

**Migration Review Tribunal
AUSTRALIA**

MRT RESEARCH RESPONSE

Research Response Number: ETH35150
Country: Ethiopia
Date: 29 July 2009

Keywords: Ethiopia – Death certification/death registration – Oromo burial practice – Oromo Liberation Front

Questions

- 1. What information is available on whether death certificates would have been issued at this time in rural areas of Ethiopia?**
- 2. What information is available on traditional Oromo burials in rural areas in Ethiopia? Are there burial practices specific to Muslim Oromo?**
- 3. What information is available with regard to the question of whether supporters of the Oromo Liberation Front were disappearing, or being murdered, during the period 1993/4?**

RESPONSE

1. What information is available on whether death certificates would have been issued at this time in rural areas of Ethiopia?

Death registration in Ethiopia has reportedly remained a voluntary matter. In rural areas death certification is rarely sought and can be difficult to acquire. According to the US Department of State's 'Ethiopia Reciprocity Schedule' webpage: "Civil registration of births, marriages, and deaths is not automatic in Ethiopia"; and: "The documentation of these events is relatively new and largely confined to urban areas". Asked for advice on whether "death certificates [were] issued in 1995 for deaths occurring in hospital" the Department of Foreign Affairs and Trade (DFAT) has advised that such a certificate would likely only have been issued if the death occurred at a large government hospital, and that "there were not many hospitals in operation in 1995". According to a December 2004 study on death registration in Sub-Saharan Africa: "All countries [in Sub-Saharan Africa] have official laws for [death] registration, except Ethiopia, where draft laws are currently in legislative process". The report goes on to state of Ethiopia that: "Previously, the Ethiopian Civil Code (Ethiopia 1960) did contain some clauses for death registration, which are followed to some extent in urban areas"; and that: "In Ethiopia, absence of a legal framework has hampered the development of a civil registration system" ('Ethiopia Reciprocity Schedule' (undated), US Department of State website http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3559.html – Accessed 28 July 2009 – Attachment 1; Department of Foreign Affairs and Trade 2006, *DFAT Report 516 Extra – Ethiopia: RRT Information Request: ETH30375*, 4 August – Attachment 4; this advice was preceded by an initial, provisional, response which was supplied as: Department of Foreign Affairs and Trade 2006, *DFAT Report 516 – RRT Information Request: ETH30375*, 18 August – Attachment 5; for the Tribunal email which elicited this advice, see: RRT Country Research, 2006, Email DFAT: 'Country Information Request – ETH30375', 17 July – Attachment 6; Rao, C., Bradshaw, D. & Mathers, C.D. 2004, 'Improving death registration and statistics in developing countries: Lessons from Sub-Saharan Africa',

Southern African Journal of Demography, vol.9: no.2, pp.86, 92

[http://www.commerce.uct.ac.za/Organisations/Demography/SA Journal of Demography/SAJD/Volume%209%202/SAJDem_2004_9_2_Rao.pdf](http://www.commerce.uct.ac.za/Organisations/Demography/SA_Journal_of_Demography/SAJD/Volume%209%202/SAJDem_2004_9_2_Rao.pdf) – Accessed 28 July 2009 –

Attachment 10; for the relevant articles of the *Civil Code of Ethiopia 1960*, see: ‘Chapter 3. Proof of Civil Status’ in: *Civil Code of Ethiopia 1960* (Proclamation No.165 of 1960), Ethiopian Legal Information website

<http://www.law.ugent.be/pub/nwr/elw/civilcode/civilcodepage.htm> – Accessed 30 April 2009

– Attachment 9; for an overview of the various attempts which have been made to establish death registration in Ethiopia, see: Ethiopia Central Statistics Agency 2007, ‘Gender Statistics and the Status of Civil Registration and Vital Statistics in Ethiopia’, *UN Global Forum on Gender Statistics*, ESA/STAT/AC.140/8.2, 10-12 December

http://unstats.un.org/unsd/demographic/meetings/wshops/Gender_Statistics_10Dec07_Rome/docs/8.2_Ethiopia.pdf – Accessed 28 July 2009 – Attachment 12).

Source Information Overview

According to the US Department of State’s ‘Ethiopia Reciprocity Schedule’ webpage: “Civil registration of births, marriages, and deaths is not automatic in Ethiopia”; and: “The documentation of these events is relatively new and largely confined to urban areas”. Further information on the limited issuance of such documentation, as well as information on how death certification can be obtained in Ethiopia, follows below:

Note: Civil registration of births, marriages, and deaths is not automatic in Ethiopia. The documentation of these events is relatively new and largely confined to urban areas. A church-issued document, an acknowledgment from one’s “kebele”, and affidavits from three witnesses, all of which can be had for a price, are sufficient evidence for issuance of certificates. Relationships are rarely investigated for veracity. With the exception of divorce decrees, all certificates are available in Amharic, English, or English-Amharic combinations.

Death Certificates

If the death occurred at home, acknowledgments from three witnesses, a certificate from the deceased’s “kebele”, as well as a certificate from the church where the body is interred are required for issuance of a municipal death certificate. If the death occurred in a hospital, a death certificate issued by the hospital and a church/burial site certificate are necessary for the issuance of a municipal death certificate (‘Ethiopia Reciprocity Schedule’ (undated), US Department of State website http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3559.html – Accessed 28 July 2009 – Attachment 1).

In 2006 the Nairobi post of the Department of Foreign Affairs and Trade (DFAT) provided the Tribunal with several pieces of advice on the issuance of death certification in Ethiopia (DFAT does not maintain a permanent post in Ethiopia and matters relating to Ethiopia are generally the responsibility of the High Commission in Nairobi, Kenya, with support from the Canadian Embassy in the Ethiopian capital of Addis Ababa). On 22 March 2006 DFAT provided advice to the Tribunal on the Kebele (“the smallest administrative unit of the City Governments around Ethiopia”) and the role of the Kebele in the issuance of death certificates (and other forms of related Ethiopian personal documentation, such as the Kebele card). Relevant extracts follow:

A. *What is a Kebele card and to whom it is issued? What type of information does it contain?*

Kebele's are the smallest administrative unit of the City Governments around Ethiopia, and are responsible for issuing identity cards to residents within their local area. Their role is to maintain a historical record of each and every house under their authority. The information kept on each house may contain such things as how the house was acquired, along with the names of the occupants including registered dependants. The reliability of this information is questionable as its [sic] the responsibility of the resident to keep the Kebele informed of any changes.

A Kebele card is a recognised national ID card, issued by authorities and is based on where an individual lives. It is reportedly quite easy to obtain a genuinely issued card that contains false information. The Kebele cards are different colours for the different City Governments and contain the following:

- Photo of the bearer (though children registered on their parents' cards do not appear in the photos);
- Name and address of the bearer; Note: the name of the father is not listed. Under Ethiopian naming principles, the second and third names (the father and grandfather names respectively) of the bearer, will constitute the first and second names of the father. As an example, if the holder is Leul Gebrehiwot TESFAY, the father will be Gebrehiwot Tesfay. You will not be able to determine this person's grandfather's name).
- Name of mother;
- Telephone number and residential address of the bearer;
- Telephone number and work address of the holder;
- Occupation;
- Date of issue;

While DIMA in Nairobi recognises and accepts Kebele cards as a form of identification, they question the validity of the information contained in them.

...C. *What are the documents used to evidence death in Ethiopia? Is there a 'death certificate' which is normally issued or is there another official document?*

Death certificates are available from Municipal City Councils and in order to register the death under the civil laws any of the following are required:

- A death certificate/report from a hospital;
- A death certificate/evidence of burial from religion institutions or Labour and Social Affairs Bureau;
- A declaration signed by three witnesses in front of Kebele officials, confirming death.

When registering at the Municipal City Council, you are required to produce one of the above, as well as the applicant's Kebele card or passport. The spouse, parents, children of the deceased or other legally represented individual may apply for these certificates (Department of Foreign Affairs and Trade 2006, *DFAT Report No. 458 – Ethiopia: RRT Information Request: ETH30036*, 22 March – Attachment 2; for the Tribunal enquiries which elicited this request, see: RRT Country Research, 2006, Email DFAT: 'Country Information Request – ETH30036', 15 March – Attachment 3).

In July 2006 the Tribunal requested advice from DFAT on the issue of whether “death certificates [were] issued in 1995 for deaths occurring in hospital”. On 4 August 2006 DFAT advised that such a certificate would likely only have been issued if the death occurred at a large government hospital, and that “there were not many hospitals in operation in 1995”. DFAT was also asked, at this time, for advice on how a 1995 death might be verified. DFAT’s reply to this question is preceded by the caveat that: “This would depend on where the death was registered”; and that: “There is no requirement that deaths be registered with the city government”. The advice follows:

I. Were death certificates issued in 1995 for deaths occurring in hospital?

This depends on the hospital. The large government hospitals that were in operation at the time would have issued these documents. Smaller hospitals may not have. As there were not many hospitals in operation in 1995, it is unlikely smaller hospitals would have issued these certificates as they would not have had persons suitably qualified to perform autopsies. Furthermore, if the cause of death is required for any government institution then the autopsy must be performed at a government hospital.

J. How would one verify the death of a person in this jurisdiction?

This would depend on where the death was registered. There is no requirement that deaths be registered with the city government. This is only done at the request of the relatives of the deceased. When applying for an official death certificate from the city government, the applicant is required to provide one of several documents to certify that death has occurred – one of which is the hospital death certificate. People may die and relatives have no documentation to prove so. When asked to provide these documents, they seek to obtain them from the relevant authorities (for example, churches, mosques, the authority that manages the city’s ‘secular’ cemeteries and hospitals).

If the documents presented by the applicant have been issued by a hospital then the death can only be verified at that hospital. If a hospital death certificate is not available, one option would be to formally write to the hospital requesting confirmation that a death certificate was issued or alternately, an officer can physically attend the hospital to check the hospital’s admissions and death registers (Department of Foreign Affairs and Trade 2006, *DFAT Report 516 Extra – Ethiopia: RRT Information Request: ETH30375*, 4 August – Attachment 4; this advice was preceded by an initial, provisional, response which was supplied as: Department of Foreign Affairs and Trade 2006, *DFAT Report 516 – RRT Information Request: ETH30375*, 18 August – Attachment 5; for the Tribunal email which elicited this advice, see: RRT Country Research, 2006, Email DFAT: ‘Country Information Request – ETH30375’, 17 July – Attachment 6).

