



May 5, 2005

Ethiopia and Eritrea: Promoting Stability, Democracy and Human Rights

**Hearing of the House Committee on International Relations
Subcommittee on Africa, Global Human Rights and International
Operations**

**Testimony by Michael Clough, Africa Advocacy Director,
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Chairman Smith and Members of the Subcommittee:

My name is Michael Clough. I am the Africa advocacy director for Human Rights Watch.

My testimony is based on reporting from two recent missions to Ethiopia by our researchers and ongoing monitoring of human rights conditions in Eritrea. But my own experience with this region goes back to 1990-91, when I was the director of the Africa program at the Council on Foreign Relations and organized a study group on the Horn of Africa.

During that period, I made three trips to Ethiopia. I will especially never forget my last trip. It was less than a month after the fall of the Derg's brutal military dictatorship—and the mood in the country was one of tremendous relief and cautious hope. I drove north from Addis Ababa hoping to make it all the way to Asmara to witness the birth of a free Eritrea. But my hopes were dashed when, after three days of driving through a seemingly endless stream of former Ethiopian soldiers walking home from the war, I reached the Tigrayan city of Adigrat and the border with Eritrea. In a move that tragically foreshadowed the future, immediately upon seizing control of Asmara, the Eritrean People's Liberation Front (EPLF) closed the border.

Since 1998, that border has been a battle line. Both Eritrea and Ethiopia face a bleak future unless they can find a way to end their conflict—and, more important, give all their citizens a full opportunity to realize their hopes for human rights, peace and freedom.

Human Rights Watch's work on Eritrea and Ethiopia is focused exclusively on the protection and promotion of human rights. For that reason, we have not reported or taken a position on the border dispute or the negotiations to end it.

I would now like to provide a brief overview of the human rights situation in these two countries.

Human Rights in Eritrea

Eritrea is a highly repressive state. Since independence, the only political party that has been allowed to operate in the country is the ruling People's Front for Democracy and Justice (PFDJ) led by President Issayas Afewerki. During this period, no national elections have been held. National elections were scheduled to be held in 1997 and in 2001, but both times they were cancelled.

In 1997, a constitutional assembly drafted a constitution that was ratified by a national referendum. The president however has refused to implement it. The constitution would provide for the fundamental rights to freedom of speech, religion, peaceful assembly and to form organizations. It would also provide for basic due process protections, including the rights of detained persons to habeas corpus and to fair and public trials. But these rights exist only on paper. President Afwerki's government will not permit anyone to practice them.

Political dissent is now totally suppressed. In September 2001, the government arrested eleven leaders of the PFDJ, after the release of a letter they sent to President Afwerki asking for implementation of the 1997 constitution and democratic reform, and criticizing his leadership. Since then, scores of other Eritreans have been arrested because of their alleged ties to the dissidents or for their perceived political views. The Eritrean government has also arrested publishers, editors, and reporters—and even two Eritrean employees of the U.S. State Department, apparently in retaliation for a U.S. statement critical of these other arrests.

All these citizens have been locked up and the key apparently thrown away. There are no charges pending against them in any court. They have no lawyers. No one, not even family members, knows where they are or what conditions they are kept in—even whether they are still alive or not. It has been almost four years since they were plunged into prolonged arbitrary incommunicado detention.

Arbitrary arrests and prolonged imprisonment without trial have not been limited to political leaders and journalists. For example, the government detains about 350 Eritreans who fled Eritrea as refugees but were involuntarily repatriated from Malta in 2002 and from Libya in 2004.

Prison conditions in Eritrea also raise serious human rights concerns. Many of those arrested are held incommunicado in secret detention sites. Prison escapees have reported that prisoners are subjected to psychological and physical torture. Because Eritrea prohibits prison visits by international organizations, including the International Committee for the Red Cross, it is impossible to determine the validity of these reports.

The Eritrean government also maintains a monopoly on access to information. In 2001, the government closed all nongovernmental newspapers and magazines. Since then, the government has expelled the BBC correspondent in Eritrea, the sole remaining resident foreign journalist in the country. In addition, it has placed all Internet cafes under government supervision.

