

# Genocide Watch and Survivors' Rights International

## Operation Sunny Mountain

*Soldiers, Oil & Ongoing State Terror against Anuak & Other Indigenous Minorities  
of Southwestern Ethiopia*

### A Genocide Watch and Survivors' Rights International Field Report

13 December 2004

*"When a lion kills a goat in Ethiopia it is reported on the news. But when Ethiopian soldiers are killing Anuaks it is not reported."*

*"People are scared into silence – if you say something against the government they find a way to arrest you – even now."*

Anuak Survivors, September 2004 -

#### CONTENTS

i. Preface to the Second GW/SRI Report on State Terror in Anuak Areas	2
ii. Map of Gambella State & Natural Resources	
<b>I. SUMMARY.....</b>	<b>3</b>
▪ Ongoing Persecution of Anuaks	
▪ Military Occupation & Depopulation of Anuak Villages	
▪ Rape and Sexual Slavery Against Women and Girls	
▪ Burning, Looting and Destruction of Property	
▪ Arbitrary Arrest, Illegal Detention and Torture	
▪ Accelerated Petroleum Operations	
▪ Impunity for the Perpetrators	
<b>II. BACKGROUND.....</b>	<b>5</b>
<b>III. OPERATION SUNNY MOUNTAIN – The Massacres of December 2003</b>	<b>7</b>
<b>IV. MILITARY OCCUPATION – Continuing State Terror: January to December 2004</b>	<b>13</b>
<b>V. ACCELERATED PETROLEUM OPERATIONS.....</b>	<b>20</b>
<b>VI. INTERNATIONAL LEGAL STANDARDS.....</b>	<b>21</b>

A. Crimes Against Humanity.....	21
B. Genocide.....	22
C. Arbitrary Arrest, Illegal Detention and Torture.....	23
D. Protection of Objects Indispensable to the Survival of Civilians...	24
<b>VII. THE UNITED STATES AND ETHIOPIA.....</b>	<b>24</b>
<b>VIII. CONCLUSIONS.....</b>	<b>26</b>
<b>IX. RECOMMENDATIONS.....</b>	<b>29</b>
<b>X. APPENDICES.....</b>	<b>31</b>
<u>Appendix I:</u> List of Police Perpetrators Identified by Government.....	31
<u>Appendix II:</u> Partial List of Anuak Villages Targeted by Ethiopian Military	32
<u>Appendix III:</u> Anuak Police Jailed by Government During August 2004 Evaluation	33
<u>Appendix IV:</u> List of Anuak Leaders Jailed 13 December 2003 Prior to Killings of UN workers	34

**Preface to the Second Genocide Watch/Survivors’ Rights Report on State Terror in Gambella**

In February 2004, Genocide Watch and Survivors’ Rights International published Today Is The Day For Killing Anuaks. That first report was based on a GW/SRI field team investigation in Pochalla, Sudan, an area controlled by the Sudan People’s Liberation Army (SPLA) near the border with Ethiopia, where testimony was gathered from Anuak civilians fleeing violence in the Gambella region of Ethiopia (see Gambella map, page 4).

This second GW/SRI report updates and corroborates the first report with evidence gathered in Gambella, Ethiopia. It is based on a research mission into Gambella State and evidence gathered since. GW/SRI researchers conducted interviews with scores of Anuak eyewitnesses, victims and survivors of violence. Research included field investigations of claims of executions, torture, mass rape, mass graves, and visits to villages and homes burned and looted.

The additional testimony gathered underscores the criminal nature of violence committed in the region December 13-16, 2003 and throughout 2004, and the Ethiopian government’s direct responsibility for it. Due to continued insecurity in Gambella State that rendered travel to many areas imprudent, GW/SRI researchers were not able to travel to some of the most remote villages and districts, largely due to total, hostile military occupation of these areas.

Significant new information has been gathered and is presented in this report. Most important is the new evidence of the continuing violence against Anuak civilians conducted by the Ethiopian army.

GW/SRI's first report, *Today Is The Day For Killing Anuaks* provides the background for this report, and should be read along with it. This report strongly corroborates GW/SRI's first report and provides ample evidence that state-sponsored violence against the Anuak is continuing today.

To protect sources, this report does not specify the exact dates of visits to the region, names of sources interviewed, or the names of GW/SRI field researchers. However, all field visits occurred between June and October 2004, with interviews and investigations conducted in Nairobi, Addis Ababa, Gambella town, and villages in the rural districts of Itang, Gambella, Abobo and Gog. Some villages visited are named; others are not.

Genocide Watch and Survivors' Rights International remain deeply concerned for the security of innocent non-combatant Anuak civilians and leaders who have risked their lives in speaking to our researchers. Many expressed their fear of being beaten, arrested or killed by government troops or police in reprisal.

## I. SUMMARY

On the first anniversary of December 13 – 16, 2003 when Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) forces and highland Ethiopian settlers initiated genocidal massacres deliberately targeting the indigenous Anuak minority of Gambella State, southwestern Ethiopia, the terror continues. Meanwhile, petroleum operations – heavily guarded by EPRDF troops -- are rapidly moving forward.

The Gambella region is under total military occupation. Estimates of the number of Ethiopian troops vary, but GW/SRI sources say between 18,000 and 80,000 EPRDF troops have been deployed in the area, where they commit daily atrocities on the pretext of "counter-terrorism" and "national security."

At least 1500 and probably as many as 2500 Anuak civilians have died, with intentional targeting of intellectuals, leaders, and members of the educated and student classes. Hundreds of people remain unaccounted for and many are believed to have been "disappeared" (murdered) by government forces.

Poor rural villages, where Anuaks and other ethnic minorities live on the margins of subsistence, have been attacked, looted, and burned. EPRDF soldiers have burned thousands of Anuak homes (see Appendix II).

Anuak women and girls are routinely raped, gang-raped and kept as sexual slaves. Girls have been shot for resisting rape, and summary executions of girls held captive for prolonged periods as sexual slaves have been reported. In the absence of Anuak men—killed, jailed or driven into exile—Anuak women and girls have been subject to sexual atrocities from which there is neither protection nor recourse. Due to the isolation of rural areas, rapes remain substantially under-reported. EPRDF soldiers prey upon defenseless women and girls as they pursue the imperatives of daily survival, such as gathering firewood and water or trips to market.

Some 6000 to 8000 Anuaks remain at refugee camps in Pochalla, Sudan; and there are an estimated 1000 Anuak refugees in Kenya. The Disaster Preparedness and Prevention Bureau (DPPB) in Ethiopia estimated in August 2004 that approximately 25% (roughly 50,000 people) of Gambella's population has been displaced. Displaced civilians are subject to arrest, torture and extrajudicial execution if they are encountered by EPRDF troops during their search and destroy missions against the armed insurgents of various anti-government factions.

Some 500 to 600 Anuak men have reportedly been imprisoned without charge or trial and live under harsh confinement in Gambella and rural jails. They are reportedly subjected to torture. At least 44 of these prisoners are held in Addis Ababa. The majority of the detainees are suspected supporters of the Gambella People's Liberation Front (GPLF), and are students, elders, farmers, politicians and businessmen.

Anuak traders are afraid to sell goods, and vendors in towns have been forced to close shops and stores. Farmers not killed or driven off are afraid to farm their fields. Crops, food stores and communal milling equipment have been destroyed. EPRDF soldiers have expropriated schools in remote villages and rural towns for use as makeshift barracks. While the educated class has been intentionally targeted, Anuak children are denied all basic education.

This report provides further evidence that crimes against humanity and acts of genocide have been committed against Anuak civilians by EPRDF soldiers and "Highlander" (in Amharic "cefarioch") militias in southwestern Ethiopia. "Highlander(s)" refers to Ethiopians who are neither Anuak nor Nuer, the indigenous peoples of the region, but predominantly Tigrayan and Amharic people resettled into Anuak territory since 1974. (A capital 'H' has been used to designate Highlanders who participated in the recent violence from other highlanders of Ethiopia.)

The report documents the continuing murders, torture, rapes, illegal detention, and other kinds of persecution deliberately targeting the Anuak people, with a detailed look at the EPRDF military campaign against unarmed men, women and children in rural Anuak villages from December 2003 through September 2004. The perpetrators of extreme violence committed in rural areas are EPRDF soldiers and Highlander militias who have been given free rein to murder and rape with impunity.

There is no evidence whatsoever to support claims that the massacres since 13 December 2003 are the result of communal violence between Anuaks and the local Nuer ethnic group, as has been reported by media following a propaganda campaign of denial by the Ethiopian government.

The report of an "Independent Inquiry Commission," chaired by a member of the Meles government, has attempted to cover up the truth about the massacres in Gambella. The Commission's report employs every technique of denial, including blaming the violence on the victims, falsely blaming the killings on other ethnic groups such as the Nuer, minimizing the number of dead, claiming that the killings were the result of spontaneous mob revenge or crimes by "hoodlums," rather than a coordinated government assault, and even claiming that the violence was the result of incompetent leadership by the Anuak governor of Gambella, who was himself a victim driven into exile by the killing. Incredibly, the "Independent Inquiry Commission" report even states that the EPRDF saved Anuak lives, when EPRDF soldiers were named as the perpetrators in every murder the Commission's witnesses referred to in its own report. The "Commission" report

concludes that only twelve Anuaks were killed by government troops, when the actual number is in the hundreds. The report is a whitewash that should be rejected by the international community, which should demand an independent investigation sponsored by the United Nations High Commissioner for Human Rights.

Credible sources in Gambella and Addis Ababa describe a coordinated military operation to systematically eliminate Anuak leaders in Gambella State-- the violence that swept through Gambella town beginning on 13 December-16, 2003 was only the start of a long-term campaign. Sources told GW/SRI that sympathetic highlanders within the local government police and intelligence network revealed that the code name of the military operation was: "OPERATION SUNNY MOUNTAIN". [1]

This report supports allegations that ethnic cleansing has been approved at the highest levels of the Ethiopian government, and that the violence initiated by the December 13 – 16, 2003 massacres in Gambella has been deliberately calculated to drive the Anuaks from areas of major petroleum reserves.

This report also provides credible evidence that as part of its campaign of ethnic cleansing, other crimes against humanity are being committed against Anuak civilians by EPRDF soldiers and "Highlanders" in southwestern Ethiopia. Anuak refugees and EPRDF insiders have provided compelling testimony that these crimes include acts of genocide.

A list of names of Highlanders allegedly responsible for the violence of December 2003 is provided in Appendix I. The list was reportedly generated at a federal government "evaluation" meeting about the events of December 2003 intended to identify perpetrators. Directed by a federal police investigator from Addis Ababa, the meeting reportedly took place at the Gambella Police Commission on August 2, 2004. Highlander police involved in the December massacres were officially identified. Anuak police identified at the same meeting (see Appendix III) were jailed on August 2, 2004 for providing information or cooperating with other Anuaks in retaliation against the EPRDF. No action was taken against the Highlander police. They remained on active duty as of late September, 2004. [2]

Sources reported that a federal police investigator from Addis Ababa dispatched to Gambella in July was shot and killed. Charged with determining the extent and nature of involvement of Gambella police in the December massacres, the investigator was apparently executed for having identified many Highlander police who were "fully involved" in the killing. [3]

On September 18-19, 2004, notices were posted around Gambella town indicating that the Southwest Development Company (a new highlander company) would be filling some 170 positions, to begin work immediately in support of "construction and petroleum related operations in Gambella region."

