

Country Review
Ethiopia
December 2016



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Preface

This review presents current country of origin (COI) information relevant to asylum seekers from Ethiopia, with a specific focus on the issues most commonly raised in the Danish asylum context. The report is based on desk research of publically available sources from a range of government and non-government actors. The information in this report is up to date as of 31 November 2016.

The Danish Refugee Council (DRC) is a humanitarian, non-governmental, non-profit organisation that works in more than 30 countries around the world and provides counselling to asylum seekers in Denmark. DRC country profiles and thematic reports provide current, relevant COI about a particular country or theme. Country profiles and thematic reports do not reflect the views of the DRC.

Glossary

CSP	Charities and Societies Proclamation
CUD	Coalition for Unity and Democracy
ENDF	Ethiopian National Defense Force
EPRDF	Ethiopian People's Revolutionary Democratic Front
EOC	Ethiopian Orthodox Church
NISS	National Intelligence and Security Service
OFC	Oromo Federalist Congress
OFDM	Oromo Federalist Democratic Movement
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front
OPC	Oromo People's Congress
TPLF	Tigrayan People's Liberation Front
UDJ	Unity of Democracy and Justice

1. Background information

1.1 Geography & Demography

Ethiopia is a landlocked country in northeast Africa, sharing borders with Eritrea to the north and northeast, Djibouti and Somalia to the east, Sudan and South Sudan to the west, and Kenya to the south. With a land mass of circa one million square kilometres, four-fifths of Ethiopians live in rural areas. The capital, Addis Ababa, is the country's major city and home to 3.3 million people. Ethiopia is made up of nine federal states, organised along ethnic lines, and two self-governing administrations.¹

With a population of 102 million, Ethiopia is the second-most populous country in Africa. Of the country's more than 80 ethnic groups, the Oromo is the largest, accounting for 35% of the population. The other major ethnic groups are the Amhara, making up 27% of the population, as well as Somali (6.2%) and Tigray (6.1%).² Amharic is the official national language and is spoken by 29% of Ethiopians and 33,8% of the population speak Oromo, while 6.2% speak Somali and 5.9% speak Tigrinya.³

Ethiopia is a religiously diverse country. The latest census, in 2007, estimated that 44% of people are members of the Ethiopian Orthodox Church (EOC), predominantly in northern areas of Tigray and Amhara. Sunni Muslims account for 33,9% of the population, in particular in the Afar, Oromia, and Somali regions. A further 19% of Ethiopians are Christian evangelical or Pentecostal.⁴

1.2 Historical overview

Emperor Haile Selassie ruled Ethiopia from 1930 until 1974, when the Provisional Military Administrative Committee (known as the Derg) overthrew the government and established a socialist state.⁵ From 1977, Colonel Mengistu Haile Mariam led the country under a Marxist dictatorship.⁶ In 1991, a military coup replaced the Derg with the Ethiopian People's Revolutionary Democratic Front (EPRDF), an alliance of rebel factions, under the leadership of Meles Zenawi. The EPRDF is

¹ Central Intelligence Agency, The World Factbook, Ethiopia. Available at <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/et.html> accessed 14 Nov 2016.

² Other Ethnic groups include the Sidama (4%), Gurage (2.5%), Welaita (2.3%), Hadiya (1.7%), Afar (1.7%), Gamo (1.5%), Gedeo (1.3%), Silte (1.3%), and Kefficho (1.2%). Central Intelligence Agency, The World Fact Book, Ethiopia. Available at <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html> accessed 10 Jan 2017.

³ Other languages include Sidamo (4%), Wolaytta (2.2%), Gurage (2%), Afar (1.7%), Hadiyya (1.7%), Gamo (1.5%), Gedeo (1.3%), Opuuo (1.2%) and Kafa (1.1%). Central Intelligence Agency, The World Factbook, Ethiopia. Available at <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/et.html> accessed 14 Nov 2016.

⁴ Religious minorities include Eastern Rite and Roman Catholics, Jehovah's Witnesses, Jews, Mormons, and followers of indigenous religions. United States Department of State, International Religious Freedom Report for 2015 – Ethiopia. Available at <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dclid=256023> accessed 14 Nov 2016.

⁵ United States Bureau of Citizenship and Immigration Services, Ethiopia: Background Information on the Mengistu Regime during the Red Terror, 28 December 1999. Available at <http://www.refworld.org/docid/3ae6a6b414.html> accessed 14 Nov 2016; Central Intelligence Agency, The World Factbook, Ethiopia. Available at <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/et.html> accessed 14 Nov 2016.

⁶ United Kingdom: Home Office, Country of Origin Information Report - Ethiopia, 18 January 2008. Available at <http://www.refworld.org/docid/47973f8f2.html> accessed 14 Nov 2016.

dominated by Tigrayan interests.⁷ In 1993, Eritrea seceded from Ethiopia following a long struggle for independence.

In 1994, Ethiopia adopted a national constitution and the EPRDF won the country's first democratic elections the following year. In May 1998, war broke out between Ethiopia and Eritrea over a border dispute. The full-scale conflict caused the deaths of an estimated 100,000 people and displaced one million across the two countries. An agreement ending the war was signed in December 2000.⁸

Ethiopia held elections for the House of Peoples' Representatives, nine Regional State Councils and two City Councils in 2005. The ruling EPRDF was re-elected as government. However, the result of the election was disputed, triggering protests by supporters of the Coalition for Unity and Democracy (CUD) party and student activists.⁹ These protests led to government crackdowns, resulting in the deaths of 200 civilians at the hands of state security forces,¹⁰ and began the current period of deterioration of freedom of expression and association.¹¹ In 2009, the Ethiopian Government passed the Charities and Societies Proclamation (CSP), which curtails the ability of non-governmental organisations to work on human rights.¹²

⁷ Freedom House, Freedom in the world 2016 – Ethiopia. Available at <https://freedomhouse.org/report/freedom-world/2016/ethiopia> accessed 14 Nov 2016.

⁸ International Crisis Group, Beyond the Fragile Peace between Ethiopia and Eritrea: Averting New War, 17 June 2008, Africa Report N°141. Available at <http://www.refworld.org/docid/4857dc6f2.html> accessed 14 Nov 2016 24.

