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country of origin research and information



CORI Country Report

Ethiopia

January 2010

Commissioned by the United Nations High Commissioner for Refugees Status Determination and Protection Information Section, Division of International Protection.

Any views expressed in this paper are those of the author and are not necessarily those of UNHCR.

Preface

Country of Origin Information (COI) is required within Refugee Status Determination (RSD) to provide objective evidence on conditions in refugee producing countries to support decision making. Quality information about human rights, legal provisions, politics, culture, society, religion and healthcare in countries of origin is essential in establishing whether or not a person's fear of persecution is well founded.

Categories of COI included within this report are based on the most common issues arising from asylum applications made by Ethiopian nationals. This report covers events up to the end of 2009.

CORI Country Reports are prepared on the basis of publicly available information, studies and commentaries within a specified time frame. All sources are cited and fully referenced. Every effort has been taken to ensure accuracy and comprehensive coverage of the research issues, however as COI is reliant on publicly available documentation there may be instances where the required information is not available. The reports are not, and do not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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A. Background Information

1. Historical overview

Ethiopia is the oldest independent country in Africa. Its official name is the Federal Democratic Republic of Ethiopia.¹ Ethiopia maintained its freedom from colonial rule, with the exception of a five year period under Italian occupation from 1936-41.² Over the last 40 years Ethiopia has experienced severe famines, civil conflict and war that devastated the country's economy and undermined stability, bringing millions to the edge of starvation in the 1970s and 1980s.³

Haile Selassie ruled Ethiopia as Emperor from 1930 to 1974. Haile Selassie's rule was interrupted in 1936 when Italian fascist forces invaded and occupied Ethiopia for five years, forcing him into exile in the UK until Ethiopian and British forces defeated the Italians and returned him to the throne.⁴ Under Italian rule Ethiopia was combined with Eritrea and Italian Somaliland to become Italian East Africa.⁵ In 1952 the UN federated Eritrea with Ethiopia. In 1962 Haile Selassie annexed Eritrea making it a province of Ethiopia.⁶

Haile Selassie's rule ended in 1974 after a period of civil unrest that began in the same year. He was overthrown and a provisional administrative council of soldiers, known as the Derg ("committee") took power and installed a government⁷ which "was socialist in name and military in style,"⁸ ending the country's long tradition of monarchy.⁹ The Derg executed 59 members of the royal family, ministers and generals of Selassie's government.¹⁰ In 1977 Colonel Mengistu Haile Mariam assumed power as the head of state and the Derg chairman. His rule lasted more than 15 years and was marked by a totalitarian-style government and by

¹ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009.

² BBC News, Country Profile: Ethiopia, 23 September 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072164.stm, accessed 20 November 2009. Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009

³ BBC, Country Profile: Ethiopia, 12 August 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072164.stm, accessed 20 November 2009

⁴ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009. BBC News, Timeline – Ethiopia; A chronology of key events, 23 September 2009: <http://news.bbc.co.uk/1/hi/world/africa/1072219.stm>, accessed 20 November 2009

⁵ BBC News, Timeline – Ethiopia; A chronology of key events, 23 September 2009, <http://news.bbc.co.uk/1/hi/world/africa/1072219.stm>, accessed 20 November 2009

⁶ BBC News, Timeline – Ethiopia; A chronology of key events, 23 September 2009, <http://news.bbc.co.uk/1/hi/world/africa/1072219.stm>, accessed 20 November 2009

⁷ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, June 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 20 November 2009.

US Department of State, Bureau of African Affairs Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009

⁹ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

¹⁰ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009

the country's massive militarization.¹¹ From 1977 to early 1978 thousands of suspected government opponents were tortured or killed in the "red terror" instigated by Mengistu.¹² In the early 1970s and 1980s Communism was officially adopted, with a Soviet style constitution and the formation of the Workers Party of Ethiopia.¹³

Mengistu's rule ended in 1991 when he was overthrown by a coalition of liberation movements and rebels groups under the umbrella of the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF).¹⁴ These forces captured Addis Ababa, forcing Mengistu to flee the country, they remain in power in Ethiopia to date.¹⁵

2. Political background

a. Government/political system

Ethiopia is a federal republic led by Prime Minister Meles Zenawi and the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) coalition.¹⁶ Freedom House states that "Ethiopia is not an electoral democracy."¹⁷

The first Ethiopian constitution was drafted in 1931 during the Emperor Haile Selassie's regime and was amended in 1955 following the federation of Eritrea with Ethiopia. In 1987, the *Derg* regime drafted a new constitution grounded on socialist values. The Derg's constitution was in operation until 1991 when the current EPRDF led government took power.¹⁸

The Tigray People's Liberation Front established the EPRDF as a coalition of "ethno-national fronts" in 1989, which included the Oromo Liberation Front (OLF), Southern Ethiopia Peoples' Democratic Coalition, the Ethiopian People's Democratic Movement and the Oromo People's Democratic Organisation.¹⁹ In 1991 the Transitional Government of Ethiopia (TGE) was formed by the EPRDF coalition led by the TPLF with Meles Zenawi as interim president.²⁰ The Transitional Government of Ethiopia was guided by a national charter that functioned as

¹¹ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, June 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 20 November 2009

¹² Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009. BBC News, Timeline – Ethiopia; A chronology of key events, 23 September 2009, <http://news.bbc.co.uk/1/hi/world/africa/1072219.stm>, accessed 20 November 2009

¹³ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009.

¹⁴ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

¹⁵ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, June 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 20 November

¹⁶ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁷ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

¹⁸ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=5200&link_type=12&slink_type=12&tmpl_id=3.

¹⁹ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²⁰ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

a transitional constitution²¹ and paved the way for granting Eritrea independence.²² However, in less than two years, the OLF and members of the Southern Ethiopia Peoples' Democratic Coalition left the Transitional Government of Ethiopia. The TGE was reduced to the TPLF dominated EPRDF and ethnic based political parties of its making, the People's Democratic Organizations (PDOs).²³

Ethiopia's current constitution was adopted in 1995. It established the Federal Democratic Republic of Ethiopia (FDRE) with a multiparty political system and a parliamentary form of government.²⁴ The constitution defined Ethiopia as a multicultural federation operating on the grounds of ethno-national representation.²⁵ Based on the provisions of the Constitution the federation comprises nine ethnically based states; Tigray, Afar, Amhara, Oromiya, Somali, Benishangul-Gumuz, Southern Nations, Gambella and Harar and two administrative cities, Addis Ababa and Dire Dawa.²⁶ The 1995 constitution granted states the the right to draft regional constitutions, to promulgate laws, to establish and administer government functions and the right of secession.²⁷ In 2003, the central government acquired additional powers to intervene in states' affairs when public security is deemed to be at risk.²⁸

The country's legislature is bicameral consisting of the House of Peoples' Representatives and the House of the Federation.²⁹ The House of Peoples' Representatives is the highest governing body in the country, it has legislative powers in all matters referred to by the constitution to federal jurisdiction. The Institute for Security Studies states that it has 547 members elected every five years through "direct and free elections."³⁰ Minority nationalities and peoples representatives have a minimum of 20 seats in the House. According to the constitution the political party or coalition of political parties that has the greatest number of

²¹ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3, accessed 9 November 2009.

²² International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²³ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, June 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 09 November 2009. Freedom House, Countries at the Crossroads 2007; Ethiopia, 2007, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=156>, accessed 9 November 2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009.

²⁴ Institute for Security Studies, Country File: Ethiopia, Political History and Governance 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=5200&link_type=12&slink_type=12&tmpl_id=3, accessed 10 November 2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²⁵ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²⁶ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²⁷ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, <http://www.unhcr.org/refworld/country,,MISSION,ETH,,461f9ea82,0.html>, accessed 10 November 2009

²⁸ Freedom House, Freedom in the World, Country Report 2009: Ethiopia, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 2 December 2009

²⁹ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

³⁰ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

seats in the House forms and leads the Executive.³¹ Executive power is vested in a prime minister, who is chosen by the House of People's Representatives.³²

The House of the Federation is composed of 108 representatives of Nations, Nationalities and Peoples elected by the people, either directly or through state councils. Each nation or nationality has at least one representative in the House.³³ It has no legislative role but it has the power to interpret the constitution and decide on issues related to national self-determination.³⁴

There are more than 60 legally recognized political parties active in Ethiopia, most of which are predominantly ethnically based, and opposition parties remained fractured.³⁵ The EPRDF continue to dominate the political scene.³⁶ The Tigrayan People's Democratic Front which makes up the core of the EPRDF dominated politics within the coalition, the Tigray people comprise less than ten percent of the country's population.³⁷ Discrimination against and repression of other groups, especially the Oromo, have been widespread.³⁸

EPRDF has won all three of the elections the country has held since the introduction of the 1995 constitution, including the disputed elections of May 2005.³⁹

3. Security overview

a. *Border conflict with Eritrea*

Eritrea gained independence from Ethiopia in 1993 after a long guerrilla conflict.⁴⁰ In 1952 Eritrea was federated with Ethiopia by the UN and was formally annexed as a province of

³¹ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3..

³² Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

³³ Institute for Security Studies, Country File: Ethiopia, Political History and Governance 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=5200&link_type=12&slink_type=12&tmpl_id=3, accessed 10 November 2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

³⁴ Institute for Security Studies, Country File: Ethiopia, Political History and Governance 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=5200&link_type=12&slink_type=12&tmpl_id=3. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

³⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Freedom House, Freedom in the world 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

³⁶ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

³⁷ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009.

Freedom House, Countries at the Crossroads 2007; Ethiopia, 2007, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=156>, accessed 9 November 2009.

³⁸ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

³⁹ Institute for Security Studies, Country File: Ethiopia, 23 September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=3913&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009

⁴⁰ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

Ethiopia by Haile Selassie in 1962.⁴¹ Ethiopia's annexation of Eritrea led to 30 years of armed struggle for independence. Eritrea established its own provisional government in 1991, after the collapse of the Derg regime, pending a referendum on independence. Following this referendum, Eritrea became independent in 1993.⁴²

Dispute about the location of the border between the two countries led to war between 1998 - 2000. International Crisis Group reports that historically, the border between the two areas had not been demarcated and did not exist in any physical sense apart from a few crossing points, from which people from both sides crossed over regularly. In the dispute both governments relied on their own interpretations of imprecise colonial treaties from 1900, 1902 and 1908.⁴³

For a time from 1993 there was an open border facilitating movement of people and goods and there was close political and security cooperation between the two governments.⁴⁴ The failure of the two countries to negotiate a treaty to define the border or to address the issue of Ethiopians of Eritrean descent meant that "ownership" of citizens and resources was open to interpretation.⁴⁵ The focus of the territorial dispute was Badme in Gash Barka region, a remote and sparsely inhabited town. It was administrated before the war by Ethiopia, its currency was the Ethiopian Birr, not the Eritrean Nakfa, and Badme's residents voted in the Ethiopian election. In 1997 Eritrea controversially introduced its own currency to the area. Tension also developed over the use of the Red Sea port of Assab, which Ethiopia had conceded to Eritrea at independence in 1993, leaving Ethiopia landlocked. In addition, provocative military exercises escalated tension until Eritrea entered and occupied the Ethiopian administrated Badme in May 1998, and conflict began erupting into an open war lasting until 2000 when a peace agreement was signed in Algeria.⁴⁶

A report by the UN Secretary General states that the border war is estimated to have caused the displacement of at least 1.2 million people, 70% of whom were women, children and the elderly.⁴⁷ Human Rights Watch reports that the war resulted in the death of 100,000 people, mainly soldiers, and led to the flight or summary deportation of tens of thousands across the contested border.⁴⁸ Land mines further compounded the devastation particularly in the Tigray

⁴¹ BBC News, Timeline – Ethiopia; A chronology of key events, 23 September 2009, <http://news.bbc.co.uk/1/hi/world/africa/1072219.stm>, accessed 20 November 2009

⁴² BBC, Country Profile: Ethiopia, 12 August 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072164.stm, accessed 20 November 2009. United Nations, Profiles of the least developed countries; Ethiopia, undated, <http://www.un.org/special-rep/ohrls/lde/LDCs-List/profiles/eritrea.htm?id=232>, accessed 20 November 2009

⁴³ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁴⁴ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁴⁵ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁴⁶ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009.

Freedom House, Country Report; Ethiopia, 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009. IRIN, In Brief: Ethiopia-Eritrea border tensions despite resettlement, 17 February 2009 <http://www.irinnews.org/Report.aspx?ReportId=82972>, accessed 26 November 2009

⁴⁷ United Nations Security Council, Report of the Secretary General on Ethiopia and Eritrea, S/2000/643, 27 June 2000, <http://www.un.org/docs/sc/reports/2000/sgrep00.htm>, accessed 16 November 2009.

⁴⁸ Human Rights Watch, The Horn of Africa War, 30 January 2003, <http://www.hrw.org/en/node/12364/section/1>, accessed 16 November 2009

region in Ethiopia and the area surrounding Barentu town in Eritrea.⁴⁹ According to a Human Rights Watch report, the Ethiopian government is known to have forcibly expelled an estimated 75,000 people of Eritrean origin during the war. The Eritrean government forcibly expelled or took part in the voluntary repatriation of an estimated 70,000 Ethiopians.⁵⁰

Between 1998 and 2000, the United Nations Security Council passed a series of resolutions condemning the use of force by both sides and called for the resumption of diplomatic efforts to end the dispute.⁵¹ Furthermore, the UN Security Council imposed targeted sanctions prohibiting “the sale or supply...of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts” to either country.⁵²

Ethiopia and Eritrea signed a ceasefire agreement in June 2000, which provided for a UN observer force to monitor the treaty and the cessation of the hostilities between both countries.⁵³ In July 2000, the United Nations Security Council established the United Nations Mission in Ethiopia and Eritrea (UNMEE).⁵⁴ A peace agreement between both countries was signed in Algeria in December 2000, which officially ended the two-year border war and established the Eritrea-Ethiopia Boundary Commission to define the disputed border and provide for the exchange of prisoners and the return of displaced people.⁵⁵

In 2003, the Eritrea-Ethiopia Boundary Commission ruled that the disputed town of Badme lies in Eritrea.⁵⁶ The Commission’s ruling was to be final and binding on both sides, but Ethiopia refused to accept the decision.⁵⁷ Eritrea viewed the continued presence of Ethiopian troops in territory awarded to them by the Commission as a violation of its sovereignty.⁵⁸ Ethiopia prevented the Boundary Commission from physically separating the boundary, as a result the Boundary Commission, unable to complete its mandate, dissolved itself in 2007.⁵⁹

⁴⁹ United Nations Security Council, Report of the Secretary General on Ethiopia and Eritrea, S/2000/643, 27 June 2000, <http://www.un.org/docs/sc/reports/2000/sgrep00.htm>, accessed 16 November 2009.

⁵⁰ Human Rights Watch, The Horn of Africa War, 30 January 2003, <http://www.hrw.org/en/node/12364/section/1>, accessed 16 November 2009

⁵¹ The Stimson Centre, Peace Operations Fact sheet Series 2008, UNMEE - United Nations Mission in Ethiopia and Eritrea, 21 February 2008, http://www.stimson.org/fopo/pdf/UNMEE_Fact_Sheet_FINAL.pdf, accessed 20 November 2009

⁵² United Nations Security Council Resolution 1298 (2000), S/RES/1298, 17 May 2000, para 6. <http://ochaonline.un.org/AboutOCHA/HumanitarianResolutions/SecurityCouncil/tabid/1175/language/en-US/Default.aspx>, accessed 17 November 2009

⁵³ BBC News, Timeline – Ethiopia; A chronology of key events, 23 September 2009, <http://news.bbc.co.uk/1/hi/world/africa/1072219.stm>, accessed 09 Nov 2009. Eritrea-Ethiopia Boundary Commission, United Nations Secretary General, Securing a lasting peace between Ethiopia and Eritrea, undated, <http://www.un.org/NewLinks/eebcarbitration/oped.htm>, accessed 20 November 2009

⁵⁴ United Nations Security Council Resolution 1312 (2000), S/Res1312, 31 July 2000, <http://www.un.org/docs/scres/2000/sc2000.htm>, accessed 17 November 2009

⁵⁵ BBC, Country Profile: Ethiopia, 12 August 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072164.stm, accessed 20 November 2009

⁵⁶ Freedom House, Country Report; Ethiopia, 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009 BBC, Country Profile: Ethiopia, 12 August 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072164.stm, accessed 20 November 2009.

⁵⁷ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁵⁸ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁵⁹ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003, http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

In 2006 the US Department of State (USDOS) estimated that 3 million landmines and unexploded ordnance remain in Eritrea, and that domestic resistance movements continue to lay them.⁶⁰

Between 2004 and 2007 the UN Security Council issued several resolutions extending the length of the UNMEE mandate and calling for Ethiopia and Eritrea to reduce and withdraw troops from the Temporary Security Zone, for both parties to accept the findings of the Eritrea-Ethiopia Boundary Commission and to allow demarcation and for both parties to provide UNMEE with the access, support and protection required to perform its duties.⁶¹

In 2008 the UN reported that despite the presence of the UN keeping forces, the area remains tense and unstable and both countries have built up a military presence along the disputed border.⁶² In 2008 the UN Secretary General reported “currently, the forces of the two countries literally face each other in many locations along the southern boundary of the Temporary Security Zone. This has resulted in a number of shooting incidents between the two forces over the past several months.”⁶³ UNMEE peacekeepers encountered restrictions from both countries, including to their freedom of movement and access to supplies, despite successive UN Security Council resolutions.⁶⁴ The UN Security Council was not able to carry out its mandated task and terminated the UNMEE mission on 31 July 2008.⁶⁵

In 2009 the Eritrea-Ethiopia Claims Commission awarded Eritrea financial compensation for Ethiopia’s violations during the 1998 – 2000 war, including for losses of residential and business property, for damage and destruction of buildings, for injuries to civilians due to loss of access to health care on account of damage or destruction of Eritrean hospitals and other

⁶⁰ United States Department of State, Eritrea: Country reports on human rights practices, 2006, www.state.gov/g/drl/rls/hrrpt/2006/78733.htm, accessed 20 November 2009

⁶¹ UN Security Council, *Security Council Resolution 1560 (2004) on United Nations Mission in Ethiopia and Eritrea (UNMEE)*, 14 September 2004, S/RES/1560 (2004), available at: <http://www.unhcr.org/refworld/docid/41516b064.html>, accessed 5 January 2010. UN Security Council, *Security Council Resolution 1586 (2005) on the Special Envoy for Ethiopia and Eritrea*, 14 March 2005, S/RES/1586 (2005), available at: <http://www.unhcr.org/refworld/docid/42bc12954.html>, accessed 5 January 2010. UN Security Council, *Resolution 1681 (2006) The Situation between Eritrea and Ethiopia*, 31 May 2006, S/RES/1681 (2006), available at: <http://www.unhcr.org/refworld/docid/453786a8c.html>, accessed 5 January 2010. UN Security Council, *Resolution 1710 (2006) The Situation between Eritrea and Ethiopia*, 29 September 2006, S/RES/1710 (2006), available at: <http://www.unhcr.org/refworld/docid/453786ba0.html>, accessed 5 January 2010. UN Security Council, *Resolution 1741 (2007) The Situation between Ethiopia and Eritrea*, 30 January 2007, S/RES/1741 (2007), available at: <http://www.unhcr.org/refworld/docid/45ffba2b2.html>, accessed 5 January 2010. UN Security Council, *Resolution 1767 (2007) The Situation between Ethiopia and Eritrea*, 30 July 2007, S/RES/1767 (2007), available at: <http://www.unhcr.org/refworld/docid/46b350742.html>, accessed 5 January 2010

⁶² United Nations Security Council, *Special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea*, S/2008/226, 7 April 2008, available from <http://www.mineaction.org/downloads/1/s2008226.pdf>, accessed 17 November 2009

⁶³ United Nations Security Council, *Special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea*, S/2008/226, 7 April 2008, available from, <http://www.mineaction.org/downloads/1/s2008226.pdf>, accessed 17 November 2009

⁶⁴ UN Security Council, *Resolution 1710 (2006) The Situation between Eritrea and Ethiopia*, 29 September 2006, S/RES/1710 (2006), available at: <http://www.unhcr.org/refworld/docid/453786ba0.html>, accessed 5 January 2010. United Nations Security Council, *Special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea*, S/2008/226, 7 April 2008, available from, <http://www.mineaction.org/downloads/1/s2008226.pdf>, accessed 17 November 2009. The Stimson Centre, *Peace Operations Fact sheet Series 2008, UNMEE - United Nations Mission in Ethiopia and Eritrea*, 21 February 2008, http://www.stimson.org/fopo/pdf/UNMEE_Fact_Sheet_FINAL.pdf, accessed 20 November 2009

⁶⁵ UN Security Council, *Security Council resolution 1827 (2008) [on termination of the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE)]*, 30 July 2008, S/RES/1827 (2008), available at: <http://www.unhcr.org/refworld/docid/4891d36a2.html>, accessed 5 January 2010. United Nations Mission in Ethiopia and Eritrea, *UN mission in Ethiopia and Eritrea is withdrawn*, 30 July 2008, <http://unmee.unmissions.org/Default.aspx?tabid=54&ctl=Details&mid=376&ItemID=368>, accessed 20 November 2009

medical facilities and loss of medical supplies, for mistreatment of prisoners of war, for failure to prevent rape, for forcible expulsion of the population of Awgaro, for arbitrarily depriving dual Eritrean-Ethiopian nationals of Ethiopian nationality while present in third countries, for wrongful expulsion of dual nationals by local Ethiopian authorities and imprisoning Eritrean civilians on security charges under harsh and unacceptable conditions.⁶⁶ The Commission also awarded damages to Ethiopia for Eritrea's violations, including for the death, physical injury, disappearance, forced labour and conscription of Ethiopian civilians, for failing to prevent the rape of victims in Irob, Dalul and Elidar Weredas, for looting and destruction of houses and government buildings, for the mistreatment of Ethiopian prisoners of war, for the failure to protect Ethiopian civilians in Eritrea from threats and violence, for the failure to ensure Ethiopian civilians in Eritrea were able to access employment or receive medical care to the same extent as Eritrean nationals, for wrongful detention and abusive treatment of Ethiopian civilians in Eritrean custody, for human suffering and lost income associated with internal displacement of persons and for Ethiopian civilian deaths and injuries.⁶⁷

b. Counter insurgency campaigns in the Oromo and Somali regions

In February 2009 IRIN reported that the border dispute remains unresolved.⁶⁸ Since the signing of the Algiers agreement the two governments have supported the others' rebel opposition groups operating in their own territory. According to the International Crisis Group Eritrea has provided assistance to anti-Ethiopian-government groups in Somalia and the Ogaden region of Ethiopia, to put pressure on Ethiopia to accept the implementation of the Boundary Commission ruling.⁶⁹ Ethiopia has continued to provide aid for its allies in Somalia and the Alliance of Eritrean National Forces.⁷⁰

In 2003 the International Crisis Group stated that,

“at present, Ethiopia, Yemen and Sudan are supporting the Alliance of Eritrean National Forces; Ethiopia is supporting the Somali Reconciliation and Restoration Council; Eritrea is aiding the Oromo Liberation Front from Ethiopia and the National Democratic Alliance from Sudan.”⁷¹

In 2008 Amnesty International reported that

“There was an upsurge in the 13-year armed conflict with the Ogaden National Liberation Front (ONLF) in the Somali Region. The conflict with the Oromo Liberation

⁶⁶ Eritrea-Ethiopia Claims Commission, Final Award, Eritrea's Damages Claims between the State of Eritrea and the Federal Democratic Republic of Ethiopia, 17 August 2009, available at

<http://www.unhcr.org/refworld/category.LEGAL,,,ETH,4a9503dd2,0.html>, accessed 5 January 2010

⁶⁷ Eritrea-Ethiopia Claims Commission, Final Award, Ethiopia's Damages Claims between the Federal Democratic Republic of Ethiopia and the State of Eritrea, 17 August 2009, available at

<http://www.unhcr.org/refworld/category.LEGAL,,,ETH,4a95032c2,0.html>, accessed 5 January 2010

⁶⁸ IRIN, In Brief: Ethiopia-Eritrea border tensions despite resettlement, 17 February 2009

<http://www.irinnews.org/Report.aspx?ReportId=82972>, accessed 26 November 2009

⁶⁹ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003,

http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁷⁰ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003,

http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

⁷¹ International Crisis Group, Ethiopia and Eritrea: War or peace, 24 September 2003,

http://www.crisisgroup.org/library/documents/_ethiopia_and_eritrea_war_or_peace.pdf, accessed 20 November 2009

Front (OLF) in the Oromia Region continued. The ONLF and OLF received support from Eritrea, while Ethiopia supported Eritrean opposition groups.”⁷²

Ogaden region

Tens of thousands of ethnic Somali civilians in the Somali region are being affected by conflict between the Ogaden National Liberation Front (ONLF) and the government Ethiopian National Defense Force (ENDF).⁷³ The Ogaden region, located in south eastern Ethiopia bordering Somalia was ceded to Ethiopia by the British. The region is also claimed by Somalia which has always maintained that Ethiopia occupies a part of its territory.⁷⁴ The ethnic Somali population has very fragile links with the Ethiopian capital Addis Ababa, historically the Ogaden region has suffered from marginalization and underdevelopment.⁷⁵

The USDOS reports that “the regional conflict in Somalia that began in late 2006 spread to the Somali Region and, allegedly fueled by support from the Eritrean government, resulted in greatly increased armed activity by the ONLF, whose members share ethnic ties with Somalis.”⁷⁶ The ONLF describes itself as a grassroots social and political movement,⁷⁷ they are dedicated to achieving greater autonomy for the Ogaden people.⁷⁸

The conflict between the ONLF and the Ethiopian army intensified in April 2007, when the ONLF attacked the Chinese-run Obole oil exploration facility in the Ogaden region killing 74 people.⁷⁹ The government responded by launching a fierce counter insurgency campaign in the five zones of the Somali Region primarily affected by the conflict: Fiiq, Korahe, Gode, Wardheer, and Dhagahbur.⁸⁰ Human Rights Watch reports that the ENDF deliberately and repeatedly attack civilians in these areas to root out the insurgency.⁸¹

Following the Obole attack, senior regional and security officials met in Jijiga, the Somali Region’s capital and identified the most important sources of ONLF support as, rural villagers and communities, commercial traffic of khat (a mild narcotic grown in the area), other trade items, humanitarian aid, and local businessmen.⁸² Prime Minister Meles Zenawi announced

⁷² Amnesty International, Ethiopia; Amnesty International World Report 2008, <http://www.amnesty.org/en/region/ethiopia/report-2008>, accessed 25 November 2009

⁷³ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia’s Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁷⁴ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 2 December 2009. Institute for Security Studies, The Somalia Conflict; Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 2 December 2009

⁷⁵ Institute for Horn of Africa Studies and Affairs (IHASA), A deteriorating conflict: A call for US engagement on the Ogaden Conflict, November 2009, available from <http://www.ogadennet.com/blog/?p=250>, accessed 11 December

⁷⁶ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

⁷⁷ Ogaden National Liberation Front Online, <http://www.onlf.org/news.php>, accessed 10 December 2009

⁷⁸ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

⁷⁹ BBC, Scores Die in Ethiopia Oil Attack, 24 April 2007, <http://news.bbc.co.uk/1/hi/world/africa/6588055.stm>, accessed 10 December 2009. US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

⁸⁰ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 December 2009

⁸¹ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia’s Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁸² Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia’s Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

on June 9, 2007, that the Ethiopian government had commenced a large-scale counteroffensive. Human Rights Watch reports that the government offensives appeared directly or indirectly to target each of the above forms of support and that abuses committed in the conflict amounted to the collective punishment of communities. They further report that the counterinsurgency campaign appears to have been at its most forceful from June to September 2007.⁸³

Human Rights Watch reports that the government used “brutal force” to terrorise civilian population. Human rights abuses reported included extrajudicial killings, torture, rape, abductions, forced relocations, burning of villages, restriction of movement, livestock confiscation, mass detentions and arbitrary arrest of civilians by rebel and government forces.⁸⁴ The USDOS states that civilians and international NGOs have reported that both parties employed “harsh techniques used to intimidate the civilian population.”⁸⁵

“During the year fighting between government forces, including local militias, and the Ogaden National Liberation Front (ONLF), an ethnically based, nationalist, insurgent movement operating in the Somali Region, resulted in continued allegations of human rights abuses by all parties, particularly diversion of food aid from intended beneficiaries suffering from a severe drought. Although there were fewer reports of extrajudicial killings and other similar human rights violations in the Ogaden than the previous year, nongovernmental organizations (NGOs) and others reported persistent abuses. While civilian authorities generally maintained effective control of the security forces, there were numerous instances in which elements within those forces acted independently of government authority.”⁸⁶

In June 2008 Human Rights Watch described the situation of civilians in the area as critical and that they were subject to serious abuses by the military and rebel groups which amounted to war crimes and crimes against humanity.⁸⁷ Thousands have fled widespread systematic military attacks against civilians and villages, seeking refuge in Kenya and Somalia. Human Rights Watch warns that a humanitarian crisis is looming for those who stay in the area; continued abuses by rebel and government forces, drought, severe restrictions on movement and commercial trade, minimal access to independent relief assistance and rising food prices pose a direct threat to their survival.⁸⁸ The Ethiopian military embarked on a campaign of forced relocations, destroying villages. Villagers were ordered to leave their homes in a matter of days or witness their homes being burnt down and possessions destroyed.⁸⁹

⁸³ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁸⁴ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁸⁵ US Department of State, *Country Reports on Human Rights Practices, 2008; Ethiopia*, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

⁸⁶ US Department of State, *Country Reports on Human Rights Practices, 2008; Ethiopia*, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

⁸⁷ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁸⁸ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009.

US Department of State, *Country Reports on Human Rights Practices, 2008; Ethiopia*, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

⁸⁹ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

Human Rights Watch states that,

“to secure compliance with the evacuation orders, the Ethiopian army repeatedly implemented a phased system of terror involving the confiscation and killing of livestock, public executions, and the destruction of villages by burning. Villagers and pastoralists who refuse to evacuate have been killed, and many villages and nomadic settlements have been burned by the army, while water sources and wells have been destroyed. Evacuated villages and settlements become no-go areas: civilians who remain behind risk being shot on sight, tortured, or raped if spotted by soldiers.”⁹⁰

According to Human Rights Watch this campaign peaked in 2007. However other abuses continue, including arbitrary detentions, torture, rape and mistreatment in detention.⁹¹

In 2008 Human Rights Watch reported that mass detentions without any judicial oversight were routine and that thousands of individuals have been held in military barracks where they were tortured, raped and assaulted. They further state that these crimes are being committed with impunity.⁹²

In its 2009 World Report Human Rights Watch states that the military continues to severely restrict humanitarian access to conflict-affected regions,

“Credible reports indicate that vital food aid to the drought-affected region has been diverted and misused as a weapon to starve out rebel-held areas.”⁹³

Livestock, the most important commodity for pastoralists have been confiscated and access to water restricted, commercial traffic and humanitarian assistance have been obstructed and used as “weapons in an economic war.”⁹⁴

In 2009 Human Rights Watch reported that the Ethiopian government has not reversed its decision in July 2007 to evict the International Committee of the Red Cross from the region.⁹⁵ Agence France Presse reports that the Swiss branch of Medecins Sans Frontieres terminated its operations in the Ogaden area in 2008 due to government intimidation. MSF staff have been subjected to recurrent arrest without charge or explanation.⁹⁶

⁹⁰ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁹¹ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁹² Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁹³ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/world-report/2009/ethiopia>, accessed 11 December 2009

⁹⁴ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁹⁵ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/world-report/2009/ethiopia>, accessed 11 December 2009. BBC, Ethiopia Deadline for Red Cross, 24 July 2007, <http://news.bbc.co.uk/1/hi/world/africa/6913363.stm>, accessed 11 December 2009

⁹⁶ Agence France Presse, Ethiopia Rebels say Addis Starving Ogaden, 11 July 2008, <http://www.eastafricaforum.net/2008/07/11/ethiopia-rebels-say-addis-starving-ogaden/>, accessed 2 December 2009

Human Rights Watch reports that the Ethiopian army's current counter-insurgency strategy has long been adopted by previous governments. However, the government has also introduced new methods, such as forced recruitment of local militia and the manipulation of clan dynamics. Human Rights Watch reports that occurrences of types of abuses now being reported date back a decade.⁹⁷ Human Rights Watch reports that ethnic Somali's, particularly those from the Ogaadeeni clan, which make up the majority of the core of the ONLF are particularly vulnerable to being suspected of supporting the rebel group.⁹⁸

Human Rights Watch states that the Ethiopian forces have carried out summary executions as reprisal attacks against civilians after clashes with the ONLF.⁹⁹

According to Human Rights Watch the Ethiopian government denies all allegations of abuses by its military and refuses to facilitate independent investigations,

“There have been no serious efforts to investigate or ensure accountability for war crimes and crimes against humanity committed in Somali Region and in neighboring Somalia in 2007 and 2008. Nor have ENDF officers or civilian officials been held accountable for crimes against humanity that ENDF forces carried out against ethnic Anuak communities during a counterinsurgency campaign in Gambella region in late 2003 and 2004.”¹⁰⁰

The ONLF have also been responsible for serious abuses “including abductions, beatings, and summary executions of civilians in their custody, including government officials and individuals suspected of supporting the government”¹⁰¹ The ONLF have threatened civilian commercial enterprises and imposed “taxes” on commercial trucks and convoys. Human Rights Watch states that rural communities come under huge pressure to cooperate with the ONLF.¹⁰²

In 2007 a UN Mission to the Somali region reported a large number of civilian deaths due to landmines planted by the ONLF along primary, secondary and tertiary roads within the areas of military operation.¹⁰³

Human Rights Watch states that the ONLF has attacked non Ogaadeeni clans and property,

“The ONLF has engaged in clan-based armed clashes, sometimes supporting fellow Ogaadeeni civilians from related sub-clans in disputes over land or other resources.

⁹⁷ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁹⁸ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

⁹⁹ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

¹⁰⁰ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/world-report/2009/ethiopia>, accessed 11 December 2009

¹⁰¹ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

¹⁰² Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

¹⁰³ United Nations, Report on the Findings from the UN Humanitarian Assessment Mission to the Somali Region, Ethiopia, September 2007, [http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/\\$File/full_report.pdf](http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/$File/full_report.pdf), accessed 24 November 2009

Some of these clashes have resulted in large numbers of deaths and injuries, particularly in the conflict between certain Ogaadeeni subclans and the Shekash/Sheikahl clan, and between Ogaadeeni and Isaaq.”¹⁰⁴

The ONLF have regularly targeted Isaaq traders viewing them as government collaborators for transporting food aid for both the government and international agencies.¹⁰⁵

In November 2009 the Institute for Horn of Africa Studies and Affairs described the probability of conflict escalation as high due to the conflict’s regional dimensions,

“Ethiopia considers ONLF as part of a regional network that links Eritrea, the Oromo Liberation Front and the ONLF. In an attempt to prevent this network establishing a stronger hold in the Ogaden, Ethiopia is increasing its military operations in the region. On the other hand, The ONLF has been emboldened by its stepped-up attacks and the international attention generated by its 2007 attack on the Chinese-run oil facilities. If Ethiopia’s policy of forcing residents to move into concentrated ‘protected areas’ and the total blockade of commerce and refusal to allow access to humanitarian organizations and international media continue, the suffering and death of civilians will reach catastrophic levels.”¹⁰⁶

Oromia

In October 2009 Reuters reported that “the government's counter-insurgency activities in the region of Oromiya have caused displacement, but government restrictions mean little is known about their impact on civilians.”¹⁰⁷

IRIN News reports that conflict over land ownership erupted in 2005, “ethnic tensions between the Gabra and Guji, and between Gabra and Borena in Borena zone (Oromiya) caused the displacement of up to 43,000 in 2005.”¹⁰⁸

In 2005 Human Rights Watch reported that,

“regional authorities in Oromia have cultivated a climate of fear and repression by using state power to punish political dissent in often brutal fashion. Regional and local authorities have consistently harassed and abused perceived critics of the current government.”¹⁰⁹

¹⁰⁴ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

¹⁰⁵ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

¹⁰⁶ Institute for Horn of Africa Studies and Affairs (IHASA), *A deteriorating conflict: A call for US engagement on the Ogaden Conflict*, November 2009 available from <http://www.ogadennet.com/blog/?p=250>, accessed 11 December 2009

¹⁰⁷ Reuters, *Ethiopia Ogaden crisis*, 19 October 2009, http://www.alertnet.org/db/crisisprofiles/ET_OGA.htm?v=in_detail, 24 November 2009

¹⁰⁸ IRIN, *Oromiya region: Ethnic conflict between Gabra, Guji and Borena displace over 40,000 since April 2005*, June 2006, <http://www.nrc.ch/idmc/website/countries.nsf/%28httpEnvelopes%29/EDD0FBBCA0BDC2E7C12571150035B2AE?OpenDocument>, accessed 24 November 2009

¹⁰⁹ Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 24 November 2009

In 2009 Human Rights Watch reported that during local level elections in Oromia in April 2008 opposition candidates in Ethiopia's Oromia region were

“detained, threatened with violence by local officials, and accused of affiliation to the rebel Oromo Liberation Front (OLF). Oromia, Ethiopia's most populous region, has long suffered from heavy-handed government repression, with students, activists, or critics of rural administrations regularly accused of being OLF operatives. Such allegations often lead to arbitrary imprisonment and torture.”¹¹⁰

The Oromo Liberation Front (OLF) was founded in 1973 to promote the right to self-determination of the Oromo people, (Ethiopia's largest ethnic group.)¹¹¹

c. Military involvement in Somalia

Ethiopia and Somalia have a long history of conflict, the relationship between the two countries has been characterized by hostility and animosity. Suspicion of neighbouring expansionism is deeply rooted in both states, one of their main disputes is over the Ogaden region, the Somali inhabited area of Ethiopia. Somalia has always claimed that this region is a part of its territory.¹¹²

The dispute led to conflict; the two countries fought two bitter wars in 1964 and 1977 in which Somalia was defeated.¹¹³ The conflict was bloody and costly for both nations.¹¹⁴ The 1964 war followed a series of cross border raids by Somali rebels and violent crackdowns by Ethiopian troops from 1960 to 1964. The 1964 conflict lasted for a few months and ended when a ceasefire was signed in the same year.¹¹⁵ In 1977 Somalian forces invaded the

¹¹⁰ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/world-report/2009/ethiopia>, accessed 11 December 2009

¹¹¹ Integrated Regional Information Network (IRIN). 28 November 2000. Ethiopia: Oromo Armed Groups Oppose Conflict with Eritrea. <http://www.irinnews.org/Report.aspx?ReportId=1432>, accessed 2 December 2009. Les-Nouvelles.org, Dawud Ibsa Ayana, Chairman of the Oromo Liberation Front, Interview to Les Nouvelles d'Addis, Paris, 29 March 2006, http://www.lesnouvelles.org/P10_magazine/15_grandentretien/15050_itvOLF/15050_itvOLF_eng.html, accessed 8 December 2009

¹¹² BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security Studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹¹³ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. BBC, Country Profile; Somalia, 8 December 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072592.stm, accessed 20 November 2009

¹¹⁴ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009

¹¹⁵ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009

Ogaden region but were defeated.¹¹⁶ According to the BBC the two countries have hosted and supported each other's rebel movements.¹¹⁷

Ethiopia claims that the 1990 bombing attacks that took place in Addis Ababa were carried by Al Itthad al Islamia, a terrorist organisation that is active in Somalia.¹¹⁸

In 1991, Somalia entered a brutal cycle of violent conflict, which erupted when the late President Mohamed Siad Barre's government was overthrown by opposition forces.¹¹⁹ Somalia collapsed into anarchy and the country became divided into armed fiefdoms ruled by warlords.¹²⁰ The BBC reports that Somalia's instability, which has endured until the present, poses a risk to Ethiopia's security and stability.¹²¹ Ethiopia has feared that Somalia would be used as a territory from where attacks against it could be launched by its enemies and from where Somali actors could be mobilised to destabilize Ethiopia.¹²² These fears intensified due to the existence of Somali active rebel groups in its territories, namely the Oromo Liberation Front and the Ogaden National Liberation Front.¹²³

In 2006 the BBC reported, "as Somalia has had no central authority, Ethiopia has often driven its forces into Somali territory - ostensibly to protect itself as well as to support friendly warlords."¹²⁴

In June 2006, the Islamic Union Courts (ICU), a coalition of shari'a (Islamic law) courts, took control of Mogadishu, overthrowing the various warlords who controlled most of the city.¹²⁵

¹¹⁶BBC, Country Profile; Somalia, 8 December 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072592.stm, accessed 10 December 2009. Institute for Security Studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹¹⁷ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009

¹¹⁸ Institute for Security studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹¹⁹ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹²⁰ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009

¹²¹ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹²² BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹²³ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009

¹²⁴ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009

¹²⁵ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009

The rise and military success of the ICU raised Ethiopia's security concerns.¹²⁶ Leading figures associated with the ICU threatened to launch a war against Ethiopia and annex the whole of Ethiopia's eastern Somali region.¹²⁷ It is also believed that the ICU supported the OLF, ONLF and rebel movements that have been waging an armed struggle the secession of Ogaden from Ethiopia.¹²⁸

In response to the declaration of a holy war by the ICU and in support of its long-term allies, the Somali Transitional Federal Government (TFG), Ethiopia sent its troops into Somalian territories in July 2006.¹²⁹ Ethiopia's invasion was welcomed by the TFG and the United States, who backed Ethiopia's actions and provided military assistance.¹³⁰

The Ethiopian military quickly defeated the Islamic Courts Union and drove their forces out of all of the territories under their control.¹³¹ On 28 December 2006, Ethiopian and the TFG forces retook Mogadishu and continued their advance to include the ICU's southern stronghold of Kismaayo.¹³²

The USDOS reported in 2008 that

“In January and February 2007, Ethiopian forces serving in Somalia arrested and detained civilians suspected of being affiliated with foreign fighters in Somalia. Some of the civilians were released after questioning; however, two international NGOs reported that some were transferred from Somalia through Kenya to Ethiopia, where they were tried by a military tribunal.”¹³³

¹²⁶ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009. BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security Studies, The Somalia Conflict; Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009.

¹²⁷ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009.

