

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: ETH34786
Country: Ethiopia
Date: 11 May 2009

Keywords: Ethiopia – Kinijit Party – Coalition for Unity and Democracy – Policies – CUD officials in 2005 – 2005 election results – Post-election demonstrations – Treatment of detainees at Dedesa – Current treatment of returnees

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Questions

- 1. Please provide information outlining the major policies of the Kinijit Party in their 2005 election campaign.**
- 2. Please advise what positions were held by party officials Dr Berhanu Nega, Hailu Shawel, Burtukan Mideksa and Ledutu Ayallu. Please provide any relevant information concerning their profile prior to the 2005 election.**
- 3. Please provide information concerning the 2005 election results, including the number of seats won by parties.**
- 4. Please advise if there is a record of post-election demonstrations and if so where were these primarily held?**
- 5. The military camp at Dedesa was known to be used to house the overflow of arrested protesters in 2005. Over what period of time did the arrests of protestors occur?**
- 6. Are there reports of any major prison break-outs or escapes from Dedesa at the end of 2005? Are there any reports of executions or other deaths of protesters imprisoned there and if so, how many?**
- 7. Are there any reports that failed asylum seekers who return to Ethiopia are subject to adverse treatment on their return?**
- 8. Deleted.**

RESPONSE

- 1. Please provide information outlining the major policies of the Kinijit Party in their 2005 election campaign.**

A recent RRT Research Response dated 14 April 2009 provides information on the policies of Kinijit – also known as the Coalition for Unity and Democracy, or CUD – in the lead-up to the elections in May 2005 (RRT Research and Information 2009, *Research Response ETH34682*, 14 April – Attachment 1).

That previous response refers to a report dated August 2007 that discusses CUD policy perspectives as follows:

By fall 2004 opposition political parties had formed coalitions based on differing policy perspectives and nationalist visions. The main political parties – including the EPRDF, the United Ethiopian Democratic Forces (UEDF), and the Coalition for Unity and Democracy (CUD), as well as smaller parties such as the Oromo Federalist Democratic Movement (OFDM) – campaigned on specific promises and policy positions. The relative success of opposition political parties after a short organizing period indicates openness in the political process that was unprecedented in the country’s modern history, as well as deep resentment toward the EPRDF that had been building for some time.

...

For the first time public debates between high-profile candidates of the main political party coalitions provided a forum for discussion of some of the most controversial and important political issues, including land ownership, economic development, language and education policy, and ethnic self-determination. Particularly important were provisions of the Constitution, including Article 39, which grants “self-determination up to secession” for members of ethnic communities, and those relating to land, which has been collectively owned by the people of Ethiopia and managed by the state since the fall of the imperial government in 1974.

...

Ethiopia’s institutions and rules are highly contested and the democratic transition of the early 1990s was incomplete. The political platforms of key opposition political parties, most notably the CUD coalition, challenged several articles and provisions of the 1995 Constitution.

...

Unresolved tensions were reflected in the CUD focus on port access, privatization of land, and other constitutional revisions that would eliminate, or at least undermine, important components of ethnic federalism as guaranteed in the present Constitution (Smith, L. 2007, ‘Political Violence and Democratic Uncertainty in Ethiopia’, CIAO website, source: United States Institute of Peace, August, pp. 3-5

<http://www.ciaonet.org/wps/usip10669/usip10669.pdf> – Accessed 14 April 2008 – Attachment 2).

Research Response ETH34682 also cites an article dated 9 May 2005 in which it was reported that, at a public rally in central Addis Ababa, CUD chairman Hailu Shawel had spoken of the want for change, and referred specifically to economic and land reforms and the need to move away from dependence on foreign aid:

At a CUD rally in Meskal Square in central Addis Ababa, party chairman Hailu Shawel promised widespread economic and land reform.

“We want change and we want a new government,” Hailu said. “We need job creation to bring about poverty alleviation, not dependency on foreign aid...” (‘European Commission hails election process’ 2005, *IRIN*, 9 May – Attachment 3).

More detailed reporting of CUD policies comes from pro-government sources. *Research Response ETH36682* cites an undated article on the website of the Walta Information Centre

– a private news and information service based in Addis Ababa, presenting a largely pro-government perspective – that makes the following observations regarding CUD policies:

From the beginning of the electoral campaign, it was likely that CUD policies would preclude any possibility of an outright victory. The CUD made it plain that it wanted to revoke Article 39 of the Constitution, which provided a very theoretical basis for regional claims for secession. It also made clear it wished to remove the ethnic basis of the killil, and return to smaller provinces. It was widely believed that by this the CUD had in mind a return to the old imperial provinces, though it never specified this; one presumed effect would be to break up the current Oromia state into at least three or four regions in which Oromo majorities could not be taken for granted. The third, particularly controversial, element of policy was the demand for the privatization of land. This has been widely supported by the international community, and by the World Bank, but it is much less popular in southern Ethiopia where it is seen as a device to allow former Amhara landlords, driven out under the land reform of 1975/76, to recover their previous estates. This may well not have been the intention of the CUD but again it was widely believed. In sum, none of these were policies that offered the chance of any real support from Oromos, the Southern regional nationalities, Somalis, Afar, or from any non-Amharas (Shaw, A. (undated), 'Ethiopia in 2005: The Beginning of a Transition? – Some Comments', Walta Information Centre website <http://www.waltainfo.com/Analysis/2006/Mar/10654.htm> – Accessed 2 June 2006 – Attachment 4).