⁹ Human Rights Watch, Ethiopia's Invisible Crisis, 22 January 2016. Available at <https://www.hrw.org/news/2016/01/22/ethiopias-invisible-crisis> accessed 14 Nov 2016.

¹⁰ Human Rights Watch, Ethiopia: Crackdown Spreads Beyond Capital, 15 June 2005. Available at <https://www.hrw.org/news/2005/06/15/ethiopia-crackdown-spreads-beyond-capital> accessed 14 Nov 2016; United Kingdom: Home Office, Country of Origin Information Report - Ethiopia, 18 January 2008. Available at <http://www.refworld.org/docid/47973f8f2.html> accessed 14 Nov 2016 15-18.

¹¹ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 9 Jan 2017 18; Immigration and Refugee Board of Canada, Ethiopia: Treatment of political dissidents by government authorities, specifically student and human rights activists (2005-2006), 2 March 2007. Available at <http://www.refworld.org/docid/469cd6b12.html> accessed 14 Nov 2016.

¹² Charities and Societies Proclamation, Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation No. 621/2009, 13 February 2009. Available at <http://www.refworld.org/docid/4ba7a0cb2.html> accessed 10 Jan 2017; Human Rights Watch, World Report 2017 – Ethiopia, 12 January 2017. Available at <https://www.hrw.org/world-report/2017/country-chapters/ethiopia> accessed 13 Jan 2017; Human Rights Watch, World Report 2016 - Ethiopia, 27 January 2016. Available at <https://www.hrw.org/world-report/2016/country-chapters/ethiopia> accessed 14 Nov 2016; Human Rights Watch, World Report 2015 - Ethiopia, 29 January 2015. Available at <https://www.hrw.org/world-report/2015/country-chapters/ethiopia> accessed 10 January 2017; Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 10 January 2017 101; Amnesty International, Stifling human rights work: The impact of civil society legislation in Ethiopia, 12 March 2015. Available at <https://www.amnesty.org/en/documents/AFR25/002/2012/en/> accessed 10 January 2017 7; Amnesty International, Ethiopia: The 2009 Charities and Societies Proclamation as a serious obstacle to the promotion and protection of human rights in Ethiopia, 11 June 2012. Available at <https://www.amnesty.org/en/documents/afr25/007/2012/en/> accessed 10 January 2017; Human Rights Watch, Journalism Is Not a Crime, 21 January 2015. Available at <https://www.hrw.org/report/2015/01/21/journalism-not-crime/violations-media-freedoms-ethiopia> accessed 10 January 4; United Nations Office of the High Commissioner for Human Rights, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, 24 April 2013. Available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.39_EN.pdf accessed 10 Jan 2017 9; Human Rights Council, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai - Addendum - Observations on communications transmitted to Governments and replies received

Elections in 2010 again resulted in re-election of the EPRDF. Prime Minister Zenawi died in office in August 2012, and was replaced by his deputy, Hailemariam Desalegn. In 2014, the Ethiopian Government proposed the 'Master Plan' to expand Addis Ababa into the Oromia region, sparking protests among Oromo political dissidents and students.¹³ The most recent elections, in May 2015, delivered all 547 parliamentary seats to the EPRDF.¹⁴

1.3 Political situation

The EPRDF treats political opposition with hostility, resulting in repression and harassment of opposition political parties in Ethiopia.¹⁵ Nevertheless, a number of political parties and activists remain active in the country. In October 2016, the government announced a six-month state of emergency following the destruction of government buildings by demonstrators.¹⁶

The **Oromo Federalist Congress** (OFC) emerged in 2012 following the amalgamation of the Oromo Federalist Democratic Movement (OFDM) and the Oromo People's Congress (OPC).¹⁷ The OFC is a legally registered party and the largest opposition party in Ethiopia. Focused on political representation of the Oromo ethnic group, the largest in the country, the OFC is particularly suppressed by the Ethiopian authorities.¹⁸ A range of human rights reporting points to the detention and ill-treatment of thousands of (suspected) OFC members since 2011, including sweeps of arrests following protests against the proposed Master Plan in 2014.¹⁹

[A/HRC/23/39/Add.2], 30 May 2013. Available at http://www.ohchr.org/Documents/Issues/FAssociation/A-HR-23-39-Add2_EFS.pdf accessed 10 Jan 2017 22.

¹³ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016 7-8.

¹⁴ The Guardian, Ethiopia's ruling party wins by landslide in general election, 22 June 2015. Available at <https://www.theguardian.com/world/2015/jun/22/ethiopias-ruling-party-win-clean-sweep-general-election> accessed 9 Jan 2017; BBC, Ethiopia election: EPRDF wins every seat in parliament, 22 June 2015. Available at <http://www.bbc.com/news/world-africa-33228207> accessed 9 Jan 2017; United States Department of State, Country Report on Human Rights Practices 2015 – Ethiopia. 13 April 2016. Available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252681> accessed 14 Nov 2016 21.

¹⁵ According to Amnesty International: 'members of legally-registered opposition political parties have been jailed in large numbers, and the independent media and human rights civil society have been dismantled through a combination of harassment and repressive legislation.' Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016 18; Human Rights Watch, Ethiopia's invisible crisis, 22 January 2016. Available at <https://www.hrw.org/news/2016/01/22/ethiopias-invisible-crisis> accessed 14 Nov 2016; Amnesty International, Ethiopia Offline, Evidence of Social Media Blocking and Internet Censorship in Ethiopia, 14 December 2016. Available at <http://www.refworld.org/country,,,ETH,,585105c54,0.html> accessed 4 Jan 2016 10-11.

¹⁶ Human Rights Watch, Ethiopia: State of Emergency Risks New Abuses, 31 October 2016. Available at <https://www.hrw.org/news/2016/10/31/ethiopia-state-emergency-risks-new-abuses> accessed 21 Nov 2016.

¹⁷ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 9 Jan 2017 122.

¹⁸ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016 8.