¹²⁸ Institute for Security Studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹²⁹ BBC, Why Ethiopia is on war footing, 21 July 2006, <http://news.bbc.co.uk/1/hi/world/africa/5201470.stm>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009.

¹³⁰ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009. IRIN News, Who is fighting whom in Somalia, 2 September 2009, <http://www.irinnews.org/Report.aspx?ReportId=85970>, accessed 20 November 2009

¹³¹ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009..

¹³² International Crisis Group, Reports by Region; Somalia, undated, <http://www.crisisgroup.org/home/index.cfm?id=1232&l=1>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict

Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 9 December 2009

¹³³ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

Ethiopia's retaking of Mogadishu did not lead to the stabilization of the TFG as the intervention triggered a popular uprising led by the Islamist Al Shabaab who fought back against the government and Ethiopian forces, regaining control of most of southern Somalia by late 2008.¹³⁴ The attacks against Ethiopian and TFG forces resulted in bloody fighting, on a scale not seen in Somalia since the 1990s.¹³⁵ Ethiopia eventually withdrew its forces in January 2009, but Al Shabab and other radical militias continue fighting.¹³⁶

The Institute for Security Studies report that;

“Ethiopia’s intervention in Somalia in December 2006, although successful in dislodging the UIC forces, did not lead to the stabilisation of Somalia and the consolidation of the TFG. It unleashed an ‘Iraq-style’ insurgency and widespread anti-Ethiopian sentiment among Somalis. Although Ethiopia’s original plan was to withdraw its forces once some degree of stability had been achieved and international forces had been deployed, with the deteriorating security situation hindering the consolidation of the TFG and the international community failing to deploy the required type and level of peacekeeping force, Ethiopian forces extended their intervention for more than two years. In the process, not only was Ethiopia forced to bear a huge financial burden for maintaining its forces but it endured increasing casualties to its forces. Most importantly, Ethiopia’s continued military presence radicalised many Somalis, pushing many of them into supporting the insurgency. Eventually, it was realised that the continuing presence of the Ethiopian forces was costly for Ethiopia and unhelpful for negotiating peace in Somalia. It came as no surprise that one of the terms of the Djibouti agreement was the withdrawal of Ethiopian forces followed by the deployment of a UN force.³⁶ As the UN failed to mandate such a force and the armed resistance bolstering, Ethiopia announced in December 2008 its decision to withdraw its forces without condition. The process of Ethiopian withdrawal, which started towards the end of December was said to have been completed on 13 January 2009 when Ethiopia handed over security duties to the joint TFG and ARS-Djibouti forces, although the last Ethiopian soldiers left Somalia’s territory only on 26 January 2009.”¹³⁷

The years of war devastated Somalia and generated an ever-worsening humanitarian crisis. Human Rights Watch states that “Ethiopian, Somali transitional government, and insurgent forces have all violated the laws of war with impunity, forcing ordinary Somalis to bear the brunt of their armed struggle.”¹³⁸

¹³⁴ BBC, Country Profile; Somalia, 8 December 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072592.stm, accessed 10 December 2009

¹³⁵ Institute for Security Studies, The Somalia Conflict; Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009. Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009.

¹³⁶ BBC, Country Profile; Somalia, 8 December 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072592.stm, accessed 10 December 2009

¹³⁷ Institute for Security Studies, The Somalia Conflict; Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

¹³⁸ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009.

According to Human Rights Watch, the Ethiopian authorities continue to repress any domestic groups that try to expose war crimes and crimes against humanity committed by Ethiopian forces in Somalia. The Ethiopian government denies these charges and refuses to facilitate independent investigations of its military action during the war.¹³⁹

Since its withdrawal, there have been reports, denied by the Ethiopian government, that Ethiopian troops are in parts of central Somalia. Local sources in Beletweyne town told IRIN in September 2009 that Ethiopian forces entered the town on 28 August 2009 and are still there.¹⁴⁰

In 2008 Human Rights Watch stated that “for Somalia's regional neighbors-Ethiopia, Eritrea, and Kenya-the conflict creates immediate security risks. Regional and western governments are currently trying to play an active role in supporting peace talks between the TFG and opposition groups in Djibouti. With key warring factions refusing to take part, however, these have made virtually no progress”.¹⁴¹

B. Freedom of Expression and Association

1. Domestic legal framework

a. Freedom of Expression

Article 29 of the constitution guarantees the right to freedom of expression and freedom of press and other mass media.¹⁴²

- “1. Everyone has the right to hold opinions without interference.
2. Everyone has the right to freedom of expression without interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice.
3. Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:
 - a) Prohibition of any form of censorship
 - b) Access to information of public interest.
4. In the interest of free flow of information, ideas and opinions which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal

¹³⁹ Human Rights Watch, Ethiopia: New law ratchets up repression, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009. Human Rights Watch, World Report 2008; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁴⁰ IRIN News, Who is fighting whom in Somalia, 2 September 2009, <http://www.irinnews.org/Report.aspx?ReportId=85970>, accessed 20 November 2009

¹⁴¹ Human Rights Watch, So much to fear, 8 December 2008, <http://www.hrw.org/en/node/76418/section/4>, accessed 20 November 2009. Institute for Security studies, The Somalia Conflict; Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009

¹⁴² Constitution of the Federal Democratic Republic of Ethiopia [Ethiopia], 21 August 1995, available at: <http://www.unhcr.org/refworld/docid/3ae6b5a84.html>, accessed 5 January 2010

protection to ensure its operational independence and its capacity to entertain diverse opinions.

5. Any media financed by or under the control of the state shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinions.

6. These rights can be limited only through laws which are guided by the principle that freedom of expression and information can not be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the well being of the youth, and honour and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law.

7. Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law”¹⁴³

Human Rights Watch and the USDOS report that the government did not always respect these rights. Media outlets, journalists, opposition supporters, academics, students, farmers were all reported to have been subject to government restrictions on freedom of expression.¹⁴⁴

The USDOS stated that the government did not respect the right to freedom of speech or of the press in practice and that the government arrested, harassed and prosecuted journalists, publishers and editors.¹⁴⁵ Reporters Without Borders state that some journalists have fled the country fearing arrest.¹⁴⁶ The government operated the sole television station and tightly controlled news broadcasts. Foreign journalists were also subjected to government pressure to self censor or risk expulsion from the country.¹⁴⁷

Human Rights Watch states that, the Ethiopian government's poor human rights record is, “marked by an ever-hardening intolerance towards meaningful political dissent or independent criticism.”¹⁴⁸

“Government opponents and ordinary citizens alike face repression that discourages and punishes free expression and political activity. Ethiopian government officials regularly subject government critics or perceived opponents to harassment, arrest, and even torture, often reflexively accusing them of membership in "anti-peace" or "anti-people" organizations.”¹⁴⁹

[See also Section B.6., Journalists.]

¹⁴³ Constitution of the Federal Democratic Republic of Ethiopia [Ethiopia], 21 August 1995, available at: <http://www.unhcr.org/refworld/docid/3ae6b5a84.html>, accessed 5 January 2010

¹⁴⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁴⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁴⁶ Reporters Without Borders, Weekly forced to stop publishing, its journalists flee abroad, 4 December 2009, <http://www.rsf.org/Weekly-forced-to-stop-publishing.html>, accessed 5 December 2009

¹⁴⁷ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁴⁸ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁴⁹ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

b. Freedom of Assembly

The Ethiopian constitution provides for the right to freedom of assembly, public demonstration and the right to petition.¹⁵⁰ However, the USDOS reported various instances where these rights were violated by the government. In 2006 and 2007 the police shot and killed demonstrators in Damot Weyde District and East Wallega zone, Guduru District.¹⁵¹

The USDOS reports an incident on August 21 2008, in which “residents of Dejen town, Amhara Region, gathered to protest local officials' stalling on the residents' application for use of nearby farmland. Local police and militia surrounded the demonstrators, beating dozens. A few protestors required hospitalization. No legal action was taken against the perpetrators.”¹⁵²

According to the USDOS “organizers of large public meetings or demonstrations must notify the government 72 hours in advance and obtain a permit. The government issued permits to political parties to assemble in halls but has barred street demonstrations since 2005.”¹⁵³ The USDOS cites another incident in which “police refused to permit Unity for Democracy and Justice's (UDJ) general assembly to meet in a hotel in Addis Ababa, despite a letter from the NEB [National Electoral Board] stating no license was needed.”¹⁵⁴

The USDOS reports that the government sought to influence and intimidate members of an Independent Inquiry Commission established in 2006 by the government to investigate the use of excessive force by security forces during the 2005 anti-government demonstrations.¹⁵⁵

The USDOS states that the Commission,

“found that security forces did not use excessive force, given demonstration violence; however, prior to the release of the report, the chairman and deputy chairman of the commission fled the country, allegedly in response to threats made against them by government forces. After fleeing, both stated publicly and showed video evidence that, at an official meeting in 2006, the commission had originally decided, by a vote of eight to two, that excessive force was used and that the total number of killed and injured was the same as eventually reported. Following this vote, government officials allegedly urged commission members to change their votes to indicate that excessive force was not used. At year's end, the government had taken no action to investigate or prosecute perpetrators of the excessive force.”¹⁵⁶

¹⁵⁰ Constitution of the Federal Democratic Republic of Ethiopia [Ethiopia], 21 August 1995, available at: <http://www.unhcr.org/refworld/docid/3ae6b5a84.html>, accessed 5 January 2010

¹⁵¹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁵² US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁵³ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁵⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁵⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁵⁶ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

In July 2009, the Ethiopian Parliament passed an Anti-Terror Proclamation. International human rights groups have warned that the law would pose further threats to freedom of expression, peaceful assembly and the right to fair trial.¹⁵⁷

Human Rights Watch raises particular concerns regarding the

“The expansion of police powers to search, arrest, and restrict movement of individuals and destroy property without judicial oversight, in many cases based solely on the belief that terrorist activity “will be” committed. The law also provides for “terrorist suspects” to be held for up to four months without charge.

The approval of using hearsay or “indirect evidences” in court without any limitation. Official intelligence reports would also be admissible, even if they do not disclose their source or how their information was gathered. By making intelligence reports admissible in this way, the law effectively would allow evidence obtained under torture - if defense counsel could not ascertain the methods by which intelligence was collected, they would not be able to show that it was collected in an abusive way.”

The criminalization of speech “encouraging,” “advancing,” or “in support” of terrorist acts even if the speech is not directly inciting acts of terrorism. The law would even criminalize providing “moral support” to someone who is alleged to have engaged in a terrorist act. Coupled with the extremely broad definition of terrorist acts, this could result in a conviction for encouraging or giving moral support to participants in a nonviolent political protest that disrupts traffic or causes minor property damage.”

The approval of imposing the death penalty for certain offenses that cannot be considered among the “most serious crimes,” as required by international law.”¹⁵⁸

Amnesty International states that the law could restrict the right to fair trial, and could have “serious implications in the run up to Ethiopia’s 2010 parliamentary election.” Amnesty is concerned that the law provides “unnecessarily far reaching powers which could lead to further arbitrary arrests.”¹⁵⁹

[See also Section B.2., Political Rights and B.5., Civil society, human rights and political activists]

¹⁵⁷ Amnesty International, Ethiopia: New Anti-terrorism proclamation jeopardizes freedom of expression, 7 July 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-new-anti-terrorism-proclamation-jeopardizes-freedom-expression->, accessed 7 December 2009. CIVICUS, Ethiopia, Submission to the UN Universal Periodic Review, Sixth Session of the UPR Working Group, 13 April 2009, http://www.civicus.org/csw_files/UPRSubmissionEthiopia-April2009.pdf, accessed 20 November 2009

Human Rights Watch, Ethiopia: Amend draft terrorist law, 30 June 2009, <http://www.hrw.org/en/news/2009/06/30/ethiopia-amend-draft-terror-law>, accessed 7 December 2009

¹⁵⁸ Human Rights Watch, Ethiopia: Amend draft terrorist law, 30 June 2009, <http://www.hrw.org/en/news/2009/06/30/ethiopia-amend-draft-terror-law>, accessed 7 December 2009

¹⁵⁹ Amnesty International, Ethiopia: New Anti-terrorism proclamation jeopardizes freedom of expression, 7 July 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-new-anti-terrorism-proclamation-jeopardizes-freedom-expression->, accessed 7 December 2009

2. Political rights

Since the introduction of the new constitution three national elections have been held in Ethiopia, they were all won by the EPRDF. In May 2005, the opposition managed for the first time to present a serious challenge to the EPRDF¹⁶⁰ raising its seats from 12 in the previous parliament to 173 out of a total of 546 seats in the unicameral parliament, the House of Peoples' Representatives.¹⁶¹ The opposition protested the 2005 election alleging fraud.¹⁶² Freedom House states that public protests led to the use of force by the authorities and widespread arrests. At least 193 people were killed and more than 4,000 were arrested,¹⁶³ including journalists, human rights activists and several opposition leaders who were later charged with capital offences,¹⁶⁴ including the offence of stimulating violent protests and outrages against the constitution.¹⁶⁵ Some opposition leaders and journalists detained after the elections in 2005 were pardoned and released from prison two years later in 2007.¹⁶⁶ One female opposition leader had her pardon reversed in January 2009 and has been sentenced to life imprisonment.¹⁶⁷

The European Union and other observers stated that the elections did not meet international standards.¹⁶⁸ However, observers led by former U.S. president Jimmy Carter concluded that despite its serious problems, the results essentially represented the will of the Ethiopian people.¹⁶⁹ Voice of America News reports that the Coalition for Unity and Democracy (CUD) broke up after the post election violence and that only a few of the CUD candidates elected

¹⁶⁰ United Kingdom Foreign and Commonwealth Office, Travel and Living Abroad, Country Information: Ethiopia 17 April 2008, <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/sub-saharan-africa/ethiopia?profile=politics>, accessed 20 November 2009. Freedom House, *Freedom in the world 2009: Ethiopia*, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

Freedom House, *Countries at the Crossroads 2007; Ethiopia, 2007*, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=156>, accessed 9 November 2009.

¹⁶¹ Freedom House, *Countries at the Crossroads 2007; Ethiopia, 2007*, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=156>, accessed 9 November 2009.

¹⁶² Freedom House, *Freedom in the World 2009; Ethiopia*, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

¹⁶³ Freedom House, *Freedom in the World 2009; Ethiopia*, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

¹⁶⁴ Freedom House, *Freedom in the World 2009; Ethiopia*, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009. <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>. United Kingdom Foreign and Commonwealth Office, Travel and Living Abroad, Country Information: Ethiopia 17 April 2008, <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/sub-saharan-africa/ethiopia?profile=politics>, accessed 20 November 2009

¹⁶⁵ US Department of State, *Country Reports on Human Rights Practices, 2008; Ethiopia*, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. United Kingdom Foreign and Commonwealth Office, Travel and Living Abroad, Country Information: Ethiopia 17 April 2008, <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/sub-saharan-africa/ethiopia?profile=politics>, accessed 20 November 2009

¹⁶⁶ US Department of State, *Country Reports on Human Rights Practices, 2008; Ethiopia*, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. United Kingdom Foreign and Commonwealth Office, Travel and Living Abroad, Country Information: Ethiopia 17 April 2008, <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/sub-saharan-africa/ethiopia?profile=politics>, accessed 20 November 2009.

¹⁶⁷ Human Rights Watch, *Ethiopia: New law ratchets up repression*, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009.

¹⁶⁸ Freedom House, *Freedom in the World 2009; Ethiopia*, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

¹⁶⁹ Freedom House, *Freedom in the world 2009; Ethiopia*, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

took their seats. Birtukan Mideksa, a former leader of the CUD currently serving a life sentence after her pardon for alleged involvement in the post election violence was revoked, went on to form the Unity for Democracy and Justice (UDJ) party.¹⁷⁰ The USDOS reports that by March 2008, approximately 150 of the elected opposition members of parliament had taken their seats.¹⁷¹

The USDOS states that the ruling and opposition parties have engaged in little dialogue since the release of the opposition leaders.¹⁷² In April 2008 local elections were held throughout Ethiopia. Freedom House and USDOS report that opposition candidates were subjected to intimidation and arrest by the government prior to the elections making it difficult for them to compete, leading to the opposition boycotting the elections and resulting in a massive victory for government supporters.¹⁷³ The ruling party won 99% of the more than three million seats contested.¹⁷⁴

According to Human Rights Watch

“Ethiopian government officials regularly subject government critics or perceived opponents to harassment, arrest, and even torture, often reflexively accusing them of membership in "anti-peace" or "anti-people" organizations.”

Farmers face the threat of losing vital agricultural benefits when they criticize local leaders.¹⁷⁵ Human Rights Watch further state that during the 2008 elections there was an absence of organized opposition in rural areas where the overwhelming majority of the population lives, “in the vast majority of constituencies there were no opposition candidates at all”.¹⁷⁶ Candidates that did contest the election faced abuse and “improper procedural obstacles to registrations.”¹⁷⁷ Candidates in Ethiopia's Oromia region were detained and intimidated by local officials, and accused of affiliation to the rebel Oromo Liberation Front (OLF). Oromia, Ethiopia's most populous region, has long suffered from heavy-handed government repression, with students, activists, or critics of rural administrations regularly accused of being affiliated with OLF. Such allegations often lead to arbitrary imprisonment and torture¹⁷⁸

¹⁷⁰ Voice of America News, Former Top Ethiopian Officials Join Jailed Opposition Leader's Party, 26 November 2009 <http://www1.voanews.com/english/news/africa/Former-Top-Ethiopian-Officials-Join-Jailed-Opposition-Leaders-Party-75389727.html>, accessed 30 November 2009. Amnesty International, Birtukan Mideksa, Ethiopia, undated, <http://www.amnesty.org/en/individuals-at-risk/write-for-rights/birtukan-mideksa>, accessed 10 December 2009

¹⁷¹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. United Kingdom Foreign and Commonwealth Office, Travel and Living Abroad, Country Information: Ethiopia 17 April 2008, <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/sub-saharan-africa/ethiopia?profile=politics>, accessed 20 November 2009

¹⁷² US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁷³ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009. US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁷⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁷⁵ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁷⁶ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁷⁷ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁷⁸ Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

The USDOS reported that in 2008, “the UEDF, UDJ, OFDM, and Oromo People's Congress (OPC) reported arrests of members and the forced closure of political party offices throughout the country and intimidation of landlords to force them to evict the political groups.”¹⁷⁹

In 2008 Ethiopia was ranked 126 out of 180 countries surveyed in Transparency International's Corruption Perceptions Index.¹⁸⁰ Freedom House states that the government has been accused of participating in corrupt practices but has taken a number of steps to limit it. In 2007 Former Prime Minister Tamrat Layne and former Defense Minister Seye Abreha were both convicted on corruption charges.¹⁸¹

3. Treatment of members and supporters of opposition groups

Human Rights Watch and the USDOS report that Ethiopian government forces have committed human rights violations against those suspected of being supporters of or associated with opposition parties and rebel armed forces. Abuses include summary executions, reprisal attacks, rape, torture, arbitrary arrest and detention. The USDOS states that opposition supporters are subject to mistreatment by security forces “usually with impunity”.¹⁸²

The government harassed teachers and students whom they accused of being opposition supporters. In 2008 the USDOS reports that “teachers and other government workers had their employment terminated if they belonged to opposition political parties. According to opposition groups OFDM and ONC, the Oromiya regional government continued to dismiss their members--particularly teachers--from their jobs.”¹⁸³

The Ethiopian Human Rights Council (EHRC) documented an incident in which an army Captain was detained for approximately six months, then discharged and had his pension withdrawn after his father-in-law attended an opposition party meeting.¹⁸⁴

According to a 2008 Human Rights Watch report, the ruling party uses the Kebele system (type of council) as part of its elaborate system

“of surveillance, intimidation, and coercion of ordinary people who are perceived as being unsympathetic to the government. The kebele were originally created by the dictatorship of Mengistu Haile Mariam for precisely this purpose and have been put to

¹⁷⁹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁸⁰ Transparency International, 2008 Corruption Perceptions Index, 2008, http://www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table, accessed 28 November 2009

¹⁸¹ Freedom House, Freedom in the World 2009; Ethiopia, 23 September 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

¹⁸² Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December. US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009

¹⁸³ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁸⁴ Ethiopian Human Rights Council (EHRC), The Human Rights Situation in Ethiopia, January 2008, <http://www.ehrco.org/images/pdf/req28eng.pdf>, accessed 28 November 2009

the same use by the current government since Mengistu's ouster in 1991. Because of the kebele system's importance in this regard, the EPRDF is particularly loathe to contemplate losing control over them.... Local officials in Oromia have also made extensive use of the kebele system, along with smaller cells called gott and garee, to keep residents under constant surveillance for signs of government criticism. The overwhelming majority of local and regional authorities in Oromia belong to the Oromo People's Democratic Organization (OPDO), which is the regional arm of the EPRDF..”¹⁸⁵

In 2008 the USDOS reported that,

“Just before the Ethiopian New Year in September 2007, security forces arrested individuals suspected of supporting the OLF or terrorist activity. Many were members of the opposition United Ethiopian Democractic [sic] Forces (UEDF) or OFDM parties. Approximately 450 arrests were reported to opposition party offices in Addis Ababa. At year's end, 148 detainees remained in jail.”¹⁸⁶

In November 2009 Reuters reported that 450 people had been arrested in the run up to the 2010 elections, opposition parties claimed that this was done to stop individuals participating as candidates.¹⁸⁷

a. *Oromo Liberation Front (OLF)*

The Oromo Liberation Front (OLF) considers itself a political organisation, however the Ethiopian authorities categorize it as a terrorist organization.¹⁸⁸ The OLF's mission statement states,

“The Oromo Liberation Front (OLF) is a political organization established in 1973 by Oromo nationalists to lead the national liberation struggle of the Oromo people against the Abyssinian colonial rule. The emergence of the OLF was culminations of a century old yearn of the Oromo people to have a strong and unified national organization to lead the struggle. The fundamental objective of the Oromo liberation movement is to exercise the Oromo peoples' inalienable right to national self-determination to terminate a century of oppression and exploitation, and to form, where possible, a political union with other nations on the basis of equality, respect for mutual interests and the principle of voluntary associations”.¹⁸⁹

¹⁸⁵ Human Rights Watch, Ethiopia: Repression sets stage for non-competitive elections, 9 April 2008, <http://www.hrw.org/en/news/2008/04/09/ethiopia-repression-sets-stage-non-competitive-elections>, 1 December 2009

¹⁸⁶ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

¹⁸⁷ Reuters, Ethiopia opposition says nearly 450 members jailed, 3 November 2009, <http://www.reuters.com/article/idUSLT86250>, accessed 28 November 2009

¹⁸⁸ Oromo Liberation Front. OLF Mission, <http://www.oromoliberationfront.org/OLFMission.htm>, accessed 9 December 2009. Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 09 December 2009. Les ~Nouvelles.org, Dawud Ibsa Ayana, Chairman of the Oromo Liberation Front, Interview to Les nouvelles d'Addis, Paris, 29 March 2006, http://www.lesnouvelles.org/P10_magazine/15_grandentretien/15050_itvOLF/15050_itvOLF_eng.html, accessed 11 December 2009

¹⁸⁹ Oromo Liberation Front. OLF Mission, <http://www.oromoliberationfront.org/OLFMission.htm>, accessed 09 December 2009

The Oromo people are Ethiopia's largest ethnic group.¹⁹⁰ The OLF formed in 1973 in a struggle against Abyssinia rule under which the Oromo language was banned and attempts were made to suppress Oromo culture.¹⁹¹

The Ethiopian government outlawed the OLF in 1992¹⁹² and it has increasingly used accusations of terrorism to arrest and charge OLF members and other Oromo people involved in political opposition and armed resistance.¹⁹³

Human Rights Watch reports that government authorities have used the longstanding insurgency by the OLF to imprison, harass and physically abuse critics,

“Since 1992, security forces have imprisoned thousands of Oromo on charges of plotting armed insurrection on behalf of the OLF. Such accusations have regularly been used as a transparent pretext to imprison individuals who publicly question government policies or actions. Security forces have tortured many detainees and subjected them to continuing harassment and abuse for years after their release. That harassment, in turn, has often destroyed victims' ability to earn a livelihood and isolated them from their communities.”¹⁹⁴

In 2008 Human Rights Watch reported that

“A dominant theme in the EPRDF's political discourse on Oromia is the need to combat the activities of the outlawed Oromo Liberation Front (OLF), which has been fighting a low-level insurrection against the government for years with Eritrean backing. Across much of Oromia, local officials have routinely and for many years used unproven allegations of links to the OLF as a pretext to subject law-abiding government critics to arbitrary detention, torture, extrajudicial killing, and other forms of human rights abuse.”¹⁹⁵

In 2005 Human Rights Watch reported that “since 1992, security forces have imprisoned thousands of Oromo on charges of plotting armed insurrection on behalf of the OLF.”¹⁹⁶

¹⁹⁰ Integrated Regional Information Network (IRIN). 28 November 2000, Ethiopia: Oromo Armed Groups Oppose Conflict with Eritrea, <http://allafrica.com/stories/printable/20011280049.html>, accessed 2 December 2009

¹⁹¹ Oromo Liberation Front. OLF Mission, <http://www.oromoliberationfront.org/OLFMission.htm>, accessed 9 December 2009. Unrepresented Nations and Peoples Organization, Oromo, <http://www.unpo.org/content/view/full/7917/135/>, accessed 20 November 2009. Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 9 December 2009. IRIN, Ethiopia: Oromo armed groups oppose conflict with Eritrea, 21 November 2000, <http://www.irinnews.org/Report.aspx?ReportId=1432>, accessed 02 December 2009. Les ~Nouvelles.org, Dawud Ibsa Ayana, Chairman of the Oromo Liberation Front, Interview to Les Nouvelles d'Addis, Paris, 29 March 2006, http://www.lesnouvelles.org/P10_magazine/15_grandentretien/15050_itvOLF/15050_itvOLF_eng.html, accessed 8 December 2009

¹⁹² Oromo Liberation Front, The impacts of Ethiopian state terrorism and globalization on the Oromo National Movement, <http://www.oromoliberationfront.org/OLFPolicies.htm>, accessed 11 December 2009

¹⁹³ Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 02 December 2009

¹⁹⁴ Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 01 December 2009

¹⁹⁵ Human Rights Watch, Ethiopia: Repression sets stage for non-competitive elections, 9 April 2008, <http://www.hrw.org/en/news/2008/04/09/ethiopia-repression-sets-stage-non-competitive-elections>, 1 December 2009

¹⁹⁶ Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 2 December 2009.

Speaking in 2006 about protests between September and November 2005, the Chairman of the OLF claimed that the Ethiopian government was using 'concentration' camps to contain protestors.¹⁹⁷

"Thousands of Oromos were imprisoned to quell the uprising and protests by students, teachers and peasantry. And because the prisons were full, concentration camps were established, in Senkellé Police College, which was used to imprison about 5.000, 6.000 at one time. And imprison them for about a month and two months and then release some of them and again, substitute others. Another concentration camp was established in Dedesa, in western part of the country, in Wollega and similar concentration camps were used closer to Hurso. Almost all schools and all police stations are full now in most of the Oromo regions. In particular in western Harergé, in Ambo area, in Senkellé and Guder area, in Gimbi area and now it is very difficult to know even the numbers of peasants, teachers and students in prison. In fact there are many high security prisoners (university students and college students) that are in Kaliti, their number is big. And, this is the situation as of yesterday. One university student, a fourth year engineering student was beaten and killed in Kaliti prison, yesterday. He was imprisoned for the last 3 years and he was beaten to death by the security forces. Such actions are rampant all over Oromiya."¹⁹⁸

The USDOS reports that between 30,000 and 50,000 demonstrators were arrested after these anti government protests which 'erupted' in November 2005.¹⁹⁹

In 2005 Human Rights Watch reported that,

"regional authorities in Oromia have cultivated a climate of fear and repression by using state power to punish political dissent in often brutal fashion. Regional and local authorities have consistently harassed and abused perceived critics of the current government."²⁰⁰

According to Human Rights Watch, abuses in Oromia are "so widespread and arbitrarily inflicted that they have left many people afraid to engage in any kind of public discussion related to issues of concern to their communities."²⁰¹ Human Rights Watch states that this has resulted in a "climate of suspicion and abuse within which many security and government officials make widespread use of arbitrary imprisonment as a weapon in an ongoing war against dissent."²⁰²

¹⁹⁷ Les~Nouvelles.org, Dawud Ibsa Ayana, Chairman of the Oromo Liberation Front, Interview to Les Nouvelles d'Addis, Paris, 29 March 2006, http://www.lesnouvelles.org/P10_magazine/15_grandentretien/15050_itvOLF/15050_itvOLF_eng.html, accessed 24 November 2009

¹⁹⁸ Les~Nouvelles.org, Dawud Ibsa Ayana, Chairman of the Oromo Liberation Front, Interview to Les Nouvelles d'Addis, Paris, 29 March 2006, http://www.lesnouvelles.org/P10_magazine/15_grandentretien/15050_itvOLF/15050_itvOLF_eng.html, accessed 24 November 2009

¹⁹⁹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

²⁰⁰ Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, 2 December 2009

²⁰¹ Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, 2 December 2009

²⁰² Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, 2 December 2009

In 2008 the USDOS reported that,

“Opposition political party leaders reported frequent and systematic abuse and intimidation of their supporters by police and regional militias, particularly in the months leading up to the local and by-elections held during the year.”²⁰³

In 2007 Prime Minister Zenawi stated that some members of the opposition parties were acting as a front for the OLF²⁰⁴. In 2008 Bekele Jirata, the Secretary General of the mainstream political party, Oromo Federalist Democratic Movement (OFDM), was arrested and charged with “recruiting and organizing OLF members, promoting OLF terrorist activities, and financially supporting the OLF.”²⁰⁵

Several reports indicate that the Ethiopian government has continued to harass suspected OLF supporters who have sought refuge outside of Ethiopia.²⁰⁶

In 2005 the Voice of America reported claims that Ethiopian authorities have crossed the border into Kenya and kidnapped Oromo refugees.²⁰⁷

[See also Section A.3.b., Counter insurgency campaigns in the Oromo and Somali regions and Section B.4.b., Treatment of family members of opposition groups; OLF]

b. Ogaden National Liberation Front (ONLF)

The Ogaden National Liberation Front (ONLF) defines itself as a,

“Grassroots social and political movement founded in 1984 by the Somali people of Ogaden who could no longer bear the atrocities committed against them by successive Ethiopian regimes. Today, the ONLF is both an advocate for and defender of the people and is dedicated to bringing Somalis in Ogaden self-determination, peace, development and democracy”.²⁰⁸

The ONLF formed in the wake of the Western Somali Liberation Front (WSLF), which lost the support of Somalis living in Ogaden after the 1977-1978 war in which Ethiopia defeated an

²⁰³ US Department of State, 2008 Human Rights Reports: Ethiopia, 2008 Country Reports on Human Rights Practices, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 02 December 2009

²⁰⁴ The Reporter, Ethiopia: Meles Warns Opposition Parties Supporting of OLF, 27 October 2007, available from <http://allafrica.com/stories/200710270019.html>, 2 December 2009

²⁰⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

²⁰⁶ Amnesty International, Document - Ethiopia: Forcible return/ fear of torture or ill-treatment/incommunicado detention/prisoner of conscience, PUBLIC AI Index: AFR 25/024/2007, 31 October 2007, <http://www.amnesty.org/en/library/asset/AFR25/024/2007/en/50dae44b-d35b-11dd-a329-2f46302a8cc6/af250242007en.html>, accessed 23 November 2009. New African, Persecution of Oromos continues, June 1998, http://findarticles.com/p/articles/mi_qa5391/is_199806/ai_n21422989/, accessed 23 November 2009. Voice of America, Kenya Investigating Claims of Kidnapping By Ethiopia Agents, 28 December 2005, <http://www.voanews.com/english/archive/2005-12/2005-12-28-voa47.cfm?CFID=256544085&CFTOKEN=47448967&jsessionid=00305644db61e352c3f447255c4c2e32c2a2>, accessed 23 November 2009

²⁰⁷ Voice of America, Kenya Investigating Claims of Kidnapping By Ethiopia Agents, 28 December 2005, <http://www.voanews.com/english/archive/2005-12/2005-12-28-voa47.cfm?CFID=256544085&CFTOKEN=47448967&jsessionid=00305644db61e352c3f447255c4c2e32c2a2>, accessed 23 November 2009

²⁰⁸ Ogaden National Liberation Front Online, <http://www.onlf.org/news.php>, accessed 10 December 2009

attempt by Somali government forces to gain control of Ogaden, populated by a large ethnic Somali population.²⁰⁹

During the course of its response to the ONLF insurgency, Human Rights Watch accuses the Ethiopian government of committing numerous human rights violations as a means of collective punishment against members and supporters of the ONLF and their families.²¹⁰ Abuses documented by Human Rights Watch against members and supporters of the ONLF include forced relocations of civilians, destruction of their villages, arbitrary detention and arrest, summary executions, torture, rape, and other forms of sexual violence.²¹¹

In late May and early June 2007, the armed forces and Ethiopian regional authorities began to forcibly displace entire rural communities suspected of supporting the ONLF. Villagers were ordered to evacuate their villages and were warned that failure to obey the orders would lead to the burning of their villages.²¹² According to Human Rights Watch many villages in the Ogaden region were partially or totally destroyed as reprisal for perceived support for the ONLF or for suspected ONLF activity in the area.²¹³

Human Rights Watch reports that ethnic Somali's, particularly those from the Ogaadeeni clan, which make up the majority of the core of the ONLF are particularly vulnerable to being suspected of supporting the rebel group.²¹⁴

[See also Section A.3.b., Counter insurgency campaigns in the Oromo and Somali regions and Section B.4.a., Treatment of family members of opposition groups; ONLF]

c. *Al-Ittihad al-Islamia or the Islamic Union Party (IUP)*

Al-Ittihad al-Islamia is also written as Al-Ittihad al-Islamiya.²¹⁵ In the timeframe of this research little information was found about the treatment of its members or supporters. The BBC reports that Al-Ittihad al-Islamia means 'Islamic Union'.²¹⁶ The Center for Defense Information refers to the Al-Ittihad al-Islamia and Islamic Union Party as the same organization.²¹⁷ The USDOS refers to an armed group called the Islamic Courts Union.²¹⁸ An organization called Global Security states that the Islamic Courts Union was created by Al-

²⁰⁹ Council on Foreign Relations, ONLF Profile, <http://www.cfr.org/publication/13208/>, accessed 10 December 2009

²¹⁰ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 2 December 2009

²¹¹ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 2 December 2009

²¹² Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 2 December 2009

²¹³ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 2 December 2009

²¹⁴ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

²¹⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

²¹⁶ BBC, Analysis; Somalia's power brokers, 8 January 2002, <http://news.bbc.co.uk/1/low/world/africa/1747697.stm>, 27 November 2009. BBC, Who are al-Ittihad?, 20 November 2002, <http://news.bbc.co.uk/1/low/world/africa/2530633.stm>, 27 November 2009

²¹⁷ Center for Defence Information, (CDI), In the spotlight; Al Itihaad al Islami, 26 May 2005, http://www.cdi.org/program/document.cfm?documentid=3026&programID=39&from_page=../about/cdifunding.cfm, accessed 2 December 2009

²¹⁸ US Department of State, Country Reports on Human Rights Practices, 2008; Somalia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

Ittihad al-Islamia in 2000.²¹⁹ We were unable to verify whether the Islamic Union and Islamic Courts Union are the same group.

Human Rights watch reports that

“In 2006 the situation in Somali Region was exacerbated once again by events in neighboring Somalia. In June 2006 an alliance of Islamic courts (Islamic Courts Union, ICU) drove the Somali warlords out of Mogadishu, where they had ruled under a reign of violence. Led by Sheikh Aweys of al-Itihaad, the ICU’s ascendance stoked fears in both Addis Ababa and Washington of spreading Islamist extremism and revived militant Somali nationalism. The presence in Mogadishu of individuals with alleged links to al Qaeda and the 1998 East Africa embassy bombings did little to quell rising concern. With border tensions with Eritrea still unresolved, Ethiopia was further provoked by allegations of Eritrean support to the ICU, the ONLF, and other Ethiopian insurgent movements.

In December 2006, following the passage of UN Security Council resolution 1725 authorizing an African Union intervention in Somalia, Ethiopian forces backed the weak Somali Transitional Federal Government in an offensive to oust the ICU and establish the TFG in power in Mogadishu. While the Ethiopian and TFG forces were initially successful in overthrowing the ICU, a coalition of insurgent groups soon started to launch attacks on the Ethiopian forces and the TFG in Somalia.”²²⁰

According to the Center for Defense Information Al-Ittihad al-Islamia/Islamic Union Party (IUP) is a Somalia based organization which gained power in the early 1990s following the collapse of the Siad Barre dictatorship. Jamestown Foundation report that in 1991 Al-Ittihad al-Islamia “enlarged its scope to launching cross-border attacks into Ethiopia”. Jamestown further report that the main goal of Al-Ittihad al-Islamia was to form an Islamic state in the Horn of Africa countries; Ethiopia, Djibouti, Eritrea and Somalia.²²¹ According to the Center for Defense Information the main goal of attacks in Ethiopia was to gain control of the Ogaden region. The IUP originally sought to form an Islamic state in Somaliland and force the secession of the Ogaden region in Ethiopia, which it believes was wrongly seized during Somalia’s colonialist period. It has since concentrated on establishing an Islamic state in Somalia.²²²

In 2002 the BBC reported that US officials describe Al-Ittihad al-Islamia as a “prominent militant organisation in the Horn of Africa with links to Osama Bin Laden’s al-Qaeda network.”²²³ The group was placed on the US list of designated Foreign Terrorist organization in 2001.²²⁴

²¹⁹ Global Security, The Supreme Islamic Courts Union/Al-Ittihad Mahakem al-Islamiya (ICU), undated, <http://www.globalsecurity.org/military/world/para/icu.htm>, 27 November 2009

²²⁰ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia’s Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 2 December 2009

²²¹ Jamestown Foundation, Somalia’s ICU and its Roots in al-Ittihad al-Islami, 4 August 2006, [http://www.jamestown.org/programs/gta/single/?tx_ttnews\[tt_news\]=854&tx_ttnews\[backPid\]=181&no_cache=1](http://www.jamestown.org/programs/gta/single/?tx_ttnews[tt_news]=854&tx_ttnews[backPid]=181&no_cache=1), 27 November 2009

²²² Center for Defence Information, (CDI), In the spotlight; Al Itihaad al Islami, 26 May 2005, http://www.cdi.org/program/document.cfm?documentid=3026&programID=39&from_page=../about/cdifunding.cfm, accessed 2 December 2009

²²³ BBC, Who are al-Ittihad?, 20 November 2002, <http://news.bbc.co.uk/1/low/world/africa/2530633.stm>, 27 November 2009

²²⁴ BBC, Who are al-Ittihad?, 20 November 2002, <http://news.bbc.co.uk/1/low/world/africa/2530633.stm>, 27 November 2009

In 2002 a BBC report estimated that the group had 2000 members, however it is expected to be fewer as a result of “repeated attacks by Ethiopian forces after being blamed for bombings in Ethiopia” in 1997.²²⁵ The BBC reports that speculations about Al Ittihad's influence are “vastly overblown” and that “despite the allegations of al-Qaeda links, some observers say Al Itihaad has been a spent force since 1996 and has not been active for some years.”²²⁶ The BBC cites Somali sources which claim that the group has changed tactics with many of its members becoming teachers to help recruit young Somali's to the Islamist cause.²²⁷ The US National Counter terrorism Centre reports that Al-Ittihad al-Islamia now “constitutes a loose collection of independent militant groups with no identifiable central authority”²²⁸

In August 2007 the Ethiopian police apprehended a man suspected of bombing a hotel in Jijjia in the Somali region and identified him as a member of Al-Ittihad al-Islamia.²²⁹

According to the BBC the 11 autonomous courts which form the Islamic Courts Union have attempted to bring law and order to Mogadishu through a judicial system. However the group is also involved in militant activities, emerging as Somalia's strongest fighting force. Two of the 11 courts within the Union are seen as militant, one is led by Sheikh Hassan Dahir Aweys who is on a US list of suspected terrorists as he used to head Al-Ittihad al-Islamia, which has been linked to bin Laden. Aweys has claimed that Al-Ittihad al-Islamia has ceased to exist.²³⁰

UK daily newspaper, The Independent reported in 2007 that at least 150 people who had fled violence in Somalia were arrested in Kenya and rendered to Ethiopia and Somalia where they were held in underground prisons in Mogadishu and detention centres in Addis Ababa. Some were accused of having links to Al Qaeda, others of belonging to Ethiopian rebel opposition groups fighting alongside Somalia's Union of Islamic Courts.²³¹

d. Coalition for Unity and Democracy (CUD)

The Coalition for Unity and Democracy (CUD), also known as Kinijit, defines itself as a coalition dedicated to bringing unity, peace, and prosperity to the citizens of Ethiopia through democratic means.²³² CUD states that the party formed from the merging of the All Ethiopian Unity Party (AEUP), the Ethiopian Democratic League (EDL), Kestedamena and the Ethiopian Democracy Unity Party-Medhin (EDUP-M) in 2004. Amnesty International reports that the Rainbow Alliance/Movement for Democratic and Social Justice were also members of CUD.²³³ The CUD states in its mission statement that it is, “committed to bringing about the

²²⁵ BBC, Analysis; Somalia's power brokers, 8 January 2002, <http://news.bbc.co.uk/1/low/world/africa/1747697.stm>, 27 November 2009

²²⁶ BBC, Analysis; Somalia's power brokers, 8 January 2002, <http://news.bbc.co.uk/1/low/world/africa/1747697.stm>, 27 November 2009

²²⁷ BBC, Who are al-Ittihad?, 20 November 2002, <http://news.bbc.co.uk/1/low/world/africa/2530633.stm>, 27 November 2009

²²⁸ United States, National Counter terrorism Centre, undated, <http://www.nctc.gov/site/groups/aiai.htm>, 27 November 2009

²²⁹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

²³⁰ BBC, Profile, Somalia's Islamic courts, 6 June 2006, <http://news.bbc.co.uk/1/hi/5051588.stm>, 27 November 2009

²³¹ The Independent, Anger at US 'rendition of refugees who fled Somalia, 23 March 2007, <http://www.independent.co.uk/news/world/africa/anger-at-us-rendition-of-refugees-who-fled-somalia-441495.html>, accessed 22 November 2009

²³² The Official Website of Kinijit, Kinijit; For unity and democracy in Ethiopia, 27 October 2005, <http://www.kinijit.com/content.asp?ContentId=666>, accessed 20 November 2009.

