

URGENT ACTION

CANADIAN CITIZEN COULD BE SENTENCED TO DEATH

Bashir Makhtal, an Ethiopian-born Canadian citizen, was found guilty of terror-related charges on 27 July amid concerns of an unfair trial in Addis Ababa, the capital of Ethiopia. He is due to be sentenced on 3 August and could be sentenced to death.

Bashir Makhtal was convicted by a court in Addis Ababa on three charges—inciting rebellion by aiding and abetting the Ogaden National Liberation Front (ONLF), an armed opposition group in the Somali region of Ethiopia; being a senior member of the ONLF; and involvement in training of ONLF members. The High Court of Ethiopia is scheduled to hand down his sentence on 3 August. The charges on which he was convicted carry a possible death sentence and there are concerns that the trial was unfair. Bashir Makhtal's grandfather was one of the founders of the ONLF, but Bahsir Makhtal has denied any involvement with the ONLF.

Bashir Makhtal had been held incommunicado detention in Ethiopia for two-and-a-half years after being secretly transferred from Kenya in 2006. He had been arrested on Kenya's border with Somalia, though it is unclear on what grounds the Kenyan authorities arrested him. He was due to appear before a Kenyan court, but was transferred to Ethiopia. Bashir Makhtal was brought before an Ethiopian military tribunal, which operated in Amharic, the official language of Ethiopia, which Bashir Makhtal does not understand. He was denied access to a lawyer to represent him in these hearings.

On 1 February 2009, Bashir Makhtal was allowed to meet with family members for the first time since his initial detention in Kenya. His case was eventually transferred to the civilian court system and he was able to meet with a lawyer. He and his lawyer were not given clear information about the charges he was facing. Bashir Makhtal's trial was postponed several times. He was not permitted to meet regularly with his lawyer, and he has never been permitted to meet privately with him. During the trial, neither Bashir Makhtal nor his lawyer were permitted to cross-examine prosecution witnesses. He was unable to call any witnesses in his defence, as many who could have been called had fled the country fearing for their safety.

Canadian embassy officials have only had limited access to Bashir Makhtal, and only in the presence of prison staff. They were permitted to attend the trial.

PLEASE WRITE IMMEDIATELY in English or your own language:

- Urging the Ethiopian authorities not to impose the death penalty on Bashir Makhtal
- Expressing concerns that Bashir Makhtal's trial was unfair
- Calling on Ethiopian officials to allow Bashir Makhtal full and unrestricted access to his lawyer, Canadian embassy officials, his family and any medical care he may require

PLEASE SEND APPEALS BEFORE 3 AUGUST 2009 TO:

Berhanu Hailu
 Ministry of Justice
 P.O. Box 1370
 Addis Ababa
 Ethiopia
 Fax: +251 11 551 7775
 Email: justice@telecom.net.et
ministry-justice@telecom.net.et
Salutation: Dear Minister

And copies to:
 The Hon. Lawrence Cannon
 Minister of Foreign Affairs
 Ministry of Foreign Affairs and
 International Trade
 125 Sussex Drive
 Ottawa, NO K1A 0G2
 Canada
Fax: +1 613 996 9709

Additional copies to:
 Ethiopian Human Rights Commission
 PO Box 1165
 Addis Ababa
 Ethiopia
Fax: +251 11 618 0041
Email: hrcom@ethionet.et

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

- Commented [HH1]:
- Commented [HH2]:
- Commented [L3]:
- Commented [L4]: It's

**AMNESTY
 INTERNATIONAL**



Date: 30 July 2009

URGENT ACTION

CANADIAN CITIZEN COULD BE SENTENCED TO DEATH

ADDITIONAL INFORMATION

Bashir Makhtal left Canada to start a business in Djibouti in 2002. In 2006, he was arrested by the Kenyan authorities as he crossed the border from Somalia, fleeing violence in the Somalia capital, Mogadishu. He travelled 1,500km by car to the Kenyan border, where he applied for an entry visa. He was detained and his Canadian passport was confiscated. He was transferred to Nairobi and was due to appear before a Kenyan court. But before his case could be heard, he was secretly transferred to Addis Ababa, Ethiopia, where he was held for two and a half years until his recent trial and conviction.

UA: 207/09 Index: AFR 25/005/2009 Issue Date: 30 July 2009

AMNESTY
INTERNATIONAL

