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ETHIOPIA

FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

Head of state: Girma Wolde-Giorgis

Head of government: Meles Zenawi

Death penalty: retentionist

International Criminal Court: not ratified

There were a number of political trials of opposition party leaders, journalists and human rights defenders. A parliamentary commission reported that the security forces did not use excessive force when they killed 193 demonstrators in 2005, but defecting commission leaders said there had been excessive use of force but that their findings had been changed by the government. Scores of people were detained and some reportedly tortured for opposition activities. Civilians were detained and some were tortured or killed in the armed conflicts in the Oromia and Somali regions, and also in Gambella region. Thousands of political detainees arrested in late 2005 were released but several thousand others still remained in detention without charge or trial. The "genocide" trial of the former Dergue government (1974-1991) ended in December after 12 years with convictions of 33 members in court and 25 others in their absence, including former President Mengistu Hailemariam. Several death sentences were passed by courts but there were no executions.

Background

Five million people were dependent on emergency food aid, especially in the drought-affected Somali region.

The government continued to face armed opposition from the Oromo Liberation Front (OLF) and Ogaden National Liberation Front (ONLF), both based in Eritrea. Ethiopia supported the armed Sudan-based Eritrean Democratic Alliance (EDA).

Ethiopia sent military assistance to Somalia's Transitional Federal Government (TFG), contravening a UN arms embargo, to support it against the forces of the "Islamic Courts", which captured the capital, Mogadishu, in June and extended control over most of central and southern Somalia. In October, Ethiopia increased military assistance to the TFG after the Council of Somali Islamic Courts (COSIC) declared jihad (holy war) against Ethiopia. After increasing clashes with COSIC forces, the large Ethiopian force defeated COSIC in several days of fighting in December, and took control of Mogadishu. It placed the TFG force in power and pursued fleeing COSIC fighters to southwestern Somalia.

The UN Security Council extended until January 2007 the UN Mission in Ethiopia and Eritrea (UNMEE) but criticized the stalemate in negotiations over the contested border. Ethiopia said it accepted the International Boundary Commission's judgment following the 1998-2000 armed conflict, but refused to implement it.

The National Human Rights Commission, legally established in 2004, held a first workshop for non-governmental organizations (NGOs) in mid-2006. It had not started operating by the end of the year.

Political trials

Following the disputed May 2005 elections and mass arrests of opposition party activists, leaders of the Coalition for Unity and Democracy (CUD), journalists and civil society activists were brought to trial in May. They faced charges including treason, outrage against the Constitution and other capital charges. The 76 defendants included Hailu Shawel, the CUD president, Berhanu Negga, an economics professor, and Mesfin Woldemariam, a retired geography professor. In addition, 34 prominent Ethiopians in exile were charged in their absence. Five Voice of America radio journalists who were US citizens were among nine defendants discharged before the trial started.

All but three defendants refused to defend themselves on the ground that they did not expect a fair trial. The trial had not concluded by the end of 2006. AI considered they were prisoners of conscience and sent a trial observer in October.

Four other CUD-related trials on similar charges were not completed at the end of the year. In the trial of Kifle Tigeneh, an elected member of parliament, and 32 other people, some defendants complained in court that they had been tortured to make false confessions. Berhane Mogese, a lawyer, was on trial with 22 others.

A separate trial of Mesfin Woldemariam and Berhanu Negga continued. They were accused of instigating violence during demonstrations at Addis Ababa University in 2000.

Journalists

Fourteen independent press journalists arrested in November 2005 were tried with the CUD leaders. Kifle Mulat, president of the Ethiopian Free Press Journalists Association, was charged in his absence and sought asylum abroad. Two other journalists, Solomon Aregawi and Goshu Moges, were tried in separate capital cases.

All private newspapers which had criticized the government in connection with the elections remained shut down. Many journalists fled the country.

- Frezer Negash, a reporter for a US-based website, was arrested in February when three months pregnant, but released on bail two weeks later.

At least four journalists were charged under the Press Law in connection with alleged offences committed some years previously.

- In March, Abraham Gebrekidan of Politika magazine was jailed for a year for allegedly publishing false information.

A new Press Law, proposed by the government in 2003 to replace the 1992 Press Law, was still under debate. Combined with provisions in the new Criminal Code of May 2005, it could lead to further legal restrictions on the freedom of the media and imprisonment of journalists.

Human rights defenders

Among defendants in the CUD trial were four human rights defenders: Professor Mesfin Woldemariam, former president of the Ethiopian Human Rights Council; Daniel Bekelle, a lawyer and staff member of ActionAid; Netsanet Demissie, chair of the Organization for Social Justice in Ethiopia; and Kassahun Kebede, an Ethiopian Teachers Association (ETA) official.

Two ETA officials were arrested in October without explanation but released on bail after some days. Three other officials were arrested in December and allegedly tortured. The ETA, Ethiopia's longest-established trade union, continued to contest court actions by the Ministry of Justice to ban it and replace it by a pro-government organization bearing the same name.

Political arrests

Dozens of people were arrested in Addis Ababa in late 2006 for possession of a book secretly written in prison by Berhanu Negga or a calendar containing images of the CUD prisoners and calling for civil disobedience.

