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Ethiopia: Widespread violations feared in clampdown on Muslim protests

Amnesty International is concerned over the fate of scores of Muslim protestors arrested in Ethiopia during July. The arrests took place in the context of ongoing protests against alleged government restrictions on freedom of religion in the country. The detainees are at risk of torture and other ill-treatment, and there have been numerous reports of beatings in detention against those arrested. Some detainees have been held in incommunicado detention since their arrest without access to family members, often in unknown locations. Amnesty International is further concerned at widespread reports of the beating of protestors during demonstrations, and other examples of excessive use of force by the police during the arrests and the dispersal of protests, resulting in many injuries to protestors.

Those arrested in July include members of a committee of representatives selected by the Muslim community to represent their grievances to the government and at least one journalist.

Amnesty International fears that the arrests of community leaders, protestors and others in the Muslim community, and the pending charges against certain individuals, are based on their lawful exercise of the right to freedom of expression and the right to organize and participate in peaceful protests.

Addis Ababa's Muslim community has staged regular peaceful protests throughout 2012 over grievances including an alleged government-backed effort to impose the teachings of the minority Al Ahabash sect of Islam on the majority community, and government interference in elections for the Supreme Council of Islamic Affairs. Ethiopia's Constitution prohibits state involvement in religious affairs. The protests have regularly attracted large numbers of people over the last six months.

On 13 July a police operation targeted a gathering at the Awalia Mosque and Islamic school compound, in north-west Addis Ababa. The gathering was reportedly discussing further protests and also planning and preparing for a Sadaqah (charity) event two days later, to distribute food to people living in poverty. On entering the compound, police are alleged to have used excessive force against those present, beating many men and women in the compound and made numerous arrests.

The same evening, in response to news spreading about the events at Awalia, large numbers of people headed towards Awalia. Witnesses estimate several thousand tried to reach the compound. But the roads were blocked by police and violence flared between police and protestors. Protestors allege that police again used excessive force including beating protestors. Several sources say that police fired live ammunition, resulting in some serious injuries among the protestors.

Large numbers of those on their way to Awalia were arrested. The government confirmed that over 70 people had been detained on 13 July. Protestors and witnesses reported numbers of between 100 and 1,000 people arrested. Those detained were taken away in large military-style trucks. Detainees were first transported to Kolfe Keranyo police station, and later transferred to police stations closer to their respective homes, according to reports. Many of those detained have alleged widespread beating of detainees inside the police stations. One woman reported that she had been subjected to sexual violence by a police officer during the night of 13 July.

A large proportion of the detainees were released without charge after one or two days' detention. However, many continue to be detained. Several members of the Awalia student council are reported to be detained in Maikelawi federal police detention centre in Addis Ababa, notorious for the use of torture against detainees during interrogation, as documented on numerous occasions by Amnesty International. Whilst the family of one detainee has been able to have contact with their relative, the families of the other members of the student council say they have not been permitted to contact or visit their relatives, in violation of the right of all detainees to have access to family members.

Other detainees arrested at Awalia on 13 July are reportedly being held in incommunicado detention without access to family members, in unknown locations. Ethiopia's Criminal Procedure Code demands that all arrested persons are brought before a court within 48 hours to challenge the legality of the detention. Further, incommunicado detention, without access to family members and legal representatives increases detainees' risk of being subjected to torture or other forms of ill-treatment.

Between 19 and 21 July, members of the committee of chosen representatives of the Muslim community were arrested, including Chairman Abubakar Ahmed, Spokesperson Ahmedin Jebel and committee members Kamil Shemsu, Sultan Aman, Adem Kamil, Jemal Yasim and Meket Muhe. The Committee members are reported to be detained in Maikelawi and are therefore at risk of torture or other forms of ill-treatment.

On 21 July thousands of Muslims gathered at Anwar Mosque, the largest Mosque in Addis Ababa, to protest against the events at Awalia and the arrests of members of the committee. The event became violent as protestors clashed with police. The government states that protestors threw stones and broke the windows of nearby buildings. Protesters allege that the police fired tear gas and that scores of protestors were beaten by the police. An unknown number of further arrests were made.

