

# **Testimony before the Subcommittee on Human Rights of European Parliament**

**January 23, 2013**

## **The human rights situation of Ethiopia:**

### ***Legalizing and judicialization of political repressions and human rights violations against activists, journalists and oppositions.***

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Honorable Chairperson and Members of the European Parliament, I would like to thank you very much for inviting me to the second time to testify and to voice my concern on the human rights situation in Ethiopia, in this important hearing. It has been almost seven years since I made my first testimony at the extra-ordinary joint meeting of the Committees on Development and Foreign Affairs, and Sub-Committee on Human Rights, on May 15, 2005, on the political killings of around 200 innocent civilians by the security forces, in the street of Addis Ababa and other part of the country, during the 2005 post-election demonstrations. Since then the human rights situation in Ethiopia become more and more deteriorating. The overall patterns of arbitrary political repressions and violations of human rights in the country have transformed into the legalization and judicialization of government acts and measures through the adopted new regulations which contain various provisions contrary to the Constitution of the Country and in violation of international human rights standards.

In the last six years, the Ethiopian Parliament, especially after the 2010 election which has been concluded with the victory of the ruling party (EPRDF), took 99.6 site of the parliament, has adopted a number of draconian legislations including the Anti-Terrorism law and the Charity and Civil Society Proclamation. These are part of government strategies to control and keep silent its opponents by taking a legal acts to legitimize and authorize its arbitrary and unconstitutional acts against its political opponents, journalists and human rights activists. Today, I am going to speak about the current human rights situation of Ethiopia, particularly on violation the right of Freedom of Association and Freedom of Press.

#### ***Freedom of Press***

Ethiopia is one of the countries which have a very poor record on freedom of press. Journalists are the primary target of government attack and the anti-terrorism law. Many journalists have faced terrorism and treason charges. According to CPJ report more than 79 journalists have fled the

country since 2001 for fear of torture,<sup>1</sup> illegal detention, abduction or interrogation by security forces. Most of these journalists have been arrested several times and subjected to torture, ill-treatment and threatened to life. They faced also treason and terrorism charges before and after they have fled the country. Those who decided to stay in the country with their strong professional commitment and who were practicing journalism have faced numerous and enormous attack by the government. Today six journalists including two Eritrean journalists arrested in Ethiopia. According to the CPJ 2012 report the whereabouts of the two Eritrean journalists is not known after the Ethiopian Foreign Minister has disclosed their detention in April 2007 and presented them on state television as terrorism suspect.

Those of four Ethiopian Journalists are:

1. **Reeyot Alemu**, a freelance critical columnist for the prominent independent weekly newspaper “Feteh”, which is now- shattered by the Ethiopian government, and she was also a teacher at an Addis Ababa high school. Reeyot arrested by security forces on June 21, 2011 and faced terrorism charge in September 2011. In January 2012, the court sentenced Reeyot 14 years in prison and a fine of 33,000 birrs (US\$1,500) under anti-terrorism law for planning terrorist act based on emails, reports and photos she have been exchanged with U.S. - based opposition news site *Ethiopian Review*. In August 2012, an appeals court said that it did not find any error of law in previous convictions against Reeyot and upheld the five-year sentence. On January 8, 2013, the Court of Cassation at the Ethiopian Federal Supreme Court decided on Reeyot’s final appeal by upheld the conviction and 5-year sentence. While she is in jail, Reeyot has received the 2012 Courage in Journalism Award for the International Women's Media Foundation.
2. **Eskinder Nega**, a prominent Ethiopian journalist and blogger, who is a father of a 7 years old son. He is a former publisher and editor of three newspapers shattered following the 2005 political crackdown in the country. Eskinder was arrested in September 2011 on accusations of involvement in a terrorism plot, spying for “foreign forces” and having links with the banned opposition groups. In July 2012, the Federal High Court sentenced Eskinder Nega to 18-year prison. The court sentence was based on a video of public meeting which was organized by one of the main opposition party in Addis Ababa, UDJ, which Eskinder discussed the implication of the Arab Spring in Ethiopia. The court accused Eskinder to attempt to incite violence and overthrow the constitutional order. Together with Eskinder five exiled journalists were also convicted in absentia with the same charge. In September 25, 2012 the Ethiopian Court orders “confiscation” of Eskinder’s house and his wife’s car. Eskinder appeal his conviction and sentencing to the Federal Supreme Court which postponed hearing his appeal last week on January 18, 2013, for the third time and scheduled to February 16, 2013. Eskinder was the recipient of the PEN/Barbara Goldsmith Freedom to Write Award.

