

Addis Ababa, October 5, 2009 (Ethiopian Calendar) / 15 October, 2016 (Gregorian Calendar)

## State of Emergency Command Post

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The Ethiopian Cabinet of Ministers, guided by the country's Constitution, and seeking to maintain peace and order, especially in violence prone areas, has set the following directives during the State of Emergency. In doing so, we are guided by Article 13 (2) of the Ethiopian Constitution.

### Section 1: Prohibited Activities Across the Country

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#### Article 1: Communication instigating Protest and Unrest

Any communication that will create misunderstanding between people or unrest is prohibited and includes:

1. Any writing and its distribution, any writing done in secrecy or not and printed, distributed, videos, signs or using any other way to distribute these writings to people. Importing or exporting any publication without license is prohibited.
2. Sharing this information on the Internet, radio, TV and social media is prohibited.

#### Article 2: Communication with Terrorist Groups

1. Any communication that are said to be terrorists and anti peace groups is prohibited.
2. Sharing or distributing writings from terrorist groups, holding their logos or advertisements is prohibited.
3. Watching or sharing television or radio programs such as ESAT, OMN or other similar terrorist linked media is prohibited.

#### Article 3: Assemblies and Protests

In order to maintain the peace of the citizens, any assembly or protest without authorization from command post is prohibited.

#### Article 4: Refusing Service to People

1. Closing any licensed businesses or shops or government bodies that give service to the public, disappearing from business premises for no particular reason, abusing the job is prohibited.
2. Threatening civil servants and private sector workers against reporting to work is prohibited.

#### **Article 5: Protesting in Educational Facilities**

Any protest or activity that prevents education institutions from carrying out their mandate, closing these institutions or causing any damage to their infrastructure is prohibited.

#### **Article 6: Protesting around Sporting Institutions**

Creating or instigating protests or chaos that is against the sport ethics is prohibited.

#### **Article 7: Traffic Disruptions**

Closing or blocking any roads, disrupting transport service, altering tariffs, routes is prohibited.

#### **Article 8: Causing damage to public and religious infrastructure**

Causing any damage to public, private, government owned, foreign owned or religious infrastructure is prohibited.

#### **Article 9: Public Holidays**

Disturbing any public or national holiday and showing any slogan or agenda unrelated to the holiday is prohibited.

#### **Article 10: Protesting on Religious, Traditional or Public Holiday**

Any teachings and preachings at religious institutions that are outside the prescribed religious teachings that will create hatred and instigate protests amongst people is prohibited.

#### **Article 11: Disrupting the work of the Executive Arm of Government**

1. Defying any instruction given by representatives of the executive arm of government is prohibited, disrupting their work, refusing to cooperate with search requests or evading checkpoints is prohibited.
2. Attempting or causing harm to these bodies is prohibited.

## **Article 12: Wearing Unapproved Outfit**

Wearing, storing or selling any uniform assigned to the executive arm of government is prohibited.

## **Article 13: Entering Places with Fire Arms**

Entering market places, religious institutions or places where people gather with fire arms, sharp objects or anything that will cause fire is prohibited.

## **Article 14: Transfer of a Fire Arm to a Third Party**

Any licensed fire arm holder is prohibited from transferring a fire arm to a third party.

## **Article 15: Committing any Action that Disrupts Tolerance and Unity**

Any attack based on tribal identity or speech that may instigate attack on tribal lines is prohibited.

## **Article 16: Committing any Act that Disrupts the Country's Sovereignty and Constitutional Order**

1. Any communication and information sharing with government or non-governmental organizations that affects security, sovereignty and the constitution is prohibited.
2. Any political party is prohibited from giving press releases either to local or foreign media that disrupts security, sovereignty and the constitutional order.

## **Article 17: Being in a Prohibited Place**

Leaving a refugee camp without the necessary authorization or entering the country without a valid visa.

## **Article 18: Restricted Diplomat's Movement**

Diplomats are prohibited from moving past 40KM radius from Addis Ababa without the necessary authorization from the Command Post, for their own safety.