²³³ Amnesty International, Ethiopia: The 15 May 2005 elections and human rights, April 2005, <http://www.amnesty.org/en/library/asset/AFR25/002/2005/en/85e30452-d4fb-11dd-8a23-d58a49c0d652/afr250022005en.pdf>, accessed 27 November 2009

Rule of Law, and freeing the beleaguered people of Ethiopia from the ethno centrist dictatorial oppressive rule of the EPDRF.²³⁴

Two opposition coalitions including the CUD and the United Ethiopian Democratic Front (UEDF) challenged Prime Minister Meles Zenawi's ruling EPRDF coalition, headed by his Tigray People's Liberation Front (TPLF) in the 2005 elections. When preliminary election results gave the ruling EPRDF party a narrow lead, CUD supporters demonstrated in Addis Ababa, accusing the government and EPRDF of fraud.²³⁵

In November 2005 Amnesty International reported that CUD members were arrested following demonstrations after the 2005 elections. The Prime Minister threatened to charge the detainees with treason which is punishable by the death penalty. The police also circulated lists of 'wanted' CUD members.²³⁶

Amnesty International further states that,

"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."²³⁷

According to a 2005 report from the Ethiopian Human Rights Council,

"Government security forces, members of the police force and kebele militiamen have been detaining, forcibly kidnapping, beating, torturing and inflicting other harms against members and supporters of the Coalition for Unity and Democracy (CUD) and United Ethiopian Democratic Forces (UEDF) in Addis Ababa, Bahir Dar, Woldiya, Dessie, East Gojam, North Wollo, Awi Zone, North Shoa, Mekele, Arsi Zone, Harrar, Nekemte, Hadiya and Gamo Gofa Zone. CUD disclosed that, during the period mentioned above,

²³⁴ The Official Website of Kinijit, Kinijit; For unity and democracy in Ethiopia, 27 October 2005, <http://www.kinijit.com/content.asp?ContentId=666>, accessed 20 November 2009. Amnesty International, Ethiopia: The 15 May 2005 elections and human rights, April 2005, <http://www.amnesty.org/en/library/asset/AFR25/002/2005/en/85e30452-d4fb-11dd-8a23-d58a49c0d652/afr250022005en.pdf>, accessed 27 November 2009

²³⁵ Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009. Amnesty International, Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, 1 May 2006, <http://www.amnesty.org/en/library/asset/AFR25/013/2006/en/d1ce45d9-d43e-11dd-8743-d305bea2b2c7/afr250132006en.pdf>, accessed 27 November 2009

²³⁶ Amnesty International, ETHIOPIA: Recent arrests of opposition leaders and police killings of 46 demonstrators, 11 November 2005, <http://www.amnestyusa.org/document.php?lang=e&id=ENGAFR250192005>, 27 November 2009

²³⁷ Amnesty International, Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, 1 May 2006, <http://www.amnesty.org/en/library/asset/AFR25/013/2006/en/d1ce45d9-d43e-11dd-8743-d305bea2b2c7/afr250132006en.pdf>, accessed 27 November 2009

more than 1,250 of its members in different regions have been detained, 12 of its offices have been closed, and request for permission to stage a public gathering on October 2, 2005 has been disallowed”²³⁸

According to Amnesty International there were further pro-CUD protests starting in late December 2005, and continuing into early 2006. Security forces detained most of the CUD leadership following the demonstration and arrested over 10,000 CUD officials and supporters in Addis Ababa, the Amhara Region and some other regions. Many of these detainees have since been released provisionally on bond but in 2007 several thousands reportedly remained in detention. Details of the arrests were not disclosed to detainees' families or the public, and most detainees were not brought before a court.²³⁹

In 2006 Amnesty International stated

"as a consequence of these widespread human rights violations against opposition party members since the elections, including mass arbitrary arrests, torture and ill-treatment, extrajudicial executions and unfair trials, a new flow of Ethiopian refugees to neighbouring countries and other parts of the world, consisting of CUD [Coalition for Unity and Democracy] members and supporters, as well as human rights defenders and journalists is starting.

Amnesty International believes that CUD activists and suspected activists at national or local levels, as well as civil society activists and journalists who had criticized the government, who have fled the country on account of experienced or threatened human rights violations, would be those who are at risk of arbitrary and indefinite detention, possible torture or ill-treatment, unfair trial or even extrajudicial execution, if forcibly returned to Ethiopia".²⁴⁰

In 2009 Voice of America News reported that the CUD broke up after the post election violence and that only a few of the CUD candidates elected took their seats. Birtukan Mideksa a former CUD leader currently serving a life sentence after her pardon for alleged involvement in the post election violence was revoked, went on to form the Unity for Democracy and Justice (UDJ).²⁴¹

e. *All Amhara People's Party (AAPO)*

²³⁸ Ethiopian Human Rights Council (EHRCO), 17 October 2005. Urgent Call! Human Rights Violations Committed Against Members and Supporters of the Opposition Parties Should Be Stopped: Special Report No. 89. available from http://www.kinijit.com/static/EHRCO_report.pdf, accessed 28 November 2009

²³⁹ Amnesty International, Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, 1 May 2006, <http://www.amnesty.org/en/library/asset/AFR25/013/2006/en/d1ce45d9-d43e-11dd-8743-d305bea2b2c7/afr250132006en.pdf>, or <http://www.amnestyusa.org/document.php?id=ENGAFR250132006&lang=e>, accessed 27 November 2009

²⁴⁰ Amnesty International, Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, May 2006, <http://www.amnesty.org/en/library/asset/AFR25/013/2006/en/d1ce45d9-d43e-11dd-8743-d305bea2b2c7/afr250132006en.pdf>, accessed 25 November 2009

²⁴¹ Voice of America News, Former Top Ethiopian Officials Join Jailed Opposition Leader's Party, 26 November 2009 <http://www1.voanews.com/english/news/africa/Former-Top-Ethiopian-Officials-Join-Jailed-Opposition-Leaders-Party-75389727.html>, accessed 30 November 2009. Amnesty International, Birtukan Mideksa, Ethiopia, undated, <http://www.amnesty.org/en/individuals-at-risk/write-for-rights/birtukan-mideksa>, accessed 10 December 2009

The All Amhara People's Party is now known as the The All Ethiopian Unity Party (AEUP).²⁴²

[See following Section B.3.f, Treatment of members and supporters of opposition groups; All Ethiopian Unity Party (AEUP)]

f. *All Ethiopian Unity Party (AEUP)*

The All Ethiopian Unity Party (AEUP) was formerly known as the All Amhara People's Party.²⁴³

In 2004, the AEUP joined three other political parties to form the Coalition for Unity and Democracy in Ethiopia (CUD).²⁴⁴

In August 2009 the AEUP published a report on recent violations against members and supporters of the party "by members of the government police force and cadres of the Ethiopian People's Revolutionary Front (EPRDF) in the Regional States throughout Ethiopia."²⁴⁵ The report documents violations in 2008 and 2009, including intimidation and threats for belonging to the AEUP, arrest for distributing AEUP leaflets, arrest without charge and summary execution by government forces.²⁴⁶

According to the AEUP these,

"violations are systematically planned to discourage the Ethiopian people from joining opposition parties in general and All Ethiopia Unity Party in particular because the latter is the largest and most mass-based multi-ethnic party that could potentially replace the EPRDF Government in the coming 2010 national and regional elections, as evidenced in the 2005 national and regional elections."²⁴⁷

g. *Ethiopian People's Revolutionary Party (EPRP)*

The Ethiopian People's Revolutionary Party (the EPRP), states that it formed as a political party in April 1972.²⁴⁸

²⁴² Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf>, accessed 7 December 2009

²⁴³ Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf>, accessed 7 December 2009

²⁴⁴ Amnesty International, Ethiopia: The 15 May 2005 elections and human rights, April 2005, <http://www.amnesty.org/en/library/asset/AFR25/002/2005/en/85e30452-d4fb-11dd-8a23-d58a49c0d652/afr250022005en.pdf>, accessed 27 November 2009

²⁴⁵ All Ethiopia Unity Party, Human Rights Violations committed by government institutions throughout the country against its members and institutions, August 2009, <http://www.kaeup.com/newsImages/pressrelease/PR-ViolationsAgainstAEUP-Eng-082409.pdf>, accessed 8 December 2009

²⁴⁶ All Ethiopia Unity Party, Human Rights Violations committed by government institutions throughout the country against its members and institutions, August 2009, <http://www.kaeup.com/newsImages/pressrelease/PR-ViolationsAgainstAEUP-Eng-082409.pdf>, accessed 8 December 2009

²⁴⁷ All Ethiopia Unity Party, Human Rights Violations committed by government institutions throughout the country against its members and institutions, August 2009, <http://www.kaeup.com/newsImages/pressrelease/PR-ViolationsAgainstAEUP-Eng-082409.pdf>, accessed 8 December 2009

²⁴⁸ Ethiopian People's Revolutionary Party, Overview Of The History Of EPRP, undated, <http://www.eprp.com/party/history.asp>, accessed 28 November 2009

The International Crisis Group describes the ERPR as a student organization. They further state that during the Red Terror “security forces arrested, tortured and killed tens of thousands of the Ethiopian People’s Revolutionary Party members and other enemies in 1976.”²⁴⁹

The International Crisis Group state that the EPRP is an exiled party which was part of the United Ethiopian Democratic Forces coalition which contested the 2005 elections.²⁵⁰

According to a 2005 report by the Ethiopian Human Rights Council, from 2005

“Government security forces, members of the police force and kebele militiamen have been detaining, forcibly kidnapping, beating, torturing and inflicting other harms against members and supporters of the Coalition for Unity and Democracy (CUD) and United Ethiopian Democratic Forces (UEDF)”²⁵¹

h. Gambella Peoples Liberation Party (GPLP)

According to author Bahru Zewde the Gambella People’s Liberation Party was formed from the Gambella People’s Liberation Movement in 1995. Zewde states that in 1998 the EPRDF imposed a merger between the GPLP and the Gambella People Democratic Union Party, creating the Gambella People’s Democratic Front which was considered an EPRDF puppet by educated Anuak.²⁵²

Human Rights Watch states that Ethiopian federal authorities have imprisoned many Anuak political leaders, including one former regional president. A substantial minority of Gambella's educated Anuak elite have been imprisoned or forced into exile over the past decade due to threats, intimidation and harassment from federal authorities.²⁵³

4. Treatment of family members of opposition groups

In 2009 Amnesty International reported that over 35 people had been held on political grounds since April 2009. Amnesty is concerned that “several may have been detained solely for their family ties to men who have expressed political opposition to the government.”²⁵⁴ It is reported that those detained may have connections to Ginbot 7, Coalition for Unity and Democracy, Unity for Democracy and Justice²⁵⁵

²⁴⁹International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²⁵⁰International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

²⁵¹Ethiopian Human Rights Council (EHRCO). 17 October 2005. Urgent Call! Human Rights Violations Committed Against Members and Supporters of the Opposition Parties Should Be Stopped: Special Report No. 89., http://www.kinijit.com/static/EHRCO_report.pdf, accessed 28 November 2009

²⁵²Bahru Zewde, Society, state and identity in African history, African Books Collective, 2008

²⁵³Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/4>, accessed 1 December 2009

²⁵⁴Amnesty International, Ethiopia: Government must reveal fate of political prisoners, 5 May 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-government-must-reveal-fate-political-prisoners-20090505>, 26 November 2009

²⁵⁵Amnesty International, Ethiopia: Government must reveal fate of political prisoners, 5 May 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-government-must-reveal-fate-political-prisoners-20090505>, 26 November 2009

The USDOS reported in 2007 that “security forces continued to detain family members of persons sought for questioning by the government.”²⁵⁶

a. *Ogaden National Liberation Front (ONLF)*

In 2008 Human Rights Watch published a report on the collective punishment of thousands of ethnic Somali civilians living in eastern Ethiopia's Somali Regional State caught in the middle of conflict between the Ethiopian government and the ONLF.²⁵⁷

The report details incidents of violations against family members of individuals suspected of involvement with the ONLF including,

“The execution of more than 150 individuals, many of them in demonstration killings, with Ethiopian soldiers singling out relatives of suspected ONLF members, or making apparently arbitrary judgments that individuals complaining to soldiers or resisting their orders are ONLF supporters.”²⁵⁸

These executions have involved strangulation, after which the bodies are left in the open as a warning.²⁵⁹

Human Rights Watch states that the Ethiopian forces have carried out summary executions as reprisal attacks against civilians after clashes with the ONLF.²⁶⁰

Human Rights Watch report that

“The military has also sought to pressure the relatives and village elders to produce ONLF members, and has detained or killed those who are unable to comply with the order.”²⁶¹

Many former military detainees interviewed by Human Rights Watch claimed that they had been arrested on suspicion of supporting the ONLF without any evidence. One young man remarked that, “Anyone with a bowl of water is suspected of supplying the ONLF.”²⁶² Human Rights Watch state that the cases they investigated indicate that,

“The armed forces arrest those they suspect of supporting the ONLF on the slimmest conjecture, and then attempt to beat and torture confessions. Most of the former

²⁵⁶ US Department of State, 2007 Human Rights Reports: Ethiopia, 2007 Country Reports on Human Rights Practices, 11 March 2008, <http://www.state.gov/g/drl/rls/hrrpt/2007/100481.htm>, accessed 24 November 2009.

²⁵⁷ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 1 December 2009

²⁵⁸ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 1 December 2009

²⁵⁹ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 1 December 2009

²⁶⁰ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December

²⁶¹ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 1 December 2009

²⁶² Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/ethiopia0608web.pdf>, accessed 01 December 2009

detainees interviewed by Human Rights Watch denied having any connection to the ONLF, although some people mentioned having relatives, often distant relatives, involved in the ONLF.”²⁶³

Human Rights Watch reports that ethnic Somali’s, particularly those from the Ogaadeeni clan, which make up the majority of the core of the ONLF are particularly vulnerable to being suspected of supporting the rebel group.²⁶⁴

b. Oromo Liberation Front (OLF)

The USDOS and Human Rights Watch report that family and neighbours of members and supporters (real and perceived) of OLF, have been targeted, harassed and detained by Ethiopian authorities.²⁶⁵

In 2005 Human Rights Watch stated that,

“not all of those arrested by security officials on allegations of OLF involvement are outspoken critics of the government. In fact, many of those interviewed by Human Rights Watch were at a loss to explain why they or their family members had been targeted for arrest.”²⁶⁶

In 2008 Human Rights Watch stated,

“Ethiopia's government has regularly used accusations of support for the Oromo rebels, who have been carrying out a low-level insurgency for a decade, as a pretext for cracking down on political dissent among the Oromo population.”²⁶⁷

According to Human Rights Watch many Oromo have been detained, tortured and harassed for expressing political opinions. Human Rights Watch state that these practices have intimidated friends and neighbours into silence. In one case a relative was too frightened to ask about the welfare a family member arrested on suspicion of being involved with OLF for fear that authorities may also suspect that they too were involved with OLF.²⁶⁸

Human Rights Watch state that several people who were detained have continued to be persecuted on release, “in many cases, police officials follow, harass and intimidate former

²⁶³ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/ethiopia0608web.pdf>, accessed 01 December 2009

²⁶⁴ Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State*, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December

²⁶⁵ US Department of State, *2006 Human Rights Reports: Ethiopia*, 2006 Country Reports on Human Rights Practices, 6 March 2007, <http://www.state.gov/g/drl/rls/hrrpt/2006/78734.htm>, accessed 24 November 2009. Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1>, accessed 24 November 2009.

²⁶⁶ Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1> accessed 24 November 2009.

²⁶⁷ Human Rights Watch News Release, *Ethiopia: Charge or Free Ethnic Oromo Terrorism Suspects*, 27 November 2008, <http://www.hrw.org/en/news/2008/11/26/ethiopia-charge-or-free-ethnic-oromo-terrorism-suspects>, accessed 2 December 2009.

²⁶⁸ Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1> accessed 24 November 2009.

detainees and their families for years after their release.”²⁶⁹ They further state that police have harassed former detainees’ neighbours, friends and family. Some former detainees have had to close businesses as a result of police harassing their customers. Human Rights Watch report that as a result of police intimidation people may become frightened of associating with a former detainee if they have been accused of being an OLF member.²⁷⁰

Several former detainees told Human Rights Watch that they have been rejected by their family as a result of police intimidation,

“in some cases people had been ostracized almost entirely. One woman who was detained in Agaro said that after her release, police harassment drove most of her family to reject her. “After I left I tried to go back to my family in the countryside but they could not accept me because they were afraid. My brother who did not reject me because of this took me in but then he was arrested for two months. They said that he is a thug, but he is a person with a wife and children and he has a job. He is back home now but he avoids talking about anything now and [the police] are always telling him that he has the OLF in his house.”²⁷¹

Amnesty International reports that in September 2008 an Oromo television programme was taken off air and sixty staff were removed from their jobs, many were placed under surveillance and their movements in Addis Ababa were restricted. Opposition parties, the Oromo Federalist Democratic Movement and the Oromo National Congress claim this action was politically motivated.²⁷²

Human Rights Watch reports that at the end of 2008 over 100 ethnic Oromo were arrested across the Oromia region, accused of helping to plot terrorist attacks on behalf of the outlawed OLF.²⁷³ Human Rights Watch Africa Director stated ““Ethiopia has well-founded fears of terrorist attacks, but has often manipulated those fears to suppress dissent...These mass arrests bear all the hallmarks of the ‘imprison first, investigate later’ tactics used to arbitrarily detain peaceful critics.”²⁷⁴

c. *Anuak*

In 2005 Human Rights Watch stated that government forces have committed violations against Anuak civilians including extrajudicial killings, beatings, rape, torture.²⁷⁵

²⁶⁹ Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1> accessed 24 November 2009.

²⁷⁰ Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1> accessed 24 November 2009.

²⁷¹ Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1> accessed 24 November 2009

²⁷² Amnesty International, *Ethiopia: Arbitrary detention/torture or other ill-treatment*; AFR 25/012/2008, 14 November 2008, <http://www.amnesty.org/en/library/info/AFR25/012/2008/en>, accessed 28 November 2009

²⁷³ Human Rights Watch News Release, *Ethiopia: Charge or Free Ethnic Oromo Terrorism Suspects*, 27 November 2008, <http://www.hrw.org/en/news/2008/11/26/ethiopia-charge-or-free-ethnic-oromo-terrorism-suspects>, 24 November 2009.

²⁷⁴ Human Rights Watch News Release, *Ethiopia: Charge or Free Ethnic Oromo Terrorism Suspects*, 27 November 2008, <http://www.hrw.org/en/news/2008/11/26/ethiopia-charge-or-free-ethnic-oromo-terrorism-suspects>, 24 November 2009.

²⁷⁵ Human Rights Watch, *Targeting the Anuak*, March 2005, <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>, accessed 1 December 2009

On 13 December 2003 Human Rights Watch state that police and ENDF soldiers participated in the massacre of Anuak civilians in Gambella town, as a reprisal for attacks made by armed Anuak.²⁷⁶ Human Rights Watch state that witnesses reported soldiers moving systematically from house to house searching for and killing Anuak men.²⁷⁷ Human Rights Watch report that three days later there were further attacks against the Anuak civilians in Pinyudo, 110 kilometres south of Gambella town. Government forces caused hundreds of families to flee, houses were burnt and the local mill disabled. Regional officials estimated that over 1000 homes were destroyed.²⁷⁸

Human Rights Watch report that during the Pinyudo attack Government officials used deception to lure civilians to their death,

“Late in the day, the violence subsided. Wereda officials arrived on the scene and began moving along the banks of the Gilo River with loudspeakers, announcing that the situation had been brought under control and urging people to return to their homes. Many people were skeptical and remained hidden, but a large group of people emerged from the grass and began making their way back across the river. As they stepped into the water, soldiers on the opposite bank opened fire indiscriminately.”²⁷⁹

Government attacks against Anuak have also occurred in Tedo Kebele and Gok.²⁸⁰ Human Rights Watch state that “encouraged by a climate of near-total impunity, ENDF personnel have raped Anuak women in and around villages throughout Gambella”²⁸¹

Human Rights Watch reported in 2005 that Anuak politicians, educated elite and civilians have been targeted for harassment by government authorities,

“ENDF soldiers routinely detain and interrogate Anuak men they encounter in searches of Anuak villages or in the countryside. According to people who have witnessed or been subjected to them, these interrogations are generally linked to efforts to locate Anuak *shifta* or search for illegal firearms. In many cases, soldiers beat their detainees during interrogation and these beatings are often severe enough to rise to the level of torture. In other cases, ENDF personnel have beaten Anuak men without questioning them at all.”²⁸²

In 2005 Human Rights Watch reported that Ethiopian federal authorities imprisoned many Anuak political leaders, and at least thirty prominent Anuak, including one former regional president. A substantial minority of Gambella's educated Anuak elite have been imprisoned

²⁷⁶ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>, accessed 1 December 2009

²⁷⁷ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>, accessed 1 December 2009

²⁷⁸ Human Rights Watch, Targeting the Anuak, March 2005 <http://www.hrw.org/en/node/11812/section/6>, accessed 1 December 2009

²⁷⁹ Human Rights Watch, Targeting the Anuak, March 2005 <http://www.hrw.org/en/node/11812/section/6>, accessed 1 December 2009

²⁸⁰ Human Rights Watch, Targeting the Anuak, March 2005 <http://www.hrw.org/en/node/11812/section/6>, accessed 1 December 2009

²⁸¹ Human Rights Watch, Targeting the Anuak, March 2005 <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>, accessed 1 December 2009

²⁸² Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>, accessed 1 December 2009

or forced into exile over the past decade due to threats, intimidation and harassment from federal authorities.²⁸³

In 2007 a report by the UN Committee on the Elimination of Racial Discrimination stated that it was

“alarmed at information according to which military and police forces have been systematically targeting certain ethnic groups, in particular the Anuak and the Oromo peoples, and reports of summary executions, rape of women and girls, arbitrary detention, torture, humiliations and destruction of property and crops of members of those communities.”²⁸⁴

Following a visit to Gambella during her 28 November-12 December 2006 mission to Ethiopia, the Independent Expert “expressed her serious concern to regional authorities over the fact that many individuals, largely of Anuak ethnicity, had been held in prison without trial since December 2003, in contravention of the constitutional guarantee of speedy trials.”²⁸⁵

In 2009 Human Rights Watch stated that the Ethiopian government denies allegations of abuses by its military and refuses to facilitate independent investigations, “Nor have ENDF officers or civilian officials been held accountable for crimes against humanity that ENDF forces carried out against ethnic Anuak communities during a counterinsurgency campaign in Gambella region in late 2003 and 2004.”²⁸⁶

d. Coalition for Unity and Democracy (CUD)

According to a 2008 research report by the Canadian Immigration and Refugee Board, the Secretary of the Kinijit (CUD) chapter in Toronto stated that

““relatives of members of CUD are treated as 'enemy' of the government of Ethiopia" [] The Secretary added that relatives of members of the CUD are subjected to treatment such as job discrimination, unlawful dismissal, refusal of business licence applications or loss of existing business licences, and denial of university admission or grants”²⁸⁷

5. Civil society, human rights and political activists

²⁸³ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>, accessed 1 December 2009

²⁸⁴ United Nations, Committee On The Elimination Of Racial Discrimination, Consideration Of Reports Submitted By States Parties Under Article 9 Of The Convention; Concluding Observations of the Committee on the Elimination of Racial Discrimination, Ethiopia, CERD/C/ETH/CO/15, 20 June 2007 <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.ETH.CO.15.doc>, accessed 26 November 2009

²⁸⁵ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, http://www.unhcr.org/refworld/country,,,MISSION,ETH,,461f9ea82_0.html, accessed 10 November 2009

²⁸⁶ Human Rights Watch, World Report 2009: Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 2 December 2009. Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

²⁸⁷ Canadian Immigration and Refugee Board, Ethiopia: Treatment of relatives of members of opposition parties, especially the Coalition for Unity and Democracy (CUD) (2006 - 2007), 4 January 2008, <http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451633>, accessed 25 November 2009

Article 31 of the Ethiopian constitution guarantees the right to form associations, although it prohibits associations formed in violation of the appropriate laws or associations with the objective of overthrowing the constitutional order or associations carrying out these activities.²⁸⁸ The USDOS also reports that the right to engage in unrestricted peaceful political activity is provided by law.²⁸⁹ Amnesty International reports that a draft Charities and Societies Proclamation (NGO law) was revised several times by the government in 2008, “but remained threatening to the rights of freedom of assembly, association and expression.”²⁹⁰

This law was enacted on 6 January 2009, Human rights Watch claims that it “criminalizes most human rights work in the country”²⁹¹

“The law considers any civil society group that receives more than 10 percent of its funding from abroad - even from Ethiopian citizens living outside of the country - to be “foreign.” These groups are forbidden from doing any work that touches on human rights, governance, or a host of other issues. Because Ethiopia is one of the world's poorest countries, with few opportunities for domestic fundraising, such constraints are even more damaging than they would be elsewhere. Under the law, groups based outside the country, such as Human Rights Watch and Amnesty International, are barred from doing human rights-related work in Ethiopia.”²⁹²

The law also provides for the creation of a government entity called the Charities and Society Agency which is charged with the registration, functioning and dissolution of NGOs. According to Human Rights Watch the agency will have wide discretion to refuse registration of NGOs and extensive powers to hinder the work of civil society groups.²⁹³

The USDOS states that the Ministry of Justice technically registers and licenses NGOs, but the Ministry of Foreign Affairs (MFA) screens applications from international NGOs and submits recommendations to the Ministry of Justice about whether to approve or deny. By requesting a large financial deposit the MFA effectively prevented some international NGOs’ from registering.²⁹⁴

Freedom House reports there are a number of active non-governmental organizations (NGOs) in Ethiopia but that they are closely regulated by the government and as a result are

²⁸⁸ CIVICUS, Ethiopia, Submission to the UN Universal Periodic Review, Sixth Session of the UPR Working Group, 13 April 2009, http://www.civicus.org/csw_files/UPRSubmissionEthiopia-April2009.pdf, accessed 20 November 2009

²⁸⁹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

²⁹⁰ Amnesty International, World Report 2009: Ethiopia, <http://thereport.amnesty.org/en/regions/africa/ethiopia>, 2 December 2009

²⁹¹ Human Rights Watch, Ethiopia: New law ratchets up repression, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009.

²⁹² Human Rights Watch, Ethiopia: New law ratchets up repression, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009

²⁹³ Human Rights Watch, Ethiopia: New law ratchets up repression, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009, International Federation for Human Rights, Ethiopia: Freedom of association in jeopardy, 9 January 2009, <http://www.unhcr.org/refworld/country,,IFHR,,ETH,,49885785c,0.html>, accessed 07 December 2009. CIVICUS, Ethiopia, Submission to the UN Universal Periodic Review, Sixth Session of the UPR Working Group, 13 April 2009, http://www.civicus.org/csw_files/UPRSubmissionEthiopia-April2009.pdf, accessed 20 November 2009

²⁹⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

reluctant to voice criticism of the government.²⁹⁵ Human Rights Watch report that very little independent civil society activity or peaceful dissent is permitted by the government and that the Ethiopian Human Rights Council (EHRCO) is almost alone in documenting human rights abuses from inside Ethiopia. Many of EHRCO staff were forced to leave the country or imprisoned following its reporting of government repression during the 2005 disputed election protests.²⁹⁶

Political parties are required by law to register with the National Electoral Board, the USDOS states that the National Electoral Board limited political activity by the Coalition for Unity and Democracy Party.²⁹⁷

Human Rights Watch states that the country's human rights record has deteriorated since the disputed 2005 elections and that the country is witnessing a growing trend of political repression.²⁹⁸ The International Federation for Human Rights reports that human rights defenders have been subject to ongoing acts of harassment.²⁹⁹

In 2008 UEDF, UDJ, OFDM, and Oromo People's Congress (OPC) reported arrests of members and the forced closure of offices. Opposition parties also reported that political leaders, including federal and regional MPs, were discouraged by government officials from traveling to their constituencies to meet with supporters, although others visited constituents without incident.³⁰⁰

The UK based Network for Education and Academic Rights states that three members of the Ethiopian Teachers' Association (ETA), were detained in May 2007 in the context of their legal trade union activities and that another member was missing. The teachers are accused of membership of the illegal Ethiopian Patriotic Front. At the time of reporting the two ETA officers and a member of the ETA were held in detention in the Addis Ababa Kality central prison. Three of these colleagues had previously been detained and tortured in prison between December 2006 and March 2007, one of the individuals reported that "he was suspended, with his limbs tied and was threatened [sic] that he would not be released unless admitting that he is member of the Patriot Front"³⁰¹

According to the Network for Education and Academic Rights the Ethiopian Teachers' Association (ETA) has been subjected to repression and interference since its establishment in 1993. The harassment intensified resulting in Education International (of which ETA is a member) and the ETA submitting complaints in 2006 to the International Labour Organization (Committee on Freedom of Association) and to the ILO/UNESCO Committee

²⁹⁵ Freedom House, Freedom in the World, Country Report, 2008: Ethiopia, <http://www.freedomhouse.org/template.cfm?page=22&country=7392&year=2008>, accessed 07 December 2009

²⁹⁶ Human Rights Watch, Ethiopia: New law ratchets up repression, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009.

²⁹⁷ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

²⁹⁸ Human Rights Watch, Ethiopia: New law ratchets up repression, 8 January 2009, <http://www.hrw.org/en/news/2009/01/08/ethiopia-new-law-ratchets-repression>, 20 November 2009.

²⁹⁹ International Federation for Human Rights, Ethiopia: Freedom of association in jeopardy, 9 January 2009, <http://www.fidh.org/Ethiopia-Freedom-of-association-in-jeopardy>, accessed 7 December 2009

³⁰⁰ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³⁰¹ Network for Education and Academic Rights, Ethiopian Teachers Association Activists Arrested Again, 23 June 2007, <http://www.nearinternational.org/alert-detail.asp?alertid=81> accessed 07 December 2009

of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART). The complaints included allegations relating to arrests of trade unionists and continuing mistreatment, intimidation and interference.³⁰²

In 2007, the case of Ethiopia was discussed by the ILO Committee on the Application of Standards. The Committee expressed

“its deep concern over the new allegations made relating to recent arrests of trade unionists and continuing mistreatment, intimidation and interference. It called on the Government to look into these recent allegations and, if they prove to be true, to ensure the immediate release of any newly detained teachers.

The Committee expressed the firm hope that appropriate steps would be taken to ensure that teachers are fully guaranteed their right to organize and to carry out legitimate trade union activities both in law and in practice without government interference, and that they would no longer be subjected to detention or imprisonment for exercising their rights guaranteed under the Convention. Given that the Committee of Experts has been making comments concerning the non-application of the Convention over many years, and in light of the Government's expression of its desire to continue fully cooperating with the ILO, the Committee requested the Government to accept a direct contacts mission.”³⁰³

The USDOS also reports politically motivated disappearances of teachers and trade union members,

“According to the Ethiopian Teacher's Association (ETA), two active members of their organization (see section 2.b.) disappeared this year. Tilahun Ayalew, chairman of the Dangila town ETA and coordinator of the program Education for All, was detained from December 2007 to March 2008. He reported that Bahir Dar regional police detained and tortured him for three to four days before transferring him to Maikalawi police station in Addis Ababa, where police reportedly tortured him also. The Federal First Instance Court then released him on a habeas corpus petition, citing the lack of formal charges against him. Shortly after seeing his family upon release, Tilahun disappeared, and his whereabouts remained unknown at year's end.”³⁰⁴

The USDOS reports that the government restricted academic freedom,

“maintaining that professors could not espouse political sentiments. Authorities did not permit teachers at any level to deviate from official lesson plans and discouraged political activity and association of any kind on university campuses. Reports continued of uniformed and plainclothes police officers on and around university and high school campuses. Professors and students were discouraged from taking

³⁰² Network for Education and Academic Rights, Ethiopian Teachers Association Activists Arrested Again, 23 June 2007, <http://www.nearinternational.org/alert-detail.asp?alertid=81> accessed 07 December 2009

³⁰³ International Labor Organisation, ILCCR: Examination of individual case concerning Convention No. 87, Freedom of Association and Protection of the Right to Organise, 1948 Ethiopia (ratification: 1963) Published: 2007; 132007ETH087, 2007, <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=799&chapter=13&query=China%40ref&highlight=&querytype=booI&context=0>, accessed 25 November 2009

³⁰⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

positions not in accordance with government positions or practices. College students were reportedly pressured to pledge allegiance to the EPRDF to secure enrollment in universities or post-graduation government jobs. There was a lack of transparency in academic staffing decisions, with numerous complaints from individuals in the academic community of bias based on ethnicity or religion. Speech, expression, and assembly were frequently restricted on university and high school campuses.”³⁰⁵

6. Journalists

According to the Committee to Protect Journalists (CPJ) the media in Ethiopia is not free, and the independent press are subject to frequent government crackdowns.³⁰⁶ The USDOS reports that journalists, publishers, and editors continue to be subjected to intimidation, arrest, harassment, detention on charges of defamation and prosecution by the government.³⁰⁷

In 2008 the Parliament passed a new Media and Freedom of Information Proclamation which promises to prohibit the most repressive aspects of the previous 1992 press law³⁰⁸. Most notably the law prohibits the pre-trial detention of journalists,³⁰⁹ censorship of private media and recognizes the right of journalists to set up professional associations.³¹⁰ However Human Rights Watch states that the law retains “criminal penalties including prison terms for journalists found guilty of libel or defamation”.³¹¹ The Committee to Protect Journalists states that the law contained “vague national security restrictions”.³¹² The new law provides for the confiscation of publications and the impounding of material prior to publication on the grounds of national security or public order.³¹³ Furthermore the USDOS states that

“the law allows only incorporated companies to publish print media; requires all previously licensed press to reregister; bars foreign and crossmedia ownership; grants the government unlimited rights to prosecute the media; criminalizes defamation of public officials and increases defamation fines to 100,000 birr (\$9,751); [...] provides government information officials exclusive discretion to withhold

³⁰⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³⁰⁶ IRIN, Federal Democratic Republic of Ethiopia; Humanitarian Country Profile, February 2007, <http://www.irinnews.org/country.aspx?CountryCode=ET&RegionCode=HOA>, 2 December 2009

³⁰⁷ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009; Amnesty International, World Report 2009: Ethiopia, <http://thereport.amnesty.org/en/regions/africa/ethiopia>, 2 December 2009

³⁰⁸ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Human Rights Watch, World Report 2009: Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 2 December 2009. Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

³⁰⁹ Human Rights Watch, World Report 2009: Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 2 December 2009

³¹⁰ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³¹¹ Human Rights Watch, World Report 2009: Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 2 December 2009

³¹² Human Rights Watch, World Report 2009: Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 2 December 2009.

Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

³¹³ Human Rights Watch, World Report 2009: Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 2 December 2009.

Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

"sensitive" information without judicial review; and maintains the MOI's [Ministry of Information] absolute authority to regulate the media.³¹⁴

The USDOS reports that the "government indirectly censored the media by controlling licensing."³¹⁵ The Committee to Protect Journalists state that "although authorities issued licenses allowing a handful of independent political newspapers to operate, they continued to use imprisonment, threats, and legal and administrative restrictions to suppress coverage of sensitive issues."³¹⁶ In 2008 Amnesty International stated that some independent journalists and publishers were denied licences to operate.³¹⁷

The USDOS reports that several groups' websites were blocked by the government,

"The government restricted access to the Internet and blocked opposition Web sites, including the sites of the OLF, ONLF, Ginbot 7, and several news blogs and sites run by opposition diaspora groups, such as the Ethiopian Review, CyberEthiopia.com, Quatero Amharic Magazine, Tensae Ethiopia, and the Ethiopian Media Forum."³¹⁸

IRIN reports that during the public protest that followed the 2005 contested elections, the media were accused of acting as "mouthpieces" for the opposition and journalists were threatened with charges of treason, an offence punishable by death in Ethiopia. The authorities detained more than a dozen journalists and issued a wanted list of editors and publishers.³¹⁹

The USDOS reports that in 2008

"the government convicted and sentenced journalists for articles and reports in their publications. Journalists were intimidated, harassed, arrested, and detained on charges of defamation, threatening public order, and contempt of court."³²⁰

The USDOS reported in 2008 that and journalists frequently practice self- censorship.³²¹

Broadcast media continue to be controlled by government, with the exception of three private FM radio stations.³²² The government owned media reflects mostly the views and polices of

³¹⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³¹⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³¹⁶ Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, 10 February 2009, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

³¹⁷ Amnesty International, World Report 2009: Ethiopia, <http://thereport.amnesty.org/en/regions/africa/ethiopia>, 2 December 2009

³¹⁸ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³¹⁹ IRIN, Federal Democratic Republic of Ethiopia; Humanitarian Country Profile, February 2007, <http://www.irinnews.org/country.aspx?CountryCode=ET&RegionCode=HOA>, 2 December 2009

³²⁰ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³²¹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³²² US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

the ruling EPRDF coalition.³²³ However, live radio and television broadcasts occasionally televised parliamentary debates and broadcast the views of opposition members of parliaments, as did government newspapers.³²⁴ The government runs the only television station and subjects the news broadcasts to a tight control. The broadcasting law prohibits political and religious organizations or foreigners from owning broadcast stations.³²⁵

The number of private newspapers remains low. The USDOS 2008 report indicates that approximately 20 private Amharic-language and English-language newspapers with political and business focuses were published in 2008, with a combined weekly circulation of more than 150,000.³²⁶

According to Reporters Without Borders, in August 2009 two journalists received one year jail sentences, both prosecutions were based in part, on an obsolete law. Reporters Without Borders stated that “these sentences show that it is still very dangerous to work as a journalist in Ethiopia.”³²⁷ One case concerned an article on human rights violations in the Oromia region and the other discussed the education ministry’s plan to ban Muslim students from wearing the veil in state schools.³²⁸

In December 2009 Reporters Without Borders reported that several editors of the weekly Addis Neger fled the country fearing that they would be arrested on hearing that the government intended to prosecute the newspaper and its staff under anti terror legislation which was adopted last year.³²⁹

Foreign journalists who are critical of the government have been subjected to intimidation and harassment.³³⁰

“Foreign journalists and local stringers working for foreign publications at times published articles critical of the government but were subjected to government pressure to self-censor. During the year some reporters for foreign media were subjected to intimidation and harassment or threatened with expulsion from the country for publishing articles critical of the government.”³³¹

³²³ IRIN, Federal Democratic Republic of Ethiopia; Humanitarian Country Profile, February 2007, <http://www.irinnews.org/country.aspx?CountryCode=ET&RegionCode=HOA>, 2 December 2009. US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³²⁴ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³²⁵ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³²⁶ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³²⁷ Reporters Without Borders, Two journalists get one-year jail terms under obsolete law, 4 September 2009, <http://www.rsf.org/Two-journalists-get-one-year-jail.html>, accessed 25 November 2009

³²⁸ Reporters Without Borders, Two journalists get one-year jail terms under obsolete law, 4 September 2009, <http://www.rsf.org/Two-journalists-get-one-year-jail.html>, accessed 25 November 2009

³²⁹ Reporters Without Borders, Weekly forced to stop publishing, its journalists flee abroad, 4 December 2009, <http://www.rsf.org/Weekly-forced-to-stop-publishing.html>, accessed 26 November 2009

³³⁰ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009; Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

³³¹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

According to the Committee to Protect Journalists the government often uses the renewable one-year residency and accreditation permits in order to silence foreign journalists.³³² They further state that conflict in the Ogaden region, human rights violations, and the ongoing food crisis were among the stories that received little attention among the resident foreign press who feared government reprisals and expulsion.³³³

7. Failed asylum-seekers

In 2008 the UK signed a memorandum of understanding with the Ethiopian government, giving 'diplomatic assurances' that individuals suspected of being threats to national security in the UK would not be tortured by Ethiopia after deportation.³³⁴ Human Rights Watch warned that the agreement, under which Ethiopia will obtain custody of its citizens now in detention in the UK is unreliable,

"The UK-Ethiopia agreement is intended to get around the absolute ban on returning people to countries where they are at risk of torture," said Tom Porteous, London director at Human Rights Watch. "Ethiopia has a grim record of torture, particularly where suspects are perceived as security threats, and empty promises from Addis will not remove that risk...."

Concerns about torture, ill-treatment, and lack of due process are often gravest when individuals are detained on suspicion of affiliation with armed opposition, insurgent, or terrorist activity. In some cases suspects are tortured during interrogations, while in other cases they are tortured as punishment."³³⁵

In 2006 Amnesty International stated,

"as a consequence of these widespread human rights violations against opposition party members since the elections, including mass arbitrary arrests, torture and ill-treatment, extrajudicial executions and unfair trials, a new flow of Ethiopian refugees to neighbouring countries and other parts of the world, consisting of CUD [Coalition for Unity and Democracy] members and supporters, as well as human rights defenders and journalists is starting.

Amnesty International believes that CUD activists and suspected activists at national or local levels, as well as civil society activists and journalists who had criticized the government, who have fled the country on account of experienced or threatened human rights violations, would be those who are at risk of arbitrary and indefinite

³³² Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

³³³ Committee to Protect Journalists, Attacks on the Press in 2008: Ethiopia, <http://cpj.org/2009/02/attacks-on-the-press-in-2008-ethiopia.php>, accessed 2 December 2009

³³⁴ Human Rights Watch, UK: Ethiopian 'Assurances' No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 25 November 2009

³³⁵ Human Rights Watch, UK: Ethiopian 'Assurances' No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 25 November 2009

detention, possible torture or ill-treatment, unfair trial or even extrajudicial execution, if forcibly returned to Ethiopia".³³⁶

In 2005 Amnesty International reported that two pilots who had sought asylum were forcibly returned from Djibouti and were tortured on return to Ethiopia whilst detained incommunicado.³³⁷ Amnesty International reported that fifteen refugees were forcibly returned to Ethiopia by Sudan in August 2008, they were detained on arrival. Five people were forcibly returned to Ethiopia by Somaliland in October 2008, they were suspected of links with the ONLF and were detained on arrival. Amnesty International stated that their whereabouts in custody was not known.³³⁸

In 2009 Human Rights Watch reported that the Somali Riyale administration of Somaliland has forcibly returned Ethiopian asylum-seekers on several occasions,

“forcible returns of asylum seekers reflect the strong influence of the Ethiopian government over the Somaliland authorities. Ethiopia has long been Somaliland’s only regional ally, a relationship premised to a large degree on close cooperation on matters of security. In at least several cases Ethiopia’s government has asked the Somaliland authorities to hand into its custody asylum-seekers who Ethiopian officials believe have ties to insurgent groups in Ethiopia, and the Somaliland authorities have generally complied with such requests...

