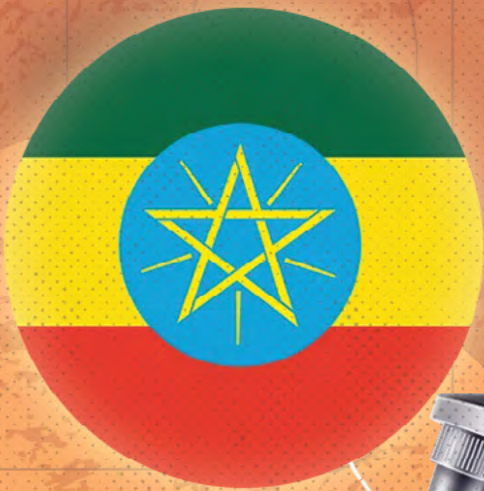


LONDA

DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

ETHIOPIA



2022

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Digital Rights and Inclusion in Africa Report 2022

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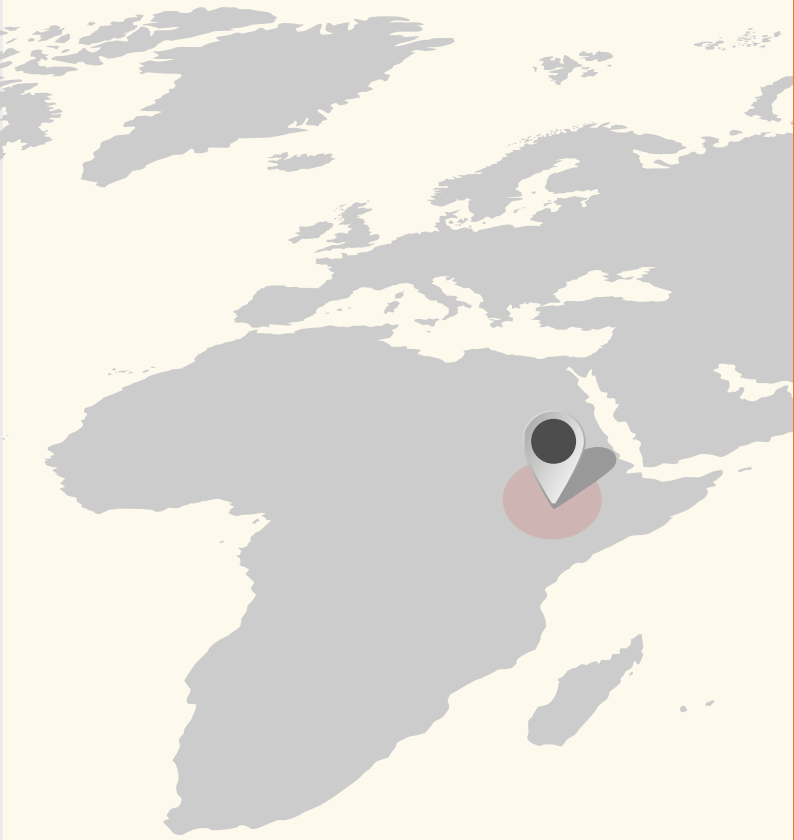
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Ethiopia



► Executive Summary

While access to the internet and internet freedom helped individuals to exercise their human rights online, government's authoritarian practices such as internet shutdown and digital surveillance continue to shackle citizens' rights in the digital ecosystem in Ethiopia, despite such practices drawing fire from civil societies and the international community.

Crucially, 2022 highlighted the need to enact a comprehensive data protection law in Ethiopia. The Ethiopian government has released an exposure draft on Data Protection Proclamation that seeks to regulate the processing of personal data and protection of fundamental rights, and in particular individual's right to privacy, with regard to automatic processing of personal data, as well as aims to establish an independent Data Protection Commission (DPC) in the country.

Overall, given the ever-increasing dependence on internet connectivity, this report notes that the Ethiopian government should desist from its practice of internet shutdown, and provide robust national strategies and policies that promote and protect digital rights in the country.