In December 2006 DFAT provided advice to the Tribunal on the methodology employed by the Australian High Commission in Nairobi in cases where confirmation of the death of an Ethiopian child’s parent is required for matters relating to an application for an Orphan Relative Visa. The advice follows:

Orphan relative applicants will often claim that the whereabouts of their parents is unknown or they are deceased. This often is not the case and a site visit to the applicant’s place of residence is often required to determine their living arrangements. In cases where an applicant claims that a death certificate for a parent is not available because the relative died at home, officers should request the applicant to formally register the death with the city administration. Officers should not accept a testimonial issued by a Kebele social court as a formal death certificate. Testimonials are unreliable as they are issued based on verbal information provided by declarants without any verification of the information presented

(Department of Foreign Affairs and Trade 2006, *DFAT Report No. 570 – RRT Information Request: ETH31009*, 6 December – Attachment 7; for the Tribunal email which elicited this response, see: RRT Country Research 2006, Email to DFAT: ‘Country Information Request – ERITREA & ETHIOPIA – ERI31008 AND ETH31009’, 20 November – Attachment 8).

In October 2002 an Anglophone Africa Workshop on Birth Registration was hosted by the Uganda Ministry for Gender, Labor and Social Development and sponsored by the UN Children’s Fund (UNICEF). A draft report on the findings of the workshop subsequently reported as follows of Ethiopia:

Ethiopia is one of many countries that have not so far institutionalised national as well as regional civil registration and vital statistics systems. Birth is one of the vital events that is dealt with under civil registration and vital statistics systems and the absence of an institutionalised registration framework inevitably renders birth registration and concomitant national development planning considerably more difficult.

...Current practices

Despite the fact that there is no national or regional organ that registers vital events following the traditional and conventional method of civil registration, city administrations and municipalities, as one of their duties in the service of the community are issuing certificates of vital events, mainly, birth and marriage certificates upon request by individuals for various purposes. However, the issuance of certificates by these city administrations and municipalities is not based upon any perceived need to record such events, but rather simply to respond to individual requests for certificates where their mandate requires them to give administrative services to the community.

...On average the birth, death and marriage registration section of the municipality Addis Ababa will issue a birth certificate within one month of receiving the necessary documentation from Kebele or hospital upon payment of a fee set at less than US\$5.00, a considerable sum in Ethiopia for the majority (*Draft Report on Anglophone Africa Workshop on Birth Registration Kampala 21st-24th October 2002* (undated), Oxford Brookes University website http://ssl.brookes.ac.uk/ubr/files/6/52-KampalaConf-Ethiopia_Country_Paper.pdf – Accessed 28 July 2009 – Attachment 13).

In December 2004 a study on death registration in Sub-Saharan Africa was published in the *Southern African Journal of Demography*. According to this study: “All countries [in Sub-Saharan Africa] have official laws for [death] registration, except Ethiopia, where draft laws are currently in legislative process”. The report goes on to state of Ethiopia that: “Previously, the Ethiopian Civil Code (Ethiopia 1960) did contain some clauses for death registration, which are followed to some extent in urban areas”; and that: “In Ethiopia, absence of a legal framework has hampered the development of a civil registration system” (Rao, C., Bradshaw, D. & Mathers, C.D. 2004, ‘Improving death registration and statistics in developing countries: Lessons from Sub-Saharan Africa’, *Southern African Journal of Demography*, vol.9: no.2, pp.86, 92 http://www.commerce.uct.ac.za/Organisations/Demography/SA_Journal_of_Demography/SAJD/Volume%209%202/SAJDem_2004_9_2_Rao.pdf – Accessed 28 July 2009 – Attachment 10).

A December 2007 paper makes reference to Ethiopia’s draft legislation for birth, death, marriage and divorce event legislation, as giving an overview of the limited manner in which events of birth, death, marriage and divorce have, historically, been recorded in Ethiopia. The paper was presented by a representative of Ethiopia’s Central Statistics Agency at the

December 2007 *UN Global Forum on Gender Statistics*. According to this paper Ethiopia has seen a range of instruments set forth in this regard, all of which have met with only limited success, to varying degrees. Extended extracts follow on the history of attempts to establish a Civil Registration and Vital Statistics Systems in Ethiopia:

3. Attempts at Establishing Civil Registration and Vital Statistics Systems in Ethiopia

Ethiopia does not have a functioning CRVS. But this does not mean that no attempts were made at establishing these systems. Some of the attempts were as follows.

3.1 The 1900 Proclamation

In 1900 the then Emperor of Ethiopia, Menelik II, proclaimed the establishment of vital registration system. The Ministry of Interior was empowered to carry out annual population censuses and to establish a vital registration system by recording the number of births, deaths and marriages. But it did not become functional. It remained on paper because the proper institutions were not put in place.

3.2 The 1960 Civil Code of Ethiopia

It sets a detailed and compressive rule on civil registration. But the articles of the Civil Code on civil registration have never been operational due to a transitory provision in the Civil Code (article 34361), which specifies that provisions pertaining to civil status shall not come into force until a day to be notified by an order published in the *Negarit Gazeta*. However, such an order has never been issued to date. Therefore, the provisions of the Civil Code in civil registration have never been applied. The 1957 Revised Penal Codes of Ethiopia contains provisions that deal with offences related to failure to register vital events. But as there was/is no vital registration system in the country it is impossible to take of such of an offence.

3.3 Proclamations No. 104/1983 and 106/1988

These two proclamations were issued by the previous Marxist government of Ethiopia. Some articles of these proclamations specify that kebeles, the lowest administrative structures in the country, should keep proper registers of houses, the number of residents and records of births, death and marriages in accordance with directives to be issued. However, these directives have not come into existence and these proclamations came to no avail.

3.4 Proclamation Numbers 79 and 303 of 1980 of CSA

The Central Statistical Office has been designated with responsibility of conducting Vital Registration i.e. the basic registration of births, death, marriages and divorces. That is to say the CSA has been given powers and responsibilities to create conditions for the continuous registration of vital events by the government. It has made a number attempts to lay the foundation for CRVS by conducting surveys and sample registration. The first survey was conducted in 1977, which was carried out in selected rural and urban areas. The objective of this survey was to test whether it would be feasible to carry out civil registration by providing technical and material assistance to kebeles. It was also designed to test some of the expected fundamental problems involved in the methodological, administrative, legal and financial activities.

In 1986 and 1987 the CSA ran the Experimental Sample Registration system in rural areas. This exercise was discontinued because of financial difficulties. In 1998 the CSA restarted the Experimental Sample Vital Registration. This time it was devised in such a way that it would cover both rural and urban areas using dual methods of data collection, that is, the registration of vital events followed by the household surveys to verify the data obtained by sample registration.

In 1999 the CSA discontinued the Experimental Sample Vital Registration and opted for the principles and recommendations of the UN for establishing and developing CRVS in developing countries Ever since it has been working on this line.

3.5 The 1995 FDRE Constitution

Articles 3.6 of the FDRE [Federal Democratic Republic of Ethiopia] Constitutions specify the right of the child to a name and nationality, as well as the right to know his/her parents. As there is a direct relationship between birth registration and these two rights, it can be asserted that the FDRE constitution implies acknowledgement of birth registration as indispensable instrument for their attainment. This constitution also accepts the Convention of the Rights of the Child which stipulates the rights of the child to a name, nationality and to know his/her parents.

3.6 The National Population Policy of Ethiopia

In this document enacting laws/regulations for vital events registration is identified as one of the major areas population activities requiring priority attention. In this a document the duty of establishing a national registration system was given to the National Office of Population. This office does not exist now.

3.7 The National Plan of Action for Children

The 2004 Ethiopian NPA for children also notes the importance of vital registration – birth registration for the realization of the rights of the child.

3.8 The Revised Family Law of Ethiopia

The 2000 Revised Family Law of Ethiopia imposed a duty on the Federal Government to issue a law on civil registration and to establish the institutions needed for its implementation. But the law on civil registration has not come into effect. The family laws of different national regions governments also contain provisions for establishing civil registration. But none of them have enacted a civil registration and vital statistics systems law.

3.9 The Municipality of Addis Ababa

It started registering and issuing certificates for births, marriages, deaths in 1942, 1953, 1970, respectively. But the municipality is not following the conventional procedures of civil registration. They are part of the administrative exercise. They are not compulsory, continuous and permanent. They are done on request of individuals when they need them for administrative purposes and legal support documents.

Hospital and health centers also register births and deaths that occur there and issue certificates. But most of the births and deaths in Ethiopia occur at home. Hence, their contribution for vital statistics is not significant. Religions institutions also register baptisms, marriages and burials and provide certificates that serve as evidential support documents for various administrative and legal services. They have no use for statistical purposes because the data is not collected and compiled by the concerned body. They also don't have legal

values related to the recognition and protection of personal, socio-economic and political rights.

None of the above registration and certificate issuing administrative exercises has resulted in providing vital statistics data or led to the establishment of a countrywide civil registration system and vital statistics system.

4. On Going Practical Efforts to Establish and Develop Vital Events Registration System.

There are a number of ongoing effort by various institutions towards creating Civil Registration and Vital Statistics System in Ethiopia. Notable among these include the Federal Government's effort to enact legislation on CRVS, CSA's effort to develop the necessary instruments, manuals, forms etc.. the UNICEF assisted model registration projects in three national regional states, the HMN financial assistance for Vital Statistics Sale-up vital registration and the Plan International financed National Conference on Registration of Vital Event with Particular Focus on Birth Registration in Ethiopia.

4.1 Draft Proclamation to Provide for Establishing a Central Office for Registration of Vital Events and Organization of Vital Events Registration system.