Petroleum operations pursued under the current circumstances will have devastating consequences on the social and political relationships and natural environment of the Gambella region.

## **II. BACKGROUND**

The Ethiopian government has followed a pattern first established by the Derg regime of [1] resettling highlanders in Anuak areas and [2] slowly killing and driving out Anuaks. Since 2001, when oil was discovered in Gambella, the campaign of ethnic cleansing of Anuaks has increased in intensity. Many sources believe there is a hidden agenda behind the recent massacres and that it is about control over Gambella's oil.

After the EPRDF coalition defeated the Derg – with full support of Anuaks from the Gambella Peoples' Liberation Front (GPLF) – EPRDF troops began killing Anuak intellectuals and students on rural roads, in town, etc., under the pretence that they were common thieves. This slow process of attrition reportedly provoked military confrontation between the EPRDF and the GPLF around 1993. The conflict scattered GPLF forces, most of whom returned to their farms, or fled to Pochalla, Sudan where some joined the Sudan Peoples Liberation Army (SPLA). A few GPLF fighters were also absorbed into the EPRDF, but they were usually transferred to distant areas of Ethiopia.

Working to emasculate the GPLF and its capacity to defend Anuak homelands, the EPRDF resumed the process of a slow but steady attrition through the isolated killings of Anuak farmers and other civilians. This process continued through the 1990's, and resulted in GPLF reactions.

The Gambella People's Democratic Congress (GPDC) party was organized in 1999 in opposition to the ruling EPRDF, primarily to challenge consistent violations of the human rights of Anuaks and dispossession of Anuak lands. The GPDC immediately won a majority of seats in the government of Gambella state. [4] An Anuak, Okello Ngalo, was elected President (Governor) of Gambella State.

President (Governor) Okello Ngalo was among fourteen Anuaks jailed in April of 2002. According to Anuak sources, President Ngalo was jailed for refusing to sign an Ethiopian government document agreeing to the government's plan to exploit Gambella's oil.

Arrests of Anuak men became increasingly prevalent over a year ago, and some 44 Anuak leaders have been held in jail in Addis Ababa for over a year without trial, while more than 200 were held in jails in Gambella by December 2003. Since then, 500 to 600 more Anuaks, especially educated men who could lead Anuak resistance to the EPRDF, have been arrested and are being held in jails in Gambella State.

None of the prisoners have been charged in the time since their arrest. They have also been kept in abysmal conditions. Five of the prisoners have died since their imprisonment.

Following the imprisonment of the democratically elected governor, the EPRDF appointed senior officials to take over the administration of the region. Most of these appointments were Anuaks, including the appointed Governor, Okello Akway Ochalla. However, the governor was excluded from decisions about oil exploration because the federal government nationalized all mineral resources and placed their exploitation under the control of the federal government.

The Anuak situation has grown markedly worse since oil was discovered under Anuak lands by the Gambella Petroleum Corp., a subsidiary of Pinewood Resources Ltd. of Canada, which signed a concession agreement with the Ethiopian government in 2001. In May 2001, however, Pinewood

announced that it had relinquished all rights to the Gambella oil concession and Pinewood has since said that it has pulled out of Ethiopia.

On June 13, 2003, Malaysia's state-owned petroleum corporation, PETRONAS, announced the signing of an exclusive 25-year oil exploration and production sharing agreement with the EPRDF Government to exploit the Ogaden Basin and the "Gambella Block" or "Block G" concession. On February 17, 2004, the Ethiopian Minister of Mines announced that Malaysia's PETRONAS will launch a natural gas exploration project in the Gambella region. Block G covers an area of 15,356 square kilometers within the Gambella Basin and is located in the western part of Ethiopia.

### **III. OPERATION SUNNY MOUNTAIN**

#### **The Anuak Massacres of December 2003**

Massacres began after the murders of eight Ethiopian United Nations refugee camp officials whose van was ambushed on 13 December 2003, on the road from Gambella to Itang town in southwestern Ethiopia. While there is no credible evidence attesting to the ethnicity of the unidentified assailants, this incident provided the pretext for immediate genocidal massacres and mass rapes against Anuak civilians carried out by EPRDF soldiers and Highlander militias. An account of these massacres based on GW/SRI interviews of Anuak refugees in Pochalla, Sudan was published 25 February 2004 in the first GW/SRI field report, *Today Is The Day For Killing Anuaks*.

Evidence gathered for this second GW/SRI field report from eyewitnesses in Gambella paints a chilling picture of a military campaign against the Anuak planned prior to 13 December 2003, coordinated by named government and military officials. The massacres of 13 – 16 December 2003 were not due to spontaneous combustion. They were explosions carefully planned, laid and detonated by the Ethiopian government.

According to accounts from within the EPRDF regime, EPRDF plans to exploit petroleum and gas reserves in Gambella were made at a top-level cabinet meeting that occurred in Addis Ababa in September 2003. The meeting also reportedly discussed driving the Anuak off their land and out of key areas of Gambella State and eliminating their leaders. Prime Minister Meles Zenawi chaired the meeting. Also present were General Abdullah Gamada, head of the EPRDF military, Vice-Prime Minister Adisu Lagesse, and Omot Obang Olom, a regional Anuak government official who was named in GW/SRI's first report as one of the planners of the December 2003 massacres. Following the massacres, Omot Obang Olom was named Chief of Security for the Gambella region.

After the September 2003 meeting, EPRDF repression intensified. For example, one witness reported that EPRDF soldiers retaliated against the killing of a highlander in the Pinyudo area in September 2003 by killing four Anuaks in Perbongo village, two in Pinyudo town, and one in Gog Dipatch village (September 2003), although there was no evidence that any of the civilians killed had anything to do with the murder in Pinyudo.

Unknown gunmen reportedly killed road construction workers in Abobo district in October 2003, and the EPRDF retaliated by killing five Anuaks the same day, and three more the following day.

[5]

Sources have provided GW/SRI with the name of a high-ranking EPRDF military officer who told them of a meeting held on December 11, 2003, where a plan to eliminate Anuaks was discussed. Sources say that highlander sympathizers within the local government revealed that the code name of the military offensive was: "OPERATION SUNNY MOUNTAIN". The officer shared the news of imminent violence against Anuaks with several Anuak leaders, but did not specify the date when the offensive would begin. The officer was reportedly transferred to the distant town of Jimma immediately prior to 13 December 2003, the start of the pogrom against Anuaks. [6]

In the early morning of 13 December 2003, prior to the attack by unknown assailants on the United Nations Relief and Rehabilitation (UNRRA) staff and vehicle, nine Anuak government officials, including five heads of regional government bureaus, were arrested and detained in the Gambella jail. Their names were provided to GW/SRI researchers and are listed in Appendix IV. The Anuaks listed in Appendix IV remain in detention without charge or trial. The arrests reportedly occurred prior to the departure of the United Nations contingent from Gambella town. This list of key Anuak leaders was reportedly drawn up by Omot Obang Olom and is evidence that the plan to eliminate the educated Anuak was premeditated.

GW/SRI sources reported that detainees Ajow Odol Obang and Ojulu Oriet were tortured on 13 December 2003. Ajow Odol Obang was reportedly tied hands to feet, naked, and tortured with a rope around his genitals. Ojulu Oriet was beaten with a stick in the face and on the body and lost his teeth. Both men remain in prison in Gambella town.

According to Genocide Watch sources, the massacres on 13 -16 December 2003 were ordered by the High Commander in Chief of the Ethiopian army in Gambella, Nagu Beyene (Tsegayi Beyene), a Highlander, with the direct authorization of Dr. Gebre-ab Barnabas, an official of the Ethiopian government's Ministry of Federal Affairs. The accusation has also been made that lists of targeted individuals were drawn up with the assistance of a local Anuak government official, Omot Obang Olom, who has now been named Chief of Security in Gambella. [7]

## **Ø AMBUSH OF THE UNITED NATIONS PERSONNEL**

The ambush of U.N. personnel occurred on the road from Gambella to Itang town. The U.N. personnel were en route to a village called Odier where they intended to organize the transfer of non-Anuak refugees from one site to another. The driver of their vehicle was reportedly an Anuak. The Ethiopian government immediately blamed Anuak "rebels" for the killings.

Accepting the Ethiopian government's account of the UN killings, several international news reports have stated that the assailants were most likely Anuaks seeking to prevent the UN from transferring refugees to a site that would impinge on Anuak land. Marc Lacey of The New York Times, for example, reported the Ethiopian government's version of the murder of the UN workers as fact.

"The latest round of violence began last December when a group of armed Anuaks killed some highlanders. The highlanders were working for Ethiopia's refugee agency and were scouting out sites for a new refugee camp planned for the area. Thousands of Sudanese are living in camps in the



area around Gambella, waiting out the war in their country. The Anuaks, who had been complaining that the refugees were taking precious land, were outraged that another camp was going up on their land. [8]

However, Anuak sources claim that the refugee transfer would actually have been favorable to Anuak interests, and that the police and military did not avail themselves of the immediate opportunity to track and possibly apprehend the killers because they knew that the killers were not Anuaks. [9]

As noted by an elected member of the Gambella Regional Council and a founder of the Gambella People's Democratic Congress party:

“The place where the U.N. people were killed is not a place where only Anuak are living. There are Nuers, Anuaks, Opon and Komo... and they are living together.... But the government did not make an investigation.” [10]

A year after the ambush, GW/SRI has not received no replies to its inquiries to the United Nations and the Ethiopian government asking whether either has undertaken an official investigation of the killings of eight UN personnel on the morning of 13 December 2003. No investigative report has ever been released, and no one has ever been arrested for the murders.

GW/SRI sources in Gambella report that Anuak policeman Ojo Akway was among the first group of responders to the site of the ambush on the morning of 13 December 2003. Police officer Akway reportedly found tracks that he wanted to immediately follow to pursue those responsible for the UN killings. It was winter and the ground was amenable to tracking. His superior officer, Tadese Haile Selassie, a highlander, was also among those who responded to the murders.

GW/SRI sources alleged that Selassie, the Commander of Police in Gambella, subsequently ordered Akway's execution in order to suppress Akway's identification of the killers of the UN personnel. Sources report that Akway was detained on 13 December 2003, driven out of Gambella town, tied to a tree along the road to Abueal village, and shot in the head seven times. An informant sympathetic to Anuaks provided this information to Akway's relatives, noting that Akway's body was taken away and “disappeared,” but his gun was brought back to town, and no report on his death was filed. [11]

As soon as the police returned from the scene of the UN killings, they called EPRDF soldiers and armed Highlanders together to incite and organize the massacres of Anuaks. Another UN team with a military escort subsequently retrieved the bodies of the murdered UN staff. At public meetings, sources report, EPRDF High Commander Nagu Beyene incited the massacres of Anuaks because, he said, Anuaks killed the United Nations contingent. [12]

Credible sources in Gambella and Addis Ababa describe a coordinated military operation to systematically eliminate Anuak people from Gambella, OPERATION SUNNY MOUNTAIN. [13] As documented in the GW/SRI report *Today Is The Day For Killing Anuaks* (February 25, 2004), the town of Gambella was subsequently engulfed in a campaign of genocidal violence orchestrated

by EPRDF military and Highlander militias. The violence that swept through Gambella town on 13 December was only the beginning of a campaign that continues today.