Introduction

The Ethiopian digital rights landscape showed some progress and some regression in 2022. On the one hand, the government launched various programs to promote and protect digital rights, as well as successfully hosted the 17th United Nations Internet Governance Forum (IGF) — which can be seen as a moment of reflection and reinforcement of the developments in the digital sector.¹ On the other hand, digital authoritarianism in the form of State surveillance and internet shutdown continues to impede the positive dividends of the internet and digital technologies in the country.²

The number of internet users in Ethiopia remains low compared to global connectivity rates.³ That said, in the past few years Ethiopia has experienced steady growth in internet penetration, from 0.02 per cent in 2000 to 23.5 per cent in 2022, according to the International Telecommunications Union (ITU), which estimates that 23.4 million people are using the internet.⁴ Even more so, internet accessibility has shown a significant increase in Ethiopia from 19 million users in 2017 to 30 million in 2022, as the Prime Minister of Ethiopia highlighted in his keynote address at IGF.⁵ Nevertheless, Ethiopia should strive to address the digital divide as millions are not connected to the internet in the country.

This report is structured into six sections, including this introduction. The second section explores the notion of internet freedom and its relation with access to the internet, freedom of expression and privacy and surveillance. The digital ID programme and its concerns in Ethiopia are discussed under section three. Section four reviews the implementation of the Universal Service Fund in Ethiopia. Section five briefly examines the policies and programmes on ICT and emerging technologies in Ethiopia. Section six concludes and makes recommendations.

1 M Teshome, 'Ethiopia successfully hosts the 17th Internet Governance Forum' (Capital, December 4, 2022) <<https://www.capitalethiopia.com/2022/12/04/ethiopia-successfully-hosts-the-17th-internet-governance-forum/>> (accessed on 29 December 2022).

2 YE Ayalew, 'From Digital Authoritarianism to Platforms' Leviathan Power: Freedom of Expression in the Digital Age under Siege in Africa' (2021) 15(2) Mizan Law Review 455.

3 See H Abraha 'Examining approaches to internet regulation in Ethiopia' (2017) 26 *Information & Communications Technology Law* 293-311.

4 The International Telecommunications Union (ITU), Percentage of Individuals Using the Internet, Ethiopia <<https://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>> (accessed December 29, 2022).

5 Remarks at the Opening of the 17th Internet Governance Forum (IGF), Prime Minister Abiy Ahmed (November 29, 2022) <https://www.youtube.com/watch?v=UTvGV0bAxvI&t=1240s&ab_channel=ECA_OfficialVideoChannel> (accessed on December 29, 2022).

Country Analysis

INTERNET FREEDOM



Internet freedom is a catchphrase denoting human rights in the digital age or broadly referring to digital human rights, particularly access to the internet. Yet, the claim of internet freedom (including access to the internet) as a separate human right remains unsettled.⁶ There are contending debates about whether a case for internet access is a human right. For example, there is a view that supports the notion of internet access as a human right since it has become a vital communication medium that individuals can use to exercise their right

to freedom of expression.⁷ Conversely, others argue that internet access is not a human right since technology is an enabler of rights, not a right itself.⁸

However, internet freedom is a metaphoric term used to convey various rights in the digital age, such as the right to freedom of expression and communication, privacy, peaceful assembly, and access to the internet.⁹ Yet, while the concept of internet freedom is wide-ranging, this report only considers three rights, namely internet access, free speech and privacy.

INTERNET ACCESS AND DISRUPTIONS

Access to the internet is speedily increasing across Ethiopia.¹⁰ Millions are getting online and engaging in a wide range of uses of social media and other digital platforms for varying purposes — including political matters, self-expression, socio-economic development, trade and e-commerce.¹¹

While there is an expanding pace of internet accessibility in Ethiopia, internet freedom has been subject to different measures by State or non-State actors resulting in muzzling freedom of expression on the internet and breaching privacy. For instance, the Ethiopian government has turned to internet shutdowns as a tool of political hegemony and for political

6 S Tully 'A Human Right to Access the Internet? Problems and Prospects' (2014) 14 *Human Rights Law Review*, 175–195, 180.

