

**Testimony before the US Congress  
House of Representatives  
Congressional Black Caucus International Task Force and the Ethiopia Caucus**

**HUMAN RIGHTS VIOLATIONS IN THE AFTERMATH OF THE MAY 2005  
ELECTIONS IN ETHIOPIA**

**November 16, 2006**

Birhanu Tsigu Adenew

Former Head of Monitoring, Research and Public Litigation Department of the Ethiopian  
Human Rights Council, Addis Ababa, Ethiopia (currently graduate student at the  
University of Michigan Law School, U.S.A.)

**Introduction**

Mr. Chairman and distinguished members of the Congressional Black Caucus International Task Force and the Ethiopia Caucus, thank you for inviting me to discuss the situation of human rights in Ethiopia following the May 2005 elections. My name is Birhanu Tsigu Adenew. I am a national of Ethiopia. I have been a regular member of the Ethiopian Human Rights Council (EHRCO) since October 2003, and have served as head of the monitoring, research and public litigation department of the organization from December 2004 to August 2005. I cannot, however, speak on behalf of EHRCO since I no longer work for that organization. I am not, and have never been, a member of any political party in Ethiopia or abroad. I am here today to testify as an independent and impartial witness to the gross human rights violations committed by the current regime in Ethiopia in connection with the May 2005 elections and prior to that. My knowledge of the facts is based on my personal experience while I was working for EHRCO during the relevant period, and the reports and communications I received from my former colleagues afterwards.

EHRCO is a non-profit, non-governmental and non-partisan organization that works for the promotion of democracy, the rule of law and human rights in Ethiopia. Investigation and reporting of human rights violations committed in the country is one of the means it employs to achieve these goals. Over the past fifteen years, it has investigated, documented and issued reports on many human rights violations ranging from arbitrary arrest and detention to extra-judicial killings and mass murders committed with absolute impunity by government agents and affiliated groups. The gross violations following the 2005 elections took place as part of this general pattern of systematic and widespread violation of human rights, but only at an unnervingly huge scale and before the eyes of international observers.

The government has tried relentlessly to obstruct EHRCO's activities by refusing to issue it a license, freezing its bank accounts, ransacking its offices, harassing, intimidating and unlawfully detaining its employees, members and executives, and carrying out

propaganda campaigns on the public media tarnishing the names of the organization and its officials. Despite the immense pressure from the government, the organization strived to fulfill its mission under the most prohibitive circumstances. As a result, it has succeeded in winning the trust of the Ethiopian public and members of the international community.

### **Background on the May 2005 Elections**

The May 2005 national and regional elections were the third under the current Constitution, since the forced removal of the former military regime (the Dergue) in May 1991. Expectations were high during these elections, partly because of the incumbent government's promise to make the process free and fair, and partly because of the success of opposition parties in forming alliances and gaining broader support from the public at large. The African Union, the European Union and the Carter Center had, at the invitation of the government, sent observation missions to the country.

A series of negotiations had also taken place between the ruling party and some of the opposition parties on reforming the electoral rules. Agreement was reached on many issues, but the major issue of the independence of the National Election Board (NEB) remained unresolved. All opposition parties claimed that the Board was partisan and needed to be re-organized, but the ruling party refused to negotiate on the matter. On the other hand, the government made the public media available to all parties throughout the election campaign. A week ahead of the polling day, the ruling party and one of the major opposition parties organized huge rallies on consecutive days in the capital Addis Ababa, which concluded peacefully and without incident.

Nevertheless, the general atmosphere in the run-up to the elections was very tense and volatile, with the rhetoric heating up. The EU Mission was once forced to express its alarm and dismay at the repeated use of the word 'Interhamwe' (perpetrators of the genocide in Rwanda) by the ruling party in describing leaders of one of the major opposition parties. As polling day approached, local officials and government security forces intensified the harassment, intimidation and abuse of members and supporters of the various opposition groups.

