

Civil Societies Mapping Report Ethiopia

UN Women Ethiopia
Country Office
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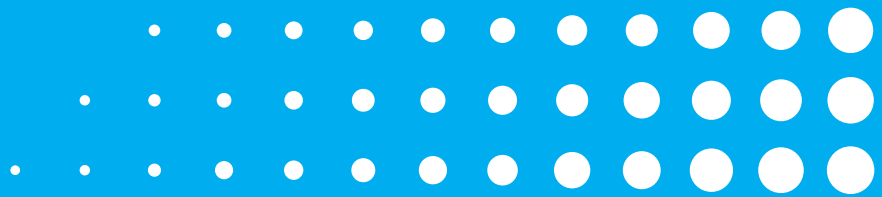
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Acronyms

ACSO	Agency for Civil Society Organizations
ACDEG	African Charter on Democracy, Election and Governance
ACHPR	African Charter on Human and Peoples Rights
AHRE	Association of Human Rights in Ethiopia
AIDWO	African Initiative for a Democratic World Order
APAP	Action Professionals Association for the People
CCRDA	Consortium of Christian Relief and Development Associations
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CECOE	Coalition of Ethiopian Civil Society Organizations for Election
CEHRO	Consortium of Ethiopian Human Rights Organizations
CORHA	Consortium of Reproductive Health Associations
CSF	Civil Society Fund
CSO	Civil society organization
CSOP	Civil Society Organizations Proclamation
CSSP	Civil Society Support Program
COMESA	Common Market for Eastern and Southern Africa
ECSF	Ethiopian Civil Society Forum
EGLDAM	Ye-Ethiopia Goji Limadawi Dirgitoch Aswogaj Mahiber
EIHR	Ethiopian Initiative for Human Rights
EHRCO	Ethiopian Human Rights Council
ELA	Ethiopian Lawyers Association
ENDAN	Ethiopian National Disability Action Network

ESAP	Ethiopian Social Accountability Program
EWLA	Ethiopian Women Lawyers Association
FEMCOM	Federation of National Associations of Women in Business in Eastern and Southern Africa
GDP	Gross domestic product
HIV	Human immunodeficiency virus
IAC	Inter-African Committee on Traditional Practices
IAG	Inter-Africa Group
ICCPR	International Covenant on Civil and Political Rights
KMG Ethiopia	Kembatii Mentti Gezzima-Tope Ethiopia
NEWA	Network of Ethiopian Womens Associations
NGO	Non-governmental organization
ODWCE	Organization for Women and Children in Ethiopia
OSJE	Organization for Social Justice Ethiopia
PHE	Population, Health and Environment
SIHA	Strategic Initiative for Women in the Horn of Africa
UEWCA	Union of Ethiopian Women and Children Association
UNDP	United Nations Development Program
UNOHCHR	United Nations Office of the High Commissioner for Human Rights
USAID	United State Agency for International Development

Executive Summary



Civil society generally refers to a full range of formal and informal organizations that are outside the State and the commercial market. It includes social movements, volunteer organizations, mass-based membership organizations, faith-based groups, non-governmental organizations (NGOs) and community-based organizations, as well as communities and citizens acting collectively. The development of CSOs in Ethiopia dates back to the 1950s and 1960s with organizations focusing on humanitarian aid and relief until the 1990s. Ethiopia saw a flourishing of CSOs from the mid-1990s until 2009 when a repressive law was issued.

Ethiopia has ratified several regional and global conventions and agreements. Some that have a significant connection to or implications for human rights, freedom of association, and women and gender equality include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Declaration and Platform for Action and the Convention on the Rights of Persons with Disabilities (CRPD). Regional treaties comprise the African Charter on Human and Peoples Rights (ACHPR) and the Maputo Protocol.

The Federal Democratic Republic of Ethiopia Constitution (FDRE Constitution) not only makes these international human rights frameworks part and parcel of the law of the land, but also, recognizes the Freedom of Association as one of the guaranteed fundamental freedoms in the Constitution. Ethiopia also upholds the freedom of association and assembly in Proclamation No. 1113/2019, Article 5(1). The Proclamation replaced the restrictive law on civil society organizations (CSOs) that Ethiopia adopted in 2009, Proclamation No. 621/2009.

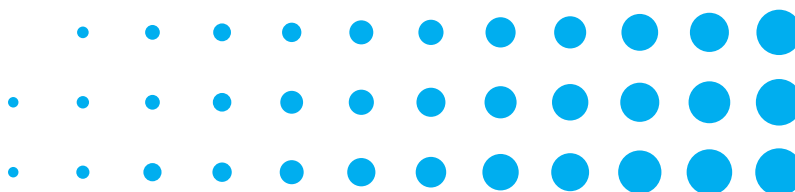
The latter had a widespread, negative impact on CSO registration, structure, funding, engagement, capacities and roles.

Ethiopia went through a political reform in 2018 that restored space for CSOs, in part through replacing the proclamation with a new one that is largely progressive and aligned with key national and international laws and standards. The legislative revision has brought several changes, with more to come, including in some areas still imposing limitations.

CSOs need to leverage the legislative change, along with available formal and informal partnerships and networking mechanisms in the country, regionally and globally. Their role, apart from delivering projects and providing services, should include providing information, conducting advocacy and serving as watchdogs. In this regard, donors and international organizations that support CSOs in Ethiopia should enhance their support, not only so that CSOs can deliver projects, programmes and services, but also can improve capacities to operate and grow.

This mapping assessment has identified and documented 721 CSOs (574 local, 129 foreign and 18 networks) based in Addis Ababa and other regions of Ethiopia. The mapping focused on UN Womens thematic priorities – namely womens leadership and participation, violence against women and girls, womens economic empowerment, and national development planning and budgeting, among other issues. The information presented in this report could be used for future engagements by UN Women and other actors interested in working with CSOs. But the annexed matrix will require continuous revision for it to be up to date.

1 Background and Introduction



As the twelfth most populous country in the world and the second in Africa, Ethiopia has an estimated population of over **114million**¹ and a sex ratio of 0.99 (male/female). With ambitions to become a lower-middle-income country by 2025, Ethiopia currently has a gross domestic product (GDP) per capita of less than USD 790. One of the poorest countries in the world (The World Bank, 2020), Ethiopia ranked 173 out of 182 countries on the 2018 Human Development Index (UNDP, 2019).



Based on the World Banks Worldwide Governance Indicators, the country is one of 14 in the world with the lowest scores on the **rule of law**, and one of 17 with limited **voice and accountability**. In **Transparency International's** latest index on corruption perception, Ethiopia ranked 114 out of 176 countries, while the international human rights organization **Freedom House** rated Ethiopia as not free in both civic and political liberties (Freedom House, 2019)

The countrys latest political reforms yielded a series of changes, including for civil society organizations (CSOs). This positive move brought an overwhelming reaction from the national, regional and global communities. A new proclamation replaced one of the most repressive laws on CSOs, the Charities and Societies Proclamation No. 621 of 2009(International Center for Nonprofit Law, 2010).

Ethiopia has made progress in the past few decades on guaranteeing the rights of women and ensuring gender equality and womens empowerment. Starting from the issuance of the National Womens Policy in 1993 and specifically addressing the rights of women in the FDRE constitution (Article 35), the government has also revised major laws in favour of women in the 2000s including the revised family and criminal codes. Subsequent policy and strategies issued by the government such as the Strategy on the Elimination of Harmful Traditional Practices (2013) and the revised Women Development and Change Strategy and Package (2017) have also reinforced strong protection, benefit and rights for women. Womens empowerment has also featured as a pillar in the development plans of the country especially the Growth and Transformation Plan (GTP I and II). The government has also put in place institutional mechanisms to ensure benefit and participation of women and the national gender machinery has been established from federal to region and Woreda levels.

¹ World Population Review, Population Estimate for Ethiopia (2020) (Accessed Online) –Last Accessed April 2020.

Defining Civil Society

The term civil society generally refers to a full range of formal and informal organizations that are outside the State and the commercial market. It includes social movements, volunteer organizations, mass-based membership organizations, faith-based groups, non-governmental organizations (NGOs) and community-based organizations, as well as communities and citizens acting individually and collectively (CIVICUS, 2015). The Guidelines on Freedom of Association and Assembly in Africa, developed by the African Commission on Human and Peoples Rights (2017), defines the term civil society to broadly comprise both formal and informal associations independent from the State for citizens to pursue common purposes. Research on the CSO law in Ethiopia has defined civil society in a similar way, emphasizing independence from the market as well as the State (Tsehai, 2008).

In 2010, in Istanbul, the Open Forum for CSO Development Effectiveness agreed on principles for CSOs. Commonly known as the Istanbul CSO Development Effectiveness Principles, these indicated foundational characteristics such as voluntariness, diversity, non-partisan, autonomous, non-violent, and working and collaborating for change. The key conceptual definitions of CSOs from different bodies globally can be summarized as:

- Voluntary and collective actions distinct from the State, family and market
- Do no harm
- Equality and diversity
- Can have different institutional forms but shared interests, purposes and values
- Advance shared interests and collaborate for change
- A space for dialogue for rights holders
- Includes informal groups

From the above definitions, one can conclude that being institutionally separate from the state, politics, religion, family and the commercial market are the basic elements, while volunteerism, shared interests and a vision to advance those interests, and creating spaces for dialogue among the wider society are among the key values for civil society. CSOs can then be defined as non-governmental, non-profit, voluntary and pursuing common interests. They are responsible for articulating the opinions of various social spheres, and include environmental groups, minority groups and consumer representatives (European Commission Civil Society Fund (EC-CSF, 2015)).

CSOs in Ethiopia

CSOs started emerging in Ethiopia in the 1950s and 1960s, reaching a significant scale during the 1970s in response to the famine. Relief and emergency responses to humanitarian crisis were their primary role until the early 1990s. Following the downfall of the Dergue regime in 1991, and the designation of a CSO registering and administering body at the Ministry of Justice, Ethiopia saw an increased number and a relatively diverse group of CSOs. By the end of 2008, several thousand were registered and playing vital roles in socioeconomic development and political participation (Yentisho and Ali, 2014).

The political space for civil society decreased in 2009 after the enactment of Proclamation 621/2009, and follow-up regulations and directives that repositioned most of them as service providers. The proclamation restricted foreign CSOs participation in human rights and good governance and limited financial sources to not more than 10 percent to Ethiopian CSOs mandated to work on human rights and governance issues. Restrictions on access to foreign funds (no more than 10 per cent of the total budget) and requirements for domestic resource mobilization made a major impact on CSOs categorized as Ethiopian charities and societies.

CSO Legal Framework

The legal basis for CSO establishment and operation is highly dependent on commitments to freedom of association and other fundamental human rights. In relation to freedom of association, Ethiopia has ratified several international and regional human rights instruments as well as addressing this issue in domestic legislative instruments.

International and Regional Frameworks

Ethiopia has signed and ratified international conventions and obligations to uphold freedom of association and fundamental human rights. Among them, the Universal Declaration of Human Rights (UDHR), adopted in 1948, declares under Article 20 the right of every person to freedom of peaceful assembly and association, and to not be compelled to belong to an association.