This piece of legislation was drafted by the Justice and Legal System Research Institute and submitted to the House of Representations in 2001. Therefore it can be concluded that the Ethiopian legal system recognizes vital events as one of the fundamental rights of its citizens. The draft proclamation establishes a central office, at the federal level, for the registration of vital events, which also coordinates and facilitates the registration of vital events throughout the country. It also provides for the establishment of regional offices and Kebele registration offices which actually carry out the registration of vital events. Consultative meetings have been held at the committee level in the parliament involving various stakeholders, ministries, CSA, the municipality of Addis Ababa, Civil society including youth and women's associations. The draft proclamation has been pending in the House. Therefore, it is not yet operational.

4.2 Efforts by the CSA.

The CSA is one of the few organizations striving for the establishment and development of CRVS in the country. So far it has mainly focused on advocacy and educating the public and the government authorities. As part of this effort its staff members have been participating in a number of workshops and seminars conducted on the subject and explained the numerous legal, administrative and statistical uses of data obtained through the CRVS. In addition in the numerous forums organized for discussion on the Draft Family Law the CSA was invited and has made a lot of contributions by presenting a technical paper on the status and importance of civil registration and vital statistics systems in Ethiopia.

Besides, it has undertaken a series of preparatory activities for the establishment of vital registration it has prepared manuals, forms, certificates IEC materials etc. It has also carried out various researches, documentation and publications. Beginning from the first quarter of 2008 the CSA is considering starting a nationwide Sample Registration System to generate vital statistics up until CRVS Systems are established.

4.2 Model Registration Program

The model vital event registration program is a product of the study conducted by the CSA in search of effective ways and means for the development of the CRVS systems in the country. Accordingly, major drawbacks detected in the experimental sample vital registration and household survey program were taken as an input in designing the model registration program.

The model registration project was a collaborative effort of the UNICEF, CSA and three regional governments. UNICEF covered the cost of project and the CSA provided technical assistance. The three regions provided the registrars and managed the program.

The original model program project initiative has been limited to birth registration only because UNICEF is mainly concerned with Child Rights But subsequently death, marriage and divorce events registration were added. The project was run for about a year then stopped because UNICEF discontinued its financial support (Ethiopia Central Statistics Agency 2007, 'Gender Statistics and the Status of Civil Registration and Vital Statistics in Ethiopia', *UN Global Forum on Gender Statistics*, ESA/STAT/AC.140/8.2, 10-12 December http://unstats.un.org/unsd/demographic/meetings/wshops/Gender_Statistics_10Dec07_Rome/docs/8.2_Ethiopia.pdf – Accessed 28 July 2009 – Attachment 12).

Research Response ETH34802 of 4 May 2009 sourced Chapter 3 of the *1963 Civil Code of Ethiopia* from the Ethiopian Legal Information website. This copy of the Civil Code of Ethiopia details the requirements for death certification as follows:

Paragraph 3. Records of death

Art. 104. Particulars of records of death

The record of death shall show:

- a. the day, month and year of the death;
- b. the name, first names, date and place of birth of the deceased;
- c. the names, first names, dates and places of birth of the father and mother of the deceased;
- d. the name, first names, date and place of birth of the spouse of the deceased if such spouse is still alive, and the date of the marriage;
- e. where appropriate, the name, first names, date and place of birth of the person who makes the declaration of the death.

Art. 105. When record required

A declaration of death and the drawing up of a record of death are required whenever the deceased is a person in respect of whom a record of birth should have been drawn up.

Art. 106. Persons bound to declare death

- (1) Where a person dies, the persons who live with him shall be bound to declare his death.
- (2) In default of such persons, such obligation shall devolve on his relatives by consanguinity or affinity, if they live in the same commune, and, in their default, on his nearest neighbours.

Art. 107. Death in another person's [sic] house

If the deceased dies outside his home, the person in whose house the death has occurred shall be bound to declare the death.

Art. 108. Hospitals, schools, hotels and prisons

(1) If a death occurs in a hospital, a school, a hotel or a prison, the death shall be declared by the person who is in charge of the establishment in question.

(2) The death of persons executed by virtue of a criminal sentence passed on them shall be declared by the director of the prison where, at the time of his execution, the condemned person was in custody.

Art. 109. Soldiers on active service

Deaths of soldiers on active service shall be declared by the commanding officer of the unit to which they belong, unless the soldier is living with his family or his death occurs during a period of leave granted to him or in a place where his unit is not stationed.

Art. 110. Finding of corpse

(1) If the corpse of a person is found outside a dwelling place, the person who found the corpse shall be bound to declare the death.

(2) If the identity of the deceased person is unknown, a detailed procesverbal shall be drawn up indicating the day on which and the place where the corpse has been found, the apparent age and the sex of the dead person, and the probable date of the death.

(3) The record of death shall contain on its back a reference to such proces verbal.

Art. 111. Corpse not found. 1. Judgment declaring death

(1) Where a person has disappeared in such circumstances that his death is certain, although his corpse has not been found, any interested person may apply to the court to give a judgment declaring the death of such person.

(2) The judgment declaring the death shall take the place of a record of death.

Art. 112. 2. Court having jurisdiction

(1) The court having jurisdiction shall be that of the place, where the person whose death the person making the application wants to establish had his principal residence at the time of his death.

(2) The court may waive its jurisdiction in favour of the court of the Place where the event which brought about the death has occurred or in favour of the court of another place.

(3) The delegation of jurisdiction thus made is binding on the court in whose favour it is made.

Art. 113. Disasters. 1. Collective judgment

(1) If death is due to an event, such as a shipwreck, an air disaster, an earthquake, a land slide, as a consequence of which there is reason to believe that several persons have perished, the death of such persons may be declared by a collective judgment.

(2) The court having jurisdiction in such case shall be that of the place where the event occurred.

(3) However in the case of disappearance of a ship or of an aircraft the court having jurisdiction shall be that of the home port of the ship or aircraft.

Art. 114. 2. Individual extracts

(1) Individual extracts from a collective judgment may be obtained by interested persons.

(2) They shall take the place of a record of death.

Art. 115. Date of death

(1) When the court delivers a judgment declaring death, it shall fix in the judgment the presumed date of the death or deaths having regard to the presumptions drawn from the circumstances of the case.

(2) The date thus fixed may not be rectified except in the case where it is proved that it has been fixed as a result of fraud.

(3) Any application having as its object the rectification of the date shall be dismissed when three years have elapsed from the date of the judgment.

Art. 116. Annulment of judgment declaring death

If the person whose death has been judicially declared reappears after the judgment declaring death, the judgment shall be annulled, at his request or at the request of the public prosecutor, by the court which gave it ('Chapter 3. Proof of Civil Status' in: *Civil Code of Ethiopia 1960* (Proclamation No.165 of 1960), Ethiopian Legal Information website <http://www.law.ugent.be/pub/nwr/elw/civilcode/civilcodepage.htm> – Accessed 30 April 2009 – Attachment 9; MRT Research & Information 2009, *Research Response ETH34802*, 4 May – Attachment 10).

2. What information is available on traditional Oromo burials in rural areas in Ethiopia? Are there burial practices specific to Muslim Oromo?

Burial rituals reportedly play a prominent social role within the day-to-day life of members of Ethiopia's two major ethnic groups, the Oromo and the Amhara. According to the anthropologist Andrea Nicolas, the "burial association called *iddir*...is common in the area among both Oromo and Amhara ethnic groups"; "Its aim is to provide support to members of the community in the case of loss of human life" and "the *iddir* organises the burial and pays the bereaved a certain amount of money, drawn from the monthly fees paid by members". The Oromo burial practice reportedly involves interring the deceased in a tomb underneath a symbolically arranged stone pile. Traditionally these stone pile arrangements would appear to be very different, in their form and symbolism, to the western tradition of the headstone grave marker. A 2005 article by the anthropologist Paul Henze relates that traditional Oromo grave stones "seldom include incised inscriptions" although in "recent years" some Oromo grave stones have appeared which "have inscriptions giving the deceased's name, birth and death dates and sometimes information about his family and accomplishments in life". Henze's study also notes the manner in which traditional Oromo grave stone imagery and symbolism have been influenced by the imagery and beliefs of the Muslim and Christian faiths, as does a 2006 study by Christopher Grant. It may also be of interest that, during a field excursion to Oromo grave sites in December 2002, Henze encountered some Muslim Oromo communities

where grave memorials had been vandalized and grave veneration forbidden by local Muslim clerics. While grave veneration is practiced by many Muslim communities some interpretations of the Muslim faith, such as the Wahabiyya school, see grave veneration, and even the use of grave markers, as associated with the sin of *shirk* (idolatry). Several studies of Islam in Ethiopia have noted the spread of the Wahabiyya school of Islam within Oromo Muslim society along with Wahabiyya derived norms which prohibit as un-Islamic certain traditional Oromo practices (Nicolas, A. 2007, 'Founded in Memory of the 'Good Old Times': The Clan Assembly of Hiddii', in Eastern Shewa, Ethiopia', *Journal of Eastern African Studies*, vol.1: no.3, p.491 – Attachment 16; for further background on burial societies, see: Tafa, A., Alehegne, A., Abasimel, A. & Legesse, S. (undated), 'Potentials of Indigenous Associations as Vector for Development in Bereh-Aleltu Area', Agri Service Ethiopia website <http://www.agriserviceethiopia.org/aklilf.htm> – Accessed 29 July 2009 – Attachment 18; for Oromo burial practices and grave stones, see: Henze, P. 2005, 'Arsi Oromo Tomb Art: its Evolution and Current Status', *Annales d'Ethiopie*, vol.21, pp. 177-192 – Attachment 15; and: Grant, C. 2006, 'Stones, Slabs, and Stelae: The Origins and Symbolism of Contemporary Oromo Burial Practice and Grave Art', University of Chicago, SIT Graduate Institute/SIT Study Abroad http://digitalcollections.sit.edu/cgi/viewcontent.cgi?article=1260&context=isp_collection – Accessed 1 May 2009 – Attachment 14; for a discussion of the issue of Shirk and grave veneration in Ethiopian Islamic communities, see page 496, in: Desplat, P. 2005, 'The Articulation of Religious Identities and their Boundaries in Ethiopia: Labelling Difference and Processes of Contextualization in Islam', *Journal of Religion in Africa*, vol.35: no.4, pp.482-505 – Attachment 20; and page 115 in: Hussein, J.W. 2004, 'A cultural representation of women in the Oromo society', *African Study Monographs*, October, vol.25: no.3, pp.103-147 – Attachment 21).