¹⁹ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016 40; Human Rights Watch, "Such a Brutal Crackdown" - Killings and Arrests in Response to Ethiopia's Oromo Protests, 15 June 2016. Available at: <http://www.refworld.org/docid/576252954.html> accessed 14 Nov 2016 16-17; Human Rights Watch, World

The **Unity for Democracy and Justice** (UDJ), also a legally registered party, was established in 2008, following the disintegration of the Coalition for Unity and Democracy (CUD).²⁰ UDJ is described as having a ‘pan-Ethiopian’ profile with a program of democratic regime change.²¹ UDJ’s first chairperson, Birtukan Medeksa, resigned from politics in 2011 after repeated arrests following the 2005 election. Former president of Ethiopia, Negasso Gidada, became party chair in December 2011.²² Other political parties subject to repression in Ethiopia include Semawayi, Medrek and Arena Tigray.²³

1.4 Security situation

A number of armed opposition groups are active in Ethiopia, some of which have been classified as terrorist organisations by the EPRDF under the Anti-Terrorism Proclamation of 2009.²⁴ A range of human rights reports indicate that suspected members of armed opposition groups are surveilled and subject to serious ill-treatment, including torture.²⁵

Report 2017 – Ethiopia, 12 January 2017. Available at <https://www.hrw.org/world-report/2017/country-chapters/ethiopia> accessed 13 Jan 2017.

²⁰ UDJ is commonly known as Andinet (also spelled Andnet and Andenet), the Amharic word for unity. According to Landinfo: ‘CUD was an opposition coalition consisting of four parties who placed candidates for election in 2005. CUD won many seats in the election, but the majority of them boycotted the opening of parliament. Most of CUD’s leaders were charged with undermining the country’s constitution in 2005/2006. The party split after the arrest of the party’s leaders. In Amharic, the group is known as Qinijit.’ Landinfo, Ethiopia: The Ginbot 7 party, 20 Aug 2016. Available at http://www.landinfo.no/asset/2192/1/2192_1.pdf accessed 14 Nov 2016 6.

²¹ Landinfo, Ethiopia: Reaksjoner ved retur og politisk aktivitet i eksil (sur place), 28 April 2015. Available at http://www.landinfo.no/asset/3130/1/3130_1.pdf accessed 14 Nov 2016 8.

²² Immigration and Refugee Board of Canada, Ethiopia: The Unity for Democracy and Justice Party (UDJ); its formation, leadership, structure, mandate, membership, issuance of membership cards; treatment by authorities; branches outside of Ethiopia; membership requirements at Toronto and Atlanta branches (2008-2012), 23 July 2012. Available at <http://www.refworld.org/docid/50ead0a92.html> accessed 14 Nov 2016.

²³ Amnesty International, Ethiopia: Investigate suspicious murders and human rights violations, 23 June 2015. Available at <https://www.amnesty.nl/nieuwsporaal/pers/ethiopia-investigate-suspicious-murders-and-human-rights-violations> accessed 10 Jan 2017; Amnesty International, Ethiopia: Respect court rulings and release opposition members, 1 July 2015. Available at <https://www.amnesty.org/en/latest/news/2015/07/ethiopia-respect-court-rulings-and-release-opposition-members/> accessed 10 Jan 2017; Amnesty International, Ethiopia: Onslaught on human rights ahead of elections, 22 May 2015. Available at <https://www.amnesty.org/en/latest/news/2015/05/ethiopia-onslaught-on-human-rights-ahead-of-elections/> accessed 10 Jan 2017; Amnesty International, Ethiopia: Release protestors, stop crushing political opposition, 10 December 2014. Available at <https://www.amnesty.org/en/documents/afr25/009/2014/en/> accessed 10 January 2017; Human Rights Watch, World Report 2015 - Ethiopia, 29 January 2015. Available at <https://www.hrw.org/world-report/2015/country-chapters/ethiopia> accessed 10 Jan 2017; United States Department of State, Country Report on Human Rights Practices 2014 - Ethiopia, 25 June 2015, section 1c, 2b, 3. Available at <https://www.state.gov/j/drl/rls/hrrpt/2014/af/236358.htm> accessed 10 January 2017 5, 16.

²⁴ Five groups are designated as terrorist organisations: ONLF, OLF, Ginbot 7, Al-Qaeda and Al-Shabab. Human Rights Watch, "Such a Brutal Crackdown" - Killings and Arrests in Response to Ethiopia’s Oromo Protests, 15 June 2016. Available at <http://www.refworld.org/docid/576252954.html> accessed 14 Nov 2016 15.

²⁵ Human Rights Watch, "They Know Everything We Do"; Telecom and Internet Surveillance in Ethiopia, 25 March 2010. Available at <https://www.hrw.org/report/2014/03/25/they-know-everything-we-do/telecom-and-internet-surveillance-ethiopia> accessed 14 Nov 2016; Freedom House, Freedom on the Net 2015 - Ethiopia, 2 November 2015; UN Committee against Torture, Consideration of reports submitted by States parties under article 19 of the Convention Concluding observations of the Committee against Torture, [CAT/C/ETH/CO/1], para 10, 20 January 2011. Available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/ETH/CO/1&Lang=En accessed 3 Jan 2016.

The **Ogaden National Liberation Front** (ONLF) is a secessionist movement active in Ethiopia's Somali region. The United States Department of State describes the ONLF, established in 1984, as 'an ethnically based, violent, and fragmented separatist group.'²⁶ The ONLF has been engaged in low-intensity armed conflict with government forces, was banned in 1994, and has since been designated as a terrorist organisation. According to the United Nations Security Council, the ONLF now bases its operations from Mogadishu, Somalia, and receives support from the Eritrean Government.²⁷

The **Oromo Liberation Front** (OLF) is an armed movement established in 1973 for the independence of the Oromo people from the Ethiopian state. The OLF joined the transitional government following the ousting of Colonel Mengistu in 1991, but left the coalition the following year. The OLF has fought a 'long-term, low-level insurgency' in Oromia and was designated a terrorist organisation by the Ethiopian parliament in June 2011.²⁸ A range of human rights reporting indicates that Oromos are routinely arrested and mistreated by state authorities because of the suspicion of being associated with the OLF.²⁹

