



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

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## PRESS RELEASE-COMMUNIQUE DE PRESSE

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### **ETHIOPIA: ICJ calls for immediate and unconditional release of Lawyer Behane Mogese**

The International Commission of Jurists (ICJ) today expressed concern at the continuing detention of lawyer Behane Mogese and called for his immediate and unconditional release. Behane, a member of the Ethiopian Bar Association, is acting as a defence lawyer for senior opposition leaders from the Coalition for Unity and Democracy Party (CUD) who are charged with "treason and genocide".

"The UN Basic Principles on the Role of Lawyers state very clearly that lawyers are not to be identified with their clients or their clients' causes as a result of discharging their defence duties," said Federico Andreu-Guzman, Deputy Secretary General of the International Commission of Jurists.

Lawyer Behane was arrested at his home on 19 February 2006 by security forces. He appeared in court on 6 March 2006, when he was remanded in custody for 14 days without charge "per the government's request". On 21 March 2006 he was again produced before the Court and remanded in custody for a further ten days as the investigating officers claimed that they had not completed their investigations.

"It is essential that every person arrested be told the reason for arrest when it occurs. The person must then be informed promptly of any charges," said Mr Andreu-Guzman. The arrest and ongoing detention of lawyer Behane, for over a month without charge, with no specific reason given and merely at the request of the Government and police, constitutes a violation of Ethiopia's international obligations to respect and ensure the right to liberty as contained in the International Covenant of Civil and Political Rights (Article 9) and the African Charter on Human and Peoples' Rights (Article 6).

The ICJ calls on the Ethiopian authorities to release lawyer Behane immediately and to ensure that all lawyers are able to perform their professional functions without any intimidation, hindrance, harassment or improper interference as stipulated by the UN Basic Principles on the Role of Lawyers (principle 16).

#### **Background**

In November 2005, 129 members of the CUD party were arrested and charged with high treason, "outrages against the Constitution", inciting and organizing armed uprising and endangering the integrity of the state. The majority of the detained persons were also charged with genocide. The trial was adjourned to 22 March 2006. Among those arrested and charged are five lawyers: **Yacob Hailemariam**, former lead prosecutor at the International Criminal Tribunal for Rwanda, former UN special envoy in 2003 on the Nigeria-Cameroon border dispute and Member of Parliament for the CUD; **Birtukan Mideksa**, former judge and vice-president of the CUD; **Anteneh Muluget**, former judge and CUD candidate elected to Addis Ababa City Council; **Daniel Bekelle**, a lawyer who

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works as Action Aid Ethiopia police director and Coordinator of Global Call to Action on Poverty (GCAP) in Ethiopia; and **Netsanet Demissie**, former judge and chair of the Organization for Social Justice in Ethiopia and Coordinator of Global Call for Action on Poverty (GCAP) in Ethiopia.

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