An article dated 6 December 2005 by the same author, and also sourced from the website of the Walta Information Centre, includes comment on the CUD's political "lines of descent" from the All Amhara Peoples Organisation. The article represents the CUD as "a far from united coalition", but underpinned by a shared "anti-Tigrean" perspective:

The first point about the CUD is that it is a coalition, and despite recent efforts to merge into a single party, a far from united coalition. Indeed, the very attempt to merge looks implausible from the outset when the title of the new organization includes the word coalition, and in fact appears to have induced a new split within the organization. This, perhaps, helps to explain the differing classifications of its leadership. These range from "well-known, highly educated, Western-oriented sophisticates. as liberal as any Ethiopian politician can plausibly be expected to be" (Professor Clapham) to the rather more plausible "right wing populist urban movement" (Professor Pausewang), not it might be noted, a party. Highly educated and liberal may have some resonance in terms of Rainbow and EUDP-Medhin, but it has much less relevance for the CUD as a whole or more especially for the AEUP. The divergence underlines one of the most obvious points about the CUD – its disparity. It has some "highly educated, Western sophisticates"(a rather patronizing term, surely?), and some of its leaders certainly fall within such categories as "...heavily intellectual and urban-based.[with] academics...well to the fore, but also businessmen, medical doctors and other professionals." (Clapham). Others do not.

The CUD is, of course, composed of four separate parties that came together last year for the election. The four components of the CUD, usually referred to as Kinijit, are: the All Ethiopia Unity Party (AEUP), chairman Hailu Shawel; Rainbow Ethiopia – Movement for Democracy and Social Justice (Kestedamena), headed by Dr. Berhanu Nega, Mayor elect for Addis Ababa, and Professor Mesfin Wolde Mariam; the small Ethiopian Democratic League, chairman Chekol Getahun; and the Ethiopian United Democratic Party-Medhin (EUDP-Medhin), itself the product of four earlier mergers. EUDP-Medhin is headed by Dr. Admassu Gebeyehu, though he has been ill for much of the year and its most prominent personality is Lidetu Ayelew, previously second vice-chairman of CUD.

Of these the two main parties are AEUP (Hailu Shawel) and EUDP-Medhin (Admassu Gebeyehu). They represent separate, essentially personalized, lines of descent from a single

source – the All Amhara Peoples organisation set up by Professor Asrat in 1992. The rump of the AAPO itself provides another third strand of Amhara politics. AAPO supporters claim that AAPO was largely founded as a party to defend the Amhara that were specifically being targeted by the EPRDF at the time. It then received substantial support from the group of over 40 Addis Ababa University lecturers, nearly all Amhara, who did not have their contracts renewed or who were sacked following opposition to the referendum on Eritrea in April 1993.

The CUD itself was set up last year as part of opposition efforts to put together a broad anti-government coalition to oppose the EPRDF in the May elections. It followed efforts the year before in Washington to bring the Amhara parties into a grand anti-government coalition, the UEDF, AEUP and EDUP originally joined only to walk out a few months later. There was some divergence over policy but all accounts suggest the issue of the chairmanship was the most critical factor.

...The CUD does make an appeal to an Ethiopian nationalism that transcends the creation of ethnic federalism, a view reappeared to a substantial degree during the war with Eritrea. However, if the outpourings of its supporters are any guide, it appeals rather more to a crude anti-Tigrean/anti-Eritrean nationalism with substantial Amhara chauvinist overtones. The writing of many pro-CUD intellectuals, notably Getachew Haile, and indeed, Mesfin Wolde Mariam, are laced with extensive anti-Tigrean propaganda, much of it highly offensive.

...Southerners and Oromos have taken real fright against the possibility of a CUD victory. The perception is that the CUD intention to revoke Article 39 and to redraw the federal regional boundaries to return to something similar to the old imperial provinces, is no more than a device to restore Amhara supremacy... There is a similar perception over the CUD's undoubted intention to privatize land, a policy that is strongly supported by many international observers. Again, however, it is widely seen as a device to restore the large Amhara landholdings of imperial days [sic] (Shaw, A. 2005, 'Some thoughts on the CUD and other opposition parties', Walta Information Centre website, 6 December <http://www.waltainfo.com/Analysis/2005/Dec/7862.htm> – Accessed 2 June 2006 – Attachment 5).

In overview, and given the limited detail available from CUD sources regarding the coalition's policies in the lead-up to the May 2005 elections, the most succinct and least partisan observation regarding the CUD platform would appear to be the following, from an International Crisis Group report dated 17 June 2008:

The CUD that competed effectively in the 2005 elections was a quickly assembled, loose amalgam of parties united by opposition to the ruling party but lacking consensus on important leadership and policy issues (International Crisis Group 2008, 'Beyond the Fragile Peace between Ethiopia and Eritrea: Averting New War – Africa Report N°141', ICG website, 17 June, p. 12

http://www.crisisgroup.org/library/documents/africa/horn_of_africa/nd_the_fragile_peace_between_ethiopia_and_eritrea_averting_new_war.pdf – Accessed 6 May 2009 – Attachment 6).

2. Please advise what positions were held by party officials Dr Berhanu Nega, Hailu Shawel, Burtukan Mideksa and Ledutu Ayallu. Please provide any relevant information concerning their profile prior to the 2005 election.

Limited information was found relating to the pre-election profiles of the abovenamed persons (the English transliteration of whose names vary amongst sources). Brief information regarding their positions within the party and any information regarding their profiles prior to the 2005 elections is collated in the following paragraphs.

Dr Berhanu Nega

Berhanu Nega was mentioned in the US Department of State's report on human rights practices for 2004 as one of "two prominent academics and human rights activists charged with inciting AAU students to riot in 2001... ordered by the Federal High Court to prepare to present their defense" (US Department of State 2005, *Country Report on Human Rights Practices for 2004 – Ethiopia*, February, Section 1(d) – Attachment 7).