EHRCO has issued half a dozen reports on pre-election abuses in various parts of the country; especially in the Oromiya, Amhara, and Southern regions of the country where the major opposition parties enjoyed stronger support. The abuses included intimidation, arbitrary arrest and detention, eviction from land and dismissal from government jobs, beatings, torture, forced disappearances and extra-judicial killings. On the eve of the elections local government officials started to arrest and detain people who volunteered to become poll watchers for the opposition, forcing opposition parties to go to the elections without having their representatives in many rural polling stations.

Using legal maneuvering and contrary to repeated court orders, the government also refused to give accreditation to local civic organizations prepared to observe the

elections. The accreditations were finally issued, but only the day before polls opened, and there was little time for the civic organizations to deploy their observers to constituencies in the vast countryside. Early in April 2005, three US based NGOs (the International Republican Institute, the National Democratic Institute and the International Foundation for Electoral Systems), which were in Ethiopia to assist in building the capacity of local civic organizations were also expelled.

On May 15, 2005 more than 90% of voters turned out to polling stations, and patiently waited in lines for hours to cast their votes. The huge number of voters, coupled with the ill-organization of the election administration, forced the Election Board to delay the closing time until late in the evening. In some cases, disputes over alleged attempts of cheating and shortage of ballot papers interrupted the process repeatedly. Nevertheless, voting was concluded relatively peacefully in most constituencies.

### **Gross Human Rights Violations in the Aftermath of the Elections**

#### ***a) the ban on public demonstrations and outdoor gatherings***

Voting was barely over in some constituencies when the Ethiopian Prime Minister, who is also Chairperson of the ruling party, appeared on the national television to announce that public demonstrations and outdoor gatherings are banned in the capital for a period of one month, which was extended for yet another month in June. He divided the capital into a number of security zones, and brought the military, the police and other security forces under his direct personal command. He further announced that he has given orders to the security forces to take all the necessary measures against anyone who violates the ban on public demonstrations and outdoor gatherings. The attempt by the opposition to challenge the constitutionality of the Prime Minister's action before a court of law was cut short by a decision of the House of Federation, the upper chamber of the parliament, upholding the measures taken by the Prime Minister as constitutional.

In the subsequent days, while vote counting was still underway in most regional constituencies, the ruling party announced that the Coalition for Unity and Democracy (CUD) had won all seats for the federal parliament in the City of Addis Ababa, and all but one seat for the City Council. Thus, it conceded that the CUD could form the City Government in Addis Ababa. But at the same time, it also declared itself to have won the majority of seats for the federal parliament and the regional councils, and that it would form the federal and regional governments.

The premature declaration of victory by the ruling party, even before the Election Board received results of vote counting from most constituencies, only further escalated the tension that prevailed in the country. Following early signs of huge gains by the opposition in most regional towns and the clean sweep victory for the CUD in the capital, vote counting in most rural constituencies was either completely interrupted or noticeably protracted. At the same time, the major opposition parties voiced claims of fraud and vote rigging by the ruling party and ultimately demanded recounts or reruns in about 299 constituencies out of a total of 524. Despite such claims, the Election Board started to release provisional results indicating victory to the ruling party. The attempt of the

opposition to challenge, before a court of law, the legality of the announcement of provisional results before their complaints are verified did not succeed.

***b) terrorizing the civilian population***

The government alarmingly increased the number of heavily armed security forces in the capital, patrolling the streets in open and armored vehicles. The City of Addis Ababa became a police state where people lived in fear and anxiety. Regional towns where incumbent ministers of the government lost the elections were also militarized, penalizing the local populations for casting their votes in favor of opposition candidates. Leaders of the opposition in the capital were placed under house arrest and 24 hours surveillance.