Ginbot 7 (also known as the Movement for Justice, Freedom and Democracy) was founded by former CUD members who fled Ethiopia after the 2005 elections. The group is committed to regime change, including through the use of military means. Ginbot 7 is banned in Ethiopia under the Anti-Terrorism Proclamation and is based overseas, with its leader, Berhanu Nega, in exile in the United States.³⁰ Landinfo reports that it is uncertain how extensive the party's activities in Ethiopia are and whether Ginbot 7 actually engages in armed resistance.³¹

Demhit – Tigray People's Democratic Movement is an armed Ethiopian opposition group founded in 2001 by dissidents from TPLF. Demhit is based in Eritrea and supported by the Eritrean government.³²

²⁶ United States Department of State, Country Report on Human Rights Practices 2014 – Ethiopia. 25 June 2015. Available at <http://www.state.gov/j/drl/rls/hrrpt/2014/af/236358.htm> accessed 15 Nov 2016 21.

²⁷ UN Security Council, Report of the Monitoring Group on Somalia and Eritrea pursuant to the Security Council resolution 2111 (2013), [S/2014/727], 13 October 2014 para 56. Available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/727 accessed 3 Jan 2016.

²⁸ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016 9; United Kingdom: Home Office, Operational Guidance Note: Ethiopia, November 2013. Available at <http://www.refworld.org/docid/528205614.html> accessed 15 Nov 2016.

²⁹ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016; Human Rights Watch, "Such a Brutal Crackdown" - Killings and Arrests in Response to Ethiopia's Oromo Protests, 15 June 2016. Available at <http://www.refworld.org/docid/576252954.html> accessed 14 Nov 2016; Human Rights Watch, World Report 2016 - Ethiopia, 27 January 2016. Available at: <http://www.refworld.org/docid/56bd994131.html> accessed 14 Nov 2016.

³⁰ Freedom House, Freedom in the world 2016 – Ethiopia, 14 July 2016. Available at <https://freedomhouse.org/report/freedom-world/2016/ethiopia> accessed 14 Nov 2016.

³¹ Landinfo, Ethiopia: The Ginbot 7 party, 20 August 2012. Available at <http://www.refworld.org/docid/50ab928c2.html> accessed 15 Nov 2016 3-7.

³² UN Security Council, Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2111 (2013), [S/2014/727], 13 October 2014. Available at http://www.securitycouncilreport.org/atf/cf/%7b65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/S_2014_727.pdf accessed 6 Jan 2017 28-30.

2. Specific risk profiles

2.1 Suspected association with political opposition parties

Persons suspected of membership of or association with opposition parties, primarily OFC and UDJ, may be vulnerable to human rights violations at the hands of the EPRDF.³³ In the lead-up to national elections in 2015, there were reports of arrest, detention and other ill-treatment of opposition party members.³⁴ Family members of suspected opposition party members may also be targeted by the Ethiopian government.³⁵

In relation to the OFC, Oromos are regularly arrested, individually and in groups, based on suspected opposition to the government. The Master Plan protests since 2014 have resulted in the arrest of hundreds of OFC members in Oromia and elsewhere. According to Amnesty International, many OFC members were detained arbitrarily and incommunicado.³⁶ Human Rights Watch reported that senior OFC leaders were arbitrarily arrested in the first weeks of January 2016.³⁷

³³ United Kingdom Home Office, Country Information and Policy Note, Ethiopia: Opposition to the Government, version 1.0, December 2016. Available at http://www.ecoi.net/file_upload/1226_1482333473_cpin-eth-pol-opp-v1.pdf accessed 14 Jan 2017 7; United Kingdom: Home Office, Country Information and Guidance Note, Ethiopia: Oromos and the 'Oromo Protests', version 1.0, December 2016. Available at http://www.ecoi.net/file_upload/1226_1482334032_cpin-eth-oromo-and-oromo-protests-v1.pdf accessed 14 Jan 2017 6-8.

³⁴ According to Freedom House: 'Opposition party members were intimidated, detained, beaten and arrested in the run-up to the polls.' Freedom House, Freedom in the world 2016 – Ethiopia, 14 July 2016. Available at <https://freedomhouse.org/report/freedom-world/2016/ethiopia> accessed 14 Nov 2016; Human Rights Watch, "Such a Brutal Crackdown" - Killings and Arrests in Response to Ethiopia's Oromo Protests, 15 June 2016. Available at <http://www.refworld.org/docid/576252954.html> accessed 14 Nov 2016.

³⁵ United States Department of State, Country Report on Human Rights Practices 2015 – Ethiopia. 13 April 2016. Available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252681> accessed 14 Nov 2016 11. Amnesty International reported in Oromia; 'This can lead to several members of the same family being arrested, including parents and children' Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 3 Jan 2016 51.

³⁶ Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 10 Jan 2016 40; Amnesty International, Amnesty International Report 2014/15 – The State of the World's Human Rights – Ethiopia, 25 February 2015. Available at <https://www.amnesty.org/en/documents/pol10/0001/2015/en/> accessed 10 Jan 2017 148; Human Rights Watch, Arrest of Respected Politician Escalating Crisis in Ethiopia, 7 January 2016. Available at <https://www.hrw.org/news/2016/01/07/dispatches-arrest-respected-politician-escalating-crisis-ethiopia> accessed 10 Jan 2017.

³⁷ Human Rights Watch, Arrest of Respected Politician Escalating Crisis in Ethiopia, 7 January 2016. Available at <https://www.hrw.org/news/2016/01/07/dispatches-arrest-respected-politician-escalating-crisis-ethiopia> accessed 17 Nov 2016.