7 Special Rapporteur on Freedom of Expression and Access to Information in Africa, Commissioner Lawrence M. Mute, *Inter-Session Activity Report*, presented to the 65th Ordinary Session of the African Commission on Human and Peoples' Rights, Banjul, The Gambia (21 October to 10 November 2019) para 34; See also the UN the Human Rights Council's affirmation that rights must be protected online. Human Rights Council, *The Promotion, Protection and Enjoyment of Human Rights on the Internet*, A/HRC/20/L.13, July 5, 2012.

8 V Cerf 'Internet Access Is Not a Human Right', *New York Times* (January 4, 2012) <https://www.nytimes.com/2012/01/05/opinion/internet-access-is-not-a-human-right.html> (accessed on December 29, 2022); *Amnesty International Togo and et al v. Republic of Togo*, ECOWAS Community Court of Justice, JUD No. ECW/CCJ/JUD/09/20 (June 25, 2020) para 38.

9 Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue, 17 April 2013, UN Doc. A/HRC/23/40, para 2.

10 See CARD and Data4Change Story, *The Digital Divide* < <https://www.cardeth.org/digital-divide/> > (accessed on December 29, 2022).

11 Ayalew (n2)

control.¹²

In Ethiopia, the main justification that the government provides for the repeated use of internet shutdown is the security situation of the country. Ironically, experience shows that internet shutdown did not help prevent violence from happening in the past two years.¹³ The conflict that erupted in the Tigray region between Federal Forces and Tigray People Liberation Front — which later spilled over to neighbouring Afar and Amhara regions — has caused the disruption of internet and telecommunication services, as well as had a lingering effect on political and social conversations in the country, including the digital space. Later on, the coverage of the blackout has extended to two regions as the conflict is getting worse. Part of Amhara and Afar Region, areas that are under the control of Tigray People Liberation Front, have had a communication blackout for more than two years. Although the internet has been restored after the peace deal made in Pretoria on November 3, 2022, there has since November 4th 2020 been an internet blackout in Tigray and parts of Afar and Amhara regions.¹⁴

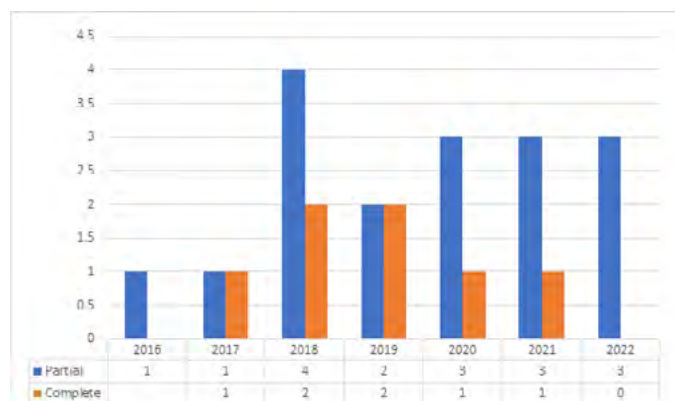


Figure 1: Trends of Internet shutdown in Ethiopia (2016-2022).

Although there is a repeated litany from digital rights activists and academia, as well as pushback from civil society, the issue of internet shutdown has not got enough attention among the broader public in Ethiopia.¹⁵ Successive governments have implemented internet shutdown as a tool to muzzle freedom of expression in Ethiopia.¹⁶ Consequently, internet shutdown has become the hallmark of the Ethiopian government.

In addition to its human rights implications, internet shutdowns continue to affect the growing start-up businesses thereby hindering their contribution to the emerging digital economy in Ethiopia.¹⁷ The practice of shutdown violates the government's much-touted digital policy documents, including Digital Ethiopia 2025 and the 10 Years Development Plan — A Pathway to Prosperity (2020-2030).

12 F Erixon and H Lee-Makiyama, 'Digital Authoritarianism: Human Rights, Geopolitics and Commerce', *The European Centre for International Political Economy (ECIPE)*, ECIPE Occasional Paper • No. 5/2011 (2011) 1 <http://ecipe.org/wp-content/uploads/2014/12/digital-authoritarianism-human-rights-geopolitics-and-commerce.pdf> (accessed on December 29, 2022).