The public media under the control of the government had long been inaccessible to the opposition parties ever since political campaigning officially ended, that is, a week before polling day. The government, on the other hand, began a campaign of vilification against the leaders of the opposition parties and sending warning messages to those who might contemplate to contest the results of the election. There was widespread antipathy and indifference to the news and programs broadcast on the national TV and radio. As a result, people were increasingly attracted to transmissions from the Voice of America and Deutsche Welle Radio which have programs broadcasting in Ethiopian languages. But on June 7, 2005 the Ministry of Information revoked the accreditation of five journalists reporting to the two radio stations from Ethiopia. Chief and deputy editors of the private press were also summoned by the police at various times and reprimanded for their reporting of events related to the elections.

***c) crackdown on Addis Ababa University students***

At midnight on June 5, 2005 government security forces, accompanied by campus security guards of the Addis Ababa University at Sidist Kilo, entered student dormitories and attempted to abduct some students. The students were planning to go on hunger strikes and class boycotts in protest of the alleged fraud and vote rigging by the government. Angered by the late-night intrusion, the students moved out of their dormitories en masse and spent the night together singing and shouting slogans to express their indignation. On the morrow, students from other campuses of the university joined them and the protest continued all day long.

Around the middle of the day, a large number of government security forces dressed up in Federal Police uniforms and in civilian suits entered the university campus and placed the students under siege. Towards the end of the day, they started to brutally beat the students, packed hundreds of them on police trucks and drove them to the Sendafa Police Training Center in the outskirts of the capital. Students at the Kotebe Teachers' College, together with the local community who live around the town-line between the capital and Sendafa, tried to prevent the security forces from carting off the university students by blocking the streets with stones. In their attempt to forcefully break up the blockade, the security forces started to shoot at the people around and beat them ruthlessly. Shibre Delelegn, a 23 year old young woman, became the first victim in what was to become a bloodbath in the city. She was shot in the throat and passed away instantly in the hands of her mother, who was also bullied around by the killer for crying at her daughter's death.

The security forces put some more students on their trucks from the Kotebe Teachers' College, and took off to Sendafa.

***d) the June 8, 2005 Massacre***

Following this heavy crackdown on the Addis Ababa University students, similar protests continued to flare up in other higher education institutions and high schools throughout the capital and the major regional towns. On June 8, 2005 taxi drivers in the capital went on a strike. Many people absented themselves from work, and many stores and businesses remained closed. Security forces in red berets patrolling the city started to disperse persons standing in groups outside their homes and businesses. When their orders were refused by some, they started to shoot at any person whom they saw on the streets. Infuriated by this indiscriminate act of the security forces, local residents started to shout and throw stones at them. Within a short time, the security forces managed to massacre a large number of people in various parts of the city; the heaviest toll being in the Mercato area which is the business center of the city and supposedly a stronghold of the CUD. The victims were small children as young as 15 years old, women, the elderly and the homeless.

Red Cross ambulances carried a number of bodies and the wounded to the public hospitals. In some cases, relatives of the victims picked up the bodies from the streets and proceeded with their burial without seeking postmortem examinations. More importantly, police trucks have also been used to carry away unknown number of corpses to the Police Hospital and Defense Forces Hospital where families or human rights workers were not allowed to get in. We received information from civilian employees in these institutions about a number of bodies, including small kids in their blood-soaked school uniforms, in the morgues of these hospitals. The bodies are believed to have been buried in mass graves in unknown locations.

We were able to confirm at the moment the names, addresses and circumstances of death of only 42 individuals because people were not ready to come forward with full information and evidence due to fear of reprisals from the government. However, a police list obtained later from inside sources by a former EHRCO investigator, Yared Haile Mariam, put the number of deaths at 62. This figure closely corresponds with the one disclosed by the National Inquiry Commission recently. Most of the victims were shot in the head or chest. Many have been shot dead on the spot while trying to help those already fallen. Among the more than one hundred wounded, some succumbed to their injuries as their families were too poor to get them medical treatment.