In short, by any possible measure, the human rights situation in Eritrea is extremely bad—and, unfortunately, there is little prospect for a substantial improvement in the near future.

Human Rights in Ethiopia

In Ethiopia, the human rights situation is much more mixed. Since 1992, there have been positive developments. But, as Human Rights Watch's recent reporting has documented, there are also very serious grounds for concern.

The Unfulfilled Promise

When Prime Minister Meles Zenawi and the Ethiopian People's Revolutionary Democratic Front (EPRDF) assumed power in 1991 and formed a transitional government that included the Oromo Liberation Front (OLF) and other parties, it created a moment of hope that Ethiopia would become a stable democracy committed

to protecting and promoting human rights. This hope was based largely on the new government's promise to respect the political rights and cultural autonomy of long suppressed ethnic groups such as the Oromo, who constitute more than one-third of the Ethiopian population, and the Tigrayans, who are much smaller in numbers (seven percent) but have been the dominant force in the EPRDF. But hopes for a new era of peace quickly began to dim when charges of intimidation in the run up to national elections in 1992 caused the Oromo group, the OLF, to withdraw from the transitional government and its leaders to leave the country. The OLF's withdrawal cleared the way for the EPRDF to gain a monopoly over political power in Oromia; and its decision to launch an armed struggle has provided the EPRDF government with an excuse for its systematic repression of political dissent in the region.

A new constitution was adopted in 1995. On paper, it creates an imaginative new system of "ethnic federalism" based on the right of ethnic groups to self-determination. It establishes a parliamentary system with regular elections. And it recognizes the rule of law and guarantees Ethiopians a wide range of individual, economic and socio-cultural rights. The new constitution notwithstanding, since the EPRDF came to power, the human rights of Ethiopian citizens have been ruthlessly violated and political dissent has been crushed in much of the country.

In ten days, Ethiopia will hold its fourth national election since Prime Minister Meles and his government came to power. According to reports by international groups, including the National Democratic Institute (NDI), past elections have been marred by widespread violence and intimidation of political opposition. The May 15 elections, which will be observed by delegations from the European Union, the Carter Center, the African Union and several countries, are seen by many observers as an important indicator of Ethiopia's progress toward democracy.

In advance of the election, the Ethiopian government has enacted some reforms that could, on the surface, make this election more open and competitive than previous elections. Those reforms include granting opposition candidates access to state-owned media outlets and relaxing onerous registration requirements for opposition candidates. These reforms are a positive step. But it would be a mistake to focus solely on the mechanics of electioneering and the conduct of the vote on May 15.

For elections to be a meaningful exercise of citizens' fundamental right to participate in the selection of a government, they must take place in an environment where all citizens have the opportunity to freely form and express their political ideas and voters are offered real choices among parties and candidates. Unfortunately, that kind of freedom does not exist in most of Ethiopia today.

In recent months, Human Rights Watch has conducted research missions in two very different regions of Ethiopia: Gambella and Oromia. Based on this research, it is clear that hopes for a new era in which the basic freedoms and human rights of all Ethiopians are respected have not been realized.

Gambella

Gambella People's National Regional State (Gambella) is a low-lying region roughly the size of Rwanda that sits along the border with Sudan in the southwest of Ethiopia. It has an ethnically diverse population of roughly 220,000 people. As recently as 1980, the largest ethnic group in the area was the indigenous Anuak. Since then, however, migrations of Nuer from Sudan and "highlanders" from other parts of Ethiopia have turned the Anuak into a minority. This demographic transformation has fueled frequent ethnic clashes.

Before late 2003, Ethiopian National Defense Force (ENDF) forces based in the region had mostly stayed out of these clashes. Then, on December 13, 2003, these government soldiers joined civilian mobs in a murderous rampage in Gambella town, the regional capital. This massacre, which came in response to a series of Anuak ambushes of "highlander" civilians, marked a turning point in the region's long history of conflict. Since December 2003, the Ethiopian army has carried out a brutal assault against Anuak civilians.