### **Ø TODAY IS THE DAY OF KILLING ANUAKS**

The mass killings began about 12:00 noon on 13 December 2003. Twelve trucks of soldiers arrived in Gambella town and unloaded before noon. At 12:50 PM, sixty large trucks transporting soldiers arrived in Gambella and dropped hundreds more EPRDF troops. At 1:00 PM, EPRDF leaders allegedly “gave an order by shooting off a pistol into the air”. This was meant to be the signal to begin killing, torturing, mutilating and raping Anuaks. [14]

The pogrom continued unabated in Gambella town until December 15, with massacres, mutilations, mass rape, and arson of homes deliberately targeting unarmed and non-combatant Anuak men, women and children.

GW/SRI’s recent investigations on the ground in Gambella corroborate the evidence cited in our first report that acts of genocide and crimes against humanity have occurred with impunity, that they were committed by Ethiopian state officials and army forces, and that they are still occurring in Gambella State. GW/SRI researchers touring the Anuak areas in Gambella town and Gambella State saw the remains of hundreds of Anuak homes made of grass or straw that had been burned, and rubble from clay and cement dwellings that had been destroyed.

The genocidal nature of the massacres was evident in the intent declared by the killers and in the methods of killing. The bodies of those killed were dismembered and mutilated, a sign of the symbolic dehumanization typical of genocidal massacres. The killers shouted slogans indicating their genocidal intent. Among the slogans noted in GW/SRI’s first report, Witness #7 claimed to watch a gang of some 15 to 30 Highlanders armed with crude weapons attack and kill three Anuaks, including a student named Omot (grade 9), while repeatedly chanting:

“Today is the day of killing Anuaks.” [15]

According to corroborating testimony of survivors interviewed during GW/SRI’s recent trips to Gambella and other areas of Ethiopia, during the massacres, EPRDF forces and Highlander militias shouted,

“We will wipe you [Anuaks] out of this place.” [16]

“Soldiers said: ‘You black man, we want to kill you. If you do not leave this area we will finish you.’ The soldiers and Highlanders said the same words: ‘We will finish Anuaks. We will kill them. This land is not your land. This is the land of Ethiopia.’” [17]

One Anuak survivor from Gambella town was shot by soldiers three times on the afternoon of 13 December 2003, and he still suffers from obvious wounds in his wrist, arm and buttocks. Soldiers left him for dead saying: “This is the time for Anuak to be killed. We will finish you in these days. After one month no Anuak will be here.” Warned that Anuak victims were being killed at the

hospital in Gambella, the victim was taken to a hospital in Oromia. White doctors at the hospital at Matu town interviewed him to find out why he had been shot and what had happened. [18]

A GW/SRI interviewee saw seven people killed on 13 December. One man was running until the EPRDF caught him, tied his hands and feet and -- while he was still alive and conscious -- purposely ran him over with a military truck, killing him. [19]

Highlander Paulose Akililu was killed by soldiers on 13 December 2003 because he had a friendly and long-standing relationship with Anuaks. Akililu's body was reported taken to his home and presented to his wife, an Anuak, as false evidence of Anuak violence against highlanders. A witness hid for two days after this incident. [20]

Another woman who witnessed numerous killings said troops in uniform arrived at mid-day when she was working with another woman in her compound. She said she saw troops shooting people, bombing clay and cement houses, and burning grass houses. When the men came out to escape the fire, they were murdered. Ojulu Boka was first shot and then attacked by Highlanders with sharp tools. She saw Odan Omot (~37) killed by machete by Highlanders after troops set fire to his house and he ran out. She also saw five others murdered: Ajak Okiddy (~38); Okuny Nyigwo (~43); Achim \_\_\_ (~36); Oriemi Ojulu (~38) and his son Anuto (~11). [21]

The EPRDF troops said, "We will kill all today. We can finish you [Anuaks] all today... When they saw me crying after they killed my husband they said: "Don't cry. You [women] will remain our slaves and we will finish all the Anuak men." [22]

The Ethiopian government immediately and publicly blamed the massacres on Nuer and other ethnic groups indigenous to Gambella State in its effort to portray the massacres as the result of "ancient tribal hatreds." Contrary to these claims, Nuer, Opuo, Kommo and Majenger people were not involved in the December 2003 massacres of Anuaks or the subsequent violence in rural areas. In fact, EPRDF forces have also targeted the Nuer. Blaming other ethnic groups is a classic tactic of genocide denial.

On December 16, 2003, exiled Anuaks notified the United States State Department about the massacres and the possibility that two Anuak Americans may have been killed. Responding to these reports, the United States Embassy in Addis Ababa sent American government personnel to investigate. After discussions with Ethiopian government representatives in Gambella, they determined that the US citizens in question had not been killed. As houses burned and killings in Gambella state continued, the American team left the region. The report on their visit to Gambella remains highly classified. The United States government thus was aware of the massacres soon after they occurred.

On December 28, 2003, the federal government Minister of Energy and Mines reportedly came to Gambella to discuss oil development while more Anuaks were dying and homes were burning. [23]

At one meeting organized in late December by the Federal government -- with soldiers and highlanders present -- Anuaks were informed: "This is Ethiopian land, this is not Anuak land. You are complaining that this is Anuak land, but this is Ethiopian land." [24]

Reports of mass graves around Gambella town were made by many eyewitnesses, but could not be verified by GW/SRI researchers due to security concerns. One witness cited a possible mass grave near Jajabe Mountain, where there is heavy equipment for civil engineering projects. Suspected gravesites are reported to be heavily guarded by soldiers. [25]

Many Anuak dead were reportedly buried by their families in makeshift graves near their homes. GW/SRI researchers viewed one gravesite in an Anuak compound where five victims of the 13 December 2003 violence were buried. The grave was constructed within a former dwelling abutting a building that was obviously shattered and uninhabited, allegedly bombed by hand grenades. [26]

### **Ø TORTURE OF RETURNING REFUGEES**

An unconfirmed estimate of Anuak refugees in Pochalla, Sudan, in late September 2004 was between 6000 and 8000, with some 1000 Anuak refugees in Nairobi. Most are afraid to return to their homes.

According to an interview with a 35 year old Anuak man, father of six children: "On June 21, 2004, there were mass arrests of Anuak men after many refugees came back from Pochalla. I was on my way home from the river. Four EPRDF soldiers stopped me and asked me where I was going. I told them, 'I am going home.' They started insulting me and called me 'slave.' They hand-cuffed and blindfolded me, forced me into the car and took me to military barracks. After three days I was transferred to an investigation centre." "I was tied upside-down and was beaten indiscriminately until I lost consciousness. They burned me with cigarettes and forced me to drink dirty salty water, and deprived me of sleep and food for days. They held me in military barracks more than one month. My children and wife who came to visit me were turned back and they were given false information." "I was not allowed to talk. They put guns to my head and threatened to kill me if I did not confess that I am a member of Anuak fighters. I refused to make any confessions under torture." "I knew I was detained, tortured and persecuted like many Anuak people. They tortured me because of my tribe." "I was kept in detention for months, without being charged or tried. What the Ethiopian government forces did to me is normal comparing to other atrocities committed by Ethiopian defense forces in rural areas of Gambella."

### **Ø SYSTEMATIC RAPES OF ANUAK WOMEN & GIRLS**

Interviews in Gambella corroborated GW/SRI's report of systematic rapes of Anuak women and girls since December 2003, abuses that remain unabated. Local people reported that the number of Anuak women raped in Gambella state is now in the thousands.

The absence of Anuak men—some murdered, most driven into exile—has left Anuak women and girls subject to sexual atrocities from which there is neither physical protection nor legal recourse. Due to the isolation of rural areas, rapes of Anuak women and girls remain substantially under-reported. The following accounts by rape victims and witnesses are representative of many received by GW/SRI:

Victim one, nineteen years old from Gambella city, reported: “It happened while I was walking to the river to collect water. It was December 18th in the afternoon when I left the house and as I was walking... I met three Ethiopian defense force men. ..They approached me and told me to stop walking. I stopped walking and one of them took my hand and told me to get in front of them... One of them told me not to scream or they will kill me” “One soldier yelled, ‘Walk faster, Baria (slave)’ in Amharic.... They took me to the nearest house with an aluminum fence and told me not to scream. The first soldier who was walking in front of us took off his clothes and told me to lie down. I did not know what to do. He took my head and put it on his private part. I cried and he smacked me and said, ‘Lie down and open your legs.’ He smacked me again and I screamed and scratched the ground from the pain. The pain was so severe.” “The other soldiers were still there standing without saying a word. He asked them, ‘What are you waiting for? Let’s do her before anyone comes.’” “One of the men took off my clothes and pushed me down. He stuck his socks in my mouth while the other two held me down on the ground until he who smacked me got off me and he asked, ‘Who is next?’ I heard both of them say, ‘Me...me,’ at the same time and I did not say anything.” “They kept doing what they were doing for over thirty minutes and then told me to keep quiet. I was crying from the pain. After they told me they were done, I got up and put my clothes back on. As I was leaving they warned me not to tell anyone, not even my family or they would shoot all of us to death. I didn’t say anything. I left for home crying and when I got home my mom knew exactly what had happened to me.”

Victim two, a twenty year-old girl, was held in her house in the village of Ilia by Ethiopian defense forces. She said, “It happened five days after the genocide. I was home alone when two soldiers came and asked where are the men? I told them, ‘There is no man.’ ‘What about your husband,’ they said. I told them I am not married. ‘What about your father and brothers?’ ‘I have no brother and my father died.’ ‘When? Recently,’ they asked? I said, ‘No. It was long time ago.’ ‘How did he die?’ ‘Sickness,’ I said. ‘Don’t lie to us,’ they said. ‘Your father is an extremist Anuak, right?’ I told them, ‘No, he is not. He is dead.’ ‘Do you have gold, or money?’ they asked. I told them, ‘I have nothing.’

One of them came to me and took my right hand. I told him, ‘Please don’t touch me.’ He told me not to say anything. Once again I told him, ‘Don’t touch me.’ He slapped me in the face and pointed his gun at me and told me to shut up. ‘Get down on the ground and take off your clothes,’ he said. I turned down my head and cried. He pushed me down and ripped off my clothes and did whatever he wanted with me while the other soldier held me down with both of his hands. He took a turn as well. I didn’t struggle or fight. I was afraid that they may kill me. I was held on the ground for several minutes.”

Victim three, an eleven year old girl who witnessed a rape, told local investigators: “I saw four soldiers come to our house. They pointed machine guns at my older sister. The men were wearing military clothes. They took my sister who was six months pregnant to a nearby bush under a tree. They were hitting her and telling her to be quiet. I and two young children were screaming, and the soldiers also screamed back at us. My sister was resisting, and they beat her. We could hear her screaming. I saw a man take off his clothes and get on top of her. The children didn’t see this but only heard what was going on. We heard them slapping my sister. The children did not understand what was happening to their mother. The children were two and four years old.”

According to a recent report from a local organization in Gambella town, more than one hundred women are still suffering from serious injuries which have affected their sexual organs so that it may not be possible for them to have children in the future. The report indicated that many victims also may have contracted sexually transmissible diseases and particularly HIV/AIDS because Ethiopia is one of the countries with the highest HIV prevalence rate in the Horn of Africa.

Rape is the rule, not the exception, and – given its prevalence - it appears to be tolerated and even encouraged at all levels of the EPRDF military command. Women and girls who resist have been summarily executed. Other women and girls have been taken and kept as sexual slaves for periods reported to range from a few days to weeks. Girls taken as sexual slaves are sometimes released, others have escaped, and sometimes they are killed. EPRDF soldiers have universally preyed upon women and girls forced to pursue the imperatives of daily survival in the bush: females are captured and raped as they gather firewood, haul water or go to market. [27]

#### **IV. TOTAL MILITARY OCCUPATION**

Rural Violence from January to December 2004

When the appointed Governor, Okello Akway Ochalla, an Anuak, would not support or cover up the deliberate EPRDF massacres of the Anuak, he was forced to flee the region in January 2004 for fear of his own life. He is now exiled in Norway.