13 CARD (n10)

14 Associated Press, 'Electricity, telecoms return to parts of Ethiopia's Tigray' (December 8, 2022) < <https://apnews.com/article/technology-africa-business-kenya-ethiopia-fccde80683cd3fee0fe3ed8fd21e2740> > (accessed on December 29, 2022).

15 Access Now, #KeepItOn: The Ethiopian government must end internet shutdowns to quell protests (2 July 2020) < <https://www.accessnow.org/keepiton-ethiopian-government-must-end-arbitrary-internet-shutdowns/> > (accessed on 29 December 2022). See also Human Rights Watch, Ethiopia: Communications Shutdown Takes Heavy Toll (March 9, 2020) < <https://www.hrw.org/news/2020/03/09/ethiopia-communications-shutdown-takes-heavy-toll> > (accessed on December 29, 2022).

16 YE Ayalew 'The Internet shutdown muzzle(s) freedom of expression in Ethiopia: competing narratives' (2019) 28 *Information & Communications Technology Law* 208-22.

17 CARD, 'Business Trampled: Demystifying the impact of Internet shutdown on Start-up businesses in Ethiopia' research report October 4, 2022 < <https://www.cardeth.org/business-trampled-demystifying-the-impact-of-internet-shutdown-on-start-up-businesses-in-ethiopia/> > (accessed on December 29, 2022).

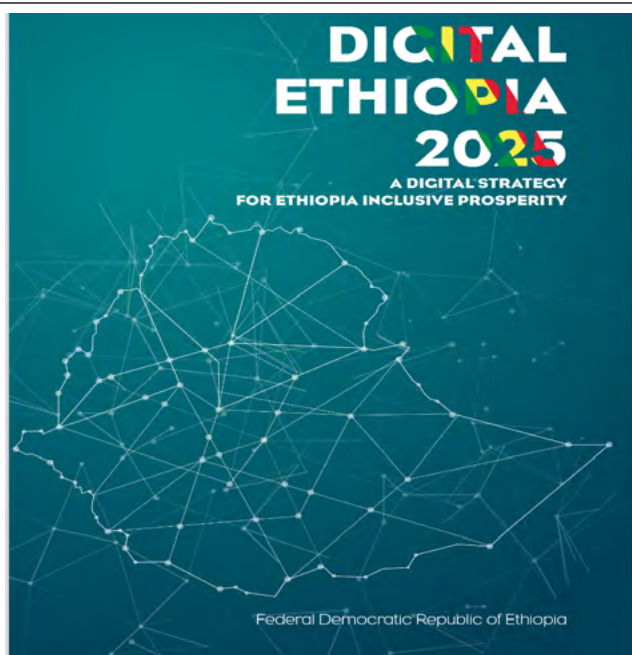


Image 1: Digital Ethiopia 2025.

Section 5.1:

Connectivity is a foundational element of digital transformation and can drive socio-economic development. Robust connectivity enables citizens and businesses to participate in the digital economy by having access to affordable and high-quality internet, through which they can engage in information sharing and online transactions. Improved connectivity also brings socio-economic development in multiple ways. A **10 per cent increase in internet penetration for example, can improve a country's GDP by 0.9 to 1.5 per cent.**

While the strategy seems a noble plan, it nonetheless became a lofty ambition of the government as there were frequent internet shutdowns in the country.



Image 2: 10 Years Development Plan – A Pathway to Prosperity.

- Chapter 6.4 of the 10 Years Development Plan in Ethiopia seeks to build a strong digital economy; enhance institutions' use of public services through online systems by improving internet connectivity and use; introduce a standardised national system of addresses; develop computational technologies and national databases; and enhance the use of
- electronic means for accessing public services.
- By 2030, the Plan specifically aims to:
- Increase access to mobile and internet services from 37.2 per cent and 18.6 per cent, respectively, to 100 per cent;
- Provide support to 3,000 selected tech start-ups with high economic and social impacts and, of these, promote the most promising 2,100;
- Raise the share of private sector jobs in the areas of technology and digitalisation from 50 per cent to 80 per cent.