In 1998, the United Nations General Assembly adopted resolution 53/144 declaring the rights of individuals and associations (groups) in the realization of human rights and fundamental freedoms, as part of the mandates for the Universal Declaration. The 1998 declaration, commonly known as the Declaration of Human Rights Defenders Article 1, stated that everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels (United Nations, 1998).

Ethiopia is also a signatory to other international human rights instruments. Some examples are the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). These have clear provisions on rights and freedom of association, and also indicate obligations for signatories in observing those rights.

The ICCPR guarantees the rights of everyone to freedom of association with others, stating: Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests (ICCPR, 1966, Article 22(1)). In relation to restrictions on exercising this right, the ICCPR states that the restriction must be necessary in a democratic society in the interest of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others (ICCPR, 1966, Article 22(1)).

The CRC and CEDAW also encompass commitments related to freedom of association. The first refers to children's right to meet together and to join groups and organizations, as long as this does not stop other people from enjoying their rights (CRC, 1989, Article 15). The CEDAW requires signatories to take all appropriate measures to ensure women participate in non-governmental organizations and associations concerned with the public and political life of the country (CEDAW, 1979, Article 7).

Fundamental rights and freedoms, including freedom of association, are reflected in various regional treaties ratified by Ethiopia. Among the main instruments are the African Convention on Human and Peoples Rights (ACHPR), the African Charter on Democracy, Election and Governance (ACDEG), and the African Charter on the Rights and Welfare of the Child (ACRWC).

Articles 12 and 27 of the ACDEG, as adopted in 2007 and signed by Ethiopia in December 2008, boldly recognize the need for a favourable environment for CSOs, and the responsibility of governments in fostering CSO, public and private partnerships to advance political, economic and social governance. The Charter requires parties to create conducive conditions for CSOs to exist and operate within the law (ACDEG, 2007, Article 12(3)) and fostering popular participation and partnership with CSOs (ACDEG, 2007, Article 27 (2)) in order to advance political, economic and social governance. The ACDEG

also obligates parties to ensure and promote strong partnerships and dialogue among the government, civil society and the private sector. This charter came into force in 2012, about two years after the enactment of Ethiopia's Proclamation No. 621/2009, which contradicted the charter in several areas.

The ACHPR was adopted in 1981 and came into force in 1986. It outlines the rights of individuals to form associations freely, as long as they abide by the law. It states that every individual shall have the right to free association provided that he abides by the law (ACHPR, 1981, Article 10). Article 10 includes statements on the rights of individuals to freely decide or not to join associations, stating that no one may be compelled to join an association. Article 29 includes certain duties for the holders of this right, such as an obligation of solidarity in relation to family cohesion, serving fellow nationals, social and national solidarity, serenity of own nation, tax obligations, and African values and unity. In 2017, the Special Rapporteur on Human Rights Defenders in Africa introduced the Guidelines on Freedom of Association and Assembly in Africa to aid the drafting of laws that comply with human rights, in particular freedom of association and assembly, in accordance with the relevant provisions of the ACHPR.

National Legal Framework

In Ethiopia, human rights are adequately dealt with in various laws, guided by the supreme law of the land, the Federal Democratic Republic of Ethiopia Constitution (FDRE Constitution). It provides the right to freedom of association for any causes, stating that, Every person has the right to freedom of association for any cause or purpose (FDRE Constitution, 1995, Article 31). Freedom of association, along with other fundamental human rights and freedoms stipulated in the Constitution, are indicated to be applied and interpreted in due consideration of the international instruments ratified by the country. The Constitution states, The fundamental rights and

freedoms specified in this Chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights, International Covenants on Human Rights and international instruments adopted by Ethiopia (FDRE Constitution, 1995, Article 13).

The legislative environment for CSOs in Ethiopia has evolved through three eras, including the existing one, which started in 2019. The year 2009 demarcated two important eras, the first being the time before the introduction of Proclamation No. 621/2009, and the second being the decade after the Proclamation. CSOs are now in the second year of the era post-2019 Proclamation.

The era before 2009

Most international instruments discussed above were signed or ratified by Ethiopia before the enactment of Proclamation 621/2009. In principle, the country has been using these instruments, along with the Constitution, which declares the interpretation and application of domestic provisions on fundamental human rights in line with the requirements of the international human rights instruments ratified by the country. The Associations chapter of the Civil Code, the Associations Registration Regulations of 1966 and the Code of Conduct of Associations of 1996 were the only relevant legal documents used by the Ministry of Justice to register CSOs (United Nations, 2009). With significant growth in CSO registration and operation, there were obvious needs to introduce a comprehensive law for the sector.

The era between 2009 and 2019

Starting in 2009, for a decade, CSOs saw highly repressive and restrictive legislation as a result of Proclamation No. 621/2009. It went against fundamental human rights, principles and standards on the freedom of association, including those stated in international instruments and the Constitution.

Several directives and regulations were introduced for its implementation, including The Charities and Societies Regulation No. 168/2009, and a variety of directives issued by the Charities and Societies Agency.² For CSOs and the international community, it soon became clear that it would be critical to have a new law ensuring freedom of association, enabling the establishment of a democratic society, and enhancing the role of CSOs in national development.

The new era starting in 2019

In 2019, the Government of Ethiopia lifted the much criticized Proclamation No. 621/2009 and introduced the **Organization of Civil Societies Proclamation No. 1113/2019**. It covers CSOs, with the exception of faith-based organizations engaged in development and aid work. It entered into effect in March 2019. The new law was part of the broader political reform that started in 2018. Besides the earlier CSO proclamation, it repealed other notorious statutes, such as the Mass Media and Access to Information Proclamation No. 590/2008 and the Amended Electoral Law as per Proclamation No. 532/2007.³ In 2019, these were replaced by the Communications Service Proclamation No. 1148-2019 and the Ethiopian Electoral, Political Parties Registration and Elections Code of Conduct Proclamation No. 1162/2019, respectively.

Upon enactment of the new CSO proclamation in 2019, the Government indicated that regulations and directives would be introduced within a year. At the time of the publication of this report, a draft regulation consistent with the new proclamation had been tabled for approval by the House of Peoples Representatives. There are also three directives, on income-generating activities, procurement and liquidation, and a 20/80 cost share. The new proclamation repealed most of the restrictive rules of the previous one, both for local and international CSOs, on raising funds from any lawful source. It explicitly provides the right for all organizations to engage in any lawful activity to accomplish their objectives, contribute to the democratization process and promote the rights of their members. It has limited the power of the Agency for Civil Society Organizations (ACSO) over CSOs, apart from overseeing registration and reporting, and allows CSOs to be self-regulating and to challenge decisions by the agency.

Changes in Relation to Gender Equality and Empowerment of Women

The legislative improvement brings several positive changes for CSOs that work on women's rights and gender equality. Apart from the lifting of restrictions related to thematic areas of operation and sources of funding, the new proclamation emphasizes the need for CSOs to mainstream issues related to gender equality, children, the elderly and people living with disabilities.

² This Directives include: the Consortium of Charities and Societies Directive (No. 1/2010), the Directive to Determine the Operational and Administrative Costs of Charities and Societies (No. 2/2011), the Directive to Provide for the Establishment and Administration of Charitable Committee (No. 3/2011), the Directive to Provide for the Establishment of a Charitable Endowment, Charitable Trust and Charitable Institution (No. 4/2011), the Directive to Provide for Public Collection by Charities and Societies (No. 5/2011), the Directive to Provide for

the Liquidation, Transfer and Dissolution of Properties of Charities and Societies (No. 6/2011), the Directive to Provide for Income Generating Activities by Charities and Societies (No. 7/2011), the Directive to Determine the Particulars of the Audit and Activity Reports of Charities and Societies (No. 8/2011) and the Directive to Determine Cost Sharing (No 9/2013).

³ The electoral law amended in 2007 restricted CSOs in electoral activities.

The CSO Mapping

Proclamation No. 1113/2019 requires all CSOs to re-register within a year. Through this mapping, UN Womens Ethiopia Country Office sought to understand how CSOs see this process, and gain comprehensive information on their status regarding functions, re-registration, thematic areas, geographic areas and challenges in meeting the re-registration deadline, among other issues.

Though this was the objective of this mapping exercise, the report did not have adequate first-hand information from CSOs on how CSOs see the re-registration process, their status regarding functions, re-registration, thematic areas, geographic areas and challenges in meeting the re-registration deadline.

Objective and Scope

The mapping was conducted to:

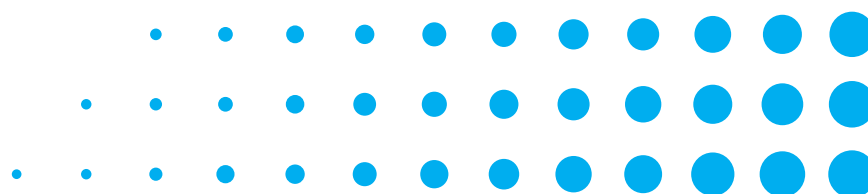
1. Explore the status of CSOs in relation to the previous law and the newly introduced proclamation, including to identify those that have finalized the re-registration process and those still in the process of doing so.
2. Categorize active local and international CSOs based on UN Womens thematic priorities and geographic areas, and develop a database with their current status, indicating those that are active/re-registered CSOs.

3. Identify and document existing/active/functional networks and consortiums.
4. Explore persistent and emerging issues, as well as opportunities in the administrative and operational environment of CSOs, especially in terms of the legal environment, organizational capacity, financial viability, advocacy, service provision, sectoral infrastructure and public image.

The scope of the mapping was limited to CSOs registered at the federal level. While discussions and analysis of the findings relate mostly to all federally registered CSOs, the matrix focused on thematic areas of priority for UN Women, namely, womens leadership and participation, violence against women and girls, womens economic empowerment, and national development planning and budgeting.

This report presents the findings of the assessment. A matrix of CSOs identified during the mapping is presented in a separate document.

2 Methodology



Data collection involved mixed research methods, and both primary and secondary sources. Interviews captured responses from key informants on the current administrative and operational environment of CSOs. Interviewees included representatives from ACSO, international organizations and CSO networks or umbrella organizations.

Data Sources and Collection

Various documents, research reports and profile documents were collected and reviewed, and discussed over a phone interview. These included legislative and regulatory documents (the previous and current proclamations, and related regulations and directives pertinent to CSOs) as well as the list of registered foreign and local CSOs in the ACSO database. The thematic issues selected at the beginning of the assessment served as a basis for screening relevant CSOs.

Additional information, specific to both organizations and networks, and related to the environment for CSOs, was gathered from several sources, including but not limited to informal alliances/networks, donors, coordination platforms, programmes, academic research, etc. Database information on regional finance and economic cooperation, and mandated government institutions for signing operational agreements and subsequent follow-ups, came from Amhara, Oromia, Tigray and Somali Regional States and Addis Ababa City Administration. This supplementary information showed which NGOs

are operational in each of the regions, along with the nature of projects or thematic issues they have been implementing.

Information also came from the annual Civil Society Organization Sustainability Index, an initiative funded by the United States Agency for International Development (USAID), which reports on the status and roles of CSOs in sub-Saharan Africa. The index for the most recent year, 2018, was published in November 2019 (USAID et al., 2019).

Platforms such as INCLUDE were used for additional evidence. INCLUDE was established to exchange knowledge and ideas on how to achieve better and more evidence-based inclusive development policies and practice in Africa. As part of this effort, Tilburg University and Mekelle University implemented research to explore how CSOs have advanced the sustainable development agenda in Ethiopia and examine the obstacles they face.

