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Ethiopia: Trial of opposition leaders, human rights defenders and journalists continues

One year after their trial opened in Addis Ababa on 2 May 2006, 48 members of the opposition Coalition for Unity and Democracy (CUD) party, human rights defenders and journalists are still in prison. Most charges carry possible death sentences. They are on trial for allegedly inciting violence in opposition demonstrations in 2005 protesting alleged electoral fraud. The demonstrations started peacefully but ended in clashes with government forces that shot dead 187 demonstrators.

Amnesty International reiterates its call for the immediate and unconditional release of those defendants whom it considers are prisoners of conscience who have not used or advocated violence and were peacefully exercising their right to freedom of expression, association and assembly, as guaranteed by the Ethiopian Constitution and international human rights treaties which Ethiopia has ratified. They include:

CUD leaders -- some of whom were elected to the federal parliament or Addis Ababa city assembly -- for example Dr Berhanu Negga, an economics lecturer, Dr Yakob Hailemariam, a law professor and former UN prosecutor for the International Criminal Tribunal for Rwanda, Ms Birtukan Mideksa, a lawyer and former judge, and retired geography professor Mesfin Woldemariam, founder and former president of the Ethiopian Human Rights Council, among others;

two civil society activists and human rights lawyers -- Daniel Bekele, policy manager of the Ethiopian office of ActionAid, the international development agency, and Netsanet Demissie, founder and director of the Organization for Social Justice, an Ethiopian NGO;

seven journalists from the independent media who are charged on the basis of published articles which to Amnesty International's knowledge did not advocate violence.

Amnesty International is examining the evidence presented against other CUD officials and members who may also be prisoners of conscience.

Amnesty International is also concerned about issues of fair trial and the possible imposition of the death penalty.

Of an initial list of 111 defendants, 76 had been on trial since May 2006, with 25 exiles being tried in their absence. On 10 April 2007, 28 defendants were freed when the judges ruled they had no case to answer after the prosecution had presented its case. Amnesty International welcomes the release of several prisoners of conscience among them, who included seven of the 14 journalists from the private media, one of whom, Serkalem Fasil, was six months pregnant when arrested and denied adequate medical care - she gave birth to a son three months later in custody; and Kassahun Kebede of the Ethiopian Teachers Association. Several other CUD members were also released.

Charges of treason and "attempted genocide" which had been laid against most CUD officials were all withdrawn. Other charges were withdrawn from some defendants. Five exiles still remain on trial in their absence.

Up to now, all the CUD defendants and journalists have refused to defend themselves, on the grounds that they did not expect a fair trial. However, some are reportedly now considering whether to present a defence. The judges have agreed to some defendants' request for court documents and access to defence counsel to enable them to decide whether to present a defence. Currently only Daniel Bekele and Netsanet Demissie are represented by legal counsel.

Amnesty International is also concerned about three other concurrent and related trials which are proceeding in Addis Ababa against dozens of other CUD members, some of whom are or may be prisoners of conscience. On May 8 a court is due to rule on whether elected member of parliament Kifle Tigeneh, a prisoner of conscience, has a case to answer on charges similar to those in the main CUD trial. Judges have ignored complaints by several co-defendants that they were tortured.

Background

All were arrested in November 2005 and have now been in prison for 18 months. In several days of demonstrations in June and November 2005, government security forces shot dead 187 people and wounded 765 people, including 99 women and several children. Six police officers were killed in the clashes with demonstrators.

Separately from the trial, a parliamentary inquiry was established in December 2005 to investigate the same disturbances. It reportedly initially concluded that the security forces had used excessive force. However, the chair and vice-chair of the inquiry fled the country after allegedly receiving threats aimed at making them change their findings. The remaining members endorsed a report submitted to and accepted by the parliament in October 2006 that the actions of the security forces had been "legal and necessary". No member of the security forces has been arrested or charged with any offence.

The defendants are all held in different sections of Kaliti prison on the outskirts of Addis Ababa. Conditions in the worst sections are harsh, with severe overcrowding, inadequate sanitation and poor hygiene. Correspondence is prohibited and private consultation with lawyers is not allowed. However, families can send food, books and small items.

The principal remaining charge is "outrages against the constitution". Several CUD defendants are also still accused of "obstruction of exercise of constitutional powers" and "impairing the defensive power of the state". The charge of "inciting or organising or leading armed rebellion" has been withdrawn from most defendants.

Amnesty International continues to monitor the trial closely, and has been able to send observers to attend some of the proceedings. The trial is in open court, with defence representation allowed and the right of appeal to a higher court. Amharic-English interpretation is provided by the court for trial observers and others.