The US Department of State's report on human rights practices for 2005 refers variously to "CUD member and mayor of Addis Ababa Dr. Berhanu Nega and Professor Mesfin Woldemariam, two prominent academics and human rights activists", to "CUD Chairman Dr. Berhanu Nega" and "Addis Ababa mayor-elect Dr. Berhanu Nega" (US Department of State 2006, *Country Report on Human Rights Practices for 2005 – Ethiopia*, March, Sections 1(d), 2(b) and 3 – Attachment 8).

An article dated 6 December 2005 referred to CUD member party Rainbow Ethiopia being "headed by Dr. Berhanu Nega, Mayor elect for Addis Ababa, and Professor Mesfin Wolde Mariam" (Shaw, A. 2005, 'Some thoughts on the CUD and other opposition parties', Walta Information Centre website, 6 December (<http://www.waltainfo.com/Analysis/2005/Dec/7862.htm>) – Accessed 2 June 2006 – Attachment 5).

Amnesty International stated in May 2006 that the CUD leaders on trial included "Berhanu Negga (CUD Mayor-elect of Addis Ababa, economics professor)" (Amnesty International 2006, *Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists*, 2 May, AFR 25/013/2006, p. 16 – Attachment 9).

Hailu Shawel

A UK Home Office report on Ethiopia from April 2004 includes "Hailu Shawol – President of AAPO, now AEUP" on its list of prominent people (UK Home Office 2004, *Ethiopia Country Report*, April, Annex D: Prominent People – Attachment 10).

The UK Home Office's report on Ethiopia from October 2005 refers to "Hailu Shawel President of AAPO, now AEUP" on its list of prominent people (UK Home Office 2005, *Ethiopia*, October, Annex E: Prominent People – Attachment 11).

The US Department of State's report on human rights practices for 2005 states that "prominent CUD leaders arrested included: CUD president Hailu Shawel", and refers to "opposition political party leaders, including CUD chairman Hailu Shawel" and to "CUD party executive committee members, including party president Hailu Shawel" (US Department of State 2006, *Country Report on Human Rights Practices for 2005 – Ethiopia*, March, Sections 1(d), 2(b) and 3 – Attachment 8).

An article dated 18 November 2005 provides the following background on Hailu:

The rival opposition leaders are Hailu of the All Ethiopia Unity Party (AEUP) and Lidetu Ayelew of the Ethiopian Democratic Unity Party-*Medhin*. They both entered politics in 1992, in the All Amhara People's Organisation (AAPO), set up to oppose the mainly Tigrayan EPRDF. Hailu, the AAPO Vice-President, walked out when he failed to be elected president and founded his own faction in 2000 ('Transition starts here' 2005, *Africa Confidential*, Vol 46, No 23, 18 November, pp. 1-2 (<http://www.africa-confidential.com/article/id/1642/Transition-starts-here>) – Accessed 6 June 2006 – Attachment 12).

The previously cited article dated 6 December 2005 refers to “the All Ethiopia Unity Party (AEUP), chairman Hailu Shawel”, as a component party of the CUD (Shaw, A. 2005, ‘Some thoughts on the CUD and other opposition parties’, Walta Information Centre website, 6 December (<http://www.waltainfo.com/Analysis/2005/Dec/7862.htm>) – Accessed 2 June 2006 – Attachment 5).

In a report dated 2 May 2006, Amnesty International refers to the CUD leaders on trial including “Hailu Shawel (CUD president and All Ethiopia Unity Party leader, civil engineer)” (Amnesty International 2006, *Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists*, 2 May, AFR 25/013/2006, p. 16 – Attachment 9).

Bertukan Mideksa

The US Department of State’s report on human rights practices for 2005 refers to “CUD vice-president Ms. Birtukan Mideksa, a former judge” as one of the prominent CUD leaders arrested, mentions the CUD having reported that “on October 1, unidentified persons detained and assaulted Bertukan Mideksa, first vice president of the CUD”, and refers also to “vice chairman Bertukan Mideksa” (US Department of State 2006, *Country Report on Human Rights Practices for 2005 – Ethiopia*, March, Sections 1(d), 2(b) and 3 – Attachment 8).

Amnesty International reported in May 2006 that “CUD leaders on trial [include]... Birtukan Mideksa (f) (CUD vice-president, Rainbow leader, lawyer)” (Amnesty International 2006, *Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists*, 2 May, AFR 25/013/2006, p. 16 – Attachment 9).

Lidetu Ayalew

The US Department of State’s report on human rights practices for 2005 refers to “CUD spokesman Lidetu Ayalew” (US Department of State 2006, *Country Report on Human Rights Practices for 2005 – Ethiopia*, March, Section 2(b) – Attachment 8).

The previously cited article dated 18 November 2005 provides the following background on Lidetu:

The rival opposition leaders are Hailu of the All Ethiopia Unity Party (AEUP) and Lidetu Ayalew of the Ethiopian Democratic Unity Party-*Medhin*. They both entered politics in 1992, in the All Amhara People’s Organisation (AAPO), set up to oppose the mainly Tigrayan EPRDF. Hailu, the AAPO Vice-President, walked out when he failed to be elected president and founded his own faction in 2000. Lidetu, formerly head of AAPO’s Youth Wing, also walked out to help create the Ethiopian Democratic Party which, after four further mergers, last year became the EDUP-*Medhin*, of which he is acting head (‘Transition starts here’ 2005, *Africa Confidential*, Vol 46, No 23, 18 November, pp. 1-2 <http://www.blackwell-synergy.com/toc/afco/46/23>) – Accessed 6 June 2006 – Attachment 12).