***e) mass arrest and unlawful detention; persecution of human rights defenders***

Side-by-side with the killings, the security forces have also rounded up people in huge numbers, tormenting and beating them savagely. This continued during the night as well, where members of the secret service, assisted by informants in the various neighborhoods, went house-to-house and took many youngsters into custody. On the same night of June 8, 2005, security forces also went to the house of an EHRCO investigator, Cherenet Tadesse, and forced him at gun point to lead them to the home of a colleague of his, Yared Hailemariam. The latter was not found at his home at the

moment. They took Cherenet to an overcrowded police station where he spent the night without food and bedding, and his family was not able to locate his whereabouts for several days.

We went to the Addis Ababa Police Commission to inquire about the reasons for his arrest and his current condition. We were notified that the Addis Ababa Police knew nothing about the matter, as the operation was being carried out by the Federal Police and the special security. When we talked to the Deputy Commissioner of the Federal Police, who also told us he knew nothing about it, since the new command center was at the Prime Minister's office.

Subsequently, three branch committee members of EHRCO in Dessie town were arrested from the schools they were teaching at. On June 13, 2005 two more employees, myself and Yared Hailemariam, were taken into custody. We were kept incommunicado in a malaria infested federal prison in Zwai 250 kms southeast of the capital. The prison conditions were deplorable, and for several days we were forced to sleep on a grubby concrete floor without mattresses and blankets. There was no adequate food and medical treatment for the sick and wounded. More significantly, we were locked up in a room day and night and were not allowed to contact anyone including our families and lawyers. Nor were we brought before a court of law in due time.

After prison conditions relaxed to some extent, we managed to find our colleague Cherenet and many other detainees from the capital. During the three weeks of our stay in prison, we were able to witness that over 5000 people were under detention in the Zwai prison alone. Most of these people were kept in rooms made of corrugated iron sheets, each congested with over three hundred detainees. In addition to their vulnerability to contagious diseases, those people, most of them youngsters, were also subjected to torture and cruel beatings by the security forces. Even after we were finally released on bail, many young people remained in prison for they didn't have anyone to post bail for them.

***f) yet another massacre in early November 2005***

Another wave of public protests broke out again in the early days of November 2005 in the capital Addis Ababa and the regional towns. The government reacted brutally by indiscriminately killing more people than before and arbitrarily detaining an unprecedented number of innocent civilians. Tens of thousands of people were detained in remote and hostile military camps, where several of them have died as a result of disease, torture, and severe beatings.

The government also arrested the leaders of the CUD, journalists, and civic activists and charged them with farcical crimes including high treason and attempted incitement to commit genocide. Among the detainees thus charged is Professor Mesfin Wolde Mariam, founder and long-time chairperson of EHRCO, who is internationally acclaimed for his selfless devotion to the cause of human rights and democracy.

A wanted list published by the government in connection with these charges also included the names of two EHRCO investigators, Cherenet Tadesse and Yared Hailemariam. A third investigator, Wondemagegn Gashu, has also been pursued by the police and security agents who repeatedly visited his family's house and interrogated his mother about his whereabouts. As a result, all these three human rights defenders are now living in exile. Leaders of the Ethiopian Teachers Association and the Ethiopian Free Journalists Association as well as a number of journalists from the private press were also forced to flee the country.

***g) the carnage at Kaliti prison***

Although the Kaliti prison incident occurred on November 2, 2005 concurrently with the second round of protests in Addis Ababa, it was apparently not related to the elections. According to the inside information and documentary evidence obtained by an EHRCO investigator, the episode started with an argument between an inmate and a prison guard who soon started to physically assault the former in front of other inmates. While attempting to resist the assault, the prisoner was knocked down with the help of other prison guards. Fellow inmates were provoked by what they saw, and started to shout and throw stones at the guards. The guards came out in full force with their automatic guns, and started to fire at the inmates who quickly took refuge in their cell. The guards locked the door of the cell from the outside to prevent escape. They then peppered the cell from the outside with bullets.

