



## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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### **Ethiopia: 25 Years of Human Rights Violations**

When the Ethiopian People's Revolutionary Democratic Front (EPRDF) took control of the capital, Addis Ababa on 28 May 1991, Amnesty International hailed the day as a "...break with the past" and an opportunity to put human rights protection at the top of the agenda for the future.<sup>1</sup>

However, as Ethiopians celebrate 25 years of EPRDF rule, they have suffered persistent and pervasive violations, in particular, of civil and political rights that has become a hallmark of the EPRDF government.

#### Use of legislation to stifle dissent

The EPRDF government has used legislation to stifle dissent since the early days after it came into power. More than 200 independent publications, including over 60 newspapers, were registered by the then Ministry of Information under the 1992 Press Law,<sup>2</sup> which criminalised defamation, and established a number of other crimes, for instance the "instigation of one nationality against another"<sup>3</sup>. These crimes attracted stiff penalties and up to three years imprisonment. By 1998, the application of the press law had significantly reduced the number of independent media publications in Ethiopia to less than 20.<sup>4</sup>

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<sup>1</sup> Amnesty International, *Ethiopia and Eritrea: The Human Rights Agenda*, [AFR 25/009/91](#), November 1991, p. 1.

<sup>2</sup> Amnesty International, *Ethiopia: Journalists in prison - press freedom under attack*, [AFR 25/10/98](#), April 1998, p. 3

<sup>3</sup> Transitional Government of Ethiopia, *Press Proclamation No. 34/1992*, Article 10.

<sup>4</sup> Amnesty International, *Ethiopia: Journalists in prison - press freedom under attack*, [AFR 25/10/98](#), April 1998,

Ethiopian civil society’s engagement with human rights is shackled by the Charities and Societies Proclamation 621/09, which violates Ethiopia’s Constitution and the country’s international human rights obligations and commitments. The law places funding and other restrictions on human rights organizations, and to violate it is a criminal offense. Since 2011, the law has been used to freeze assets of more than one million US dollars belonging to the country’s two leading human rights organizations: the Human Rights Council<sup>5</sup> and the Ethiopian Women Lawyers Association.

Amnesty International’s study on the impact of the Charities and Societies Proclamation found: “This law has also had a devastating impact on the staff of human rights organizations, the human rights defenders themselves. For many years human rights defenders have operated in a climate of fear in Ethiopia, subjected to regular harassment, arrest, detention and even violent attack. The underlying impact of the Charities and Societies Proclamation has been to entrench still further, and even to institutionalise, this fear pervading the work of human rights defenders”.<sup>6</sup> 25 years since the EPRDF took power, only one independent human rights monitoring organisation-the Human Rights Council -remains operational in the country.

The Anti-Terrorism Proclamation (ATP), which came into force in 2009, has also been used to silence political opposition and voices critical of government policy and practice. The Proclamation’s provisions defining ‘terrorist acts’, ‘moral support to terrorism and terrorist organizations’, and ‘search, seizure, detention and arrest’ are vulnerable to abuse especially in a country not well known for judicial integrity. The Government of Ethiopia denies that the law was aimed at political opposition parties or journalists. Yet, journalists, political opposition leaders and dissidents, have been arrested, and convicted for alleged involvement and links to the three domestic organizations that the government considers to be terrorist groups - the Ogaden National Liberation Front (ONLF), the Oromo Liberation Front (OLF), and Ginbot-7.

The ATP has been used against members and leaders of opposition political parties, journalists and human rights defenders since its enactment in 2009. Political opposition figures such as Andualem Arage, Nathaniel Mekonnen and Asaminew Berhanu (all senior officials of the Unity for Democracy and Justice Party), Zemene Molla, (General Secretary of the Ethiopian National Democratic Party), Olbana Lelise, and Andargachew Tsige are among political opposition leaders charged and convicted under the ATP. In 2014, Omot Agwa Okwoy, Ashinie Astin Titoyk, Jemal Oumar Hojele, land rights

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<sup>5</sup> Formerly, the Ethiopian Human Rights Council (EHRCO).

<sup>6</sup> Amnesty International, *Stifling human rights work: The impact of civil society legislation in Ethiopia*, [AFR/25/002/2012](#), March 2012, p. 30.

activists from Gambella Region, were arrested while travelling to Nairobi, Kenya, to attend a workshop on land rights and charged under the ATP.