FREE SPEECH AND MEDIA FREEDOMS

Free speech and media freedoms are important entitlements to exercising digital rights and participating in a democracy. To this end, the Ethiopian Constitution recognises free speech and media freedom in similar terms as under the Universal Declaration of Human Rights (UDHR)¹⁸ and the International Covenant on Civil and Political Rights (ICCPR).¹⁹ It guarantees the freedom to seek, receive and impart information through any medium, including the Internet.²⁰ Ethiopia has also enacted sector-specific laws governing mass media, broadcasting services, hate speech and disinformation, network disruptions and social media regulation.

For example, the Ethiopian Freedom of the Mass Media and Access to Information Proclamation²¹ stresses the need for upholding freedom of expression for the mass media houses. However, this law has been amended by a newly enacted law called Media Proclamation in 2021.²² The Ethiopian government was prompted to legislate Media Proclamation in order to have an up-to-date law that could help withstand the ever-increasing roles of private actors in the digital space.²³ In terms of scope, the Media Proclamation applies to mainstream media (print and broadcasters) and online media, excluding social media.²⁴

Accordingly, to be regarded as an online media, the Media Law requires that: (1) It must be disseminated via the internet; (2) It must be offered by an organisation engaged in the collection, production, processing and dissemination of news or programs; (3) It may use various means and modes of dissemination, including online images, virtual audio or video

and websites, as well as a combination of these means; and (4) The media service provider must comply with the editorial responsibility and code of conduct.²⁵

Nevertheless, enforcing and realising freedom of speech for both journalists and the press remains far from over in Ethiopia. This is mainly at least for two reasons: one, the inclusion of hefty fines for civil defamation, and second, there is a claim that media houses and journalists are still being subjected to repression and brutal crackdown in the wake of the war in northern Ethiopia. Additionally, unregulated hate speech and disinformation on social media, and the unbridled leviathan power of platforms has brought another threat to the promotion and protection of freedom of expression in the digital age in Ethiopia.²⁶

PRIVACY AND SURVEILLANCE

The right to privacy is a constitutionally guaranteed right in Ethiopia. However, although Ethiopia has ratified major international and regional human rights documents and has incorporated the right to privacy in its Constitution, it has not yet enacted comprehensive data protection law despite the recent reform efforts. In 2022, the Ethiopian government released a revised draft proclamation on data protection.²⁷ Notably, the draft Proclamation aims to build an effective digital economy which defines the rights and duties of stakeholders, governs related issues and introduces a system which ensures a strong culture of personal data protection.²⁸

Moreover, the draft Proclamation defines the rights and duties of data controllers and processors, governs data transfers and

18 Universal Declaration of Human Rights (UDHR) adopted 10 December 1948, UNGA Res 217 A(III) article 19.

19 UN General Assembly, *International Covenant on Civil and Political Rights*, December 16, 1966, United Nations Treaty Series (UNTS), vol. 999, p. 171, article 19.

20 Ibid.

21 Freedom of the Mass Media and Access to Information Proclamation No. 590/2008 (December 4, 2008), Article 4.

22 Media Proclamation No.1238/2021, 27th Year No.22, Federal Negarit Gazette, April 5, 2021 Addis Ababa.

23 Ibid, preamble para I.

24 Ibid, article 2(1).

25 Ibid, article 2(4).

26 Z Zelalem and P Guest, 'Why Facebook keeps failing in Ethiopia' (Rest of World, November 1, 2021) < <https://restofworld.org/2021/why-facebook-keeps-failing-in-ethiopia/>> (accessed on December 28, 2022).

27 Proclamation To Provide for Personal Data Protection (Draft 2021) preamble para 3.

28 Preamble (n27) para 4.

introduces a system that ensures a strong culture of personal data protection. Most of the provisions of the draft proclamation such as data subjects' rights (the right to access data, the right to be informed, the right to object, rectification and the right to be forgotten) and principles of data processing are drawn from the European Union General Data Protection Regulation. As a result, the long arm of the GDPR commonly referred to as the "Brussels Effect" is visible in its operative provisions.