Other representatives of the Muslim community have been arrested at different points over the last two weeks, including at least one journalist – Yusuf Getachew of the magazine 'Ye'muslimoch Guday' (Muslim Affairs). Getachew is also reported to be detained in Maikelawi, and family members are currently denied access to visit him. Another person told Amnesty International that their sister was arrested and continues to be detained, after police caught her carrying a pamphlet entitled 'Let our voice be heard.' One woman reported that she and a group of other women had been temporarily detained by the police and threatened 'not to go to the Mosque making demands.' Religious scholars, artists, and other journalists are also reported to have been arrested.

Members of Addis Ababa's Muslim community have told Amnesty International that they now feel targeted and unsafe. Significant police presence has been reported around Mosques.

The government has confirmed to Amnesty International that those members of the committee of community representatives arrested will be charged with criminal offences based on attempting to undermine the Constitutional order. However, Amnesty International is concerned that the men may have been arrested solely because of their legitimate roles as representatives of the community and their organization and participation in a largely peaceful protest movement over the last six month period.

Crimes against the Constitution are included in both the Criminal Code and the Anti Terrorism Proclamation. For many years, hundreds of members of opposition parties have been charged with such offences under the Criminal Code. More recently journalists and opposition members have been charged with similar offences under the Anti Terror law, including in prosecutions related to peaceful protests. The Anti Terrorism Proclamation contains provisions that are excessively broad and can be used to criminalize the exercise of freedom of expression, freedom of association and freedom of peaceful assembly, including organizing or participating

in peaceful protests. In recent prosecutions under the Anti Terrorism law the government has equated calls for peaceful protests with terrorist activities, and several journalists and opposition members have been sentenced to lengthy prison terms on that basis.

The Ethiopian government regularly exhibits intolerance of any form of dissent. Journalistic reporting on the Muslim protests has been restricted over the last six months. In May, the Voice of America correspondent was arrested while attempting to report on a rally of the protest movement at Awalia, and was detained overnight in Maikelawi and beaten by police officers. In late July the distribution of the newspaper Feteah, one of the very few remaining independent publications in Ethiopia, was blocked by the government reportedly because its front cover, featuring stories about the Muslim protests and the health of Prime Minister Meles Zenawi, posed a threat to national security.

Amnesty International calls on the Ethiopian government to immediately and unconditionally release any individuals who have been arrested solely on the basis of their legitimate exercise of their right to freedom of expression, association or peaceful assembly, including by representing the Muslim community and engaging in peaceful protests.

All allegations of torture and other ill-treatment in detention and excessive use of force by police against demonstrators should be subject to immediate, impartial and effective investigations, and where enough admissible evidence of crimes is found, suspected perpetrators should be prosecuted.

Anyone currently held in detention must be brought immediately before a court to challenge the legality of their detention, and subsequently must be promptly charged with a lawful criminal offence consistent with international standards or released. Family members of detainees must be informed of their whereabouts and permitted access to visit them in detention. All detainees must be informed promptly of their right to consult a lawyer.

While some protestors are alleged to have used violence during recent incidents, including by throwing stones at security forces, the use of force, including lethal force, by security forces must comply with human rights standards at all times in order to protect the right to life. Amnesty International urges that any police response to further protests must comply with international requirements of necessity and proportionality in the use of force, in line with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. These principles state that in the case of violent assemblies, security forces must only use firearms when less dangerous means are not practicable, and only to the minimum extent necessary. They can only be used in very limited circumstances, such as where there is imminent threat of death or serious injury and when strictly unavoidable to protect life. The use of "less than lethal" weapons including tear gas should be carefully controlled to minimise the risk of endangering people not involved in the incident. Amnesty International urges that only those law enforcement officials who are trained in the use of equipment that involves use of force such as tear gas should be authorized to handle such equipment.

Finally, Amnesty International urges the Ethiopian government to respect all Ethiopians' right to peacefully protest, as guaranteed under the Ethiopian Constitution and in accordance with Ethiopia's international legal obligations.