Bekele Gerba (Deputy Chairman, Oromo Federalist Congress), Getachew Shiferaw (Editor-in-Chief of the online newspaper *Negere Ethiopia*), Yonathan Tesfaye (an online activist), Dejene Tafa and Fikadu Mirkana (Oromia Radio and TV) are among those who were arrested following the Oromo protests which started in November 2015.

On 22 April 2016, the public prosecutor charged Bekele Gerba and 21 other co-defendants, in *Federal Prosecutor Vs Gurmessa Ayano et al*, under the ATP. The defendants are accused of masterminding the latest Oromia protests. On April 26 2016, the court adjourned the hearing of the case until 11 May 2016 so that the defendants could submit their preliminary objections. However, prison administration officials did not bring the defendants to Lideta Federal High Court on 11 May 2016 for their court hearing. A lawyer representing some of the defendants in *Gurmessa Ayano et al* told Amnesty International that the prison administration officials declined to bring the defendants to court because they were dressed in black suits, in expression of their mourning for the people killed during the latest Oromia protests.

In addition to the trial of *Gurmessa Ayano et al*, the Federal Prosecutor has charged more than fifty people under the ATP in connection with the 2015/16 Oromia protests. Yonatan Tesfaye, former Spokesperson of the Blue (Semayawi) party, was arrested in December 2015 and held without charge until 4 May 2016. He was then charged with “incitement, planning, preparation, conspiracy and attempt” to commit a terrorist act in alleged pursuit of the Oromo Liberation Front (OLF)’s objectives. The charge failed, however, to specify evidence linking Yonatan Tesfaye with the OLF.<sup>7</sup>

The government also used the ATP to quash political opposition members and media outlets before the 2015 election. Abraha Desta of the Arena Tigray party, also a lecturer at Mekele University, Habtamu Ayalew and Daniel Shebeshi, both members of the Unity for Democracy and Justice (UDJ) party and Yeshewas Asefa of the Blue (Semayawi) Party were arrested on 8 July 2014. In April 2014, the government arrested six members of the Zone-9 bloggers and three journalists. The Prosecutor withdrew the charges against five of the bloggers and journalists in July 2015. The remaining four were acquitted by the Federal High Court in October 2015. The court however ruled that Befeqadu Hailu should be prosecuted for incitement to violence. Despite the release of the Zone-9 bloggers in July and October 2015, the government has filed an appeal against their acquittal.

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<sup>7</sup> Amnesty International, [Ethiopia: Release Opposition Politician Held for Facebook Posts](#), 6 May 2016.

### Freedom of expression

Journalists with dissenting views are often silenced, or face arbitrary arrest and detention, torture and other cruel, inhuman and degrading treatment. Since the EPRDF came into power, the government has arrested people for criticizing or opposing government policies and practice. In 1994, Professor Asrat Woldeyes, Chairperson of All Amhara People’s Organization (AAPO), Sileshi Mulatu, AAPO's Office Manager, Teshome Bimerew, an Addis Ababa University student, former army lieutenant Chane Alamrew and Ambelu Mekonnen, a farmer from Gojjam, were found guilty of incitement to violence and sentenced to two years imprisonment. At the time, Amnesty International raised concerns that their rights to fair trial had been violated. In the years following, Professor Asrat was arrested several times for his political activism, and was adopted by Amnesty International as a prisoner of conscience, incarcerated solely for his peaceful political opposition to the government.<sup>8</sup>

Amnesty International has documented numerous cases of journalists who have been arrested for criticizing government policies and actions since 1993. Several editors and journalists, have been arrested and questioned by the police and security authorities; some of them like Eskinder Nega have been arrested multiple times.<sup>9</sup> Reporting on armed conflict has been particularly risky. For example, Tesfaye Deressa and Bekele Mekonnen of Urji were charged in December 1995 with "publishing false information and disseminating it internationally" in connection with their report of on the Oromo Liberation Front (OLF) that casted a doubt on a government statement about the conflict. The charge was that they "described the situation as if there was no peace but active war and by doing so they encouraged violence and instigated war in the country".<sup>10</sup>

In January 2014, the state-controlled Ethiopian Press Agency and Ethiopian News Agency published a report claiming that the Addis Guday, Fact and Lomi magazines were promoting terrorism and damaging the economy. These media houses were subsequently shut down by the government. Likely facing imprisonment, journalists working with these media houses fled the country.

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<sup>8</sup> Amnesty International, UA 137/98, *Health concern- Ethiopia, Asrat Woldeyes, aged around 69, medical doctor*, 29 April 1998, [AFR 25/013/1998](#) (Professor Asrat passed away in 1999, shortly after his release from prison).

