<sup>nd</sup> August) where she met President Yoweri Museveni. A spokesperson for the State Department said Mrs Clinton would be urging President Museveni to strengthen democracy and human rights, while acknowledging the country's role in boosting security including its efforts to hunt down Joseph Kony's Lord's Resistance Army. In South Sudan, she will meet President Salva Kiir (Friday 3<sup>rd</sup> August) to discuss topics including "security, oil and citizenship". On Saturday, she will be in Nairobi, where she will meet Kenyan President Mwai Kibaki, and will be appealing for the elections scheduled for March next year to be fair and peaceful.

## **Ethiopia licenses 686 Investment Projects (1<sup>st</sup> Aug)**

Ethiopia has issued licenses to 686 investment projects estimated to be worth 86 billion birr during the financial year (2011-2012) which ended last month. According to Ato Getahun Negash, the Director of Corporate Communications for the Ethiopian Investment Agency, 601 of these projects, worth 83 billion birr in all, are owned by international investors. The total capital invested by foreign investors has shown an increase of 30 billion birr over the previous year. Ato Getahun said the investment projects licensed in the last year had primarily been in the areas of agriculture, industry and construction. Projects are being implemented in every area of the country but the majority of the projects are to be found in and around Addis Ababa and in the Amhara, Tigray and Oromia Regional States. It is estimated the projects will provide employment opportunities for around 45,000 people when fully operational. The Investment Agency has assisted 225 projects worth 17 billion birr to become fully operational during the financial year by creating an enabling environment; and these have provided employment opportunities for over 12,700 people.

## **National Women's Conference underway in Hawassa**

The Southern Nations, Nationalities and Peoples State President, Ato Shiferaw Shigute, has stressed the need for all stakeholders to join hands in the effort to stop violence against women and children. Speaking at the opening of the 7<sup>th</sup> National Women's Conference on Wednesday (1<sup>st</sup> August) Ato Shiferaw said that officials, the public and partners should work jointly towards the success of on-going efforts to ensure the rights of women and children; they must make every effort to encourage women in rural areas to get access to education and health services, and help them benefit from family planning services. The Women's, Children and Youth Affairs Minister, Zenebu Tadesse, outlined the progress in enabling women to benefit from loan services and engage in various income-generating activities. She pointed out the importance of enabling women so they may enjoy equal participation in development activities and benefit from economic, social and political development spheres. The rights and wellbeing of children were of equal importance, she added. The Hawassa Children's Parliament Speaker, Aynalem Mathewos, spoke of the need for all stakeholders to work together to stop child trafficking, harmful traditional practices against children and child labour. Debates at the five-day conference will be concentrating on the participation of and benefits for women in development activities as well discussing the conference's performance over the last year and considering an action plan for the coming year.

## **Somaliland says talks with Somalia can continue with a new government**

Somaliland has announced that its talks with Somalia have been temporarily suspended. Somaliland's Foreign Minister, Dr Mohamed Abdilahi Omar, said this week that Somaliland had decided to halt its on-going talks with the Transitional Federal Government of Somalia because of the activities currently going on in Mogadishu to bring an end of the transitional period. Following the acceptance of the Draft Constitution by the National Constituent Assembly, a new parliament has to be chosen, and this will be followed by elections for Speaker and his deputies, and on 20<sup>th</sup> August for a President. Dr Omar stressed that the suspension did not mean that Somaliland has abandoned the talks "but [we] will wait and see the outcome of the current political atmosphere in Somalia". The talks, he said, would start again "once Somalia ends its transition and a new government is installed".