An overview of the available source information follows below addressing first [Oromo burial practices](#) and then the institution of [the Iddir burial society](#).

The Oromo burial site: traditional, Islamic and Christian

Extensive background on the burial practices of the Oromo is provided in Christopher Grant's 2006 anthropological study, 'Stones, Slabs, and Stelae: The Origins and Symbolism of Contemporary Oromo Burial Practice and Grave Art'. According to Grant: "As a result of the heavy impact of Islam and Christianity on Oromo tradition, traditional burial practices are performed by approximately fifty percent of the Oromo today", and traditional Oromo burial practices can also take on Islamic and Christian influences. "Traditional Oromo burial practices incorporate various methods of grave construction. The physical, underground burial element can either be a straight pit, or a sort of chamber that is dug out following the initial dig downwards". Prior to burial the body is treated to a range of rituals, which Grant discusses at length. Once interred, Grant relates that "the corpse is covered by a pile of stones". Extracts follow:

Traditional Oromo Burial Practices

The following information was gathered during a personal interview with Oromo specialist Dr. Gemechu. While this information was gathered as objectively as possible, the high complexity of Oromo religion and social structure are indicators of the unease with which Oromo cultural practices are conceived by outsiders. ... It is important to note that the existence of these burial practices is not widespread across all Oromo groups in Ethiopia today. There are Oromo groups however, particularly the Borana Oromo, which have been

noted for their high degree of resistance to modernization and great respect of cultural tradition.

It must be understood that contemporary Oromo burial practices in many cases may be no different than those historically practiced by Ethiopian Christians and Muslims. This phenomenon has warranted the documentation of traditional Oromo burial practices, despite the fact that a thorough examination of the practices requires a highly invested understanding of Oromo social ideology. As a result of the heavy impact of Islam and Christianity on Oromo tradition, traditional burial practices are performed by approximately fifty percent of the Oromo today. Additionally, these traditional practices are more likely to be found among the Arsi or Borana Oromo, as a result of the high resistance to cultural change present in these groups. Traditional Oromo burial practices are extremely complex and involve differing degrees of treatment for individuals of different age, sex, and social affiliation.

Given Oromo egalitarianism, contemporary burial practices reveal some surprising details about Oromo social perception and ideology. The death of an infant, for example, is treated dramatically different than that of an adult. When an infant dies, it is placed within a large clay jar and buried within the house, usually near the central pillar. The Oromo concept of *ayanaa* is particularly important in understanding the differential treatment of infant deaths. According to Oromo social ideology, the traditional Oromo grave is viewed as a home of sorts for the deceased. This serves the individual's *ayanaa*, which does not die with the deceased's physical death. The *ayanaa*, which is the primary concern for the reverence of the deceased, is not of concern to infants. The Gada system employed by the Oromo does not affiliate adolescents younger than the first Gada cycle with the possession of an *ayanaa*. This renders a more substantial burial for infants unnecessary.

Whether male or female, when an individual dies he/she is thoroughly washed and tied in the fetal position. Additionally, the deceased is then wrapped in perfumed plants. A sort of mat made of palm tree leaves is often used to wrap the individual before burial. Spiritual leaders, and those with higher standing in the Gada system, receive a different physical preparation before burial. They are also washed in a similar manner to the standard burial practice, but the individuals responsible for preparing these elite civilians receive specialized training. The details of this training and the burial practice are rather ambiguous, as they are traditionally kept secretive. The burial of these elite individuals is meant to be invisible to the public, in accordance with Oromo traditional belief that does not assign them to physical mortality. The cleansing process for these burials is much more thorough, and the individual's intestines are removed.

Traditional Oromo burial practices incorporate various methods of grave construction. The physical, underground burial element can either be a straight pit, or a sort of chamber that is dug out following the initial dig downwards. Each method is symbolic of a specific individual's social status. The standard pit depth of Oromo burials is around two to two and a half meters.

Additionally, when an individual dies, the corpse is covered by a pile of stones. This modest stone covering is accompanied by an outlying circle of stones, placed symbolically and successively by each of the deceased's children. The result is a circle of stones that represents the number of children possessed by the deceased. In the case of higher status individuals, the burial is often placed in a highly visible or public space. The primary stone pile is continuously renewed as individuals pass by and pay their respects by placing an additional stone upon the deceased. The size of the deceased's stone pile is an indication of the man's importance and social position.

Burial practices are highly symbolic of an individual's social position. If an individual dies without having been married, they are placed closer to the homestead. A large tree is buried in the individual's memory. A married individual however, will receive the more traditional stone-pile burial. When an individual dies, there are a variety of traditional practices in Oromo society that pertain to the practice of mourning loss. A white thread is often worn around the neck to serve as a symbol of remembrance. Members of the deceased's immediate family will also shave their heads to demonstrate the fact that they are in mourning (Grant, C. 2006, 'Stones, Slabs, and Stelae: The Origins and Symbolism of Contemporary Oromo Burial Practice and Grave Art', University of Chicago, SIT Graduate Institute/SIT Study Abroad http://digitalcollections.sit.edu/cgi/viewcontent.cgi?article=1260&context=isp_collection – Accessed 1 May 2009 – Attachment 14).

Christopher Grant's 2006 study also describes, and comments upon, a range of Oromo grave sites to illustrate the manner in which present-day Oromo burial practices can exhibit characteristics of the traditional Oromo practices as well as the Christian or Islamic traditions. Dates are encountered on some, but not all, of the burial stone piles which Grant discusses; and in the more traditional graves the stone piles and their art would appear to be very different to the Christian headstone in appearance, function and symbolism. Extracts follow:

The fundamental characteristic of Oromo memorial grave art is described as the recognition of great accomplishments and is based on the supposition that the deceased for whom the practice is carried out, inherently maintain a certain level of wealth (Henze & Pankhurst 1993). Perhaps the most fundamental artistic representation on Oromo memorial grave art is the stylized figure of the deceased, often mounted on a white horse (Henze & Pankhurst 1993). The presence of a bull, and often a lion, is also seen as significant to the symbolism of Oromo grave art. The bull in particular is understood to represent the wealth of the individual (Pankhurst 1993). Although each monument is roughly similar in physical construction and color usage, Pankhurst suggests that no two monuments share identical designs (Pankhurst 1993). An interesting and widely noted artistic quality of the monuments is the colorful zigzag-geometric designs that usually adorn the lower-tiers of the monuments (Henze 1993).

... Within Batu there are several traditional Oromo burials. These are comprised of a centralized pile of stones, surrounded by individual stones. The fact that these stones cannot be dated raises concerns as to their contribution of information regarding contemporary Oromo grave practices. This said, it is important to note that there is a cemetery in which both traditional, and more modern Oromo grave practices exist simultaneously alongside those of contemporary Christian and Muslim burials. Although most of the graves cannot be dated due to their deterioration, there are graves that can be definitively placed within the late 1990s.

An informant at the cemetery alluded to the differences between Oromo memorial graves placed in cemeteries and those that are placed along the major highways south of the capital. The physical construction and artistic styles employed by the memorial graves at Batu however, do not suggest any dramatic differences from those noted elsewhere. This informant also suggested that the memorial graves erected alongside roads are meant to attest to personal achievement, and made no mention of wealth or social status. He was however, interested in describing one particular memorial grave marker located near Ziway that features a Coca Cola bottle. He informed us that the deceased had been hit and killed by a large Coca Cola distribution truck.

...The Ziway-Bulbula highway provided one particularly interesting example of contemporary Oromo memorial grave art. When viewed from a distance, the piece is unusually unique because of an unnaturally occurring accumulation of brush surrounding the memorial. This brush was apparently gathered and placed in a designated circular pattern around the memorial, for exact reasons unknown. This piece is of a smaller construction than the majority of the memorial grave markers.

The piece was dated to 1998, although whether this date corresponds to the Ethiopian or Gregorian calendar is unknown. The fact that the only writing present is dictated in Oromifa suggests that the Western calendar was used here. The vibrancy and state of the paints used on this piece however suggest that this may have actually been constructed sometime in the past few years. This would support a construction date falling between 2005 and 2006 in the Western calendar.

...The general nature of the graves along the road heading south from Bulbula is highly diversified and demonstrates visible elements of both Christianity and Islam. Interestingly, many of the visible memorial graves along this route occur in small groups. This would appear as unusual given their nature as memorials. Nearby informants were able to clarify in one instance, that two of three grouped memorials were in fact relatives. The father died sometime in the late 1980s while the son had died much more recently. Both of these memorial graves existed alongside a more traditional Islamic-style burial.

It is also interesting to note that there exists a rather large grouping of (three to four) Oromo memorial grave markers within an extremely close proximity to a far more traditional Oromo cemetery along this route. This cemetery features various forms of Oromo burials. There are no visible elements of an Islamic or Christian presence in the traditional cemetery. In addition to the several stone-pile/circle burials, there is also an elaborately carved stone grave marker from what are presumably the prototypical phases of Oromo memorial graves in their contemporary form. This grave marker features the carved figure of a man on one side, with the other side left blank. Its date, along with that of the other burials, is unknown.

Located nearby are memorial grave markers of several time periods. The production of one can definitively be assigned to the late 1970s, while the dates of the others remain unreadable. One example is particularly interesting in its apparently unfinished state. While it demonstrates highly skilled engraving, there is no trace of paint. Whether or not this piece was intended to be unpainted remains unknown, although it seems highly unlikely. This piece is also interesting for the three-dimensional stars that project from the upper-portion of the memorial. These stars are strikingly similar to the crosses protruding from several of the memorial graves at Batu Cemetery. These images are highly indicative of Islam, although this relationship cannot be verified (Grant, C. 2006, 'Stones, Slabs, and Stelae: The Origins and Symbolism of Contemporary Oromo Burial Practice and Grave Art', University of Chicago, SIT Graduate Institute/SIT Study Abroad http://digitalcollections.sit.edu/cgi/viewcontent.cgi?article=1260&context=isp_collection – Accessed 1 May 2009 – Attachment 14).