<sup>9</sup> Amnesty International, UA 35/94 - *Ethiopia: Legal concern: Nine Journalists*, [AFR 25/005/1994](#), 2 February 1994.

<sup>10</sup> Amnesty International, *Ethiopia: Journalists in prison - press freedom under attack*, [AFR 25/10/98](#), April 1998, p 5.

More than ten journalists are currently on trial, or serving jail terms in Ethiopia, and some of them are detained in inhumane conditions. An example would be the case of Temesgen Desalegn. According to the Committee to Protect Journalists (CPJ):

“...prison authorities denied Temesgen prison visits from friends and family for more than a month, according to a public letter by Temesghen's mother, Fanaye Irdachew. Authorities did not provide an explanation, but local journalists told CPJ they suspected Temesgen had been denied prison visits after an article he wrote from prison was published on several Ethiopia news websites. The articles detailed the mistreatment of prisoners at Ziway Prison”<sup>11</sup>

The continued use of the law to silence journalists such as Reeyot Alemu, Eskinder Nega and Zelalem Worq-Agenyehu places Ethiopia amongst the ten most censored countries in the world, according to CPJ's 2015 report.<sup>12</sup>

### Freedom of Assembly

Amnesty International's documentation over the last 25 years indicates that assemblies criticizing the government are not tolerated. In November 1991, Amnesty International reported the killing of at least 20 demonstrators who were protesting against the new EPRDF government.<sup>13</sup>

Over the years, Oromo protests have been broken up multiple times by the police and the military. On 4 January 2004 for instance, dozens of protesting Oromo students were arrested and transferred from Addis Ababa University to an undisclosed place of detention.<sup>14</sup> They were participating in a peaceful demonstration by members of the Oromo ethnic group. In another incident, scores of people were arrested near Jimma in the Oromia region, over 300 kilometres southwest of the capital Addis Ababa, on 26 August 2004. They were detained at Agaro Prison without access to a lawyer or their families and without charge or trial. The students were not brought to court within the 48 hour period required by law.<sup>15</sup>

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<sup>11</sup> CPJ, *Ethiopia Denies Temesghen Desalegn Access to Medical Care in Jail*, March 16, 2015, Nairobi, available at <https://cpi.org/2015/03/ethiopia-denies-temesghen-desalegn-access-to-medic.php> (accessed 23 May 2016).

<sup>12</sup> <https://cpi.org/2015/04/10-most-censored-countries.php> (accessed .23 May 2016).

<sup>13</sup> Amnesty International, *Ethiopia and Eritrea: The Human Rights Agenda*, [AFR 25/009/91](#), November 1991, p 12.

<sup>14</sup> Amnesty International, *Ethiopia: Fear of Torture/ Prisoners of Conscience*, [AFR 25/001/2004](#), 6 January 2004.

<sup>15</sup> Amnesty International, *Ethiopia: Fear of torture/Unlawful Detention/"Disappearance,"* [AFR 25/010/2004](#), 27

During the Oromia protests against the Addis Ababa Master Plan in April-May 2014, Amnesty International documented the use of excessive force by police and security officials. During and after the protests, police and security officials beat hundreds of people, including protesters, bystanders and parents of protesters for “failing to control” their children, resulting in hundreds of deaths and injuries in locations including Ambo, Jimma, Nekemte, Wallega, Dembi Dollo, Robe town, Madawalabu and Haromaya. A woman who attended a protest in Guder town told Amnesty International: “On the third day of protests, the military came to the street and were waiting for them. When the kids came to protest again, the military just started shooting at them.”

Oromo protests against the Addis Ababa Master Plan erupted again in late 2015. The government labelled the protesters as “terrorists” and escalated its response against them, resulting in deaths, injuries and the mass arrest of protesters, opposition party leaders and journalists. The ATP permits up to four months of pre-trial detention, which contravenes international human rights standards. Amnesty International has documented the widespread use of torture and other ill-treatment of protesters during this lengthy pre-trial detention period. The Federal police, regional police and the military killed children as young as twelve years of age during the protests. The security forces and the military have discharged live ammunition, and beaten up protestors, wounding hundreds of people. They have also conducted mass arrests during the protests as well as its aftermath.

In May 2005, widespread protests broke out in Addis Ababa and other towns over contested results of the Federal and Regional Parliament election. Police and other security service agents conducted mass arrests of political opposition party activists and supporters, leaders of the political opposition party, Coalition for Unity and Democracy (CUD), as well as journalists and civil society activists. Thousands of people were detained and many were beaten, tortured or otherwise ill-treated, and detained without charge or trial for significant periods of time.

