Ethiopia’s Response to the U.S. State Department Report on the Human Rights Situation in Ethiopia

Government Communication Affairs Office
Addis Ababa,
Ethiopia.
2009
The U.S. State Department Report on the Human Rights Situation in Ethiopia: Lies and Hypocrisy

1. Introduction

On February 26, 2009 the Human Rights and Labor Bureau of the State Department under the previous Administration released a baseless annual report on human rights situation in Ethiopia compiled from various domestic sources. This text is the Federal Democratic Republic of Ethiopia’s response to the Report that purports to cover the country’s human rights record.

Ethiopia chose to respond in this fashion not out of any desire to enter into polemics on minute and trivial matters with those responsible for the flawed document. Nor is this response to a report issued by the previous US administration intended to engage in needless wrangling with the one currently in office. Ethiopia’s interest, as always, lies in engaging in lively debates and exchanges of ideas on human rights and other matters as it believes that such exercise helps to produce useful results.
It is to be recalled that in the past the FDRE government seldom officially issued any written response to baseless allegations against Ethiopia. Certainly this is not because there were no unfounded US and Human Rights Watch reports, produced mostly based on hearsay supplied by perennial local informers without any consultation with the Ethiopian Government. So far, the government’s preferred response has largely been to ignore such write-ups as groundless fabrications. However, with time the scale of denigration is reaching a stage where the less informed in the international community could be misled about the truth and objective situation in present-day Ethiopia.

The FDRE government, nevertheless, does not believe that it has to respond to all and every hearsay continually concocted by its detractors to tarnish Ethiopia’s image. Thus, of the surfeit of baseless allegations, we have chosen to restrict ourselves to address only a selected few. Useful perhaps here is to point out that it is in the same spirit that we responded to Human Rights Watch’s unfounded allegations last summer that we are replying to this latest flawed Report issued by the previous US administration.

From the outset one thing must be clear. The Ethiopian Government chose to defend itself against a smear campaign cloaked under human rights concern not because it believes that Ethiopia’s emerging democratic order is perfect. As is well known, democracy is a human product. It is therefore a form of governance
with the foibles of erring humans. This applies not only to emerging democracies but to the most developed ones as well. As clearly pointed out recently by the new US administration, when it comes to human rights, the advanced democracies also make mistakes. Thus the Ethiopian government fully realizes that the democratic order being built in Ethiopia is not free from mistakes and errors. That is why it adheres to a principle that is based on readiness to rectify shortcomings. Similarly, the government firmly believes that any effort to address shortcomings requires close cooperation and genuine partnership with those with similar concerns. That is also why it has high regard to all evidence-based and valid criticisms and ready to accept them with open arms.

Be that as it may, the government feels that any invocation of the principle of human rights as a smokescreen to conceal a political or economic agenda only results in debasing the lofty principle itself. For, any legitimate concern over matters of human rights has to be anchored on truth and the precepts associated with the right alone. Worst still, criticisms of human right violations entangled with the interest of a given state or interest groups, will severely undermine all genuine efforts to address such problems.

On the other hand, the government recognizes that all human right-promoting campaigns that are grounded in hard evidence help enhance public awareness
regarding this fundamental right and also serve to advance the struggle to promote good governance. Hence, the Ethiopian government defends itself against false accusations here not because it is under any illusion that its endeavors to promote human rights, democracy and good governance has no shortcomings, but to stop the vilification campaign launched against it.

Most importantly, the government is ready to work with any NGO or government that claims to have human rights concern, so long as any of the parties of such concern have no unstated economic or political agenda. The Government of Ethiopia has no problem in forging close partnership with all those that genuinely seek to help overcome shortcomings as opposed to those that are merely interested in pointing fingers with no basis in fact. The aim of this statement is, therefore, to reflect this positive spirit of cooperation. It is by no means to signal a new disposition that from hereon the government would reject or discard any constructive criticism of violations of democratic and human rights that are grounded in verifiable facts.

Finally, it ought to be clear that in preparing this response to a human right report issued by the previous US Administration, the Government of Ethiopia is willing to co-operate with anyone, with a positive commitment to the promotion of human rights, on measures to improve human and democratic rights in Ethiopia. It hopes the new US Administration will work
with the Government on all issues related to human and democratic rights without bias, and on the basis of real and accurate facts.

