

PUBLIC

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UA 2/09 Arbitrary Detention/Torture or other ill-treatment

ETHIOPIA Birtukan Mideksa (f), age 34, leader of opposition Unity for Democracy and Justice Party

Opposition party leader Birtukan Mideksa was arrested on 28 December and has been held without charge since then, in solitary confinement. She has been on a hunger strike, drinking liquids only, in protest at her detention. Her immediate family have been allowed to visit her, but she has had no access to legal representation or medical treatment. She is held in Kaliti Prison outside Addis Ababa, in a cell measuring 2m square, which according to former inmates of the prison is often unbearably hot. Due to her isolation, she is considered at risk of torture and other ill-treatment. Amnesty International considers her a prisoner of conscience, arrested solely for the peaceful exercise of her right to freedom of expression and association.

Birtukan Mideksa is the leader of the Unity for Democracy and Justice (UDJ) party, one of several parties that split off from the former Coalition for Unity and Democracy (CUD). CUD members won seats in parliament as well as other electoral positions in May 2005. However, the results of the election, in which the ruling party retained control, were disputed. Election monitors reported vote-rigging and the CUD reported harassment and intimidation of its members. Protesters demonstrating against the results were fired on by government forces and at least 187 people were killed. Thousands were then arrested, including scores of opposition parliamentarians, opposition party leaders, journalists and human rights defenders. Birtukan Mideksa was among those arrested and adopted by Amnesty International as a prisoner of conscience. In 2006 she was charged with treason, alongside other CUD leaders, parliamentarians, journalists and human rights defenders, tried and sentenced to life imprisonment. The majority of those found guilty were released after they negotiated an agreement with the government, signed letters of apology, and the government issued pardons in 2007. The exact terms of negotiations, led by local elders, and conditions of pardon remain unclear.

In November 2008, Birtukan Mideksa spoke at a public meeting in Sweden about the process leading to her release. Ethiopian government officials responded by accusing her of denying that she had asked for a pardon, and on 28 December she was rearrested. Shortly afterwards, the Ministry of Justice issued a statement revoking her pardon and reimposing her original life sentence.

BACKGROUND INFORMATION

The government of Ethiopia is dominated by the Ethiopian People's Revolutionary Democratic Party (EPRDF), led by Prime Minister Meles Zenawi. Adding to an increasingly repressive environment with diminishing space for human rights defenders, journalists and political opposition, the Ethiopian parliament passed the Charities and Societies Proclamation (known as the CSO law) on 6 January 2008, legalizing serious restrictions on the funding, operations and activities of Ethiopian and international NGOs that work for human rights in Ethiopia. Restrictions on press freedom and threats against the rights of former CUD detainees remain severe.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- calling on the authorities to release Birtukan Mideksa immediately and unconditionally, unless she is charged with a recognisable criminal offence;
- expressing concern that she is in solitary confinement and at risk of torture or other ill-treatment;

- expressing concern that she is a prisoner of conscience, detained solely for the peaceful exercise of her right to freedom of expression and association;
- urging the authorities to give her access to legal representation of her own choosing and any medical assistance she may require, particularly in the light of her hunger strike.

APPEALS TO:

Minister of Justice

Berhan Hailu

PO Box 1370

Addis Ababa, Ethiopia

Email: **justice@telecom.net.et**
 ministry-justice@telecom.net.et

Fax: **+251 11 5517775**
 +251 11 5520874

Salutation: **Dear Minister**

COPIES TO:

Ambassador Dr Kassa Gebreheywot
Chief Commissioner,
Ethiopian Human Rights Commission
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and to diplomatic representatives of Ethiopia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 February 2009.