The assessment also reviewed member profiles/directories from various consortia or networks, including the Ethiopian CSOs Forum, the Consortium of Christian Relief and Development Associations (CCRDA), the Union of Ethiopian Women and Children Association (UEWCA), the Network of Ethiopian Women Associations (NEWA), Population, Health and Environment (PHE), the Consortium of Reproductive Health Associations (CORHA) and the Consortium of Ethiopian Human Rights Organizations (CEHRO).

⁴ At the beginning of the CSO mapping, ACSO and UN Women agreed on a list of thematic areas and the nature of the establishment/purpose of CSOs. Based on this, a large number of CSOs that did not meet the agreed criteria were excluded.

⁵ INCLUDE is a Dutch-African platform that promotes evidence-based policymaking on inclusive development in Africa through research, knowledge sharing and policy dialogue.

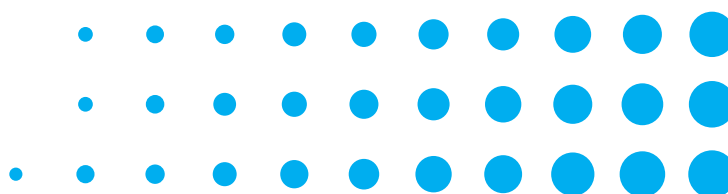
The desk review and analysis used various data from ACSO and collective CSO coordinating mechanisms. It reviewed and analysed the existing proclamation, directives and user guidelines for CSOs to assess changes and emerging issues related to legislative, administrative and operational requirements. Interviews with key informants from CSOs, government agencies and respective coordinating mechanisms and platforms substantiated the desk review.

A total of 220 CSOs were visited and contacted through telephone to capture qualitative information on the overall operational and administrative environment.

Limitations

The research made a thorough review of available secondary data, including that provided by CSOs, umbrella organizations and ACSO. Not all information and data presented in the selected CSO matrix were collected first-hand, due to logistics and time limitations. There is a potential for omissions or other errors in this report and the mapping matrix. Both were produced based on information available when the data collection was completed. Since the mapping took place before the end of the ACSO re-registration process, there may be a slight change between what is reported here and the actual data. UN Women could address this gap through another review in the future.

3 The 2009 Law on Civil Societies: A Restrictive Legacy



CSO Contributions

There is significant acknowledgement of the roles of CSOs in Ethiopia. CSOs have made positive contributions to the social, economic and political arenas, especially before 2009. Based on information obtained from CSOs interviewed for this mapping, the Government, during the consultative stages of the CSO law revision in 2018, stated a number of areas in which CSOs made significant contributions.⁶

Over time, CSO contributions have been most notable in relief and rehabilitation, capacity-building, advocacy and development, particularly in the drought-related famine in the 1970s and thereafter. A national assessment conducted in 2014 presented various areas in which CSO interventions positively contributed to development, including to the Millennium Development Goals (MDGs) and national strategies such as the Growth and Transformation Plan (GTP). Particularly important contributions included targeting poor and disadvantaged sections of society and promoting health care, education, livelihoods, water and sanitation, prevention of malaria and control of HIV (Yentisho and Ali, 2014).

⁶ These include the promotion of basic social services for education and health, food security and environmental protection; provision of suggestions for revisions of laws, policies and processes; research on policy issues, and support for the development of democratic culture through public debate and discourse; capacity-building of various government organs in relation to human and democratic rights, and modest enhancement of public awareness, although achievements in both domains were limited; civic education, forums for political party debates, enhanced awareness in the electorate and election observation; ensuring the rights of vulnerable

Various literature has suggested that CSOs have a significant role in the promotion of human rights, including the rights of women, children and persons with disabilities, and especially in improving access to basic services among these groups, and in reducing violence against women and children (most notably female genital mutilation and child marriage). The promotion of democratic rights and provision of legal aid services are also positive contributions (Belshaw and Coyle, 2001; Gebreselassie et al., 2012; Gebisa and Tefera, 2019). Womens organizations also have contributed to the revision of laws in favour of women in the 2000s.

CSO Challenges

CSOs face several challenges, including that their relationship with the Government is not built on partnership and principles. Gaps also exist in internal democracy in various organizations and the culture of volunteerism and charity has not yet developed. Although the number of CSOs is increasing, it is still low. Before Proclamation No. 1113/2019, Ethiopia had around 3,500 federally registered CSOs (both local and international). In contrast, Kenya has 86,000 CSOs, and South Africa has 100,000. The re-registration under Proclamation No. 1113/2009 pushed the number of CSOs further down to approximately 2,000 at the time of this report.⁷

groups (particularly women, children, and persons with disabilities), including legal aid services and engagement in rights-based development pursuits; enhanced awareness of rights, accountability and a sense of ownership in areas of public concern; and support for sustainable development.

⁷ From ACSOs List of Federally Re-registered CSOs under Proclamation No. 1113/2019, as of March 2020. Around 1,636 CSOs were re-registered, while close to 400 CSOs were newly registered, which makes the total number a little over 2,000.

Other gaps are in thematic and geographic distribution, as most CSOs are in social development services, and geographically concentrated in the central and southern part of the country.

One of the most worrisome fact is that several CSOs have closed over the past decade (reports from ACSO indicated that on average, about 100 CSOs per year, mostly Ethiopian CSOs, closed due to factors such as shortage of funds). This mapping found that around 46 per cent (1,632) of CSOs had re-registered at ACSO by the end of February 2020.⁸ Between 2009 and 2018, the total number re-registered and newly registered was over 3,500.

Overview of Proclamation No. 621/2009

Proclamation No. 621/2009 not only went against the countrys Constitution, but also international and regional human rights instruments ratified by Ethiopia. It restricted freedom of association, among other fundamental human rights, and conferred discretionary powers to what was then the Charities and Societies Agency (the predecessor of ACSO) to refuse registration and revoke permits. The law created a dichotomy – charity and society and Ethiopian and Ethiopian residents – out of just a single unit of CSOs (now the term local CSOs is being used).

Restrictions were widely seen in CSO engagement in income-generating activities, and the formation of CSO consortia under different classifications. Other areas affected by the proclamation touched several aspects of CSO registration and renewal, administration and

operation, networking and funding. One legislative change in 2009 was the prohibition on receiving more than 10 per cent of funding from foreign sources for CSOs working on human rights, gender equality, the rights of persons with disabilities, the rights of children, justice sector support, and the promotion of religious and ethnic tolerance. Proclamation No. 621/2009:

- Deprived CSOs of the right to appeal against a court ruling, stipulating that only Ethiopian charities and societies have the right in court to appeal decisions not to register, suspend or dissolve them (Proclamation No. 621/2009 Article 104).
- Classified most programme expenses as administrative costs, and provided that administrative costs could not exceed 30 per cent of the budget. Moreover, the classification/cost definition for administration was too broad and included costs for projects (Federal Democratic Republic of Ethiopia, 2011).
- Stipulated that CSOs can engage in income generation only in areas related to their activities, thereby putting human rights CSOs at a disadvantage as their activities cannot be commercialized (Proclamation No. 621/2009 Article 103(1)).

⁸ The timeline for the re-registration of CSOs per Proclamation No. 1113/2019 was between 10 March 2019 and 11 March 2020. The data stated here reflects re-registration by the last

day of February 2020, seven working days before the closing date.

Implications for CSOs

Proclamation No. 621/2009 forced development CSOs to abandon a rights-based approach and limit themselves to service delivery, thereby impeding numerous initiatives to empower citizens by educating them about their rights.

A look at key restrictions suggests that the Government aimed to reduce CSO involvement in the promotion of human and democratic rights, gender equality, the rights of persons with disabilities and childrens rights, as well as in conflict resolution or reconciliation, and issues related to the efficiency of justice and law enforcement. Many global organizations considered the proclamation anti-NGO/CSO, designed to rein in society (Freedom House, 2019c). The **INCLUDE platform** in 2018 concluded that states like Ethiopia have used law-based methods to restrict the political space of CSOs, and exert greater control over operations and funding.

CSOs interviewed for the mapping noted some positive impacts of Proclamation 621/2009, echoed by another mapping study in 2014 by the Civil Society Support Program (CSSP). These encompassed increasing the legitimacy, accountability, and transparency of charities and societies (Yentisho and Ali, 2014).

Further, while many CSOs changed their role and structure to service delivery under the earlier proclamation, many examples illustrate how they actually continued to do prohibited work, such as on child protection, violence against women and girls, and harmful traditional practices, in the midst of service delivery. This comprised measures such as changing language, repackaging activities, working through government offices, providing two versions of one report for donors and the agency, etc. Government counterparts, especially the ministries of women, children and youth, education and health, were mentioned as mostly cooperative and as giving cover for activities undertaken by CSOs. These underlines both the power of consensus and the need to be resilient under difficult circumstances.

Overall, however, both direct and indirect negative impacts stemmed from the proclamation which are discussed below.

Organizational Impacts

Organizational impacts entailed those related to CSOs existence, structure, composition, source of funding, thematic issues for engagement, organizational capacity, resources, short- and long-term strategies, partnerships, organizational effectiveness and the like. Many CSOs, if not all, were affected by the proclamation, even though the consequences varied.

Measures against CSOs

Following the enactment of the 2009 law, widespread harassment, ill-treatment, mistrust and suspicion affected CSOs. The impacts began immediately, given prohibitions related to structure, purpose/area of operation, funding sources, etc.

Closure of CSOs: survival of the fittest/ Better merge these two titles and remove closure of CSOs

Under the re-registration process of Proclamation No. 621/2009, many CSOs in the country were negatively affected and effectively dismantled, while several others were forced to change their status and forced to change their rights-based interventions to service delivery. Informants indicated that CSOs with a robust organization were better to cope with regulatory restrictions imposed by the authorities. May be the ones affiliated to government

Agency annulled/revoked licenses

Several CSOs saw their registration annulled due to compliance issues. They included the Heinrich Böll Foundation, Samaritans Purse, Mobility Without Barriers, Better Future, International Islamic Relief Organization and the Coalition for Action Against Poverty.

Reduction in the number of federally registered CSOs

The number of federally registered local and international CSOs had dropped by more than 45 per cent by 2011 (Dupuy, 2014). Among previously registered groups, 1,741 failed to re-register. Among the 1,600 CSOs that were re-registered, some 459 were newly registered.

Forced re-branding among known CSOs to comply with the law

As a direct and immediate impact of the proclamation, several CSOs became service providers, deprived of their rights and roles. According to the report of the Charities and Societies Agency in early 2011, out of the 1,600 CSOs that re-registered, only 98 were Ethiopian charities and societies mandated to advance human and democratic rights, and promote the equality of nations, nationalities and peoples, and gender and religion; the rights of people with disabilities; childrens rights; conflict resolution or reconciliation; and the efficiency of justice and law enforcement. The legislative changes barred the vast majority of CSOs from domains like advocacy, human rights and many other areas considered politically sensitive, and forced them to shift their activities to technical development and local service delivery work.

Some CSOs rebranded their activities. For example, Action Aid Ethiopia changed its mission statement from to eradicate absolute poverty, inequality and denial of rights to that poor people effectively participate and make decisions in the eradication of their own poverty and their well-being generally. Action Aid Ethiopia was known for taking a rights-based approach to development, and actively participated in the 2005 national election, a major turning point for the Government in repressing CSOs.