The nature and magnitude of the December 2003 massacre and the subsequent army assaults on civilians are detailed in a March 2005 Human Rights Watch report, "Targeting the Anuak: Human Rights violations and Crimes against Humanity in Ethiopia's Gambella Region." That report was based on a three-week investigation in Gambella and Addis Ababa and interviews with eighty-four Anuak civilians from nineteen different towns and villages.

The December Massacre

Based on our investigation, Human Rights Watch believes that more than 100 government army troops participated in the December 2003 massacre. Soldiers and other rioters killed more than 400 Anuak civilians, raped several Anuak women and burned more than four hundred Anuak houses. The commander of Gambella town's military garrison, Major Tsegaye Beyene, was in Gambella town throughout the massacre, and appears to have directly taken part in the violence.

One middle-aged woman, who was inside her house with her family on December 13, 2003, described what happened after her husband went outside to confront a group of soldiers and highlander civilians:

When they came we were in the house with our children. My husband, they shot him [in front of our home] After he was fallen my son could not hide himself anymore and he went out to see his father. . . . They killed him as well. It was the military with guns and lots of our highlander neighbors.

An Anuak man who was hiding in the house of a highlander friend described what took place in an intersection a short distance from that house:

They were in a big group sitting there waiting for people because Anuak had to cross through that area to get to Anuak villages. I could see through the window. I saw about seven people being killed with my eyes. Four were knifed and beaten by highlanders and two were shot by the military. One man was shouting, "I am a Nuer, not an Anuak," but they recognized him as Anuak. . . . One [man], the soldiers tied his hands to his legs and put him on the road and then ran over him with a military truck.

Initially, the Ethiopian government maintained that no soldiers had taken part in the massacre. But a commission appointed by the Ethiopian government concluded that "rogue elements from within the ENDF's ranks had taken part in the killing." The commission also estimated that only sixty-five people were killed. Based on interviews with twenty-four eyewitnesses to the massacre and interviews with Anuak community leaders and other knowledgeable sources, Human Rights Watch believes that the Commission's report grossly underestimates both the extent of ENDF army involvement in the massacre and the number of people killed.

The Ethiopian government has arrested some highlander civilians and regional police personnel and a handful of low-ranking soldiers for participating in the killings. But no ENDF army officers have been held accountable. And the victims of the massacre have not been compensated for their losses.

Continuing Abuses in Gambella

Since December 2003, ENDF forces in Gambella have committed widespread violations against Anuak communities throughout the region. These abuses have included large-scale attacks on villages, extrajudicial killings, rape, beatings and torture, and destruction of property and looting. Some of these abuses have involved raids on Anuak neighborhoods and villages, but others have been attacks on individual Anuak citizens. Human Rights Watch's March 2005 report presented case studies of three different areas of Gambella—Pinyudo, Tedo Kebele and Gok—that illustrate the pattern of abuse that has been taking place in the region.

While the Ethiopian government has taken some limited steps to address the December 2003 massacre, it has not acknowledged the continuing abuses in the region that Human Rights Watch documented. In addition, regional and police authorities in Gambella have been unable or unwilling to respond to persistent complaints of abuse by members of affected communities. Instead, victims told Human Rights Watch, military authorities have reacted to such complaints with hostility and threats of further violence. For example, one ENDF officer, Captain Amare, met with Anuak community leaders reportedly accused them of sheltering Anuak *shifita* (armed rebels or criminals) without offering any basis for these charges and told them that they are to blame for ENDF attacks on their villages.

Human Rights Watch believes that, under international law, the ENDF army attacks on the Anuak population may amount to crimes against humanity. In our report, we call upon the government of Ethiopia to immediately halt the commission of these crimes and investigate and prosecute ENDF personnel and government officials who are alleged to have been involved in the December 2003 massacre and subsequent attacks. We also urge Anuak leaders to take steps to reduce tensions between Anuak and highlanders.

