

**Ethiopia Post-Election: Escalating Violations Against Human Rights Defenders,
Journalists, Nonviolent Student Protesters, and Political Opposition**

Testimony before

House Subcommittee on Africa, Global Human Rights and International Operations
Presented by Lynn Fredriksson, Advocacy Director for Africa, Amnesty International USA
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Chairman Smith, Congressman Payne, and distinguished Members of the Subcommittee, I would like to thank you for holding this important hearing and for allowing Amnesty International this opportunity to address rising concerns over the deteriorating state of human rights in Ethiopia since last year's elections.

Introduction: The Need for Political Freedom

While the U.S. Department of State recently included in its Country Report on Human Rights Practices in Ethiopia that "Ethiopia continued its transition from a unitary to a federal system of government," it also included a detailed depiction of deteriorating human rights conditions throughout the country. In a dismissive response to that report the Government of Ethiopia issued a statement protesting that it "gives special attention to respect for human rights as enshrined in the national constitution." We have seen little such attention since the May 2005 elections.

Amnesty International is increasingly concerned that the Government of Ethiopia is systematically violating its citizens' most basic political freedoms. We are particularly concerned that the government and ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) party have not allowed members of political opposition parties (including elected parliamentarians), human rights defenders, independent journalists and other citizens their basic human rights of speech, press, assembly and association. The security forces have committed serious human rights violations with impunity against demonstrators and political detainees. A parliamentary commission appointed by the Prime Minister to investigate shootings by security forces and violence by opposition demonstrators in June and November 2005 (when excessive force appeared to have been used by security forces) has not yet reported on these abuses and their circumstances. There are doubts whether it has conducted or will conduct impartial and independent investigations to which members of the public can freely and safely give testimony.

The U.S. Government has provided a range of assistance to the Government of Ethiopia beyond critical Economic Support Funds (ESF), Child Survival and Health (CSH) and Transition Initiatives (TI) funding, including Foreign Military Financing (FMF) and International Military Education and Training (IMET). But our government barred the sale of Humvee military vehicles to Ethiopia after it used previously purchased vehicles to allegedly quash political protests late last year. We also note that in January the British Government cut off \$88 million designated for Ethiopia due to concerns about governance and human rights issues arising after the elections.

Background

In early 2005, leading up to the May 15 elections, despite ongoing human rights violations often linked to the ongoing internal armed conflicts in the Oromiya and Somali Regions, Ethiopia appeared to be turning a corner. Ethiopian Prime Minister Meles Zenawi sat on Tony Blair's Commission for Africa considering issues related to political transparency and accountability, economic development, anti-corruption measures, human capacity building and the enhancement of human rights in Africa. The Government of Ethiopia was allowing some international press access and space for political opposition rallies, particularly in Addis Ababa, although considerable intimidation of opposition parties and supporters in certain rural areas was being reported. The Government of Ethiopia also established an early warning system to monitor drought conditions with international donors.

Yet since the disputed elections, as accusations of electoral fraud emerged along with demonstrations in protest, government officials have greatly increased the level of political repression, including arbitrary arrests and detention, torture, extrajudicial killings, repression of ethnic minorities, intimidation of students and teachers, suppression of press freedom, and the less well-reported practice of targeting peaceful political opposition in the countryside (outside the gaze of the international community).

In June, 36 demonstrators were killed and dozens wounded on the streets of Addis Ababa. In November, after final election results were announced (with opposition candidates winning one-third of all seats) at least 42 people were killed in Addis Ababa in demonstrations, apparently planned to be peaceful, which turned violent. Seven police officers were also reportedly killed.

After the June incident, tens of thousands of people were arbitrarily arrested, detained for several weeks without charge, subjected to ill treatment, then provisionally released, particularly at the Dedessa Detention Center in Western Oromiya.

CUD leaders and several thousand suspected CUD supporters were also arrested in November. More were arrested in student demonstrations in December, and since then as well. Although some 8,000 or more detainees have been provisionally released, many thousands more are believed to still be held in incommunicado detention. The CUD leaders and others are now on trial on charges of "treason" and "genocide," and many other opposition activists could also face trials whose fairness is not assured.

Escalating Violations of Human Rights: Arrests and Detentions

Amnesty International holds that the charges of "treason," "outrages against the Constitution," "organizing and inciting armed rebellion" and "acts of genocide"¹ levied against some 131² CUD leaders, human rights defenders and journalists (most of whom are in physical custody) have no merit. The charges carry possible death sentences.

¹ Based on accusations of harming and trying to isolate certain members of the Tigrayan ethnic group, which bear no relation to international definitions of genocide.

² Now 115 since charges were dropped against 18.