Most of the asylum-seekers who have been forcibly returned from Somaliland to Ethiopia are believed to be individuals the Ethiopian government suspects of having ties to armed opposition groups—which is often the reason why they fled Ethiopia.”³³⁹

According to Human Rights Watch a UNHCR official told them in 2009, with reference to Somaliland, that “there are many deportations of refugees. Most of these deportations take place within 24 hours—so most of the cases where [UNHCR has] tried to intervene [they] have failed.”³⁴⁰ Human Rights Watch further reports that authorities in Somaliland feel no choice but to comply with Ethiopia, the “ties between the two governments are close and strong” and that it is difficult to overstate the power imbalance between Addis Ababa and Hargeisa.³⁴¹

Most of the Ethiopian asylum-seekers who enter Somaliland are ethnic Oromo or Somalis of

³³⁶ Amnesty International, Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, May 2006, <http://www.amnesty.org/en/library/asset/AFR25/013/2006/en/d1ce45d9-d43e-11dd-8743-d305bea2b2c7/afr250132006en.pdf> or <http://www.amnestyusa.org/document.php?id=ENGAFR250132006&lang=e>, accessed 25 November 2009

³³⁷ Amnesty International, Ethiopia; Further information on fear of forcible return, 22 July 2005, <http://www.amnesty.org/en/library/asset/AFR25/011/2005/en/24329d91-d4c7-11dd-8a23-d58a49c0d652/afr250112005en.html>, accessed 24 November 2009

³³⁸ Amnesty International, Ethiopia; Amnesty International World Report 2008, <http://www.amnesty.org/en/region/ethiopia/report-2008>, accessed 25 November 2009

³³⁹ Human Rights Watch, Hostages to Peace, 13 July 2009, <http://www.hrw.org/sites/default/files/reports/somaliland0709web.pdf>, accessed 25 November 2009.

³⁴⁰ Human Rights Watch, Hostages to Peace, 13 July 2009, <http://www.hrw.org/sites/default/files/reports/somaliland0709web.pdf>, accessed 25 November 2009.

³⁴¹ Human Rights Watch, Hostages to Peace, 13 July 2009, <http://www.hrw.org/sites/default/files/reports/somaliland0709web.pdf>, accessed 25 November 2009.

the Ogadeni clan. Human Rights Watch believes that “suspected ONLF and OLF members returned to Ethiopia face a high probability of arbitrary detention and torture.”³⁴² Human Rights Watch further state that members of the “Ogaadeeni [sic] clan” are particularly vulnerable to being accused of supporting the ONLF.³⁴³

Several sources report that Ethiopian authorities have tried and sentenced individuals in absentia, including opposition leaders, journalists, editors, human rights defenders and military personnel.³⁴⁴

Amnesty International reports that in May 2008 four pilots who sought asylum whilst training in Israel were sentenced to death in absentia by a military tribunal.³⁴⁵

C. Security Forces/Military Service

1. Armed forces

The Ethiopian National Defense Forces (ENDF) have about 200,000 personnel, making it one of the largest military forces on the continent.³⁴⁶ The ENDF consists of Ground Forces and the Ethiopian Air Force (ETAF); after the secession of Eritrea Ethiopia was left landlocked and naval facilities remained in the possession of Eritrea.³⁴⁷

According to the US Central Intelligence Agency, the age for voluntary or compulsory military service is 18 years. The UN Committee on the Rights of the Child expressed concern at possible flaws in the recruitment process due to the lack of adequate birth registration.³⁴⁸ Theoretically military service is not compulsory however the military can conduct call-ups when necessary and compliance is compulsory.³⁴⁹ War Resisters International report that after the end of the Derg regime efforts were made to enlist new soldiers from all ethnic backgrounds. By 1996 the army was said to have incorporated men from Oromia, Amhara,

³⁴² Human Right Watch, Hostages to Peace, 13 July 2009,

<http://www.hrw.org/sites/default/files/reports/somaliland0709web.pdf>, accessed 25 November 2009.

³⁴³ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December 2009

³⁴⁴ Amnesty International, Ethiopia: Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, May 2006, <http://www.amnesty.org/en/library/asset/AFR25/013/2006/en/d1ce45d9-d43e-11dd-8743-d305bea2b2c7/afr250132006en.pdf>, accessed 25 November 2009. Independent, Ethiopian opposition leaders sentenced to life, 17 July 2007, <http://www.independent.co.uk/news/world/africa/ethiopian-opposition-leaders-sentenced-to-life-457522.html>, 25 November 2009. Voice of America News, Ethiopia convicts 27 in coup plot, 19 November 2009, <http://www1.voanews.com/english/news/africa/Ethiopia-Convicts-27-in-Coup-Plot-70544837.html>, 25 November 2009. Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009.

<http://www.unhcr.org/refworld/docid/4a1fadedc.html>, accessed 3 December 2009

³⁴⁵ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://www.unhcr.org/refworld/docid/4a1fadedc.html>, accessed 3 December 2009

³⁴⁶ US Department of State, Bureau of African Affairs, Background Note: Ethiopia, December 2009 <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 8 December 2009

³⁴⁷ Central Intelligence Agency, The World Fact Book: Africa, Ethiopia, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>, accessed 08 December 2009.

³⁴⁸ United Nations Committee on the Rights of the Child, Forty third session, Consideration of reports submitted by State parties under Article 44 of the Convention, Concluding observations: Ethiopia, CRC/C/ETH/CO/3, 1 November 2006, [http://www.unhchr.ch/tbs/doc.nsf/0/426c8f0ecdb895f1c125724300541453/\\$FILE/G0645009.doc](http://www.unhchr.ch/tbs/doc.nsf/0/426c8f0ecdb895f1c125724300541453/$FILE/G0645009.doc), accessed 1 December 2009

³⁴⁹ Central Intelligence Agency, The World Fact Book: Africa, Ethiopia, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>, accessed 08 December 2009

and from the southern federal states Afar, Gambella and Somali nationals as well as ex-servicemen and militiamen who took part in the struggle against the Menghistu regime.³⁵⁰

According to the USDOS

“During the 1998-2000 border war with Eritrea, the ENDF mobilized strength reached approximately 350,000. Since the end of the war, some 150,000 soldiers have been demobilized. The ENDF continues a transition from its roots as a guerrilla army to an all-volunteer professional military organization with the aid of the U.S. and other countries.³⁵¹

The United States sponsors numerous programs including: training in peacekeeping operations, professional military education, military training management and counter-terrorism operations.³⁵²

According to the International Crisis Group, the advisers for national security, military and legal affairs are members of the Tigray People's Liberation Front (TPLF).³⁵³ The International Crisis Group states that “the party’s dominance is particularly evident in the armed forces and the National Intelligence and Security Office”.³⁵⁴ Most senior military commanders were former TPLF fighters. In 2008 Prime Minister Meles promoted twelve senior officials to the ranks of lieutenant, brigadier and major general. Eight of those promoted were Tigrayans.³⁵⁵

According to the 2007 Freedom House report the military “has generally remained loyal to civilian authority.”³⁵⁶ However

“in August 2006 a dissident Oromo general defected to Eritrea with 100 of his troops and pledged his support for the armed wing of the OLF. This moved the government to begin a systematic purge of soldiers it viewed as potentially disloyal”³⁵⁷

The USDOS reports that “local militias also operated as local security forces largely independent of the police and military.”³⁵⁸

³⁵⁰ War Resisters' International, Country Report and Update: Ethiopia, 17 August 1998, http://www.wri-irg.org/programmes/world_survey/country_report/en/Ethiopia, accessed 08 December 2009.

³⁵¹ US Department of State, Bureau of Africa Affairs, Background Note: Ethiopia, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 8 December 2009.

³⁵² US Department of State, Bureau of Africa Affairs, Background Note: Ethiopia, <http://www.state.gov/r/pa/ei/bgn/2859.htm>, accessed 8 December 2009

³⁵³ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, p15, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

³⁵⁴ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, p16, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

³⁵⁵ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, p16, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

³⁵⁶ Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009.

³⁵⁷ Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009.

³⁵⁸ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

In 2005 research showed that there was public concern about the "public integrity of the armed forces."³⁵⁹ These concerns stem from the events that followed the 2005 contested election as well as the army and security forces' brutal handling of unrest among Anuak, Somalis, and Oromo.³⁶⁰ Freedom House and Human Rights Watch report that Anuak communities in the Gambella region of southwestern Ethiopia as well as communities in Oromia and Ogaden region have been subject to ENDF repression and violence.³⁶¹

Human Rights Watch states that the military has committed abuses including arbitrary detention, torture, extrajudicial killings, reprisal attacks against civilians, forcibly displacing thousands and using food as a weapon of war by restricting vital aid to civilians in an attempt to starve out rebel held areas. The military has also restricted humanitarian access to conflict affected areas, including evicting the International Committee of the Red Cross from the Somali region in 2007.³⁶²

In 2008 USDOS reported unlawful killings, torture, beating, abuse, and mistreatment of detainees and opposition supporters by security forces, usually with impunity.³⁶³ Freedom House also states that "accountability for abuses perpetrated by the security forces is rare".³⁶⁴

In 2009 Human Rights Watch stated that Ethiopian military forces committed war crimes and crimes against humanity,

"The Ethiopian government denies all allegations of abuses by its military and refuses to facilitate independent investigations. There have been no serious efforts to investigate or ensure accountability for war crimes and crimes against humanity committed in Somali Region and in neighboring Somalia in 2007 and 2008. Nor have ENDF officers or civilian officials been held accountable for crimes against humanity that ENDF forces carried out against ethnic Anuak communities during a counterinsurgency campaign in Gambella region in late 2003 and 2004."³⁶⁵

Human Rights Watch reports that in response to international pressure regarding ENDF involvement in the massacre of Anuak in Gambella region in 2003, the government appointed an Independent Commission of Inquiry. The Commission reached the conclusion that "while a small number of rogue elements from within the ENDF's ranks had taken part in the killing,

³⁵⁹ Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009.

³⁶⁰ Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009.

³⁶¹ Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009. Human Rights Watch, Targeting the Anuak, Human Rights Violations and Crimes against Humanity in Ethiopia's Gambella Region, March 2005, <http://www.hrw.org/en/node/11812/section/9>, accessed 10 December 2009.

³⁶² Human Rights Watch, World Report 2009, Ethiopia, Events of 2008, <http://www.hrw.org/en/node/79222>, accessed 10 December 2009.

³⁶³ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁶⁴ Freedom House, Countries at the Crossroads 2007, Country Report: Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 8 December 2009

³⁶⁵ Human Rights Watch, World Report 2009, Ethiopia, Events of 2008, <http://www.hrw.org/en/node/79222>, accessed 10 December 2009.

the military as a whole deserved only praise for single-handedly bringing the situation under control."³⁶⁶

Another Independent Commission set up in 2006 to investigate the actions of the security forces during 2005 post election violence, also found that the security forces did not use excessive force, however both the Chairman and deputy Chairman fled the country, allegedly in response to threats made by government forces. The USDOS reports that after fleeing both men publically stated that the commission had originally decided, by a vote of eight to two, that excessive force was used.³⁶⁷

The USDOS reported in 2008;

"Criminal matters related to the military are handled by military tribunals. Military tribunals may not try civilians except in cases of national security. The military justice system lacked adequately trained staff to handle the growing caseload."³⁶⁸

2. Police

According to the Institute of Security Studies the Ethiopian police force, as a modern institution, was established in 1942. With the adoption of the federal system the structure of the police force changed. Currently each regional state has a police force answerable to elected regional bodies; the Federal government commands the Federal police force.³⁶⁹ The USDOS reports that "the Federal Police Commission reports to the Ministry of Federal Affairs, which is subordinate to the parliament; however, this subordination is loose in practice."³⁷⁰

In 2008 the USDOS stated that corruption remained a problem, especially among traffic police "who solicited bribes."³⁷¹ The USDOS further reports that impunity was a serious problem and that "the federal police acknowledged that many of its members as well as regional police lacked professionalism."³⁷²

According to the International Crisis Group the federal governments' security's agenda overrides local institutions "and in unstable and politically sensitive areas, military commanders, federal police and security organs operate largely independently of local authorities. For example, in Oromiya Tigrayan security and intelligence personnel are felt to operate like a "state within a state."³⁷³

³⁶⁶ Human Rights Watch, Targeting the Anuak, Human Rights Violations and Crimes against Humanity in Ethiopia's Gambella Region, March 2005, <http://www.hrw.org/en/node/11812/section/9>, accessed 10 December 2009.

³⁶⁷ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³⁶⁸ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁶⁹ Institute of Security Studies, The Changing Face of Ethiopia's Police Force. 18 June 2008, http://www.issafrica.org/index.php?link_id=14&slink_id=6114&link_type=12&slink_type=12&tmpl_id=3, accessed 9 December 2009.

³⁷⁰ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷¹ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷² US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷³ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, p16, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 8 December 2009.

In 2008 the USDOS reported that

“Police continued to enter private residences and arrest individuals without warrants”³⁷⁴

The USDOS further reported various incidents of arbitrary detention, beatings, torture, killings, disappearances, illegal searches and other types of harassments by the police,

“Opposition political party leaders reported frequent and systematic abuse and intimidation of their supporters by police and regional militias, particularly in the months leading up to the local and by-elections held during the year []. In Makelawi, the central police investigation headquarters in Addis Ababa, police investigators reportedly commonly used physical abuse to extract confessions”.³⁷⁵

Human Rights Watch state that in 2005 the police responded to post election demonstrations with excessive violence and mass arrests.³⁷⁶ Numerous abuses and arrests of demonstrators were reported by Human Rights Watch in the same year in the Oromia region.³⁷⁷ The USDOS reported in 2008 that “there were few attacks by police and militia against demonstrators since no public assembly permits were issued and illegal demonstrations were infrequent.”³⁷⁸

The USDOS reported an incident on August 21 2008, in which “residents of Dejen town, Amhara Region, gathered to protest local officials' stalling on the residents' application for use of nearby farmland. Local police and militia surrounded the demonstrators, beating dozens. A few protestors required hospitalization. No legal action was taken against the perpetrators.”³⁷⁹

In 2009 Human Rights Watch stated that “Ethiopian police routinely detain people without charge for months.”³⁸⁰ The USDOS reports instances of police ignoring judicial decisions to release detainees or to grant permission for political groups to assemble despite authorization from the National Electoral Board.³⁸¹

The police are accused by several sources of torturing detainees in both official and secret detention facilities across Ethiopia.³⁸² Methods reported by Human Rights Watch include,

³⁷⁴ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷⁵ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷⁶ Human Rights Watch, World Report 2005, Ethiopia, <http://www.hrw.org/legacy/english/docs/2005/01/13/ethiop9833.htm>, accessed 10 December 2009. US Department of State, 2005 Human Rights Report, Ethiopia, 8 March 2006, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷⁷ Human Rights Watch, World Report 2005, Ethiopia, <http://www.hrw.org/legacy/english/docs/2005/01/13/ethiop9833.htm>, accessed 10 December 2009.

³⁷⁸ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁷⁹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³⁸⁰ Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

³⁸¹ US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009

³⁸² US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Human Rights Watch, UK: Ethiopian

“repeated and severe kicking and beating of a naked suspect with sticks, electric cables, rifle butts, iron bars or other instruments, sometimes at gunpoint; tying an individual's hands and feet, then suspending the person upside down and administering a beating; tying bottles of water to a man's testicles; and forcing a detainee to run or crawl barefoot over sharp gravel for several hours at a time.”³⁸³

Human Rights Watch further states that

In some cases suspects are tortured during interrogations, while in other cases they are tortured as punishment.”³⁸⁴

In July 2009 Ethiopia passed an Anti-Terror Proclamation.³⁸⁵ Human Rights Watch reports that the law grants the police the power to make arrests without a warrant if the officer “reasonably suspects” that the person is committing a terrorist act or has done so in the past. Human Rights Watch states that although the constitution requires detainees to be brought to court and charged within 48 hours, a provision which is generally not respected, the law permits the police to ask a court for additional investigation periods of 28 days before filing charges. Extensions can be granted up to a maximum of four months.³⁸⁶

Human Rights Watch has expressed concern that the Anti Terror Proclamation allows “the expansion of police powers to search, arrest, and restrict movement of individuals and destroy property without judicial oversight, in many cases based solely on the belief that terrorist activity “will be” committed. The law also provides for “terrorist suspects” to be held for up to four months without charge.”³⁸⁷

[See also Section B.1.b., Domestic Legal Framework; Freedom of Assembly]

3. Security and intelligence apparatus

The USDOS states that Ethiopia's National Intelligence and Security Service (NISS), has “broad authority for intelligence, border security, and criminal investigation” and was responsible for overall counterterrorism management.³⁸⁸

According to the USDOS, civilian authorities generally maintained effective control of the security forces. However, there were several instances in which elements within the security

‘Assurances’ No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

³⁸³ Human Rights Watch, UK: Ethiopian ‘Assurances’ No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

³⁸⁴ Human Rights Watch, UK: Ethiopian ‘Assurances’ No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

³⁸⁵ Amnesty International, Ethiopia; New Anti-Terrorism Proclamation jeopardises Freedom of Expression, 7 July 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-new-anti-terrorism-proclamation-jeopardizes-freedom-expression->, accessed 25 November 2009

³⁸⁶ Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

³⁸⁷ Human Rights Watch, Ethiopia: Amend draft terrorist law, 30 June 2009, <http://www.hrw.org/en/news/2009/06/30/ethiopia-amend-draft-terror-law>, accessed 7 December 2009

³⁸⁸ United States Department of State, Country Reports on Terrorism 2008 - Ethiopia, 30 April 2009, <http://www.state.gov/s/ct/rls/crt/2008/122412.htm>, accessed 22 November 2009

forces acted independently of government authority.³⁸⁹ The International Crisis Group reports that in Oromia, Tigrayan security and intelligence personnel are felt to operate like a “state within a state”.³⁹⁰ According to the International Crisis Group TPLF members dominate the NISS at senior levels.³⁹¹

The USDOS reports that security services used excessive force in addressing internal conflict, counterinsurgency operations and peaceful demonstrations and that security forces usually operated with impunity.³⁹² Freedom House also states that security forces are rarely held accountable for abuses.³⁹³

The USDOS states that the government employs a network of paid informants to report on the activities of particular individuals.³⁹⁴

According to Human Rights Watch, reporting in 2008, the ruling party uses an elaborate means “of surveillance, intimidation, and coercion of ordinary people who are perceived as being unsympathetic to the government.”³⁹⁵ According to Human Rights Watch the Kebele system (a type of council) is used to keep residents under constant surveillance for signs of government criticism.³⁹⁶

According to the International Crisis Group the Kebele is officially perceived as enhancing local participation and decisions making, whilst allowing the ruling party to monitor and control local communities. Rural inhabitant’s welfare depends considerably on good relations with the local Kebele official. Kebele officials are usually aided by “model” farmers, militia and party members. The International Crisis Group states that at election time the local Kebele officials “are the backbone of the EPRDF’s machine.”³⁹⁷

“*Kebele* administrators regularly repress critical peasants. *Kebelles* have their own militias and prisons, and their leaders operate with impunity. Farmers who refuse to comply with *kebele* decisions have been threatened with imprisonment...

Many Ethiopians perceive the EPRDF’s obsession with surveilling opposition activities as deeply intrusive. Neighbourhood-level “cadres” report minor occurrences to *kebele*

³⁸⁹ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009.

³⁹⁰ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, p16 <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

³⁹¹ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, p16, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

³⁹² US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 8 December 2009).

³⁹³ Freedom House, Countries at the Crossroads 2007, Country Report: Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 8 December 2009

³⁹⁴ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

³⁹⁵ Human Rights Watch, Ethiopia: Repression sets stage for non-competitive elections, 11 April 2008, <http://www.hrw.org/en/news/2008/04/09/ethiopia-repression-sets-stage-non-competitive-elections>, accessed 24 November 2009

³⁹⁶ Human Rights Watch, Ethiopia: Repression sets stage for non-competitive elections, 11 April 2008, <http://www.hrw.org/en/news/2008/04/09/ethiopia-repression-sets-stage-non-competitive-elections>, accessed 24 November 2009

³⁹⁷ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

officials, including residents' whereabouts and visitors. According to many, "their main task is to monitor the people, spy on people and report to the *kebelle*". Barely visible to outsiders and foreigners, this party control discourages dissent and constantly reminds people who is in charge. It allows the EPRDF to keep a tight grip on opposition supporters and reward its own. In situations of political unrest, sub-*kebelle* party informants point *kebelle* police and federal security forces to families and compounds where opposition is known or suspected."³⁹⁸

According to International Crisis Group,

"The ruling party's monitoring has contributed to a climate of mutual distrust in central parts of the country. People have become extremely reluctant to discuss views in public. At the same time, the extension of control to the neighbourhood level allows the EPRDF to increase the number of those dependent on it for their livelihoods."³⁹⁹

Human Rights Watch reported in June 2009 that the draft -Anti Terror Proclamation provides NISS with the

"authority to "intercept or conduct surveillance on the telephone, fax, radio, internet, electronic, postal, and similar communications of a person suspected of terrorism," and to enter any premise to install and intercept communications after obtaining a court warrant."⁴⁰⁰

In December 2008 the Oromo Federalist Democratic Movement (OFDM) and the Oromo People's Congress (OPC) stated that the National Information Security Service (NISS) and the Federal Police had launched a wide defamatory campaign against them.⁴⁰¹

"The joint statement comes after The Joint Anti-terror Taskforce of the National Intelligence and Security Service and the Federal Police last week called up on both parties to evict those members of their parties who it said are engaged in dismantling the national constitution by creating links with "terror" group like the outlawed Oromo Liberation Front (OLF)."⁴⁰²

4. Armed opposition groups

Groups actively engaged in armed struggle in Ethiopia include the Ogaden National Liberation Front (ONLF), the Omoro Liberation Front (OLF), the Ethiopian People's Patriotic

³⁹⁸ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

³⁹⁹ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 08 December 2009.

⁴⁰⁰ Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

⁴⁰¹ Sudan Tribune, Ethiopia: Oromo oppositions accuse intelligence service, federal police of "defamation", 2 December 2008, <http://www.sudantribune.com/spip.php?article29463>, accessed 25 November 2009

⁴⁰² Sudan Tribune, Ethiopia: Oromo oppositions accuse intelligence service, federal police of "defamation", 2 December 2008, <http://www.sudantribune.com/spip.php?article29463>, accessed 25 November 2009

Front (EPPF), the Tigray People's Democratic Movement (TPDM), and the Gambella People's Liberation Front (GPLF).⁴⁰³

a. *Ogaden National Liberation Front*

The Ogaden National Liberation Front (ONLF) defines itself as a,

"A grassroots social and political movement founded in 1984 by the Somali people of Ogaden who could no longer bear the atrocities committed against them by successive Ethiopian regimes. Today, the ONLF is both an advocate for and defender of the people and is dedicated to bringing Somalis in Ogaden self-determination, peace, development and democracy".⁴⁰⁴

The ONLF formed in the wake of the Western Somali Liberation Front (WSLF), which lost the support of Somalis living in Ogaden after the 1977-1978 war in which Ethiopia defeated an attempt by Somali government forces to gain control of Ogaden, an area with a large ethnic Somali population.⁴⁰⁵ According to Human Rights Watch "the ONLF operates as a rurally-based guerrilla force consisting mostly of small units of 20-30 fighters assigned to different zones" in the Somali region.⁴⁰⁶ Human Rights Watch states that the ONLF "has been responsible for serious abuses, including abductions, beatings, and summary executions of civilians in their custody, including government officials and individuals suspected of supporting the government."⁴⁰⁷

[See also Section B.3.b., Treatment of members and supporters of opposition groups; ONLF and B.4.a., Treatment of family members of opposition groups; ONLF]

b. *Oromo Liberation Front*

The Oromo Liberation Front (OLF) defines itself as "a political organization established in 1973 by Oromo nationalists to lead the national liberation struggle of the Oromo people against the Abyssinian colonial rule."⁴⁰⁸ According to IRIN News the OLF is active in Oromia and is fighting for the right to self determination rather than an independent state.⁴⁰⁹ The

⁴⁰³ US Department of State, 2008 Human Rights Report, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 08 December 2009. Human Rights Watch, World Report 2009, Ethiopia, Events of 2008, <http://www.hrw.org/en/node/79222>, accessed 10 December 2009.

⁴⁰⁴ Ogaden National Liberation Front Online, <http://www.onlf.org/news.php>, accessed 10 December 2009.

⁴⁰⁵ Council on Foreign Relations, Ogaden National Liberation Front (ONLF), 01 November 2007, <http://www.cfr.org/publication/13208/>, accessed 11 December 2009. BBC, Country Profile; Somalia, 8 December 2009, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072592.stm, accessed 20 November 2009. Institute for Security Studies, The Somalia Conflict Implications for peacemaking and peacekeeping efforts, September 2009, http://www.issafrica.org/index.php?link_id=14&slink_id=8203&link_type=12&slink_type=12&tmpl_id=3, accessed 20 November 2009.

⁴⁰⁶ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/9.htm#_Toc200167135, accessed 1 December.

⁴⁰⁷ Human Right Watch, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/17.htm#_Toc200167159, accessed 10 December 2009.

⁴⁰⁸ Oromo Liberation Front. *OLF Mission*. <http://www.oromoliberationfront.org/OLFMission.htm>, accessed 11 December 2009.

⁴⁰⁹ IRIN, Ethiopia: Oromo armed groups oppose conflict with Eritrea, 21 November 2000, <http://www.irinnews.org/Report.aspx?ReportId=1432>.

Ethiopian authorities outlawed the OLF in 1992,⁴¹⁰ the government has increasingly used accusations of terrorism to arrest and charge OLF members and perceived supporters.⁴¹¹

[See also Section B.3.a., Treatment of members and supporters of opposition groups; OLF and B.4.b., Treatment of family members of opposition groups; OLF]

c. Ethiopian People's Patriotic Front

The Sudan Tribune describes the Ethiopian People's Patriotic Front (EPPF) as a rebel group operating in Northern Ethiopia.⁴¹² The International Crisis Group describes the EPPF as a minor rebel group established by radical members of the Ethiopian Democratic Movement in 1998 with troops operating in the lowlands of Amhara and Tigray region, supported by Eritrea.⁴¹³ The Sudan Tribune also states that the EPPF has bases in Eritrea and Europe.⁴¹⁴ The newspaper reported in 2006 that the EPPF claimed it had attacked an Ethiopian army artillery unit on 4 March 2006, killing 119 Ethiopian soldiers, wounding 68 and capturing 27 others.⁴¹⁵

Intelligence organisation, Jane's, states that after peaks of activity in 2002 and 2006 the EPPF resumed its military activities in early 2008,

"The EPPF directs its activities primarily against Ethiopian government military, police and security forces, which it considers to be tools of the EPRDF and especially the TPLF. Offices of the civilian administration, which is seen as part and parcel of the system of oppression the EPRDF allegedly installed, as well as civilian administrators known to be anti-EPPF, are also targets for attacks."⁴¹⁶

d. Gambella People's Liberation Front

According to Human Rights Watch the Gambella People's Liberation Front (GPLF) is an Anuak insurgent group which operates out of southern Sudan and has staged attacks inside Gambella.⁴¹⁷

In 2004 armed Anuak attacked highlander civilians in Gambella. Human Rights Watch reports that "the leadership of the Sudan-based Gambella People's Liberation Front (GPLF) denies that its fighters have been responsible for any attacks on highlander civilians, insisting that the

⁴¹⁰ Oromo Liberation Front, The Impacts of Ethiopian State Terrorism and Globalization on the Oromo National Movement, <http://www.oromoliberationfront.org/OLFPolicies.htm>, accessed 11 December 2009.

⁴¹¹ Human Rights Watch, Suppressing Dissent, Human Rights Abuses and Political Repression in Ethiopia's Oromia Region. 09 May 2005, <http://www.hrw.org/en/reports/2005/05/09/suppressing-dissent-0>, accessed 10 December 2009.

⁴¹² Sudan Tribune, Ethiopian Rebel Group Claims Killing 119 Soldiers, 19 March 2006, <http://www.sudantribune.com/spip.php?article14611>, accessed 24 November 2009

⁴¹³ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, p26, accessed 08 December 2009.

⁴¹⁴ Sudan Tribune, Ethiopian Rebel Group Claims Killing 119 Soldiers, 19 March 2006, <http://www.sudantribune.com/spip.php?article14611>, accessed 24 November 2009

⁴¹⁵ Sudan Tribune, Ethiopian Rebel Group Claims Killing 119 Soldiers 19 March 2006, <http://www.sudantribune.com/spip.php?article14611>, accessed 24 November 2009

⁴¹⁶ Jane's, Ethiopian People's Patriotic Front (EPPF) (Ethiopia), GROUPS - AFRICA – ACTIVE, <http://www.janes.com/articles/Janes-World-Insurgency-and-Terrorism/Ethiopian-People-s-Patriotic-Front-EPPF-Ethiopia.html>, accessed 24 November 2009

⁴¹⁷ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/4>, accessed 10 December 2009.

organization attacks only military targets and that in any event it has not carried out any attacks since March or April 2004."⁴¹⁸

Ploughshares, a coalition of Canadian Churches refers to the Gambella People's Liberation Movement and GPLF as the same organization,

"following the December 2003 massacre of over 400 Anuak by Ethiopian troops, the mainly Anuak-based rebel group, the Gambella People Liberation Movement/Front (GPLM/F), was formed. Their demands include self-determination for Gambella, an end to government-supported settlement in the region by Ethiopian ethnic groups and an end to oil exploration in the region."⁴¹⁹

According to author Bahru Zewde the Gambella People's Liberation Movement (GPLM) was formed from Anuak discontent at the influx of Sudanese refugees into their territory. Professor Medhane of Addis Ababa University states that the GPLM was formed in 1979 with the support of the Sudanese government,⁴²⁰

"The GPLM made hit-and-run attacks on government police posts and settler villages in Gambella region. It also fought against the SPLA, which allied with the Derg and oppressed the Anuak. Although this was a small group of some 100 fighters it did not deter the Derg from labelling the majority Anuaks anti-revolutionary and reactionary."⁴²¹

Bahru Zewde states that

"When EPRDF tried to demobilize the GPLM and forced it to be based out of the regional capital in 1992, they clashed, with high casualties on both sides. In the tense atmosphere that followed, the GPLM crossed the border to the Sudan and transferred its base to the Anywaa-inhabited area of Pochalla in Southern Sudan. After months of shuttle diplomacy by elders, the GPLM was persuaded to come back to Gambella and partake in the region's politics. As part of the deal, GPLM soldiers were absorbed into the national army and assigned to other regions.....

"Under the auspices of the EPRDF, the GPLM was transformed into a party in 1995, the GPLP (Gambella People's Liberation Party)."⁴²²

Professor Medhane reports that a 'new' GPLF was formed by GPLF veterans but does not specify when.⁴²³

⁴¹⁸ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/8>, accessed 1 December 2009.

⁴¹⁹ Ploughshares, Armed conflict report, Ethiopia-Gambella (2002– first combat deaths), 2006, <http://www.ploughshares.ca/libraries/ACRBriefs/ACRBrief-EthiopiaGambella.htm>, accessed 26 November 2009

⁴²⁰ Professor Medhane, Institute for Security Studies, Gambella, the impact of local conflict on regional security, 1 May 2007, http://www.iss.co.za/dynamic/administration/file_manager/file_links/CPRDPAPERGAMBELLA.PDF?link_id=14&slink_id=4451&link_type=12&slink_type=13&tmpl_id=3, accessed 26 November 2009

⁴²¹ Professor Medhane, Institute for Security Studies, Gambella, the impact of local conflict on regional security, 1 May 2007, http://www.iss.co.za/dynamic/administration/file_manager/file_links/CPRDPAPERGAMBELLA.PDF?link_id=14&slink_id=4451&link_type=12&slink_type=13&tmpl_id=3, accessed 26 November 2009

⁴²² Zewde, Bahru, Society, state and identity in African history, African Books Collective, 2008

[See also Section B.3.h., Treatment of members and supporters of opposition groups; Gambella People's Liberation Party and B.4.c., Treatment of family members of opposition groups; Anuak]

e. *Tigrayan People's Liberation Front*

The Tigrayan People's Liberation Front formed in 1975, it fought for the overthrow of the Derg regime.⁴²⁴ In 1989 it merged with the Ethiopian People's Democratic Movement, later renamed Amhara National Democratic Movement, to form the Ethiopian People's Revolutionary Democratic Front (EPRDF), of which it is the dominant group. The TPLF draws most of its support from the Tigray people of northern Ethiopia, Prime Minister Zenawi's home base.⁴²⁵ TPLF is also referred to as Weyane⁴²⁶ Despite only constituting 10% of the population of Ethiopia ethnic Tigrayans have significant political influence, many of the government and military's top ranking officials are drawn from the TPLF.⁴²⁷ The International Crisis Group states that "an increasingly smaller number of politicians – the TPLF executive committee and the prime minister's immediate advisers – decide the political fate of the country."⁴²⁸

5. Conscientious objectors

In 1998 War Resisters International stated that there is no legal provision for conscientious objection.⁴²⁹ We were unable to locate recent information concerning the status of conscientious objectors in Ethiopia.

6. Draft evaders/deserters

War Resisters International reported in 1998 that desertion and refusal to perform military service are punishable under the 1957 Penal Code.⁴³⁰

According to War Resisters International

⁴²³ Professor Medhane, Institute for Security Studies, Gambella, the impact of local conflict on regional security, 1 May 2007, http://www.iss.co.za/dynamic/administration/file_manager/file_links/CPRDPAPERGAMBELLA.PDF?link_id=14&slink_id=4451&link_type=12&slink_type=13&tmpl_id=3, accessed 26 November 2009

⁴²⁴ National Consortium for the Study of Terrorism and Response to Terrorism, University of Maryland, 2008, http://www.start.umd.edu/start/data/tops/terrorist_organization_profile.asp?id=4287, accessed 24 November 2009

⁴²⁵ BBC, Q and A: Ethiopia Votes, 13 May 2005, <http://news.bbc.co.uk/1/hi/world/africa/4541231.stm>, 25 November 2009

⁴²⁶ National Consortium for the Study of Terrorism and Response to Terrorism, University of Maryland, 2008, http://www.start.umd.edu/start/data/tops/terrorist_organization_profile.asp?id=4287, accessed 24 November 2009. Professor Kinfe Abraham, What led to the TPLF rebellion: The rise of the Weyane uprising I – Part one, undated, http://www.ethioobserver.net/TPLF_101.pdf, 23 November 2009

⁴²⁷ Freedom House, Countries at the Crossroads 2007; Ethiopia, 2007, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=156>, accessed 9 November 2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, p16, accessed 08 December 2009.

⁴²⁸ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, accessed 8 December 2009.

⁴²⁹ War Resisters' International, Country Report and Update: Ethiopia, 17 August 1998, http://www.wri-irg.org/programmes/world_survey/country_report/en/Ethiopia, accessed 8 December 2009.

⁴³⁰ War Resisters' International, Country Report and Update: Ethiopia, 17 August 1998, http://www.wri-irg.org/programmes/world_survey/country_report/en/Ethiopia, accessed 8 December 2009.

“Failing to respond to call-up is punishable by 'simple' imprisonment; in time of emergency, general mobilisation or war, it is punishable by up to 10 years' rigorous imprisonment (art. 296). Desertion is punishable by up to 5 years' rigorous imprisonment; in wartime it is punishable by 5 years' to lifelong imprisonment, or, in the gravest cases, by the death sentence (art.300).”⁴³¹

Freedom House reports an instance of defection in which an Oromo general defected to Eritrea with 100 of his troops, pledging his support to the armed section of the OLF. In response the government began “a systematic purge of soldiers it viewed as potentially disloyal.”⁴³²

In 2007 web based newspaper Al Ahram reported that “there is widespread desertion among Ethiopian troops in Somalia and even Ethiopians fleeing to Yemen to avoid the draft.”⁴³³

In 2005 Amnesty International expressed its concern that two pilots who had sought asylum in Djibouti as they had not wanted to fire on opposition demonstrators, had been forcibly returned to Ethiopia and may be sentenced to death for desertion.⁴³⁴

7. Forced recruitment

According to the US Central Intelligence Agency military service, theoretically, is not compulsory, however the military can conduct call-ups when necessary and compliance is compulsory.⁴³⁵ War Resisters International states that before the escalation of conflict in Somalia in 2006 Ethiopian forces attempted to attract civilians in Ogaden province voluntarily to the Ethiopian military, when this failed forces stationed in the region began conscripting civilians into the army and affiliated militias.⁴³⁶

“According to reports from early December 2006, Ethiopian forces stationed in many parts of Ethiopian province Ogaden are reported to have started conscripting civilians into the army and its affiliated militias. The campaign to conscript civilians into the army came after a failed attempt to get civilians voluntarily for the Ethiopian federal military. The failed plan was meant to enlist, for the army, up to one hundred civilian members from each district throughout Ogaden. The conscription campaign is rumored to have the same target and objective....

It is reported that the military leaders are said to be dead set on getting the numbers they require for their conscription plans.

⁴³¹ War Resisters' International, Country Report and Update: Ethiopia, 17 August 1998, http://www.wri-irg.org/programmes/world_survey/country_report/en/Ethiopia, accessed 8 December 2009.

⁴³² Freedom House, Countries at the Crossroads 2007, Country Report, Ethiopia, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrcountry=156§ion=89&ccrpage=37>, accessed 9 December 2009.

⁴³³ Al Ahram, Ethiopian presence a tinderbox, 3-9 May 2007, <http://weekly.ahram.org.eg/2007/843/re82.htm>, accessed 24 November 2009

⁴³⁴ Amnesty International, Ethiopia; Further information on fear of forcible return, 22 July 2005, <http://www.amnesty.org/en/library/asset/AFR25/011/2005/en/24329d91-d4c7-11dd-8a23-d58a49c0d652/afr250112005en.html>, accessed 24 November 2009

⁴³⁵ Central Intelligence Agency, The World Fact Book: Africa, Ethiopia, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>, accessed 8 December 2009

⁴³⁶ War Resisters' International, Somalia and Ethiopia: Forced recruitment and conscription for war, 1 January 2007, <http://www.wri-irg.org/node/1001>, accessed 10 December 2009

There is a twin operation to enlist civilians for a mission whose objectives and aims are yet unknown. The civilians were asked by the Ethiopian military and its affiliated militia heads to provide up to one hundred youth from all sectors of the population.”⁴³⁷

Human Rights Watch also state that the government has initiated campaigns of forced recruitment,

“Although the use and recruitment of local militia is a longstanding practice, in 2007 the Ethiopian authorities engaged in a systematic campaign of forced recruitment of local civilians into pro-government militias, ordering village elders to recruit specific quotas for the militias, or provide money and weapons instead. In some villages, the authorities have detained or killed elders or seized property to force civilians to comply with orders to join the militia. Civilians forced to join the militia are often sent into battle without any military training. The forced recruits are generally lightly armed (at times, they are told to find their own weapons) and simply told to go find and fight the ONLF. As a result, the forced recruits suffer disproportionate casualties against the more experienced and better trained ONLF fighters”.⁴³⁸

The Coalition to Stop the Use of Child Soldiers reports that in 2008

“There were no reports of child recruitment or use by government forces or armed opposition groups, although independent monitoring was severely limited.”⁴³⁹

D. Ethnicity

1. Domestic legal framework

Ethiopia’s current constitution, adopted in 1995, transformed the previously centralized state into a federal structure.⁴⁴⁰ The constitution defined Ethiopia as a multicultural federation operating on the basis of ethno-national representation⁴⁴¹ with nine ethnically based regional states; Tigray, Afar, Amhara, Oromiya, Somali, Benishangul-Gumuz, Southern Nations, Gambella and Harar and two administrative cities, Addis Ababa and Dire Dawa.⁴⁴²

⁴³⁷ War Resisters' International, Somalia and Ethiopia: Forced recruitment and conscription for war, 1 January 2007, <http://www.wri-irg.org/node/1001>, accessed 10 December 2009

⁴³⁸ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, Forced Recruitment of Pro Government Militias, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/14.htm#_Toc200167150, accessed 10 December.