In relation to the UDJ, members are subject to arbitrary arrest and detention.³⁸ Since 2014, a range of prominent UDJ leaders and members have been arrested and detained, often without trial.³⁹ UDJ demonstrations have also been forcefully dispersed, with police beating or detaining protesters.⁴⁰

2.2 Suspected association with armed opposition groups

Persons suspected of membership of or association with armed opposition groups, primarily ONLF and OLF, may be vulnerable to human rights violations at the hands of the Ethiopian state, including the Intelligence and Security Service (NISS), the Ethiopian National Defence Force (ENDF), the Federal Police and, in the Somali region, the Liyu (special) Police.⁴¹ Treatment includes arbitrary detention, torture and extrajudicial killing. The United Nations Committee Against Torture stated in 2011:

The Committee is deeply concerned about numerous, ongoing and consistent allegations concerning the routine use of torture by the police, prison officers and other members of the security forces, as well as the military, in particular against political dissidents and opposition party members, students, alleged terrorist suspects and alleged supporters of insurgent groups such as the Ogaden National Liberation Front (ONLF) and the Oromo Liberation Front (OLF). It is concerned about credible reports that such acts frequently occur with the participation, at the instigation or with the consent of commanding officers in police stations, detention centres, federal prisons, military bases and in unofficial or secret places of detention.⁴²

³⁸ The Reporter, Ethiopia: Court Acquits Opposition Party Leaders, 22 August 2015. Available at <http://archiveenglish.thereporterethiopia.com/content/court-acquits-opposition-party-leaders> accessed 10 Jan 2017; Amnesty International Report 2014/15 - The State of the World's Human Rights - Ethiopia, 25 February 2015. Available at <https://www.amnesty.org/en/documents/pol10/0001/2015/en/> accessed 13 Jan 2017 149; Human Rights Watch, World Report 2015 - Ethiopia, 29 January 2015. Available at <https://www.hrw.org/world-report/2015/country-chapters/ethiopia> accessed 10 Jan 2016; Human Rights Watch, "Journalism Is Not a Crime", 21 January 2015. Available at <https://www.hrw.org/report/2015/01/21/journalism-not-crime/violations-media-freedoms-ethiopia> accessed 10 Jan 2017 18; United States Department of State, Country Report on Human Rights Practices 2014 - Ethiopia, 25 June 2015, section 1b, 1d, 1e. Available at <https://www.state.gov/j/drl/rls/hrrpt/2014/af/236358.htm> accessed 10 Jan 2017; Amnesty International, Ethiopia: End stifling of peaceful protests, 5 September 2013. Available at <https://www.amnesty.org/en/documents/AFR25/003/2013/en/> accessed 10 Jan 2017 2; Inter Press Service, Opinion Divided on Rebirth of Ethiopia's Opposition, 19 July 2013. Available at <http://www.ipsnews.net/2013/07/update-opinion-divided-on-rebirth-of-ethiopias-opposition/> accessed 10 January 2017.

³⁹ Human Rights Watch, They want a Confession, Torture and Ill-Treatment in Ethiopia's Maekalawi Police Station, 17 October 2013. Available at <https://www.hrw.org/report/2013/10/17/they-want-confession/torture-and-ill-treatment-ethiopias-maekalawi-police-station> accessed 10 Jan 2017 22; Amnesty International Report 2014/15 - The State of the World's Human Rights - Ethiopia, 25 Feb 2015. Available at <https://www.hrw.org/news/2011/09/16/ethiopia-crackdown-dissent-intensifies> accessed 10 Jan 2017.

⁴⁰ Amnesty International Report 2014/15 - The State of the World's Human Rights - Ethiopia, 25 February 2015. Available at <https://www.amnesty.org/en/documents/pol10/0001/2015/en/> accessed 17 Nov 2016; United States Department of State, Country Report on Human Rights Practices 2015 - Ethiopia, 13 April 2016. Available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252681> accessed 14 Nov 2016 16.

⁴¹ Established in 2007 or 2009, the Liyu Police is a paramilitary police force responsible for fighting in the Somali region. Landinfo - Country of Origin Information Centre, Ethiopia: The special police (Liyu Police) in the Somali Regional State, 3 June 2016. Available at <http://www.refworld.org/docid/57bd3ea14.html> accessed 17 Nov 2016 2.

⁴² United Nations Committee Against Torture (CAT), Consideration of reports submitted by States parties under article 19 of the Convention, Concluding observations of the Committee against Torture, Ethiopia, para 10, [CAT/C/ETH/CO/1], 20 January 2011. Available at <http://www.refworld.org/docid/4d6cca412.html> accessed 17 Nov 2016.

Persons associated with the ONLF may be at risk of human rights violations at the hands of the Liyu Police in the Somali region. A range of reports point to extrajudicial killings, arbitrary detention, and violence against people supporting or being sympathetic to the ONLF.⁴³ Human Rights Watch reported in 2015 that: ‘Ethiopian security forces have regularly committed serious abuses against people in the Somali region, such as arbitrary detention, torture and extrajudicial killings based on ethnicity or perceived support for the ONLF’.⁴⁴

Persons suspected of membership of the OLF may face arbitrary arrest or detention, with the possibility of other ill-treatment, including torture and killing. According to Amnesty International, the majority of the thousands of Oromos arrested for their opposition to the government are accused of supporting the OLF.⁴⁵ There have also been reports of extrajudicial executions of protestors, students, suspected OLF supporters and family members of suspects in Oromia.⁴⁶ Human Rights Watch reported June 2016:

Ethnic Oromo who express dissent are often arrested and tortured or otherwise ill-treated in detention, often accused of belonging to or being sympathetic to the Oromo Liberation Front (OLF)... Government officials often cite OLF presence, activities, and links to justify acts of repression of Oromo individuals. Tens of thousands of Oromo individuals have been targeted for arbitrary detention, torture and other abuses even when there is no evidence linking them to the OLF.⁴⁷

Persons who have previously been arrested on suspicion of association with OLF or ONLF face heightened risk of ill-treatment.⁴⁸ ONLF members have also been responsible for abuses against civilians, international NGOs and other aid organizations.⁴⁹ The ONLF has been responsible for serious violations against Chinese and Ethiopian civilians, suspected government collaborators and indiscriminate mining of roads. Many civilians feel trapped with no refuge from ONLF pressure or the

⁴³ Human Rights Watch, World Report 2016 - Ethiopia, 27 January 2016. Available at <http://www.refworld.org/docid/56bd994131.html> accessed 14 Nov 2016.