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<sup>1</sup> See CPJ report: <http://www.cpj.org/blog/2011/11/ethiopian-satirist-silently-joins-ranks-of-the-exi.php>

3. **Woubshet Taye**, deputy editor of (now-shattered) an independent newspaper *Awramba times*, was arrested on June 19, 2011 after raiding his home in Addis Ababa, and confiscating documents, cameras, CDs, and selected copies of the newspaper. The top editor of this newspaper, Dawit Kebede has fled the country in November 2011 in fear of being arrested and charged under the *anti-terrorism law*. Government accused Wubshet of planning terrorist attacks on infrastructure, telecommunications, and power lines with the support of an unnamed international terrorist group and Ethiopia's neighbor, Eritrea. In January 2012, a court in Addis Ababa sentenced Wubshet to 14 years in prison. It is reportedly that Wubshet had been tortured during his pre-trial detention. He is one of the four jailed journalists who have received the 2012 award of the Hellman/Hammett grants, by Human Rights Watch.
4. **Yusuf Getachew**, editor of the *Ye Muslimoch Guday* newspaper which has focused on Muslim affairs. Yusuf was arrested on July 20, 2012 after police officers raided to his home in Addis Ababa. Police took Yusuf to the notorious torture chamber, Maekelawi Federal Detention Center and confiscated his mobile phone, digital camera, books and 6,000 Ethiopian birr. In October 2012, he is charged under the Anti-Terrorism Law. According to CPJ report Yusuf told the court that he had been beaten while in custody. Other Muslim journalists also have faced harassment and treated by security forces because of their coverage on the ongoing peaceful protest of Ethiopian Muslim Community.

Other local journalists also working under high level risk of political repression. Such as the editor-in-chief of the prominent independent weekly newspaper *Feteh*, which is now-shattered, **Temesgen Desalege**, has faced a criminal charges of defamation and ‘false rumors’ in August 2012. He has been also detained for a couple of days following this charge.

Most of the political trials and charges against journalists, opposition leaders and activists under Anti-Terrorism law is not based on any armed or violent actions or any terrorist acts against the government. As it frequently seen, they were charged with crimes of association or opinion, and their views and strong critics about the government acts and policies.

### ***Freedom of Association***

The Charities and Societies Proclamation (No. 621/2009, which is passed into law by the Ethiopian Parliament passed, in January 2009, has affected the existence and continuation of many non-governmental organizations, mass membership based societies, charitable trusts and foundations. This law places excessive restrictions on the charities and societies work, particularly on human rights NGOs. I will not go through those restrictive provisions and discussed their practical impact on human rights work. But I would like to focus on cases which shows the devastating impact of the law by restricting the right of freedom of association of human rights defenders, labor unions and the general public. According to ILO's November 15, 2012 report, Ethiopia is one of the five countries in the world which is named for serious violation of freedom of association.