⁴³⁹ Coalition to Stop the Use of Child Soldiers Child Soldiers Global Report 2008, Ethiopia, <http://www.childsoldiersglobalreport.org/content/ethiopia>, accessed 1 December 2009

⁴⁴⁰ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

⁴⁴¹ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

⁴⁴² International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

The 1995 constitution granted the ethnically based states the the right to draft regional constitutions, to promulgate laws, to establish and administer government functions and the right of secession.⁴⁴³

According to a 2009 report submitted to the Committee on Racial Discrimination by the Ethiopian Human Rights Council,

“One of the landmark achievements of the Constitution of the FDRE has been the adoption of hitherto unprecedented measures to remedy and redress the alleged historical phenomenon of national oppression in Ethiopia. To this effect, the Constitution emphatically declares the right of Ethiopian nations, nationalities and peoples to self-determination, including secession and the right of every ethnic community to develop its language and culture.”⁴⁴⁴

However the report also states that “the current arrangement has resulted in tensions between native ethnic groups and ethnic minorities, which, coupled with perceived injustices and insecurities sometimes led to disastrous ethnic conflicts such as the conflict in Gambella in 2003.”⁴⁴⁵

In 2007 the UN Independent Expert on Minorities stated that

“in some fundamental respects the true promise of the Constitution - equal and effective participation of members of minority ethnic groups within a system of democratic decision-making - remains unfulfilled.”⁴⁴⁶

The Independent Expert further comments that ethnically based federalisation has served to

“politicize ethnicity as the most salient individual and group marker, leading to new arenas, dynamics and dimensions of ethnic division, discrimination and exclusion.”⁴⁴⁷

A 2009 International Crisis Group report entitled ‘Ethiopia: Ethnic Federalism and Its Discontents,’ also highlights this issue stating that,

“Ethnic federalism has failed to resolve the “national question”. The EPRDF’s ethnic policy has empowered some groups but has not been accompanied by dialogue and reconciliation. For Amhara and national elites, ethnic federalism impedes a strong,

⁴⁴³ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, <http://www.unhcr.org/refworld/country,,,MISSION,ETH,,461f9ea82,0.html>, accessed 10 November 2009

⁴⁴⁴ Ethiopian Human Rights Council, Parallel Report Submitted to the Committee on Racial Discrimination, 5 August 2009, http://www2.ohchr.org/english/bodies/cerd/docs/ngos/EHRC_Ethiopia_CERD75.doc, or <http://www2.ohchr.org/english/bodies/cerd/cerds75.htm>, accessed 12 December 2009

⁴⁴⁵ Ethiopian Human Rights Council, Parallel Report Submitted to the Committee on Racial Discrimination, 5 August 2009, http://www2.ohchr.org/english/bodies/cerd/docs/ngos/EHRC_Ethiopia_CERD75.doc, or <http://www2.ohchr.org/english/bodies/cerd/cerds75.htm> accessed 12 December 2009

⁴⁴⁶ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, <http://www.unhcr.org/refworld/country,,,MISSION,ETH,,461f9ea82,0.html>, accessed 10 November 2009

⁴⁴⁷ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, <http://www.unhcr.org/refworld/country,,,MISSION,ETH,,461f9ea82,0.html>, accessed 10 November 2009

unitary nation-state. For ethno-national rebel groups like the ONLF (Ogaden National Liberation Front; Somalis in the Ogaden) and OLF (Oromo Liberation Front; the Oromo), ethnic federalism remains artificial. While the concept has failed to accommodate grievances, it has powerfully promoted ethnic self-awareness among all groups. The international community has ignored or downplayed all these problems. Some donors appear to consider food security more important than democracy in Ethiopia, but they neglect the increased ethnic awareness and tensions created by the regionalisation policy and their potentially explosive consequences.”⁴⁴⁸

In 2007 Freedom House reported governmental discrimination towards specific ethnic groups

“The Government has tended to favour Tigrayan ethnic interests in economic and political matters. Politics within the EPRDF have been dominated by the Tigrayan People’s Democratic Front. Discrimination against and repression of other groups, especially the Oromo, have been widespread.”⁴⁴⁹

The USDOS 2008 report states that “small ethnic groups lacked representation in the legislature.”⁴⁵⁰

2. Background information

Minority Rights Group International (MRGI) describe the population of Ethiopia as being characterized by a, “complex pattern of ethnic, linguistic and religious groups”⁴⁵¹ with over 80 groups with distinct cultural traditions and languages.⁴⁵² MRGI state that the main languages spoken are Amharic (official), Tigrinya, Oromo, Afar, Sidama and Somali; two thirds of Ethiopians speak Amharic, Oromo, Tigrinya or Somali.⁴⁵³ According to the 2007 census, the Oromo are the largest ethnic group in Ethiopia, making up 34.5% of the population.⁴⁵⁴ The Oromo are located mainly in the central regions of the country (Oromia regional state). The second-largest group in the country, the Amhara (36.9%) and the Tigrayan minority (6.1%)⁴⁵⁵ have traditionally enjoyed a prominent and influential position within the Ethiopian institutions.⁴⁵⁶

⁴⁴⁸ International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents, 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300&l=1>, accessed 10 November 2009

⁴⁴⁹ Freedom House: Freedom in the World, Country Report 2007; Ethiopia, June 2007, http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2007&country=7175&pf, accessed 4 December 2009.

⁴⁵⁰ US Department of State, 2008 Country Report on Human Rights Practices: Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, 10 November 2009

⁴⁵¹ Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 12 December 2009

⁴⁵² Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 12 December 2009

⁴⁵³ Minority Rights Group International, Ethiopia Overview, June 2008, <http://www.minorityrights.org/3928/ethiopia/ethiopia-overview.html>, accessed 20 November 2009

⁴⁵⁴ Other sources put the figure at 40% (USSD, 2008) and 32.5% (Minority Rights Group International, 2008). Federal Democratic Republic of Ethiopia Population Census Commission, Summary and Statistical Report of the 2007 Population and Housing Census, December 2008, http://www.csa.gov.et/pdf/Cen2007_firstdraft.pdf, 23 November 2009.

⁴⁵⁵ Federal Democratic Republic of Ethiopia Population Census Commission, Summary and Statistical Report of the 2007 Population and Housing Census, December 2008, http://www.csa.gov.et/pdf/Cen2007_firstdraft.pdf, 23 November 2009..

⁴⁵⁶ Minority Rights Group International, Ethiopia Overview, June 2008, <http://www.minorityrights.org/3928/ethiopia/ethiopia-overview.html>, accessed 20 November 2009. Freedom House, Countries at the Crossroads 2007; Ethiopia, 2007, <http://www.freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=156>, accessed 9 November

The other numerically large groups are: the Somali (6.2%), who live in the region of the Eastern lowlands; the Gurage (2.5%), inhabiting the Southern area of the Great Rift Valley lakes, like the Wolaita (2.3%), and the Sidama group (4%)⁴⁵⁷.

The USDOS 2008 report states that in 2007 ethnic conflict occurred in the west, east and south of the country including Gambella, Somali, Oromiya, Benishangul-Gumuz, Southern Nations, Nationalities, and Peoples regions resulting in hundreds of deaths and displacing tens of thousands.⁴⁵⁸

The Committee on the Elimination of all forms of Racial Discrimination expressed concern about the Ethiopian government's treatment of some ethnic groups,

“The Committee is alarmed at information according to which military and police forces have been systematically targeting certain ethnic groups, in particular the Anuak and the Oromo peoples, and reports of summary executions, rape of women and girls, arbitrary detention, torture, humiliations and destruction of property and crops of members of those communities”⁴⁵⁹

The Independent Expert on Minorities states that,

“Minority communities that are discriminated against, excluded and marginalized are frequently victims of conflict, may be forcibly displaced from their traditional territories and lack opportunities and capacity to promote and protect their rights.”⁴⁶⁰

3. Oromo

The Oromo ethnic group live predominantly in Ethiopia, but also in Kenya.⁴⁶¹ In Ethiopia they inhabit the large region of Oromia in the eastern central and western parts of the country.⁴⁶² Their native language is Oromo, also called Oromiffa⁴⁶³ or affaan Oromoo.⁴⁶⁴

2009. International Crisis Group, Ethiopia: Ethnic Federalism and Its Discontents; 4 September 2009, <http://www.crisisgroup.org/home/index.cfm?id=6300>, p16, accessed 08 December 2009.

⁴⁵⁷ Federal Democratic Republic of Ethiopia Population Census Commission, Summary and Statistical Report of the 2007 Population and Housing Census, December 2008, http://www.csa.gov.et/pdf/Cen2007_firstdraft.pdf, 23 November 2009. Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 12 December 2009

⁴⁵⁸ US Department of State, 2008 Country Report on Human Rights Practices: Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, 10 November 2009

⁴⁵⁹ United Nations, International Convention on the Elimination of all Forms of Racial Discrimination, Consideration of Reports Submitted by States Parties Under Article 9 of the Convention, CERD/C/ETH/CO/15, 20 June 2007, <http://www.universalhumanrightsindex.org/documents/824/1167/document/en/pdf/text.pdf>, accessed 2 December 2009

⁴⁶⁰ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, http://www.unhcr.org/refworld/country...MISSION.ETH..461f9ea82_0.html, accessed 10 November 2009

⁴⁶¹ African Holocaust, Peoples of Africa, Oromo, undated, <http://www.africanholocaust.net/peopleofafrica.htm#o>, accessed 23 November 2009. Ethnologue, Oromo, Borana-Arsi-Guji, undated, http://www.ethnologue.com/show_language.asp?code=gax, accessed 23 November 2009

⁴⁶² Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region, 9 May 2005, <http://www.hrw.org/en/node/11759/section/1> accessed 23 November 2009. Centre for Victims of Torture, Cultural Profile: Oromo, 2004, <http://www.cvt.org/file.php?ID=5759>, accessed 23 November 2009

⁴⁶³ Unrepresented Nations and Peoples Organization, Oromo, <http://www.unpo.org/content/view/7917/135/>, accessed 23 November 2009

⁴⁶⁴ Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 1 December 2009

According to Minority Rights Group International the Oromo people constitute four main groups, the western, northern, southern and eastern Oromo,

“western Oromo, mainly in 'Wollega', many of whom have been Christianized by missionary churches; northern Oromo, of Mecha-Tulam, modern Shoa and the area to the south, who are more integrated into Amhara culture than other Oromo groups, are mostly Christians of the Ethiopian Orthodox Church and speak Amharic; southern Oromo, who often have semi-nomadic lifestyles and are not incorporated into any larger regional or religious unit; and Borana, believed by some to be the seminal branch of the Oromo because of their rigid observance of the *gada* social system, and who live in an arid area of Ethiopia along the border with Kenya. Eastern Oromo of Haraghe include the Muslim population of Harar and Dire Dawa, among others. This group has strong links to the Arab world and its local leaders have a strong Muslim orientation.”⁴⁶⁵

According to Minority Rights Group International

“The Oromo people as a distinct group have historically had little influence and representation within the Ethiopian/Abyssinian State in proportion to their size and the vast area of Oromia. Nevertheless, Oromo individuals accepting the Amharized state structure have held prominent positions within the army, bureaucracy and the noble court throughout modern history. Their language and identity as Oromo, however, have been suppressed”.⁴⁶⁶

According to Freedom House

“The government has tended to favor Tigrayan ethnic interests in economic and political matters. Politics within the EPRDF have been dominated by the Tigrayan People’s Democratic Front. Discrimination against and repression of other groups, especially the Oromo, have been widespread.”⁴⁶⁷

[See also Section A.3.b., Counter insurgency campaigns in the Oromo and Somali regions, Section B.3.a., Treatment of members and supporters of opposition groups; OLF and B.4.b., Treatment of family members of opposition groups; OLF]

4. Ogaden Somalis

According to the Minority Rights Group International

“The Somali populate the Ogaden area, renamed the Somali region under the 1994 Constitution. Somali and Muslim organizations have limited influence and the Ogaden

⁴⁶⁵ Minority Rights Group International, World Directory of Minorities and Indigenous Peoples - Ethiopia: Oromo, 2008, <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?page=search&docid=49749d2620&skip=0&query=oromo>, 11 November 2009

⁴⁶⁶ Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 1 December 2009

⁴⁶⁷ Freedom House, Country Report; Ethiopia, 2009, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 24 November 2009

National Liberation Front (ONLF) is pushing for rights of self-determination and possible secession.

The Somali irredentist movement in Ogaden peaked during the 1970s and declined after the defeat of Somali incursions. Disintegration of the state in Somalia in the late 1980s and early 1990s led many Somali organizations in Ogaden to reject irredentism and re-orient themselves towards Ethiopian political life. These groups merged to form the Ethnic Somali Democratic League (ESDL), which won regional elections in 1995. A fraction of the original ONLF has carried on with a low-level secessionist war.

Somalis complain of a lack of development in their region. The government acknowledges the many problems, including poor infrastructure and lack of educational opportunities, but blames the rebellion for the underdevelopment. The Somali region has closer economic ties to Somalia than it does with the rest of Ethiopia."⁴⁶⁸

[See also Section A.3.b., Counter insurgency campaigns in the Oromo and Somali regions, Section B.3.b., Treatment of members and supporters of opposition groups; ONLF and B.4.a., Treatment of family members of opposition groups; ONLF]

5. Amharas

The term Amhara encompasses not just the Amhara ethnic group, but also a broader category of Ethiopians who speak Amharic and who identify with the concept of a unified, centralized Ethiopian state.⁴⁶⁹ Amharas comprise several groups,

“One is the peasants of the northern regions. These people speak the Amharic language and have a cluster of cultural traits in common, including adherence to Orthodox Christianity, certain traditions of land tenure and social organization, and the use of certain agricultural technologies. Another groups is the neftnennya, settlers in the southern regions who were closely associated with the land-owning, governing and military classes of the empire. A third category is the urbanized or government-related ruling class. Historically, these people have formed the core of an indigenous conquest state and have social attitudes to match. Many are assimilated from other ethnic groups, having "become Amhara" by adopting the Amharic language, Orthodox Christianity, and other cultural traits. These latter two categories formed the bulk of the army's officer class and the governmental bureaucracy.”⁴⁷⁰

Minority Rights Group International states that

“Historically the Semitic, Amhara and Tigray peoples of the northern highlands have dominated political life in the region. They are largely Orthodox Christians, while most

⁴⁶⁸ Minority Rights Group International, World Directory of Minorities and Indigenous Peoples - Ethiopia: Somalis, June 2008, <http://www.unhcr.org/refworld/docid/49749d253a.html>, accessed 13 December 2009

⁴⁶⁹ United States Bureau of Citizenship and Immigration Services, Ethiopia. Status of Amharas, 1 March 1993, <http://www.uscis.gov/files/nativedocuments/preth93-001.pdf>, accessed 17 November 2009

⁴⁷⁰ Alex de Waal, "Ethiopia: Transition to What?" World Policy Journal, Vol. IX, No. 4, Fall/Winter 1992, p. 728 cited in United States Bureau of Citizenship and Immigration Services, Ethiopia. Status of Amharas, 1 March 1993, <http://www.uscis.gov/files/nativedocuments/preth93-001.pdf>, accessed 17 November 2009

Muslims and followers of indigenous beliefs tend to live in lowland areas in the country's south and east."⁴⁷¹

The Amhara dominated the Ethiopian Abyssinian state structure.⁴⁷²

6. Anuak/Anyuak

The Anuak are one of five groups who consider themselves indigenous to the Gambella region. The Anuak are also known as Anywaa and Anyuak⁴⁷³. The Nuer and Anuak are the two largest ethnic groups in the Gambella region.⁴⁷⁴ A United Nations report states that the Anuak make up 27% of the population of Gambella.⁴⁷⁵

Minority Rights Group International describes the Anuak as

“hunters, agriculturists and fishers living in the fertile Gambella forest region of south-western Ethiopia... At the end of 1979 their land was seized by the government and there were attempts to draft them into the army and into forced labour on collective farms. Many Anuak fled into the bush in an attempt to reach Sudan and were shot and imprisoned. During the 1980s Mengistu forcibly resettled in Gambella some 60,000 peasants, mostly lighter-skinned 'highlanders' from other parts of Ethiopia. At the same time there was an influx of Nuer fleeing Sudan's civil war and settling on traditionally Anuak lands. Tensions rose as competition for land and water intensified. Anuak numbers halved within a generation.”⁴⁷⁶

According to a report published in November 2007 by the Small Arms Survey, the Gambella region in which the Anuak live, is characterized by five distinctive conflicts, two of which being tensions between the Nuer, the region's largest ethnic group and the Anuak, the second largest group. Most conflicts reflected disputes over resources and access to power in the local administration.⁴⁷⁷

According to a Human Rights Watch 2005 report Ethiopian federal authorities have embarked on a campaign of murder, rape and torture against the Anuak, imprisoning many Anuak

⁴⁷¹ Minority Rights Group International, Ethiopia Overview, June 2008, <http://www.minorityrights.org/3928/ethiopia/ethiopia-overview.html>, accessed 20 November 2009

⁴⁷² Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 1 December 2009

⁴⁷³ IDMC - Internal Displacement Monitoring Centre: Ethiopia: Addressing the rights and needs of people displaced by conflict, October 2007

[http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/D2A1C499C1DB6380C1257384002F2E83/\\$file/Ethiopia_IDP_SCR_Oct07.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/D2A1C499C1DB6380C1257384002F2E83/$file/Ethiopia_IDP_SCR_Oct07.pdf), accessed 26 November 2009

⁴⁷⁴ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/4>, accessed 1 December 2009

⁴⁷⁵ United Nations, Breaking the cycle of conflict in Gambella region, December 2002, available from <http://www.who.int/disasters/repo/8684.pdf>, accessed 26 November 2009

⁴⁷⁶ Minority Rights Group International, World Directory of Minorities and Indigenous Peoples - Ethiopia: Anuak, <http://www.unhcr.org/refworld/topic,463af2212,497483c72,49749d2719,0.html>, accessed 11 November 2009

⁴⁷⁷ Small Arms Survey, Armed Groups Along Sudan's Eastern Frontier: An Overview and Analysis, November 2007, http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SWP%209%20Eastern%20Frontier.pdf, 7 December 2009

political leaders, and at least thirty prominent Anuak, including one former regional president.⁴⁷⁸

Human Rights Watch state that

“a substantial minority of Gambella's educated Anuak elite have been imprisoned or forced into exile over the past decade. Gambella currently has no regional president and no Anuak representative in the House of People's Representatives, as both have sought asylum abroad.⁴⁷⁹

7. Nuer

Minority Rights Group International reports that the Nuer are present in Ethiopia, Gambella region and in southern Sudan.⁴⁸⁰ MRGI further notes that the Nuer are a

“A Nilotic people, they are seasonally migrating pastoralists. Cattle are fundamental to the social structure: a profound measure of wealth, status and personal influence. Cattle are used to pay debts, fines and bride prices, although this latter practice is in decline, and are also central to religious and artistic culture.

Relatively homogeneous in language and culture but without political centralization or formal regional integration, Nuer are divided into a number of independent tribes organized into clans, lineages and age groups. Nuer had a strong history of resistance to British control in the twentieth century. In recent decades, the Nuer have suffered from internecine conflict⁴⁸¹

A United Nations report states that the Nuer are the majority group in Gambella, making up 40% of the population and are mostly found in Akobo, Jikawo, and Itang woredas.⁴⁸²

In 2007 the Small Arms Survey reported five distinct conflicts in the Gambella region, three of which involved ethnic Nuer,

“Meanwhile, there are major problems within Gambella, which has five distinctive, albeit overlapping, conflicts or tensions: (a) between the indigenous peoples and settler highlanders, largely Oromos, Amhara, and Tigrayans, who have moved to the area; (b) between the Nuer, the largest tribe, and the Anuak, the second largest tribe; (c) between Nuer clans; (d) resentment by some Nuer who dominated the region under the Derg at what they see as their reduced status under the EPRDF; and (e) anger at the EPRDF by Anuak elements because of their perceived declining status in the state

⁴⁷⁸ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/4>, accessed 1 December 2009

⁴⁷⁹ Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/4>, accessed 1 December 2009

⁴⁸⁰ Minority Rights Group International, Ethiopia: a new start?, 2000, <http://www.minorityrights.org/1052/reports/ethiopia-a-new-start.html>, accessed 1 December 2009. Minority Rights Group International, World Directory of Minorities and Indigenous Peoples; Sudan Overview, May 2009, <http://www.minorityrights.org/4010/sudan/sudan-overview.html>, accessed 11 November 2009

⁴⁸¹ Minority Rights Group International, World Directory of Minorities and Indigenous Peoples; Sudan Overview, May 2009, <http://www.minorityrights.org/4010/sudan/sudan-overview.html>, accessed 11 November 2009

⁴⁸² United Nations, Breaking the cycle of conflict in Gambella region, December 2002, available from <http://www.who.int/disasters/repo/8684.pdf>, accessed 26 November 2009

[...] [the conflicts] largely reflect disputes over resources (principally land and water), access to power in the local administration, and—increasingly—the benefits that may accrue should current efforts to find oil prove successful.”⁴⁸³

Agence France Presse reports conflict between the Nuer and the Murle in Sudan.⁴⁸⁴

According to the ‘Lou Nuer Community’ Website,

“The Lou Nuer location: (LOU) is a land occupied by people known as Lou Nuer. It is geographically located in the Heartland of Upper Nile region in the center of Nuer Society toward East of Jonglei State in South Sudan, on the horn of Africa. Lou Nuer section is bordered with other Nuer sections and various Sudanese tribes in the South. It bordered with Nuer Gawaar of Ayod from the West, Dinka Bor from the Southwest, Murle from the South, Anyuak from the East, Jikany Nuer from the Northeast, Dinka Ngok and Luach from the Northwest. Lou Nuer is one of the largest sections in the Nuer society with population of approximately 1.5 million persons inhabited the area known as Bieh State. Bieh is a name originated from the emerging days of Ngundeng Bong, the greatest prophet of Nuer people in Southern Sudan. Bieh in Nuer language means, the shrine or a holy place where all sections of Nuer tribe including none Nuers from all walk of life came periodically to worship Ngundeng Bong during the 18th century. Due to the war related and the natural causes of death, the population of Lou Nuer has slightly decreased but Lou Nuer still remain the majority section in the Nuer society.”⁴⁸⁵

According to the website of the Pastoralist Communication Initiative,

“Seven years ago several thousand Jikany Nuer and a smaller number of Anywaa were forced to leave Akobo (Tiergol) Woreda in the far west of Ethiopia’s Gambella Region under pressure from invading Lou Nuer moving in from Akobo County in Sudan. The Jikany mostly went and settled in Itang, a hundred kilometres to the north east, others went to Matar, Lari and other places, whereas the Anywaa moved less far, into a neighbouring area. Prior to this move there had been several years of conflict between the two different sections of the Nuer, (Jikany and Lou) which had started in 1991. These two sections were not known to have fought before 1991, but in 1991 they started fighting as a consequence of the wider political conflict situation in Southern Sudan. The result was very bitter and bloody fighting for a number of years across south-western Sudan.”⁴⁸⁶

8. Midgan/Medigan/Madhiban

⁴⁸³ Small Arms Survey, Armed Groups Along Sudan’s Eastern Frontier: An Overview and Analysis, November 2007, http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SWP%209%20Eastern%20Frontier.pdf, 7 December 2009

⁴⁸⁴ Agence France Presse, Hunger drives civilians back to south Sudan killing fields, 18 August 2009, <http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2011%20August%2009.pdf>, accessed 11 November 2009

⁴⁸⁵ Lou Nuer Community Development website, <http://www.lounuer.org/index.htm>, accessed 7 December 2009

⁴⁸⁶ Pastoralist Communication Initiative, ‘Peace and Conflict among the Nuer, undated, <http://www.pastoralists.org/pages/posts/peace-and-conflict-among-the-nuer9.php>, accessed 12 December 2009

The Midgan are present in Ethiopia and Somalia.⁴⁸⁷ This ethnic group is also referred to as Midgaan,⁴⁸⁸ Madhibaan⁴⁸⁹ and Midgo.⁴⁹⁰ The Madhibaan website describes the ethnic group as living mainly in the Horn of Africa and as “one of the aboriginal peoples of the country which is called today Somalia.”⁴⁹¹ The MRGI report that ‘Midgan’ is a derogatory moniker referring to the Gabooye.⁴⁹²

The Midgan are one of a number of groups traditionally considered to be of lower status, collectively known as *Sab*⁴⁹³ The Sab practice trades considered degrading by Somali’s such as haircutting, leatherwork, metalwork and pottery.⁴⁹⁴ According to a 2003 UN Economic and Social Council report

“Midgan women also performed female circumcision and acted as midwives to the dominant Somali clans”⁴⁹⁵

According to the 2003 UN Economic and Social Council report the Sabs have historically faced societal discrimination,

“The occupations of the *sab* groups are generally regarded as polluting, and the members of such groups are consequently considered by other Somalis as having become impure. These attitudes may also be related to the fact that the hunting activities of some of these groups involved the killing and eating of animals outside the Shariah precepts on slaughtering. The *sab* groups are also feared and avoided due to the fact that they have a reputation for occult practices.

As a result, intermarriage and commensality between the *sab* groups and the main Somali clans is rare. Members of the *sab* groups are not usually allowed to live in villages, to drink or get water from “pure” wells or to use the plates, cups or utensils of the noble clans’ people.

Some members of the Midgan and Yibir held important official posts under the Barre regime, and supported the regime in the civil war. As a result, Midgan-Madhiban were reportedly subjected to reprisals by rebel movements when the Barre regime fell in 1991, and are said to continue to suffer active discrimination.”⁴⁹⁶

⁴⁸⁷ United Nations Human Rights Council, Technical Assistance And Capacity-Building; Report of Shamsul Bari, independent expert appointed by the Human Rights Council on the situation of human rights in Somalia [A/HRC/10/85], 24 February 2009 available from http://www.ecoi.net/file_upload/1227_1241762896_somalia.pdf, accessed 17 November 2009

⁴⁸⁸ Quigley, D, The character of kingship, Berg Publishers, 2005

⁴⁸⁹ Madhibaan.org, <http://www.madhibaan.org/>, accessed 17 November 2009

⁴⁹⁰ Lewis, I. M., Blood and Bone: The call of kinship in Somali society, The Red Sea Press, 1994

⁴⁹¹ Madhibaan.org, <http://www.madhibaan.org/>, accessed 17 November 2009

⁴⁹² Minority Rights Group International, Profile: Somalia, Gabooye, undated, <http://www.minorityrights.org/4510/somalia/gabooye.html>, accessed 11 November 2009

⁴⁹³ Lewis, I. M., Blood and Bone: The call of kinship in Somali society, The Red Sea Press, 1994

⁴⁹⁴ Lewis, I. M., Blood and Bone: The call of kinship in Somali society, The Red Sea Press, 1994

⁴⁹⁵ United Nations Economic and Social Council, prevention of discrimination, Discrimination based on work and descent, Expanded working paper submitted by Mr. Asbjørn Eide and Mr. Yozo Yokota pursuant to Sub-Commission decision 2002/108, E/CN.4/Sub.2/2003/24, 26 June 2003, [http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/\\$FILE/G0314745.pdf](http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/$FILE/G0314745.pdf), accessed 18 November 2009

⁴⁹⁶ United Nations Economic and Social Council, prevention of discrimination, Discrimination based on work and descent, Expanded working paper submitted by Mr. Asbjørn Eide and Mr. Yozo Yokota pursuant to Sub-Commission decision 2002/108, E/CN.4/Sub.2/2003/24, 26 June 2003,

A 2004 report from the United Nations Economic and Social Council describes the Midgan-Madhiban as an outcast group held to be the lowest rank of society's stratification among the Somali population in Ethiopia, who face "discrimination, abuse and attack by members of the dominant clans even in refugee camps."⁴⁹⁷

Both the 2003 and 2004 UN Economic and Social Council reports state that there are reports that some Somali asylum-seekers falsely claimed to be Midgan-Madibhan, or members of other sab groups, in order to enhance the prospects of success in their applications.⁴⁹⁸ Both documents also state that reports indicate ongoing discrimination towards members of sab groups in the Somali diaspora from members of other Somali clans.⁴⁹⁹

9. Murle

Murle (language) is also referred to as Ajibba, Beir, Merule, Mourle, Murele and Murule⁵⁰⁰ According to 'The Joshua Project' an evangelical Christian organization working in the region, the Murle are present in Ethiopia and Sudan,

"Most of the Murle (also called Murele) live in the Pibor district of southern Sudan, where they are known as the "lowland Murle." They are primarily shepherds. Some of the Murle also live near the Boma Plateau, which lies to the southeast of Pibor. These "highland Murle" make their living as farmers. There are still others who have been drawn westward toward the plentiful watering and grazing grounds provided by the Nile. Only a small number live in Ethiopia. In spite of their geographic spread, the Murle remain unified. They speak a common language and maintain close ties. They are a part of the larger people group known as the Surma, who originated in Ethiopia. The Surma gradually moved north, mixing with various peoples along the way. In time, they settled in

[http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/\\$FILE/G0314745.pdf](http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/$FILE/G0314745.pdf), accessed 18 November 2009

⁴⁹⁷United Nations Commission on Human Rights: Prevention Of Discrimination; Expanded working paper by Mr. Asbjørn Eide and Mr. Yozo Yokota on the topic of discrimination based on work and descent [E/CN.4/Sub.2/2004/31], 5 July 2004 available at https://www.ecoi.net/file_upload/625_1164725918_2004-07-05-prevention-of-discrimination.pdf, accessed 17 November 2009

⁴⁹⁸United Nations Economic and Social Council, prevention of discrimination, Discrimination based on work and descent, Expanded working paper submitted by Mr. Asbjørn Eide and Mr. Yozo Yokota pursuant to Sub-Commission decision 2002/108, E/CN.4/Sub.2/2003/24, 26 June 2003,

[http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/\\$FILE/G0314745.pdf](http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/$FILE/G0314745.pdf), accessed 18 November 2009. United Nations Commission on Human Rights: Prevention Of Discrimination; Expanded working paper by Mr. Asbjørn Eide and Mr. Yozo Yokota on the topic of discrimination based on work and descent [E/CN.4/Sub.2/2004/31], 5 July 2004 available at https://www.ecoi.net/file_upload/625_1164725918_2004-07-05-prevention-of-discrimination.pdf, accessed 17 November 2009

⁴⁹⁹United Nations Economic and Social Council, prevention of discrimination, Discrimination based on work and descent, Expanded working paper submitted by Mr. Asbjørn Eide and Mr. Yozo Yokota pursuant to Sub-Commission decision 2002/108, E/CN.4/Sub.2/2003/24, 26 June 2003,

[http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/\\$FILE/G0314745.pdf](http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/907d1c5279f5bd6cc1256d7900261631/$FILE/G0314745.pdf), accessed 18 November 2009. United Nations Commission on Human Rights: Prevention Of Discrimination; Expanded working paper by Mr. Asbjørn Eide and Mr. Yozo Yokota on the topic of discrimination based on work and descent [E/CN.4/Sub.2/2004/31], 5 July 2004 available at https://www.ecoi.net/file_upload/625_1164725918_2004-07-05-prevention-of-discrimination.pdf, accessed 17 November 2009

⁵⁰⁰ Ethnologue, Murle, undated, http://www.ethnologue.com/show_language.asp?code=mur, accessed 17 November 2009

the place where they live today. Throughout the years, the Murle have been involved in hundreds of cattle raids and wars.⁵⁰¹

According to the Gurtong Project much of the Murle culture revolves around cattle. The Murle are neighbours to Nuer, Dinka, Anyuak, Toposa, and Jie tribes. There is inter-ethnic conflict due in part to cattle raiding practices amongst these groups.⁵⁰²

According to a Human Rights Watch Report, “the Murle are least affected by modernity because of deliberate neglect, marginalisation and political exclusion. The exception was the recruitment of young men to fight alongside the government army.”⁵⁰³

The Agence France Presse reports that

“There have been repeated outbreaks of deadly fighting this year between the Lou Nuer and Murele ethnic groups which have left more than 1,000 people dead and many thousands more homeless... Traditional rivalries over cattle and pasture were further poisoned by opposing allegiances during the 1983-2005 civil war, with the Lou Nuer mainly siding with the rebel Sudan People’s Liberation Movement that now heads the autonomous regional government in the south and the Murele mainly supporting pro-government militias.”⁵⁰⁴

E. Citizenship and Nationality

1. Domestic legal framework

Citizenship and nationality rights are regulated by Articles 6 and 33 of the Federal Constitution of Ethiopia, promulgated in 1995.⁵⁰⁵ According to Article 6

- “1. Any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian;
2. Foreign nationals may acquire Ethiopian nationality;
3. Particulars relating to nationality shall be determined by law.”⁵⁰⁶

Article 33 defines the rights that are attached to Ethiopian nationality as follows,

- “1. No Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will. Marriage of an Ethiopian national of either sex to a foreign national shall not annul his or her Ethiopian nationality.

⁵⁰¹ The Joshua Project, Murle of Ethiopia, 7 December 2009,

<http://www.joshuaproject.net/peopctry.php?roq3=ET&rop3=106921> accessed 7 December 2009

⁵⁰² The Gurtong Peace Project, Murle, undated, http://www.gurtong.org/resourcecenter/people/profile_tribe.asp?TribeID=86, accessed 7 December 2009

⁵⁰³ Human Rights Watch, ‘No one to Intervene,’ 21 June 2009, <http://www.hrw.org/en/reports/2009/06/21/no-one-intervene-0>, accessed 7 December 2009

⁵⁰⁴ Agence France Presse, Hunger drives civilians back to south Sudan killing fields, 18 August 2009, <http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2011%20August%2009.pdf>, accessed 11 November 2009

⁵⁰⁵ Constitution of the Federal Democratic Republic of Ethiopia, [Ethiopia], 21 August 1995, <http://www.unhcr.org/refworld/docid/3ae6b5a84.html>, accessed 11 December 2009

⁵⁰⁶ Constitution of the Federal Democratic Republic of Ethiopia, [Ethiopia], 21 August 1995, <http://www.unhcr.org/refworld/docid/3ae6b5a84.html>, accessed 11 December 2009

2. Every Ethiopian national has the right to the enjoyment of all rights, protection and benefits derived from Ethiopian nationality as prescribed by law.
3. Any national has the right to change his Ethiopian nationality.
4. Ethiopian nationality may be conferred upon foreigners in accordance with law enacted and procedures established consistent with international agreements ratified by Ethiopia.”⁵⁰⁷

According to a Writenet report commissioned by UNHCR the only valid law regarding nationality at the time of the border war (1998-2000) was the Ethiopian Nationality law of 1930 (amended 1933).⁵⁰⁸ This law states that “any person born in Ethiopia, or abroad, whose father and mother is Ethiopian, is an Ethiopian national.”⁵⁰⁹

When Eritrea won independence in 1993, the question of nationality of Ethiopians with of Eritrean origin was deferred.⁵¹⁰ Eritrea made provision for its residents and returning refugees to establish nationality and citizenship, however Human Rights Watch states that,

“Ethiopia's government, for its part, imposed no requirements for Ethiopian citizens of Eritrean origin who remained in Ethiopia to reaffirm their Ethiopian nationality. It did not establish procedures for citizens to choose one or the other nationality, Ethiopian or Eritrean, or to otherwise regularize outstanding nationality issues with its successor state, Eritrea. Indeed, in a 1993 pact with the new Eritrea, Ethiopia recognized that until the issue of citizenship was settled in both countries, rights of residence in both territories would be respected.”⁵¹¹

It was only at the outbreak of war in 1998 that the Ethiopia government considered that individuals having taken part in the 1993 referendum for Eritrea's independence had gained Eritrean nationality, as a right to citizenship was a criterion of voting.

“Most Ethiopians of Eritrean heritage had a clear right to Eritrean citizenship, and this was a criterion for their voting in the 1993 referendum on Eritrean independence. At that time, however, Eritrea was a province of Ethiopia; an option to formally take up Eritrean citizenship could only be exercised after independence was won. Most of these Ethiopians whose habitual residence was outside Eritrea had not taken steps either to renounce their Ethiopian citizenship or to affirm their citizenship in post-independence Eritrea after the referendum. Eritrea's independence was contingent upon the outcome of the referendum—and the outcome was promptly recognized by the Ethiopian government. Yet there was no provision in Ethiopian law or in the terms of the referendum itself that expressly put the Ethiopian citizenship of those voting in jeopardy should Eritrea win independence. To have done so would have marred the referendum by threatening to penalize voters who believed in an independent Eritrea.

⁵⁰⁷Constitution of the Federal Democratic Republic of Ethiopia, [Ethiopia], 21 August 1995, <http://www.unhcr.org/refworld/docid/3ae6b5a84.html>, accessed 11 December 2009

⁵⁰⁸ Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf>, accessed 7 December 2009

⁵⁰⁹Ethiopian Nationality Law of 1930 [Ethiopia], 22 July 1930, <http://www.unhcr.org/refworld/docid/3ae6b52ac.html>, accessed 11 December 2009

⁵¹⁰ Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf>, accessed 7 December 2009

⁵¹¹ Human Rights Watch, The Horn of Africa War, 29 January 2003, <http://www.hrw.org/en/node/12364/section/1>, accessed 7 December 2009.

Only long after the fact and in the context of the outbreak of war did Ethiopia's leaders declare that having voted in the referendum was ultimately in itself evidence of Eritrean citizenship—and by extension a renunciation of their rights as Ethiopians. This was the basis for Ethiopia's campaign to strip of their Ethiopian citizenship tens of thousands of people and to expel them en masse to neighboring countries."⁵¹²

The Ethiopian government expelled tens of thousands of people, citing Article 11 of Ethiopian Nationality Law 1930, which states Ethiopian nationality is lost when a person acquires another nationality.⁵¹³

In 2003 the Ethiopian government issued a Proclamation on Ethiopian Nationality, which repealed the previous Ethiopian Nationality Law of 1930.⁵¹⁴

Part 2, Article 3 of the Proclamation states that,

"1. Any person shall be an Ethiopian national by descent where both or either of his parent (sic) is Ethiopian."⁵¹⁵

Part 2, Article 4 states that,

"Any foreigner may acquire Ethiopian nationality by law in accordance with the provisions of Articles 5-12 of this Proclamation."⁵¹⁶

Part 2, Article 5 notes the conditions to be fulfilled,

"A foreigner [who] may acquire Ethiopian nationality by law shall:

1. have attained the age of majority and be legally capable under Ethiopian law;
2. have established his domicile in Ethiopia and have lived in Ethiopia for a total of at least four years preceding the submission of his application;
3. be able to communicate in any one of the languages of the nations/nationalities of the Country;
4. have sufficient and lawful source of income to maintain himself and his family;
5. be a person of good character;
6. have no record of criminal conviction;
7. be able to show that he has been released from his previous nationality or the possibility of such a release upon the acquisition of Ethiopian nationality or that he is a stateless person;

⁵¹² Human Rights Watch, The Horn of Africa War, 29 January 2003, <http://www.hrw.org/en/node/12364/section/1>, accessed 7 December 2009.

⁵¹³ Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf> accessed 7 December 2009. Human Rights Watch, The Horn of Africa War, 29 January 2003, <http://www.hrw.org/en/node/12364/section/1>, accessed 7 December 2009.

⁵¹⁴ Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <http://www.unhcr.org/refworld/docid/409100414.html>, 5 January 2010

⁵¹⁵ Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <http://www.unhcr.org/refworld/docid/409100414.html>, 5 January 2010

⁵¹⁶ Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <http://www.unhcr.org/refworld/docid/409100414.html>, 5 January 2010

8. be required to take the oath of allegiance state under Article 12 of this Proclamation”⁵¹⁷

Part 4, Article 20 concerning the loss of Ethiopian nationality upon acquisition of another nationality, states that,

- “1. Without prejudice to Article 19 (4) of this Proclamation any Ethiopian who voluntarily acquires another nationality shall be deemed to have voluntarily renounced his Ethiopian nationality.
2. An Ethiopian who acquires another nationality by virtue of being born to a parent having a foreign nationality unless he has declared to the Authority his option to retain it by renouncing his other nationality within one year of attaining the age of majority, or unless there has been an earlier express renunciation of his Ethiopian nationality pursuant to Article 19 (3) of this Proclamation.
3. An Ethiopian who acquires, in the absence of this own initiative, another nationality by the operation of the law in connection with any ground other than those specified under Sub-Article /2/ of this Article shall be deemed to have voluntarily renounced his Ethiopian nationality, if he:
 - a) starts exercising the rights conferred to such acquired nationality, or
 - b) fails to declare his option to the Authority to retain his Ethiopian nationality by renouncing his other nationality within a period of one year” .⁵¹⁸

Part 4, Article 21, concerning the effects of loss of nationality on spouses and children states that,

“A person’s loss of nationality shall have no effect on the nationalities of his spouse and children.”⁵¹⁹

In 2004 the Security Immigration and Refugee Affairs Authority issued a Directive on Residence for Eritrean Nationals in Ethiopia which addresses the status of Ethiopians of Eritrean origin, dual nationals, and Eritreans. Article 4 of the Directive states that,

“4.1. A person having an Eritrean passport or any document conferring Eritrean nationality or a person serving the Eritrean Government in a sector reserved exclusively for Eritrean nationals is considered as having Eritrean nationality.

4.2. A person of Eritrean origin who has not opted for Eritrean nationality shall be deemed as having decided to maintain his or her Ethiopian nationality and his or her Ethiopian nationality shall be guaranteed.

⁵¹⁷ Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <http://www.unhcr.org/refworld/docid/409100414.html>, 5 January 2010

⁵¹⁸ Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <http://www.unhcr.org/refworld/docid/409100414.html>, 5 January 2010

⁵¹⁹ Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <http://www.unhcr.org/refworld/docid/409100414.html>, 5 January 2010

4.3. An Eritrean registered in accordance with this Directive and who desires to regain his or her Ethiopian nationality may be readmitted to his or her Ethiopian nationality based on Article 22 of the new Nationality Proclamation.”⁵²⁰

Article 3, outlining the basic assumptions of the Directive, states that,

“As it is established by the experience of other countries that according to international custom when a State secedes from another under any circumstance, in order to resolve conflicts regarding nationality between the new and the existing country, individuals are given a limited period to chose their nationality”⁵²¹

2. Persons of mixed Ethiopian/Eritrean origin

According to Writenet the issue of citizenship and people of Eritrean background living in Ethiopia became most prominent with the border war of 1998 -2000. About 550,000 individuals of Eritrean descent were living in Ethiopia when the war erupted. Many had lived there most if not all of their lives and were or seemed to be considered citizens by the state.⁵²² With the beginning of the war Ethiopia denationalized people of Eritrean origin and citing security reasons deported an estimated 77, 000 individuals of Eritrean descent within two years.⁵²³

Refugees International report that

“although the nationality proclamation states that "no Ethiopian may be deprived of his nationality" unless he renounces his citizenship or acquires another nationality, interviewees were uncertain about their status in the event of renewed conflict.”