Though we welcome the recent release of 18 detainees (including five who work with the Voice of America) on March 22 of this year, we do not believe the Ethiopian judiciary should be allowed to “maintain its right to re-institute charges against them.”³

Amnesty International maintains that these parliamentarians, human rights defenders and journalists—and possibly all of the accused—are prisoners of conscience who have not used or advocated violence and should be released immediately and unconditionally.

These prisoners of conscience, who were peacefully exercising their rights to freedom of speech, association, assembly and press, include:

Hailu Shawel (70), president of the CUD

Professor Mesfin Woldemariam (75), former chair of the Ethiopian Human Rights Council (EHRCO)

Dr. Yakob Hailemariam, former UN Special Envoy and former prosecutor at the International Criminal Tribunal for Rwanda

Ms. Birtukan Mideksa, former judge and CUD vice president

Dr. Berhanu Negga, recently elected mayor of Addis Ababa and professor of economics

Daniel Bekelle, anti-poverty activist working for ActionAid, an international development NGO

Netsanet Demissie, anti-poverty activist heading the Organisation for Social Justice in Ethiopia (OSJE)

In addition, on March 20, 33 people including *Kifle Tigeneh*, an elected parliamentarian, and seven elected members of the Addis Ababa City Council were charged with treason in a separate but related trial. Several defendants in this case complained of torture in police custody and denial of medical treatment for torture injuries. A CUD lawyer, *Berhane Moges*, was remanded into custody for an additional two weeks and may be put on trial, as may other CUD supporters still in detention in different places.

Three investigators from the EHRCO were also detained for a month in June.

A number of these detainees have traveled to the U.S., taught at our universities, lived in our communities. Their plight is of great concern to many of our own citizens.

The latest trial proceedings began on February 23 before the Federal High Court. Many of the defendants have refused to plead and refused legal defense, in protest. Not guilty pleas were entered on their behalf. Only ActionAid, OSJE and an official from the Ethiopian Teachers Association are presenting defense through legal counsel. The prosecution is scheduled to commence with its case on May 2. The defendants are currently being held at the Kaliti Prison on the outskirts of Addis Ababa with restricted access to their families and reports of possible ill treatment (such as delays receiving medical attention). Amnesty continues to closely monitor the trial proceedings to assess their adherence to international standards.

³ We are also pleased to confirm that prisoner of conscience Amha-Yesus Gebre-Yohannes was released in February after serving 11 years of a 17 year sentence.

Another set of trials also warrants mention. We have learned that the trials of the former pre-1991 Dergue government and ex-President Mengistu Hailemariam (in exile in Zimbabwe) are nearing completion, although other “Red Terror” trials continue. While we are pleased that the Government of Ethiopia charged and tried members of Mengistu Hailemariam’s brutal 17-year regime, their trials on capital charges have taken over 13 years to complete.

Amnesty International urges the Government of Ethiopia to refrain from use of the death penalty in these trials, and to observe a moratorium on executions, with a view to its eventual abolition.

Human Rights Violations among Specific Populations

A number of specific populations have been heavily targeted by the Government of Ethiopia, including students, human rights defenders, journalists, members of political opposition groups, and ethnic minorities (briefly examined below).

I. Students

College and high school students have been subjected to intimidation, police brutality and arbitrary detentions at election-related and other political demonstrations, particularly in Addis Ababa Amhara, and Oromiya, leading to closures of many educational institutions.

Tens of thousands of young people from Addis Ababa were arrested in November and taken to Dedessa Detention Center where many of them have been held for months without charge, medical attention reportedly regularly withheld.

II. Human Rights Defenders

Members of the Ethiopia Human Rights Council (EHRCO) have been detained, and the organization’s activities have been generally restricted. The government and EPRDF have been demonstrating a generally adversarial attitude toward human rights organizations and individual human rights defenders, monitoring and restricting their activities. Civil society activists from ActionAid, OSJE and the Ethiopia Teachers Association are among the accused in the CUD trial. Several others have fled the country.

III. Journalists

Press freedom has been significantly curtailed since last year’s elections. Fourteen journalists are among the accused in the CUD trial. Several private newspapers have been shut down completely. Also troubling is the government’s attempt to censor international press, as evidenced by the initial inclusion of five Voice of America employees (naturalized U.S. citizens from Ethiopia) among the original 131 accused of “treason” and “acts of genocide.” Print journalists have been frequently

imprisoned under the 1992 Press Law, and a disturbing new press law is currently being prepared.

IV. Political Opposition

Leaders of the main opposition party, the Coalition for Unity and Democracy (CUD), remain behind bars. Many newly elected CUD candidates have chosen to boycott the Parliament and Addis Ababa City Council. Though the United Ethiopia Democratic Forces (UEDF) parliamentarians have chosen to assume their seats, they have indicated strong doubt about their influence and have criticized the detentions of CUD parliamentarians, whose parliamentary immunity has been withdrawn.