Many other CSOs were affected similarly. A local CSO actively engaged and with broad outreach on harmful traditional practices, then known as Ye-Ethiopia Goji Limadawi Dirgitoch Aswogaj Mahiber (EGLDAM), was forced to change to the Organization for Women and

Children in Ethiopia (ODWACE) because a CSO registered as an Ethiopian resident charity was prohibited from working on harmful traditional practices. The organizations reputation and many other achievements were lost along the way. A difficulty in raising funds from local sources, given poverty, the lack of a culture of contributing to a cause and volunteerism, and fear of reprisal, meant the few human rights CSOs either changed their mandates or had to operate at a very reduced scale.

More than 17 human rights groups, including some leading organizations, changed their mandate or stopped working on human rights altogether (Association for Human Rights in Ethiopia, 2019). Among these, the African Initiative for a Democratic World Order (AIDWO), previously engaged in human rights advocacy and civic education, renamed itself Amudaeas, and began working on entirely different issues, including environmental protection, leadership and womens inclusion. Likewise, the Organization for Social Justice Ethiopia (OSJE) and Action Professionals Association for the People (APAP) changed their organizational focus. Initiative Africa had worked on good governance issues prior to the proclamation, but then switched its mission to achieving education for all. The 24-member Ethiopian Civil Society Network for Elections disappeared, while nearly all of the 25 members of the Union of Ethiopian Civil Society Organizations dropped their work on human rights in favour of other areas.

Local CSOs working on womens rights and gender equality, such as Organization for Development of Women and Children in Ethiopia (ODWCE), Kembatii Mentti Gezzima-Tope (KMG) Ethiopia, Progynist, Women Support Association, Hundee–Oromo Grassroots Development Organization and many others, were forced to rebrand and restructure themselves to avoid work related to womens rights. Two women focused CSOs, the Ethiopian Women Lawyers Association (EWLA) and Network of Ethiopian Womans Associations (NEWA), were significantly impacted by the law. Both chose to remain rights organizations, and as a result, they were prohibited from accessing foreign funding for more than

10 per cent of their total budgets. NEWA, as a network, had to split its members into rights-based organizations like EWLA and NEWA, and the rest. The latter formed the Union of Ethiopian Women and Children Association (UEWCA) to sustain ongoing work.

Diminished CSO capacity, motivation and stability of staff

According to the latest USAID CSO Sustainability Index for Sub-Saharan Africa, CSO capacity in Ethiopia was diminished through restrictions on engagement in needs assessments, monitoring and evaluation (M&E), work in remote and inaccessible areas, training and running networks (USAID, 2016). To respond to the Proclamation, CSOs made major changes that affected their organizational capacity, including:

- Removing organizational level M&E, knowledge management, communications and other related functions, and technical assistance services
- Reducing engagements in the development of systems and policies compared to service delivery
- Cutting down on training, staff development and office infrastructure
- Lowering salaries and benefits for staff
- Reducing operational scope and funding given prohibitions on engagements related to human rights, protection, gender, participation, governance and similar areas

⁹ As per Proclamation No. 621/2009, Ethiopian societies are formed under the laws of Ethiopia. All members are Ethiopians, and they generate at least 90 per cent of income from Ethiopia and are wholly controlled by Ethiopians.

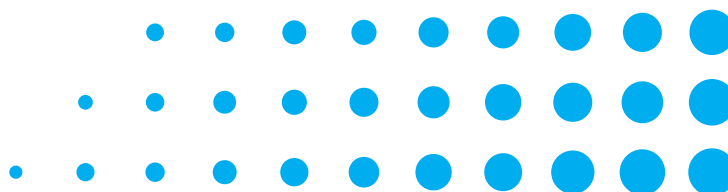
Frozen assets of CSOs upon re-registration

Following the enactment of the proclamation, the Charities and Societies Agency froze the assets of CSOs at the time of re-registration if they preferred to stay as an Ethiopian society.⁹ For example, the womens rights organizations EWLA and the Ethiopian Human Rights Council (EHRCO) reportedly had their assets frozen since these groups of CSOs were only allowed 50,000 ETB at the time of re-registration. They lost the remaining assets in excess of this amount, since these were assumed to be from foreign funding, even before the introduction of Proclamation No. 621/2009 (Amnesty International, 2012).

Affected networks and umbrella CSOs

Proclamation No. 621/2009 required various consortiums to reduce expenditures as networks were no longer permitted to engage in projects. Networks were only allowed to support members for the attainment of common goals for sharing ideas, information and experiences. At times, networks and umbrella CSOs would get funding from members. They also provided technical support for members to mobilize resources for different projects.

4 The 2019 Proclamation: Room for Optimism



In 2019, Proclamation No. 1113/2019 replaced the 2009 law, bringing changes on several fronts. These start from the preamble, which cites the key international human rights instruments ratified by Ethiopia, apart from the Constitution. The new proclamation states that it is intended to stop the previous laws adverse effect on the protection of human rights in Ethiopia. It seeks to

ensure the exercise of freedom of association, address concerns related to good governance, create an enabling environment for CSOs, create a culture of volunteerism and address the shortcomings of the previous law (Proclamation No. 1113/2019 Articles 2–6). This is clearly in line with what CSOs and the international community recommended. (Table 1 summarizes the changes made)

Table 1: Summary Comparison of the Two CSO Proclamations

Main Areas of Change	Proclamation No. 621/2009	Proclamation No. 1113/2019
Rationale of the Law	<ul style="list-style-type: none"> ■ Rationale lacked adequate elaboration ■ According to the Proclamation, CSOs are limited to membership-based associations such as womens and youth associations contributing to development ■ Rationale failed to recognize CSO roles in human right and good governance issues 	<ul style="list-style-type: none"> ■ Well elaborates the rationale for the proclamation, citing national and international laws and conventions ■ Clearly states its intent to address the shortcomings of the previous law
Scope of Applicability of the Proclamation	<ul style="list-style-type: none"> ■ Proclamation applied to charities only operating in one region (all regions including Addis Ababa and Dire Dawa) – provided that the charity received funding from foreign sources ■ Waved applicability to faith-based organizations 	<ul style="list-style-type: none"> ■ Waves applicability to CSOs operating only in one region, other than Addis Ababa and Dire Dawa ■ Not applicable to faith-based organizations – noted to be separately addressed at a later stage ■ Law not yet introduced for faith-based CSOs ■ Current mandate on faith-based organizations given to the Ministry of Peace (awaiting a separate law)
Classification of CSOs	<ul style="list-style-type: none"> ■ Classification made on the basis of structure and source of income 	<ul style="list-style-type: none"> ■ Classification based on structure and not source of income ■ New category of board-led CSOs introduced; does not require a general assembly.

Main Areas of Change	Proclamation No. 621/2009	Proclamation No. 1113/2019
Formation or Establishment	<ul style="list-style-type: none"> ■ Agency directive had unduly raised minimum membership to 10 	<ul style="list-style-type: none"> ■ Two or more persons may establish a local CSO ■ General-assembly led – for most associations ■ Board-led – for CSOs, founders initiate, assign board
The Agency's Board and CSO Representation	<ul style="list-style-type: none"> ■ Only two out of seven representatives were from CSOs ■ Generic, inadequate to empower the board 	<ul style="list-style-type: none"> ■ Increased CSO representation to 7 out of 11 (including people with disabilities, youth, women) ■ Elaborated, specific and broad mandate
The Agency's Power (Authority, Roles and Responsibilities)	<ul style="list-style-type: none"> ■ Provided power to sanction, control with limited judicial review, intrusive ■ Too broad for what the Charities and Societies Agency could do, in most cases 	<ul style="list-style-type: none"> ■ Provided to facilitate, coordinate, support self-regulation and encourage activities in accordance with the proclamation ■ Research and advise the Government on CSO contributions to human rights protection and democratization ■ Administrative roles in assigning liquidators and monitoring their performance ■ Role in ensuring that development activities of CSOs are to the extent possible aligned with government plans
Formation and Operation of Consortia/ Networks	<ul style="list-style-type: none"> ■ Prohibited networks between charities and societies, and between Ethiopian charities, and resident and foreign charities ■ Prohibited project implementation by consortia 	<ul style="list-style-type: none"> ■ No restriction to form consortia ■ Consortia provided additional power to advocate for the rights of members ■ Allowed to conduct research and policy advocacy activities in the sectors in which their members operate ■ Can collect and mobilize resources to operate projects through their member organizations ■ Networks of consortia allowed
Thematic Areas of Operation / Objectives	<ul style="list-style-type: none"> ■ Restrictions on work on human rights, gender equality, child rights, the rights of persons with disabilities, legal aid, promotion of tolerance, except for Ethiopian charities and societies 	<ul style="list-style-type: none"> ■ All lawful areas, without restriction and limits ■ Can work in Ethiopia as well as abroad ■ Foreign organizations and local organizations established by foreign citizens who are residents of Ethiopia may not engage in lobbying political parties, voter education or election observation ■ Exclusion of vulnerable and marginalized part of the society and working in areas that necessitate special license by other laws

Main Areas of Change	Proclamation No. 621/2009	Proclamation No. 1113/2019
Funding Sources and Income Generation Schemes	<ul style="list-style-type: none"> ■ Income generation allowed only in areas related to the objectives of the CSO, and could not cover administrative costs ■ Administrative costs could not exceed 30 per cent, but administrative costs defined to include expenses that are normally programme costs, such as consultancy fees, fees for trainers, project staff salary, etc. ■ CSOs not allowed to get more than 10 per cent of their budget from foreign sources if they work on human rights, democracy, gender equality, child rights, rights of people with disabilities, tolerance, and justice sector support, including legal aid ■ Ban on anonymous donations 	<ul style="list-style-type: none"> ■ Can receive funding from any lawful source ■ Allowed to engage in any lawful business activity to generate income, but needs to keep its account separate ■ Administrative cost of a CSO established for public benefit or third parties cannot exceed 20 per cent, but administrative cost is defined narrowly and expressly excludes project costs ■ No restriction on accessing funds for any lawful activities, as long as the source of funds is lawful ■ Foreign organizations encouraged to give technical and financial support to local CSOs ■ CSO fund established by law to encourage volunteerism, support CSOs working on vulnerable groups
Registration, Re-registration and Renewal for Local CSOs	<ul style="list-style-type: none"> ■ Registration required to operate ■ Confusion with licensing and registration ■ Proposal as a requirement ■ Renewal required every three years 	<ul style="list-style-type: none"> ■ Registration required to operate, except for charitable committees, but charitable committees are also required to acquire an approval from ACSO before operating ■ Can be completed in 30 days ■ Requires founding minutes, photos and IDs of founders, name and logo (if any), bylaws of the organization, objectives and regions of operation, filling out the form provided by the agency ■ No licensing, unless required by law ■ Registration is permanent, no renewal needed