In 2005 the anthropology journal, *Annales d'Ethiopie*, published a study of Oromo tomb art authored by Paul Henze. The study provides extensive commentary on the appearance and symbolism of Oromo tombs and notes a number of examples in which traditional Oromo burial practices appear to have been influenced by the Islamic or Christian faiths. According to Henze the traditional Oromo grave stones "seldom include incised inscriptions". In "recent years", however, Oromo grave stones have appeared which "have inscriptions giving the deceased's name, birth and death dates and sometimes information about his family and accomplishments in life. Some are crowned by crescents, others by crosses". Much of the Henze article is derived from Henze's journal entries, recording visits to a number of Oromo

grave sites in Ethiopia in December 2002. It may be of interest that Heuze details how he encountered, at this time, claims that some Oromo tombs were being vandalized by local “Islamic fanatics” who regarded the tombs, and their veneration, as un-Islamic. Extracts follow:

On the shoulders of the valley of the Wabe Shebelle I found occasional isolated square Islamic-style tombs topped by a small rounded dome, sometimes distinctly pyramidal, and often with a crescent on the very top. These may have marked burials of sheikhs or holy men, but I was never able to confirm that this was the case. Such tombs were often painted white and were visible from afar.

The most impressive type of Oromo grave marker is an upright slab usually carved in medium-high relief on both sides. These generally appear to date from the early to mid-20th century. [fig. 6] The carving sometimes includes two or three persons on a single slab; animals, usually a horse but occasionally a lion or a leopard are also carved; and shields, rifles, cartridge belts and sometimes a pistol are carved around the edge. In northern Bale I found several examples of this kind of monument standing alone in open landscape not far from the main highway that leads over the mountains from Adaba to Robi and Goba. [fig. 7] During the 1980s I found many elaborately carved tombstones in old cemeteries in Arsi in acacia groves. Some of these cemeteries are very extensive and continue to be used for new burials, now most often with various kinds of square-type tombs with a device on top representing cattle horns. The placement of elaborately carved upright slab monuments with geometric carving seems to have ceased in the 1960s. Such monuments seldom include incised inscriptions. Some have what appears to be recently painted Ethiopic lettering identifying the individual in the grave. I have found a few with short painted Arabic phrases.

...None of the other early carved slab monuments displays religious symbolism. The deceased could have been Muslims or Christians or – in many cases – adherents of traditional Oromo religion. Evidence of religious affiliation on Arsi Oromo tomb monuments seems to have become important after the 1974 revolution when awareness of religion became of greater concern, though crosses can occasionally be found on square tombs that appear earlier. The symbolism on early carved tombstones is primarily of warriors and hunters - rifles, swords, daggers, shields, spears. Figures, all male, are shown in vigorous poses: riding horses, brandishing spears or firearms, driving bulls or standing authoritatively.

...Square tombs, of which there are many variations, seem to reflect Islamic practice. Oromo in Arsi and Bale have been gradual converts to Islam. In Arsi, in particular, there are substantial communities of Oromo Orthodox Christians. Nominal Muslim converts were slow to abandon their traditional religious habits for Islamic practices. They gradually adapted Islamic worship requirements to longstanding traditional practices. Traveling in northern Bale in 1972 we noticed a neat stone circle in an open meadow and stopped to examine it. An elegantly dressed lady standing by the road came over and identified herself as the wife of Haji Sultan Amida, head of the nearby village. She explained the stone circle as <<our mesjit>> (cc our mosque) and asked us not to pitch our tent there, for we were looking for a campsite. There was nothing inside the circle but a broad, grassy space with a large stone at the end pointing to Mecca. Gradual acceptance of Islam by a majority of Oromo of these regions is also reflected in their cemeteries. Some cemeteries, even those in acacia groves with old carved monuments in the center, have large areas of graves marked only by heaps of stones. More recent burials are generally marked by low square monuments, some with horn crests or, more rarely, the three-pronged device; a few with crescents. These tombs are now often plastered and painted – green being a favorite color but other colors are also used. When paint became commercially available Oromo took advantage of it to express their love of bright color.

An adaptation of the square tomb has also become popular a solid cube with a peaked roof resembling a house is frequently encountered. Often these are now painted, sometimes with elaborate geometric patterns, and in recent years they, too, often have inscriptions giving the deceased's name, birth and death dates and sometimes information about his family and accomplishments in life. Some are crowned by crescents, others by crosses.

...The 1970s marked a distinct shift to monumental painted tombs which has continued to the present. The base of these is always a large masonry cube with a square panel on top, sometimes placed crosswise, sometimes diagonally. The square panel is almost always painted in bright colors on both sides.

...Square tombs occur both in greater numbers and in greater variety than any previous monumental type. No longer do monumental tombs celebrate only men. Women are also commemorated and children too. Young people who have died as a result of accident or illness are often commemorated. The paintings exhibit great variety and imagination. Bright colors are used. Men are identified not merely as farmers and hunters, but according to modern professions. The Pepsi-Cola logo decorates the tomb on the west side of the highway which passes by Lake Langanu of a soft-drink distributor who was killed in an accident with his truck. [fig. 13] In this same area an 8-year-old boy who was killed by a car when riding his new bicycle is buried in a tomb with an upright painting which shows him happily riding his machine. [fig. 14] Men in both Muslim and Christian burials are shown dressed in suit and tie as evidence of their professional status. [fig. 15]

On the whole Islamic symbolism and formulations are rare on monumental painted tombs. Tombs of Christians often include crosses in paintings. Some are topped by crosses. A cemetery on a hillside above the village of Bulbula in the Rift Valley is devoted almost entirely to Christian burials.

...Where the road begins to ascend a break in the escarpment to Kulumsa, we stopped to explore a large, well established old cemetery which I had visited several times in earlier years. I was eager for the students to see it. It has a variety of tombs, some of which appear very old, for they are constructed of crude stone blocks and have no inscriptions. [fig. 26] Others, painted, seem to represent a transitional stage in tomb ornamentation [fig. 23] and I found, as on previous visits, that a few new graves had been added. Stepping out among them I was shocked to see that all the crests, on the large older tombs had been broken off. Both the cattle-horn type and the three-pronged crests had been shattered into pieces. Most of the pieces had been left lying on top of the tombs. A local man who came up to talk told us that the damage had been done by local Muslims who regarded such symbolism as contrary to Islam. The conversation continued something like this:

<<Who gave them this idea?>>

<<They are told this in the mosque by people who want us to follow what they say is pure Islam.>>

<<Do the Muslims of the area approve of this?>>

<<Local people are divided on this>>

...As we drove on to Kulumsa, we discussed what we had just experienced and deplored the fact that Islamic fanatics were destroying traditional Oromo culture. We wondered -were such actions more widespread? We hoped not, but each of the following days we were going to see further evidence of the influence of fanatical Islamists on Oromo culture.

...Highlight of the day was the Muslim cemetery at Asasa, a town which has also grown greatly. ...Its most prominent tomb is an immense stone structure painted white, the burial site of Haji Sadik Gerju, known as Abu Buqra. [fig 27] It is surrounded by large numbers of

smaller tombs, some of relatives of Abu Buqra. Two of his sons we met there told us that their father had originally cooperated with the Italians during their occupation, but he subsequently broke with them, protected the Amharas in the region and was afterwards recognized by Haile Selassie as a leading balabat.

...They went on to tell us that Abu Buqra's impressive tomb was for a long time the scene of important gatherings and a place of pilgrimage, but people have recently been discouraged from coming to it by the local Muslim clergy:

<<Officials from the mosque in Asasa are enforcing sharia and insist that worship at tombs is against proper Islamic practice. They say that people should come to the mosque.>>

<<When did this begin?>>

<<Some time ago. There used to be a mosque here in the cemetery, but it was destroyed by the Derg after two of our brothers were arrested and imprisoned. People remember this with bitterness and have no sympathy for the Derg.>>

<<Do local people still come to the tomb?>>

<<Members of the family still come together here on special days and sometimes others come too, but we can't have people come the way they used to -the people from the mosque would cause trouble.>>

By this time a considerable group of people had gathered, listening to the conversation. We could see that these people were distressed but at a loss over what to do about the influence of the clerics at the mosque. We walked among the other tombs scattered among the cactus. They were all of the old-fashioned traditional type without paintings or inscriptions but many with geometric designs (Henze, P. 2005, 'Arsi Oromo Tomb Art: its Evolution and Current Status', *Annales d'Ethiopie*, vol.21, pp. 177-192 – Attachment 15).

The *iddr* (burial society) of the Oromo

Burial is a community based ritual for both the Oromo and the Amhara, Ethiopia's two major ethnic groups. Burial societies known as *idirs* (also: *idders*, *iddirs*, *idrs*, etc) are reportedly maintained by groups of households within Oromo and Amhara communities across Ethiopia. US Aid and its partner NGOs chose to work with Ethiopia's idir organisations in order to implement a Family Health International/Implementing HIV/AIDS Prevention and Care Project "because these strong, indigenous community and social organizations are present in all communities and have the traditional function of providing burial and bereavement support" (FHI/IMPACT Ethiopia Final Evaluation Report 2006, US Aid website, 30 May http://pdf.usaid.gov/pdf_docs/PDACH656.pdf – Accessed 29 July 2009 – Attachment 17; for the common use of the iddir by both the Oromo and Amhara ethnic groups, see: Nicolas, A. 2007, 'Founded in Memory of the 'Good Old Times': The Clan Assembly of Hiddii, in Eastern Shewa, Ethiopia', *Journal of Eastern African Studies*, vol.1: no.3, p.491 – Attachment 16).