**The general content of the US Government report**

The US government’s report is divided into six sections and more than twenty sub-topics. It has used a number of different sources in its 44 page report. Among these are opposition political parties, news media, national and international NGOs. The sources include: the Coalition for Unity and Democracy (CUD), the All Ethiopia Unity Party (AEUP), the former Ethiopian Teachers Association, the Ethiopian Human Rights Council (EHRCO), the Ogaden National Liberation Front (ONLF), the Oromo Liberation Front (OLF), Human Rights Watch, the Committee to Protect Journalists (CPJ), the Evangelical Churches Organization, Wake Feta, UNICEF, UNHCR, Ethiopian Women Lawyers Association (EWLA) and some local NGOs. Some of these organizations certainly have their own interest and political agenda and make little secret of their political motives.

Many of the allegations in this report include fabrications already printed by Human Rights Watch and verbatim replication of several others from last year’s report as well as from similar documents issued the year before. There has been some attempt to make the report appear new, of course, but as the saying goes, it is old
wine in a new bottle. Nonetheless, those previous false allegations even though slightly modified to appear this year as new findings, shall still remain false. For old allegations even when modified still remain false. As in the past, the Department of Democracy, Human Rights and Labor, made no effort to explore any explanations or details of local investigations concerning alleged violations from the Ethiopian Government. Instead, it chose to merely present the information it received from the said institutions as without conducting any further investigation or making on-site visits to verify their validity. We wish to bring to the attention of the US State Department that great care should be taken, as required by the procedural norms and standards of international law for human rights monitoring, to investigate any such allegations against any country before rushing to include them as facts in its annual report. Like Human Rights Watch, the US State Department appears not to be interested in any explanations that the Ethiopian Government might have to offer regarding the details of the incidents on which it based its allegations nor did it make any reasonable effort to look into the details of findings made by local investigative organs. The content of a report compiled with such negligent oversight could only be inaccurate and therefore non-objective.

What follows are findings of an investigation conducted to verify as many of the allegations as possible contained in the State Department’s report coupled with details and new information uncovered by the enquiry.
Part one

‘Regarding the individuals right to security and freedom’

This section of the State Department Report contains allegations of extra-judicial killings, disappearances, tortures and other human sufferings due to degrading inhuman treatments and punishments. The section also cites alleged cases of unlawful arrests, denials of justice and the right to free and fair trial, violations of privacy and use of excessive force. On the basis of the findings obtained from investigations, we will in this response address the most glaring examples of the baseless allegations and inaccuracies, intentional or otherwise, that pervades the entire content of the section under consideration.

1. Extra-judicial killings and disappearances

1) Alleged Extra-judicial killings by Government forces and the ONLF (OGADEN NATIONAL LIBERATION FRONT) in the Somali Regional State, and allegations about the use of land mines and other exposures.
To begin with, by attributing alleged acts of “targeted killings” to the government, the Report attempts to downgrade the government to the level of an outlawed terrorist group i.e., the ONLF. By juxtaposing ONLF’s terrorism with allegations of targeted killings by the Ethiopian government, the State Department Report notes

“government forces, including militias and armed elements of the ONLF were responsible for targeted killings in Somali Region during the year”.

In fact, there were no targeted killings by government forces or by militias in the Somali region. The only ‘targeted’ killings in the region were carried out by the ONLF, starting with the cold-blooded slaughter at Abole in April 2007, of seventy four people, including eight Chinese nationals engaged in oil exploration project. The victims were slain while asleep or lining up for breakfast. Rather than outright condemnation of this heinous massacre and other terrorist attacks, the Report insinuates that the Government of Ethiopia should share the blame for the atrocity. Such suggestion in fact exculpates the ONLF—the perpetrator of a fiendish crime. To even hint such a possibility is similar to blaming the US government for Al-Qaeda’s 9/11 attack. There should be no question that the terrorist groups and the terrorist groups alone are responsible for these terrorist acts.
The Report also appears to attempt to lay the blame for the various terrorist acts that occurred in Addis Ababa and other parts of the country during the reported period on the government. Paradoxical as it is, the Report accuses the Ethiopian government for failing to identify the perpetrators beyond characterizing them as terrorists in the pay of the Eritrean government. Similarly, the Report glosses over the plights of Ethiopian landmine victims planted by the Eritrean government along the two countries’ common border. Instead, it criticizes the Ethiopian government for failing to adequately identify the party responsible for these mayhems against Ethiopian citizens. The irony is that such charge is leveled against Ethiopia, despite the fact that the whole world knows of the origin of these landmines and despite the fact that the Ethiopian government has repeatedly presented irrefutable evidence that links the OLF and ONLF to all the deadly explosions that occurred in Addis Ababa and other places. In most of these cases, the perpetrators were apprehended, tried in court of law, convicted and sentenced. These cases have been widely reported and are in the public domain and easily available to the writers of the Report. In fact, our expectation was that the US government would use its annual Report as an occasion to express its support to Ethiopia in her struggle against terrorism by unequivocal condemnation of the terrorist bombers and their dangerous destabilizing activity. It is difficult
to believe that the Report would be used to somehow abet these terrorist entities by omitting to mention of their leaders’ arrest, conviction and the sentences meted out by the courts in Ethiopia.