Main Areas of Change	Proclamation No. 621/2009	Proclamation No. 1113/2019
Registration, Re-registration and Renewal for Foreign CSOs	<ul style="list-style-type: none"> ■ Confusion with licensing and registration ■ Renewal required every three years 	<ul style="list-style-type: none"> ■ Maximum time less than 45 days ■ Requirements: authenticated certificate of incorporation, bylaws, resolution to open a branch in Ethiopia, power of attorney for country representative, recommendation letter from Ethiopian Embassy in home country/Ministry of Foreign Affairs, two-year action plan ■ No licensing, unless required by law ■ Registration is permanent, no renewal needed
Technical Reporting	<ul style="list-style-type: none"> ■ Required to submit technical/ activity reports quarterly and annually to the Agency 	<ul style="list-style-type: none"> ■ CSOs disclose their activity and audit reports to beneficiaries and members
Financial Reporting and Accounts	<ul style="list-style-type: none"> ■ Required to submit technical/ activity reports quarterly and annually to the Agency 	<ul style="list-style-type: none"> ■ Audit report required for income of more than 200,000 ETB ■ Audit in five months; ACSO sends an auditor otherwise ■ Agency documents records of CSOs ■ CSOs disclose their activity and audit reports to beneficiaries and members
Administration and Supervision	<ul style="list-style-type: none"> ■ CSOs required permission of the Charities and Societies Agency to open a bank account ■ After conducting an investigation depending on the graveness of the misconduct or violation, the Agency may impose penalties. ■ Penalties include hold any property, suspension and cancellation of licence, removal of officers or dissolution of CSOs 	<ul style="list-style-type: none"> ■ CSOs require ACSOs permission to open a bank account. ■ The ACSO will conduct investigation upon receiving information from the public, donors, or government organs related to violation of the law. (Article 77) ■ Investigation only when there is good cause, must be expedient and not impede CSO activities ■ Penalties include warning, grave warning and suspension for short time
Suspension, Dissolution and Right to Appeal	<ul style="list-style-type: none"> ■ Director of the Charities and Societies Agency could decide ■ Right of appeal to court allowed only for Ethiopian charities and societies 	<ul style="list-style-type: none"> ■ The Director of the Agency may suspend CSOs only for three months. Where the board fails to approve the suspension within three months and the suspension ceases to exist. ■ Both the decision of the Director and the Board are appealable ■ Fair hearing guaranteed ■ Merger of one or more CSOs is possible

Main Areas of Change	Proclamation No. 621/2009	Proclamation No. 1113/2019
Self-Regulation Mechanisms	<ul style="list-style-type: none"> ■ NA 	<ul style="list-style-type: none"> ■ ACSO required to support CSOs to put in place systems of self-regulation and accountability ■ CSO council to be established, with the power to issue a code of conduct for CSOs and enforcement mechanisms, and to represent the sector in the board, and advise the agency on registration and regulatory issues
Regulations, Directives and Guidelines	<ul style="list-style-type: none"> ■ Users guide developed and made available in 2011 ■ A series of regulations and directives, including amendment of some 	<ul style="list-style-type: none"> ■ Users guide developed and made available in 2019 ■ Charities and Societies Regulation No. 168/2009 and directives previously issued by the agency will remain in effect for a year, to the extent that they do not conflict with the provisions of the new proclamation. ■ Empowers the Council of Ministers to enact new regulations and the agency to issue new directives under the proclamation (Article 89). ■ As of March 2020, a draft regulation and three draft directives (for 20/80 cost share, procurement and liquidation, and income-generating activities) have been prepared
Other Obligations		<ul style="list-style-type: none"> ■ Prohibits special personal benefits, directly or indirectly, to any person connected with the organization to avoid conflicts of interest ■ Puts in place various mechanisms to ensure the accountability and transparency of CSOs, including the obligations to notify of changes; display the certificate of registration; prove existence when required; keep accounting records; submit annual statements of accounts; and submit annual activity report to the agency

Formation, Types and Definition

According to Proclamation No. 1113/2019 **Article 2**, a CSO is a non-governmental, non-partisan entity established at least by two or more persons on voluntary basis and registered to carry out any lawful purpose, and includes non-government organizations, professional associations, mass-based societies and consortiums. (Figure 1 shows the revisions in the classification of CSOs)

Local organizations are formed under Ethiopian laws by Ethiopians, foreign residents or both (Article 2(2)).

Foreign organizations are formed under the laws of foreign countries and registered to operate in Ethiopia (Article 2(3)).

Charity organizations work for the interest of general society or a third party (Article 2(4)).

Professional associations are formed on the basis of a profession with objectives that may include protecting the rights and interests of members, promoting professional conduct, building the capacities of members, or mobilizing the professional contributions of members to the community and the country (Article 2(5)).

Consortiums are groupings of two or more civil society organizations, including consortiums of consortiums (Article 2(6)).

Charitable endowments are organizations by which a certain property is perpetually and irrevocably destined by donation or will for a purpose that is solely charitable (Article 21(1)).

Charitable trusts are established by an instrument by which specific property is constituted solely for a charitable purpose to be administered by persons (the trustees) in accordance with the instructions given by the instrument constituting the charitable trust (Article 31).

Charitable committees are collections of five or more persons who have come together with the intent of soliciting money or other property from the public for purposes that are charitable (Article 47).

The Power and Role of ACSO

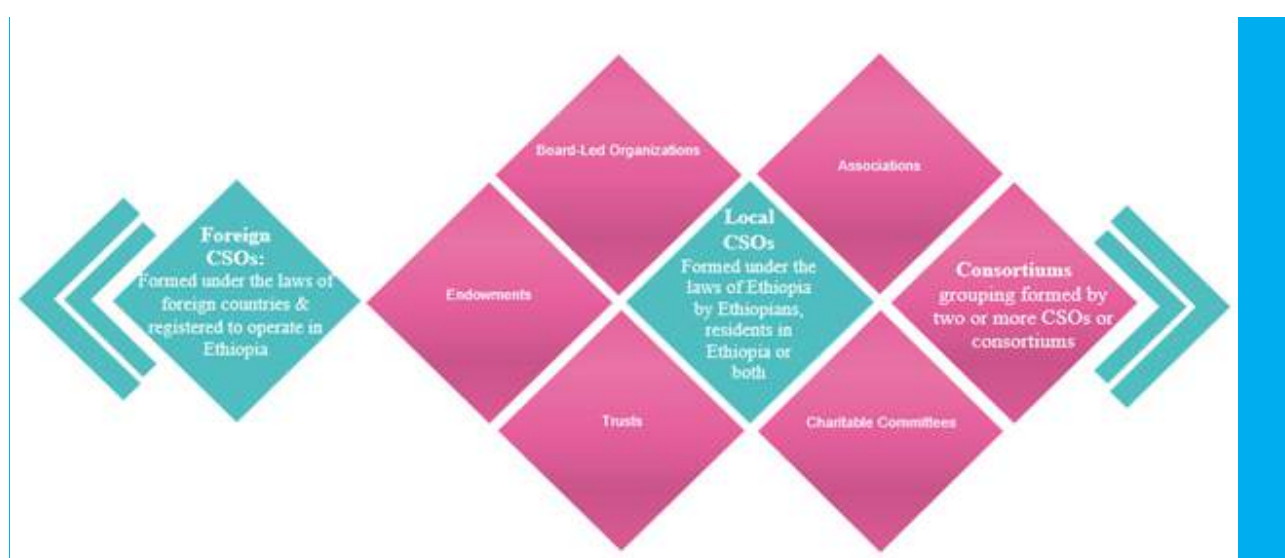


Figure 1: Types of CSOs Based on Proclamation No. 1113/2019

The Proclamation gives ACSO responsibilities to:

- Register, monitor and supervise organizations
- Examine and follow up on annual activity and financial reports
- Enable organizations to have an internal governance system
- Register and authenticate documents of organizations
- Conduct investigations on the activities of organizations
- Suspend the activities of an organization for up to three months in cases of grave violation of laws
- Give written warning to rectify violations of law
- Issue strict warnings in cases where the violations are not rectified as per the written warning
- Decide on suspension and dissolution where the organization fails to adhere to the strict warnings
- Refer criminal matters to the police or public prosecutor (Article 77 and 78).

Improvements in the New Law

Positive changes for CSOs include:

- Operational freedom for CSOs: the right to engage in any lawful activity to accomplish their objectives.
- Freedom to propose recommendations to change or amend existing laws, policies or practices, or propose for new laws and policies related to the activities they are performing.
- Foreign CSOs can implement project activities or work in partnership with local organizations by providing financial, technical or in-kind support.
- Restored CSOs right to lobby, receive and use funds from any legal source to attain their objectives.
- Improvements in the definition of cost categorization details for administrative expenses: salaries and benefits of administrative employees; purchase of consumables and fixed assets and repair and maintenance expenses

related to administrative matters; office rent, parking fees, audit fees, advertisement expenses, bank service fees, fees for electricity, fax, water and internet services; postal and printing expenses; tax, purchase and repair of vehicles for administrative purposes, and procurement of oil and lubricants for the same; insurance costs, penalties and attorney fees (Article 63(2)).

- Reduced administrative versus programme operational cost-sharing to 20/80, from 30:70 in the previous proclamation.
- Created a self-governing mechanism for CSOs through the formation of a CSO council. It will operate with the full participation of all CSOs, and have a general assembly, executive committee and the necessary structures expected to enact a code of conduct for the sector; devise enforcement mechanisms in consultation with ACSO, donors and other stakeholders; advise ACSO on the registration and administration of organizations; and represent and coordinate the sector.
- Established a CSO fund to encourage volunteerism and development in the sector, and provide incentives to organizations working with vulnerable groups, using resources from several sources, including properties obtained from charities and societies dissolved before the enactment of the proclamation and under the custody of ACSO; properties obtained from organizations dissolved by the decision of the agency or court; and government subsidies.
- Improvements in registration requirements and procedures:
 - » Two persons for board-led CSOs and five persons for associations are required for registration. Registration also requires the minutes of the formative meeting indicating the names, addresses and citizenship of the founders; a copy of the identity card or passport of the founders; the name of the organization and its logo, if it has one; a description of

the objectives of the organization and its intended sector of operation, and the regions where it intends to operate; the rules of the organization approved by the founders; and the organizations address.

- » A foreign organization must present a duly authenticated certificate of registration showing its establishment from its country of origin; a duly authenticated resolution of its competent organ to operate in Ethiopia; a duly authenticated power of delegation of the country representative; a letter of recommendation from the embassy in the country in which the charity is incorporated or in the absence of such by a competent authority from the Ministry of Foreign Affairs of Ethiopia; and a workplan for a minimum period of two years.
- Waived restrictions in accessing financial and non-financial resources. CSOs can raise resources in the form of financial resources (grants, donations, personal funds, membership fees, public collection, income generation activities), in-kind donations (goods, services, properties), materials (office supplies, IT equipment), human resources (staff), access to international assistances (solidarity) and opportunities (training, advocacy meetings, partnership building).
- Foreign CSOs can directly implement activities or partner with local CSOs by providing technical, financial and in-kind support (Article 62).

Prohibitions and Major Obligations

- Foreign and local CSOs established by residents are not allowed to engage in **lobbying** political parties (Article 62 (5))
- Some sectors require additional **permits** by law (business and professional licenses). The proclamation has not provided further details on sectors to which this applies, but an additional

permit is needed for income-generating activities or to provide services that require a professional license. For instance, a CSO that wants to open a school and a health centre to serve a certain community needs to get permits from the Education Bureau and the Health Bureau, respectively. Income-generating activities also need business licenses and tax certificates obtained from the Ministry of Trade and Industry, Ethiopian Investment Commission and Ministry of Revenues (as necessary). The mapping recommends that CSOs review laws related to tax, commercial registration and business licensing, and investment if they are engaging in income-generating activities (Article 62(10)).

