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Ethiopia: Concerns that Anti-Terrorism law is being used to suppress freedom of expression

Amnesty International is concerned at the arrests of journalists Woubshet Taye and Reyot Alemu, and opposition party members Zerihun Gebre-Egzabiher and Dejene Tefera, who have been detained on suspicion of terrorist offences. Amnesty International is concerned that Ethiopia's Anti-Terrorism Proclamation is being used to limit legitimate freedom of expression in the country.

Woubshet Taye, deputy editor of the weekly Awramba Times newspaper was arrested in Addis Ababa on 19 June, and Reyot Alemu, a regular contributor to the weekly Feteah newspaper was arrested two days later, on 21 June. Following their arrests, both journalists' homes were searched by police, and documents and equipment were reportedly confiscated, including copies of their respective newspapers. A few days before her arrest, Reyot Alemu had written an article critical of government policy and Prime Minister Meles Zenawi. Two members of a little known political opposition party, the Ethiopian National Democratic party have also been arrested. Zerihun Gebre-Egzabiher the President of the legally-registered party, and Dejene Tefera, a member of the party, were detained during the same week.

All four have been detained on suspicion of terrorism offences, but none of them have yet been charged. The Anti-Terrorism legislation allows for detention on remand for police investigation for periods of a minimum of 28 days each, up to a maximum of four months. Sources have told Amnesty International that all four detainees have been denied access to lawyers or to their families since their arrests.

The Ethiopian authorities have asserted that the arrests are not linked to freedom of expression but that the four were found to be involved in terrorist acts. A government representative told Amnesty International that the four would be tried in an Ethiopian court of law where concrete evidence would be produced by the government.

Amnesty International is concerned that the pretext of counter-terrorism is being used to stifle dissent, particularly among groups traditionally critical of the government – political opposition parties and the privately-owned press. Earlier this year hundreds of ethnic Oromos were arrested on accusations of belonging to or supporting a terrorist group – the Oromo Liberation Front. Many of those arrested belonged to legally-registered political opposition parties.

The definition of terrorist activities under Ethiopia's 2009 Anti-Terrorism Proclamation is broad and imprecise, raising significant concerns that the law could be used to criminalise legitimate exercise of the rights to freedom of expression and peaceful assembly. Provisions of the legislation appear to go beyond what can be justified as necessary and proportionate measures for counter-terrorism, making them incompatible with Ethiopia's international and regional human rights obligations. The definition of "terrorist acts" is not restricted to threatened or actual use of violence against civilians, or to acts taken in pursuit of an underlying political or ideological goal. Amnesty International is concerned that the vaguely-defined provisions in the legislation may be used to charge Woubshet Taye, Reyot Alemu, Zerihun Gebre-Egzabiher and Dejene Tefera, resulting in suppression of the legitimate and peaceful activities of those individuals as journalists and members of the political opposition.

Further, Amnesty International fears that the four detainees are at risk of torture or other forms of cruel, inhuman or degrading treatment in detention. The four are being held at Maikelawi – the Federal Police Crime Investigation and Forensic Department in Addis Ababa, which is reported to be under the command of the National Intelligence and Security Service. Maikelawi is infamous for the frequent use of torture against pre-trial detainees. In 2009 32 alleged members of the banned political party, the Ginbot 7 Movement for Justice, Freedom and Democracy were tortured whilst in pre-trial detention in Maikelawi, according to information received by Amnesty International. Confessions elicited from these detainees under torture were then used against them in legal proceedings. These and other cases suggest the use of torture in Maikelawi is systematic. Amnesty International is further concerned that the detention of Woubshet Taye, Reyot Alemu, Zerihun Gebre-Egzabher and Dejene Tefera incommunicado – without access to lawyers or family members – increases their risk of torture and ill-treatment.

Amnesty International urges that Woubshet Taye, Reyot Alemu, Zerihun Gebre-Egzabher and Dejene Tefera be granted full and prompt access to legal representatives and to their families.

Amnesty International further urges the Ethiopian authorities not to use the Anti-terrorism proclamation or other laws to suppress or punish legitimate exercise of freedom of expression in the country.