The previously mentioned article dated 6 December 2005 observes that:

The four components of the CUD, usually referred to as Kinijit, [include]... the Ethiopian United Democratic Party-Medhin (EUDP-Medhin), itself the product of four earlier mergers. EUDP-Medhin is headed by Dr. Admassu Gebeyehu, though he has been ill for much of the year and its most prominent personality is Lidetu Ayalew, previously second vice-chairman

of CUD (Shaw, A. 2005, 'Some thoughts on the CUD and other opposition parties', Walta Information Centre website, 6 December (<http://www.waltainfo.com/Analysis/2005/Dec/7862.htm> – Accessed 2 June 2006 – Attachment 5).

Further information regarding involvement in the 2005 elections of the abovementioned members of the CUD is included in *Research Response ETH34682* of 14 April 2009 (RRT Research & Information 2009, *Research Response ETH34682*, 14 April (questions 1 and 2 – Attachment 1).

3. Please provide information concerning the 2005 election results, including the number of seats won by parties.

Information on the website of the National Electoral Board of Ethiopia indicates that the Coalition for Unity and Democracy (CUD) was formed in October 2004 and was recognized by the National Electoral Board of Ethiopia (NEBE) in November 2004. The member parties to the coalition were the All Ethiopian Unity Party, the Rainbow Ethiopia Movement for Democracy and Social Justice, the Ethiopian Democratic League and United Ethiopian Democratic Party-Medhin ('NEBE has not recognized new merger by CUD member parties' 2005, National Electoral Board of Ethiopia website, 15 October (<http://www.electionsethiopia.org/Whats%20New41.htm> – Accessed 20 November 2006 – Attachment 13).

Information concerning the election results for the 2005 national elections and state council elections is provided in a previous RRT Research Response dated 8 June 2006, at questions 7-9 (RRT Country Research 2006, *Research Response ETH30166*, 8 June – Attachment 14).

Information provided in that response includes the following:

- National elections are held every five years in Ethiopia. On 15 May 2005, Ethiopians voted for members of the House of People's Representatives and representatives to the nine Regional State Councils and two City Councils ('Election Day Countdown' (undated), National Electoral Board of Ethiopia website (<http://www.electionsethiopia.org/Election%20Day%20Countdown.html> – Accessed 2 June 2006 – Attachment 15).
- The official results of the election were released by the National Electoral Board of Ethiopia (NEBE) in September 2005. There were 545 seats contested for the House of Peoples' Representatives. The EPRDF won a majority of 327 seats, the CUD won 109 seats and the UEDF won 52 seats, with the remainder going to other parties. A comprehensive record of results is available from the NEBE website ('Official election results for the House of Peoples' Representatives'(undated), National Electoral Board of Ethiopia website (<http://www.electionsethiopia.org/PDF/results/HPR%20Result.pdf> – Accessed 6 June 2006 – Attachment 16).
- The official results indicate that 138 seats were contested for the Council for Addis Ababa. The EPRDF won 1 seat and the CUD won 137 seats ('Winner Parties of State Councils' (undated), National Electoral Board of Ethiopia website (<http://www.electionsethiopia.org/PDF/results/Regional%20Council%20Summary.pdf> – Accessed 6 June 2006 – Attachment 17).

- It was widely reported that not all successful candidates took up their positions in parliament or council: see for example the US State Department's report on human rights practices for 2005, which notes that observers considered the elections "generally credible", but not without "irregularities":

According to domestic and international observers, the May national elections, in which the EPRDF coalition won 372 of 547 seats, were generally credible. Opposition parties made an unexpectedly strong showing, increasing their parliamentary representation from 12 seats to 172. Irregularities, including intimidation of voters and election observers, marred polling in many areas. The GOE/EPRDF also announced the "final" election results before the NEB released them. Some observers reported killings, disappearances, voter intimidation and harassment, and unlawful detentions of opposition party supporters, particularly in the Amhara, Oromiya, and Southern Nations, Nationalities, and Peoples regions (see section 1.a., b., and d.). Nevertheless, international observers, including the Carter Center, hailed the elections as an important development in the country's efforts at democratization.

Opposition parties accused the NEB of being an instrument of the ruling party and of failing to act when informed of electoral irregularities, including ballot stuffing, vote count fraud, bribery, killings, beatings, and widespread intimidation and harassment by ruling party supporters during the national elections.

In protest against national election results, the CUD opposed taking seats in the House of People's Representatives.

On May 20, the state-run Ethiopian News Agency announced that new parliamentary elections would be held May 22 at several polling stations where voting had not occurred properly; parliamentary elections were subsequently rerun at these locations August 21.

On May 31, in protest against the election results, the CUD announced that it had filed complaints against the NEB, and disputed the results in more than 150 constituencies.

The Carter Center issued a statement expressing concern about reports of improper vote counting and tabulation, stating that its observer teams had "found evidence that ballot boxes have been moved improperly, were improperly secured, or that party agents were barred from polling stations or were not allowed to watch the entire count." It also reported, "election day and postelection intimidation and harassment."

The head of the European Union's Electoral Observation Mission (EUEOM), parliamentarian Ana Gomes, issued a preliminary report stating that the May 15 elections "did not live up to international standards," citing irregularities in key areas. The Minister of Information and other government officials publicly criticized the EUEOM and charged that it illegally and secretly leaked unfounded information to the opposition.

The EU issued a statement noting "continuing issues of concern, including respect for human rights and balanced access to the media," but stating that "the EU regards the elections as an important step forward in the democratization process."

On June 10, negotiations between the ruling and major opposition parties resulted in an agreement to adopt an ad hoc complaints resolution process to deal with the large number of unresolved electoral complaints. According to the Carter Center, 44 different complaints investigation panels conducted formal investigations and hearings in 178 constituencies

across the country, resulting in a decision by the NEB to hold new elections in 31 constituencies.

On August 16, international media reported that the primary opposition parties would boycott parliamentary elections scheduled for August 21 in the Somali Region. As a result the incumbent Somali People's Democratic Party won all 23 federal parliament seats. Opposition political parties reported that significant irregularities marred the regional election; however, the NEB reviewed the allegations and dismissed them.