- Expected to give primacy to the organizations interest and take necessary precautions to avoid **conflicts of interest**. While the proclamation provides freedom for CSOs in relation to their operation and resource mobilization, there are also obligations in relation to the responsibility for the organization, managing conflicts between personal and providing organizational benefits (Article 62(11)).
- CSOs, even those established to serve their members, are not expected to exist for the purpose of distributing **profit** to members. As one of the provisions of the new proclamation, CSOs can establish and operate income-generating businesses that raise financial resources required to achieve their organizational objectives. None of the profit can be distributed to their members (Article 63).
- The formation and internal governance of organizations shall be based on **democratic** principles, and be non-discriminatory, independent and neutral. The principles generally relate to members, management and staff of the CSOs, and are stated in the Istanbul CSO Development Effectiveness Principles (Article 62(7)).

¹⁰ Proclamation 1113/2019 provides that CSOs can engage in relevant trade and investment activities to generate income (Article 63).

- The administrative cost of an organization established for the benefit of the general public or that of third parties may not exceed 20 per cent of its total income. All CSOs that fall under this category are required to limit their administrative costs to a maximum of 20 per cent. All CSOs classified in thematic categories during the mapping fall under this requirement. Despite significant amendment to the definition of administrative and programme costs, compared to the previous law, this requirement is seen by many as a drawback in the new law. This issue is discussed below, along with other limitations of the current proclamation (Article 63 (2)).
- CSOs have the obligation to announce changes to ACSO related to their name, logo, region of operation and location (headquarters), contact address, contents of their bylaws, bank signatories, and board or executive members. This obligation is essential to keep an up-to-date record of all CSOs, especially since CSOs are not going to renew registration under the new law.¹¹ Interviews suggested that ACSOs database offers a good opportunity to share information with donors and other partners (Article 68).¹²

Early Effects

Many actors, including CSOs involved in this mapping, stated that the 2019 proclamation will broaden opportunities for funding and resources, improve engagement, and widen and deepen the scope of activities. This will in turn enhance their impacts on human and economic development, democratic participation, peace and security. CSOs that downscaled efforts on several issues, including empowerment and protection, violence against women and human rights, will resume these. This could eventually improve the rights and well-being of groups like women and children.

While it is too early to assess the actual impact of the new law, it has already influenced CSOs from several angles. Having started re-registration in 2019, by mid-February 2020, ACSO had registered close to 3,000 CSOs. Several changes are already evident.

Regeneration of human rights in the CSO world

Soon after the changes in early 2019, several human rights-related initiatives started to resume, including by organizations that were not able to operate in the country for the past decade – such as CIVICUS, Human Rights Defenders, Amnesty International, Human Rights Watch, Defend Defenders, the Committee to Protect Journalists, the East and Horn of Africa Human Rights Defenders Project, PEN International and ARTICLE 19. New CSOs and coalitions on human rights and related areas that were prohibited have registered and started operation. CEHRO, the Association of Human Rights in Ethiopia (AHRE) and others started operating. The Coalition of Ethiopian Civil Society Organizations for Election (CECOE), which existed before Proclamation 621/2009, restarted just after the reform. It has created collaborative movements with various networks with an instrumental presence in the country, including the Ethiopian Civil Society Forum (ECSF), the Inter-Africa Group (IAG), the Ethiopian Lawyers Association (ELA), CCRDA, NEWA, the Ethiopian Civic and Voters Education Actors and the Ethiopian National Disability Action Network (ENDAN). A wide range of partnership initiatives has started through the formation of coalitions.

Refreshed start

There is a refreshed start for previously struggling CSOs on rights, protection, gender and other thematic issues. CSOs that found it difficult to cope with the challenges of the previous proclamation are now widening their networks and presence. They are incorporating issues that were prohibited into their mandate upon registration.

¹¹ Proclamation 1113/2019 states that the registration of CSOs is permanent. There is no renewal of their registration.

¹² Foreign CSOs, donor organizations and some government organizations often request detailed information about CSOs for research, partnership or similar purposes. This exchange of information can benefit both parties.

Most CSOs interviewed indicated that they have included gender and human rights in their registration and also in projects and programmes being planned and implemented. Some have submitted funding proposals in such thematic areas for the first time since 2010.

Increasing voice and representation for CSOs

Improvements are evident in the Government's recognition of the roles of CSOs in peace, democracy and development. As an example, the Ministry of Peace, established following the reform in the country, recently announced that it has formulated a cooperative framework to work with CSOs on peace and democracy-building, elections and conflict-resolution. This framework was discussed in a consultative discussion with CSOs in February 2020. It reportedly consists of 10 areas with a good focus on human rights, women and children. The National Electoral Board has organized several consultative discussions with CSOs on the upcoming national election, again a good recognition.

Known CSOs on human rights (CEHRO, EWLA, the Association of Human Rights Institutes (AHRI), the Ethiopian Initiative for Human Rights or EIHR and EHRCO) have together pushed the Government to act to release reportedly abducted university students since December 2019. And membership in consortiums and networks has started to change for the better. Some, such as NEWA, have increased membership. CCRDA noted that members expelled following Proclamation No. 621/2009 due to their registration/mandate category are expected to re-join the network.

Limitations of the Current Law

While overall the new law is moving in a positive direction, there are also some early indications of its limitations.

The power given to ACSO is too broad in the dissolution of CSOs

The new proclamation has received positive feedback and appreciation from human rights organizations and international experts. United Nations human rights

experts jointly hailed its clear recognition of the right to operational freedom; the lifting of restrictions on finances considered foreign, particularly for those working on human rights; and the expansion of fund-raising capabilities. However, these experts also expressed concerns about some of the changes. This includes the extrajudicial power provided to ACSO in the dissolution of CSOs. They noted: The dissolution of an association is the severest type of restriction to the right to associate, and should be permitted only after a full judicial process when all appeals mechanisms have been exhausted (UNOHCHR, 2019).

Registration of CSOs is subject to ACSO approval

Registration is required for a CSO to operate, as per the new proclamations Article 60. Evaluating Article 60(1) against international standards and practices, international organizations and experts have expressed concerns that this should not be the case. Amnesty International, for example, argues that notifying ACSO should be sufficient to form a CSO, to acquire a juridical personality and to start operations (Amnesty International, 2018). The concern is that the article can be arbitrarily applied by ACSO to refuse registration to individuals and groups perceived as critical of the State. The 2012 UN Human Rights Council Report for the Special Rapporteur explicitly stressed that unregistered associations should be free to carry out any lawful activities in association with others, including peaceful assemblies, without fear of criminal sanctions (Kiai, 2012).

ACSO is given too much power in investigating CSOs

The power given to ACSO is not well elaborated, including in terms of when the agency should undertake investigations. Concern about this was reflected in the 2019 review by UN human rights experts. It stated that the investigative power given to the agency is too broad, permitting invasive governmental supervision of civil society organizations. Further, the Proclamation includes restrictive provisions requiring mandatory registration and burdensome auditing obligations (UNOHCHR, 2019).

The administrative cost share is high for some CSOs

The 20 per cent administrative cost share cap as a mandatory requirement may impede the ability of CSOs to independently execute their objectives and may affect those who have financial resource limitations.

Lack of clarity on areas of engagement against public morals

The new proclamation, although it has given CSOs latitude to operate on several issues that used to be prohibited, has an article that restricts them from engaging in aims or activities that are contrary to public morals (Article 59(1)(b)). No one contests the notion that CSO engagement should be for the public good. The statement in the proclamation, however, may affect the ability of some CSO to freely discuss or advocate on certain issues. Much depends on how the authorities define public morals. The Government may even refuse to register organizations whose aim or activities are contrary to public morals, which would impact the ability of organizations to conduct advocacy on sensitive topics.

CSO Registration Versus Operation

An ongoing issue in Ethiopia has been the significant difference between the number of CSOs registered and those actually in operation. According to a 2014 report from the Charities and Societies Agency, under the 2009 Proclamation, only 39 per cent of CSOs that were registered started projects, while the remaining 61 per cent were not in operation. Interviews conducted for this assessment suggested that newly established CSOs struggle to find funding, gain experience and meet human resources and other strategic needs to get off the ground.

While the current law may drive CSOs to register, the likelihood of starting actual operation is small, underlining a role for donors and international organizations to build CSO capacities, especially among those that are relatively new. The re-registration data from ACSO at the end of February 2020 already showed that younger CSOs were more likely not to re-register than older ones. Operating after registration is almost certain for foreign CSOs, although they have varied resources, technical capability and experience, from very limited to extensive.

There is a huge disparity between the number of registered CSOs and those that are operational.

Donors and international partner tend to favor more experienced CSOs over newer ones.

Re-registration is an issue that has met some criticism from various international organizations. They contend that CSOs who were registered/renewed their registration should not be called on again to pass through the same process. The volume of changes in the current law, compared to the previous one, including the nomenclature, typology, structure, bylaws, duration of the registration and many other areas, makes re-registration necessary, however. Further, the closure of CSOs has been high in past years. It is difficult to assume that all CSOs who registered/renewed their registration over the past three years still exist. One of the indicators for CSO closure was the failure to re-register/renew. CSOs registered/renewed after 2016 can be traced during the current re-registration process, which provides a good opportunity to determine an accurate number.

At the time of this mapping, the re-registration process had only seven days left. The number re-registered in that final period is likely not high. A total of 1,632 local and 310 foreign CSOs established before the current proclamation were re-registered. More than 600 CSOs were not re-registered. With the lifting of the restrictions in the previous law, there were no specific barriers for CSOs working on gender equality and women's empowerment, but around 292 CSOs in this area were not re-registered.

Table 2 shows significant variation between older and younger local CSOs in terms of the percentage re-registered per the current law. Approximately 54 per cent (902 out of 1,665) of local CSOs established before or during 2009–2010 were re-registered by the end of February 2020, compared to 38 per cent (730 out of 1,877) of local CSOs originally registered between 2011 and 2018. The data include CSOs closed each year before the enactment of the current proclamation.

Table 2: Numbers and Shares of Local CSOs Re-registered by Year of Registration

Year	2009-2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Number of Registered Local CSOs by Year	1665	343	378	245	185	180	190	155	201	3,542
Number Re-registered in 2019–2020	902	167	110	87	59	66	103	57	81	1,632
Percentage Re-registered	54	49	29	36	32	37	54	37	40	46

Source: ACSO.

For foreign CSOs, there is a similar tendency in the re-registration rate. Those operating by 2009–2010 were more likely (75 per cent) to re-register, compared to those

registered after that point (61 per cent) as shown in Table 3.

Table 3: Numbers and Shares of Foreign CSOs Re-registered by Year of Registration

Year	2009-2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Number of Registered Foreign CSOs by Year	256	23	23	28	23	33	19	24	18	447
Number Re-registered in 2019–2020	192	13	9	21	10	17	17	14	17	310
Percentage Re-registered	75	57	39	75	43	52	89	58	94	69

Source: ACSO.