A November 2007 study by Anthropologist Andrea Nicolas provides a brief overview of the "the organisational structure of a form of burial association called iddir which is common in the area among both Oromo and Amhara ethnic groups". According to Nicolas: "the iddir is sometimes described by local people as originating among the Amhara, it may actually be of urban Gurage origin". The extract follows:

An iddir is a voluntary association of household heads within a given neighbourhood or settlement. Its aim is to provide support to members of the community in the case of loss of human life; thus the iddir organises the burial and pays the bereaved a certain amount of money, drawn from the monthly fees paid by members. It is organised through written accounts, and has a fixed order of members in the register, a committee with specialised duties, and monthly open-air meetings which are held in the settlement's public space. The meetings are nourished by members' rotational contributions of local beer, bread and roasted grain. In the case of the death of a member or one of his close relatives, all members of the iddir are obliged to attend the funeral (Nicolas, A. 2007, Founded in Memory of the 'Good Old Times': The Clan Assembly of Hiddii, in Eastern Shewa, Ethiopia', *Journal of Eastern African Studies*, vol.1: no.3, p.491 – Attachment 16).

A report sourced from the Agri Service Ethiopia website provides extensive background on the typical function, membership and structure of the idir burial society, and also notes how this typology can vary from one idir to another. The information presented in the report was derived from a series of focus group discussions with representatives from various Ethiopian community organisations. According to this report: the “membership size of Idir ranged 15-60”; and: the idir’s “major objective is to mobilize financial, material and labor resources for funeral ceremonies”. Extracts follow:

Idir

Most participants in the focus group discussion agreed that the origin of Idir dates back to the Royal regime that fell in 1974 and expanded during the Derg socialist regime. The reasons for its expansion were attributed to the need for mutual support to overcome the social and economic problems of that arisen in the community during that time.

Types of Idirs

In the study area three types of Idir were identified. These include: Men Idir, Women Idir and Youth Idir. Men Idir, unlike its name, consists of both women and men as a member. But a woman can be a member if she is widowed or divorced. Though women are members of this type of Idir, their number is less. Women Idir consists of only women. In women Idir men serve as secretary due to lack of literate women members. Youth Idir consists of the youngest and heads of newly established households. In Youth Idir both men and women can be members. But in practice it is rare for women.

Function

Irrespective of its type, Idir is organized commonly to finance funeral ceremonies and mourning (Table 1). Its major objective is to mobilize financial, material and labor resources for funeral ceremonies. It also provides credit and facilitates mutual cooperation during hard time such as labor shortage, sickness, and damage on property. Thus, Idir has both economic and social functions.

Table 1. Function of Idir in the Bereh-Aleltu area

Function	Respondents	
Frequency	%	
Financial, labor and material support during funeral ceremony	14	40
Condolence	14	40

Other (provision of credit, mutual cooperation, etc)	7	20
Total	35*	100

Membership

Participants in the focus group discussion reported that membership size of Idir ranged 15-60. But the size could be more depending on the size of the population that resides in a given locality. The age limit for membership in Idir was usually 18 years and above.

The contribution for membership could be in kind, cash or both. Monthly contribution in terms of cash varied from one Idir to the other and the range was 0.5-2 Birr/person. Members of Idir also contributed in kind, 10-18 kg grain/person/year.

The criteria for membership were neighborhood, ability to pay, personal behavior, recognizing by-laws, being free of any criminal acts and others such as being free from alcoholic addiction and nagging behaviors.

Idir embraced members with different socio-economic background in a community. There was no discrimination on the basis of religion, ethnic affiliation and wealth status. This could promote high group interaction and cohesion within a community, which in turn help would mobilize the community towards achieving common goals. Moreover, some of the criteria in Idir, for instance personal behavior and being free of criminal acts, could serve as a social control mechanism to avoid misbehavior of members in a community.

Legal Status and Organizational Structure

The results of both focus group discussion and key informants interview showed that all Idirs in the study area had no legal status. This finding agrees with previous findings (Dejene 2001). Lack legal status means that Idirs could not use government and non-government institutions like bank and could not enter into formal agreement with other institutions. However, Idir has its own established organizational structure, which consists of general assembly, executive and control committees (Figure 1).

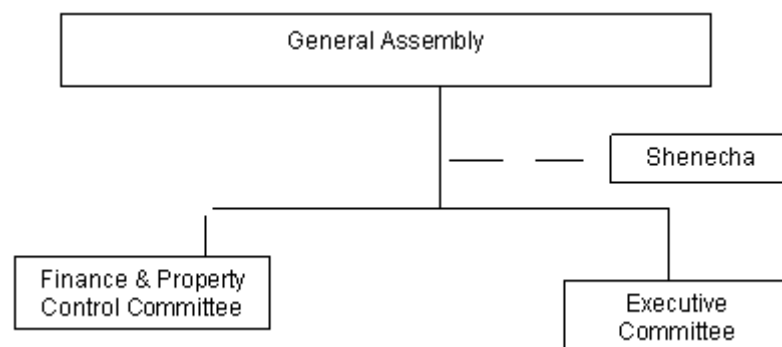


Figure-1 Organizational structure of Idir

The General Assembly is the collection of all members and is the major decision making body (Table 2). It has the power to accept or reject the decision of the Executive and Finance Property Control Committees. It also can dismiss leaders and replace them by new ones without waiting to the terms of services.

The Executive Committee in most cases consists of four members: Dagna (chairperson), Mussie (Secretary), Gimjabete (Treasurer) and Gobez Dagna (Member). It performs administrative matters such as coordinating activities, keeping documents, and handling finance and assets and makes decision on these issues. It is accountable to the general assembly frequently.

Table 2. Decision making authority of Idir

Authority	Respondents	
Frequency	%	
General assembly	12	85.7
Leaders of Idir	1	7.2
Shenecha	1	7.2
Total	14	100

The Control Committee is also accountable to the General Assembly and has three members. Its functions are to control, audit and present reports to the general assembly.

There is also independent council of elders locally known as Shenecha, which consists of five known and knowledgeable persons nominated by the General Assembly to resolve conflicts traditionally. It mainly has a judiciary role and investigates issues/cases that are referred to it by the Executive Committee.

Therefore, the existence of established structure with different organs, which have their own duties and responsibilities, shows that Idir can plan, manage, implement, monitor and evaluate its activities to achieve the institutional goals.

Leadership and Authority

Leadership quality, honesty and good conduct are the major criteria to assume leadership position in Idir. Idirs leaders serve for one or two years, and in others IAS they serve for their lifetime unless they violate rules and regulations. In Idir leaders are expected to serve without remuneration, i.e., they offer voluntary service.

Asked about equal treatment of members by Idir leaders, 93% of the respondents said that Idir leaders treat members on equal basis.

Both men and woman can assume leadership position in Idirs. But very limited numbers of women participate in the leadership position, especially in men Idirs. According to the respondents the community members believe that women are incapable of making decision.

The community members also assume that the role to manage household chores is mainly associated with women. As a result, women are responsible to take care of household affairs. There is also a belief that women do not dear to assume leadership position because of lack of experience and support from male counterparts.

In the study area, most of the local people are members of more than one Idir. This is to get more financial support during hard time. Respondents reported that Idir members are the first arrivals during bad time to help other members. Thus Idir members consider each other as members of one.

Moreover, all the respondents reported that Idir is accepted by all members of the community: Respondents identified some of the reasons why Idir is accepted by the members and the community at large due to the transparency, accountability and responsiveness of the leadership. Every thing is discussed in General Assembly, leaders are elected, dismissed and replaced by full participation of members, and women can assume leadership position.

Overall, election of leaders and decision-making process is participatory. Leaders are elected by the general assembly based on pre-set criteria by the participation of all members. Although, both men and women are treated by leaders on equal basis, women's participation in leadership is relatively low due to cultural factors on the one hand and capacity constraints of women on the other.

Rules and Regulations

There are operational rules and regulations, which are included in by-laws. Almost all Idirs have written by-laws, which entails the rights and obligations of members and types and amounts of contribution.

According to the rules and regulations of Idir, every member should pay monthly/annual contribution. In Idirs monthly meetings are held to discuss issues. The physical presence of members is required in meetings as well as during funeral ceremony (mourning), and failure to do so results in serious penalty.

Benefits and endowment for members are also managed according to the by-laws, and thus there is no discrimination among members. If members and leaders of Idir break rules and regulations, they are penalized according to the by-laws. The penalty is more serious for leaders because they are expected to respect and enforce rules and regulations more seriously than ordinary members.

Duties and responsibilities are also stipulated in bylaws. For instance women's responsibility in Idir is to perform domestic activities such as preparing food, fetching water, grinding, etc. for the funeral ceremony.

In addition to their leadership roles, leaders of Idir are responsible to transfer information to members either by assigning contact person or by themselves.

Therefore, one of the strength of Idir was the presence of established operational rules and regulations to regulate the duties and responsibilities of members, exchange information among members and mobilize resources.

Financial and Property Management

The main sources of income for Idirs were monthly/annual contribution, sale of small animals like sheep and registration fee, respectively (Table 3). Fine paid by those who fail to respect rules add regulations was also another source of income.

According to the respondents, the major expenditure of all Idirs in the study area was financing funeral ceremonies. As shown in Table 4, the financial status was limited and declining. Key informants attributed the reason for this to the prevalence of high death rate among children and youngsters due to various diseases including HIV/AIDS epidemics. The finding agrees with results of studies done in other places, which identified the prevalence of high death rate of people to be the major threat to the financial status of Idirs (Dejene 2001).

As stated above, the Financial and Property Control Committee was responsible to ensure proper utilization of finance and other assets. The treasurer was responsible to handle financial documents such as cash register books, receipts, and other documents. Income and expenditure was audited by an ad hoc. Auditing Committee, which would make annual/bi-annual auditing and report to the General Assembly.

Table 3. Sources of Income for Idir

Source	Respondents	
	Frequency	%
Monthly contribution	14	58
Registration fee	3	13
Sheep rearing	5	21
Other (penalty)	2	8
Total	24	100

Table 4. Financial status of Idirs around Bereh-Aleltu

Status	Respondents	
	Frequency	%
Low/limited capital	7	44
Increasing	0	0
Decreasing	8	50
Fluctuating	1	6
Total	16	100

Idirs possessed assets such as benches, tents and household utensils, etc., which would also be regularly audited and controlled by the Auditing Committee.