Ethiopia is yet to establish an independent DPA. Thus, in order to enhance individuals' and groups' control over their data, the forthcoming Proclamation amongst other things needs to facilitate and create a strong and independent DPA as suggested by civil societies.²⁹ Particularly, the Data Protection Commission must be free from the influence of three actors. These are: private actors, government and international organisations.³⁰

When it comes to surveillance, while the legal reform helped revise warrantless surveillance under the anti-terrorism law, it is impinged by problematic national security laws and practices by the authorities in practice that wholly disregards applicable human rights protections.³¹ Additionally, authorities monitor and grope on opposition party leaders' and influential social media users' accounts, thereby intruding on their right to privacy on the internet.

DATA GOVERNANCE

Ethiopia is gearing up to fully roll out digital identification (ID) to its citizens. Indeed, the Ethiopian government launched a pilot programme on digital ID in 2021. Digital ID is regulated by the forthcoming Digital Identification Proclamation. The draft Ethiopian Digital Identification Proclamation aims to

create a comprehensive national identification system, which among other things, ensures that the resident's right to be identified, enhances the ability to exercise other rights, promotes trust between service providers and consumers, and creates a nationwide enabling environment to ensure transparency, accountability, and efficiency.³²

The Bill defines digital ID as 'a Foundational



Identification with a Unique Number that is issued to a resident that is registered on the Digital Identification System.³³ Thus, the registrant (any person) needs to provide demographic and biometric data in a central database that helps them get a unique number.³⁴ Importantly, individuals must provide personal information including: a) First Name, Father's Name, and Grandfather's Name, or when the three names are not available or applicable, the Institution may collect other arrangements

29 See The Center for the Advancement of Rights and Democracy (CARD, *Data Protection Policy Brief for Ethiopia* (October 11, 2022) <<https://www.cardeth.org/data-protection-policy-brief-for-ethiopia/>> (accessed on December 29, 2022).

30 H Hijmans, *The European Union as Guardian of Internet Privacy* (Springer, 2016) 360.

31 See Human Rights Watch, 'They Know Everything We Do' Telecom and Internet Surveillance in Ethiopia, (2014) <<https://www.hrw.org/node/256532/printable/print>> (accessed on December 29, 2022); Prevention and Suppression of Terrorism Crimes Proclamation No.1176/2020, Federal Negarit Gazette, 26th Year No. 20 Addis Ababa March 25, 2020, article 39.

32 Ethiopian Digital Identification Proclamation (Draft 2022), preamble para I.

33 Ibid, article 2(3).

34 Ibid, article 7(1).

of legal names; b) Date of birth: day, month, and year; c) Gender; d) Domicile Address; and additional personal data (including, nationality, phone number, email address and postal address).³⁵ Yet, this doesn't include sensitive personal data.³⁶ This means sensitive data such as racial/ethnic origins, genetic data, sexual life or religious beliefs won't be asked in the registration process.

Thus far, the government has already rolled out more than 1.4 million digital IDs in the country.³⁷ However, there is a growing concern towards the rolling out of digital ID by the Ethiopian National ID Office as the practice flouts the data protection and privacy rights of millions of Ethiopians. Given that the country is ruled by an ethnic form of federal system that places strong emphasis on ethnicity to hold political offices, the digital ID system could be misused by authorities unless backed by a proper data protection impact assessment (DPIA)³⁸ and an adequate data protection law. Rolling out of digital ID without observing these conditions is like putting the cart before the horse.

More worryingly, while personal data will be collected in accordance with the data minimisation principle as provided under the draft Digital ID Proclamation, it is not clear whether this law follows or cross-refers to the strict data processing rules and principles under the forthcoming Data Protection Proclamation.³⁹

REVIEW OF THE UNIVERSAL SERVICE FUND

The Universal Service Fund (USF) was established by the Communications Service Proclamation in 2019. The USF aims to bridge the digital divide by supporting universal access to the internet and telecommunications

services for rural, remote, underserved, and low-income communities in the country.⁴⁰

The Proclamation defines Universal Access as the availability to all users, regardless of their geographic location, of Communications Services of the quality specified by the Communications Authority and at suitable prices.⁴¹ Thus, the Proclamation mandated the Communications Authority to develop annual objectives for Universal Access Services in Ethiopia.⁴²

The Ethiopian Communications Authority (ECA) is charged with developing the objectives and goals for Universal Access, i.e., particularly making the service accessible to users in rural and remote areas of Ethiopia and is mandated to manage and administer the Fund. The amounts and sources of income to be made available to the Fund and its manner of administration is to be determined by the Universal Access Fund Regulation to be issued by the Council of Ministers.⁴³ The Fund is primarily to be financed by mandatory annual contributions from all licensed operators that will provide services in the various Communications and Information market segments. The Fund will also have provisions for complementary financing from other sources.