⁴⁴ Human Rights Watch, Ethiopia: ‘Special Police’ Execute 10, 28 May 2012. Available at <https://www.hrw.org/news/2012/05/28/ethiopia-special-police-execute-10> accessed 17 Nov 2016.

⁴⁵ Amnesty International, ‘Because I am Oromo’: Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016; October 2014 19;

⁴⁶ Amnesty International, ‘Because I am Oromo’: Sweeping repression in the Oromia region of Ethiopia, 28 October 2014. Available at <https://www.amnesty.org/en/documents/afr25/006/2014/en/> accessed 14 Nov 2016; October 2014 75.

⁴⁷ Human Rights Watch, "Such a Brutal Crackdown" - Killings and Arrests in Response to Ethiopia's Oromo Protests, 15 June 2016. Available at <http://www.refworld.org/docid/576252954.html> accessed 14 Nov 2016 15.

⁴⁸ United Kingdom: Home Office, Operational Guidance Note: Ethiopia, November 2013. Available at <http://www.refworld.org/docid/528205614.html> accessed 15 Nov 2016, para 3.15.7.

⁴⁹ United Kingdom: Home Office, Operational Guidance Note: Ethiopia, November 2013. Available at <http://www.refworld.org/docid/528205614.html> accessed 15 Nov 2016, para 3.15.7; United States Department of State, Country Report on Human Rights Practices 2012 – Ethiopia. November 2013. Available at <https://www.state.gov/j/drl/rls/hrrpt/2012humanrightsreport/#wrapper> accessed 5 Jan 2017 6; Human Rights Watch, Collective Punishment - War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, 12 June 2008. Available at <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia> accessed 17 Nov 2016 99.

abuses by Ethiopian troops.⁵⁰ Persons suspected of membership of or association with Demhit – Tigray People’s Democratic Movement may be at risk.

2.3 Other risk profiles

The EPRDF harasses and intimidates **journalists** and their families for reporting on political issues in Ethiopia. Journalists may face detention and possible torture in prison.⁵¹ The Ethiopian Government employs the broad terms of the Anti-Terrorism Proclamation to prosecute journalists and, reportedly, 60 journalists have fled the country and 19 have been imprisoned since 2010.⁵² In 2014, six journalists from the Zone 9 blogging group were arrested and charged with terrorism and conspiring with Ginbot 7. They were ultimately acquitted and released in 2015.⁵³

Women in Ethiopia may be **victims of domestic violence**, which is pervasive and widespread.⁵⁴ While Ethiopian law outlaws domestic violence, it is under-reported, enforcement is inconsistent and women are unable to move alone to other parts of the country. Marital rape is common and not explicitly addressed by domestic legislation.⁵⁵ Marriage by abduction, despite being illegal, occurs in some regions and often includes forced sexual relationships.⁵⁶

⁵⁰ Human Rights Watch, Collective Punishment - War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, 12 June 2008. Available at <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia> accessed 23 Dec 2016.

⁵¹ United States Department of State, Country Report on Human Rights Practices 2015 – Ethiopia. 13 April 2016. Available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252681> accessed 14 Nov 2016 12-14.

⁵² Human Rights Watch, "Journalism Is Not a Crime": Violations of Media Freedom in Ethiopia, 22 January 2015. Available at <https://www.hrw.org/report/2015/01/21/journalism-not-crime/violations-media-freedom-ethiopia> accessed 18 Nov 2016.

⁵³ Amnesty International, Op-ed: The world must not forget the jailed journalists of Ethiopia, 10 December 2015. Available at <https://www.amnesty.org/en/latest/news/2015/12/op-ed-the-world-must-not-forget-the-jailed-journalists-of-ethiopia/> accessed 10 Jan 2017; Freedom House: Freedom on the Net 2015 - Ethiopia, 2 November 2015. Available at <https://freedomhouse.org/report/freedom-net/2015/ethiopia> accessed 10 Jan 2017.

⁵⁴ Country of Origin Research and Information (CORI), Ethiopia: Domestic Violence and Honour Killings in Ethiopia, 11 December 2015. Available at <http://www.refworld.org/docid/568b90054.html> accessed 14 Jan 2017; United States Department of State, Country Report on Human Rights Practices 2015 – Ethiopia. 13 April 2016. Available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252681> accessed 14 Nov 2016 26-27.

⁵⁵ Country of Origin Research and Information (CORI), Ethiopia: Domestic Violence and Honour Killings in Ethiopia, 11 December 2015. Available at <http://www.refworld.org/docid/568b90054.html> accessed 14 Jan 2017 4-5; United Kingdom: Home Office, Operational Guidance Note: Ethiopia, November 2013. Available at <http://www.refworld.org/docid/528205614.html> accessed 15 Nov 2016, para 3.19; United Nations Committee on the Elimination of Discrimination against Women, Concluding Observations of the Committee on the Elimination of Discrimination against Women, Ethiopia, para 20, [CEDAW/C/ETH/CO/6-7], 27 July 2011. Available at <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-ETH-CO-7.pdf> accessed 16 January 2017.

⁵⁶ United States Department of State, Country Report on Human Rights Practices 2015 – Ethiopia, Section 6. Available at <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252681#wrapper> accessed 9 Jan 2017 28; United States Department of State, Country Report on Human Rights Practices 2014 – Ethiopia, Section 6. Available at <https://www.state.gov/j/drl/rls/hrrpt/2014/af/236358.htm> accessed 9 Jan 2017 28; United Nations Committee on the Elimination of Discrimination against Women, Concluding Observations of the Committee on the Elimination of Discrimination against Women, Ethiopia, para 18, [CEDAW/C/ETH/CO/6-7], 27 July 2011. Available at <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-ETH-CO-7.pdf> accessed 16 January 2017.