Following the outbreak of killings in Gambella, the federal government appointed federal representatives to take over the administration of the region. Gambella has become an occupied territory, under the control of tens of thousands of Ethiopian troops. As killings and rapes of Anuaks continue, and the central government now directly controls the regional government, the Ethiopian state continues to tighten its grip on Gambella's valuable resources.

Sources report ten military camps in the immediate vicinity of Gambella town, with an estimated 60 to 100 troops at each. The three major camps are Terfshalaka, about seven kilometers from Gambella on the Addis Ababa road; Mekod, at the Gambella airport; and an unnamed base in the middle of Gambella town. An estimated 60 to 75 troops were seen at the Gambella airport by GW/SRI researchers.

GW/SRI researchers witnessed truckloads of soldiers frequently coming and going from Gambella, and along the roads to rural areas. Soldiers were seen to openly extort money and goods from civilians. Vehicles traveling along the road are expected to stop and pick up any soldiers waiting by the sides of roads, and there seem to be soldiers walking or waiting by the sides of the road everywhere. Researchers inspected and photographed a church building that had been expropriated by soldiers and turned into a semi-permanent barracks. A nearby school was also expropriated and occupied.

EPRDF attacks spread from Gambella town to outlying Anuak districts in December 2003, but some areas remained relatively untouched until more recently. A renewed campaign of EPRDF violence targeting rural areas occurred between March and June 2004. Appendix II provides a partial list of Anuak villages targeted.

With the onset of the rainy season (June-September 2004) and the inaccessibility of remote areas due to rising water levels in Gambella State's four major rivers and flooding of outlying wetlands and swampy areas, EPRDF soldiers were forced to withdraw from some areas. Areas away from rivers have continued to suffer a "scorched earth" military campaign against Anuaks and other indigenous minorities, conducted by EPRDF soldiers.

Armed resistance to the EPRDF appears to have been a driving factor behind the EPRDF's March to June military campaigns in rural areas. Military confrontations between armed Anuaks and EPRDF soldiers in the Dimma area are discussed in the GW/SRI report of February 25, 2004: Today is the Day of Killing Anuaks. Most GW/SRI sources stated that there have been virtually no other killings of highlander civilians by Anuaks.

Pitched battles have reportedly occurred between Gambella Peoples Liberation Front (GPLF) and EPRDF soldiers in the border areas near Pochalla, Sudan, where a large refugee camp was established in January 2004. After suffering major defeats from March to June, EPRDF soldiers returning from the "front" near the Sudan border have indiscriminately murdered or raped civilians in their path. Anuak interviewees claim that the retreating EPRDF summarily executed males and females, looted and burned every dwelling, and even killed the females they had kept as sexual slaves.

Some Anuaks believe that the EPRDF will attack the refugee camps at Pochalla, Sudan over the winter of 2004-2005, in order to eliminate the threat posed by GPLF and other insurgents whom the government claims benefit from the humanitarian assistance at the refugee camps.

The absence of men combined with the destruction of milling machines and food stores and the presence of terror across Gambella have grossly disrupted agricultural cycles, leading to expectations of an imminent famine in the coming winter months (October-March) in Gambella state.

Soldiers are using the school buildings in rural Anuak areas for barracks. GW/SRI researchers received eyewitness reports of this practice in Okady, Gilo Bethel, Agana, Gog Dipatch, Gog Janger, Powatalam, Chiyaba, Pochalla (Ethiopia), and other areas. GW/SRI field researchers confirmed that EPRDF military have confiscated the local school and church properties in the town of Pinyudo and continue to use them as their barracks. The confiscation of school buildings by soldiers has led to the total disruption of education and the flight of students from these areas. Anuak leaders point to this policy as another government tactic to destroy the Anuak community.

Some Anuak villages (e.g. Powatalam and Aukwy) are said to be entirely depopulated -- though still occupied by EPRDF soldiers -- with all local people (Anuak and others) killed or driven into the bush.

There are two main reasons given by the EPRDF for occupation of Gambella and the pogrom against Anuaks:

Counter-insurgency: The EPRDF claim that Anuaks are supporting Anuak fighters of the GPLF, feeding, hiding and supplying them.

Oil: The EPRDF provides military protection for intense exploration for and exploitation of Gambella's State's oil resources, which have been nationalized by the Federal government.

Almost every witness in Gambella said that the EPRDF soldiers were always talking about the oil. One witness quoted an EPRDF soldier as telling him, "We want Anuaks out of here. We will now bring troops here – this oil belongs to Ethiopia. If you say this is our [Anuak] oil, we will kill you." [28]

## Ø ETHIOPIAN GOVERNMENT (EPRDF) VIOLENCE BY DISTRICT

DECEMBER 2003 – OCTOBER 2004

GW/SRI was not able to travel to or investigate every district of Gambella State. However, our researchers were able to verify a widespread, systematic pattern of crimes against humanity, acts of genocide, and war crimes in many districts of Gambella State. A summary of Ethiopian government (EPRDF) violence in some of the districts of Gambella State follows. Our findings are summarized in table form in Appendix II.

### 1. ABOBO DISTRICT

Interviews in the Abobo district indicate that the violence – always by EPRDF soldiers – began in January, 2004 but escalated greatly between March and April, and continued through June. Violence was reportedly still occurring as of late September 2004.

Witnesses and survivors claim that virtually every man, woman and child was killed during the attacks against the villages of (1) Dumbang, (2) Kir, (3) Oma and (4) Tierkudhi. Sources suggest that a proper survey would reveal that over 1000 people were killed in the Abobo district in March and April 2004.

"Major Thigey gave orders [to kill] in Gambella in December [2003] and he was transferred to Abobo in the beginning of January [2004] and as soon as he was transferred to Abobo the problems started." [29]

GW/SRI sources have visited detainees in the Abobo jail. Reports indicate that many Anuaks remain in detention in Abobo, under harsh conditions. Visited by GW/SRI sources at the Abobo police station, former Anuak government officials Ojulu Ochan and Ochan Ogatu had been seriously beaten under questioning about the GPLF in Pochalla, Sudan, and were accused of being GPLF members.

"Those who went to Pochalla [Sudan], especially ex-government officials and educated [men], and came back [July-August 2004], were arrested." [30]

### Ø ABOBO TOWN



Conservative estimates of the dead in Abobo town are 53 people, with many unaccounted for. Abobo was said to be one of the physically hardest hit. Grain stores were burnt by the soldiers and three local Anuak community milling machines, which must be centrally located and are rare in Anuak communities, were destroyed.

One interviewee, a prominent local figure from a nearby sub-village, saw numerous dead bodies. The witness claimed that soldiers chased victims for up to seven kilometers, looting everything along the way. He said that ninety homes were burnt in his sub-village area. The perpetrators were all wearing EPRDF uniforms. [31]

Mr. Ochan Okongo (~35) was allegedly taken by soldiers from Abobo in February, and tortured for three days without food or water. Okongo was killed, according to witnesses, along with seven other Anuaks described as ‘intellectuals’ – and all were subsequently disappeared. [32]

Some survivors of the Abobo violence fled to the nearby village of Tenyi. One witness who hid in the bush for two weeks in mid-March arrived in Tenyi to find numerous survivors there. Leaving Tenyi for Abobo town, he found the bodies of seventeen people who had been murdered lying out along the Pinyudo Abobo road. He knew five of the victims by name: [1] Okello Agid; [2] Omot Kwang; [3] Ochan Omot; [4] Oman Aga; [5] Omot Ogula.

“Everyone said ‘those were killed by troops,’” he added. “Clearly they were running after people and shooting them.” The witness saw the shooting of Ochudho Ngu in March. [33]

Interviewees cited widespread rape, especially along the Gambella-Abobo-Pinyudo road, where soldiers hide and wait for girls passing, even raping girls who are pregnant and girls who have small babies. The village of Pukedi was cited for a mass rape in June, 2004, where ten females were raped in June. All reports are that rapes continue unabated in the area. [34]

“Raping is still happening.” [35]

## Ø PINYUDO TOWN

Pinyudo is a large town in the Abobo District. Witnesses from Gambella and other places outside Pinyudo repeatedly warned that the situation in the Pinyudo area remained very bad as of late September 2004. Estimates of troops in the immediate area are “many thousands.”

In Pinyudo town “the soldier’s idea was to kill all Anuaks. They brought troops from Gambella to Pinyudo town. Before December 13 [2003], the military would surround villages in this area – taking young men and beating them. A guard [Anuak] named Winkyal was beaten and died before December 13. Soldiers surrounded people and Anuaks were afraid and ran.” [36]

A witness described the flight of males from the village on 13 December 2003, across the nearby Gilo River. Attempting to contact Gambella town officials through the telecommunications center, the witness found another Anuak named Ujulu who had been badly beaten. EPRDF soldiers and Highlanders at the telecommunications center refused to call Gambella.

Men slowly began to return to the town and the violence exploded on December 15, 2003. After the witness saw a man from Jor District killed, he then ran into the bush. From a distance he watched as the entire village was burned.

He was called back to town later under the pretense of peace announced by officials on a loudspeaker. Upon arrival at his compound he found eight dead bodies, including an old woman named Awili (~65) and an old man Anyi (~60). Additionally, he saw two bodies incinerated in burning huts. [37]

Some Sudanese Dinka refugees and Nuer refugees were indiscriminately killed during attacks against Anuaks in the village of Pinyudo beginning December 15, 2003. As happened in Gambella town, a week after the violence began, some local officials summoned people out of the bush promising them that the situation was safe, only to continue killing. The witness alleged that the officials who did this in Pinyudo were EPRDF soldiers named “Camble Amre” and “Maskle” (the latter’s family name is unknown and “Camble” is a military rank designating the control of 1000 soldiers). The witness also alleges that the man who ordered the burning of over 1500 homes is a high-ranking military officer named “Abeneth”.

A witness claims that the officer “Abeneth” killed an Anuak man from Jor District on the night of 13 December 2003, before the violence in Pinyudo was officially unleashed two days later. [38]

In July 2004, an eyewitness saw a young man named “Okwenyi” (~23) killed nearby. EPRDF soldiers occupying the nearby school and church claimed he was “unknown in the area.” The witness also reported that another man named Omot Aballa (~19) was killed by soldiers on the road from Gambella in July 2004; his body was thrown in a nearby waterhole. [39]

“The boy [Okwenyi] was unarmed,” said the witness. “He was from Pinyudo town. His mother and father live here.” “The soldiers are [responsible for] many, many, many rapes,” the witness said, describing how soldiers go to Anuak homes at night and forcibly take girls. He cited two cases in July, 2004, when one girl escaped and the other was gang-raped by two soldiers. [40]

As of late September 2004, in and around the Pinyudo area there are people living in the bush with meager options for food. Plastic sheets for roofing provided by the Red Cross can be seen all over the Anuak sections of town. Beatings and rapes are reportedly widespread in the area as women and girls go about the necessary tasks of survival. Arrests of those who are believed to be “opposing the government” also reportedly continue.

An 8:00 PM curfew is enforced. “If they see Anuaks walking at night,” said one man, “they will kill you. Always they mention the oil now.”