The walls of the prison cell, which were made of corrugated iron sheets, were riddled with the bullets and strayed to adjacent buildings. The inmates were huddled together and were trying to use blankets, mattresses, and even bodies of their prison mates, to shield themselves from the storming bullets that were coming from the outside. Later in the evening, Police announced on the public media that seven inmates were killed in an attempted jail break. But the actual police record obtained from inside sources indicates that 60 inmates were killed that day, and some others died later as a result of severe wounds they received from the attack. Some of the victims were serving their sentences, while the others were awaiting their verdicts. Alemayehu Garba (a student at the Addis Ababa University) and Markota Edosa, who were taken into custody in 2004 in connection with the movement of Oromo students, were among those killed at the prison incident. So far, the government has taken no measure to further investigate the incident or to bring to justice the persons responsible for this vile act of barbarism.

**Conclusion**

The events that took place in Ethiopia following the 2005 elections have drawn international attention and brought to light the true nature of the current regime in the country. The regime has little or no regard for the fundamental rights and freedoms of its citizens. It has not only committed gross human rights violations with full premeditation, but has also deliberately failed to investigate and prosecute these violations and indemnify the victims. The prevailing atmosphere of impunity has encouraged the recurrence of similar violations in all parts of the country throughout the fifteen years period the government stayed in power.

The most serious types of violations committed include extrajudicial killings, mass murders, mass arrests and arbitrary detentions, forced disappearances, torture, beatings, and political persecution through the legal system. At various times, the government persecuted its political opponents by bringing trumped up charges against them, using testimony and confessions obtained through torture and other forms of coercion. Even in cases where the accused might truly be guilty of some crimes like the cases of the former Dergue officials, criminal charges were not instituted for several years and once started the trials were excessively protracted.

The violations usually targeted suspected members and leaders of the opposition, trade unions, and civic organizations, religious leaders and their followers, independent journalists, students and peaceful demonstrators, as well as members of the ruling party suspected of dissent. The government has also been pursuing a policy of institutionalizing ethnic and religious differences, which it exploited on many occasions to flare up ethnic and religious conflicts. The government either took an active part in such conflicts, as in the Gambella Massacre in late 2003 where the government army murdered more than 400 Anuak civilians, tortured and raped many more, and razed their villages; or simply overlooked ongoing conflicts while it should and could have taken measures to prevent them from happening.

The atrocities which were committed, and still continue to be committed, in the aftermath of the 2005 elections are therefore part of a general pattern of systematic and widespread human rights violations rising to the level of crimes against humanity. They are intended to weaken or eliminate political opposition, suppress dissent, and control all aspects of social life in the country by a single political group. The cycle of political repression, violence and impunity needs to be stopped, if the people of Ethiopia are to be free from fear, want and insecurity. There is little reason to expect such a change from the incumbent government in Ethiopia. The recent fall out with the National Inquiry Commission set up by the government itself to investigate the post-election violence is a clear evidence of the government's design to cover up its dubious activities through concocted reports.

Despite the honest and courageous attempt made by members of the Inquiry Commission here with us today to find out and publicize the truth about what happened in the aftermath of the elections in Ethiopia, more needs to be done to bring out the matter to full light and to serve justice to all. The Inquiry Commission's lack of mandate to establish individual responsibility, the resource limitations and government imposed restrictions within which it operated, and the reluctance of victims and their family members to come forward and provide evidence render the Commission's findings incomplete.

The establishment of an international commission of inquiry with a broader mandate to investigate and identify perpetrators and bring them to justice is, therefore, an indispensable mandatory course of action which the international community needs to take under the auspices of the United Nations.

It is also urgent to press the Ethiopian government to release all prisoners of conscience immediately, and to cease the perpetual persecution of dissidents, political opponents, journalists, human rights defenders and members of the civil society.

I am hopeful that the US Congress will continue to stand by the universal value of human dignity, which the Ethiopian people have for long been denied by their own governments, and support the struggle of the people to secure freedom and equality for themselves.

I am also confident that the US congress will take its first step towards the above goal by adopting H.R. 5680, the Ethiopia Freedom, Democracy and Human Rights Advancement Act of 2006.

Thank you.