Persons of Eritrean descent living in Ethiopia have in the past faced risk of deportation to Eritrea or other forms of ill-treatment. In 2003, the EPRDF introduced new citizenship laws, enabling persons of Eritrean ethnicity to become Ethiopian citizens.⁵⁷ There have not been reports of ill-treatment or deportation of persons of Eritrean background in recent years. The United Kingdom Home Office reports ‘no evidence that persons of mixed Eritrean/Ethiopian origin are at risk of being deported to Eritrea and/or are subject to treatment that amounts to persecution or serious harm.’⁵⁸

3. International practice

The UN Committee Against Torture has in the period 2011-2015 heard a number of individual communications relating to deportations to Ethiopia. All of them relate to authors claiming a real risk of torture on the basis of suspected association or membership of opposition movements, such as the OLF and CUD. Some relate to *sur place* political activities in the state where asylum was sought. However, the Committee has held in all such communications that the authors have failed to establish a personal risk high enough to reach the threshold of Article 3 of the Convention Against Torture.

In *RD v Switzerland*, the Committee assessed the communication of an Ethiopian woman of Oromo ethnicity to be deported from Switzerland.⁵⁹ The author claimed that return to Ethiopia would violate Article 3 as her father was an OLF member and due to her *sur place* political activities in support of the OLF. The Committee held that there was not a real risk of ill-treatment in violation of Article 3, given the low-level political profile of the author. The Committee reached very similar conclusions in *X v Denmark*⁶⁰, *EEE v Switzerland*⁶¹ and *WGD v Canada*.⁶²

In *HK v Switzerland* the Committee considered the communication of a female author who worked as an organiser for CUD in Addis Ababa.⁶³ After her arrival in Switzerland she was an active member of KINIJIT Support Organization in Switzerland (KSOS), a CUD support group. The Committee found that the author’s unclear and low-level political activities did not reach the threshold of risk required by

⁵⁷ Ethiopian Nationality Proclamation, Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation No 378/2003. Available at <http://www.refworld.org/docid/409100414.html> accessed 4 Jan 2016.

⁵⁸ United Kingdom: Home Office, Country Information and Guidance - Ethiopia: People of mixed Eritrean/Ethiopian nationality, 31 August 2016, Version 1.0. Available at <http://www.refworld.org/docid/57c6daf84.html> accessed 18 Nov 2016 7. See also Dutch Ministry of Foreign Affairs, Algemeen Ambtsbericht Ethiopië, 24 May 2013. Available at <https://www.rijksoverheid.nl/documenten/ambtsberichten/2013/05/24/ethiopië-2013-05-24-algemeen-ambtsbericht> accessed 10 Jan 2016 50.

⁵⁹ Communication No. 426/2010, [CAT/C/51/D/426/2010], 8 Nov 2013. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶⁰ Communication No. 458/2011, [CAT/C/53/D/458/2011], 28 Nov 2014. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶¹ Communication No. 491/2012, [CAT/C/54/D/491/2012], 8 May 2015. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶² Communication No. 520/2012, [CAT/C/53/D/520/2012], 26 Nov 2014. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶³ Communication No. 432/2010, [CAT/C/49/D/432/2010], 23 Nov 2012. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

Article 3 of the Convention. The Committee reached very similar conclusions in *SM v Switzerland*⁶⁴, *ET v Switzerland*⁶⁵ and *NTW v Switzerland*⁶⁶ and *TD v Switzerland*⁶⁷ (in relation to male authors).

The European Court of Human Rights has rendered one judgment relating to Ethiopia and Article 3 in recent years. In *DNW v Sweden*⁶⁸ the Court considered the application of an Ethiopian citizen of Eritrean descent who sought asylum in Sweden in 2007 claiming to have been beaten, imprisoned and tortured after criticising the 2005 elections. The applicant, a church deacon, had been election observer and refused to verify the validity of the election procedure. He was attacked outside his church by two unknown men and detained for five months. One year after his release, he fled Ethiopia. The Court held that, due to credibility issues, the passage of time, and limited political activity, return would not violate Article 3.

4. Danish practice

4.1 Asylum decisions 2014-2016

In 2014 there were 52 first instance decisions, out of which 37 were rejected and 15 obtained refugee status (11 received Convention status and four received subsidiary protection). At second instance three obtained refugee status (two obtained Convention status and one asylum seeker received subsidiary protection) and 23 rejections were upheld.⁶⁹

In 2015 there were 74 first instance decisions out of which 28 obtained refugee status (25 received Convention status and three received subsidiary protection) and 46 were rejected. At second instance six obtained refugee status. Out of these five obtained Convention status and one obtained subsidiary protection. Thirty-three rejections were upheld.⁷⁰

⁶⁴ Communication No. 406/2009, [CAT/C/49/D/406/2009], 23 Nov 2012. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶⁵ Communication No. 393/2009, [CAT/C/48/D/393/2009], 23 May 2012. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶⁶ Communication No. 414/2010, [CAT/C/48/D/414/2010], 16 May 2012. Available at <http://www.ohchr.org/EN/HRBodies/CAT/Pages/Jurisprudence.aspx> accessed 4 Jan 2016.

⁶⁷ Communication No. 375/2009, [CAT/C/46/D/375/2009], 26 May 2011. Available at http://www.worldcourts.com/cat/eng/decisions/2011.05.26_TD_v_Switzerland.pdf accessed 4 Jan 2016.

⁶⁸ European Court of Human Rights, Application no. 29946/10, 6 December 2012. Available at <http://www.refworld.org/docid/50c5ee8e2.html> accessed 4 Jan 2016.

⁶⁹ Danish Immigration Service, Tal og fakta på udlændingområdet 2014. Available at <https://www.nyidanmark.dk/nr/rdonlyres/1100c0d4-5ef5-49ff-807d-e8559342dfa2/0/talogfakta2014.pdf> accessed 14 Dec 2016 59.

⁷⁰ Danish Immigration Service, Tal og fakta på udlændingområdet 2015. Available at https://www.nyidanmark.dk/NR/rdonlyres/EBDF83E7-B151-4B3B-A87C-CC291B29CF14/0/tal_og_fakta_2015.pdf accessed 14 Dec 2016 59.

In the first three quarters of 2016, 42 Ethiopian nationals were registered as asylum seekers in Denmark and 15 obtained refugee status.⁷¹ Presently, there is no further access to information on asylum for Ethiopian nationals for 2016.⁷²

There has been an increase in positive decisions on asylum involving Ethiopian nationals from 2014 to 2015. At first instance, 28.8 % of decisions in 2014 resulted in refugee status. In 2015 37,8 % of first instance decisions resulted in refugee status.