In October the government and opposition leaders participated in discussions on the opposition's participation in the House of People's Representatives. While several UEDF members decided to take their seats in the house, some newly elected CUD members of parliament announced they would boycott the opening of parliament, to protest the results of the May elections. By year's end, most of the CUD members had joined parliament. The CUD then called for civil disobedience measures, such as horn-honking, boycotting EPRDF-owned business and ostracizing alleged government supporters, which the government publicly declared illegal.

Beginning on November 1, violent antigovernment protests called by the opposition occurred in Addis Ababa, and the government arrested several dozen opposition leaders, as well as members of the independent media and civil society groups, for alleged participation in unlawful activities. Security forces also detained over 14 thousand demonstrators without charge. Military intervention led to widespread abuses such as arbitrary detention and killings. Security forces arrested at least 12 of the 20 CUD party executive committee members, including party president Hailu Shawel, vice chairman Bertukan Mideksa, secretary-general Muluneh Eyoel, and Addis Ababa mayor-elect Dr. Berhanu Nega, on charges of treason and genocide, among others. At year's end, they remained in prison as their trial began.

The EPRDF, its affiliates, and EPRDF supporters controlled all seats in the 108-member House of Federation, whose members were appointed by regional governments and by the federal government (US Department of State 2006, *Country Report on Human Rights Practices for 2005 – Ethiopia*, March, Sections 1(d), 2(b) and 3 – Attachment 8).

4. Please advise if there is a record of post-election demonstrations and if so where were these primarily held?

The aftermath of the May 2005 elections, including the demonstrations which occurred in early June and early November 2005, has been widely reported. Authoritative sources include the US Department of State, Amnesty International and the United States Institute of Peace and relevant information from these sources follows.

The US Department of State report on human rights practices in Ethiopia for 2005 reports restricted freedom of assembly following the 2005 elections, and refers to demonstrations in Addis Ababa and confrontations between opposition protesters and the authorities in “[s]everal regions throughout the country, including Amhara and Oromiya”. According to the report:

The law provides for freedom of assembly. Prior to the May 15 national elections, there were numerous opposition rallies, including one that occurred in Addis Ababa attended by nearly one million persons the weekend prior to the elections. However, immediately following the elections, the government restricted this right in practice.

...

On May 14, the eve of national elections, the prime minister announced a one-month ban on all demonstrations in Addis Ababa and the surrounding area. In a May 25 press statement, EHRCO condemned the ban as an infringement on the constitutional rights of citizens.

Despite the ban (which was extended to August 13), demonstrators protested against the government from June 6 to 8, leading to the killing of at least 42 unarmed demonstrators by security forces in Addis Ababa. On June 6, following unrest at Addis Ababa University, police shot and killed Shibre Desalegn of Yeka Subcity and Yesuf Abdela, a student at Kotebe Teacher's Training College. On June 8, police shot and killed 16-year-old student Nebiy Alemayehu of Kolfe Subcity, and Zulufa Surur (a mother of seven children), while security forces killed brothers Fekadu Negash and Abraham Yilma (age 16). Federal police acknowledged the death of 26 persons on June 8 following an "unlawful demonstration." The government established an independent commission of inquiry to investigate circumstances surrounding the killings.

Between November 1 and 7, military and police forces opened fire on rock-throwing demonstrators in Addis Ababa, killing at least 40 individuals (see section 2.b.).

The government claimed that some demonstrators were armed with machetes and hand grenades. Several regions throughout the country, including Amhara and Oromiya, reported numerous deaths resulting from confrontations between opposition protestors and the military or police.

The opposition CUD and UEDF parties reported that in September local officials prohibited public meetings the parties had organized in various towns. The UEDF reported that it had to cancel a general assembly of its members planned for September 29 because the government directed hotel proprietors in Addis Ababa not to rent their assembly halls to the UEDF or other opposition parties. The CUD reported that the Addis Ababa city administration imposed extraregulatory restrictions that prevented a mass rally planned for October 2. The government prevented the CUD from meeting after charges were brought on December 21 (US Department of State 2006, *Country Reports on Human Rights Practices for 2005 – Ethiopia*, March, Section 2(b) – Attachment 8).

In the previously cited paper published in May 2006, Amnesty International reported on the demonstrations following the 2005 elections, with specific reference to demonstrations and arrests in Addis Ababa in June, and to a second series of demonstrations in early November leading to the arrest of "CUD officials and supporters in Addis Ababa, the Amhara Region and some other regions". According to the Amnesty International report:

Immediately after the 15 May poll, the opposition alleged rigging by the government and ruling party. The Prime Minister banned demonstrations and took personal control of the security forces in Addis Ababa...

2.2 Killings of demonstrators and mass arrests

In early June 2005 preliminary results were released by the National Election Board giving the EPRDF a narrow lead. CUD supporters subsequently demonstrated in Addis Ababa, accusing the government and EPRDF of fraud, and the National Election Board of bias towards the EPRDF. Peaceful demonstrations led to violent confrontations with the security forces. A special army unit, known as *Agaazi*, reportedly shot dead at least 36 protesters and wounded many others in Addis Ababa on 8 June. Some 9,000 CUD supporters including 2,000 university students, and six Ethiopian Human Rights Council officials (who were not members of any political party), were detained by police but were provisionally released on bond by the end of July 2005 without being charged with any crime. The CUD supporters had

in most cases been arbitrarily arrested and were not brought before a court within the 48-hour limit prescribed by Ethiopian law. Many were allegedly beaten or ill-treated.