Asked about the misuse of financial resources, 13 (92.8%) of the key informants stated that thus far there was no embezzlement report in their Idirs. Out of the 14 informants, only 1 (7.2%) did not respond to this question.

Thus, as discussed above, Idir had established financial and property management system. But the system is more of traditional one.

Participation in Development

According to the result of focus group discussion, most Idirs are used to mobilize members for public work such as spring development, sanitation, construction of crossings, road construction and maintenance by mobilizing members. Some Idirs are also engaged in other income generating activities like sheep rearing and ox-fattening.

Asked about the previous participation of Idir in development activity, 8 (75%) out of the 14 key informants reported that Idirs had experience in development activities while 5 (35%) reported otherwise.

Moreover, the key informants were asked to give their recommendation about Idir as vector for development and their opinion about what will be the benefit to members, if Idir is involved in development activities. Out of the 14 key informants 8 (57%) suggested Idir as development vector while 1 (7.2%) responded otherwise and 5 (35.9) did not make any suggestion. The anticipated benefits by the key informants if Idir is involved in development are indicated in Table 5.

Table 5. Benefits to members, if Idir was to involve in development activities

Benefit	Respondents	
	Frequency	%
Increase in income	5	29
Access to credit, input and information	6	35
Expressing problems	2	12
No response	4	24
Total	17*	100

Three benefits were anticipated by respondents if Idir was to involve in development activities. Access to credit, input development activities. Access to credit, input and information had the highest response (35%).

In general, from the discussion made so far, the opinion of both key informants and participants of focus group discussion showed that Idir, as an institution, could perform development activities in addition to its original functions (Tafa, A., Alehegne, A., Abasimel, A. & Legessee, S. (undated), 'Potentials of Indigenous Associations as Vector for Development in Bereh-Aleltu Area', Agri Service Ethiopia website <http://www.agriserviceethiopia.org/aklilf.htm> – Accessed 29 July 2009 – Attachment 18).

In January 2004 the Internal Displacement Monitoring Centre (IDMC) produced a background note on traditional Ethiopian social structure. According to the IDMC individuals living in Ethiopian tribal society are typically governed by “a strictly hierarchical understanding of a vertically stratified society”; and: “In some Ethiopian communities, as for instance among Borana Oromo, particular age groups have traditionally defined roles in society in relation to administration, protection, and arbitration”. It is also related that: “In particular, religious leaders, Christians, Muslims and traditional believers, have power to define appropriate social behaviour and conduct”. The report notes of the “Muslim communities of the lowlands, and highland pockets, [that] the Imams and other religious leaders also wield strong influence over appropriate social behaviour”. The background note follows:

Traditions of hierarchy and community. “Abyssinian” (i.e. highland Amhara/Tigrayan) political culture emphasizes a strictly hierarchical understanding of a vertically stratified society, where each member’s socio-political position and status is clearly defined and respected. Social and political interaction and behaviour are guided by an elaborate set of norms and rules, which establish socio-political order on the basis of a rigid collective system of deference and sanction. This is not to say that all Ethiopian cultures accord with highland norms. However, since control of the Ethiopian state has historically been associated with the Amhara/Tigrayan socio-political tradition, it provides the context for the formation of the dominant trends in the political culture of contemporary Ethiopia.

Customary leaders, family relations, and community organization. Indigenous processes of socialization commonly teach that people are not equal, and assign different roles and differential status to individuals on the basis of class, ethnicity, gender, age and property. This provides cultural validation for an unequal distribution of power and resources that is entrenched and resistant to change. The character of the Amhara household as “less a family unit than ... a vertically ordered set of status-roles”, means that it continually reaffirms patterns in which men are superior to women, and elders to younger. Moreover, religious or political office gives added authority, whereas members of certain despised groups (craftsmen, potters, tanners, hunters) will always be classified as inferior. As a result, male household heads mediate family affairs, and representatives of the state at each level mediate public affairs, with little likelihood of challenge from their subordinates or plain citizens, in either case. Male power-holders, including religious leaders, define the norms of social conduct that limit the social space of women. In particular, religious leaders, Christians, Muslims and traditional believers, have power to define appropriate social behaviour and conduct, a capacity that, for instance, severely limits the social space of women in Ethiopia. In every village of Orthodox Christian Ethiopia, the highland areas of Amhara and Tigray in particular, several priests and deacons ensure that the norms and rules of the church are followed, a set of precepts that, inter alia, puts restrictions on when farmers can work in their fields (in order to uphold the prohibition of physical labour on saints days), and confines women to narrowly defined gender roles. In the Muslim communities of the lowlands, and highland pockets, the Imams and other religious leaders also wield strong influence over appropriate social behaviour. Afar and Somali communities, in particular, have strong and elaborate customary codes, which work in parallel with sharia and state law.

All across Ethiopia, elder age is accorded a high socio-political value in the local community. Shimagile (elder) councils are frequently used to settle local disputes (over land or grazing rights, for instance) by formal and informal means, and it is male elders who are first heard in community meetings. In some Ethiopian communities, as for instance among Borana Oromo, particular age groups have traditionally defined roles in society in relation to administration, protection, and arbitration. Although the institution of elders can play a positive role in mediating power relations at the local level, elders are not in themselves representative of the local community as a whole. Not all elders achieve the status of respected shimagile: women are excluded, as are also elders from despised occupational minorities. The associational life of peasant communities is focused on the accomplishment of practical tasks. Several common types of local association offer forms of mutual socio-economic support to members, particularly at times of stress or expense, such as weddings or funerals: the almost ubiquitous *senbete*, a Christian religious association to take care of church affairs; *idir*, which is a burial network for mutual support in relation to deaths and funerals; *equub*, a credit and savings collective; and *mahaber*, which binds together smaller groups of villagers to celebrate a common guardian saint, but which also serves as a socio-economic welfare network. The leadership of these organizations is selected by and among the villagers themselves, normally bringing existing peer groups together for practical purposes. As such they tend to be instruments less of social transformation than of reconstitution of the – often iniquitous – status quo.

Perceptions of competition, pluralism, and “democracy”. Whatever the formal progress towards democratization, a system of social classification along the lines described continues to be widely reproduced, imbuing new generations with cultural notions that individuals are rightly ranked according to a set of criteria which invest some people with greater worth than others – both in social and political terms – and determine, moreover, that one should always be subservient to any individual regarded as superior. This sustains a hierarchical stratification of society, where one is constrained by a system of collective sanctions to obey the orders from above, be they paternal instructions, or a demand from the kebele to attend a political meeting. In terms of the decentralization of access to decision-making, and control over material resources, this situation has profound implications. If relations are to be democratized and transformed, these transformations must take place at every level and in every sphere of social relations and expectations. Similarly, the corollary of this position is that there is a powerful weight of inertia in the pre-existing social and cultural arrangements, which counteracts the attempts of any force (be it ruling or opposition party, or civil society group) committed to their reform. The fundamental dynamics of socio-political development in Ethiopia do not naturally favour democratization, but the perpetuation of hierarchy and authoritarianism at every level of interaction. Many of Ethiopia’s rural citizens do not imagine that they should debate and select from alternative means of asserting control over their own lives. Nor do they consider it appropriate that their peers should do so, let alone those they regard as inferior. Rather, the major source of the political agenda remains the central government. In this kind of socio-political context, there is little realistic alternative to the communication of political programmes from the top down, and from centre to periphery, whatever the aspirations or protestations to the contrary of those responsible for their promulgation (‘Traditional Ethiopian social structure is hierarchical’ 2004, Internal Displacement Monitoring Centre website, January [http://www.internal-displacement.org/idmc/website/countries.nsf/\(httpEnvelopes\)/D82607FA02946F60C125714D00404115?OpenDocument](http://www.internal-displacement.org/idmc/website/countries.nsf/(httpEnvelopes)/D82607FA02946F60C125714D00404115?OpenDocument) – Accessed 29 July 2009 – Attachment 19).

3. What information is available with regard to the question of whether supporters of the Oromo Liberation Front were disappearing, or being murdered, during the period 1993/4?

On 1 January 1994 Amnesty International’s *Amnesty International Report 1994* reported of the situation in Ethiopia in 1993 that: “Several thousand suspected government opponents were detained without charge or trial”; while: “over 20,000 other suspected government opponents arrested in 1991 and 1992, and over 1,000 former government officials, were released”. Amnesty International reports that Oromo Liberation Front (OLF) supporters were prominent amongst those arrested during this period relating that: “At least 2,000 members of the Oromo ethnic group were detained for suspected links with the OLF”; and that: “Torture and ill-treatment, particularly of Oromo political detainees, were reported from secret detention centres in many areas, including Addis Ababa”. Reports of the disappearance and extrajudicial execution of suspected OLF supporters are also noted. Extracts follow:

Several thousand suspected government opponents were detained without charge or trial, including prisoners of conscience: some were reported to have been tortured or to have “disappeared”. Over 2,000 others who had been detained in 1991 or 1992 continued to be held without charge or trial: they included both suspected government opponents and officials of the former government suspected of human rights violations. However, over 20,000 other suspected government opponents arrested in 1991 and 1992, and over 1,000 former government officials, were released. Some government opponents were reportedly killed in circumstances suggesting that they had been the victims of extrajudicial executions.

The Transitional Government, headed by President Meles Zenawi, extended its rule for a further six months up to early 1994, beyond the two-year transitional period which followed the overthrow of former President Mengistu Haile-Mariam's government in May 1991. Eritrea, formerly part of Ethiopia, proceeded to full independence after a UN-supervised referendum in April (see Eritrea entry). A commission started work on a new Constitution. There was fighting in some Oromo-populated areas between government forces and the Oromo Liberation Front (OLF), which had left the government in June 1992. There were also intercommunal conflicts and violent incidents between government soldiers and alleged opponents in other areas.

In June Ethiopia acceded to the International Covenant on Civil and Political Rights (but not its Optional Protocols) and the International Covenant on Economic, Social and Cultural Rights.