To date, the ECA has prepared a five-year plan called Universal Access and Service Framework, to inform the public and all stakeholders about the key aspects, considerations and principles that it will uphold in promoting Universal Access and administering the Fund.⁴⁴ The Ethiopian government established a policy in favour of market liberalisation and competition in 2018. As a result, the first private telecom license was awarded in May 2021 to Safaricom which will be competing with the incumbent

35 Ibid, article 7(2) and (3).

36 Ibid, article 7(3) and 2(18).

37 National ID Office, ID for Ethiopia <<https://id.gov.et/en/>> (accessed on December 29, 2022).

38 Draft Data Protection Proclamation (n27) article 58.

39 Ibid, article 18(3).

40 Communications Service Proclamation No 1148/2019, 25th Year No.82 Addis Ababa August 12, 2019, article 49.

41 Ibid, article 2(20).

42 Ibid, article 49(1).

43 Ibid, article 49(3).

44 Ethiopian Communications Authority, *Universal Access and Service Fund Framework* (December 2020).

governmental telecom company, Ethio telecom.⁴⁵

Technically, Universal Access/Service Funds are typically established through a levy from licensed telecom operators.⁴⁶ In this regard, the ECA Framework provides that all licensees offering communications system infrastructure and/or services on a commercial basis must pay a universal access levy set at the authorised 1.5 per cent of gross revenue.⁴⁷

As indicated in the ECA's five-year plan, the type of services to be made available will include, at a minimum, voice, text and data, including broadband access to the Internet at a speed and facility that is universal for users located in urban and rural areas, and accessible to persons with disabilities who will be progressively facilitated for better access in the universal access strategy.⁴⁸ Finally, the detailed targets of the universal service fund, including quality of services and rolling out obligations, are outlined in the Framework at length.⁴⁹

DEVELOPMENTS IN ICT AND EMERGING TECHNOLOGIES

Ethiopia has adopted various policies to develop ICT in the country. Among these, the 2017 National Information and Communication Technology Policy and Strategy is the prime policy document that helps us understand how the country is implementing measures that foster ICTs.⁵⁰ Given that ICT is a key driver and facilitator for transforming Ethiopia's predominantly subsistence-agriculture economy into a knowledge-based economy and information society, it is high time for

the government to implement these policy aspirations.

Similarly, other digital policy documents, including Digital Ethiopia 2025 and the 10 Year Development Plan – A Pathway to Prosperity (2020-2030) have incorporated strategic



commitments that acknowledge the role of ICTs in transforming the country.

Over the years, artificial intelligence (AI) has grown in Ethiopia despite the sector not being supported by enabling legal and policy instruments.⁵¹ In 2013, a robotics lab, iCog, was launched with USD 50,000 capital and four programmers. It is reported as the first AI lab that was involved in developing the world-famous Sophia robot.⁵² In 2019, Ethiopia

45 Reuters, 'Consortium led by Safaricom wins Ethiopian operating licence' (May 7, 2021) <<https://www.reuters.com/world/africa/ethiopias-ethio-telecom-launch-mobile-money-service-2021-05-07/>> (accessed on December 30, 2022).

46 D Thakur, & L Potter, 'Universal Service and Access Funds: An Untapped Resource to Close the Gender Digital Divide' (Washington DC: Web Foundation 2018) 6.