To mention some of the major impacts of the Charities and Societies Proclamation:

- Following the adoption of the law, a number of human rights defenders have fled the country for fear of unrestricted government intervention on their day to day activities and its consequences. Organizations are also now significantly self-sensor in their activities for fear of violating the provisions.<sup>2</sup>
- According to Amnesty International 2012 report, after the law was passed at least seventeen organizations reportedly changed their focus from human rights to development work during the re-registration process under the new law. The included two of the most prominent human rights organizations, Action Professionals Association for the People (APAP) and the Organization for Social Justice in Ethiopia (OSJE).
- The prominent and the only organization in Ethiopia monitoring and reporting on human rights violation based on extensive investigation, **the Ethiopian Human Rights Council (now the Human Rights Council)** has forced to change its name during the re-registration. HRCO also have been forced to close nine of its branch offices out of twelve and have terminated the contract of its 60 staffs. In December 2009, government has ordered the relevant banks to freeze all the accounts belong to HRCO and it costs HRCO 9.5 million Birr (approximately US\$ 566, 000. At the result, in 2011, HRCO have cut its budget from US \$351,000 to US \$26,300. HRCO have been denied also permission for the fundraising process by the Charities and Societies Agency which is requires by the law organizations to obtain before conducting any domestic fundraising activities.
- The only major organization focusing exclusively on women's rights advocacy, **the Ethiopian Women Lawyers Association (EWLA)**, which has established in 1995, faced the same problem like HRCO. According to AI's report, EWLA have cut 70 per cent of their staff and during 2010 and 2011 had effectively ceased to function, with the exception of a small amount of free legal aid being provided to women by volunteers. Its 10 million Birr (approximately US\$595,000) in frozen funds by the government order.

Both organizations, HRCO's and EWLA's appeal to the Ethiopia's Supreme Court have not been acceptable. On October 19, 2012, in its decision the Supreme Court uphold the freezing of the assets of both organizations. As AI's says in its resent report the decision of the Supreme Court represents the acquiescence of the courts in the ongoing targeting of independent human rights organizations in Ethiopia, which has resulted in the near total demolition of human rights civil society in the country.<sup>3</sup>

- The last point, but not the least, in its 2012 report, ILO mentioned that the Ethiopia government has failed to respect and guarantee the freedom of association rights of civil servants, including the former Ethiopian Teachers Association which has been denied to register as a national teachers union.<sup>4</sup>

<sup>2</sup> See AI's 2012 report on Ethiopia: <http://www.amnesty.org/en/library/asset/AFR25/002/2012/en/3b0adc69-f0fd-4b43-9ff8-635073d60f44/afr250022012en.pdf>

<sup>3</sup> See AI's report: <http://www.amnesty.org/en/library/asset/AFR25/014/2012/en/8a1380e0-f675-4526-8701-b376dc2d5d94/afr250142012en.pdf>

<sup>4</sup> See ILO's 2012 report: [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_193200/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_193200/lang--en/index.htm)

## **Conclusion**

I hope the above cases justified my point that I mentioned in my introduction about the pattern of the human rights violation in Ethiopia which is dramatically changed in the last few years. The Ethiopian government is seems preferring to legalizing and justifying its wrong and violent acts through its political trials using those draconian regulations, rather to improve its poor records on human rights, democratization process and rule of law. These facts also clearly show that, despite the Ethiopian government propaganda over its double digit economic progress, the country and its people are under authoritarian rule and have faced difficult situations that prolonged their suffering under grave political and economic situation.

At the result, thousands of Ethiopians have fled the country every year. Other thousands have been subjected for long term detention without court trails, because of their political affiliation or their opinion. Opposition party leaders, human rights organizations and civil society members have been denied their right of freedom of expression and freedom of association. Freedoms of assembly and peaceful protests have been totally ban by the government officials. It is a good illustration the ongoing peaceful Ethiopian Muslim protest movement in the country which received irresponsible and brutal response from the Ethiopian government authorities. Large numbers of protestors have been arrested, beaten and tortured by security officials, and many of whom remain in detention. Leaders of this peaceful movement have been arrested and charged with terrorism offences.

I hope the European Parliament will made its further investigation on those facts that I mentioned in these brief statement and will take all necessary measures to address these concerns within its diplomatic relation with the government of Ethiopia in reasonable time.

Thank you.  
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