#### Ø POKWO VILLAGE

According to GW/SRI sources, killing in Pokwo began on December 14, 2003, but troops have returned to loot the village at least five times since then, last appearing in June. Soldiers invaded the small village in groups of thirty.

One witness claimed that some 15,000 homes were looted around Pokwo in December 2003, and that the soldiers were looking for money. The witness was badly beaten and scarred.

The community's milling machine for grain was intentionally destroyed, crippling the Anuak people's capacity to feed themselves and others. Twenty cattle were taken from farmers in Pokwo.

"They destroyed anything that can generate income for Anuaks." [41]

Witnesses said that two hundred men from the village are missing. They said that many men were killed on the road while fleeing to Pochalla, Sudan, and that there were numerous killings at a road block near the Gilo River. Refugees who have returned from Pochalla have been arrested. [42]

From December 2003 to June 2004 there were many cases of rape and other sexually-based crimes against humanity. "They [soldiers] come at night and surround the people [villages and homes]; they take girls and after they do what they want with them they let them go. Some girls are taken for three or four days. Some girls have been killed if they resist." [43]

The witnesses noted that the land is swampy, that it is the rainy season from June to September, and that they all expect the troops to come back once the rain and the rivers subside.

"They are still causing the same problems in places where there are no rivers." [44]

## 2. GOG DISTRICT

Gambella State's outlying districts of Gog, Jikawo, Dima, Akobo, Godere and Jor remain inaccessible and high security risks, and little information has been compiled about the areas.

### Ø POWATALAM VILLAGE

On approximately 10 September 2004, EPRDF soldiers reportedly attacked and ransacked the town of Powatalam, forty kilometers from Pinyudo, a sub-village under Gog village. Reports indicate that at least 43 people were killed -- 37 men, four women and two children -- including a well-known Anuak community leader named Abela Obang. The entire village was burned.

According to a witness, "Many men ran away. Women and girls are left undefended in their homes. They are raping many girls. They keep some women by force [for days] and some people were complaining so they let them go." [45]

Troops remain in full military occupation of Powatalam. Hundreds of people remain missing or unaccounted for.

## 3. ITANG DISTRICT

The Anuak villages in the Itang District reportedly suffered somewhat less violence than other areas because Itang is the home area of the Anuak official Omot Obang Olom, an EPRDF collaborator cited in GW/SRI's first report in February 2004 by numerous GW/SRI interviewees for his

involvement in the pogroms against Anuaks. It is also an area with a high percentage of non-Anuak residents, and is not expected to be one of the major oil producing regions of Gambella. Nonetheless, beatings, looting, burning of homes and mass rape have been widespread.

#### Ø ITANG TOWN

Achwa is a sub-village in Itang town where many people were killed. Troops stationed in Itang prior to 13 December 2003 began attacking Anuaks in Achwa as soon as the December 2003 massacres began. Soldiers came at nighttime from the 13th onward and took the men and killed them. Interviewees reported that many men ran away into the bush, with soldiers typically following them to hunt them down and kill them, and that many of those who escaped fled to Pochalla, Sudan.

“Every day they were coming... We were hearing boys crying... they were coming into every home and forcing women... They took everything worth anything.” [46]

With most men remaining absent from Abol, the EPRDF soldiers have targeted females who are raped and beaten if they refuse to submit.

Sources suggested that over 40 people were killed in this small village and – as was often reported because of the four huge rivers in Gambella state – the bodies were frequently dumped in the Openo River.

One witness listed amongst the dead six individuals whom he had known: [1] Lwal Obang (~38), a guard at the clinic; [2] Omot Obom (~18) a student; [3] Ochang \_\_\_ (~24); [4] Otien Cham (~40) a farmer; and [6] Opera \_\_\_ (~60) an old man. The witness claimed that many men were taken and disappeared. [47]

#### Ø ABOL VILLAGE

Abol village is a small village located on the shores of the Openo River in the Itang District. Soldiers arriving at Abol in April looted and ransacked the village. Due to security concerns, the village did not plant gardens during the normal planting seasons essential for some crops, and residents expressed fear of imminent famine in the coming winter months.

GW/SRI researchers saw Nuers who had fled Nuer vs. Nuer communal disputes living peacefully among their friendly Anuak neighbors in Abol, evidence of the falsehood of the “ancient tribal hatreds” theory the Ethiopian government has tried to employ to pin blame for EPRDF massacres of Anuaks on the Nuer.

Rapes were common in Abol. Angango Omod (~18) was raped by soldiers in April. When Angango’s two month-old child died soon after the mother was raped, villagers attributed the child’s death to the young mother’s trauma of being gang-raped by five soldiers. [48]

### V. ACCELERATED PETROLEUM OPERATIONS

GW/SRI sources interviewed in Gambella town and rural areas of Gambella state, and displaced Anuaks interviewed in Addis Ababa universally cite their belief that it is the rapid penetration of petroleum interests into the Gambella region that drives the violence against Anuaks, who live on the land where oil has been discovered. Witnesses in rural areas frequently testified that attacking soldiers have openly stated that the land and the oil do not belong to the Anuaks, but that the land and the oil belong to Ethiopia.

According to Anuak sources, the Federal government held a public meeting in Gambella in February 2004, even as violence against Anuak in rural areas was continuing to rise. One witness testified:

“They told people about the oil and how it would benefit everyone. But the Anuak said: ‘How can you talk to us about oil when people are still being killed? We don’t want to talk about the oil.’ But the government said, ‘No, we want to talk about the oil now.’”

The GW/SRI field investigation has verified that petroleum operations in the Gambella region are moving very rapidly. The Zhongyuan Petroleum Exploration Bureau (ZPEB), a powerful subsidiary of the second largest national petroleum consortium in China, the China Petrochemical Corporation (SINOPEC), appears to be the principal petroleum exploration and development firm operating in Gambella at present, under subcontract to Malaysia’s national oil company PETRONAS.

“On May 7th, 2004, Malaysia National Petroleum Corporation (PETRONAS) awarded ZPEB Corporation (Africa) a 2D seismic data acquisition contract with the contract value totaling \$16.42 million; the project shall be performed by ZPEB Geophysical Prospecting Company, covering 1,200 Km.” [49]

GW/SRI researchers have reviewed a specialized map of petroleum operations in Ethiopia published by the Petroleum Economist and Ernst & Young, dated 2004, which delineates the entire Gambella region as a PETRONAS oil concession.

The base camp for ZPEB equipment and petroleum exploration is located approximately 1.5 kilometers from the center of Gambella town on the Abobo-Gambella road. The Ethiopian site manager, Mr. Degefe (Gambella telephone: 51-13-37), is a highlander who tersely described himself as “responsible for making all operations and security.” The base camp is under tight security and heavily guarded by EPRDF military. Questions about petroleum operations, the base camp or the people involved were unwelcome. GW/SRI’s questions were greeted with suspicion and alarm.

While local sources claim that ZPEB is subcontracted for road construction to support seismic and drilling operations, Assistant Project Manager Zhang Xuefeng stated that ZPEB is pursuing seismic testing. ZPEB appears to have been awarded the seismic and drilling subcontract originally designated for PETRONAS subsidiary Carigali Overseas Sdn Bhd (as noted above). According to ZPEB sources:

“Zhongyuan Petroleum Exploration Bureau (ZPEB), known as Zhongyuan Oilfield, is a state-owned large-scale comprehensive enterprise under China Petrochemical Corporation (SINOPEC). ZPEB

engages in oil/gas exploration and development, petrochemical processing, oilfield services and other diversified businesses. ZPEB Headquarters are located in Puyang City, an area in north Henan Province, China.”[50]

PETRONAS and the China National Petroleum Corporation currently operate in Sudan. According to a report by Human Rights Watch, the Asian oil giants have allegedly provided cover for their respective governments to ship arms and military equipment to Sudan in exchange for oil concessions granted by Khartoum. [51] While not cited in the Human Rights Watch report, ZPEB operates a concession for oil and gas exploration and exploitation in Block 6 in the Republic of Sudan.

On September 18, 2004, a notice was posted around Gambella town indicating that the Southwest Development Company (a new highlander company) would be accepting applications for new hires to fill some 117 positions, to begin immediately, in support of “construction and petroleum related operations in Gambella region.” On September 19, 2004 another notice seeking an additional 70 workers was posted around Gambella town. The posters were stamped with the official seal of the office of the Gambella People’s National Regional State.

Anuak sources in Gambella state that: “The Anuak people have not been involved in the discussions about the oil, our leaders have not agreed to these projects, and they will not hire any Anuaks for these jobs. If any Anuak says anything about the oil he will be arrested.” [52]

## **VI: INTERNATIONAL LEGAL STANDARDS**

Ethiopia is a State-Party to the Geneva Conventions, the Genocide Convention, the International Covenant on Civil and Political Rights, the Torture Convention and the African Charter on Human and Peoples’ Rights. It is, therefore, bound by international legal treaties designed to ensure that non-combatant civilians are not deliberately attacked, even during times of conflict or war. Some of these treaties have become so universally accepted that they have become customary international law and are legally binding on a State or militia group regardless of whether the State has ratified the particular convention or treaty. Although Ethiopia has not yet ratified the Statute of the International Criminal Court, most of its substantive law provisions, including Article 7 on Crimes Against Humanity, codify customary international law, and are therefore binding on all states, including Ethiopia.

### **A. CRIMES AGAINST HUMANITY**

Crimes Against Humanity have been crimes under customary international law since at least 1945, and are currently codified in Article 7 of the Statute of the International Criminal Court as follows:

1. For the purpose of this Statute, “crime against humanity” means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder; (b) Extermination; (c) Enslavement; (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of

international law; (f) Torture; (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (i) Enforced disappearances of persons; (j) The crime of apartheid; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health....

The following acts reportedly committed by the EPRDF and Highlanders as part of their widespread and systematic attack against the civilian Anuak population, constitute crimes against humanity and are punishable as violations of customary international law:

- 1) Widespread and systematic murders and executions of Anuaks and other minorities
- 2) Arson and murder in order to forcibly deport the Anuak population
- 3) Mass rape of Anuak women and girls
- 4) Forced pregnancy to produce non-Anuak children
- 5) Enforced disappearances of Anuak persons
- 6) Arbitrary arrests, detention and torture of Anuak persons
- 7) Purposeful transmission of HIV/AIDS to Anuak rape victims (inhumane acts)
- 8) Intentional mutilation of Anuak persons
- 9) Other cruel or inhumane acts intentionally causing great suffering or bodily harm.

## **B. GENOCIDE**

According to Article II of the Convention on the Prevention and Punishment of the Crime of Genocide (1948), genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such:

- a. Killing members of the group;
- b. Causing serious bodily or mental harm to members of the group;
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. Imposing measures intended to prevent births within a group;
- e. Forcibly transferring children of the group to another group.

Ethiopia was one of the first signatories of the Genocide Convention on December 11, 1948, and ratified it in July 1949.

The following acts reportedly committed by the EPRDF constitute acts of genocide:

- 1) The intentional killing of Anuak civilians for the purpose of destroying a substantial part of their ethnic group.
- 2) The deliberate targeting of members of the Anuak ethnic group to cause serious bodily or mental harm.
- 3) The deliberate infliction on the Anuak group, through burning of homes and destruction of food supplies, of conditions of life calculated to bring about its physical destruction.
- 4) The systematic use of rape as a weapon against a large number of Anuak women, causing serious bodily or mental harm, with intent to destroy the Anuak ethnic group, by:
  - a. Forcing Anuak women to bear the children of non-Anuak fathers.
  - b. Intentional infection of Anuak women with HIV/AIDS so as to cause death.
  - c. Rapes of Anuak young girls so as to damage their reproductive systems in order to prevent them from having children in the future.