In December 2005, 131 opposition leaders, journalists and civil society activists were charged with a range of capital offences, including treason, incitement to armed uprising and genocide against an ethnic group and members of the ruling party. The group included Berhanu Nega, the newly elected Mayor of Addis Ababa; Birtukan Mideksa, a former judge; Professor Mesfin Woldemariam, founder and former president of the Ethiopian Human Rights Council; journalists Serkalem Fasil and Eskinder Nega; and civil society activists Daniel Bekele and Netsanet Demissie.<sup>16</sup>

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September 2004.

<sup>16</sup> Amnesty International, *Justice under Fire: Trials of Opposition Leaders, Journalists and Human Rights Defenders in Ethiopia*, [AFR 25/002/2011](#), July 2011.

Regional and Federal Police also conducted pre-emptive arrests following the ‘Arab Spring’ in North African and Middle Eastern countries. Amnesty International observed:

“In early 2011, the authorities made large-scale arrests which appeared to be pre-emptive – to prevent demonstrations from taking place. Hundreds of students and opposition political party members were arrested across Oromia, apparently in relation to the ‘Arab Spring’ uprisings in the Middle East and North Africa of that period. [...] large numbers of opposition political party members, students and other dissenters, including independent journalists and advocates of reform, were arrested.”<sup>17</sup>

Members of Oromo political opposition parties were arrested by security forces in August and September 2011, as well as a number of students in August 2011. More than 75 students from Wallega and Adama universities and Gimbi town were arrested that following December.<sup>18</sup>

In 2012-2013, Muslims in Ethiopia staged a protest against alleged government interference- the government sponsored teaching of ‘*al habash*’ interpretations of Quran- in Islamic affairs. Amnesty International received reports of several incidents in which security services used excessive force against peaceful protestors, including firing live ammunition on unarmed protestors, beating up protestors and in some cases, bystanders resulting in deaths and injuries.<sup>19</sup> After security forces forcibly dispersed the protestors, perceived leaders of the protests were subsequently arrested and prosecuted.

Restrictions on the right to peaceful assembly of political opposition parties intensified during campaigns in the run-up to the May 2015 general elections, in which the EPRDF won 100 percent of the votes. For instance, on 12 May 2015 security officers arrested two campaigners and three supporters of the Blue (Semayawi) Party who were putting up campaign posters in Addis Ababa. On 19 May 2015, Bekele Gerba and other members of the Oromo Federalist Congress were campaigning in Oromia when police and local security officers beat, arrested and detained them for a couple of hours. More than 500 members of Medrek, an umbrella group of political opposition parties, were arrested at various polling stations in the Oromia region on 24 and 25 May 2015.

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<sup>17</sup> Amnesty International, *Justice under Fire: Trials of Opposition Leaders, Journalists and Human Rights Defenders in Ethiopia*, [AFR 25/002/2011](#), July 2011, p. 30.

<sup>18</sup> Amnesty International, *Justice under Fire: Trials of Opposition Leaders, Journalists and Human Rights Defenders in Ethiopia*, [AFR 25/002/2011](#), July 2011 p. 31.

<sup>19</sup> Amnesty International, *Justice under Fire: Trials of Opposition Leaders, Journalists and Human Rights Defenders in Ethiopia*, [AFR 25/002/2011](#), July 2011 p. 26.

Security officers beat and injured 46 people during the elections; six people sustained gunshot wounds and two were killed.<sup>20</sup>

### Recommendations

Ethiopia’s Silver Jubilee is an important opportunity for the government to respect, protect and fulfil its human rights obligations. Specifically, Amnesty International calls on the Ethiopian authorities to:

- Immediately and unconditionally release all prisoners of conscience;
- Ensure effective judicial oversight of arrests and conditions of detention as required under Article 19 of the Ethiopian Constitution and Article 9 of the International Covenant on Civil and Political Rights;
- Ensure prompt, thorough, impartial, independent and transparent investigation of allegations of excessive use of force including beatings and summary killings against protesters; publicize the findings of any such investigations and bring anyone suspected to be responsible to justice in fair trials without recourse to the death penalty;
- Amend the ATP and the Charities and Societies Proclamation to conform with Ethiopia’s international and regional human rights obligations and commitments pertaining to the rights to freedom of expression, peaceful assembly and association.

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<sup>20</sup> Amnesty International, *Amnesty International Report 2015/16*, available at <https://www.amnesty.org/en/countries/africa/ethiopia/report-ethiopia/> (Last accessed on 27 May 2016).