The CUD leadership decided to boycott the new parliament in protest at the final official election results and because the outgoing EPRDF-dominated parliament had changed procedures making it virtually impossible for opposition MPs to initiate a debate. The UEDF, independent MPs, a section of the Ethiopian Democratic Unity Party-Medhin party which had left the CUD coalition, and eventually several of the CUD MPs-elect who had not been detained, took up their seats in the new parliament. They criticized repression of the CUD and the detention of its leading MPs-elect, as well as arrests and harassment of UEDF coalition members from the Oromo National Congress... and the Oromo Federal Democratic Movement. The new Addis Ababa City Council, similarly boycotted by many new CUD members-elect (some 30 of whom are also believed to be detained and may face treason and other charges in separate cases), has not to date convened. The Prime Minister has proposed to establish a caretaker administration if the boycott continues and there is insufficient attendance.

In a second series of pro-CUD demonstrations in early November 2005, police shot dead at least 42 protesters in Addis Ababa, wounded some 200 others and detained most of the CUD leadership, which had called for non-violent demonstrations. The protests, which started peacefully with drivers honking their horns and a workers' stay-home strike, led to violence with widespread police shootings, seven police officers being killed by protesters and considerable damage to government property. The security forces arrested over 10,000 CUD officials and supporters in Addis Ababa, the Amhara Region and some other regions, including many who had been arrested in June and photographed for police records. There were further pro-CUD protests starting in late December 2005, and continuing into early 2006. Students boycotted school and college classes, resulting in widespread school closures, and there were widespread arrests and beating of students and teachers suspected of instigating the boycotts... Many of these detainees have since been released provisionally on bond but several thousands reportedly remain in detention. Details of the arrests have not been disclosed to detainees' families or the public, and most detainees have not been brought before a court.

The detained CUD leaders and others held with them went on hunger strike in November 2005 in protest at their detentions, until mid-December. That month, charges were brought against 131 detained CUD leaders and others, as described below. The court refused to grant bail, citing the seriousness of the charges. The CUD leaders denied calling for violent demonstrations (Amnesty International 2006, *Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalist*, AFR 25/013/2006, 2 May – [Attachment 9](#)).

The previously cited report published by the United States Institute of Peace in August 2007 refers to the post-election demonstrations, as follows:

Two waves of major urban violence took place in June and November 2005. It is now confirmed that at least 193 people died and hundreds of others were injured. By most estimates, tens of thousands were detained, many released without charge after some months, and some charged later with criminal offenses. Most credible reports estimate about 30,000 people arrested; it is unknown how many are still detained or facing charges. They included members of various opposition political parties who refused to take their parliamentary seats when the House of Peoples' Representatives opened in September 2005. Subsequent legislation stripped them of their parliamentary immunity. In addition, several journalists and civil society representatives were arrested and later charged with a range of crimes, some in absentia. Delays and postponements marked the court proceedings.

Of the initial 111 “high-level” political detainees, twenty-eight were freed in April 2007, when the court ruled there was no case against them.

...

A parliamentary commission of inquiry into post-election disturbances was established in December 2005. After eight months’ work the eleven-member commission concluded that 199 individuals had died, including six members of the security forces. However, word of political pressure on the commission led to a leaked report that placed blame on Ethiopian security forces for using excessive force. The chair and deputy chair, and at least one other commission member, fled the country, citing political intimidation and harassment by the ruling party. The official report included the figure of 193 civilian deaths, far above previous government estimates, but did not conclude that excessive force had been used, rather that the actions of the security forces were “legal and necessary.” Parliament endorsed the report in March 2007, with only the majority vote of the EPRDF. Opposition MPs called for the government to pay compensation and apologize to the victims, and for those guilty of the killings to face trial, which is unlikely to happen (Smith, L. 2007, ‘Political Violence and Democratic Uncertainty in Ethiopia’, CIAO website, source: United States Institute of Peace, August, pp. 7-8 <http://www.ciaonet.org/wps/usip10669/usip10669.pdf> – Accessed 14 April 2008 – Attachment 2).

5. The military camp at Dedesa was known to be used to house the overflow of arrested protesters in 2005. Over what period of time did the arrests of protestors occur?

The US Department of State report on human rights practices in Ethiopia for 2005 provides information on the arrests of protesters in the two waves of arrests in June and November 2005. According to the report:

Following the June 6 to 9 demonstrations protesting the announced outcome of the May 15 parliamentary elections, police detained thousands of opposition members and other residents of Addis Ababa. Government security forces took three to four thousand residents from their homes and detained them in Zway prison outside the capital. EHRCO reported the illegal detention between June 10 and 16 of 74 opposition political party activists, businessmen, and students. Security forces beat and detained an estimated five thousand individuals in various prisons around the country. On June 29, the federal police reported that it had detained 4,455 “suspects;” most were released after several days of detention. In mid-September, however, 40 percent of the prisoners at Shoa Robit prison (742 of 1,866 prisoners), north of Addis Ababa, were young men arrested around the time of the June demonstrations on charges of dangerous vagrancy.

In September the government arrested more than one thousand members of the CUD and UEDF opposition coalitions, following their announcement of plans to hold demonstrations on October 2.

In November, 30-200 motorists were arbitrarily detained for honking their horns during the African Union summit opening ceremony in response to an opposition call for civil disobedience.

In November military and police conducted door-to-door searches in Addis Ababa, often at night, and detained without warrant between 10 and 18 thousand youths, aged 18 to 23, believed to have been involved in violent antigovernment demonstrations (US Department of State 2006, *Country Reports on Human Rights Practices for 2005 – Ethiopia*, March, Sections 1(d) – Attachment 8).