Oromia

Oromia is the largest and most populous of Ethiopia's nine regional states. It sprawls over 32 percent of the country's total land area and is home to at least 23 million people. Oromia surrounds the nation's capital, Addis Ababa, and divides Ethiopia's southwestern states from the rest of the country. While Oromia's population is ethnically diverse, the overwhelming majority of people who reside there are ethnic Oromo. The Oromo population shares a strong and distinct sense of ethnic and national identity. Because of the size of the Oromo population and the region's central location and economic importance, the competition for political power in Oromia is

crucial to the future of Ethiopia. Since 1992, Oromia has been controlled by the Oromo People's Democratic Organization (OPDO), which is a member of the EPRDF.¹

In March 2005 Human Rights Watch interviewed 115 persons in Addis Ababa and Oromia's East Shewa, West Shewa, East Wollega, West Wollega and Jimma zones. Just over half of those interviewed were farmers from rural *kebeles*. Based on this research, Human Rights Watch found that local authorities and security officials in Oromia have routinely violated the human rights of people they believe to be critical or unsupportive of the government. Examples of what we found include:

- Human Rights Watch interviewed forty-one individuals who were detained in 2003-05 by local security officers, who accused them of conspiring against the government. They were imprisoned for weeks or months before being released. In all forty-one cases, courts or police investigators ultimately found that the allegations against the detainees were unsupported by any evidence.
- In May 2004, the four top leaders of the Mecha-Tulema Association, the oldest and most prominent Oromo civil society organization, were arrested and accused of providing support to the OLF and plotting a grenade attack at Addis Ababa University. As of April 2005, all four remained in detention awaiting trial.
- In numerous instances, Oromo students have been detained and arrested because they participated in peaceful protests against government policies or were suspected of being OLF supporters--and teachers and school administrators have been required to monitor and report on their students' activities. Some students of the detained students were also tortured.
- Quasi-governmental "self-help" structures have been set up throughout the rural areas of Oromia and are being used to gather information, monitor and harass outspoken individuals, control and restrict the movement of the rural population and disseminate political propaganda on behalf of the ruling OPDO.

¹ The OPDO was originally created by the Tigrayan People's Liberation Front (TPLF) as part of the process that led to the formation of the ruling EPRDF just before the collapse of the old military regime.

The actions of local authorities and police to punish dissent have had a widespread chilling effect on political activity in Oromia. As one retiree in Dembi Dollo told Human Rights Watch:

People are afraid to say anything at all- they are always suspicious of the person sitting next to them. Even me- I choose the most neutral topic of conversation possible. I cannot even talk about the shortage of electricity or water because it points to the government. Even innocuous topics like that are off limits, let alone politics.

Because of this pattern of repression, citizens in Oromia have been denied a genuine opportunity to participate freely in the Ethiopian political process.

Conclusions and Recommendations

Over the past decade, despite clear evidence of widespread human rights abuses, which have been reported in the State Department's annual human rights report, the United States has developed close ties with Prime Minister Meles and the EPRDF government. As this subcommittee is aware, Ethiopia is a major recipient of U.S. assistance. In addition, it is regarded as an important partner in the global campaign on terror. In recent years, relations with Eritrea have been much more limited.

Given the United States' relationship with Ethiopia, it is crucial that Congress direct U.S. policymakers to consistently urge the Ethiopian government to end ongoing human rights violations. Specifically, the United States should insist that those responsible for crimes against humanity and other serious human rights abuses in Gambella are brought to justice by the Ethiopian government and that the systematic suppression of political dissent in Oromia is ended. In addition, the United States should take steps to ensure that all forms of military assistance and cooperation with the Ethiopian government do not, directly or indirectly, aid or facilitate human rights abuses in Ethiopia.

The United States must also continue to deny all non-humanitarian aid to Eritrea as long as President Afwerki's government continues to violate the human rights of its citizens.

Finally, U.S. officials in all branches of government, including the Defense Department, must clearly communicate to the governments in both Eritrea and Ethiopia that cooperation against international terrorism cannot be used as a rationalization for violations of human rights.