### **C. ARBITRARY ARREST, ILLEGAL DETENTION & TORTURE**

Article 9 of the International Covenant on Civil and Political Rights prohibits arbitrary arrest and detention. It provides in its relevant part:

Section 2: Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him; and

Section 3: Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to a trial within a reasonable time or to release.

States parties to the ICCPR are prohibited under Article 9(1) to deprive persons of liberty “except on such grounds and in accordance with such procedures as are established by law.”

The African Charter on Human and People’s Rights states in Article 6:

Every individual shall have the right to liberty and to the security of his person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained.

The ICCPR states that: “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which entered into force in June 1987, defines torture as:



Any act by which severe physical or mental pain or suffering is intentionally inflicted by, at the instigation of, or with the acquiescence of someone acting in an official capacity, to obtain information or a confession, to punish, intimidate or coerce, or for any reasons based on discrimination.

There is strong evidence that Anuaks in Gambella and elsewhere in Ethiopia have been subjected to arbitrary arrest, detention, and torture.

#### **D. PROTECTION OF OBJECTS INDISPENSABLE TO THE SURVIVAL OF CIVILIANS**

Article 54 of Additional Protocol I to the Geneva Conventions (1949) protects objects indispensable to the survival of the civilian population. The relevant provision states:

"Starvation of civilians as a method of warfare is prohibited. It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motives.

The Ethiopian military in rural areas from December 2003 to December 2004 has destroyed crops, burnt food stores, disrupted planting cycles, and destroyed agricultural equipment. These actions are in clear violation of Article 54 of Additional Protocol I to the Geneva Conventions.

### **VII: THE UNITED STATES AND ETHIOPIA**

Immediately following the February 2004 release of the first GW/SRI report on the Anuak massacres (Today is the Day of Killing Anuaks) the United States State Department issued a public call for "[f]ully transparent and independent investigations by the [Ethiopian] government" that would "encourage restoration of peace in the troubled region," and called on the Ethiopian government to investigate allegations of EPRDF involvement in atrocities committed against Anuaks and other victims. [53]

The State Department's hope that the Ethiopian government would conduct a truly "transparent" and "independent" investigation quickly proved to be illusory. The EPRDF government in the spring of 2004 launched an "independent inquiry" into the Gambella violence. The Independent Inquiry Commission, established by the Ethiopian House of Peoples' Representatives to investigate the Anuak massacres, was chaired by one of the officials responsible for them. It was neither independent, nor did it conduct a genuine inquiry. It visited Gambella twice, setting up its headquarters in State government offices where Anuak witnesses were afraid to go. It spoke to 61 people. All fifteen of the witnesses it quoted reported murders by government troops. Yet the Commission's report states that only thirteen murders were committed by members of the Ethiopian Defense Forces, and only 65 people died in total, most at the hands of civilians.[54] Minimization of the numbers of deaths is a typical technique of genocide denial.

In 1 April 2004 testimony before a U.S. House of Representatives appropriations panel, USAID representatives asked Congress to approve \$80 million in funding for Ethiopia programs in FY 2005 (October 2004 to September 2005). Ethiopia was described as a “top priority” of the Bush administration and, according to USAID: “We are coordinating efforts that invest in people’s health and education; that lay the groundwork to establish a market-based economy hospitable to investment; that facilitate good governance at the national, regional, and local levels. We are also supporting actions that better track potential famines and streamline responses.” [55]

In a 6 August 2004 letter, twelve members of the United States Congress called on Ethiopian Prime Minister Meles Zenawi to protect citizens from harm and insure humanitarian access to the Gambella region. Asking the Meles government to hold officials accountable for any involvement in the violence that occurred between December 2003 and August 2004, the letter also asked for an English version of the Independent Inquiry Commission findings on violence in Gambella. [56]

On August 23, 2004, the World Bank and the Ethiopian government announced newly signed agreements for US\$200 million “to promote reforms” in water supply and sanitation programs. Much of this money will be spent in the Ethiopian government’s ill-conceived program to “re-settle” over two million highlanders to lowland regions of the country. This increasingly coercive policy is strongly reminiscent of the Derg regime’s “resettlement” schemes that cost hundreds of thousands of lives, and it has been strongly criticized by human rights and refugee advocacy groups.[57] It will not resolve Ethiopia’s food crisis because highlander farmers are ill-equipped and unprepared to farm in tropical, malarial parts of Ethiopia. Instead the massive resettlement program will lead to severe ethnic tensions as highlander colonization continues to be the Ethiopian government’s policy toward black African lowland groups.

On September 16, 2004, U.S. Senator Mitch McConnell introduced a bill (S.2812) before the Committee on Appropriations calling for substantive attention to the Anuak massacres:

“The Committee notes with concern reports of ethnic violence in southwestern Ethiopia, in particular allegations of atrocities committed by the Ethiopian military against Anuak civilians. While the Committee recognizes and appreciates the efforts of the Government of Ethiopia to combat international terrorism, these reported cases of human rights violations must be credibly investigated and prosecuted. In addition to facilitating the return of refugees and IDPs, the Government of Ethiopia should allow international human rights and humanitarian organizations access to this area, and work to restore property rights and economic opportunities to those returning to the region. Failure to do so will result in a reevaluation of military assistance to Ethiopia.”

“The Committee directs the State Department to report within 180 days after the enactment of this Act on the extent of human rights abuses committed in southwestern Ethiopia, efforts by the Government of Ethiopia to investigate and bring to justice the perpetrators of these abuses and measures taken by the State Department and other relevant U.S. Government agencies to provide humanitarian assistance to the region and to vet assistance to the Ethiopian military, consistent with the Leahy Law. The report shall also include an assessment concerning the credibility of the efforts of the Government of Ethiopia on this issue.” [58]

## VIII. CONCLUSIONS

To the Anuak and other indigenous minority people of southwestern Ethiopia, the Ethiopian People's Revolutionary Defense Front (EPRDF) government is a ruthless military dictatorship. Pro-democracy separatists of the minority indigenous peoples of the region who have for decades sought participatory inclusion in government, and economic parity, autonomy and self-determination for their people are marginalized and suppressed by the EPRDF government.

The Gambella region is under total military occupation. Estimates of troops vary, but sources say between 18,000 and 80,000 EPRDF troops have been deployed in the area. They commit countless atrocities under the cover of "counter-terrorism." EPRDF soldiers are perpetrating a scorched-earth campaign of terror against innocent men, women and children in Gambella State.

Genocide Watch and Survivors' Rights International have uncovered strong evidence that crimes against humanity are being ordered at the highest levels of the EPRDF government, and that the violence initiated by the December 13-16 massacres in Gambella was deliberately calculated to eliminate Anuak leadership and destroy a substantial part of the Anuak ethnic group. These are intentional acts of genocide. The genocide was driven by an economic motive: Federal control and exploitation of Gambella's petroleum and gas reserves.

Credible sources in Gambella and Addis Ababa describe a coordinated military operation to systematically kill Anuak people in Gambella in the violence of December 13-16, 2003. Sources within the local government police and intelligence network revealed that the code name of the military operation was: "OPERATION SUNNY MOUNTAIN".

What happened in Gambella warrants a criminal investigation by Ethiopia into whether Prime Minister Meles and other Ethiopian officials ordered the massacres or knew the massacres were occurring but took no actions to stop them. In either case, under the international law doctrine of superior responsibility, they bear criminal responsibility.

Individual Ethiopian soldiers and military commanders have committed acts of genocide, crimes against humanity and war crimes. To date, Ethiopia has failed to fulfill its obligations under international law to investigate and prosecute these crimes. Perpetrators of these crimes committed against Anuak civilians have enjoyed complete impunity. Not a single individual has been brought to justice.

The masterminds of the genocide, now openly referred to by the Ethiopian government as a "scorched earth campaign," have not been arrested or prosecuted. The Ethiopian government has completely failed to co-operate with victims and international human rights organizations. Thus far, nearly 170 killers have been named by survivors and eyewitnesses; yet Ethiopian authorities have refused to arrest or investigate them. Indeed, Ethiopian government troops still kill, rape, and torture Anuaks on a daily basis.

In February 2004, Genocide Watch and Survivors' Rights International called for an independent inquiry to establish whether the actions described in this report were ordered, encouraged or condoned by the Ethiopian government. That call was ignored. Instead the Ethiopian government appointed an "Independent Inquiry Commission" that was neither independent nor interested in

conducting an honest inquiry. The Commission's report is a whitewash – a cover-up for the government's crimes.

The report of the "Independent Inquiry Commission" employs every classic technique of genocide denial, including blaming the violence on the victims, falsely blaming the killings on other ethnic groups such as the Nuer, minimizing the number of dead, claiming that the killings were the result of spontaneous mob revenge or crimes by "hoodlums," rather than a coordinated government assault, and even claiming that the violence was the result of incompetent leadership by the Anuak governor of Gambella, who was himself a victim driven into exile by the killing. Incredibly, the "Independent Inquiry Commission" report even states that the EPRDF saved Anuak lives, when EPRDF soldiers were named as the perpetrators in every murder the Commission's witnesses referred to in its own report. The report claims that only twelve Anuaks were killed by government troops, when the actual number of named victims collected by Genocide Watch and local organizations is in the hundreds, and is now well over a thousand. The Commission's report should be publicly rejected by the international community, as Amnesty International has done. Governments should demand an independent investigation sponsored by the United Nations High Commissioner for Human Rights.

Despite credible evidence that the killings in Gambella constitute acts of genocide, as defined by the Genocide Convention, the killings have not stopped. Arbitrary arrests, illegal detentions and widespread torture, which constitutes a crime against humanity, are occurring throughout Ethiopia, as documented by international and Ethiopian human rights organizations. Arbitrary arrests and detentions of Anuak people occurred for years prior to the recent massacres. Reports coming out of the Gambella region in December 2004 indicate that 500 - 600 people have been arrested and remain illegally detained, and that these people continue to be tortured. In December 2004, Amnesty International launched an international appeal for one of the victims, Omot Ojullu Abella.[59] Many other acts of torture have already been reported.

Numerous reports indicate that summary executions, mass rape, and disappearances continue to occur in contravention of international law. These killings and rapes have deliberately and systematically targeted civilians of the Anuak minority. GW/SRI researchers have uncovered evidence that the violence against the Anuak ethnic group is due to an intentional policy of persecution and destruction of the Anuak group.

As testimonies in this report indicate, extremely serious bodily and mental harm has been inflicted through targeted sexual violence against Anuak women and girls. According to the acts and statements of perpetrators, as recounted by witnesses, through sexual acts and gang rapes specifically targeting Anuak females, attackers enunciated their intent to destroy the Anuak as a group. The trauma inflicted by these acts will have long-lasting repercussions. These acts are not only crimes against humanity and war crimes in contravention of the Geneva Conventions; they also constitute acts of genocide as defined by the Genocide Convention.

In this second report, Genocide Watch and Survivors' Rights International have provided further evidence that the EPRDF government and Highlander militias continue to demonstrate intent to destroy, in whole or in part, a substantial number of people of the Anuak ethnic group. Government

investigations have identified many perpetrators and others have been named in GW/SRI reports. These massacres should be prosecuted under Ethiopian and international law as acts of genocide.