The status of a considerable number of CSOs is unknown

Many CSOs are unreachable, with their contact information not working or their office location unknown. This mapping initially sought to reach 100 randomly selected CSOs through phone numbers obtained from ACSOs database. But fewer than 40 per cent were reached. Similar issues arose during the compilation of information from CSOs. Out of 288 CSOs called, only 110 were successfully contacted. There are several possibilities for this, including human error while filling forms or encoding data in the database, closure of CSOs after registration or re-registration, or changes in the contact details after some time (and failure to communicate the change to ACSO accordingly). Several CSOs were not in the physical location registered with the agency. The number of CSOs without offices could be high.

Representation and Diversity

CSO Proclamation No. 1113/2019 included safeguarding mechanisms for the interests of women, children, persons with disabilities, the elderly, and vulnerable and marginalized groups. In the proclamation, all CSOs established to work for the public or third parties are required to ensure the interests of these groups in how they operate. For the mapping, CSOs assessed this provision positively, indicating it will enhance focus on designing and implementing interventions that benefit these groups.

In terms of regional presence, an enormously disproportionate share of CSOs is found in Addis Ababa City, compared to other parts of the country. Among CSOs that were part of this mapping exercise, 78 per cent are in Addis Ababa, while three regions, Amhara, Oromia and SNNP, each have 5 per cent. No CSOs were in Gambella. Table 4 shows the distribution, but includes only the location of the main office, not branches or the full scope of operation.

Table 3: Numbers and Shares of Foreign CSOs Re-registered by Year of Registration

Regions	Number of CSOs
Tigray	15
Afar	6
Amhara	29
Oromia	28
SNNP	29
Benishangul Gumuz	5
Somali	9
Hareri	1
Dire Dawa	2
Addis Ababa	450

Source: ACSO, based on data through the end of February 2020.

More CSOs are based in Addis Ababa for the following reasons:

- CSOs currently and previously operating in the country are expected to be registered at the federal level, and not at the regional or local administration levels. CSOs identified in Addis Ababa and Dire Dawa include those that predominantly work on issues in those areas.
- The nine regions have their own registration mandates for those who work within a given region. Although this assessment has not looked at the data from all regions, it found that the numbers of CSOs at the regional and zonal levels in each region are high, especially in some regions like Amhara.¹³
- Foreign CSOs are mostly based in Addis Ababa because it is the capital and a hub for diplomatic and federal activities as well as Oromia regional political bases.
- More opportunities for CSOs seem to be in Addis Ababa compared to regional towns. These include opportunities to interact with the wider CSO community and higher-level government authorities, including the ACSO, and networks and umbrella organizations.
- Many CSOs believe that Addis Ababa gives them ease of access to other regions, especially if the CSO is going to work in many regions.
- There is a growth and expansion trajectory for some CSOs that were established and operating in regions. Several CSOs (such as Mahibere Hiwot in the Amhara Region) recorded a significant growth in their areas of operation, geographic coverage, resources and technical capacity, and as a result, expanded to other regions (including Addis Ababa).
- There is a tendency to engage or operate in more accessible, stable and secured areas, and Addis Ababa is one of these, even as it shares some

of the socioeconomic issues faced by Ethiopia at large. The fact that there are more needy groups and geographic areas outside of Addis Ababa contrasts with the fact that many CSOs still prefer to work in the capital for its ease of access and security.

- Many professional associations are established in Addis Ababa. CSOs with names beginning with the Ethiopian Society/Association... are started from Addis Ababa, even though they mobilize members from different regions.
- Aside from the issues stated in the above section, CSOs face constraints on designing and implementing projects to serve communities in remote areas. These include resource limitations/fragmentation, and a lack of an adequate collaborative environment at regional and local levels.

CSOs registered at the federal level serve a wide range of purposes that go behind making a development or social impact. More than 1,000 CSOs representing various groups and professional areas are currently registered, including for:

- Medical and para-medical
- Societies of accountants and auditors, bankers, insurance professionals, microfinance
- Societies/associations of students and people to study abroad, lawyers, journalists, theatrical artists, writers, free press, visual artists
- Societies of contractors, engineers, architects, aeronautical professionals, cabin crew, hotel professionals, chefs, firefighting and rescue, airport fire fighters
- Associations of patients (mental, diabetic, leprosy), the elderly, war veterans and families, retirees, friendship and alumni, producers and consumers

¹³ Yentisho and Ali (2014) indicated that there are more than 1,700 CSOs at the regional and zonal levels in the Amhara region.

Thematic Areas of Engagement

Currently, youth, women and children are the most targeted groups by CSOs. They are relatively more engaged in social services, economic empowerment, child affairs, professional services, agriculture, pastoral

development and environment, infrastructure, art and culture, violence against women and girls, youth and women (focused), emergency relief and refugee services, alumni and friendship, womens leadership and participation, and democracy and good governance (Table 5).

Table 5: Thematic Distribution of CSOs

Thematic Areas	Number of CSOs	Proportion (percentage)
Social Services	1,130	49.67
Economic Empowerment	338	6.07
Child Affairs	160	7.03
Professional	154	6.77
Agriculture, Pastoral Development and Environmental Protection	135	5.93
Infrastructure	135	5.93
Art and Culture	128	5.63
Others	100	4.4
Violence Against Women and Girls	82	3.6
Youth Focused	74	3.25
Women Focused	65	2.86
Emergency Relief and Refugee Services	62	2.73
Alumni and Friendship	43	1.89
Womens Leadership and Participation	31	1.36
Democracy and Good Governance	31	1.36

Source: Based on data from ACSO and selected CSOs.

In terms of UN Womens priority thematic areas, the focus of this mapping, Table 6 shows that the greatest number of CSOs, about 338, work on womens economic empowerment. The numbers are smaller in other thematic areas, specially leadership and political participation, and national development planning and budgeting. There

are far fewer CSOs working on ending violence against women than on economic empowerment. About 65 CSOs work on comprehensive empowerment, including ending violence against women, economic empowerment and other areas.

Table 6: Numbers of CSOs in UN Womens Priority Areas

UN Women Thematic Priorities	Number of CSOs	Proportion (percentage)
Womens Leadership and Participation	Leadership, political participation	31
Violence Against Women and Girls	Ending violence against women; harmful traditional practices; rehabilitation and re-integration services; medical, psychosocial or legal services; justice; human rights	82
Womens Economic Empowerment	Livelihood promotion and income-generating activities, employment creation, entrepreneurship, self-help groups, microfinance support/ access to finance	338
National Development Planning and Budgetingw	Data and statistics, economic research, consulting services	17
Womens and Girls Empowerment	Womens organizations that exclusively work on gender equality and womens empowerment	65

Gender Equality and the Empowerment of Women

The vast majority of CSOs reported an increasingly cross-cutting focus on gender equality in various thematic areas. Even though most CSOs claim to be working on gender equality and the empowerment of women, however, the extent to which they factor gender into the design, implementation, monitoring and evaluation of their interventions largely varies and is mostly inadequate. Only one in three CSOs contacted during this mapping has clear policies or guidelines for gender mainstreaming, both for the organizations structure and the programmes being designed and implemented.

While CSOs argue that gender equality should be ensured across all thematic areas, and it sounds as if they are moving towards making it a cross-cutting issue, gender-focused CSOs are still more effective in addressing the specific issues that women and girls face.

Gaps related to gender mainstreaming include:

- CSOs, even though they try to include gender considerations and womens empowerment, often lack capacities, tools and strategies to approach their programmes in a gender transformative way.

- There are diverse programming approaches across CSOs, even on similar issues. Not all CSOs design and implement projects based on available evidence.
- Duplication of efforts and resources occurs due to a lack of coordinated and collaborative approaches.
- There is a persistent failure to take advantage of available opportunities. Networking and collaborative mechanisms exist, both at the national and regional levels, and in relation to gender and womens issues, but the number of CSOs in these is very limited.

Partnership, Coordination and Networking Formal Networks and CSO Participation

Under the new law, there is far more space for cooperation and coordination among CSOs, but also between CSOs and businesses, universities and other key stakeholders. Funders have an important role to play in encouraging, facilitating and funding these relationships (Verschuuren et al., 2019). CSOs recognize the importance of increasing collaboration and coordination, but their membership and participation in known networks is not at a high level. For example, an

older umbrella in the country, CCRDA, currently has not more than 400 registered members (296 local CSOs), and only a few have paid their membership fees. And despite a higher number of members, CCRDA struggles with weak participation in different forums it organizes. Some 50 CSOs that signed up to be members were recently reported as untraceable.¹⁴

Other consortiums have smaller membership size, compared to their potential. By contrast, membership in NEWA has almost doubled within a year after the new proclamation. A smaller and more focused network seems more effective than the bigger networks. NEWA, after reducing its members to nine in the wake of the previous law, achieved more intensive interaction with individual CSOs. Another network, PHE, has recently shifted its approach from increasing membership and broadening the network to adding quality to membership, collaboration and collective engagements.

Regional and Global Engagement

Some regional or global networks that CSOs from Ethiopia have taken part in are:

- **Strategic Initiative for Women in the Horn of Africa (SIHA)** – A coalition of CSOs strengthening the capacities of women's rights organizations, and addressing women's subordination and violence against women and girls in the Horn of Africa.
- **African Women's Development and Communication Network (FEMNET)** – A pan-African, membership-based feminist network in Nairobi with over 800 members across 46 African countries.
- **The Girl Generation** – The Africa-led movement to end female genital mutilation.
- **Inter-African Committee on Traditional Practices** – Works on policy programmes and actions to eliminate harmful traditional practices in the African region and worldwide.

- **Girls Not Brides** – A global partnership of more than 1,300 civil society organizations committed to ending child marriage and enabling girls to fulfil their potential.
- **Federation of National Associations of Women in Business in Eastern and Southern Africa (FEMCOM)** – A Common Market for Eastern and Southern Africa (COMESA) institution established in July 1993 with the endorsement of Heads of State and Government of COMESA member states, under Article 155 of the COMESA Treaty.

Most CSOs are not involved at the regional or global levels. From the CSO side, reasons for low involvement include the lack of information on forums outside Ethiopia, limited guidance on how to join, a principal focus on project operation and being less interested in such opportunities. Regional and global forums have not made an adequate effort to increase the membership and participation of CSOs in Ethiopia. Some have no interest in increasing membership or participation.

Sustaining Support for CSOs

During the past decade, despite the repressive environment for CSOs, some initiatives made significant strides in mobilizing and supporting local organizations, offering financial and technical assistance. The CSSP, the Ethiopian Social Accountability Program (ESAP) and the Civil Society Fund (CSF) were the main examples. These multilateral partnerships effectively negotiated with the Government to secure a waiver so that grants provided to CSOs would be treated as domestic. This meant that CSOs in the category where funding was required to be 90 per cent domestic could receive resources for work on issues related to human rights, protection, gender and the like.

Even though they did not negotiate specific waivers with the Government, other donors and international organizations continued to work with CSOs. An example is the USAID Local Capacity Development Program,

¹⁴ According to the 2019 directory of CCRDA members.

implemented by the Kaizen Company. It supported CSOs that received grants and sub-grants from USAID's programmes in multiple sectors. CSOs had positive views on these and other relatively smaller support mechanisms and opportunities over the past several years. They highly appreciated opportunities that donors provided locally.