The report observes that thousands of detainees were transported to Dedesa (referred to in the report as Dedessa):

Human rights organizations reported that the government had transported 10 to 18 thousand individuals (mostly youths aged 18-23 detained during the November mass house-to-house searches in Addis Ababa) to Dedessa, a military camp formerly used by the Derg regime located 375 kilometers west of the capital. Observers expressed concern that the camp's remote location and lack of facilities threatened the health of detainees. Human rights organizations reported on similar detention camps in and around Bahir Dar. Most of these detainees were released by year's end. The government transported an unknown number of other detainees to other detention facilities around the country during the same November period. By year's end the government publicly announced that it had released all but three thousand detainees, who would be charged with relatively minor crimes potentially carrying sentences of up to several months confinement. International observers were denied access to the detention facilities, but local NGO Prison Fellowship Association was permitted access (US Department of State 2006, *Country Reports on Human Rights Practices for 2005 – Ethiopia*, March, Sections 1(c) – Attachment 8).

6. Are there reports of any major prison break-outs or escapes from Dedesa at the end of 2005? Are there any reports of executions or other deaths of protesters imprisoned there and if so, how many?

A search of the sources consulted found no specific reference to outbreaks from the Dedesa prison in 2005. However, widely varying reports relating to the conditions in which prisoners were held and their treatment by the authorities were found and a selection of these follows in date order.

A press release dated 17 November 2005 from the World Organization Against Torture reports extremely harsh conditions for those detained at Dedesa, and mentions accidental deaths of detainees resulting from crocodile attacks and from a transport accident. According to the report:

OMCT [World Organization Against Torture] was informed that a number of people were killed, wounded and arrested following street protests on 31st October 2005 in Addis Ababa. The conflict spread to towns such as Gondar, Bar Dar, Arbaminch town, Dessie, Nazareth and around.

According to the information received, almost all leaders of opposition parties have been arrested, some with their family members. Furthermore, about 18,000 youths, arrested in Addis Ababa, were taken to the Dedessa River in Wollega and are being held in an open field near the banks of the river. This is a harsh lowland infested with malaria and full of wild animals, including lions. The detainees have no shelter, food and drinking water is not easily available. There have been reports that a number of youths have been eaten by crocodiles from the river, and many have fallen ill. In addition, a truck with a trailer carrying youths arrested in Addis Ababa was overturned killing some detainees and injuring several others ('Ethiopia: 58 Persons Charged with Treason' 2005, *AllAfrica Global Media*, source: World Organization Against Torture, 17 November <http://allafrica.com/stories/200511170400.html> – Accessed 27 April 2009 – Attachment 18).

By contrast, a news article dated 29 November 2005 in the *The Ethiopian Herald* reported that detainees at Dedesa “faced no problem concerning food, lodging and medical service” and were being treated humanely. The only adversity reported was that detainees at Dedesa “could not meet their families and lawyers because of distance”:

Commissioner of the Ethiopian Human Rights said suspects in detention at Dedesa temporary detention camp in connection with the street violence are being treated humanely with their rights respected.

The detainees are being well treated by security forces, heads and medical officers, Ambassador Kassa Gebrehiwot told journalists last Saturday after visiting the detainees.

He said he had learnt that the detainees faced no problem concerning food, lodging and medical service. Security forces are taking good care of them, he added.

Some detainees regretted they had involved in the violence while others expressed disappointment saying they were not involved in the violence.

The commissioner said the suspects are being tried in the court set up in the centre and some suspects are being acquitted.

Religious leaders from the Orthodox Church and Islamic Affairs Supreme Council who visited the centre last Friday said the suspects had told them they were receiving good treatment.

...

Detainees in Dedesa centre though they could not meet their families and lawyers because of distance, they have faced no problem with regard to food, lodging and medical service, President of Justice for All and Prison Fellowship Ethiopia, Pastor Daniel Gebre-Selassie who visited the detainees along with Ambassador Kassa said ('Ethiopia: Dedesa Detainees Well Treated Says Commissioner' 2005, *AllAfrica Global Media*, source: The Ethiopian Herald, 29 November <http://allafrica.com/stories/200511290824.html> – Accessed 5 May 2009 – Attachment 19).

An article in the UK's *The Telegraph* on 16 December 2005, reporting the aftermath of demonstrations in November, mentions "reports of executions at Dedesa" as follows:

Arrests were taking place across Addis Ababa. The city's jail overflowed and prisoners were held in its compound. As that became crammed, detainees were held in the National Exhibition Centre. Even that overflowed, so government offices were used as temporary prisons.

Detainees were beaten, stripped of their shoes then driven to an old military camp at Dedesa, 250 miles west of Addis Ababa. There they survive in disused barracks on daily rations of four slices of bread.

Western diplomats have reports of executions at Dedesa and of a body being hung on the camp's gates. The best estimate for the total detained is 40,000.

Most were held for a few weeks. But Mr Meles said on Tuesday that 3,000 were still in detention (Blair, D. 2005, 'Protesters killed and 40,000 jailed as Blair's friend quells "insurrection"', *The Telegraph*, 16 December

<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2005/12/16/wethiop16.xml&sSheet=/news/2005/12/16/ixworld.html> – Accessed 5 May 2009 – Attachment 20).

On 16 December 2005, Members of the European Parliament passed a resolution which "expressed disquiet over the mass detention of youths at Dedessa in degrading conditions and the failure of the government to disclose the total number of detainees and their whereabouts", according to an article sourced from the *Inter Press Service* on 20 December 2005. The article reported that:

Members of the European Parliament are urging the European Commission, the executive arm of the European Union (EU), and the European Council, made up of European heads of government and state, to consider imposing targeted sanctions against members of the Ethiopian government following the recent political violence that has gripped the country.

In a landmark 15-point resolution passed unanimously in Brussels last week (Dec. 16), EU lawmakers called for “the immediate establishment of an independent international commission of inquiry, under UN responsibility, to investigate the human rights abuses and to identify and bring to justice those responsible”.

...