Refugees International reports ambiguity within the Directive to Determine the Residence Status of Eritrean Nationals Residing in Ethiopia, which states that a residence permit may be canceled "where the bearer...is found to be an undesirable foreigner.”⁵²⁴

Refugees International further report indications that there are gaps between the law and implementation.⁵²⁵

⁵²⁰National Legislative Bodies, Directive Issued to Determine the Residence Status of Eritrean Nationals Residing in Ethiopia [Ethiopia], January 2004, available at: <http://www.unhcr.org/refworld/docid/48abd56c0.html>, accessed 5 January 2010

⁵²¹ National Legislative Bodies, Directive Issued to Determine the Residence Status of Eritrean Nationals Residing in Ethiopia [Ethiopia], January 2004, available at: <http://www.unhcr.org/refworld/docid/48abd56c0.html>, accessed 5 January 2010

⁵²² Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf>, accessed 7 December 2009

⁵²³ Human Rights Watch, The Horn of Africa War, 29 January 2003, <http://www.hrw.org/en/node/12364/section/1>, accessed 7 December 2009. See also Writenet, Ethiopia: A Sociopolitical Assessment, 1 May 2006, <http://www.unhcr.org/refworld/pdfid/44f29d704.pdf>, accessed 7 December 2009

⁵²⁴ Refugees International, Ethiopia-Eritrea: Stalemate Takes Toll on Eritreans and Ethiopians of Eritrean Origin, 30 May 2008, <http://www.refugeesinternational.org/policy/field-report/ethiopia-eritrea-stalemate-takes-toll-eritreans-and-ethiopians-eritrean-origin>, 7 December 2009

⁵²⁵ Refugees International, Ethiopia-Eritrea: Stalemate Takes Toll on Eritreans and Ethiopians of Eritrean Origin, 30 May 2008, <http://www.refugeesinternational.org/policy/field-report/ethiopia-eritrea-stalemate-takes-toll-eritreans-and-ethiopians-eritrean-origin>, 7 December 2009

In a Forced Migration & Refugee Studies Working Paper researcher Louise Thomas reports that,

“Eritrean and Ethiopian law both provide for automatic conferment of nationality on the basis of *jus sanguinis*, or nationality by descent from either or both parents. Therefore, under law, people of mixed Eritrean Ethiopian parentage can be nationals of both Eritrea and Ethiopia through their parents. However, Ethiopia does not provide for the possession of dual nationality and so an individual can only be Eritrean or Ethiopian, not both.”⁵²⁶

Thomas further reports that rather than allowing people of mixed parentage the option of either Eritrean or Ethiopian citizenship the *jus sanguinis* principle has made it possible for

“Ethiopia to claim that these individuals are Eritrean and Eritrea to claim that they are Ethiopian, thereby leaving them *de facto* stateless despite being entitled to either of two citizenships under the operation of the law of those countries.”⁵²⁷

International Lawyer Katherine Southwick, writing in the Forced Migration Review reports that in 2004 the Eritrea-Ethiopia Claims Commission (EECC), established to decide claims brought by the two governments and their nationals, through binding arbitration “determined that those who had qualified to participate in the referendum had acquired dual nationality because both states continued to treat them as nationals.”⁵²⁸

Southwick further states that reports concerning the fate of people of Eritrean origin in Ethiopia are mixed,

“Between 2000 and 2004, individuals of Eritrean origin or from mixed families were allegedly arrested, detained and sometimes beaten or raped by Ethiopian authorities on suspicion of collaborating with or spying for Eritrea.”⁵²⁹

In 2004 Amnesty International reported that people of mixed origins had been arbitrarily detained during the 1998-2000 border conflict,

“Eritreans of part-Ethiopian origin or married to Ethiopians were also often suspected of Ethiopian sympathies and some are believed to be arbitrarily detained without charge or trial. One such case is Saba Berhe, owner of a restaurant in Asmara (later confiscated by the authorities), who is of mixed Ethiopian/Eritrean origin. She was

⁵²⁶ Thomas, L, Refugees and Asylum Seekers from mixed Eritrean and Ethiopian families in Cairo, The Son of a Snake is a Snake, June 2006, FMRS Working Paper No.7, <http://www.aucegypt.edu/ResearchatAUC/rc/cmrs/reports/Documents/Mixedfamilies.pdf>, accessed 22 November 2009

⁵²⁷ Thomas, L, Refugees and Asylum Seekers from mixed Eritrean and Ethiopian families in Cairo, The Son of a Snake is a Snake, June 2006, FMRS Working Paper No.7, <http://www.aucegypt.edu/ResearchatAUC/rc/cmrs/reports/Documents/Mixedfamilies.pdf>, accessed 22 November 2009

⁵²⁸ Southwick, K, Ethiopia-Eritrea: statelessness and state succession, in Forced Migration Review; Issue 32, April 2009, <http://www.fmreview.org/FMRpdfs/FMR32/FMR32.pdf>, accessed 2 December 2009

⁵²⁹ Southwick, K, Ethiopia-Eritrea: statelessness and state succession, in Forced Migration Review; Issue 32, April 2009, <http://www.fmreview.org/FMRpdfs/FMR32/FMR32.pdf>, accessed 2 December 2009

arrested during the war when pregnant and is reportedly detained in Mai Haber prison with her infant daughter.”⁵³⁰

Louise Thomas reports that women from mixed families are particularly vulnerable to abuse and harassment in Ethiopia and Eritrea.⁵³¹

Refugees International reports that “Eritreans living in Ethiopian society still face marginalization”⁵³² The NGO reports that although many Eritreans living in Ethiopia reacquired citizenship under the nationality proclamation enacted in 2003 there are reports that people fear revealing their Eritrean background and experience difficulties obtaining national identification cards, including 3-year delays and interrogation by immigration officials. Some ID cards were marked with “previous nationality” Eritrean.⁵³³

According to Refugees International,

“Eritreans with Ethiopian citizenship said they still feel compelled to conceal their background, even among close friends. They rarely congregate as a community, nor are they politically engaged. Some spoke of employment discrimination”⁵³⁴

In May 2008 Refugees International reported that travel between Eritrea and Ethiopia is prohibited and numerous Ethiopians of Eritrean origin live in a situation of separation from family members. Furthermore, there is no interstate phone system and Ethiopians have reportedly been jailed for communicating with persons in Eritrea via the Internet.⁵³⁵

In 2004 Amnesty International stated that mixed Ethiopian-Eritrean families and individuals were one of two categories of Eritreans affected by continued tensions between Ethiopia and Eritrea that would be at risk of human rights violations if forcibly returned to Eritrea;

- “those who wished to remain in or return to Ethiopia as Ethiopian citizens (after living there for all or most of their lives and having no ties to Eritrea) but were *en masse* denied this by Ethiopia and stripped of their Ethiopian citizenship;
- those of mixed Ethiopian-Eritrean families (of which there are many): families were broken up by the expulsions from Ethiopia during the war, where the

⁵³⁰ Amnesty International, Eritrea; ‘You have no right to ask’ –Government resists scrutiny on human rights, May 2004, <http://www.amnesty.org/en/library/asset/AFR64/003/2004/en/d5063e29-d5f6-11dd-bb24-1fb85fe8fa05/afr640032004en.pdf>, accessed 18 November 2009

⁵³¹ Thomas, L, Refugees and Asylum Seekers from mixed Eritrean and Ethiopian families in Cairo, The Son of a Snake is a Snake, June 2006, FMRS Working Paper No.7, <http://www.aucegypt.edu/ResearchatAUC/rc/cmrs/reports/Documents/Mixedfamilies.pdf>, accessed 22 November 2009

⁵³² Refugees International, Ethiopia-Eritrea: Stalemate Takes Toll on Eritreans and Ethiopians of Eritrean Origin, 30 May 2008, <http://www.refugeesinternational.org/policy/field-report/ethiopia-eritrea-stalemate-takes-toll-eritreans-and-ethiopians-eritrea-origin>, 7 December 2009

⁵³³ Refugees International, Ethiopia-Eritrea: Stalemate Takes Toll on Eritreans and Ethiopians of Eritrean Origin, 30 May 2008, <http://www.refugeesinternational.org/policy/field-report/ethiopia-eritrea-stalemate-takes-toll-eritreans-and-ethiopians-eritrea-origin>, 7 December 2009

⁵³⁴ Refugees International, Ethiopia-Eritrea: Stalemate Takes Toll on Eritreans and Ethiopians of Eritrean Origin, 30 May 2008, <http://www.refugeesinternational.org/policy/field-report/ethiopia-eritrea-stalemate-takes-toll-eritreans-and-ethiopians-eritrea-origin>, 7 December 2009

⁵³⁵ Refugees International, Ethiopia-Eritrea: Stalemate Takes Toll on Eritreans and Ethiopians of Eritrean Origin, 30 May 2008, <http://www.refugeesinternational.org/policy/field-report/ethiopia-eritrea-stalemate-takes-toll-eritreans-and-ethiopians-eritrea-origin>, 7 December 2009

Ethiopian spouse/parent stayed in Ethiopia in fear of the risks of moving to Eritrea, or where marriage to an Ethiopian or someone of part-Ethiopian descent might lead to their being refused entry to Eritrea, discriminated against in Eritrea or suspected of having Ethiopian government links; some had no ties with Eritrea and did not wish to become Eritrean citizens.”⁵³⁶

F. Freedom of Religion

1. Domestic legal framework

Article 27 of the Ethiopian Constitution provides for freedom of religion, belief and opinion.⁵³⁷ The USDOS states that the government generally respected provisions for freedom of religion however on occasion local authorities infringed on this right.⁵³⁸

The USDOS notes in its 2009 report on religious freedom that the Ethiopian Constitution requires the separation of state and religion.⁵³⁹ According to the USDOS the government interprets this constitutional requirement to mean that religious instruction is not permitted in schools, however, churches are permitted to have Sunday schools and the Qur'an is taught at mosques. Christian and Muslim holidays are observed as national holidays.⁵⁴⁰

The USDOS and Minority Rights Group International both estimate that approximately 40% of the Ethiopian population belong to the Ethiopian Orthodox Church (EOC),⁵⁴¹ 34 % of the population are Sunni Muslim “of which the majority is Sufi. Islam is most prevalent in the east, particularly in the Somali and Afar regions, as well as in many parts of Oromiya.”⁵⁴² The USDOS reports that Christian evangelical and Pentecostal groups constitute 19 % of the population.⁵⁴³ Religious minorities include Oriental Rite and Latin Rite Roman Catholics, Jehovah's Witnesses, Jews, members of the Church of Jesus Christ of Latter-day Saints (Mormons), animists, and practitioners of indigenous religions.⁵⁴⁴

⁵³⁶ Amnesty International, ERITREA; You have no right to ask –Government resists scrutiny on human rights, May 2004, <http://www.amnesty.org/en/library/asset/AFR64/003/2004/en/d5063e29-d5f6-11dd-bb24-1fb85fe8fa05/af640032004en.pdf>, accessed 18 November 2009

⁵³⁷ The Parliament of the Federal Democratic Republic of Ethiopia, Constitution, <http://www.ethiopar.net/>, accessed 18 November 2009. International Constitutional Law, Ethiopia; Constitution, available at http://www.servat.unibe.ch/law/icl/et00000_.html#A027_, accessed 18 November 2009.

⁵³⁸ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009

⁵³⁹ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009

⁵⁴⁰ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009

⁵⁴¹ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009. Minority Rights Group International, Ethiopia Overview, June 2008, <http://www.minorityrights.org/3928/ethiopia/ethiopia-overview.html>, accessed 20 November 2009

⁵⁴² US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁴³ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁴⁴ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009. Minority Rights Group International, Ethiopia Overview, June 2008, <http://www.minorityrights.org/3928/ethiopia/ethiopia-overview.html>, accessed 20 November 2009

There are some reports of religious discrimination, minority religious groups report difficulty in obtaining government land for religious sites.⁵⁴⁵

In April 2009 university students in Addis Ababa demonstrated for the right to wear a hijab and pray on the university campus, police broke up the demonstration, temporarily detaining 70.⁵⁴⁶

According to the USDOS the Ethiopian Islamic Affairs Supreme Council (EIASC) expressed concern over “the increasing influence of some Saudi-funded entities within the Muslim community, which the EIASC blamed for exacerbating tensions between Christians and Muslims.”⁵⁴⁷

There continues to be a ban on the traditional animist Oromo religious group ‘Waka-Feta’, because of its suspected links to the OLF.⁵⁴⁸

USAID reported increasing religious tension in the Somali region of Ethiopia.⁵⁴⁹ Religious conflicts were also reported in Gonder City, Desse, Addis Ababa, Dire Dawa, Illubabor, Jimma, West Wellega (Oromia state)⁵⁵⁰

The USDOS 2008 report states that highly publicised reports of religious conflict “heightened tensions and precipitated government intervention. Additional reports of physical and verbal harassment aimed at religious officials and church members led victims to seek protection from local authorities.”⁵⁵¹

2. Christians

Christian denominations in Ethiopia include Ethiopian Orthodox Church (40% of population), Christian Evangelicals and Pentecostal groups (19% of population) and small numbers of Oriental Rite and Latin Rite Roman Catholics, Jehovah's Witnesses and members of the Church of Jesus Christ of Latter-day Saints (Mormons).⁵⁵²

The Ethiopian Orthodox Church (EOC) is predominant in the northern regions of Tigray and Amhara. The USDOS reports that

“established Protestant churches such as Mekane Yesus and Kale Hiwot are strongest in the Southern Nations, Nationalities, and Peoples' Regional State (SNNPR); western

⁵⁴⁵ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁴⁶ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009

⁵⁴⁷ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁴⁸ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁵⁴⁹ USAID, Ethiopia overview, updated 6 November 2009, http://www.usaid.gov/locations/sub-saharan_africa/countries/ethiopia/, accessed 18 November 2009

⁵⁵⁰ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁵¹ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁵² US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

and central Oromiya; and in urban areas. In Gambella region, Mekane Yesus followers represent 60 percent of the population. The Evangelical Church Fellowship claims 28 denominations under its religious umbrella throughout the country.”⁵⁵³

Christian minorities have reported discrimination by local officials in the allocation of land for churches and cemeteries,⁵⁵⁴

“Minority religious groups occasionally complained of discrimination in the allocation of land for religious sites. Protestants reported inequities in treatment and access by local officials when seeking land for churches and cemeteries. Evangelical leaders felt disadvantaged in the allocation of land compared with the EOC and the EIASC. An official at the Ministry of Federal Affairs characterized the perceived inequities as a result of poor governance at the local level, zoning regulations, and the allocations' impact on existing communal use functions.”⁵⁵⁵

The BBC reports in 2009 that two Christians were shot and killed by police and several others injured in a conflict in Desse, 155 miles north east of Addis Ababa. The two men were helping to build a church on a site which is also claimed by Muslims. Ethiopian authorities claim that the Christians were building the church unlawfully and the police were trying to stop the construction.⁵⁵⁶ In January 2009 a policeman was killed and eight civilians injured in a religious conflict in Gonder city, which reportedly began when Muslims started to build a mosque at a site used by Orthodox Christians during a religious holiday.⁵⁵⁷

Compass Direct News, a Christian news service, reports in 2009 that a convert from Islam has been in jail for four months for the “malicious” distribution of bibles.⁵⁵⁸ The man was arrested in Jijiga, capital of the Somali Region Zone Five which is a predominantly Muslim area. Compact Direct News stated that “he was accused of providing Muslims with Somali-language bibles bearing covers that resemble the Quran.”⁵⁵⁹

Compass Direct News reports that “hostility toward those spreading faith different from Islam is a common occurrence in Muslim dominated areas of Ethiopia and neighboring countries. Christians are subject to harassment and intimidation, [...] to stem a rising number of Muslim converts.”⁵⁶⁰

3. Jews

⁵⁵³ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁵⁴ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁵⁵⁵ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009.

⁵⁵⁶ BBC, Two shot at Ethiopia church site, 1 July 2009, <http://news.bbc.co.uk/1/hi/8129220.stm>, 18 November 2009

⁵⁵⁷ US State Department, International Religious Freedom Report 2009, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127232.htm>, accessed 3 December 2009

⁵⁵⁸ Compass News Direct, Convert Languishing in Jail in Ethiopia for Handing Out Bibles, 15 September 2009, <http://www.compassdirect.org/english/country/ethiopia/9340/>, 11 November 2009

⁵⁵⁹ Compass News Direct, Convert Languishing in Jail in Ethiopia for Handing Out Bibles, 15 September 2009, <http://www.compassdirect.org/english/country/ethiopia/9340/>, 11 November 2009

⁵⁶⁰ Compass News Direct, Convert Languishing in Jail in Ethiopia for Handing Out Bibles, 15 September 2009, <http://www.compassdirect.org/english/country/ethiopia/9340/>, 11 November 2009

According to the BBC, Ethiopian Jews are collectively referred to as Falasha which is derived from the Amharic word for migration, though this word is now seen as derogatory. Beta Israel is considered to be a more acceptable term (meaning House of Israel).⁵⁶¹ Ethiopian Jews are also known as Israeletoch or Israelawi ("Israelites").⁵⁶²

Ethiopian Jews claim that their history goes back thousands of years.⁵⁶³ Dr Shalva Weil, President of the Society for the Study of Ethiopian Jewry, Hebrew University of Jerusalem reports that,

"The Beta Israel lived in North-West Ethiopia, in hundreds of villages scattered throughout the Simien region, Dembeya, Begemder province, Tigray, Lasta and Qwara. They spoke a Cushitic language, Agau, mixed with the two principal languages of the regions in which they resided: Amharic and Tigrinya."⁵⁶⁴

Dr Shalva Weil further states that Beta Israeli were a stigmatized minority in Ethiopia.⁵⁶⁵ In 1999 the BBC reported that "all of the Ethiopian Jews have a history of persecution," suffering ill treatment at the hands of neighbouring communities.⁵⁶⁶ Reuters reports that ancient records show Ethiopian Jews were barred from owning land and hardly ever married outside the community and were ordered to live apart from Christian villagers. These legal constraints have disappeared however Reuters report that the separation has persisted.⁵⁶⁷

Ethiopian Jews in Quara are recognised as Jews by Israeli authorities. The BBC reports that the Falas Mora (also known as Feres Mora) are a group who have become partly assimilated with Christian society in Ethiopia and are not recognised by Israeli authorities as Jews.⁵⁶⁸

Thousands of Ethiopian Jews have emigrated to Israel, huge numbers were airlifted during the devastating famines of the 1980's. According to the BBC many Falas Mora travelled to

⁵⁶¹ Falasha is also translated as "outsider" see Reuters, Squalor and shrinking hope for Ethiopian Jews, 28 March 2007, <http://www.reuters.com/article/idUSL27265224>, accessed 18 November 2009. BBC, Ethiopia's Jews: The last exodus, 23 June 1999, <http://news.bbc.co.uk/1/hi/world/africa/376225.stm>, accessed 17 November 2009. Institute of Security Studies, Ethiopia: End of the Falasha Migration?, 7 March 2007, http://www.issafrika.org/index.php?link_id=5&slink_id=4182&link_type=12&slink_type=12&tmpl_id=3 accessed 4 Dec 2009

⁵⁶² Dr Shalva Weil, Society for the Study of Ethiopian Jewry, Hebrew University of Jerusalem, From Beta Israel to Ethiopian Jews: Diaspora and Migration, undated, <http://www2.iict.pt/archive/doc/abstractLisbonLecture090901.pdf>, accessed 17 November 2009

⁵⁶³ BBC, Ethiopia's Jews: The last exodus, 23 June 1999, <http://news.bbc.co.uk/1/hi/world/africa/376225.stm>, accessed 17 November 2009. Dr Shalva Weil, Society for the Study of Ethiopian Jewry, Hebrew University of Jerusalem, From Beta Israel to Ethiopian Jews: Diaspora and Migration, undated, <http://www2.iict.pt/archive/doc/abstractLisbonLecture090901.pdf>, accessed 17 November 2009

⁵⁶⁴ Dr Shalva Weil, Society for the Study of Ethiopian Jewry, Hebrew University of Jerusalem, From Beta Israel to Ethiopian Jews: Diaspora and Migration, undated, <http://www2.iict.pt/archive/doc/abstractLisbonLecture090901.pdf>, accessed 17 November 2009

⁵⁶⁵ Dr Shalva Weil, Society for the Study of Ethiopian Jewry, Hebrew University of Jerusalem, From Beta Israel to Ethiopian Jews: Diaspora and Migration, undated, <http://www2.iict.pt/archive/doc/abstractLisbonLecture090901.pdf>, accessed 17 November 2009

⁵⁶⁶ BBC, Ethiopia's Jews: The last exodus, 23 June 1999, <http://news.bbc.co.uk/1/hi/world/africa/376225.stm>, accessed 17 November 2009. Dr Shalva Weil, Society for the Study of Ethiopian Jewry, Hebrew University of Jerusalem, From Beta Israel to Ethiopian Jews: Diaspora and Migration, undated, <http://www2.iict.pt/archive/doc/abstractLisbonLecture090901.pdf>, accessed 17 November 2009

⁵⁶⁷ Reuters, Squalor and shrinking hope for Ethiopian Jews, 28 March 2007, <http://www.reuters.com/article/idUSL27265224>, accessed 18 November 2009

⁵⁶⁸ BBC, Ethiopia's Jews: The last exodus, 23 June 1999, <http://news.bbc.co.uk/1/hi/world/africa/376225.stm>, accessed 17 November 2009. . Institute of Security Studies, Ethiopia: End of the Falasha Migration?, 7 March 2007, http://www.issafrika.org/index.php?link_id=5&slink_id=4182&link_type=12&slink_type=12&tmpl_id=3 accessed 4 Dec 2009

Addis Ababa expecting to be included however their Jewish ancestry was contested. Supporters said that they were left living in destitution in the capital.⁵⁶⁹ Debate still continues in Israel around the immigration of more than 8000 Falas Mura, many of whom are living in NGO run camps in Gondar, Ethiopia which are described as “squalid.”⁵⁷⁰ Reuters state that,

“Many people in the camps have been waiting for years in cramped mud shacks with no running water or basic sanitation, depending on food donations to survive. Families have been split up, only some of their number allowed into Israel.”⁵⁷¹

Moves in 2007 to bring the Falas Mura to Israel were met with protests from Israeli community members, representatives of North American Jewry and Israeli legislators arguing that some 9,000-15,000 Falasha Mura still needed to be assessed for immigration.⁵⁷² In September 2008, the Israeli Interior Ministry announced that it would return to Ethiopia and continue checking the eligibility for immigration of some 3,000 people.⁵⁷³

There are varying estimates of the remaining Jewish population in Ethiopia. The USDOS estimates that the community numbers 2,000.⁵⁷⁴ Reuters reported in March 2007 that between 8,000 and 16,000 Ethiopian Jews, were waiting in a camp in Gondar for clearance to emigrate to Israel.⁵⁷⁵ According to the undated website of the Israel Association for Ethiopian Jews (IAEJ), Ethiopia has a current population of 18,000 to 26,000 Falasha Mura.⁵⁷⁶

G. Women/Children/Sexual Orientation

1. Domestic legal framework

The USDOS states that Article 35 of the Constitution guarantees women the same rights and protections as men.⁵⁷⁷ The Sexual Rights Initiative reports that Article 4 provides that “women have the right to protection by the state from harmful customs. Laws and practices that oppress them and cause bodily or mental harm to them are prohibited”.⁵⁷⁸

⁵⁶⁹ BBC, Ethiopia’s Jews: The last exodus, 23 June 1999, <http://news.bbc.co.uk/1/hi/world/africa/376225.stm>, accessed 17 November 2009

⁵⁷⁰ Reuters, Squalor and shrinking hope for Ethiopian Jews, 28 March 2007, <http://www.reuters.com/article/idUSL27265224>, accessed 18 November 2009. Jerusalem Post, Sharansky pushes for Falash Mura aliya, 26 Nov 2009, <http://www.jpost.com/servlet/Satellite?cid=1259010984778&pagename=JPost%2FJPArticle%2FShowFull>, accessed 4 December 2009

⁵⁷¹ Reuters, Squalor and shrinking hope for Ethiopian Jews, 28 March 2007, <http://www.reuters.com/article/idUSL27265224>, accessed 18 November 2009.

⁵⁷² Jerusalem Post, Sharansky pushes for Falash Mura aliya, 26 November 2009, <http://www.jpost.com/servlet/Satellite?cid=1259010984778&pagename=JPost%2FJPArticle%2FShowFull>, accessed 4 December 2009

⁵⁷³ Jerusalem Post, Sharansky pushes for Falash Mura aliya, 26 November 2009, <http://www.jpost.com/servlet/Satellite?cid=1259010984778&pagename=JPost%2FJPArticle%2FShowFull>, accessed 4 December 2009

⁵⁷⁴ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁵⁷⁵ Reuters, Squalor and shrinking hope for Ethiopian Jews, 28 March 2007, <http://www.reuters.com/article/idUSL27265224>, accessed 18 November 2009

⁵⁷⁶ Israel Association for Ethiopian Jews, History; The Falasha Mura, undated, http://www.iaej.co.il/pages/history_the_falasha_mura.htm, accessed 4 December 2009

⁵⁷⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁷⁸ Sexual Rights Initiative, [Report on Ethiopia Submitted to the Universal Periodic Review of Ethiopia - Sixth Round \(2009\)](http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf), http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf, accessed 24 November 2009.

Ethiopia has ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child and the International Convention on Civil and Political Rights⁵⁷⁹. Ethiopia's constitution has domesticated international instruments adopted or ratified by the government.⁵⁸⁰ However, the shadow report submitted by Ethiopian women's rights groups to the CEDAW Committee, indicates various shortcomings of the government in meeting its CEDAW obligation in practice, including insufficient law enforcement.⁵⁸¹

The USDOS also states that whilst laws have explicitly criminalized harmful traditional practices (HTPs) including female genital mutilation (FGM), abduction, and rape, the enforcement of these laws is limited.⁵⁸² Freedom House states that despite recent law reforms to protect women's rights "societal norms and limited infrastructure prevent many women from seeking legal redress for their grievances."⁵⁸³

Article 620 of the 2004 Criminal Code punishes rape with imprisonment of five to twenty years⁵⁸⁴, however spousal rape is not included in the law.⁵⁸⁵ According to the USDOS this law was not fully enforced partly due to "widespread underreporting."⁵⁸⁶ The Code also provides under article 620(4) that if the rape resulted in the transmission of disease, or in the grave injury or death of the victim, the accused will be charged for concurrent offences under the relevant provisions of the code.⁵⁸⁷ According to the USDOS "the Addis Ababa 2006 annual police report listed 736 rape cases out of an estimated population of five million persons. Statistics on the number of abusers prosecuted, convicted, or punished were not available at year's end."⁵⁸⁸ Under Article 626 the rape of minors between thirteen and eighteen years of age is punishable with imprisonment of between three to fifteen years, Article 627 provides punishment for the rape of infants with imprisonment of thirteen to twenty five years.⁵⁸⁹ The USDOS reports that sexual harassment was widespread. The

⁵⁷⁹ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, 17 November 2009

⁵⁸⁰ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, 17 November 2009

⁵⁸¹ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, accessed 17 November 2009.

⁵⁸² US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁸³ Freedom House, *Freedom in the world 2008*; Ethiopia, 2008, <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7606>, accessed 20 November 2009

⁵⁸⁴ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁵⁸⁵ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009.

⁵⁸⁶ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁸⁷ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010
Sexual Rights Initiative, *Report on Ethiopia Submitted to the Universal Periodic Review of Ethiopia - Sixth Round (2009)*, http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf, accessed 24 November 2009.

⁵⁸⁸ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁸⁹ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

penal code prescribes 18 to 24 months' imprisonment, however "harassment-related laws were not enforced."⁵⁹⁰

The USDOS states that the legal age of marriage is 18 for both men and women, however this law is not enforced.⁵⁹¹ One report cited by USDOS states that 48% of females in the Amhara region were married before the age of 15.⁵⁹²

The Sexual Rights Initiative reports that although discriminatory laws have been revised,

"customary practices pertaining to marriage, divorce and inheritance often discriminate against women and girls"⁵⁹³

Under article 587 marriage by abduction is punishable by three to ten years imprisonment.⁵⁹⁴ Article 648 of the 2004 Criminal Code provides that early marriage is punishable with imprisonment,

"Whoever concludes marriage with a minor apart from circumstances permitted by relevant Family Code is punishable with:

- a) rigorous imprisonment not exceeding three years, where the age of the victim is thirteen years or above; or
- b) rigorous imprisonment not exceeding seven years, where the age of the victim is below thirteen years."⁵⁹⁵

In 2001, the Ethiopian government passed a new Family Code which revised many discriminatory laws of the previous 1960 Civil Code.⁵⁹⁶ However its effect is still limited as six out of the nine regional governments continue to apply the previous laws.⁵⁹⁷ According to the Network of Ethiopian Women Association and the Ethiopian Women Lawyers Association the

⁵⁹⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁹¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁹² US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁵⁹³ Sexual Rights Initiative, Report on Ethiopia Submitted to the Universal Periodic Review of Ethiopia - Sixth Round (2009), 2009, http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf, accessed 24 November 2009.

⁵⁹⁴ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁵⁹⁵ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁵⁹⁶ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009. Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, 17 November 2009. Sexual Rights Initiative, Report on Ethiopia Submitted to the Universal Periodic Review of Ethiopia - Sixth Round (2009), http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf, accessed 24 November 2009.

⁵⁹⁷ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, 17 November 2009. Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

revised law includes no provision for post divorce maintenance and two regions appear to tolerate the practice of polygamy.⁵⁹⁸

According to the 1960 Civil Code, the husband is the legal head of the family and the sole guardian of children older than five years. This provision was changed in the 2001 Family Code, which granted equal rights to both parents. However, the enforcement of this law still limited.⁵⁹⁹

The USDOS states that the law contains discriminatory regulations,

“The law contains discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children over five years old. Authorities did not consider domestic violence a serious justification for granting a divorce. There was limited legal recognition of common law marriage. Irrespective of the number of years the marriage existed, the number of children raised, and joint property, the law entitled women to only three months' financial support if a common law relationship ended. A husband had no obligation to provide financial assistance to his family and, as a result, women and children sometimes faced abandonment. Even with recent stronger formal laws, most rural residents continued to apply customary law in economic and social relationships.”⁶⁰⁰

The Social Institutions and Gender Index (SIGI) states that under federal law women have equal rights to men in matters of inheritance, however, according to traditional customs land is usually passed to sons on the ground that girls eventually move to their husband's homes.⁶⁰¹

The USDOS states that

“In nearly all regions women did not have access to land, except through marriage. The law states that any property owned before marriage belongs to the spouse that previously owned it, while any property gained during marriage belongs to the husband upon divorce. In practice, when a husband died, other family members often took the land from his widow. In pastoralist areas where poverty is higher, women do not own property without a male guardian, which increases their marginalization and vulnerability. A widow must marry her brother-in-law or have an adult son in order to keep her deceased husband's land.”⁶⁰²

The Social Institutions and Gender Index states that land reforms enacted in March 1997 guaranteed women rights to land stipulating that women have the right to lease land from the

⁵⁹⁸ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, accessed 17 November 2009.

⁵⁹⁹ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁶⁰⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁰¹ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁶⁰² US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

government. SIGI reports that despite these reforms women's access to land remain restricted and in reality, women only gain access to land through marriage. They further note that

“It is generally accepted that only the head of the household – typically the husband – can be a landowner. Women who separate from their husbands are likely to lose their houses and property, and when a husband dies, other family members often claim the land over his widow.”⁶⁰³

According to the Social Institutions and Gender Index,

“The Civil Code remains discriminatory in regard to access to property other than land. It grants husbands control of common property and allows them to make all decisions related to such property. Ethiopian women have only limited access to bank loans. Public financing for women may be granted to female heads of households who own land; by contrast, married women who wish to obtain loans must first seek permission from their husbands.”⁶⁰⁴

According to Equality Now, the Penal Code criminalizes marriage by abduction.⁶⁰⁵ While Articles 558 and 599 of the previous 1957 Penal Code had provided that if the victim agreed to marry the perpetrator he would be exempt from criminal responsibility for these crimes, the revised Code (May 2005) has removed the marital exemption for abduction and rape.⁶⁰⁶ However in 2008 the USDOS reported that “in cases of marriage by abduction, the perpetrator did not face punishment if the victim agreed to marry the perpetrator. Authorities often commuted the sentence of the convicted perpetrator if the victim married the perpetrator.”⁶⁰⁷

The Penal Code criminalizes practitioners of clitorrectomy which can be punished by imprisonment of at least three months or a fine of at least 500 birr (\$49). Infibulation of the genitals is punishable with imprisonment of five to 10 years. The USDOS states that “no criminal prosecutions have ever been brought for FGM.”⁶⁰⁸

The USDOS reports that prostitution is legal for persons over age 18. However, the law prohibits pimping and benefiting from prostitution. Article 634 of the Ethiopian Penal Code (revised May 2005) stipulates “whoever, for gain makes a profession of or lives by procuring on the prostitution or immorality of another, or maintains, as a landlord or keeper, a brothel, is

⁶⁰³ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009. US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009.

⁶⁰⁴ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁶⁰⁵ Equality Now, Ethiopia: Abduction and Rape--Law Reform and the Case of Woineshet Zebene Negash, June 2005, http://www.equalitynow.org/english/actions/action_2204_en.html, 3 December 2009

⁶⁰⁶ Equality Now, Ethiopia: Abduction and Rape--Law Reform and the Case of Woineshet Zebene Negash, June 2005, http://www.equalitynow.org/english/actions/action_2204_en.html, 3 December 2009

⁶⁰⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁰⁸ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

punishable with simple imprisonment and fine."⁶⁰⁹ People exploited in prostitution routinely reported that poverty was the main reason.⁶¹⁰

Articles 635, 636, 637 and 638 of the 2004 Criminal Code prohibit all forms of trafficking for labour and sexual exploitation,⁶¹¹ and prescribe three to 20 years imprisonment.⁶¹²

Article 635 states that,

“Whoever, for gain, or to gratify the passions of another:

- a) traffics in women or minors, whether by seducing them, by enticing them, or by procuring them or otherwise inducing them to engage in prostitution, even with their consent; or
- b) keeps such a person in a brothel to let him out to prostitution, is punishable with rigorous imprisonment not exceeding five years, and fine not exceeding ten thousand Birr, subject to the application of more severe provisions, especially where there is concurrent illegal restraint.”⁶¹³

Article 636 states that,

“In cases of professional procuring or traffic in persons, rigorous imprisonment shall be from three years to ten years, and the fine shall not exceed twenty thousand Birr where:

- a) the victim is a minor; or
- b) the victim is the wife or a descendant criminal, his adopted child or the child of his spouse, his brother or his sister, or his ward, or where the victim has been entrusted, on any ground whatsoever, to his custody or care; or
- c) the criminal has taken unfair advantage of the material or mental distress of his victim, or of his position as protector, employer, teacher, landlord or creditor, or of any other like situation; or
- d) the criminal has made use of trickery, fraud, violence, intimidation, coercion, or where he has misused his authority over the victim; or
- e) the victim is intended for a professional procurer, or has been taken abroad or where the victim's whereabouts or place of abode cannot be established; or
- f) the victim has been driven to suicide by shame, distress or despair.”⁶¹⁴

Article 637 refers to organised traffic in Women and children,

⁶⁰⁹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶¹⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶¹¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶¹² Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁶¹³ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁶¹⁴ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

“Whoever makes arrangements or provisions of any kind for the procurement of or traffic in women or minors, is punishable with simple imprisonment, or according to the circumstances of the case, especially where a professional procurer is involved or where the arrangements are fully made and intended to apply to many victims, with rigorous imprisonment not exceeding three years, and a fine which shall be not less than five hundred Birr in grave cases.”⁶¹⁵

The police and the Ministry of Labour are responsible for monitoring trafficking in persons, while the Ministry of Justice is responsible for enforcing laws related to trafficking.⁶¹⁶

The USDOS states that Article 36 of the Constitution provides for a comprehensive list of rights for children, this includes the right not to be subject to exploitative practices.⁶¹⁷

In 2005 the National Commission for Children's and Women's Affairs was established by the government to investigate alleged human rights violations against women and children.⁶¹⁸

Commenting on customary laws and practices the Independent Expert on Minority issues states that

“In rural areas, traditional or customary law practices and patriarchal family and community structures are prevalent and often incompatible with non-discrimination legislation. Cultural or religious practices, such as polygamy and male-only ownership of property, are still unofficially sanctioned in some states. Some states are, however, reportedly attempting to revise the law in a way that conforms with the Constitution yet recognizes the status of customary courts and laws and non-discriminatory traditional practices.”⁶¹⁹

2. Gender-based violence

The Social Institutions and Gender Index reports that “despite recently introduced policy instruments and legislative commitments designed to serve women’s interests, Ethiopia remains one of Africa’s most tradition-bound societies.”⁶²⁰

The USDOS further states that “women and girls experience gender-based violence daily, but it is underreported due to shame, fear, or a victim's ignorance of legal protections.”⁶²¹ They

⁶¹⁵ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁶¹⁶ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶¹⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009. International Labour Organisation, National Labour Law Profile: Federal Democratic Republic of Ethiopia, July 2004, <http://www.ilo.org/public/english/dialogue/ifpdial/info/national/eth.htm>, accessed 10 December 2009

⁶¹⁸ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶¹⁹ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, <http://www.unhcr.org/refworld/country,,,MISSION,ETH,,461f9ea82,0.html>, accessed 10 November 2009

⁶²⁰ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁶²¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

further state that “discrimination against women was most acute in rural areas, where 85 percent of the population was located.”⁶²² According to the Social Institutions and Gender Index “following traditional socio-cultural installations and practices, women in Ethiopia are considered to be subordinate to men, both in family life and in society at large.”⁶²³

The Independent Expert on Minorities states that,

“While women generally face discrimination in Ethiopian society due to patriarchal systems and traditional gender roles and practices, women from different ethnic communities may face multidimensional obstacles, based on the particularities of the customary or religious practices of their communities and the relative status of their ethnic group within the ethnic hierarchy in their region and nationally.”⁶²⁴

In 2007 Pathfinder International reported that

“Low status characterizes virtually every aspect of girls’ and women’s lives. Given the heavy workload imposed on girls at an early age, early marriage without choice, and a subservient role to both husband and mother-in-law, girls and women are left with few opportunities to make and act on their own decisions.”⁶²⁵

The United Nations Population fund (UNFPA) reports that

“Ethiopia has one of the highest prevalence rates of both sexual and physical violence by an intimate partner. Societal abuse of young girls continues to be a problem. Besides rape and battery, the most widespread manifestations of violence against women in Ethiopia are harmful traditional practices, including female genital mutilation/cutting, child marriage, abduction as a method of forcefully contracting marriage and wife inheritance – in some places a woman is considered the property of the family into which she marries, and if her partner dies, she is expected to wed a male relative.”⁶²⁶

UNFPA further states that despite legal provisions women’s protection in reality is limited,

“While women have recourse to the police and the courts, societal norms and limited infrastructure inhibit many women from seeking legal redress, especially in rural areas. Social practices obstruct investigations into rape and the prosecution of the rapist. Many women are not even aware of their rights under the law.

⁶²² US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶²³ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁶²⁴ UN Human Rights Council: Addendum to the Report of the Independent Expert on Minority Issues, Gay McDougall, Mission to Ethiopia (28 November – 12 December 2006), 28 February 2007, <http://www.unhcr.org/refworld/country,,MISSION,ETH,,461f9ea82,0.html>, accessed 10 November 2009

⁶²⁵ Pathfinder International, Women’s Empowerment in Ethiopia; New solutions to ancient problems, September 2007, http://www.pathfind.org/site/DocServer/PI_WE_paper_final.pdf?docID=10202, accessed 17 November 2009

⁶²⁶ United Nations Population Fund, Shelter from the Storm: Escaping from Gender Violence in Ethiopia, 7 December 2009, <http://www.unfpa.org/public/cache/offonce/News/pid/4522;jsessionid=06AAEC60C40542878F4232027BA3EF74>, accessed 10 December 2009

Ethiopia lacks the necessary infrastructure to support women and children suffering from gender violence.”⁶²⁷

According to Womankind Worldwide the country has “one of the highest maternal mortality rates in the world and among the worst rates of school enrolment for girls in Africa.”⁶²⁸ Women form the majority of poor and illiterate people in the country.⁶²⁹ Womankind Worldwide states that a lack of education condemns many Ethiopian women to a lifetime of poverty and exclusion.⁶³⁰ A shadow report to CEDAW reports that “rural women face particular vulnerabilities. Women in the rural area are largely illiterate, don’t have decision making power within the family and in the community, live in difficult conditions, don’t have access to health facilities and lack access to resources such as land.”⁶³¹

a. *Domestic Violence*

The Ethiopia Demographic and Health Survey 2005 found that 81% of women believe that a husband is justified in beating his wife, justifying reasons given included if she burnt food, refused sex or went out somewhere without her husband's consent.⁶³²

The Ethiopia Demographic and Health Survey reports that

“many traditional customs in Ethiopia as in many other countries teach and expect women to accept, tolerate and even rationalize wife beating. This impedes women’s empowerment and has serious health consequences.”⁶³³

The BBC reports that Ethiopians are amongst the most abused women in the world,

“Nearly 60% of Ethiopian women were subjected to sexual violence, including marital rape, according to the [UN] Ending Violence Against Women report”⁶³⁴

In 2005 a World Health Organization (WHO) study reported that Ethiopian women experienced the highest levels of sexual violence by a partner, at 59%. 46% of women reported being physically forced into having intercourse. 35% of partnered women experienced some form of severe physical abuse (being hit with a fist or something else, kicked, dragged, beaten up, choked, burnt on purpose, threatened with a weapon or had a

⁶²⁷ United Nations Population Fund, Shelter from the Storm: Escaping from Gender Violence in Ethiopia, 7 December 2009, <http://www.unfpa.org/public/cache/offonce/News/pid/4522;jsessionid=06AAEC60C40542878F4232027BA3EF74>, accessed 10 December 2009

⁶²⁸ Womankind Worldwide, Ethiopia, undated, <http://www.womankind.org.uk/ethiopia.html>, accessed 17 November 2009.

⁶²⁹ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), P3, <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, accessed 17 November 2009

⁶³⁰ Womankind Worldwide, Ethiopia, undated, <http://www.womankind.org.uk/ethiopia.html>, accessed 17 November 2009.