The terrorists’ strategy is clear beyond any doubt. It is to create a climate of public fear by attacking civilians and soft targets. Any violation of human rights that occurs in such a context can by no stretch of the imagination be attributed to government action: For such flagrant violation of human rights is the intentional outcome of the perilous tactics that terrorists employ. The Ethiopian government cannot be held accountable for the terrorist acts of the OLF, the ONLF and their sponsor-Eritrean government. Likewise, any death of civilians that occur under such circumstances cannot be blamed on the Ethiopian state any more than the US Government can be held responsible for the terrorist attacks in the United States. But so often, it appears that the State Department employs double standards when it comes to interpreting terrorist acts that occur in its homeland and Ethiopia as it frequently does with regard to any comparable situation in Africa as a whole.

**ii) The case of Welelaw Muche**

The State Department Report says: “In December 2007 three government militiamen abducted Welelaw Muche, a supporter of the former Coalition for Unity
and Democracy in Enamirt town (West Gojam Zone, Mecha Woreda, Amhara Region) from his home and arrested him. One of the militiamen shot him to death in a nearby forest. No arrests of any militiamen had been made by the year’s end.”

The government’s inquiry on the other hand depicts that Welelaw Muche was shot dead on Dec. 10, 2007, by an unknown individual. He was found dead in the morning of the said date near his home. His parents had told the police of their suspicion that their son might have been murdered and given the police the names of the possible culprits. Their words were,

“We know the killers of our son. They are Asmare Denekew, Asrese Anagaw and Melaku Admass. Among them, it was Asrese Anagaw, once a Kebele militia, who shot our son dead.”

Upon this deposition, the police detained the suspects and interrogated them. But suspects had to be released for lack of sufficient evidence. The victim’s brothers were less certain as to who might be responsible for the death of their sibling. They said:

“On Tahisas 1, 2000 E.C. (December 10, 2007) at about 6:00 am at Enamirt Kebele, at a place called Bojed Got, we heard shots fired and went to the site and discovered the body of Welelaw Muche shot under his left breast. There was nobody else at the spot. So we didn’t see the defendants shooting or killing the victim. We don’t know who killed
him. No post-mortem investigation was conducted before he was buried”.

Investigation was carried out to determine whether or not Welelaw’s death was politically motivated as the Report alleges. According to the inquiry, this seems to be highly improbable as Welelaw had no known political links. However, the victim had a substantial criminal record. As police records and the testimonies of family members and neighbors show the deceased had been in prison a number of times for theft. When his father was asked why his son was killed, he replied

“His name was associated with wrong doings….He had bad reputation. He often quarreled with people. People suspected him of stealing and other lawless activity. He had nothing to do with politics.”

Asked whether his son had been involved in politics or had been a member or a sympathizer of a political group, Welelaw’s father said:

“He had never attended any political meetings... I swear... I don’t tell a lie.”

Welelaw’s father, Ato Muche Tsegaye

Welelaw’s mother, W/o Lakech Meneale
Yohannes Alelelign, a relative and neighbor of Welelaw Muche’s family said:

“He was shot dead as a result of his notoriety for theft...He had never been in politics. He was a youngster known for only theft. He was a bully young man reputed for his prowess. He could beat two or three persons. He would always beat his challengers. No one could match him when it comes to physical fights. He had no interest in politics.”

Similarly Welelaw Muche’s neighbor and a priest of the local parish, Tilahun Abe said:

“He never heeded to his parents advice. He was known for his unruly behavior. He was not earning a living as a farmer. He was reputed as a thief.”

Asked about his political membership, the priest said:

“No...he wasn’t interested in politics.”