The resolution said MEPs were also disturbed by “unsubstantiated allegations of treason against members of parliament, journalists, civil servants, lawyers, aid workers and members of NGOs”. It expressed disquiet over the mass detention of youths at Dedessa in degrading conditions and the failure of the government to disclose the total number of detainees and their whereabouts.

It urged the Ethiopian government to “immediately and unconditionally release all political prisoners and journalists and discharge its obligations with respect to human rights, democratic principles and the rule of law” (Bianchi, S. 2005, ‘Ethiopia: Rights-Ethiopia: Europarliamentarians Urge Action’, *AllAfrica Global Media*, source: Inter Press Service, 20 December <http://allafrica.com/stories/200512200734.html> – Accessed 27 April 2009 – Attachment 21).

The Ethiopian Herald reported on 18 December 2005 that a number of detainees were being transferred from Dedesa to the Zeway prison “in accordance with the decision of the court for the transfer of the detainees to prison until the prosecutor files charges” and that the temporary camp at Dedesa had been closed:

The Federal Police announced that over 2,600 detainees who were put under custody at Dedesa detention centre for alleged involvement in the riot and violence in Addis Ababa in early November have been moved to the Zeway Prison.

It has also indicated that the Dedesa temporary detention centre has been closed.

In a statement it sent to ENA yesterday, the Federal Police said that in accordance with the decision of the court for the transfer of the detainees to prison until the prosecutor files charges, some 2,678 suspects have already been moved to the Zeway prison (‘Ethiopia: Federal Police Moves Over 2,600 Detainees From Dedesa to Zeway Prison’ 2005, *AllAfrica Global Media*, source: The Ethiopian Herald, 18 December <http://allafrica.com/stories/200512191042.html> – Accessed 5 May 2009 – Attachment 22).

A Human Rights Watch press release dated 12 January 2006 also reported the release of some detainees from Dedesa and that others were “apparently being transferred to Ziway prison”:

Thousands of people were arrested and detained in Addis Ababa and the rural areas following the demonstrations in June and November. Many of the people detained in the wake of the November violence have since been released. Yet more than 3,000 detainees held at the Dedessa military camp since November are apparently being transferred to Ziway prison, 130 kilometers south of Addis Ababa, for further questioning and possible charges.

As many as 2,500 other detainees, including many opposition supporters and some opposition party election observers, are reportedly being held in another detention facility, Bir Shelako,

about 385 kilometers northwest of Addis Ababa near Bure town in the Amhara region (Human Rights Watch 2006, 'Press Release: Ethiopia: Hidden Crackdown in Rural Areas', *AllAfrica Global Media*, 12 January <http://allafrica.com/stories/200601130040.html> – Accessed 5 May 2009 – Attachment 23).

IRIN reported on 16 January that the Dedesa detention centre “was closed in December amid allegations of prisoner abuse. Its 2,678 prisoners were transferred to Ziway” ('Ethiopia: Over 11,000 political prisoners freed' 2006, source: *IRIN*, 16 January – Attachment 24).

A report dated 26 January 2009, sourced from the website of the Eritrean Ministry of Information, mentioned claims that Dedesa was still operating as a prison ('Eritrea: Over 5,000 Persons Languishing in TPLF Regime's Secret Prisons, Defecting Soldiers Say' 2009, *AllAfrica Global Media*, source: *Shabait.com*, 26 January <http://allafrica.com/stories/200901270008.html> – Accessed 5 May 2009 – Attachment 25).

7. Are there any reports that failed asylum seekers who return to Ethiopia are subject to adverse treatment on their return?

A previous RRT Research Response dated 21 January 2008 reports limited specific information on the treatment of known or suspected failed asylum seekers who return to Ethiopia (RRT Research & Information 2008, *Research Response ETH32748*, 21 January (question 6) – Attachment 26).

Advice provided to the RRT by the Australian Department of Foreign Affairs and Trade (DFAT) in February 2008 included the observation that “[i]n the current political climate, previous activity with the CUD alone would not get an individual into trouble”. The DFAT advice states:

Ethiopian authorities do pursue opposition leaders within the country and abroad (for example, Ethiopian refugees living in Sudan in August and September 2007 were refouled/deported which was most likely at the request of the Ethiopian government). However, our interlocutors are not aware of recent mass arrests of CUD supporters in the past 12 months (or major CUD demonstrations either). In fact, the government pardoned many CUD supporters, including the most high profile opposition leaders, last year. The mood between the government and the CUD remains tense, but it does not seem to be one where people are disappearing and is best characterised as a 'war of words'. In the current political climate, previous activity with the CUD alone would not get an individual into trouble, after all the key opposition leaders have been pardoned. However, the situation might change if an individual continued to be politically active.

...

Ultimately, it is very difficult to assess what threat the individual in question might face. The key question would be whether or not Ethiopian authorities saw him as a real threat. If so, then he could face serious problems, but if not then he might be able to return without incident (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 768 – Ethiopia: RRT Information Request: ETH32591*, 1 February – Attachment 27).

In a report dated 24 April 2009, DFAT provided the following brief advice in response to a question of whether Ethiopian participants in the Homeless World Cup who had sought asylum elsewhere would be mistreated on their return to Ethiopia:

Homeless World Cup: The Homeless World Cup, according to its website <http://www.homelessworldcup.org/content/about-us> is a football tournament for homeless

people. We have no information specifically addressing question C, however we note that Ethiopia is not listed as a participant for this year's tournament in Milan (6-13 September) (Department of Foreign Affairs and Trade 2009, *Ethiopia: CRS Request No. ETH 9642: Homeless World Cup*, 24 April – Attachment 28).

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Topic Specific Links

Walta Information Centre website <http://www.waltainfo.com>

Search Engines

Copernic search engine

Databases:

FACTIVA (news database)

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