Additionally, peasants in many areas rejected the EPRDF in elections last May, despite intimidation. Now many are facing well organized attempts to punish them for their decision. Besides pre-dawn raids in which young men are pulled from their villages and beaten, peasants are being denied access to seeds, fertilizer and credit by way of retribution.

V. Oromo and other Minority Groups

In the Oromo and Somali regions where armed opposition groups are active in particular areas, members of the Oromo and Somali ethnic groups (known in Ethiopia as “nationalities”) have frequently been targeted for human rights violations including arbitrary detentions, torture, “disappearances” and extrajudicial executions, on suspicion of links with armed groups based in Eritrea. Few have been charged or brought to court.

Thousands of school students were arrested in the Oromiya region in November after demonstrating against the government and calling for the release of Oromo political detainees, particularly Diribe Demissie and other leaders of the Mecha Tulema Association (MTA). The MTA is a long established and legally recognized Oromo community association whose leaders have been detained since 2005. They are currently on trial and accused of links with the OLF, which they deny.

In the remote and extremely underdeveloped Gambella Region on the southwestern border with Sudan, rights to free speech and assembly are still affected by the killing of hundreds from the Anuak ethnic group in December 2003. In March of 2005 six soldiers were charged with those killings. Some 900 are still detained in this region.

Finally, some 42 members of the Ethiopian Orthodox Church were arrested, two killed and several injured, during Church celebrations of Timket in January of this year. However, such targeting of the Ethiopian Orthodox Church has been occurring for at least 18 months.

Additional Human Rights Violations

The EPRDF also took steps to extend political control through increased surveillance and intimidation tactics. Beginning in 2004 the EPRDF developed two sub-levels of political organization below the kebele, the gott and the garee. Essentially every rural kebele is divided into groups of 60-90 households called gotts, and these are further divided into groups of 10-20 households called garees. Each administrative office is then staffed by EPRDF supporters tasked with reporting all household activities. The political implications of this are ominous.

Escalation over Border Demarcation with Eritrea

The backdrop to these increasing human rights violations is the country's continued border dispute with Eritrea since the 1998-2000 war. Ethiopia has said it accepts in principle the international border commission's ruling, which includes stipulation that the small border town of Badme, the flashpoint of the war, is situated in Eritrean territory. But the Government of Ethiopia has called for further negotiations. Eritrea has refused, and severely restricted UN peacekeeping operations in the border zone. Amnesty International fears that there would be massive violations of human rights law and humanitarian law (the Geneva Conventions) in the event of any renewed armed conflict.

Threatened violence and political uncertainty are already having dire effects on the livelihood, health and right to movement of the local populations. We therefore encourage the State Department to continue to promote resolutions to this dispute, including pressing the Government of Ethiopia to do everything in its power to avoid violence to protect human rights.

Recommendations

Amnesty International calls on the Government of Ethiopia to:

- Ensure a thorough, impartial and independent investigation into the killings of demonstrators by security forces (as well as violence against security forces) on June 8 and in early November 2005. This should include: taking evidence from the public as well as members of the security forces; guarantees of safety for witnesses; investigation into the excessive use of force by security forces, arbitrary incommunicado detentions without charge or trial (contrary to Ethiopian law); and reports of torture and ill treatment of some detainees. A report and recommendations should be made public in a reasonable period of time.
- Immediately and unconditionally release all prisoners of conscience detained in Ethiopia, including members of parliament, human rights defenders, independent journalists and nonviolent student protesters.
- Ensure a fair trial according to international standards to all detainees against whom charges are maintained.

- Ensure that all political detainees are treated humanely in custody in accordance with international and regional standards for the treatment of prisoners, with particular regard to medical treatment, family visits and communications, and permission for reading and writing materials.
- Recognize and respect the right to freedom of speech, assembly, association and press, as set out in the Ethiopian Constitution, and international and regional human rights treaties to which Ethiopia is party.
- Respect the legitimate role of Ethiopian human rights defenders and civil society activists and their counterparts in international organizations.

Amnesty International calls on the Government of the United States to:

- Support these recommendations to the Government of Ethiopia, and make human rights central to U.S. relations with the Government of Ethiopia and Ethiopian civil society.
- Instruct the Acting U.S. Ambassador to Ethiopia to take actions necessary to successfully press the Government of Ethiopia to release all prisoners of conscience immediately and unconditionally, including the above named prisoners of conscience.
- Actively monitor all political trials in Addis Ababa and other places in Ethiopia, demand that they fulfill international standards for fair trials, and actively monitor the treatment of prisoners of conscience and all political detainees.
- Continue to press the Government of Ethiopia to do everything in its power to avoid conflict with Eritrea to protect the human rights of all those living on the border.
- Continue to provide humanitarian assistance required to support the basic human rights of the Ethiopian people.