It is clear enough in fact that Welelaw Muche had no political interest or political participation whatsoever.
He was not and never had been a member of any political party. The victim was in fact a well-known delinquent who quarreled with most of the people in the locality. It is highly probable that Welelaw Muche might have been killed in a brawl though some in the opposition tried to spin the incident to their advantage. If all such deaths due to common crimes were to be reported as political murders, then the US government would most likely be the world’s record holder in extra judicial killings. Wallow in Mache’s death was most likely caused by nothing more than personal dispute. But regardless of his ill-reputed reckless character, he did not deserve to die in the manner he did. Most of all, his family deserves justice and for this reason, police investigation into his murder has to continue.

### iii) The case of Aschalew Taye[Baye]

The State Department Report states:

> “On July 8, 1991 in Wonago town (Oromiya Region) local police shot and killed Aschalew Taye, a supporter of All Ethiopia Unity Party (AEUP). Officials arrested the police officers involved; at year’s end the trial was in session.”

The investigation discovered that Aschalew Taye was an employee of Alem Desie Grocery, that also serves food and alcoholic beverages. He worked for a living and supported his sister with the income he earned from
the grocery. However, on July 9 last year, while trying to break up a fight between certain individuals, he was shot and killed by a police officer called Sergeant Desalegn Mamo. The officer was subsequently arrested and is presently under custody pending court trial.

Aschalew was killed by a bullet aimed at someone else while he was trying to stop a physical fight. The killing was not premeditated; it was an accident. It is difficult to believe how such an unfortunate accident could be said to have been motivated by political reason. The Report, however, claims that Aschalew Baye was an AEUP supporter killed for political motive. This is simply untrue. His sister infact had this to say,

“I know nothing about that. When it comes to politics, he wasn’t interested, he was not involved. Both of us worked all day: I in the local market and he as a waiter. He dropped out of school because we had no money. We lost our mother...and it is only recently that we got a kebele house. He is not the kind to involve in politics. He does not know what it means. He died in an accident during a brawl.”

Woinshet Baye, sister of Aschalew

The owner of the grocery, Alem Desie, where Aschalew worked rejected the idea that the victim might have been a supporter of a political organization:
“This is quite new to me. I knew him very well. I knew what he did and where he went. This is quite erroneous...he had no connection with any kind of politics whatsoever. His life revolved around waiting tables. He had nothing to do with politics.”

Alem Desie, Aschalew’s employer

The truth is that Aschalew was killed accidentally in a private physical fight. The person who caused the accident was arrested and is presently awaiting his verdict. There was no political dimension to the case and the involvement of a police officer does not make it so. The State Department’s uncritical acceptance of the line that politics had something to do with Aschalew’s death implies one of the following two things. It either means that the Department is an extremely careless institution or it deliberately seeks to politicize the tragic incident to reinforce the ongoing campaign against Ethiopia’s human rights record by certain opposition entities. Parenthetically the town that the deceased Aschalew came from, Wonago, is not located in Oromiya Regional State as the report stated, but in the Southern Nations, Nationalities and Peoples Region.
iv) The case of the alleged killings of ten people in Gue town

This is another alleged case contained in the previous year Report. The Report says:

“There were no developments in the following of the 2007 killings of: Tesfaye Taddese, Degaga Gebissa, Tsegaye Ayele Yigzaw, Belachew Endale Bitew, Manaye Alamere, Alemu Tesfaye, Tariku Eakiso, Menssur Musema, and the two students at Gue Secondary School (Gue town, Oromiya Region)”

The findings of the investigation of this case show a different story. Other than the two students, Tesfaye, a resident of Gimbi town, who died of natural illness, the remaining seven people were not residents of Gue town. The claim about their death indeed appears to be pure fabrication. A number of residents of Gue testified that they knew none of the names listed as dead. One of them, Alemayehu Ayalew who lived in the town for 32 years, and represented the CUD opposition party in the 2005 elections, stated:

“I have lived in this town for 32 years. Those in the list, one to eight, were not residents of this town and I never knew them. I would have known them had they lived here. I have nothing to hide.”

Alemayehu Ayalew
A 73 year old Mustefa Beshir also testified:

“I am telling you, I have been a resident here for the past 73 years. I have never heard of these names. Had these people lived in the vicinity, let alone here in Gimbi town, I would have known about them.”