## **Article 19: Reporting to Duty for the Members of the Security Arm of Government**

Any member of the security arm of government is prohibited from resigning or taking leave during the State of Emergency unless there is an unavoidable reason to take leave.

## **Article 20: Supporting any Act that Disrupts Peace and Security**

Supporting, directly or indirectly, entities engaging in illegal activities stated in this decree either through money or in kind is prohibited.

## **Section 2: Prohibited Activities in Specific Parts in the Country**

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*Section 1 of this decree holds and in addition, articles 21-24 will apply for specific parts of the country at the Command Post's discretion.*

## **Article 21: Movement with Fire Arms**

Possession of fire arm, sharp objects or objects that can start a fire in public spaces is prohibited.

## **Article 22: Attacks on Public Infrastructure and Business Entities**

1. Only authorized employees of factories and business entities are allowed near these places between 6PM and 6AM.
2. Security officials have been mandated to take action on anyone violating the curfew stated above - 22 (1)

## **Article 23: Curfew**

When the Command Post orders a curfew, movement of persons is prohibited.

## **Article 24: Disrupting Security Forces from Executing a Security Directive**

1. It is prohibited to block security forces securing at-risk individuals or individuals suspected of instigating violence.
2. Trespassing roads blocked by the Command Post for security purposes is prohibited.

## Section 3: Obligation to Notify and Give Information

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### Article 25: Obligation to maintain and Give Information on Tenants

Anyone renting out a house or vehicle or similar facilities is obliged to get detailed information about the service recipient and notify the nearest police station within 24 hours. In addition, if the service recipient is a foreigner, a copy of the passport and service agreement should be submitted to the police station within 24 hours.

### Article 26: Obligation to Give Information

In order to maintain peace and security, anyone who is requested to offer information to the security agencies should cooperate.

### Article 27 - Authorized person to take measures

Members of the Executive arm of the government and their colleagues can take measures stated in this decree below against persons found carrying out the prohibited activities.

### Article 28 - Measures to be taken when prohibited activities are carried out

On any person not complying with the decree in section 1, Article 1-24, members of the Executive arm of the government can:

1. Arrest without court order□□
2. Detain in a place assigned by the command post until the end of the state of emergency□□
3. Decide to whether teach the necessary reformation teaching and release or present them before the court when necessary□□
4. Secure any property that was either used or is to be used for crime to conduct an unwarranted search at any time using people in the neighborhood and the police□□
5. Censor and block any information, publication, picture, video or movie transmitted using Television and radio□□
6. Search stolen properties without warrant and return to the owners□□
7. Taking legal measures and ordering the institutions to take administrative measures on students and staffs protesting and instigating violence in education institutions□□
8. Detain and block people suspected of disrupting peace and security and at risk groups from specific places and□□
9. Take other necessary measures.

## **Article 29: Self Defense Measures Taken by Security Forces**

In the execution of the State of Emergency decree, a security officer or agent faced with a life threatening situation is authorized to use any means necessary to protect his or her life.

## **Article 30: Authority to Enter an Education Facility**

During protests in schools, universities and other higher education institutions, security forces are authorized to enter the protesting institutions to maintain peace and security.

They are also authorized to access and if necessary occupy private and government institutions to arrest protestors and maintain peace and security.

## **Section 4: Reformation and Judicial Procedure**

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## **Article 31: Measures Taken by the Command post According to the Law**

Whoever is scheduled to be arraigned in a court of law will be duly presented.

Anyone who has participated in protests or demonstrations within the last one year and

1. stolen a firearm or any other property from private or government institution and returns and surrenders it within 10 days of declaration of this decree
2. supported an illegal activity either in kind or in monetary form and has surrendered to a police station within 10 days of declaration of this decree
3. participated in distributing pamphlets or organizing protests but surrendered within 10 days of declaration of this decree
4. Anyone who has committed murder, burned property or committed any other crime but surrendered within 10 days of declaration of this decree

the Command Post will have the discretion to decide on reformation training based on the assessment by the court on the depending on the level of participation of said individual.

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*This document was translated from Amharic to English by an Amharic speaker who sought anonymity. In case of corrections, kindly email ictpolicy directly on (cipit [ \@ ]strathmore.edu)*