GW/SRI believes that the Ethiopian Government continues to commit serious crimes against humanity not only against the Anuak, but also against other African ethnic groups, particularly Sudanese Nuer and Dinka refugees in the Gambella region, and the Majenger and Nuer people in Gambella State.

Ten months after the massacres of December, 2003, the EPRDF government of Ethiopia continues to deny, minimize and mischaracterize violence that is occurring in southwestern Ethiopia. At the same time, the EPRDF government has been rewarded with new loans, debt restructuring and debt forgiveness by the international development community. The EPRDF military continues to benefit from its military relationship with the United States.

GW/SRI finds the apparent absence of any formal United Nations investigation into the 13 December 2003 killings of United Nations personnel remarkable given the resultant violence and pivotal nature of these killings. A thorough independent investigation into the incidents and atrocities in the Gambella region is a high priority. The inquiry must begin immediately because of reports that EPRDF military forces are exhuming mass graves and destroying evidence of their atrocities in the Gambella region.

With at least 20,000 Ethiopian troops poised on the Sudanese border, the situation already has international dimensions and should be placed on the agenda of the United Nations Security Council. Warfare in the region continues to escalate, and if reports of the growing numbers of separatist and anti-government forces in the region are true, then the situation will only worsen as forces attack targets such as oil installations and the government retaliates.

The government forces responsible for these massacres cloak their campaign as an “anti-terrorist” or “counter-insurgency” operation. In fact, the “terrorists” in Gambella are EPRDF troops. Anuak civilians living in Gambella State face the constant threat of being murdered, “disappeared”, tortured, raped, or subjected to other forms of cruel, inhuman or degrading treatment by the EPRDF.

Foreign governments know what is happening in Gambella, yet few attempts have been made on the international level to stop the killings. This attitude of apparent indifference on the part of the international community is enabling the perpetrators to continue violating human rights with little fear of censure. Warnings by Genocide Watch, Human Rights Watch, Amnesty International, the World Organization Against Torture, and the Ethiopian Human Rights Council have not been heeded and the human rights situation has worsened.

The few reports about the situation that have appeared in the international press have misrepresented and distorted the nature of the violence. Press reporters traveling to the region have relied upon the EPRDF for security and information, and attempts by Anuaks to make the truth known have been ignored.

The genocide victims are strongly convinced that the Ethiopian government will neither investigate nor prosecute the heinous crimes committed in Gambella. Sadly, even if there were a true

investigation by an independent organization, the Ethiopian government's internal judicial system is so under-resourced that prosecutions would be nearly impossible. Successful diplomatic intervention by the international community to stop the killing, rape, and torture in Gambella is the Anuak people's only hope.

## **IX. RECOMMENDATIONS**

A. To Prime Minister Meles Zenawi and the Government of Ethiopia:

- Issue and enforce clear orders to all EPRDF forces to respect the rule of law and stop all killings, rapes, illegal arrests, torture, intimidation of civilians, burnings, lootings, and occupation of schools for military purposes.
- Suspend and investigate members of the EPRDF forces and government officials suspected of involvement in civilian massacres, rapes and other violations of Ethiopian and international law, and arrest and prosecute individuals who committed crimes.
- Publicly condemn all violence being committed in southwestern Ethiopia, cooperate with an independent international investigation, and disclose all government involvement in violence.
- Order Ethiopian military and other government agencies to disclose all information in their possession to an independent international commission of inquiry, including evidence about the U.N. van killings and subsequent atrocities in the region.
- Guarantee the protection of refugees and international relief workers in Ethiopia.
- Permit the International Committee of the Red Cross (ICRC) to inspect all detention and jail facilities, and to conduct private interviews with any prisoners or detainees.
- Allow unimpeded access by humanitarian organizations, human rights monitors, and independent journalists.
- Refrain from cross-border incursions into the sovereign territory of Ethiopia's neighbors, and publicly express a commitment to respect the sovereignty of neighboring countries.
- Disclose all existing military exchanges, arms and service contracts, agreements or programs between the Ethiopian government or EPRDF and other governments or corporations.
- Make public the contracts and plans for the exploration and production of oil and gas signed by the Ethiopian Ministry of Mines and PETRONAS for "Block G" in Gambella State.

B. To the Government of the United States and U.S. Ambassador to Ethiopia Aurelia E. Brazeal:

- Continue to privately and diplomatically protest killings, rape and torture committed by Ethiopian government troops and authorities in Gambella State. The Anuak people very much appreciate these diplomatic efforts on their behalf.

- Vigorously and publicly denounce killings and other atrocities against civilians in Ethiopia by the EPRDF and militias, and by all other armed parties.
- Release a de-classified version of the report on the violence in Gambella prepared following the U.S. Embassy team's 17 December 2003 field investigation to Gambella.
- Take a lead role in advocating creation of an international, independent, transparent investigation into the ongoing violence in the Gambella region.
- Support and assist investigations by international human rights organizations in Gambella.
- Suspend all tactical support, training, and field assistance to the EPRDF.
- Suspend arms shipments to Ethiopia and disclose Ethiopian arms procurements from the United States or known to flow from other countries, especially U.S. military or economic allies.

C. To the World Bank, IMF, African Development Bank, and Export-Import Bank:

- Refrain from lending to or funding the government of Ethiopia, including forgiveness of debts, pending an investigation and prosecution of EPDRF forces and public officials who committed, ordered or were responsible for the Gambella massacres and the ongoing crimes against humanity.
- Disclose and suspend all "development" initiatives, projects or financial programs, either ongoing or planned, for the Gambella State of Ethiopia until the EPRDF's military occupation ends.

D. To the United Nations:

- Recommend that the Secretary General offer his good offices in mediating the conflict in Ethiopia, and particularly in the Gambella region.
- Disclose the results of any investigations into the killings of U.N. personnel in Gambella on 13 December 2003, or immediately undertake an investigation of those killings.
- Place the situation in Gambella on the agenda of the United Nations Security Council.
- Impose a U.N. Security Council embargo on the trade and transfer of all arms and other war materials from any person, company, or country to the Ethiopian government and any rebel groups operating inside Ethiopia.
- Immediately condemn all atrocities being committed in Ethiopia, and take action to support an impartial investigation by an independent commission of experts, appointed by the U.N.

E. To all Members of the United Nations, the European Union, and the African Union:

- Publicly denounce killings and other atrocities against civilians in Ethiopia by the members of the EPRDF, Highlander militias, GPLF, SPLA, and other parties, and release all information available regarding these atrocities.
- Appoint and fund a Special Rapporteur to the U.N. Commission on Human Rights and the Economic and Social Council to investigate alleged acts of genocide, crimes against humanity, and war crimes committed in Ethiopia.
- Investigate and make public any information confirming or refuting reports that Ethiopian government security and intelligence operatives are targeting Anuak dissidents in exile. Take action to ensure the security of Anuak dissidents and leaders in exile.
- Provide assistance to the populations suffering the effects of violence in Ethiopia, including the immediate and long-term problems associated with sexual violence against women and girls, the problems of newly orphaned children and refugees, and the destruction of peoples' homes and livelihoods.

### **Appendix I:**

#### Alleged Police Perpetrators Identified by Government Evaluation on 2 August 2004

An evaluation of police personnel undertaken by the Federal government of Ethiopia in a special meeting in Gambella town on 2 August 2004 identified the following Highlander policemen as being involved in the massacres in Gambella town from December 13-16, 2003. While Anuak policemen identified at this 2 August 2004 evaluation were arrested (see Appendix III), these Highlander police were neither suspended nor arrested.

NAME	RANK	JOB AREA / BUREAU
1. Abesse Miressa	Assistant Inspector	administration/finance of commission
2. Akililu Sekata	“	detective department head
3. Teshome Kaba	“	detective officer
4. Negatu Ingida	Sergeant	protocol office of commissioner
5. Abebe Thasow	“	protocol department head
6. Athegu Girmay	“	radio operator
7. Geremu Werji	“	intelligence
8. Mammed Kassa	Inspector	planner
9. Demisse Balcha	team leader	development section clerk
10. Shibiru Regaga	policeman	detective
11. Mulata Tholossa	“	“
12. Getachew Demisse	“	“
13. Abara Bekele	“	“
14. Ashenaffi Tadessa	“	Jikaw District inspection head
15. Befikadu Assefa	team leader	statistician
16. Kedir Ali	policeman	Dima District detective office
17. Kabede Indale	“	Gambella town police detective
18. Tadesse Haile Selassie	“	police commander



19. Kabede Tekissa	“	traffic police
20. Tadele Ayele	“	accountant of police commissioner
21. Girma Ligdi	“	intelligence
22. Girma Terefe	“	intelligence
23. Dubale Tesama	“	traffic police
24. Adino Legessa	“	store keeper
25. Gebayu Ahdissa	team leader	cashier
26. Ayle Tadessa	policeman	narcotics expert
27. Wandimu Feissa	team leader	intelligence
28. Indale Jeleta	policeman	administrator
29. Kenessa Chawaka	“	traffic police
30. Meskale Dicha	“	detective
31. Shibiru Shreta	“	detective
32. Kaunda _____	Sergeant	health aid of police
33. Makonen _____	policeman	intelligence

## Appendix II:

### Alleged Violence Against Anuak Villages by Ethiopian Military Forces

Abobo	Abobo town	All types (more than 53 killed)	April 2004
Abobo	Dumbang	All types (village totally destroyed)	March-April 2004
Abobo	Kir	All types (village totally destroyed)	March-April 2004
Abobo	Okuda	All types (more than 90 homes burned) --	
Abobo	Oma	All types (village totally destroyed)	March 2004
Abobo	Perbong	All types	May 2004
Abobo	Pokwo	All types	--
Abobo	Pinyudo	All types (1500 homes burned)	Dec. 2003 – Feb. 2004
Abobo	Pukedi	All types (ten women raped in June)	March-April 2004
Abobo	Tierkudhi	All types (village totally destroyed)	March-April 2004
Gambella	Gambella	All types	December 2003
Gog	Aukwy	All types (completely depopulated)	--
Gog	Chiyaba	All types (EPRDF occupied school)	--
Gog	Dipatch	All types (EPRDF occupied school)	--
Gog	Janger	All types (EPRDF occupied school)	--
Gog	Gog town	Military occupation	--
Gog	Powatalam	All (47 dead, depopulated, school occupied)	September 2004
Itang	Abol	A, D, K, L, R, T	--
Itang	Achwa	A, D, K, L, R, T	--
Itang	Emar	K, R (4 girls killed for resisting rape)	--
Itang	Itang town	A, D, K, L, R, T	--
Itang	Pokwo	A, D, L, R, T	--
(Jor?)	Tado	K (more than 40 people)	February 2004
	Agana	School occupied by EPRDF thru Sept. 04	--
	Gilo Bethel	School occupied by EPRDF thru Sept. 04	--
	Pochalla (Eth)	School occupied by EPRDF thru Sept. 04	--

---

Notes to Appendix II:

[1] “Type of violence reported” includes:

- A- Arbitrary arrest and illegal detention
- B- Burning of homes and/or entire village
- D- Disappearing
- K- Killings/extrajudicial executions
- L- Looting/destruction of personal/communal property, including crops, food stores & cattle
- R- Rape of females, gang rapes and/or sexual slavery
- T- Torture (excluding sexual), beatings

[2] This table is not exhaustive. It only reports on villages where GW/SRI was able to verify violence. Many other villages were also attacked. The absence of an Anuak village – and there are many villages unreferenced herein – does not mean that there has been no violence in that village. Rather it indicates that no information was recently provided. Similarly, the absence of a “type of violence reported” in this table does not indicate its absence in the village, only that it was not reported during the limited survey undertaken.