- Yealemzawde Bekelle, a lawyer working for the European Commission in Addis Ababa, was arrested in October, reportedly after being named by a tortured prisoner. She was released on bail after eight days' incommunicado detention.

Several thousand opposition supporters detained in different parts of the country after the November 2005 demonstration were released on bail after some weeks or months in detention without charge. However, some thousands were believed to be still detained without charge or trial during 2006.

Detentions and killings in the regions

In the Oromia region, there were large-scale arrests in different areas during anti-government demonstrations, particularly by school and college students. Some protesters called for the release of Diribi Demissie, a Mecha Tulema Association community leader on trial since 2004. He and his co-defendants were charged with supporting the OLF, but AI considered them prisoners of conscience. Hundreds of Oromo people detained in November 2005 were reportedly still held

during 2006 without charge or trial, as well as others detained in previous years for alleged OLF connections.

Numerous people accused of ONLF connections were reportedly detained in the Somali region, and many political prisoners arrested in previous years were still held without charge or trial. Extrajudicial executions were also reported.

In Gambela region in the southwest, there were scores of arrests of members of the Anuak ethnic group. Hundreds of people arrested during mass killings in Gambela town in December 2003 were still detained without charge or trial.

Some 60 peaceful demonstrators belonging to the Sidama ethnic group in the southern region were arrested in Awassa and other southern towns in March. They were all released on bail by May.

Commission of inquiry

In March parliament established a Commission of Inquiry to investigate the killings during the 2005 demonstrations. The Commission, headed by a judge, took evidence from the public and NGOs and interviewed CUD leaders in prison. In July, the Commission's chairperson fled the country and his replacement did the same in September. They alleged that the Prime Minister had instructed them to change their finding - that the security forces had committed excessive force - which they were not willing to do.

In November the report presented to parliament stated that the Commission had found no evidence of excessive use of force by the security forces. The list of people killed numbered 193, including six police officers, far more than the 78 reported by police. The Commission found that 765 people, including 99 women and several children, had been wounded, almost four times the police figure.

Victims had been shot by army or police bullets, some in the back while escaping and others possibly targeted by snipers. At least 17 people imprisoned earlier in Kaliti prison, mostly on remand for ordinary criminal offences but also some political prisoners, were shot dead in their cells at the same time on suspicion of supporting the demonstrations and trying to escape.

Torture and ill-treatment

Torture was reported by methods including electric shocks and beatings on the feet while tied upside down. The victims were political prisoners, particularly those detained on suspicion of supporting armed political groups such as the OLF and ONLF.

- Alemayehu Fantu, an engineer and supermarket owner in Addis Ababa, was reportedly tortured in October to make him admit to publishing or distributing the CUD calendar, and to name others. He was taken to court with visible injuries, which the judges did not investigate, but released on bail on November.

Several of the CUD leaders held in Kaliti prison in Addis Ababa were at first denied medical treatment for illnesses contracted as a result of harsh and unhygienic prison conditions. Professor Mesfin Woldemariam, aged 76, was refused physiotherapy for back and leg complaints. There were fears for his health as a result of his hunger strikes in December 2005 and February 2006. He recovered quickly, however, after being treated in hospital for pneumonia in September. There were serious delays in provision of medical treatment for Hailu Shawel for eye surgery, and Berhanu Negga for a heart complaint.

- Serkalem Fasil, a journalist who was seven months pregnant, was taken to hospital to give birth, but denied intensive care treatment for her baby son. She was returned to prison soon after the birth, taking the baby with her.

Four prisoners of conscience were moved as punishment to the Central Prison (Karchele), which was in the process of demolition. CUD leaders Muluneh Eyuel and Amanuel Araya and journalists Eskinder Negga and Sissay Agena were kept for over two months in dark underground cells in solitary confinement.

Dergue trial

The trial of members of the 1974 military government known as the Dergue ended in December after 12 years. Of the 72 people originally charged, 33 had been in custody since 1991, 14 others had died in custody and 25 were tried in their absence, including former President Mengistu Hailemariam, who had asylum in Zimbabwe. All were found guilty of capital offences including genocide and mass killings, with sentencing due in 2007. The long series of other trials of officials of the former government for killings during the "Red Terror" campaign against "anti-revolutionaries" in 1977-79 was nearly completed. Many defendants were jailed for long periods (which most had already served, leading to their release) and several death sentences were imposed. Many convictions went to appeal.

Violence against women

According to Ethiopian women's organizations, violence against women through domestic violence, rape and harmful traditional practices, including female genital mutilation and early marriage, remained widespread. Female genital mutilation was prevalent among many ethnic groups of different faiths in remote rural areas and abductions of girls were associated with early marriages.

Death penalty

Ten death sentences for ordinary crimes were commuted by presidential clemency in September. Several other death sentences for alleged politically related violent crimes were still in force. There were no executions.

AI country reports/visits

Report

- Ethiopia: Prisoners of conscience on trial for treason - opposition party leaders, human rights defenders and journalists (AI Index: AFR 25/013/2006)

Visit

An AI observer attended the CUD trial in October.