Government opponents with a wide range of political affiliations were arrested. Although over 70 political groups, mostly ethnic-based, were either represented in the Council of Representatives (the interim parliament) or allowed to operate openly, critics of the government were often interrogated by the police, or detained. Many suspected supporters of the OLF and other opposition political groups, including some based abroad, were arrested.

Nearly all those arrested for political reasons were detained without charge or trial. Some were taken to court and remanded virtually indefinitely for investigation into alleged criminal offences. Others were provisionally released after periods of up to several months, but many of these detentions appeared to be illegal.

...At least 2,000 members of the Oromo ethnic group were detained for suspected links with the OLF. They included farmers in Bale region in the south and Hararghe in the east, teachers in Ambo and Dembi Dollo, and businessmen in Addis Ababa. In October, all 15 staff of the Oromo Relief Association office in Dire Dawa were arrested – most were released after a few days but two were still detained at the end of the year.

In many cases, it seemed that Oromo prisoners were arrested solely because they were known to have supported the OLF when it was a legal political organization between May 1991 and June 1992, and had not been involved in subsequent armed opposition. They were all detained without charge or court order; many of them were held in large so-called "re-education" centres for OLF members in Dedessa, Hurso and Agarfa.

...Large numbers of political detainees arrested in the previous two years were released. In February and March over 20,000 suspected members of the OLF, including members of militias and civilians, among them children, who had been detained in the months following the OLF's move to armed opposition in June 1992, were released uncharged. In addition, some 1,100 officials of the former government, armed forces and the former ruling Workers Party of Ethiopia (WPE) were provisionally released as a result of habeas corpus applications or on the orders of the Special Prosecutor's Office which had been set up in 1992 to investigate crimes by officials of the former government. Nine hundred armed forces officers captured in Eritrea by the Eritrean People's Liberation Front (EPLF) in May 1991, and handed over to the Ethiopian government in August 1992, were also released.

...Torture and ill-treatment, particularly of Oromo political detainees, were reported from secret detention centres in many areas, including Addis Ababa. Details were difficult to obtain: victims were reportedly threatened with reprisals if they spoke about their imprisonment. Torture methods included tying the victims' arms together tightly behind their backs with plastic strips, depriving them of food, death threats and mock executions. Torture, including rape of women, was said to be frequently used to punish or deter suspected OLF

sympathizers in rural areas where OLF forces were operating, such as Wollega region in the west and Hararghe in the east.

Scores of government opponents, particularly suspected OLF members, “disappeared” after being arrested. They were believed to be held in secret security detention centres where torture was reported. Wakuma Soboka, a bank security guard in Addis Ababa, “disappeared” in May after being arrested by police. There was no news either of Yosef Ayele Bati, a teacher and OLF supporter previously tortured and detained for nine years under the Mengistu government, who “disappeared” after being arrested in Addis Ababa in November 1992.

Killings of civilians by the security forces which appeared to be extrajudicial executions were reported on several occasions. In January the security forces fired on a peaceful demonstration by students from Addis Ababa University, killing one student. A public inquiry was established, headed by the President of the Supreme Court, but its report had not been made public by the end of the year. Many civilians in Hararghe region suspected of supporting the OLF were reportedly killed by security forces in the second half of 1993. In September the police shot dead 13 people in Gondar during a demonstration against an attempt by the security forces to arrest a dissident Ethiopian Orthodox Church preacher who had criticized the government in a church sermon. The authorities said the shootings were in response to violent opposition but refused to establish an independent inquiry (Amnesty International 1994, *Amnesty International Report 1994 – Ethiopia*, 1 January <http://www.unhcr.org/refworld/country,,AMNESTY,,ETH,,3ae6a9f512,0.html> – Accessed 29 July 2009 – Attachment 28).

On 1 January 1995 Amnesty International’s *Amnesty International Report 1995* reported that the arrest and mistreatment of ethnic Oromo suspected of supporting the OLF had continued through 1994. Extracts follow:

Several thousand suspected government opponents were detained during 1994. Many, including several journalists and opposition party activists tried and imprisoned for political offences, were prisoners of conscience. Over 5,000 alleged opponents of the Transitional Government detained without charge since 1992 were released. Trials on charges of genocide and crimes against humanity began in December against officials of the previous government. There were widespread allegations of torture. Scores of “disappearances” and extrajudicial executions of government opponents were reported. Two people were sentenced to death but there were no executions.

The Transitional Government headed by President Meles Zenawi, leader of the Ethiopian People’s Revolutionary Democratic Front (EPRDF), extended its two-and-a-half-year term pending future general elections. A Constituent Assembly was elected to establish a new Constitution, which it ratified in December. Fighting continued in Oromo-populated areas between government forces and the Oromo Liberation Front (OLF), and violent incidents occurred in other regions.

...There were widespread arrests of suspected OLF supporters in conflict zones as well as in Addis Ababa and other towns with large Oromo populations. Most were detained illegally and incommunicado without being brought to court and charged, and many seemed to be prisoners of conscience. In September, 40 people were detained in the town of Ambo, after attending the funeral of Derara Kefana, an Oromo businessman shot dead by soldiers near his home. Over a dozen of them were still held without charge or trial at the end of 1994.

Some 5,000 suspected OLF members detained in 1992 and 1993 were released in early 1994. The government said that the others remaining in detention would be brought to court, charged and tried, and that Hurso and Dedessa special military camps for “OLF detainees” would be closed. At the end of 1994 around 300, who had been moved to Ziwai prison, were still awaiting trial.

Several hundred long-term political prisoners remained in detention throughout 1994, most of them without charge. They included many alleged OLF members, four members of the Ethiopian People’s Revolutionary Party (EPRP) abducted from Sudan in 1992, and members of the SLM and ONLF (see Amnesty International Report 1994). The trial of Colonel Daniel Tessema and five others charged in 1993 with plotting a coup did not start during the year.

...Torture of suspected government opponents, particularly OLF suspects, was frequently reported. Torture survivors reported having their arms tied tightly behind their backs with plastic ties; beatings with sticks and guns; whippings with electric cable; mock executions and death threats; and rape. Torture took place in secret security prisons and army camps, particularly in areas near anti-government fighting.

Oromo demonstrators arrested in Addis Ababa in December 1993 and those arrested at Asrat Woldeyes’ trial in September were beaten by soldiers. They were detained incommunicado in Sendafa Police College near Addis Ababa, had their hair roughly shaved without soap or water, were made to do rigorous physical exercises, and were given little food or medical treatment (Amnesty International 1995, *Amnesty International Report 1995 – Ethiopia*, 1 January <http://www.unhcr.org/refworld/publisher,AMNESTY,ANNUALREPORT,ETH,3ae6a9fc8,0.html> – Accessed 29 July 2009 – Attachment 29).

Access to coverage of the treatment of OLF supporters in Ethiopia for the years 1993 to 1994 is limited. Examples of the available reportage follow below:

- On 2 March 1993 *Reuters* reported on the announcement of the state-run *Ethiopian News Agency* that the Ethiopian government had “freed 17,000 prisoners” who had been captured while fighting with the OLF. As historical background to this news *Reuters* related that the OLF had been the “junior party in a two-year transitional government dominated by” the Ethiopian People’s Revolutionary Democratic Front (EPRDF) which overthrew “overthrew Marxist dictator Haile Mengistu Mariam in May 1991”. The OLF had “quit the government” in June 1992 “alleging human rights abuses” after which clashes followed between “OLF fighters” and “EPDRF forces, mandated by the interim assembly to act as a national army until” July 1993 (‘Ethiopia releases 17,000 Oromo prisoners’ 1993, *Reuters*, 2 March – Attachment 22; see also: ‘Release of OLF members and ministers in Mengistu regime’ 1993, *BBC Monitoring Service: Africa*, 1 March – Attachment 26).
- On 3 May 1993 *The San Francisco Chronicle* reported on the ongoing struggle in Ethiopia between the OLF and the Meles Zenawi led EPRDF government, relating that “the Oromo tribe in the east of the country – which makes up 40 percent of Ethiopia’s population – continues to apply military pressure in its drive for greater representation in the government”. Sourcing information from Ben Parker, of the UN Emergency Prevention and Preparedness Group, *The San Francisco Chronicle* reported that: “stepped up its attacks around the town of Dire Dawa, robbing travelers and frequently disrupting the vital rail line that links Addis Ababa to the port of Djibouti”; and that: “Nearly every Oromo village is patrolled by government troops who, like Zenawi, belong to the Tigrean ethnic group” (Suther, D. 1993, ‘A Jubilant

Victory / What Eritrean Secession Will Mean for Ethiopia', *San Francisco Chronicle*, 3 May – Attachment 27).

- On 24 December 1993 *Agence France-Presse* reported on the announcement of the state-run *Ethiopian News Agency* that OLF “opposition leader Lencho Leta was arrested overnight when he arrived back in the Ethiopian capital from exile in Canada”. *Agence France-Presse* described “Ibssa is a leading figure in the OLF which the authorities accuse of ‘crimes’ following clashes with government forces that threatened to bring civil war back to Ethiopia” (‘OLF leader arrested on return to Ethiopia’ 1993, *Agence France-Presse*, 24 December – Attachment 23).
- On 5 January 1994 *Reuters* reported that the Ethiopian government had freed “Lencho Leta, former deputy secretary-general of the Oromo Liberation Front (OLF), and OLF official Ibsa Gutema” after the two had submitted letters to the government in which “they renounced violence and pledged to resolve disputes with the government through negotiation, state-run television said” (Tadesse, T. 1994, ‘Ethiopia frees dissidents who renounce violence’, *Reuters*, 5 January – Attachment 24).
- On 10 November 1994 Kenya’s *KTN TV* reported that the Ethiopian government had announced that “security [had] been beefed up at the Kenyan-Ethiopian border after fighting between Ethiopian security forces and Oromo Liberation Front rebels spilled into the Kenyan territory” (‘Fighting between Ethiopian forces and Oromo rebels spills into Kenya’ 1994, *BBC Monitoring Service: Africa*, source: *KTN TV*, Nairobi (10 November 1994) 12 November – Attachment 25).

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