[4] While “peak of violence” is estimated for the purposes of this table, this report is based on field research in Gambella up to October 2004. Violence in many of these villages may be continuing.

[5] Witnesses & survivors claim that almost all men, women and children were killed during the attacks against villages of (1) Dumbang, (2) Kir, (3) Oma and (4) Tierkudhi, estimating that a proper survey would find over 1000 people had been killed in the Abobo district in March and April 2004.

[6] According to witnesses, the Itang District was spared the “scorched earth” campaign inflicted upon other areas by soldiers because it is the home district of the alleged EPRDF collaborator Omot Obang Olum, the Anuak Chief of Security for the Gambella region. It is also an area with a high percentage of non-Anuak residents, and is not expected to be one of the major oil producing regions of Gambella.

[7] Numbers of people killed, raped, etc. reflect the belief or knowledge of the witness(es) who gave testimony, frequently including the names of specific victims. However, they are estimates.

### **Appendix III:**

#### **Anuak Police Jailed During The 2 August 2004 Evaluation**

The following is a list of Anuak policemen who were arrested and put in jail on or during the August 2, 2004 Federal evaluation of police in Gambella town. They remain in detention without charge. GW/SRI sources indicate these men are being held in prison in Addis Ababa. Sources indicate that these policemen fled Gambella town during the violence of December 13-16, 2003 and

that they returned to Gambella town and resumed their duties after violence in Gambella town had subsided. The government arrested these men after Highlanders identified as perpetrators during the August 2, 2004 evaluation alleged that the Anuak policemen had deserted their posts. By a bizarre illogic, they were therefore accused of being responsible for retaliatory violence against government forces.

Anuak policeman Akway Ala (35), from Abobo District, died in prison in Addis Ababa in August of 2004.

NAME	AGE
1. Obang Omot Oman	30
2. Ojulu Lango	29
3. Abamen Ojulu	20
4. Ojulu Ochan	20
5. Obang Ojwato	28
6. Okuny Deng	21
7. Opudoka Ottin	21

---

#### **Appendix IV:**

##### **List of Anuak Leaders Jailed Early Morning 13 December 2003 Prior to UN Killings**

The following is a list of Anuak leaders jailed early in the morning on 13 December 2003, prior to the attack by unknown assailants on the United Nations Relief and Rehabilitation (UNRRA) staff and vehicles, used by the EPRDF as a pretext to justify the subsequent massacres and other violence against Anuak civilians in Gambella. The Anuaks listed here were arrested without any reason provided and remain in detention without charge or trial. The list was provided by GW/SRI sources in September 2004. Since then, especially in December 2004 just before the one year anniversary of the December 2003 massacres, several hundred more Anuak leaders have been arrested and are being held without charge in jails throughout Gambella state.

Ajow Odol Obang and Ojulu Oriet were allegedly tortured on 13 December 2003; Ajow Odol Obang was reportedly tied hands to feet, naked, and tortured with a rope around his genitals; Ojulu Oriet was beaten with a stick in the face and on the body and lost his teeth. Both men remain in prison in Gambella town. No reason or charge was provided for their detention.

NAME	AGE	OCCUPATION
1. Omot Ojulu Obella	39	Administrative and finance head of Health Bureau
2. Ajow Odol Obang	32	Administration and finance head of Trade Bureau
3. Obang Medi	38	Advisor to Gambella President
4. Okello Obang	30	Policeman
5. Obang Ngeel	30	Head of Gambella District Health Office

6.	Onyango Obang	31	Panel leader in Trade Bureau
7.	Jima Ojulu	36	Driver
8.	Oman Okuny	20	Student
9.	Ojulu Oriet	30	Policeman

- [1] GW/SRI interview #17, Addis Ababa, Ethiopia, 2004; GW/SRI interviewee #22, Gambella, Ethiopia, 2004; GW/SRI interview #33, 2004, Gambella, Ethiopia, 2004.
- [2] GW/SRI interview #27, Gambella, Ethiopia, 2004.
- [3] GW/SRI interviewee #20, Gambella, Ethiopia, 2004.
- [4] Interview with Abella Obang Agwa, founder of the GPDC, January 23, 2004, Pochalla, Sudan.
- [5] GW/SRI interviewee #22, Gambella, Ethiopia, 2004.
- [6] GW/SRI interview #33, Gambella, Ethiopia, 2004.
- [7] Omot Obang Olom is currently the head of Gambella Peoples' National Regional State Justice and Administrative Coordinating Bureau.
- [8] E.g. Marc Lacey, "Amidst Ethiopia's Strife, A Bathing Spot and Peace," New York Times, June 11, 2004.
- [9] GW/SRI interviewee #22, Gambella, Ethiopia, 2004.
- [10] GW/SRI interview, January 23, 2004. The EPRDF government jailed this witness from 1999-2002.
- [11] GW/SRI interview #20, Gambella, Ethiopia, 2004; GW/SRI interview #21, Gambella, Ethiopia, 2004; GW/SRI interviewee #22, Gambella, Ethiopia, 2004; GW/SRI interview #27, Gambella, Ethiopia, 2004.
- [12] GW/SRI interview #33, 2004, Gambella, Ethiopia, 2004.
- [13] GW/SRI interview #17, Addis Ababa, Ethiopia, 2004; GW/SRI interviewee #22, Gambella, Ethiopia, 2004; GW/SRI interview #33, 2004, Gambella, Ethiopia, 2004. (This interpretation comes from a translation of the Amharic language phrase "TRARA TSIE ZEMICHA" for "mountain," "sun" and "operation" respectively.)
- [14] GW/SRI interview #33, Gambella, Ethiopia, 2004.
- [15] GW/SRI interview, witness #7 of Gambella, January 21, 2004, Pochalla, Sudan. The phrase used in the Amharic language was: "Jare ye Anywakos kan nou memotu."
- [16] GW/SRI interview #17, Addis Ababa, Ethiopia, 2004.
- [17] GW/SRI interview #24, Itang, Ethiopia, 2004.
- [18] GW/SRI interview #25, Itang, Ethiopia, 2004.
- [19] GW/SRI interview #17, Addis Ababa, Ethiopia, 2004.
- [20] GW/SRI interview #33, 2004, Gambella, Ethiopia, 2004.
- [21] GW/SRI interview #19, Addis Ababa, Ethiopia, 2004.
- [22] GW/SRI interview #19, Addis Ababa, Ethiopia, 2004; GW/SRI interview #32, Gambella, Ethiopia, 2004.
- [23] GW/SRI interview #33, 2004, Gambella, Ethiopia, 2004.
- [24] GW/SRI interview #17, Addis Ababa, Ethiopia, 2004.
- [25] GW/SRI interview #17, Addis Ababa, Ethiopia, 2004.
- [26] GW/SRI interview #32, Gambella, Ethiopia, 2004.
- [27] GW/SRI interview #18, Addis Ababa, Ethiopia, 2004.
- [28] GW/SRI interview #29, Pinyudo, Ethiopia, 2004.
- [29] GW/SRI interview #31, Abobo, Ethiopia, 2004.
- [30] GW/SRI interview #18, Addis Ababa, Ethiopia, 2004.

- [31] GW/SRI interview #30, Abobo, Ethiopia, 2004.
- [32] GW/SRI interview #31, Abobo, Ethiopia, 2004.
- [33] GW/SRI interview #18, Addis Ababa, Ethiopia, 2004.
- [34] GW/SRI interview #31, Abobo, Ethiopia, 2004; GW/SRI interviewee #22, Gambella, Ethiopia, 2004; GW/SRI interview #30, Abobo, Ethiopia, 2004.
- [35] GW/SRI interview #31, Abobo, Ethiopia, 2004.
- [36] GW/SRI interview #29, Pinyudo, Ethiopia, 2004.
- [37] GW/SRI interview #29, Pinyudo, Ethiopia, 2004.
- [38] GW/SRI interview #29, Pinyudo, Ethiopia, 2004.
- [39] GW/SRI interview #29, Pinyudo, Ethiopia, 2004.
- [40] GW/SRI interview #29, Pinyudo, Ethiopia, 2004.
- [41] GW/SRI interview #26, Pokwo, Ethiopia, 2004.
- [42] GW/SRI interview #26, Pokwo, Ethiopia, 2004.
- [43] GW/SRI interview #26, Pokwo, Ethiopia, 2004.
- [44] GW/SRI interview #20, Gambella, Ethiopia, 2004.
- [45] GW/SRI interview #28, Pinyudo, Ethiopia, 2004
- [46] GW/SRI interview #24, Itang, Ethiopia, 2004.
- [47] GW/SRI interview #24, Itang, Ethiopia, 2004.
- [48] GW/SRI interview #23, Addis Ababa, Ethiopia, 2004.
- [49] <http://www.zpebint.com/index.asp> : “ZPEB Wins Contract of Seismic Survey in Ethiopia,” 06/17/04.
- [50] See: <[http://www.zpebafrica.com/Business/contact/contact\\_eng.htm](http://www.zpebafrica.com/Business/contact/contact_eng.htm)> and <<http://zpeb.sinopec.com.cn/Brief/1.htm?BigClassID=1&SmallClassID=1>>. Address: No7 Xingye Road, Puyang Henan and 277 Zhong Yuan Road, PuYang City, Henan Province, China, 457001. Tel: (0393) 4822172, 4822301 Fax: (0393) 4821597 E-mail: jbwws@zpeb.sinopec.com.cn; zpeb@zpeb.sinopec.com.cn.
- [51] See: Sudan, Oil and Human Rights, Human Rights Watch, September 2003; and Sudan: Global Trade, Local Impact, Human Rights Watch, Vol. 10, No. 4(A), August 1998: n83. See also, “China Invests Heavily in Sudan’s Oil Industry,” Washington Post, 23 December 2004, A1.
- [52] GW/SRI interviewee #20, Gambella, Ethiopia, 2004.
- [53] See UN Integrated Regional Information Networks, “Ethiopia: US Government Wants Gambella Violence Investigated,” 02/23/04: [http://www.survivorsrightsinternational.org/sri\\_news/un\\_news\\_ethiopia.mv](http://www.survivorsrightsinternational.org/sri_news/un_news_ethiopia.mv); US Dept. of State, “Ethiopia: Violence in Gambella Region,” 02/20/04: <http://www.state.gov/r/pa/prs/ps/2004/29647.htm> .
- [54] See: <http://www.ethiopianreporter.com/displayenglish.php?id=1132> .
- [55] “Top U.S. Aid Priorities: Iraq, Afghanistan, Sudan, Ethiopia, AIDS,” Written Testimony of Administrator Andrew S. Natsios, USAID, Testimony before the Subcommittee on Foreign Operations, Committee on Appropriations, U.S. House of Representatives, April 1, 2004.
- [56] Michael M. Honda; Ed Royce; Marty Kaptur; Gregory Meeks; Barbara Lee; Brad Sherman; Joseph Hoeffel; Chris Bell; Thomas H. Allen; Betty McCollum; Neil Abercrombie; Tom Lantos.
- [57] Refugees International report, “Ethiopia: The Struggle for Food Security,” 1 December 2004 <http://www.refintl.org/content/article/detail/4569/>
- [58] Senate Rpt.108-346 – Foreign Operations, Export Financing, and Related Programs Appropriation Bill, 2005, <http://thomas.loc.gov/>

[59] AI Index: AFR 25/014/2004