⁶³¹ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), P3, <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, accessed 17 November 2009

⁶³² Central Statistical Agency Addis Ababa, Ethiopia, Ethiopia Demographic and Health Survey 2005, <http://www.measuredhs.com/pubs/pdf/FR179/FR179.pdf>, accessed 24 November 2009

⁶³³ Central Statistical Agency Addis Ababa, Ethiopia, Ethiopia Demographic and Health Survey 2005, <http://www.measuredhs.com/pubs/pdf/FR179/FR179.pdf>, accessed 24 November 2009

⁶³⁴ BBC, Ethiopian women are most abused, 11 October 2006, <http://news.bbc.co.uk/1/hi/world/africa/6040180.stm>, 24 November 2009

weapon used against them).⁶³⁵ The World Health Organization (WHO) study found that in two rural districts, Meskan and Mareko, 71 % of women were subject to physical or sexual violence, or both, by an intimate partner during their lifetime.⁶³⁶ According to the report, 39% of the women had never talked to anyone about the physical violence. Few abused women approached formal agencies or authorities for help, "the most often mentioned were local leaders (by 15% of women who had experienced physical partner violence), health services (4%), police (2%) and the courts (1%)."⁶³⁷ Those who did not look for assistance said that "they feared the consequences or had been threatened" or that they considered the violence to be "normal" or not "serious."⁶³⁸

Pathfinder International reports that "the practice of marrying one's sister-in-law (without her consent) upon the death of her husband is widespread and particularly pervasive in certain areas in the south of the country."⁶³⁹

The USDOS states that "while women had recourse to the police and the courts, societal norms and limited infrastructure prevented many women from seeking legal redress, particularly in rural areas. The government prosecuted offenders on a limited scale."⁶⁴⁰

In reference to violence against women, a shadow report submitted to the CEDAW committee states that judicial standards contribute to the failure of law enforcement,

"Law enforcement agencies are beset with several problems, which includes, mishandling, delay in investigation and in preparing formal charges. At the level of the judiciary, excessive delay in prosecuting cases of violence against women and the inordinate time it takes for the courts to try cases remains frustrating as ever. The insensitivity of some judges towards women victims of violence and the lightness of the pattern of their sentences against offenders compounds the problem"⁶⁴¹

The United Nations Population Fund (UNPFA) reports that there is a shelter in the capital called the Organization Against Gender-based Violence which provides a safe house for women and their children, the UNPFA states that its location is known only to the police. This fifty bed facility has a health clinic, a counselling room, kitchen and dining facilities,

⁶³⁵ World Health Organization (WHO). WHO Multi-country Study on Women's Health and Domestic Violence Against Women, Ethiopia, 2005,

http://www.who.int/gender/violence/who_multicountry_study/summary_report/chapter2/en/index2.html or http://www.who.int/gender/violence/who_multicountry_study/fact_sheets/eth/en/index.html, accessed 17 November 2009

⁶³⁶ World Health Organization (WHO). WHO Multi-country Study on Women's Health and Domestic Violence Against Women, Ethiopia, 2005, http://www.who.int/gender/violence/who_multicountry_study/fact_sheets/Ethiopia2.pdf, accessed 17 November 2009

⁶³⁷ World Health Organization (WHO). WHO Multi-country Study on Women's Health and Domestic Violence Against Women, Ethiopia, 2005,

http://www.who.int/gender/violence/who_multicountry_study/summary_report/chapter2/en/index2.html or http://www.who.int/gender/violence/who_multicountry_study/fact_sheets/eth/en/index.html, accessed 17 November 2009

⁶³⁸ World Health Organization (WHO). WHO Multi-country Study on Women's Health and Domestic Violence Against Women, Ethiopia, 2005, http://www.who.int/gender/violence/who_multicountry_study/fact_sheets/eth/en/index.html, accessed 17 November 2009

⁶³⁹ Pathfinder International, Women's Empowerment in Ethiopia; New solutions to ancient problems, September 2007, http://www.pathfind.org/site/DocServer/PI_WE_paper_final.pdf?docID=10202, accessed 17 November 2009

⁶⁴⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁴¹ Network of Ethiopian Women Association and Ethiopian Women Lawyers Association, Shadow report; Ethiopia 2003; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), <http://www.peacewomen.org/un/ecosoc/CEDAW/CEDAW30/30cedawEthiopia.pdf>, 17 November 2009

dormitories and workshops. The Executive Director of the organisation which runs the shelter reports that “demand for the shelter far outstrips available capacity, due to the pervasive nature of gender-based violence in the country”⁶⁴²

UNPFA reports that

“the safe house lacks sufficient financial support for providing adequate services to victims, sufficiently protecting them and assisting with their reintegration into society. Since opening just over four years ago, it has provided shelter and services for some 450 women and teenage girls and their children, many of them born after their mother’s arrival in the home. At the time of our visit to the safe house, there were 20 newborns, most of them conceived through rape by employers or relatives.”⁶⁴³

b. Rape

Pathfinders International state that sexual violence including rape is common and its threat often drives parents to keep girls at home, sometimes out of school.⁶⁴⁴ The USDOS reports that social pressures and shame prevented women from seeking legal redress.⁶⁴⁵ Many young women were subjected to rape after being abducted for forced marriage.⁶⁴⁶ Many women in conflict areas were raped by opposition or government forces.⁶⁴⁷ Human Rights Watch state that “encouraged by a climate of near-total impunity, ENDF personnel have raped Anuak women in and around villages throughout Gambella.”⁶⁴⁸ Human Rights Watch also reports that women and girls have been raped in detention in military barracks in the eastern Somali region.⁶⁴⁹

⁶⁴² United Nations Population Fund, Shelter from the Storm: Escaping from Gender Violence in Ethiopia, 7 December 2009, <http://www.unpfa.org/public/cache/offonce/News/pid/4522;jsessionid=06AAEC60C40542878F4232027BA3EF74>, accessed 10 December 2009

⁶⁴³ United Nations Population Fund, Shelter from the Storm: Escaping from Gender Violence in Ethiopia, 7 December 2009, <http://www.unpfa.org/public/cache/offonce/News/pid/4522;jsessionid=06AAEC60C40542878F4232027BA3EF74>, accessed 10 December 2009

⁶⁴⁴ Pathfinder International, Women’s Empowerment in Ethiopia; New solutions to ancient problems, September 2007, http://www.pathfind.org/site/DocServer/PI_WE_paper_final.pdf?docID=10202, accessed 17 November 2009

⁶⁴⁵ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁴⁶ Pathfinder International, Women’s Empowerment in Ethiopia; New solutions to ancient problems, September 2007, http://www.pathfind.org/site/DocServer/PI_WE_paper_final.pdf?docID=10202, accessed 17 November 2009. BBC, Ethiopian girls fear forced marriage, 14 May 2006, <http://news.bbc.co.uk/1/hi/world/africa/4763185.stm>, 24 November 2009

⁶⁴⁷ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia’s Somali Regional State, June 2008, p.34 <http://www.hrw.org/reports/2008/ethiopia0608/index.htm>, accessed 10 December. US Department of State, Country Reports on Human Rights Practices, 2008; Ethiopia,

<http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 2 December 2009. Human Rights Watch, World Report 2009; Ethiopia, <http://www.hrw.org/en/node/79222>, accessed 20 November 2009. Human Rights Watch, Targeting the Anuak, March 2005, <http://www.hrw.org/en/node/11812/section/4>, accessed 1 December 2009. United Nations, Committee On The Elimination Of Racial Discrimination, Consideration Of Reports Submitted By States Parties Under Article 9 Of The Convention; Concluding Observations of the Committee on the Elimination of Racial Discrimination, Ethiopia, CERD/C/ETH/CO/15, 20 June 2007 <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.ETH.CO.15.doc>, accessed 26 November 2009

⁶⁴⁸ Human Rights Watch, Targeting the Anuak, March 2005 <http://www.hrw.org/sites/default/files/reports/ethiopia0305.pdf>, accessed 1 December 2009

⁶⁴⁹ Human Rights Watch, UK: Ethiopian ‘Assurances’ No Guarantee Against Torture, 17 September 2009.

<http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

3. Harmful traditional practices

a. *Marriage by abduction*

Womankind Worldwide states that

“Ethiopia’s women face further violence and discrimination in the form of early and forced marriage or marriage by abduction. Some 72% of the country’s women are married by abduction – a practice which often involves rape by the abductor.”⁶⁵⁰

According to the USDOS

“the abduction of women and girls as a form of marriage continued to be widespread in several regions, including the Amhara, Oromiya, and SNNP regions, despite the government's attempts to combat the practice. Forced sexual relationships accompanied most marriages by abduction, and women often experienced physical abuse during the abduction. Abductions led to conflicts among families, communities, and ethnic groups.”⁶⁵¹

In 2006 the BBC reported that in the Southern Nations, Nationalities and People's Region (SNNPR) 92% of all marriages were the result of abductions and in Ormoia region it was 80%.⁶⁵² UNICEF states that the national average of marriage occurring by abduction is 69%.⁶⁵³

UNICEF further reports that,

“marriage by abduction has many adverse effects on the girls and their communities including perpetuating poverty, violating the human rights of the girls involved, causing permanent damage to their developing bodies, encouraging the transmission of HIV/AIDS and forcing girls to drop out of school.”⁶⁵⁴

Boy’s parents may agree to the abduction if they can’t afford a dowry.⁶⁵⁵ The USDOS states that abductions have led to conflicts among families, communities, and ethnic groups.⁶⁵⁶ A UNICEF representative states that “marriage by abduction really means child rape.”⁶⁵⁷ Girls who have been victims of marriage by abduction are called 'gusumiti' and are stigmatised by their communities as non-virgins. According to UNICEF “girls who reject their attackers and

⁶⁵⁰ Womankind Worldwide, Ethiopia, undated, <http://www.womankind.org.uk/ethiopia.html>, accessed 17 November 2009

⁶⁵¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁵² BBC, Ethiopian girls fear forced marriage, 14 May 2006, <http://news.bbc.co.uk/1/hi/world/africa/4763185.stm>, 24 November 2009

⁶⁵³ UNICEF, Feature, UNICEF Supports Fight to End Marriage by Abduction in Ethiopia, undated, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 9 December 2009

⁶⁵⁴ UNICEF, Feature, UNICEF Supports Fight to End Marriage by Abduction in Ethiopia, undated, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 9 December 2009

⁶⁵⁵ UNICEF, Feature, UNICEF Supports Fight to End Marriage by Abduction in Ethiopia, undated, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 9 December 2009

⁶⁵⁶ UNICEF, Feature, UNICEF Supports Fight to End Marriage by Abduction in Ethiopia, undated, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 9 December 2009

⁶⁵⁷ UNICEF, Feature, UNICEF Supports Fight to End Marriage by Abduction in Ethiopia, undated, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 9 December 2009

return to their villages are shunned as are their families. There is immense pressure for the girls involved to accept their fate.”⁶⁵⁸

The BBC reports a case of a 12 year old girl who was forced to marry a 30 year old man who beat and raped her, she escaped only to be forcibly returned to him by her parents and the local courts.⁶⁵⁹ UNICEF states that village elders often mediate between the families and discourage girls from pressing charges against their attackers. Few of the men who are convicted with marriage by abduction serve more than couple of years in jail if any time at all.⁶⁶⁰

b. Female Genital Mutilation (FGM)

The Ethiopia Demographic and Health Survey 2005 states that female genital mutilation (FGM) is widespread throughout the country.⁶⁶¹ Womankind Worldwide states that the practice continues despite the Government’s 2004 ban,⁶⁶²

“Mainly performed by traditional birth attendants, over 85% of Ethiopian women have undergone Female Genital Mutilation. For the practitioners, it means payment and social status. For the women who are subjected to the practice, it means a lifetime of painful menstruation, incontinence, and complications with pregnancy and childbirth. A legacy of damage to women’s physical, mental, emotional and psycho-sexual health and wellbeing.”⁶⁶³

The Centre for Reproductive Rights state that Muslims, Christians, and Ethiopian Jews practice FGM in Ethiopia.⁶⁶⁴

In 2008 IRIN News reported that prevalence rates in the Somali region are 97.3% and 91.6% in Afar.⁶⁶⁵ IRIN reports that a 2007 Ethiopian National Committee on Traditional Practices study put prevalence rates across the country at 46%.⁶⁶⁶ The Ethiopia Demographic and Health Survey 2005 and a study funded by Save the Children Norway reported a reduction in the prevalence of FGM, the latter reporting a 24% national reduction in FGM cases over the past 10 years. The Ethiopia Demographic and Health Survey reported a drop from 80 to 74%.⁶⁶⁷

⁶⁵⁸ UNICEF, Feature, UNICEF Supports Fights to End Marriage by Abduction in Ethiopia, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 09 December 2009

⁶⁵⁹ BBC, Ethiopian girls fear forced marriage, 14 May 2006, <http://news.bbc.co.uk/1/hi/world/africa/4763185.stm>, 24 November 2009

⁶⁶⁰ UNICEF, Feature, UNICEF Supports Fights to End Marriage by Abduction in Ethiopia, http://www.unicef.org/ethiopia/ET_real_abduction.pdf, accessed 09 December 2009

⁶⁶¹ Central Statistical Agency Addis Ababa, Ethiopia, Ethiopia Demographic and Health Survey 2005, <http://www.measuredhs.com/pubs/pdf/FR179/FR179.pdf>, accessed 24 November 2009

⁶⁶² Womankind Worldwide, Ethiopia, undated, <http://www.womankind.org.uk/ethiopia.html>, accessed 17 November 2009

⁶⁶³ Womankind Worldwide, Ethiopia, undated, <http://www.womankind.org.uk/ethiopia.html>, accessed 17 November 2009

⁶⁶⁴ Centre for Reproductive Rights, Women of the World, 2003, <http://reproductiverights.org/sites/crr.civicaactions.net/files/documents/WOWAA02.pdf>, accessed 24 November 2009

⁶⁶⁵ IRIN News, Ethiopia: New initiative against FGM/C, 1 December 2008, <http://www.irinnews.org/Report.aspx?ReportId=81753>, accessed 24 November 2009

⁶⁶⁶ IRIN News, Ethiopia: More parents saying no to FGM, 11 September 2008, <http://www.irinnews.org/Report.aspx?ReportId=80290>, accessed 24 November 2009

⁶⁶⁷ Central Statistical Agency Addis Ababa, Ethiopia, Ethiopia Demographic and Health Survey 2005, <http://www.measuredhs.com/pubs/pdf/FR179/FR179.pdf>, accessed 24 November 2009

According to the Ethiopia Demographic and Health Survey 2005 three in four women aged 15-49 have been subjected to FGM,

“Six percent of circumcised women reported that their vagina was sewn closed (infibulation) during circumcision, which is the most severe form of FGC. Infibulation is most common among women age 25-39, women with no education, and women in the lowest wealth quintile. Rural women are also more likely than urban women to have experienced infibulation. More than four in five circumcised women residing in the Somali Region and three in five in Affar have experienced the most severe form of FGC.”⁶⁶⁸

According to German development organisation Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH

“The age at which FGM is practised varies from region to region. In Amhara and Tigray girls undergo excision before their first birthday, whereas the Somali, Affar and Oromia wait until girls are aged between seven and nine. Some ethnic groups wait until shortly before girls are married, between the ages of 15 and 17.”⁶⁶⁹

The USDOS states that

“Girls typically experienced clitorectomies seven days after birth (consisting of an excision of the clitoris, often with partial labial excision) and faced infibulations (the most extreme and dangerous form of FGM) at the onset of puberty.”⁶⁷⁰

IRIN states that “FGM is carried out on girls as young as 80 days old, particularly in the predominately Christian highlands, and up to 14 years of age in the lowland Muslim regions.”⁶⁷¹

GTZ state that the practice is usually preformed by traditional female excisors in private under unhygienic conditions, without pain relief.⁶⁷² IRIN reports that “some excisors use the same knife or razor blade on all their victims, regardless of the danger of spreading infections.”⁶⁷³

The practice of FGM is a serious health issue affecting women, causing the spread of HIV/AIDS and high female mortality rates in Africa.⁶⁷⁴ According to a 2006 study published by the World Health Organization (WHO) women who have had FGM are significantly more likely

⁶⁶⁸ Central Statistical Agency Addis Ababa, Ethiopia, Ethiopia Demographic and Health Survey 2005, <http://www.measuredhs.com/pubs/pdf/FR179/FR179.pdf>, accessed 24 November 2009

⁶⁶⁹ Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), Female Genital Mutilation in Ethiopia report, November 2007, <http://www.gtz.de/en/dokumente/en-fgm-countries-ethiopia.pdf>, accessed 9 December 2009

⁶⁷⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁷¹ IRIN News, Ethiopia: More parents saying no to FGM, 11 September 2008, <http://www.irinnews.org/Report.aspx?ReportId=80290>, accessed 24 November 2009

⁶⁷² Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), Female Genital Mutilation in Ethiopia report, November 2007, <http://www.gtz.de/en/dokumente/en-fgm-countries-ethiopia.pdf>, accessed 09 December 2009

⁶⁷³ IRIN News, Ethiopia: More parents saying no to FGM, 11 September 2008, <http://www.irinnews.org/Report.aspx?ReportId=80290>, accessed 24 November 2009

⁶⁷⁴ Sexual Rights Initiative, [Report on Ethiopia Submitted to the Universal Periodic Review of Ethiopia - Sixth Round \(2009\)](http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf), http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/ET/SRI_ETH_UPR_S06_2009.pdf, accessed 24 November 2009.

to experience difficulties during childbirth and that their babies are more likely to die as a result of the practice.⁶⁷⁵

According to GTZ the practice of FGM is culturally justified to exercise control over women's sexuality,

“The practice of FGM is justified to exercise control over women's alleged uncontrolled sexuality and emotional nature. There are also said to be hygienic and aesthetic reasons and the need to comply with tradition and supposed religious requirements. More and more religious leaders, however, are now rejecting the practice. FGM is retained primarily because of the fear that girls and their families will be marginalized if they refuse to comply with the social norm.”⁶⁷⁶

The USDOS reports that although the penal code criminalizes practitioners of clitorrectomy and infibulation no criminal prosecutions have ever been brought for FGM. The government discouraged the practice of FGM through education in public schools and broader mass media campaigns.”⁶⁷⁷

4. Children

According to Save the Children millions of Ethiopian children face frequent food shortages and periodic famine. Health care services are inadequate and many children die before reaching the age of 5. HIV/AIDS destabilizes families and communities, leaving many children orphaned and at risk for exploitation.⁶⁷⁸

UNICEF states that food insecurity, public health hazards and displacement, are the key contributors to the dire health and nutritional status of many Ethiopian children.⁶⁷⁹

The USDOS reports that child abuse was widespread and “societal abuse of young girls continued to be a problem.”⁶⁸⁰ Harmful traditional practices affecting children included FGM, early marriage, marriage by abduction, and food and work prohibitions.⁶⁸¹

UNICEF estimates that there are between 500,000 to 700,000 street children in Ethiopia.⁶⁸² Those remaining alone on the streets at night risk rape and violence. Widespread poverty,

⁶⁷⁵ World Health Organisation (WHO), New study shows female genital mutilation exposes women and babies to significant risk at childbirth, 2 June 2006, <http://www.who.int/mediacentre/news/releases/2006/pr30/en/index.html>, accessed 09 December 2009

⁶⁷⁶ Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), Female Genital Mutilation in Ethiopia report, November 2007, <http://www.gtz.de/en/dokumente/en-fgm-countries-ethiopia.pdf>, accessed 09 December 2009

⁶⁷⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁷⁸ Save the Children, Ethiopia; Save the Children in Ethiopia, <http://www.savethechildren.org/countries/africa/ethiopia.html>, accessed 10 December 2009

⁶⁷⁹ UNICEF, UNICEF humanitarian action update, 7 Aug 2009, http://www.unicef.org/infobycountry/ethiopia_31288.html, accessed 10 Dec 2009

⁶⁸⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁸¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁸² UNICEF, Background Information: the UNICEF protection, rehabilitation and prevention of street children and street mothers project, undated, http://www.unicef.org/ethiopia/ET_media_child_protection.pdf, accessed 24 November 2009. US

drought, displacement and famine are listed as factors contributing to children being on the street.⁶⁸³ The USDOS reports that “families’ inability to support children due to parental illness and decreased household income” also contributed to the problem.⁶⁸⁴

a. *Orphans*

UNICEF states that “Ethiopia counts one of the largest populations of orphans in the world: 13 per cent of children throughout the country are missing one or both parents. This represents an estimated 4.6 million children – 800,000 of whom were orphaned by HIV/AIDS.”⁶⁸⁵ Government figures estimate the total number of orphans in 2009 at five and a half million (5,453,313).⁶⁸⁶

The USDOS state that,

“These children begged, sometimes as part of a gang, or worked in the informal sector. Government- and privately run orphanages were unable to handle the number of street children, and older children often abused younger ones. Due to severe resource constraints, hospitals and orphanages often overlooked or neglected abandoned infants. “Handlers” sometimes maimed or blinded children to raise their earnings from begging.”⁶⁸⁷

The AIDS Resource Centre states that orphans suffer from a lack of financial, emotional, educational, and moral support. The burden of caring for HIV-infected individuals often prohibit relatives from taking these orphans in. The AIDS Resource Centre reports that “orphanages are overwhelmed with orphans, and rarely provide a viable option for children recently orphaned by HIV/AIDS.”⁶⁸⁸

Young orphaned girls are frequently forced into prostitution to supply income for their basic needs.⁶⁸⁹ UK daily newspaper, The Times reports that some are sold by relatives after their parents die, they are kept as maids and, according to a local NGO, are often abused.⁶⁹⁰ The AIDS Resource Centre state that many children engage in substance abuse from an early age, which makes them especially vulnerable to HIV.⁶⁹¹

State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁸³ UNICEF, Background Information: the UNICEF protection, rehabilitation and prevention of street children and street mothers project, undated, http://www.unicef.org/ethiopia/ET_media_child_protection.pdf, accessed 24 November 2009

⁶⁸⁴ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁸⁵ UNICEF, Ethiopia; Steady increase in street children orphaned by AIDS, 20 January 2006, http://www.unicef.org/infobycountry/ethiopia_30783.html, accessed 23 November 2009

⁶⁸⁶ Ethiopia Ministry of Health, Single Point Prevalence Estimate, June 2007, P8 www.etharc.org/aidsineth/publications/singlepointprev_2007.pdf, accessed 3 Dec 2009

⁶⁸⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁸⁸ AIDS Resource Centre, AIDS in Ethiopia, Vulnerable Groups - Issue Brief, February 2003, <http://www.etharc.org/infokit/vulngrp.htm>, accessed 3 December 2009

⁶⁸⁹ AIDS Resource Centre, AIDS in Ethiopia, Vulnerable Groups - Issue Brief, February 2003, <http://www.etharc.org/infokit/vulngrp.htm>, accessed 3 December 2009

⁶⁹⁰ The Times, Ethiopia’s orphans face life of hardship, 4 April 2009, <http://www.timesonline.co.uk/tol/news/world/africa/article6032044.ece>, accessed 4 December 2009

⁶⁹¹ AIDS Resource Centre, AIDS in Ethiopia, Vulnerable Groups - Issue Brief, February 2003, <http://www.etharc.org/infokit/vulngrp.htm>, accessed 3 December 2009

b. *Child labour*

The International Labour Organisation cites the Ethiopian constitution which states in Article 36 that “every child has the right not to be subject to exploitative practices, neither to be required not [sic] permitted to perform work which may be hazardous or harmful to his or her education, health or well-being.”⁶⁹²

The US Department of Labor reports that,

“The law sets the minimum age for employment at 14 years. The law forbids employers from using “young workers,” defined as children 14 to 18 years, when the nature of the job or the conditions under which it is carried out might endanger the life or health of a child. Young workers are prohibited from working more than 7 hours per day, or between 10 p.m. and 6 a.m., during weekly rest days, and on public holidays. Violations of the provisions related to young workers are punishable by a fine.”⁶⁹³

Womankind Worldwide states that “over 70% of the country’s children between the ages of 8-15 are working. Of these, the majority are young girls who are significantly discriminated against in their access to even basic levels of education.”⁶⁹⁴

The US Department of Labor reports that the number of working children is highest in Amhara, Oromiya, Tigray, and Southern Nation, Nationalities and Peoples (SNNPR).⁶⁹⁵ According to the US Labour Department, the Ethiopian Ministry of Labour and Social Affairs indicates that children begin working at a young age, with 2 out of 5 working children in Ethiopia younger than 6 years old.⁶⁹⁶

The USDOS states that children face exploitation for economic and sexual purposes.⁶⁹⁷

According to the US Department of Labor children are engaged in activities in which they work for long hours for low wages. The US Labour Department states that most child labour is in agriculture. Boys mainly herd cattle, plough, harvest, weed and trade while girls are mainly involved with domestic work, collecting firewood and water. Children are known to work in tea, coffee, sugar cane, and cotton production, illegal gold mining and domestic services. Many child domestics are unable to attend school and only receive room and board as payment; they are vulnerable to sexual abuse by employers. Children in urban areas work on construction sites and in manufacturing, especially textiles. There are reports that children working in the Addis Ababa weaving sector suffer starvation, confinement, physical violence, and long hours of work.⁶⁹⁸

⁶⁹² International Labour Organisation, National Labour Law Profile: Federal Democratic Republic of Ethiopia, July 2004, <http://www.ilo.org/public/english/dialogue/ifpdial/info/national/eth.htm>, accessed 10 December 2009

⁶⁹³ US Department of Labor, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁶⁹⁴ Womankind Worldwide, Ethiopia, undated, <http://www.womankind.org.uk/ethiopia.html>, accessed 17 November 2009.

⁶⁹⁵ US Labor Department, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁶⁹⁶ US Department of Labor, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁶⁹⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁶⁹⁸ US Department of Labor, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

c. *Sexual exploitation of Children*

The US Department of Labor states that the commercial sexual exploitation of children remains problematic, especially in urban areas. Girls, as young as 11 years, have been recruited to work as prostitutes in brothels, at hotels, bars, rural truck stops, and in resort towns. Child prostitutes are in demand since they are believed to be free of sexually transmitted infections. There are reports of girls also being forcibly sexually exploited by teachers in exchange for favours such as better grades.⁶⁹⁹ The USDOS reports indications that some young girls are forced into prostitution by family members.⁷⁰⁰

Agence France Presse reports that there is an increasing number of sexual assaults on male minors. According to government figures, of the more than 10,000 rape cases in 2008, 22% involved young boys.⁷⁰¹ Children working as domestics are vulnerable to abuse by employers.⁷⁰² According to the AIDS Resource Centre young orphaned girls are frequently forced into prostitution.⁷⁰³

d. *Child marriage*

The law sets the legal age of marriage for men and women at 18, but early marriage is common, particularly in rural areas.⁷⁰⁴ According to the 2006 Pathfinder International study 48% of females are married before the age of 15 in Amhara Region, the highest early marriage rate in the country.⁷⁰⁵ The Social Institutions Gender Index states that “a 2004 United Nations report estimated that 30 per cent of girls between the ages of 15 and 19 years of age were married, divorced or widowed.”⁷⁰⁶ The USDOS reports that “in the Amhara and Tigray regions, [...] girls were routinely married as early as age seven, despite the legal minimum age of 18 for marriage”⁷⁰⁷

UNICEF reports that in Ethiopia “marriage at the age of seven or eight is not uncommon [..]. Exact figures of the number of early marriages are difficult to obtain, as so many are unregistered and unofficial.”⁷⁰⁸ According to the Social Institutions and Gender Index the situation is aggravated as birth dates are usually not recorded and parents’ declarations of

⁶⁹⁹ US Department of Labor, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁷⁰⁰ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷⁰¹ Agence France Presse, Secretive lives for gays in conservative Ethiopia, 19 May 2009, available at <http://www.mask.org.za/article.php?cat=ethiopia&id=2139>, accessed 10 December 2009

⁷⁰² US Department of Labor, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁷⁰³ AIDS Resource Centre, AIDS in Ethiopia, Vulnerable Groups - Issue Brief, February 2003, <http://www.etharc.org/infokit/vulngrp.htm>, accessed 3 December 2009

⁷⁰⁴ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁷⁰⁵ Pathfinder International, Women’s Empowerment in Ethiopia; New solutions to ancient problems, September 2007, http://www.pathfind.org/site/DocServer/PI_WE_paper_final.pdf?docID=10202, accessed 17 November 2009

⁷⁰⁶ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁷⁰⁷ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷⁰⁸ UNICEF, Early Marriage thwarts girls’ potential in Ethiopia, undated, http://www.unicef.org/infobycountry/ethiopia_early_marriage.html, accessed 24 November 2009

their children's ages are accepted at face value. Young motherhood is considered one of the main causes for Ethiopia's high levels of maternal mortality.⁷⁰⁹

The 2007 Pathfinder International report states that cultural customs put pressure on daughters to marry early,

"In rural Ethiopia, individual status is closely linked to family strength and success. A daughter brings pride and status to her parents by being successfully married and establishing strategic kinship links with another family. Great shame is brought onto parents whose daughter never marries—she is their failure. A pregnancy out of wedlock, whether consensual or by rape, is deeply shameful to the entire family. For many families, marrying a daughter at a young age is understood as the best way to protect her from sexual advances and an unwanted pregnancy."⁷¹⁰

[See also Section G.3.a., Harmful tradition practices; Marriage by abduction]

e. *Education*

The USDOS states that primary education is universal and tuition-free, although not compulsory. However, there were not enough schools to accommodate the country's children, particularly in rural areas. The cost of school materials was prohibitive for many families. In 2005 primary school attendance rates were 81.7% for boys and 73.2% for girls. The USDOS reports that in Addis Ababa, girls' attendance was significantly higher. 20.6% of the children who attended primary school left before they reached the second grade, and only 41.7% who began first grade completed eighth grade.⁷¹¹ UNESCO states that literacy is low with 35.9% of adults and 49.9% of youth being literate.⁷¹²

According to UNICEF an estimated 200,000 school-aged children are unable to continue their education due to displacement, food shortages, disease outbreak and conflict. This number is expected to increase. In 2008, schools were among the buildings most frequently occupied as shelter in natural and man made disasters.⁷¹³

f. *Health care*

UNICEF report that women and children face poor access to health care services.⁷¹⁴ Save the Children reports that the rates of maternal, newborn and child deaths in Ethiopia are

⁷⁰⁹ Social Institutions and Gender Index, Gender Equality and Social Institutions in Ethiopia, undated, <http://genderindex.org/country/ethiopia>, accessed 17 November 2009.

⁷¹⁰ Pathfinder International, Women's Empowerment in Ethiopia; New solutions to ancient problems, September 2007, http://www.pathfind.org/site/DocServer/PI_WE_paper_final.pdf?docID=10202, accessed 17 November 2009

⁷¹¹ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009.

⁷¹² UNESCO, UIS Statistics in brief, 2009, latest data from 2007, http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=121&IF_Language=eng&BR_Country=2300&BR_Region=40540, accessed 10 December 2009

⁷¹³ UNICEF, UNICEF Humanitarian action update, 7 August 2009, http://www.unicef.org/infobycountry/files/Ethiopia_Unicef_HAU-7_August_2009.pdf, accessed 10 December 2009

⁷¹⁴ UNICEF, UNICEF Humanitarian Action Update, 30 October 2008, http://www.unicef.org/infobycountry/files/Ethiopia_Humanitarian_Action_Update_30_October_2008.pdf, accessed 24 November 2009

among the highest in the world.⁷¹⁵ 34.6% of children under five years old are underweight⁷¹⁶ and 47% suffer from moderate or severe stunting⁷¹⁷

UNICEF state that

“The concomitant impact of climate change, global rise in food prices and the resulting low availability of food internationally have contributed to the onset of the most severe humanitarian crisis in Ethiopia since 2003. Women and children are facing grave humanitarian challenges including malnutrition, Acute Watery Diarrhea (AWD), floods, poor access to health care services and critical water and sanitation shortage thereby compromising the well being of children.”⁷¹⁸

UNICEF reports that “in the Somali region access to healthcare services remains limited with an estimated 60% of the health facilities closed down, due to drought and conflict, and shortage of essential supplies and drugs.”⁷¹⁹

UNICEF currently estimates that

“242,000 children under the age of five years from 309 districts will suffer from Severe Acute Malnutrition (SAM) during the year. Over the past months, increased numbers of SAM cases have been reported from Southern Nations, Nationalities and People’s Region (SNNPR), Oromiya and Somali regions. The nutritional situation of children is also of concern in parts of Amhara, Tigray and Afar regions. Acute Watery Diarrhea (AWD) and other infectious disease outbreaks occurring in parts of the country, pose an increased threat to children already suffering from malnutrition.”⁷²⁰

5. Trafficking in persons

The USDOS states that the law prohibits trafficking, however individuals were trafficked from and within the country.⁷²¹ Articles 635, 626, 637 and 638 of the 2004 Criminal Code prohibit all forms of trafficking for labour and sexual exploitation and prescribe three to 20 years imprisonment for such crimes.⁷²² The police and the Ministry of Labour are responsible for monitoring trafficking in persons, while the Ministry of Justice is responsible for enforcing laws

⁷¹⁵ Save the Children, Challenges for Children, undated, <http://www.savethechildren.org/countries/africa/ethiopia.html>, accessed 10 December 2009

⁷¹⁶ World Health Organisation (WHO), World Health Statistics 2009, Health-related Millennium Development Goals, 2009, http://www.who.int/whosis/whostat/EN_WHS09_Full.pdf, accessed 10 December 2009

⁷¹⁷ UN Data, Prevalence of stunting, 11 February 2009, <http://data.un.org/Data.aspx?d=SOWC&f=inID%3A106#SOWC>, access December 10, 2009.

⁷¹⁸ UNICEF, UNICEF Humanitarian Action Update, 30 October 2008, http://www.unicef.org/infobycountry/files/Ethiopia_Humanitarian_Action_Update_30_October_2008.pdf, accessed 24 November 2009

⁷¹⁹ UNICEF, UNICEF Humanitarian Action Update, 30 October 2008, http://www.unicef.org/infobycountry/files/Ethiopia_Humanitarian_Action_Update_30_October_2008.pdf, accessed 24 November 2009

⁷²⁰ UNICEF, UNICEF Humanitarian Action Update, 7 August 2009, http://www.unicef.org/infobycountry/files/Ethiopia_Unicef_HAU-7_August_2009.pdf, accessed 24 November 2009

⁷²¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷²² Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

related to trafficking.⁷²³ In June 2008, a man was sentenced to 15 years imprisonment and fined \$1,357 for trafficking an Ethiopian woman to Lebanon, where she died at her employers premises. A second man was sentenced to five years' imprisonment and a \$452 fine for facilitating the same woman's trafficking.⁷²⁴

According to the USDOS between 30,000 to 35,000 persons were estimated to be trafficked internationally between March 2007 and March 2008. The USDOS state that men, women and children were reportedly trafficked primarily for forced labour and to a lesser extent, commercial sexual exploitation, "more females than males were trafficked. Young women, particularly those ages 16-30, were the most commonly trafficked group, while a small number of children were also reportedly trafficked internationally."⁷²⁵ UK daily newspaper, The Times reports that relatives have sold children after their parents have died.⁷²⁶ The UN Office on Drugs and Crime reported a case of trafficking for organ removal.⁷²⁷

The USDOS states that women and children were trafficked from rural to urban areas,

"for domestic servitude and, less frequently, commercial sexual exploitation and other forced labor, such as street vending, begging, traditional weaving, or agriculture; situations of debt bondage were reported. Women are trafficked transnationally for domestic servitude, primarily to Lebanon, Saudi Arabia, and the United Arab Emirates, but also to Bahrain, Djibouti, Kuwait, Sudan, Syria, and Yemen. Some of these women are trafficked into the sex trade after arriving at their destinations, while others have been trafficked onward from Lebanon to Turkey, Italy, and Greece. Small numbers of men are trafficked to Saudi Arabia and the Gulf States for low-skilled forced labor."⁷²⁸

According to the US Department of Labor children are trafficked from Oromia and the SNNPR to other regions for forced or bonded labour in domestic service.⁷²⁹ The USDOS reports that Police at Addis Ababa's central bus terminal received 899 reports of internal child trafficking throughout 2008, this is an increase over the previous year. However, the USDOS reports that police were not forthcoming with how many of those reports were referred to prosecution. The USDOS further states that local police and border control agents are known to take bribes to overlook trafficking.⁷³⁰

According to the USDOS Trafficking in Persons Report, the Child Protection Unit of Addis Ababa Police reports increased sophistication of and collaboration among trafficking networks. Traffickers target vulnerable individuals at bus terminals outside Addis Ababa to

⁷²³ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷²⁴ US State Department, Trafficking in Persons Report 2009 - Ethiopia, 16 June 2009, <http://www.unhcr.org/refworld/docid/4a4214bc28.html>, accessed 10 Dec 2009

⁷²⁵ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷²⁶ The Times, Ethiopia's orphans face life of hardship, 4 April 2009, <http://www.timesonline.co.uk/tol/news/world/africa/article6032044.ece>, accessed 4 December 2009

⁷²⁷ UN Office on Drugs and Crime, Global Report on Trafficking in Persons, Feb 2009, <http://www.unhcr.org/refworld/docid/49997ae45.html>, accessed 3 December 2009

⁷²⁸ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷²⁹ US Labor Department, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁷³⁰ US State Department, Trafficking in Persons Report 2009 - Ethiopia, 16 June 2009, <http://www.unhcr.org/refworld/docid/4a4214bc28.html>, accessed 10 December 2009

avoid police detection, bus and truck drivers are integrated in the network. Local brokers, often acquainted with the victim's family, operate at the community level. To avoid detection they do not advertise and work from changing locations such as rented houses, cafes or hotels. Some brokers offer commissions to facilitators trusted by a potential victim's family.⁷³¹

The US Department of Labor states that the Ethiopian governments "capacity to prosecute cases of trafficking is limited"⁷³² According to the USDOS, the Ethiopian government and its embassies and consulates provide little assistance to victims of trafficking. Returning victims mainly rely on support services provided by public health institutions and NGOs.⁷³³ The USDOS states that

"The government accords no special protections, restitution, and has very limited shelter provisions or other special services benefits for victim returnees. In 2007 there were anecdotal reports of returned trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing prostitution or immigration."⁷³⁴

a. *Forced labour*

The USDOS states that Ethiopian men, women, and children are trafficked primarily for the purpose of forced or bonded labour.⁷³⁵ The USDOS states that women are trafficked internationally as domestic servants, mainly to Arab countries. A small number of men are trafficked for low-skilled forced labour to Saudi Arabia and the Gulf States.⁷³⁶ In 2004 ECPAT UK reported an increase in the number of children trafficked from Ethiopia to the UK. The report notes particular concern about exploitation of African girls as young as 11 years old as domestic servants.⁷³⁷

The Inter Press Service (IPS) news agency reports on working conditions for Ethiopian domestic workers in Lebanon, "once in Lebanon, the women may be confined to their employer's house, and have their passports confiscated and their salaries withheld, increasing their sense of isolation. Many women say they are not allowed out of the house, or get a day off. Complaints of sexual or psychological abuse are not uncommon."⁷³⁸ According to the IPS, deaths - reported as suicides, are frequent. They further state that legislation in Lebanon makes it difficult to escape abusive working relationships. The Lebanese sponsorship system means that workers are bound to their employers, and face imprisonment

⁷³¹ US State Department, Trafficking in Persons Report 2009 - Ethiopia, 16 June 2009, <http://www.unhcr.org/refworld/docid/4a4214bc28.html>, accessed 10 December 2009.

⁷³² US Labor Department, 2008 Findings on the Worst Forms of Child Labor - Ethiopia, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3edf28.html>, accessed 3 December 2009

⁷³³ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷³⁴ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷³⁵ US State Department, Trafficking in Persons Report 2009 - Ethiopia, 16 June 2009, <http://www.unhcr.org/refworld/docid/4a4214bc28.html>, accessed 10 December 2009

⁷³⁶ US State Department, Trafficking in Persons Report 2009 - Ethiopia, 16 June 2009, <http://www.unhcr.org/refworld/docid/4a4214bc28.html>, accessed 10 December 2009

⁷³⁷ ECPAT, The trafficking of children for sexual exploitation, 2009, www.ecpat.org.uk/downloads/Sexual%20Exploitation.pdf, accessed 10 December 2009

⁷³⁸ Inter Press Service, Migrant women dying on the job in Lebanon, 21 November 2009, <http://ipsnews.net/news.asp?idnews=49362>, accessed 10 December 2009

if they leave. The Ethiopian government issued periodic bans on nationals working in Lebanon, however this did not stop people from entering through third countries.⁷³⁹

b. Sexual exploitation

Both women and children are trafficked for commercial sexual exploitation, those trafficked for forced labour were also vulnerable to sexual abuse by traffickers and employers.⁷⁴⁰

[See also Section G.4.c., Children; Sexual exploitation of children]

6. LGBT rights and treatment

Homosexuality is illegal in Ethiopia⁷⁴¹, Article 629 of the 2004 Criminal Code states that

“Whoever performs with another person of the same sex a homosexual act, or any other indecent act, is punishable with simple imprisonment.”⁷⁴²

Article 630 states that,

“(1) The punishment shall be simple imprisonment for not less than one year, or, in grave cases, rigorous imprisonment not exceeding ten years, where the criminal:

- a) takes unfair advantage of the material or mental distress of another or of the authority he exercises over another by virtue of his position, office or capacity as guardian, tutor, protector, teacher, master or employer, or by virtue of any other like relationship, to cause such other person to perform or to submit to such an act; or
- b) makes a profession of such activities within the meaning of the law (Art. 92).

(2) The punishment shall be rigorous imprisonment from three years to fifteen years, where:

- a) the criminal uses violence, intimidation or coercion, trickery or fraud, or takes unfair advantage of the victim's inability to offer resistance or to defend himself or of his feeble-mindedness or unconsciousness; or
- b) the criminal subjects his victim to acts of cruelty or sadism, or transmits to him a venereal disease with which he knows himself to be infected; or
- c) the victim is driven to suicide by distress, shame or despair.”⁷⁴³

Article 631 provides punishment for homosexual acts performed on a minor,

“(1) Whoever performs a homosexual act on a minor, is punishable:

⁷³⁹ Inter Press Service, Migrant women dying on the job in Lebanon, 21 November 2009, <http://ipsnews.net/news.asp?idnews=49362>, accessed 10 December 2009

⁷⁴⁰ US State Department, Trafficking in Persons Report 2009 - Ethiopia, 16 June 2009, <http://www.unhcr.org/refworld/docid/4a4214bc28.html>, accessed 10 December 2009

⁷⁴¹ US State Department, 2008 Human Rights Reports, Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 24 November 2009

⁷⁴² Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁷⁴³ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

- a) with rigorous imprisonment from three years to fifteen years, where the victim is between the ages of thirteen and eighteen years; or
- b) with rigorous imprisonment from fifteen years to twenty five years, where the victim is below thirteen years of age.

