

Reference: C.N.243.2020.TREATIES-IV.4 (Depositary Notification)

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
NEW YORK, 16 DECEMBER 1966

ETHIOPIA: NOTIFICATION UNDER ARTICLE 4 (3) ¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 9 June 2020.

(Original: English)

“5 May 2020

Ref. No. NY-EPM/91/20

Excellency,

I am writing this letter, upon instruction from my Government, to notify you about the declaration of a nationwide *State of Emergency* by the Government of the Federal Democratic Republic of Ethiopia, effective from 8 April 2020 for a duration of five months, with the objective of reinforcing the fight against the COVID-19 pandemic.

As we are all aware, the rapid global spread of the coronavirus and its adverse impact on livelihoods necessitated the implementation of numerous measures to counter and mitigate potential damages to our social fabrics and economic activities. In Ethiopia and the wider region, we are instituting coordinated efforts to raise public awareness about COVID-19 and strengthen precautionary measures. Unfortunately, these measures cannot be implemented through the normal system of government and using regular law enforcement.

In this context, and in accordance with Article 93 of the Constitution of the Federal Democratic Republic of Ethiopia, the Government of Ethiopia has declared a nationwide state of emergency. Some of the measures prescribed by the decree and the subsequent implementation of related regulations may involve a partial derogation from the obligations under the International Covenant on Civil and Political Rights, in particular the right to freedom of movement, the right to peaceful assembly, the freedom to manifest one’s religion or beliefs, as well as the visitation rights of accused and convicted persons.

¹ The texts of Proclamation No. 3/2020, Proclamation No. 1189/2020, and Regulation No. 466/2020, attached to the notification, are on file with the Secretary-General and available for consultation.

These measures come out of absolute necessity and the implementation of regulations does not totally abrogate rights, rather puts certain limitations on the enjoyment of these rights in the interest of public health and public safety proportional to the enormous challenge of containing the spread and mitigating the adverse impacts of the COVID-19 pandemic.

I would, therefore, kindly request Your Excellency to consider that this letter constitutes a notification for the purpose of Article 4 of the Covenant, which obliges a State Party to inform other State Parties to the Covenant, through the intermediary of the Secretary General of the United Nations. The related proclamations and implementation regulation are attached herewith.

Please accept, Excellency, the assurances of my highest consideration.

(Signed) Taye Atske-Selassie
Ambassador and Permanent Representative
Permanent Mission of the Federal Democratic
of Ethiopia”

Subsequently, by note verbale no. NY-EPM/121/2020 of 9 June 2020, Ethiopia provided the following additional required information:

“... the Permanent Mission of Ethiopia would like to further communicate the following explanations, particularly on the domestic decree and the specific articles of the Covenant that are being subject to derogation of rights.

1. The proclamations on the decree of the nationwide state of emergency as well as regulation for its implementation are (a) Proclamation No. 3/2020 State of Emergency Proclamation Enacted to Counter and Control the Spread of COVID-19 and Mitigate its Impact; (b) Proclamation No. 1189/2020 issued to approve the State of Emergency and (c) Regulation No. 466/2020 providing the implementation directives and procedures for Proclamation No. 3/2020.

2. Some of the measures prescribed by the decree and the subsequent regulation for its implementation may involve a partial derogation from the obligations under the International Covenant on Civil and Political Rights, in particular the right to liberty of movement (Article 12), the right to peaceful assembly (Article 21), the freedom to manifest one’s religion or beliefs (Article 18 (3)) as well as the visitation rights of accused and convicted persons.

3. As stated in the Note Verbale of the Permanent Mission [...] above, the regulation for the implementation of the decree does not abrogate all the rights. Rather, the regulation stipulates, how certain limitations on the enjoyment of the rights in the interest of public health and public safety shall be executed with utmost precautions...”

17 June 2020