47 ECA Framework (n45) article 5.2.

48 ECA Framework (n45) article 2.

49 ECA Framework (n45) articles 3.3.2 and 4.2.

50 The National Information and Communication Technology Policy and Strategy (Federal Democratic Republic of Ethiopia, Addis Ababa September, 2017)

51 A Chekol, The Thriving AI Landscape in Ethiopia: Its Implications for Human Rights, Social Justice and Development (Global Information Society Watch, 2019) 128.

52 T Lewton, Futurists in Ethiopia are betting on artificial intelligence to drive development (Quartz, 2018) <<https://qz.com/africa/1301231/ethiopias-futurists-want-artificial-intelligence-to-drive-the-countrys-development/>> (accessed on December 30, 2022).

established a centre dedicated to artificial intelligence development called Ethiopian Artificial Intelligence Center (EAIC) through a regulation.⁵³

While Ethiopia is yet to enact a comprehensive AI policy and strategy, the regulation is meant to confer the Centre with some powers and duties to foster research and development in the fields of AI in Ethiopia. Later on, it was renamed as Ethiopian Artificial Intelligence Institute on 6 October 2021. The Institute reports to the Prime Minister.⁵⁴ Thus, the Institute continues to undertake the powers and functions of the Centre.

Ethiopia inaugurated a Science Museum dedicated to exhibiting state-of-the-art and technological advances in the country in 2022. The museum displays local solutions in healthcare, finance, cybersecurity, Geographic Information Systems (GIS), service industries, data analytics, manufacturing, and robotics. The museum was inaugurated during the Pan-African Conference on Artificial Intelligence 2022 and applauded as progress towards envisioning the future of technology in Africa's digital transformation.⁵⁵

53 Artificial Intelligence Centre Establishment Council of Ministers Regulation No 463/2020.

54 Definition of Powers and Duties of the Executive Organs Proclamation No. 1263/2021, article 79(10).

55 UN Economic Commission for Africa, 'Ethiopia inaugurates state-of-the-art Science Museum' (October 4, 2022) <<https://www.uneca.org/stories/ethiopia-inaugurates-state-of-the-art-science-museum>> accessed December 30, 2022.

Conclusion and Recommendations

Although Ethiopia has shown some progress by adopting progressive laws and policies that aim to advance digital rights in the country, digital authoritarianism, for example internet shutdowns, continues to tarnish the country's progress towards digital transformation. Compared to the previous year, Internet shutdowns continued in 2022 although not as frequent as in 2021. Therefore, the following recommendations are made:

GOVERNMENT	CIVIL SOCIETY	PRIVATE SECTOR
<p><i>To Ethiopian Parliament</i></p> <ul style="list-style-type: none"> Some of the blind spots of the Media law such as hefty fines for civil defamation and vague terms such as 'illegal matter' under article 85(1) should be repealed. <p><i>To Ethiopian Council of Ministers and law enforcement bodies</i></p> <ul style="list-style-type: none"> The government should establish a freestanding and independent DPA by expressly granting the body with the institutional capability through budgeting, staffing, implied powers and jurisdictional competency, as well as guarantees against the interferences of private actors, data controllers and market players. The Cabinet should review the national ICT policy periodically so that it addresses new emerging technologies including AI, big data, 	<p><i>Civil society organisations and human rights defenders</i></p> <ul style="list-style-type: none"> To enforce digital rights, Ethiopian civil society organisations and human rights defenders should sue to seek legal redress against the actions of government and non-state actors through strategic litigation cases before domestic, regional and international courts. 	<p><i>Social media companies</i></p> <ul style="list-style-type: none"> Finally, while the authoritarian actions of the Ethiopian government restrict digital rights, social media companies are grappling to regulate illegal content on their platforms which equally limits the enjoyment of digital rights. As such, social media platforms must do better by making enough investment for content moderation in Ethiopia.

GOVERNMENT	CIVIL SOCIETY	PRIVATE SECTOR
<p>Internet of Things (IoT) and cloud computing;</p> <ul style="list-style-type: none">• The Cabinet should enact a regulation that defines and determines the specific commitments of telecom companies in relation to universal service funds in the country.• As the practice of internet shutdown is rife in Ethiopia, the government should refrain from shutting down telecommunications and internet services so that citizens have internet access and businesses thrive and contribute positively to the national economy.		



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