(2) A woman who performs a homosexual act on a female minor, is punishable with rigorous imprisonment not exceeding ten years.

(3) Whoever performs any other indecent act on a minor of the same sex, is punishable with simple imprisonment.

(4) Where the victim is the pupil, apprentice, domestic servant or ward of the criminal, or a child entrusted to his custody or care, or in any other way directly dependant upon or subordinate to him:

- a) in the case of sub-article (1) the punishment to , be imposed upon such criminal shall be more severe than when the crime is committed by another person;
- b) b) in the case of sub-article (2) the punishment shall be rigorous imprisonment from three years to ten years;
- c) in the case of sub-article (3) the punishment shall be simple imprisonment for not less than six months.

(5) Where the sexual outrage has caused death or grave physical or mental injury upon the victim, or where the victim is driven to suicide by distress, shame or despair, the punishment shall be rigorous imprisonment for life.”⁷⁴⁴

The USDOS further reports that “while society did not widely accept homosexuality, there were no reports of violence against lesbian, gay, bisexual, and transgender individuals; however, the lack of reporting may be due to fears of retribution, discrimination, or stigmatization.” In December 2008 several high profile religious figures adopted a resolution condoning homosexuality.⁷⁴⁵

According to the USDOS “the AIDS Resource Center in Addis Ababa reported that the majority of self-identified gay and lesbian callers--75 percent of whom were male--requested assistance in changing their behavior to avoid discrimination. Many gay men reported anxiety, confusion, identity crises, depression, self-ostracizing, religious conflict, and suicide attempts.”⁷⁴⁶ AFP reports that “the taboo is so extreme that even an association that works to help male sexual assault victims has been a victim of prejudice.”⁷⁴⁷ AFP states that “apart from tight government restrictions, social stigma has driven homosexuals into virtual hiding. For fear of arrest and humiliation, members usually switch from place to place and avoid revealing their identity at all costs.”⁷⁴⁸

⁷⁴⁴ Criminal Code of the Federal Democratic Republic of Ethiopia 2004 [Ethiopia], Proclamation No. 414 of 2004, 9 May 2005, available at: <http://www.unhcr.org/refworld/docid/49216b572.html>, accessed 5 January 2010

⁷⁴⁵ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁴⁶ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009, <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁴⁷ AFP, Secretive lives for gays in conservative Ethiopia, 19 May 2009, available from <http://www.mask.org.za/article.php?cat=ethiopia&id=2139>, accessed 10 December 2009

⁷⁴⁸ AFP, Secretive lives for gays in conservative Ethiopia, 19 May 2009, available from <http://www.mask.org.za/article.php?cat=ethiopia&id=2139>, accessed 10 December 2009

ETHIOGLBTI is a group that aims to increase public awareness and understanding of LGBTI (lesbian, gay, bisexual, transgender and intersex) issues in Ethiopia, it states that homosexuality is taboo in Ethiopia.⁷⁴⁹

H. Further Human Rights Considerations

1. Prison conditions

The USDOS 2008 Country Report on Human Rights Practices states that there are 3 federal prisons, 117 regional prisons, and many unofficial detention centres in Ethiopia. The latter are used by local government militia and other formal and informal law enforcement entities. As of September 2007 there were 52,000 persons in prison.⁷⁵⁰

The 2008 USDOS report states that “in detention centers, police often physically abused detainees.”⁷⁵¹ Juveniles are sometimes held with adult prisoners. Men and women were mostly, but not always, detained separately. Authorities may arbitrarily deny visitors access to prisoners, in some cases visits to political prisoners were restricted to a few per year.⁷⁵²

According to the USDOS there are problems of overcrowding with prisoners often having less than 22 square feet of sleeping space in a cell containing up to 200 people. Sometimes detainees are forced to sleep in rotations in regional prisons. Many prisoners supplement daily meals, supplied at a budget of 50 cents per meal, with daily food deliveries from family members or by purchasing food from local vendors.⁷⁵³

Amnesty International and the USDOS reported that conditions in the detention facilities are unsanitary.⁷⁵⁴ The USDOS further states that there was “no budget for prison maintenance. Medical care was unreliable in federal prisons and almost nonexistent in regional prisons.”⁷⁵⁵ There are reports of deaths in prison due to illness and poor health care.⁷⁵⁶ According to the USDOS there are also reports of political prisoners with health problems in detention

⁷⁴⁹ Behind the Mask, Ethiopian gays threatened as clerics seek homosexuality ban, 27 January 2009, <http://www.mask.org.za/article.php?cat=ethiopia&id=2031>, accessed 24 November 2009

⁷⁵⁰ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁵¹ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁵² US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁵³ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁵⁴ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://thereport.amnesty.org/en/regions/africa/ethiopia>, accessed 3 December 2009. US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; http://www.hrw.org/sites/default/files/related_material/Ethiopia.pdf, accessed 3 December 2009

⁷⁵⁵ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://thereport.amnesty.org/en/regions/africa/ethiopia>, accessed 3 December 2009. US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; http://www.hrw.org/sites/default/files/related_material/Ethiopia.pdf, accessed 3 December 2009

⁷⁵⁶ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

receiving little treatment.⁷⁵⁷ Among those detained are long-term political prisoners held without charge or trial, particularly those accused of links to the OLF.⁷⁵⁸

The USDOS reports that throughout 2008 the Ethiopian government persisted in their refusal to allow International Committee of the Red Cross (ICRC) representatives access to police stations and federal prisons, including those where opposition, civil society, and media leaders were held. Regional authorities were more forthcoming and ICRC officials met with prisoners in regional prisons without third parties being present.⁷⁵⁹

Human Rights Watch reports that they and other organisations have documented torture by Ethiopian police and military officials in both official and secret detention facilities across Ethiopia,

“Concerns about torture, ill-treatment, and lack of due process are often gravest when individuals are detained on suspicion of affiliation with armed opposition, insurgent, or terrorist activity. In some cases suspects are tortured during interrogations, while in other cases they are tortured as punishment.”⁷⁶⁰

Human Rights Watch describes methods of torture in detention as including,

“repeated and severe kicking and beating of a naked suspect with sticks, electric cables, rifle butts, iron bars or other instruments, sometimes at gunpoint; tying an individual's hands and feet, then suspending the person upside down and administering a beating; tying bottles of water to a man's testicles; and forcing a detainee to run or crawl barefoot over sharp gravel for several hours at a time.”⁷⁶¹

Human Rights Watch also reports cases of rape of women and girls detained in the eastern Somali region.⁷⁶²

Amnesty International reports that on release many prisoners of conscience “faced harassment and intimidation, with some choosing to leave the country.”⁷⁶³

2. Administration of justice

Ethiopian law provides for an independent judiciary, the USDOS 2008 report states that while civil courts operated independently, criminal courts remained “weak, overburdened, and subject to significant political intervention and influence.”⁷⁶⁴

⁷⁵⁷ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁵⁸ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://thereport.amnesty.org/en/regions/africa/ethiopia>, accessed 3 December 2009

⁷⁵⁹ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁶⁰ Human Rights Watch, UK: Ethiopian ‘Assurances’ No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

⁷⁶¹ Human Rights Watch, UK: Ethiopian ‘Assurances’ No Guarantee Against Torture, 17 September 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

⁷⁶² Human Rights Watch, UK: Ethiopian ‘Assurances’ No Guarantee Against Torture, 17 September 2009.

⁷⁶³ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://www.hrw.org/en/news/2009/09/17/uk-ethiopian-assurances-no-guarantee-against-torture>, accessed 10 December 2009

⁷⁶⁴ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://www.unhcr.org/refworld/docid/4a1fadedc.html>, accessed 3 December 2009

The USDOS states that “authorities regularly detained persons without warrants and denied access to counsel and family members, particularly in outlying regions.”⁷⁶⁵ The USDOS further notes that,

“According to the law, accused persons have the right to a fair public trial by a court of law within a “reasonable time,” a presumption of innocence, the right to be represented by legal counsel of their choice, and the right to appeal. However, closed proceedings occurred, at times authorities allowed detainees little or no contact with legal counsel, and detainees usually were not presumed innocent. Judicial inefficiency, lengthy trial delays, and lack of qualified staff often resulted in serious delays in trial proceedings.

The Public Defender's Office provides legal counsel to indigent defendants, although its scope and quality of service remained limited due to the shortage of attorneys available. Although the law explicitly stipulates that persons charged with corruption are to be shown the evidence against them prior to their trials, authorities routinely denied defense counsel pretrial access to such evidence.”⁷⁶⁶

In July 2009 the Ethiopian government passed an Anti-Terror Proclamation, which defines a terrorist act as an act “intending to influence the government”.⁷⁶⁷ Amnesty International states that “the law defines “acts of terrorism” as including damage to property and disruption to any public service, for which an individual could be sentenced to 15 years in prison or even the death penalty.”⁷⁶⁸ According to the Sudan Tribune the law states that “whosoever writes, edits, prints, publishes, publicizes, disseminates, shows, makes to be heard any promotional statements encouraging terrorist acts is punishable with rigorous imprisonment from 10 to 20 years.”⁷⁶⁹

The Constitution requires that an individual who is taken into custody be brought before a court within 48 hours and informed of the reasons for their arrest. Human Rights Watch states that this is “a protection that is already systematically violated.”⁷⁷⁰ The new law permits the

⁷⁶⁴ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁶⁵ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁶⁶ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁶⁷ An earlier draft defined an act “with the intention of coercing or intimidating the government”, it is not clear if the change is deliberate or due to translation. Human Rights Watch, An Analysis of Ethiopia’s Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009. Amnesty International, Ethiopia; New anti-terrorism proclamation jeopardizes freedom of expression, 7 July 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-new-anti-terrorism-proclamation-jeopardizes-freedom-expression->, accessed 25 November 2009

⁷⁶⁸ Amnesty International, Ethiopia; New anti-terrorism proclamation jeopardizes freedom of expression, 7 July 2009, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-new-anti-terrorism-proclamation-jeopardizes-freedom-expression->, accessed 25 November 2009

⁷⁶⁹ The Sudan Tribune, Ethiopia endorses anti-terrorism law unchanged, 9 July 2009, <http://www.sudantribune.com/spip.php?article31755>, accessed 25 November 2009

⁷⁷⁰ Human Rights Watch, An Analysis of Ethiopia’s Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

police to ask a court for additional investigation periods of 28 days before filing charges and extensions can be granted up to a maximum of four months.⁷⁷¹

The law grants the police the power to make arrests without a warrant, if the officer "reasonably suspects" that the person is committing or has committed a terrorist act."⁷⁷²

Human Rights Watch states that the law gives the police and other security services wide powers to conduct body searches, search property, seize and destroy belongings or restrict an individual's movement, if they suspect that a terrorist act "will be" or has been committed.⁷⁷³ Those who fail to cooperate face between three and 10 years imprisonment. These searches can be authorized by the Director General of the Federal Police or his designee and are without judicial oversight. Human Rights Watch further state that

"Under these new rules, hearsay or "indirect evidences" can be admitted in court without any limitation. Official intelligence reports can also be admitted "even if the report does not disclose the source or the method it was gathered." By making intelligence reports admissible in court even if the sources and methods are not disclosed, the law effectively allows evidence obtained under torture (if defense counsel cannot ascertain the methods by which intelligence was collected, they cannot show that it was collected in an abusive way)."⁷⁷⁴

The USDOS reports that defendants do not always have prior knowledge of charges against them,

"Judicial practice allows the court unilaterally to convict defendants on charges not raised by the prosecution at any point preceding the court's decision on guilt. This practice effectively impedes defendants from presenting an adequate defense as they may not be aware of the potential charges they face."⁷⁷⁵

The USDOS reports that in addition to the federal court system,

"The law provides legal standing to some preexisting religious and customary courts and allows federal and regional legislatures to recognize other courts. By law all parties to a dispute must agree to use a customary or religious court before such a court may hear a case. Shari'a (Islamic) courts may hear religious and family cases involving Muslims. In addition other traditional systems of justice, such as Councils of Elders, continued to function. Although not sanctioned by law, these traditional courts resolved

⁷⁷¹ Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

⁷⁷² Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

⁷⁷³ Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 December 2009.

⁷⁷⁴ Human Rights Watch, An Analysis of Ethiopia's Draft Anti-Terrorism Law, 30 June 2009. http://www.hrw.org/en/news/2009/06/30/analysis-ethiopia-s-draft-anti-terrorism-law#_Expansion, accessed 10 Dec 2009

⁷⁷⁵ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

disputes for the majority of citizens who lived in rural areas and generally had little access to formal judicial systems.”⁷⁷⁶

The USDOS reports indications that women are not treated equally to men in this traditional justice system and are excluded from participation in Elders' Councils.⁷⁷⁷

The USDOS states that in 2008 “judicial corruption was a significant issue”.⁷⁷⁸ During the year corruption cases were brought against 17 judges; however, 15 of the cases brought forward were dismissed.⁷⁷⁹

The death penalty is a legal punishment in Ethiopia. The last known official execution in Ethiopia took place in 2007, and before that in 1998.⁷⁸⁰ According to Amnesty International 39 death sentences were passed in Ethiopia in 2008 although there were no reported executions in that year.⁷⁸¹ According to Amnesty International, in 2008 former President Mengistu Haile Mariam (in exile in Zimbabwe) and 18 senior official of his Derg government were sentenced to death for murder, genocide and crimes against humanity perpetrated between 1974 and 1991. Amnesty International reports that four pilots received the death penalty in absentia for seeking asylum in Israel whilst on training.⁷⁸²

3. Health care

The Center for National Health Development at the Earth Institute at Columbia University (CNHD) reports that Ethiopia's health care system is among the least developed in Sub-Saharan Africa.⁷⁸³

According to CNHD the government is the main health care provider in Ethiopia,

“there are 138 hospitals, 635 health centres, 5,955 health posts, 1,206 health stations owned by the government, while there are 2264 private clinics, 246 pharmacies, 476 drug shops and 1,754 rural drug vendors. The technical work force in service is around 40,000 (2,115 physicians, 715 health officers, 17,845 nurses, 8901 health extension

⁷⁷⁶ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁷⁷ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁷⁸ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁷⁹ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁸⁰ CNN, Ethiopia Carries out rare execution, 6 August 2007, http://www.cnn.com/2007/WORLD/africa/08/06/ethiopia.execution.reut/index.html?section=cnn_latest, accessed 10 December 2009.

⁷⁸¹ Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009.

<http://www.unhcr.org/refworld/docid/4a1fadedc.html>, accessed 3 December 2009. Amnesty International, Death sentences and executions in 2008, ACT 50/003/2009, 24 March 2009, <http://www.amnesty.org/en/library/info/ACT50/003/2009/en>, accessed 3 December 2009

⁷⁸² Amnesty International, Amnesty International Report 2009; Ethiopia, 28 May 2009. <http://www.unhcr.org/refworld/docid/4a1fadedc.html>, accessed 3 December 2009

⁷⁸³ Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, The Health System, undated; <http://cnhde.ei.columbia.edu/healthsystem/>, accessed 10 December 2009. International Center for Aids Care and Treatment Programs (ICAP) at Columbia University, undated, <http://www.columbia-icap.org/wherewework/ethiopia/index.html>, accessed 22 November 2009

workers, 4,800 health assistants and 5,431 paramedics), with one physician for 35,493 people and one nurse for 4206 people.”⁷⁸⁴

The CNHD notes that access to primary health care services has improved over the past decade. However, there are wide disparities in coverage between regions, in particular rural and urban areas.⁷⁸⁵

The CNHD reports that health services in Ethiopia are primarily financed from four sources; firstly the federal and regional governments; secondly grants and loans from international donors; thirdly non-governmental organizations; and fourthly private contributions.⁷⁸⁶ According to the World Health Organisation 43% of health expenditure is financed through external aid, which may or may not be distributed through government institutions.⁷⁸⁷

According to the USDOS Ethiopians with disabilities suffer societal discrimination.⁷⁸⁸

a. *Public Health*

The CNHD state that most health problems in Ethiopia are linked to infectious diseases and nutritional deficiencies.⁷⁸⁹ CNHD states that widespread poverty, low education levels, inadequate access to safe water, sanitation facilities and health services contribute to the level of poor health.⁷⁹⁰ WHO figures for 2007 state that life expectancy is 49 years for men and 51 for women.⁷⁹¹ Ethiopia is one of the most malaria prone countries in Africa, malaria mortality is at 51 per 100,000.⁷⁹²

The USDOS reports that authorities censored health information relating to the mid year famine in 2008,

“Regional governments censored the media during the year by prohibiting NGOs and health centers from providing information to, or allowing photography by, foreigners or journalists about malnutrition caused by the mid-year drought.”⁷⁹³

⁷⁸⁴ Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, Health Facilities and Human Resources, undated. http://cnhde.ei.columbia.edu/healthsystem/facilities_capacity.html, accessed 10 December 2009

⁷⁸⁵ Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, Health Facilities and Human Resources, undated. http://cnhde.ei.columbia.edu/healthsystem/facilities_capacity.html, accessed 10 December 2009

⁷⁸⁶ Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, Health Financing, undated. http://cnhde.ei.columbia.edu/healthsystem/health_financing.html, accessed 10 December 2009

⁷⁸⁷ World Health Organisation, World Health Statistics 2009, 2009. <http://www.who.int/whosis/whostat/2009/en/index.html>, accessed 10 December 2009

⁷⁸⁸ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁸⁹ Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, The Health System, undated, <http://cnhde.ei.columbia.edu/healthsystem/>, accessed 10 December 2009

⁷⁹⁰ Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, The Health System, undated, <http://cnhde.ei.columbia.edu/healthsystem/>, accessed 10 December 2009

⁷⁹¹ World Health Organisation (WHO), World Health Statistics 2009, 2009. <http://www.who.int/whosis/whostat/2009/en/index.html>, accessed 10 December 2009

⁷⁹² Center for National Health Development in Ethiopia at the Earth Institute at Columbia University, The Health System, undated, <http://cnhde.ei.columbia.edu/healthsystem/>, accessed 10 December 2009. World Health Organisation (WHO), World Health Statistics 2009, 2009. <http://www.who.int/whosis/whostat/2009/en/index.html>, accessed 10 December 2009

⁷⁹³ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009; <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

Ethiopia has a high maternal mortality rate (673/100,000 mothers), attributed to “limited access to family planning services, high fertility, low reproductive health and emergency obstetric services, and poor nutritional status and infections.”⁷⁹⁴ The USDOS states that “Maternal health care services did not reach the majority of women; skilled birth attendants aided only 10 percent of births. The national average for antenatal care (ANC) is 28 percent.”⁷⁹⁵ The World Health Organisation reports that 119 children under the age of five die for every 1000 live births.⁷⁹⁶

IRIN News reports that the shortage of routine medications, such as gentamicin and crystalline penicillin, causes difficulties in the treatment of severely malnourished children as well as hindering the treatment of malaria, which is exacerbated by malnutrition. Health officials state that the combination of malaria and malnutrition is common in hotspot areas such as Sidama, Wolayita and Hadiya.⁷⁹⁷

“Critical” water shortages have been reported in parts of Somali Region, particularly in Warder, Gode, and parts of Afder and Shinile zones.⁷⁹⁸

b. HIV/AIDS

The 2007 Single Point Prevalence Estimate report from the Ethiopian Federal HIV/AIDS Prevention and Control Office states that 1,116,216 people are estimated to be HIV positive. Estimates from 2007 for 2009 put the HIV Prevalence for adults (15-49 years.) at 2.3% of the total population, 7.7% of the urban and 0.9% of the rural population are infected. The number of HIV positive pregnancies in 2009 were estimated to be 84,189 and the number of AIDS orphans are estimated at 855,720.⁷⁹⁹ The report estimated that in 2008 289,734 people would need antiretroviral therapy.⁸⁰⁰ According to the World Health Organisation 29% of people with advanced HIV are receiving antiretroviral therapy.⁸⁰¹

In 2005 the WHO reported that Ethiopia introduced free antiretroviral drugs in 2005,

“Patients were initially required to pay for their own HIV medications at a cost of US\$ 289-346 per month. This amount was reduced to US\$ 28 per month as a result of policy reform on taxes for pharmaceuticals and price reductions negotiated with pharmaceutical companies. In October 2005, the Ministry of Health of Ethiopia

⁷⁹⁴ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009;

<http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁹⁵ US State Department, 2008 Human Rights Reports: Ethiopia, 25 February 2009;

<http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm>, accessed 3 December 2009

⁷⁹⁶ World Health Organisation (WHO), World Health Statistics 2009, 2009.

<http://www.who.int/whosis/whostat/2009/en/index.html>, accessed 10 December 2009

⁷⁹⁷ Integrated Regional Information Networks (IRIN), Ethiopia: Southern region gripped by food shortage, 11 August 2009.

<http://www.irinnews.org/Report.aspx?ReportId=85666>, accessed 3 December 2009

⁷⁹⁸ Integrated Regional Information Networks (IRIN), Ethiopia: Southern region gripped by food shortage, 11 August 2009.

<http://www.irinnews.org/Report.aspx?ReportId=85666>, accessed 3 December 2009

⁷⁹⁹ Ethiopia Ministry of Health, Single Point Prevalence Estimate, June 2007.

www.etharc.org/aidsineth/publications/singlepointprev_2007.pdf, accessed 22 November 2009

⁸⁰⁰ Ethiopia Ministry of Health, Single Point Prevalence Estimate, June 2007.

www.etharc.org/aidsineth/publications/singlepointprev_2007.pdf, accessed 22 November 2009

⁸⁰¹ World Health Organisation (WHO), World Health Statistics 2009, 2009,

http://www.who.int/whosis/whostat/EN_WHS09_Full.pdf, accessed 22 November 2009

announced that it would provide free antiretroviral drugs in public hospitals based solely upon an individual's clinical eligibility."⁸⁰²

However in 2008 Agence France Presse (AFP) reported that "so far not everyone has been able to have access to them [antiretrovirals]."⁸⁰³ An Aids Resource Centre report states that "evidence shows that women are often the last to access treatment."⁸⁰⁴

According to an article published by PLOS Medicine and co authored by staff from the Ethiopian National HIV/AIDS Prevention and Control Office, Columbia University and the Institute of Tropical Medicine, Belgium

"The number of patients ever started on ART increased from 900 at the beginning of 2005 to more than 150,000 by June 2008 and the number of patients enrolled for ART has also increased from 2,700 to 5,000 per month. The proportion of women and children, out of the total number of patients who received ART, increased from 25% in 2005 to 55% in 2008; the proportion of patients receiving ART outside Addis Ababa increased from 35% in 2005 to 75% in 2008. This has happened following the establishment of the decentralized and free ART program in the country since 2005. The number of clients receiving HIV counseling and testing services has also increased considerably, from 448,000 (between mid-2004 and mid-2005) to more than 4.5 million (between mid-2007 and mid-2008)."⁸⁰⁵

The article further notes that

"it is also evident that the actual implementation of HIV prevention activities in the country is still lagging behind, and new HIV infections are still outpacing ART scale-up. It was indeed estimated that 125,000 new HIV infections occurred in 2007, but only 55,000 new patients were started on ART during the same year"⁸⁰⁶

AFP reports that under a new action plan

"Eighty percent of pregnant women with HIV/AIDS are expected to receive mother-to-child treatment by 2010, while people getting retroviral treatment "will increase from 32 percent in 2007 to 100 percent by 2010"⁸⁰⁷

⁸⁰² WHO, Fact sheet; countries offering free access to HIV treatment, http://www.who.int/hiv/countries_freeaccess.pdf, accessed 22 November 2009

⁸⁰³ Agence France Presse, Ethiopia targets free HIV/AIDS drugs for all by 2010, 17 January 2008, available from <http://newsinfo.inquirer.net/breakingnews/world/view/20080117-113093/Ethiopia-targets-free-HIVAIDS-drugs-for-all-by-2010>, accessed 25 November 2009

⁸⁰⁴ Aids Resource Centre, ART Information Toolkit, undated, <http://www.etharc.org/arvinfo/ARTInfotoolkit.pdf>, accessed 22 November 2009

⁸⁰⁵ Assefa Y, Jerene D, Lulseged S, Ooms G, Van Damme W (2009) Rapid Scale-Up of Antiretroviral Treatment in Ethiopia: Successes and System-Wide Effects. *PLoS Med* 6(4): e1000056. doi:10.1371/journal.pmed.1000056, 28 April 2009, <http://www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.1000056#pmed.1000056-Ethiopian6>, accessed 24 November 2009

⁸⁰⁶ Assefa Y, Jerene D, Lulseged S, Ooms G, Van Damme W (2009) Rapid Scale-Up of Antiretroviral Treatment in Ethiopia: Successes and System-Wide Effects. *PLoS Med* 6(4): e1000056. doi:10.1371/journal.pmed.1000056, 28 April 2009, <http://www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.1000056#pmed.1000056-Ethiopian6>, accessed 24 November 2009

⁸⁰⁷ Agence France Presse, Ethiopia targets free HIV/AIDS drugs for all by 2010, 17 January 2008, available from <http://newsinfo.inquirer.net/breakingnews/world/view/20080117-113093/Ethiopia-targets-free-HIVAIDS-drugs-for-all-by-2010>, accessed 25 November 2009

IRIN PlusNews reports that rising food prices means that many Ethiopians on antiretrovirals are skipping meals, which can have an adverse effect on their effectiveness,

“Poor nutrition weakens the body's defences against the virus, hastens the development of HIV into AIDS, and makes it difficult to take ARVs. ART can also increase appetite and it is possible to reduce some side effects and promote adherence to ARV regimens if the medicines are taken with food, according to health officials.

As food prices continue to soar, Ethiopians with HIV are especially hard hit; they may be weak and unable to work, they often have less savings, and they may also have been shunned by the community.”⁸⁰⁸

IRIN PlusNews reports that

“Young people continue to be the most-affected population; HIV prevalence is higher among women, particularly young women and adolescent girls. At the same time, women and girls often have less information and access to services, especially in the rural areas. HIV prevention, treatment, care and support services need to be scaled up urgently, with strong focus on rural settings.

There are still a number of underlying factors that contribute to the spread of HIV in Ethiopia. These include illiteracy, stigma and discrimination of those living with HIV and affected by the epidemic, high rate of unemployment, widespread commercial sex work, gender disparity, population movements including rural to urban migration, and harmful cultural and traditional practices.”⁸⁰⁹

According to the AIDS Resource Centre there are three groups at highest risk of acquiring HIV,

“The first group includes youth, women (including commercial sex workers and pregnant women), and orphans/street children, all at risk due to a mix of biological factors and lack of information or power to protect themselves or obtain care. The second group includes the military, migratory laborers, and internally displaced persons (IDPs), all highly mobile, under stress, and separated from family for long periods. The last group includes farmers and the general workforce, comprising the core of Ethiopia's primarily agrarian economy, largely unprotected by HIV awareness and protective policies.”⁸¹⁰

⁸⁰⁸ IRIN PlusNews, Ethiopia; rising food prices hit HIV-positive people, 23 June 2008, <http://www.plusnews.org/Report.aspx?ReportId=78882>, accessed 25 November 2009

⁸⁰⁹ IRIN PlusNews, Country Profile; Ethiopia, undated, <http://www.plusnews.org/profiletreatment.aspx?Country=ET&Region=HOA>, accessed 22 November 2009

⁸¹⁰ AIDS in Ethiopia, Vulnerable Groups - Issue Brief, February 2003. <http://www.etharc.org/infokit/vulngrp.htm>, accessed 22 November 2009

The AIDS Resource Centre state that the National Network of Positive Women in Ethiopia have reported that “many of our members report of violence perpetrated against them either due to their gender or due to their HIV status.”⁸¹¹

4. Internally displaced persons

Conflict and human rights violations perpetrated by both the government and armed groups has caused significant internal displacement in Ethiopia.⁸¹² It is hard to establish the number of displaced people, the International Displacement Monitoring Centre (IDMC) report that the UN and other international organizations estimate that over 300,000 people remain displaced by conflict or violence in Ethiopia in 2009.⁸¹³

The International Displacement Monitoring Centre reports that;

“The ongoing conflicts in Somali Region between the army and the Ogaden National Liberation Front, and in the south and south-west of the country with the Oromo Liberation Front, both pose serious security, humanitarian and protection challenges. The impact on civilians of the conflict in Somali Region has been likened to that of Darfur. Meanwhile, there are also conflicts in at least five of the country’s nine regions with causes ranging from competition over scarce water and pasture resources to disputes over administrative boundaries. In February 2009 alone, some 160,000 people were driven from their homes by conflict between the Garre of the Somali region and the Boran of the Oromiya region over a contested piece of land.”⁸¹⁴

Human Rights Watch reported forced relocations, and the burning and destruction of villages by the government during its counter insurgency operations in the Somali region. The Ethiopian army’s operations have often involved the collective punishment of entire communities, restriction on their movements, commercial trade and access to independent relief assistance.⁸¹⁵

Human Rights Watch state that,

⁸¹¹ AIDS Resource Centre, Women in Ethiopia Won't Wait: "End HIV & Violence Against Women. NOW!", 28 March 2008, <http://www.etharc.org/press/womeninethiopia.htm>, accessed 24 November 2009

⁸¹² Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009. [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009. See also Reuters, Ethiopia Ogaden crisis, 19 October 2009, http://www.alertnet.org/db/crisisprofiles/ET_OGA.htm?v=in_detail, 24 November 2009. Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/3.htm#_Toc200167122, accessed 8 December 2009.

⁸¹³ Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009.

⁸¹⁴ Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009. [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009. See also Reuters, Ethiopia Ogaden crisis, 19 October 2009, http://www.alertnet.org/db/crisisprofiles/ET_OGA.htm?v=in_detail, 24 November 2009

⁸¹⁵ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/3.htm#_Toc200167122, accessed 8 December 2009

"Ethiopian troops have forcibly displaced entire rural communities, ordering villagers to leave their homes within a few days or witness their houses being burnt down and their possessions destroyed—and risk death"⁸¹⁶

According to Human Rights Watch, civilians in conflict zones are subject to abuses by both government and rebel forces.⁸¹⁷ Human Rights Watch states that the government restricts access to conflict zones meaning that humanitarian agencies are unable to properly assess the situation of IDPs and leaving IDPs without essential supplies. The Internal Displacement Monitoring Centre report that some humanitarian agencies have been granted access to deliver food since 2008, however military escorts hinder full access and control distribution by determining whether delivery is safe to go ahead.⁸¹⁸

The Internal Displacement Monitoring Centre states that no Ethiopian agency is mandated to respond to issues of forced internal displacement.⁸¹⁹ In February 2009 IRIN reported that the border dispute remains unresolved.⁸²⁰ The International Displacement Monitoring Centre reports that an absence of political efforts to resolve internal conflicts presents an ongoing risk of renewed displacement.⁸²¹

5. Food security

According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Ethiopia is plagued by food shortages, affected by lack of seasonal rains, high prices of staple foods, crop and livestock losses.⁸²² The Famine Early Warning System Network (FEWS NET) states that agricultural output is falling due to failing rains. 6.2 million people will require emergency food assistance between October and December 2009.⁸²³ The International Displacement Monitoring Centre estimates that four out of five regions are facing malnutrition.⁸²⁴ According to UNICEF many children are being sustained at stabilisation

⁸¹⁶ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/3.htm#_Toc200167122, accessed 8 December 2009

⁸¹⁷ Human Rights Watch, Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Regional State, June 2008, http://www.hrw.org/reports/2008/ethiopia0608/3.htm#_Toc200167122, accessed 8 December 2009

⁸¹⁸ Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009

⁸¹⁹ Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009

⁸²⁰ IRIN, In Brief: Ethiopia-Eritrea border tensions despite resettlement, 17 February 2009 <http://www.irinnews.org/Report.aspx?ReportId=82972>, accessed 26 November 2009

⁸²¹ Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009

⁸²² OCHA, Focus on Ethiopia, January 2009, <http://ochaonline.un.org/Default.aspx?alias=ochaonline.un.org/Ethiopia>, accessed 22 November 2009

⁸²³ Famine Early Warning System Network (FEWS NET), Ethiopia: Food Security Outlook: October 2009 to March 2010, October 2009, www.fews.net/docs/Publications/ethiopia_OL_2009_10_final.pdf, accessed 3 December 2009

⁸²⁴ Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009, p109, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/\\$file/Ethiopia+-+September+2009.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/07B5DA5E983748D2C125762600575652/$file/Ethiopia+-+September+2009.pdf), accessed 22 November 2009

centres by therapeutic food distributed by aid agencies. UNICEF estimates that 242,000 children under the age of five from 309 districts in Ethiopia suffered from severe malnutrition in 2009.⁸²⁵

In the Somali region the OCHA estimates that in 2009 a total of 1,550,143 people needed immediate food assistance. In Afar an estimated 472,229 people already receive assistance in the form of cash and food transfers, however, the UN states that “in light of the current food security situation there is an urgent need to provide additional emergency food aid to 86,428 people.”⁸²⁶ In Oromia 683,839 people are estimated to be affected by food shortages. In SNNP region; 881,740, Amhara; 995,095, Tigray; 674,304, Gambella; 31,000, Benishangul Gumuz; 35,233, Dire Dawa; 7,644.⁸²⁷

In 2003 the government launched a new Resettlement Programme as part of its Food Security Programme, with the aim of resettling 2.2 million people in three years, from the “chronically food-insecure” highlands to more fertile agricultural areas.

“The government suggests that the scheme is successful and mostly leads to self sufficiency. But according to other reports, resettlement was often experienced as a heavy burden, not respecting the four core principles of voluntariness, allocation of under-utilised land, host community consultation and proper preparation, and in certain cases leading to critical malnutrition.”⁸²⁸

Reports by the Famine Early Warning System Network (FEWS Net) and the World Food Programme (WFP) say the rains in the country's cropping areas were below normal in 2009.³³ Rains have been below normal during the past two seasons. Farmers could only sow 50-70% of their land and even then harvest was lost due to erratic rainfall.⁸²⁹

In 2007 the UN Humanitarian Mission to the Somali Region reported that food prices have increased dramatically, research conducted in Ararso, Obole, Degehabur, Shekosh, Kebridehar and Denan shows that food prices have on average increased by 95%.⁸³⁰

“Although food was generally available in the main towns along the main trading route, prices have increased so dramatically that access is severely constrained for the urban poor. Household inventories taken indicate that the level of food stocks is seriously diminishing. In Obole only two-out-of-six households visited had available stocks of some 10 kg of cereals while the rest of the households had no food stocks whatsoever.

⁸²⁵ Integrated Regional Information Networks (IRIN), Ethiopia: Southern region gripped by food shortage, 11 August 2009. <http://www.irinnews.org/Report.aspx?ReportId=85666>, accessed 22 November 2009

⁸²⁶ OCHA, Focus on Ethiopia, January 2009, <http://ochaonline.un.org/Default.aspx?alias=ochaonline.un.org/Ethiopia>, accessed 22 November 2009

⁸²⁷ OCHA, Focus on Ethiopia, January 2009, <http://ochaonline.un.org/Default.aspx?alias=ochaonline.un.org/Ethiopia>, accessed 22 November 2009

⁸²⁸ Internal Displacement Monitoring Centre, Ethiopia: Government recognition of conflict IDPs crucial to addressing their plight, 26 April 2006, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/F22FDA271A441F45C125715C00358877/\\$file/Ethiopia%20Overview%20April%202006.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/F22FDA271A441F45C125715C00358877/$file/Ethiopia%20Overview%20April%202006.pdf), accessed 22 November 2009

⁸²⁹ Integrated Regional Information Networks (IRIN), Ethiopia: Southern region gripped by food shortage, 11 August 2009. <http://www.irinnews.org/Report.aspx?ReportId=85666>, accessed 3 December 2009

⁸³⁰ United Nations, Report on the Findings from the UN Humanitarian Mission to the Somali Region, September 2007, [http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/\\$File/full_report.pdf](http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/$File/full_report.pdf), accessed 9 December 2009

In Kebridehar three households visited also had no food stocks. In both locations sharing of food stocks is practiced amongst the population. Some households interviewed, informed the mission that they only harvested two bags of millet this year, compared to over fifteen bags in a normal year. Some households reported that most of the poorer socio-economic groups have migrated to other zones not directly affected by trade restrictions and military operations.”⁸³¹

The UN Mission further reported that food was more scarce in the villages and that food stocks were registered by the military who performed checks to ensure food wasn't leaving the towns. The reason given for this was to ensure that the ONLF was not accessing food.⁸³²

Competition over natural resources is becoming a feature of Ethiopian conflicts. Several sources report resource based conflicts occurring in areas bordering the Borena and Bale zones of Oromia and Salahad as well as in the Somali Region.⁸³³

The UN Mission reported that natural disasters, disease and conflicts have negatively impacted on the availability of food,

“Over the past two years Somali Region has been affected by repeated droughts and floods that have had a negative impact on the food security of the region. The unidentified camel disease combined with a livestock import ban by some Gulf countries¹ has increased the vulnerability of the pastoralist communities over the past year. Moreover, the outbreak of AWD [Acute Watery Diarrhea] has aggravated the nutritional status of the affected population.

The predominant livelihoods in Somali Region are based on pastoralism and agropastoralism. The main agro-pastoral areas of the region are found in Jijiga and Shinile zones and along the riverine areas of the region. Crop production almost completely depends on the *gu* rains that fall between April and June....

The already fragile food security situation of the region has been aggravated by the ongoing commercial trade restrictions. These restrictions were imposed due to the security situation at the onset of the ENDF's military operations in parts of the five zones of Korahe, Fik, Warder, Gode and Degehabur, and reportedly have had limited consequences for other zones in the region.”⁸³⁴

⁸³¹ United Nations, Report on the Findings from the UN Humanitarian Mission to the Somali Region, September 2007, [http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/\\$File/full_report.pdf](http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/$File/full_report.pdf), accessed 9 December 2009

⁸³² United Nations, Report on the Findings from the UN Humanitarian Mission to the Somali Region, September 2007, [http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/\\$File/full_report.pdf](http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/$File/full_report.pdf), accessed 9 December 2009

⁸³³ Famine Early Warning System Network (FEWS NET), Ethiopia: Food Security Outlook: October 2009 to March 2010, October 2009, from www.fews.net/docs/Publications/ethiopia_OL_2009_10_final.pdf, accessed 3 December 2009. BBC, Water pipe sparks Ethiopian conflict, 13 March 2009, <http://news.bbc.co.uk/1/hi/world/africa/7929104.stm>, accessed 22 November 2009. Internal Displacement Monitoring Centre, Ethiopia: Human rights violations and conflicts continue to cause displacement, 3 September 2009, [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/80C54D1ED57F9E76C1257626005638BD/\\$file/Ethiopia_Overview_Sept09.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/80C54D1ED57F9E76C1257626005638BD/$file/Ethiopia_Overview_Sept09.pdf), accessed 22 November 2009.

⁸³⁴ United Nations, Report on the Findings from the UN Humanitarian Mission to the Somali Region, September 2007, [http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/\\$File/full_report.pdf](http://ocha-gwapps1.unog.ch/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-777MV7-full_report.pdf/$File/full_report.pdf), accessed 9 December 2009

6. Renditions

Amnesty International, Human Rights Watch and the Washington Post report that Ethiopia has received rendered individuals⁸³⁵. Human Rights Watch state in 2007 that over 90 people were rendered to Ethiopia following a US-backed Ethiopian military intervention in Somalia,⁸³⁶

“In early 2007 at least 90 men, women, and children from 18 different countries fleeing conflict in Somalia were arrested in Kenya and subsequently deported to Somalia and then Ethiopia, where many were interrogated by US intelligence agents”⁸³⁷

Human Rights Watch further states that many of these individuals were released in 2007 and 2008 however “the whereabouts and fate of at least 22 others rendered to Ethiopia, including Eritreans, Somalis, and Ethiopian Ogadeni and Oromo, is unknown.”⁸³⁸

Detainees told Human Rights Watch that they were “housed in solitary cells - some as small as two-by-two meters - with their hands cuffed in painful positions behind their backs and their feet bound together any time they were in their cells.”⁸³⁹

Amnesty International reports the case of a Canadian citizen who was rendered to Ethiopia, having first been flown to Somalia following weeks of detention in Kenya. He was held in Ethiopia in incommunicado detention.⁸⁴⁰

UK daily newspaper, The Independent reported in 2007 that at least 150 people who had fled violence in Somalia were arrested in Kenya and rendered to Ethiopia and Somalia where they were held in underground prisons in Mogadishu and detention centres in Addis Ababa. Some were accused of having links to Al Qaeda, others of belonging to Ethiopian rebel opposition groups fighting alongside Somalia's Union of Islamic Courts.⁸⁴¹

⁸³⁵ The Washington Post, US citizen sues over treatment in ‘rendition’, 11 November 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2009/11/10/AR2009111012772.html>, accessed 22 November 2009.

Amnesty International, Call for action by Canada and Ethiopia on Canadian rendition case, 22 November 2007, http://www.amnesty.ca/resource_centre/news/view.php?load=arcview&article=4122&c=Resource+Centre+News, accessed 22 November 2009. Human Rights Watch, Why am I still here?, October 2008,

<http://www.hrw.org/sites/default/files/reports/eastafrica1008web.pdf>, accessed 22 November 2009

⁸³⁶ Human Rights Watch, Why am I still here?, October 2008,

<http://www.hrw.org/sites/default/files/reports/eastafrica1008web.pdf>, accessed 22 November 2009

⁸³⁷ Human Rights Watch, World Report 2009, Ethiopia, Events of 2008, <http://www.hrw.org/en/node/79222>, accessed 10 December 2009.

⁸³⁸ Human Rights Watch, World Report 2009, Ethiopia, Events of 2008, <http://www.hrw.org/en/node/79222>, accessed 10 December 2009.

⁸³⁹ Human Rights Watch, Why am I still here?, October 2008,

<http://www.hrw.org/sites/default/files/reports/eastafrica1008web.pdf>, accessed 22 November 2009

⁸⁴⁰ Amnesty International, Call for action by Canada and Ethiopia on Canadian rendition case, 22 November 2007,

http://www.amnesty.ca/resource_centre/news/view.php?load=arcview&article=4122&c=Resource+Centre+News, accessed 22 November 2009

⁸⁴¹ The Independent, Anger at US ‘rendition of refugees who fled Somalia, 23 March 2007,

<http://www.independent.co.uk/news/world/africa/anger-at-us-rendition-of-refugees-who-fled-somalia-441495.html>, accessed 22 November 2009