

PUBLIC

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UA 328/07 Torture / incommunicado detention

ETHIOPIA **Mulatu Aberra (m), trader, aged 34**
Najima Jamal Ismail (f), aged 17
Najima Jamal Ismail's stepfather, a trader (name unconfirmed)

Mulatu Aberra, a trader of Oromo ethnic origin, has been held incommunicado at a federal police detention centre in Harar city in eastern Ethiopia since his arrest on 29 November. Also arrested at the same time were Najima Jamal Ismail and her step father. Najima Jamal Ismail is being held in a women's detention centre in Harar. Amnesty International has received reports that Mulatu Aberra and possibly the other two have been tortured. Mulatu Aberra and Najima Jamal Ismail were transferred to hospital in Harar on 10 December and were returned to prison on 11 December.

All three appeared together before a court in Harar on 6 December where police obtained permission to extend their detention for investigation into alleged involvement with the armed opposition group, the Oromo Liberation Front (OLF).

Mulatu Aberra has been detained on two previous occasions and accused of being a supporter of the OLF. In 1996 he was arrested, and was detained incommunicado in Harar without charge or trial. His family was not informed of his whereabouts until 1998, when he was charged with killing a person on behalf of the OLF. He was tried and acquitted in 2000. He was frequently tortured during this period of detention and as a result he now suffers from a hearing impairment and both of his arms are partially paralysed. He was arrested for a second time in late 2006 in the nearby town of Dire Dawa and accused again of links with the OLF, but was released without charge after five months. During this period of detention Mulatu Aberra was again tortured, and was seriously injured.

Amnesty International is not aware of any case in Ethiopia where a judge has ordered an investigation into allegations of torture

BACKGROUND INFORMATION

Thousands of members of the Oromo ethnic group have been detained, and many of them tortured, in recent years on suspicion of links with the OLF. The OLF has been fighting the Ethiopian government in eastern and western Oromia Region and other areas since 1992. Among detainees held on these grounds have been people who Amnesty International believed were prisoners of conscience who had not used or advocated violence.

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

- expressing concern at reports that Mulatu Aberra, and possibly also Najima Jamal Ismail and her stepfather, who were arrested with him on 29 November in Harar, have been tortured in incommunicado detention;
- calling on the authorities to allow all three detainees regular access to their families and legal representatives, and any medical treatment they may require;
- expressing concern that Najima Jamal Ismail is said to be under 18 years of age and calling for her to be treated as such under the juvenile justice system;
- calling for an immediate and independent inquiry into the allegations that the three have been tortured while in police custody and for the findings of the inquiry to be made public and for any police officer found responsible for torture to be brought to justice;

- pointing out that according to international fair trial standards, no statement made as a result of torture can be used as evidence in any court proceedings and judges are obliged to separately investigate or order an investigation into allegations of torture;
- calling on the authorities to release the three people if they are not to be charged with a recognizable criminal offence and given a prompt and fair trial.

APPEALS TO:

Prime Minister

His Excellency Meles Zenawi, Office of the Prime Minister, PO Box 1031, Addis Ababa, Ethiopia

Fax: +251 11 1552020

Salutation: Your Excellency

Minister of Justice

Mr Assefa Kesito, Ministry of Justice, PO Box 1370, Addis Ababa, Ethiopia

Fax: +251 11 5517775

+251 11 5520874

Email: ministry-justice@telecom.net.et

Salutation: Dear Minister

Federal Commissioner of Police

Mr Workneh Gebeyehu, Federal Police Commission, Ministry of Federal Affairs

PO Box 5068, Addis Ababa, Ethiopia

Salutation: Dear Commissioner

COPIES TO:

The official Ethiopian Human Rights Commission

Ambassador Dr Kassa Gebreheywot, Chief Commissioner, Ethiopian Human Rights Commission

PO Box 1165, Addis Ababa, Ethiopia

Fax: +251 11 618 0041

Email: hrc@ethionet.et

Salutation: Dear Chief Commissioner

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 22 January 2008.