Under the new proclamation, CSOs indicated that some government offices were more collaborative and supportive of their work, while others continue blocking progress at different levels. The Ministry of Women, Children and Youth, for example, was mentioned as trying to engage on issues such as female genital mutilation, child marriage and child protection. On the opposite side, some government organs scrutinize CSOs based on negative opinions they hold. To improve the situation overall, CSOs, donors and higher-level government officials need to hold dialogues aimed at changing perceptions that arose over the past decade.

Other Outstanding Issues

Short-term priorities versus long-term strategies

A huge amount of CSO engagement seems oriented towards short-term and opportunity-based engagements, and less towards long-term, strategic engagements. CSOs, along with seizing available opportunities, need to exert more effort in ensuring long-term results through the cumulative effects of the short-term projects they are implementing.

Limited use of technology

CSOs hardly use information technology in connecting and disseminating information about their organizations, even as they have many documents in electronic and paper formats (profiles, reports and other knowledge materials). Among the CSOs mapped for this report, less than 25 percent of local groups have created websites, while only 15 percent of those were functional. Even CSOs with active websites have weak practices in continuously updating the contents or feeding in relevant

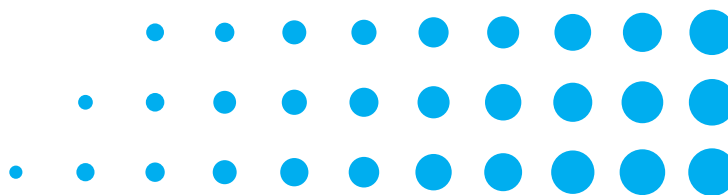
information. All foreign CSOs have websites, even though there are still gaps in terms of coverage of their work or updates from Ethiopian branches or offices.

An interesting trend among local CSOs is that they are increasingly using social media. More than 85 per cent have profiles or pages on Facebook. Over 50 per cent have relevant information about their organization, with continuous updates, while others rarely update their pages. As social media use becomes more prevalent in Ethiopia, CSOs can reach their audiences through it.

Cascaded effects of the previous law

The environment for CSOs has resulted in a negative cascade of effects. The restrictions, prohibitions and other measures taken by the Government have pushed them towards a certain position, including in technical and human resources. Change many take times, even after the legislative shift. Some CSOs reached for this mapping pointed out that they are not eager to work on human rights and election-related areas, with the perception that the Government may indirectly target them. They may need time and additional support to get up to speed in playing their roles. In other cases, cascaded effects may go down to the level that requires re-branding, restructuring and making other changes to get the best out of the current improvements in legislation.

5 Conclusions and Recommendations



Conclusions

CSOs make a visible contribution to Ethiopia, one acknowledged by the Government in the new proclamation, including in poverty eradication, service provision, capacity-building, and ensuring the rights and well-being of women, children and other vulnerable groups. Even if the number of CSOs has been increasing, however, it is low compared to other countries.

Proclamation 621/2009 was against basic human rights principles and concepts on CSOs and was seriously criticized by the Government itself. In operational guidelines for the new Proclamation 1113/2019, ACSO indicated that the earlier proclamation was one of the most repressive laws that Ethiopia had issued in the past decade, and that it affected the country's image globally (User Manual on Ethiopias CSO Law, 2019). The new law was needed to ensure freedom of association, enable the establishment of democratic society and enhance the role of CSOs in national development.

The negative impacts of the now repealed proclamation were far-reaching, touching on CSOs legal environment, organizational capacity, financial viability, advocacy and lobbying efforts, service provision, infrastructure and public image. It affected organizational structure, capacity and survival, and the development of the country. Closure, rebranding, diminished returns on the capacities of several CSOs and shifts in organizational direction resulted.

The Government, since the political reform in 2018, has shifted its approach to CSOs as part of broader changes in democratic and human rights, and political participation.

This new emphasis is exemplified by the proclamation approved in 2019. A repressive statute yielded to a more cooperative one that has already started to achieve positive impacts. With minor limitations, in the context of the country's legislative framework and international standards, the new proclamation is expected to broaden the horizon for CSOs. Several efforts, adjustments and collective actions are still expected from CSOs and other actors, however, to make use of the provisions as well as to turn the situation around and maintain a favourable environment with progressive changes.

Apart from repealing the restrictions, the current proclamation has introduced improved provisions that include but are not limited to the cost category definition, registration, resource mobilization, thematic areas of engagement and other requirements. These should help CSOs enhance organizational capacities and evidence-based programming and mitigate the challenges they face related to understaffing. CSOs also have roles in sustaining the positive changes that come through the new proclamation. These roles can be better played if and when CSOs act collectively. Existing and new networking and collaboration mechanisms should be strengthened and effectively used in this regard.

Some CSOs expressed concerns that prospective changes may reduce accountability and ethical engagement in the sector, due to the absence of adequate monitoring and control mandates for the registering authority. CSOs have several measures to take to increase their accountability, trust and reputation, as well as their public image. The new provisions should not be counterproductive or at the expense of basic principles, such as accountability and transparency.

Changes that CSOs should make include those in terms of better geographic and thematic distribution and diversification, taking into account needs, evidence and resources. The Government, donors and CSOs should continuously collaborate in reaching the neediest populations and providing services. Repairing damage to CSO capacity and public image also needs adequate attention. Restoring the reputation of CSOs is essential both to ensuring a vibrant and effective sector, and to building domestic sources of funding. More information needs to be publicly distributed about the importance and value of CSO work. Since few CSOs have allocated a budget for public relations work, this might be something integrated into future funding or facilitated by funders and northern CSOs.

Current perceptions within CSOs mostly tend towards an intent to leverage financial resources or funding from networking or participating in umbrella organizations. As a result, available opportunities have not been adequately used, and the networks are not getting adequate contributions from CSOs as members. A paradigm shift is required from the CSOs and umbrella organizations. Formal and informal networks should become more vibrant in reaching out, empowering members, mobilizing all actors and demonstrating increased engagement in collective actions that have a positive impact on CSOs at large.

CSOs currently can register at the federal level if they operate in more than one region or in one of the two city administration levels (Addis Ababa and Dire Dawa). Registration is also possible at the regional level in the other nine regions. Several CSOs (especially mass-based associations) are limited to one region but registered at the federal level (such as the Tigray Development Association, Amhara Women Association, Oromia Development Association, Sidama Development Association etc.). There are significantly more opportunities for those registered at the federal level.

Many CSOs have not become operational after registration, mostly due to a lack of financial resources. Starting to fill this gap requires viewing CSOs not only as a delivery outlet, but also as important institutions and participants in society. Furthermore, donors and supporters should not overlook the responsibility of empowering new organizations and building their capacities. They should not work only with those with existing experiences and capacities.

Development actors, including donors and the Government, should support CSOs to reach the neediest communities. The proclamation has included requirements for CSOs that work for the general public or third parties to ensure the interests of women, children, persons with disabilities, and other vulnerable and marginalized groups. There should be adequate needs identification, situational analyses and evidence applied in designing and implementing project interventions and the provision of services to these groups.

CSOs should pay sufficient attention to organizational capacity, long-term strategy development, and creating and strengthening systems to effectively capture, document and disseminate information and knowledge, as well as to better use information and communication technology.

A number of CSOs might have declined to re-register, especially those established and registered during 2017 and 2018. While the closure of CSOs under the previous law was associated with restrictive administrative and operational environments, the reasons this time are unknown. It is highly unlikely that this was due to the requirements of ACSO. Further investigation is warranted to understand this issue.

Recommendations

Based on the key findings presented in this report, and also the accompanying database of CSOs identified during the mapping, several recommendations can be made to CSOs, UN Women, and potentially other donors and the Government.

Recommendation for All Actors

CSOs and other actors should closely monitor implementation of the provisions in the latest proclamation in light of the overarching principles of organizational and operational freedoms. Improvements should be made on the limitations of the proclamation, either by revising it or through upcoming regulations and directives.

The Government of Ethiopia, CSOs and other actors should make sure that international standards and best practices are adequately addressed in the implementation of the legislation. They can:

- Build the capacity of CSOs and ensure compliance with the law without too much intrusion in the internal affairs of CSOs by the regulatory body.
- Ensure CSOs have the right to appeal decisions of the regulatory body in court.
- Ensure CSOs enjoy the full right to freely decide on the objectives they seek to accomplish.
- Define precise and limited justification for conditions under which ACSO can investigate and freeze the assets of CSOs and ensure judicial oversight.
- Replace the mandatory cap on administrative costs at 20 per cent of income with a non-mandatory best practice standard.
- Ensure that all foreign and domestic CSOs operating in Ethiopia are able to choose the areas they will work in and permit them to engage in lobbying and advocacy initiatives.
- Encourage and provide all necessary support for CSOs to expand their services and programmes in areas where their distribution is low.

Recommendations for UN Women and Donors

- UN Women and donors shall provide technical assistance and funding to facilitate a flourishing civil society movement. Support, funding and partnership engagements with CSOs should enable and sustain CSO capacities, and not just be aimed at achieving short-term development results. They should:
- Provide technical and financial support for CSOs to enhance their capacity for evidence-based programming, knowledge management, networking and strategic communication.
- Create or strengthen opportunities for collaboration, partnership and knowledge exchange between and among local and foreign CSOs.
- Advocate for and support CSOs in increased engagement in thematic areas prohibited in the previous law, such as human rights, participation, promotion of gender equality and related areas.
- UN Women should continuously update and supplement the information gathered through this mapping, in order to have relevant information that can serve as an input for engaging with CSOs.

Recommendations for CSOs

In light of all the improvements in the proclamation, several are expected from CSOs, including:

- Generate awareness and advocacy for the revision of laws, policies and processes on issues that matter to civil freedom, rights and well-being.
- Promote and monitor the rights of vulnerable groups (particularly women, children and persons with disabilities), including through legal aid services.

- Conduct civic and electoral education, support political party debates, and enhance electoral awareness and election observation.
- Promote rights-based development, awareness of rights, accountability, ownership in areas of public concern and sustainable development.
- Carry out research on policy issues and support the development of a democratic culture through public debate and discourse.
- Enhance volunteerism (e.g., internships) and giving back to society.
- Mainstream gender-sensitive approaches in all aspects of human rights work and highlight and advocate for the protection of marginalized human rights defenders by reporting and recognizing their work.

CSO engagement should not be concentrated only in development programming and service provision. CSOs should reconsider, revisit and reshape their roles, and attempt to address other important dimensions. This report proposes five: support, participate, inform, inquire and serve as watchdogs.

CSOs can inform the Government and other actors with evidence, so that policy decisions and actions are based on ideas, reason and realities. They can ensure maximum public benefit, nurture the culture of volunteerism and support the Government in development effectiveness, democracy and governance. When CSOs play watchdog roles, they will make instrumental contributions to ensuring that government programmes for development as well as legislative, budget and policy processes are well executed.

CSOs should actively participate through meaningful representation in collective and coordinating mechanisms, including ACSO, the CSO council, and other national and regional forums and networks. They should proactively assess, identify, build and maintain partnerships. There is a need to regularly update their profile and contact details.



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To view the content of the Matrix containing the Name, Contact Person and Thematic focus area of listed CSOs please use the below link:

<https://docs.google.com/spreadsheets/d/1NFcUyYUtX55aQ8Hm3Z8pZ-OKIRo2JzP02GTiU5-G6Kk/edit?usp=sharing>

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