4.2 Case law from the Danish Refugee Appeals Board 2016

The Danish Refugee Council has had access to 62 cases decided by the Danish Refugee Appeals Board since 1 January 2016 involving Ethiopian nationals who were rejected in first instance by the Danish Immigration Service. In six cases the asylum seeker obtained refugee status. In 54 cases the rejection in first instance was upheld by the Danish Refugee Appeals Board. Two cases were referred back to the Danish Immigration Service in order to allow for further assessments of Ethiopian/Eritrean nationality.

In two cases the asylum seeker was granted refugee status due to association with CUD/UDJ and Ginbot7. Two applicants were granted refugee status due to affiliation with ONLF and one asylum seeker was granted asylum status due to membership of OLF and pro-Oromo activities. One asylum seeker obtained refugee status due to general opposition to the Ethiopian government.

Out of the 54 cases where refugee status was rejected 25 of them had claimed a risk of persecution due to affiliation or perceived affiliation with ONLF. They claimed a risk of persecution by the Ethiopian authorities and/or regional Somali authorities operating on behalf of the Ethiopian government. Persecution from Somali authorities mostly referred to the Liyu Police force. The cases were all rejected based on lack of credibility. Some cases also included elements of family and/or clan conflicts. Two cases involved asylum seekers from the Somali Region who had only family and clan conflicts as asylum motives. They were also rejected based on lack of credibility.

In 12 of the cases that were rejected, the applicants had relations to OLF and pro-Oromo activity. They all had their cases rejected based on credibility. One applicant claimed affiliation to the armed opposition group Ginbot7 and the case was rejected based on credibility. Another applicant claimed affiliation to the opposition group Arena Tigray which was also rejected based on lack of credibility. Furthermore, one applicant claimed protection based on affiliation with the opposition group Demhit – Tigray People’s Democratic Movement. The case was rejected based on lack of credibility. One applicant claimed persecution due to forced membership of EPRDF but the case was rejected on lack of credibility.

⁷¹ Statistics Denmark, Opholdstilladelser efter opholdstilladelsestype og statsborgerskab. Available at <http://www.statistikbanken.dk/10026> accessed 14 Dec 2016.

⁷² The Ministry of Immigration and Integration, Tal på udlændingeområdet pr. 31.10.2016. Available at https://www.nyidanmark.dk/nr/rdonlyres/e3c50ea0-bd36-4ddd-9c8d-7aaf44de1f12/0/seneste_tal_udlaendingeomraadet.pdf accessed 15 Dec 2016.

Eleven out of the 54 rejected cases concerned asylum seekers who claimed they had Eritrean citizenship and feared persecution in Eritrea. However, the Refugee Appeals Board concluded they were nationals of Ethiopia. Most of the cases also had separate asylum motives in relation to Ethiopia. Five cases were rejected based on lack of credibility. In six cases the Ethiopian asylum motive was not addressed in the conclusion and/or the case was considered as falling outside the scope of protection in the Danish Aliens Law. In nine cases there was an element of persecution in Ethiopia due to the applicant's affiliation with Eritrea but the Refugee Appeals Board seemingly did not address this asylum motive.

When the Refugee Appeals Board assesses whether the applicants are Ethiopian or Eritrean nationals a variety of arguments are used. They include the length of stay in Ethiopia and Eritrea, language analysis, knowledge of Eritrea and Ethiopia, family relations, whether the parents of the applicant voted at the Eritrean referendum on independence in 1993 and whether one or more of the parents has Ethiopian citizenship according to Article 6 of the Ethiopian Constitution.⁷³

5. Return of rejected asylum seekers

In the most recent public report on returns from the Danish Police, there is no information on return of rejected Ethiopian asylum seekers.⁷⁴ An Ethiopian national who is rejected by the Refugee Appeals Board is required to leave Danish territory within the deadline provided in the decision. If the rejected asylum seeker does not leave within the deadline the Danish Police is responsible for enforcing the return.

In the period 2010-2015, there has been an increase in the number of Ethiopian nationals in return position. Twenty-six rejected Ethiopian asylum seekers were in return position in 2015 and 19 in 2014. In the preceding four years 2010-2013 three Ethiopian rejected asylum seekers were in return position each year respectively. Some of them might be registered for multiple years.⁷⁵

If the rejected asylum seeker does not cooperate with the Danish Police on the return to Ethiopia, the Danish Police has the option of enforcing the return. The Danish Police will usually try to obtain valid travel documents in advance at an Ethiopian representation. In some cases, it is not possible for the police to obtain valid Ethiopian travel documents even if the rejected Ethiopian asylum seeker cooperates with the Police and participates in an interview at the Ethiopian representation.

⁷³ Constitution of the Federal Democratic Republic of Ethiopia, Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995, 21 August 1995. Available at http://www.icla.up.ac.za/images/constitutions/ethiopia_constitution.pdf accessed 16 January 2017.

⁷⁴ The National Police of Denmark, Status på arbejdet med udsendelse af afviste asylansøgere 2014, April 2015. Available at <https://www.politi.dk/NR/rdonlyres/FD4D7293-13F9-40BD-BA90-E27DCCC03641/0/Statusredegoerelsefor2014.pdf> accessed 14 Nov 2016.

⁷⁵ Danish Immigration Service, Tal og Fakta på udlændingområdet 2015. Available at https://www.nyidanmark.dk/NR/rdonlyres/EBDF83E7-B151-4B3B-A87C-CC291B29CF14/0/tal_og_fakta_2015.pdf accessed 14 Dec 2016 21.

In cases where it is not possible for the Danish Police to acquire Ethiopian travel documents, they have the option of issuing a European Union Laissez-Passer. Consequently, they can present the rejected Ethiopian asylum seeker at the Ethiopian border with the Laissez-Passer thereby allowing the Ethiopian authorities to identify and allow entry into the country. However, this option has not been practiced for some years.

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