Nobody had heard of the seven people allegedly killed except Tesfaye Taddese. And as the fact-finding team discovered, he died of a natural cause despite receiving unsuccessful treatment in Nekemt and the Gimbi Adventist Hospitals.

His younger brother, Solomon Tadesse added:

“Tesfaye passed away on May 12, 1998 E.C. in my house after being treated at Gimbi hospital and then at Nekemt ... He died of an illness. Government security forces had nothing to do with it.”
Solomon Tolosa Aga, a relative and a close friend of the deceased, put it this way:

“We are family with Tesfaye. We were very close, I never left him during his illness. What I knew is that Tesfaye had been to Nekemt for treatment and then at Gimbi Adventist Hospital and later died at his brother’s home. The allegation that he was killed by a government agent is a lie...I know Tesfaye died of illness. I was there when he died.”

He confirmed Tesfaye’s death had nothing to do with politics.

Regarding the case of the two students, Gemetchu Binecha and Lelisa Waqgari, the finding of the inquiry shows that they had participated in a seditious secret meeting with other 29 people in a house located at the edge of the town on Tahisas 25, 1999 E.C (January 7, 2007), at 9:00 pm. Tipped as they were about the gathering, the regional security forces arrived at the site to disperse the attendants. According to the record taken at the time, the police ordered the participants to disperse, after explaining to them that the meeting was illegal. Subsequently a commotion broke out where shots were fired into the air. The record stated that unfortunately a stray bullet killed Gemetchu Binecha
and left Lelissa Waqgari injured who subsequently died on the way to a hospital. The Haro district police also seized OLF emblems, flags, lists of names of members and contribution money to the banned OLF. All of these items have been held as exhibits by the police.

The local administration personnel and community elders believed that the death of the students was unnecessary and should have been avoided. They pointed out that

“The measures taken were not commensurate with their crime; these students should have been offered advice and not killed.”

The West Wollega Zonal police subsequently appointed an independent fact-finding team to investigate the incident in which two students died. The team discovered that excessive use of force was used. The responsible person, the Administrative and Security Head of the area, a man by the name of Tamene Tadesse was indicted. He was taken to court in March last year, convicted and sentenced to 15-years imprisonment. It appears that the State Department has allowed itself to be misled as it has lumped together the shooting of the two students with the case of Mr. Tesfaye who died
of a natural cause. Worse still, it even sites fictitious deaths and the attribution of a non-existent political motive. The report also ignores the fact that the person responsible for the death of the students was brought to justice a year ago following police investigation. The failure to mention these relevant facts suggest a deliberate attempt to tarnish Ethiopia’s human rights record.

v) The case of the beating and disappearance of Tilahun Ayalew

The story of Tilahun Ayalew, a teacher at the Dangila town 03 Primary School, is another alleged case of disappearance cited in the State Department Report. The Report states

“Tilahun Ayalew, chairman of the Dangila town Ethiopian Teachers Association (ETA) and coordinator of the program Education for All, was detained from December 2007 to March 2008. He reported that Bahir Dar Regional Police detained and tortured him for three to four days before transferring him to Makelawi police station in Addis Ababa, where police reportedly tortured him. The Federal first instance Court then released him on a habeas corpus petition, citing the lack of formal charges against him. Shortly after seeing his family upon release, Tilahun disappeared, and his whereabouts remained unknown at year’s end.”

The findings of the inquiry of the case show the
following. Tilahun Ayalew was a member of the CUD and a teacher by profession who run in the 2005 election representing the CUD. There are no reports of any political pressures on him during the 2005 polling. But after the election and the announcement of the results, a court ordered his arrest on suspicion of involvement in a violent upheaval planned by the CUD. He was detained and released on bail pending the investigation. His movements were not restricted and led a normal family life and pursued his teaching profession, until he was summoned to re-appear in court. This was when he disappeared, without saying a word even to his family, his colleagues or the regional administration. His disappearance, at a time when the police had uncovered further evidence against him strongly suggests that he fled from justice. While lately found evidence has confirmed that Tilahun went to Kenya and was interviewed by the Eritrean media, the fact-finding team met with his family in Dangila town and learned that Tilahun was neither beaten while in custody at the time of his arrest, nor, according to all available evidence, tortured at the ‘Makelawi’ precinct. These are just the sort of allegations so frequently made, but seldom supported by evidence in the plethora of criticisms of Ethiopia’s human rights violations. The State Department Report’s claims of torture of leaders and members of the opposition parties during the elections underscore this fact. Beatings and torture