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2008 Country Reports on Human Rights Practices - Ethiopia

Bureau of Democracy, Human Rights, and Labor
February 25, 2009

Ethiopia is a federal republic led by Prime Minister Meles Zenawi and the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) coalition. The population was approximately 77 million. In the 2005 parliamentary elections, the EPRDF won a third consecutive five-year term. In local and by-elections held in April the EPRDF and allied parties won virtually all of the more than three million seats contested, severely diminishing opportunities for mainstream political opposition. Prior to the vote, ruling coalition agents and supporters used coercive tactics and manipulation of the electoral process, including intimidation of opposition candidates and supporters. Political parties were predominantly ethnically based, and opposition parties remained fractured. During the year fighting between government forces, including local militias, and the Ogaden National Liberation Front (ONLF), an ethnically based, nationalist, insurgent movement operating in the Somali Region, resulted in continued allegations of human rights abuses by all parties, particularly diversion of food aid from intended beneficiaries suffering from a severe drought. Although there were fewer reports of extrajudicial killings and other similar human rights violations in the Ogaden than the previous year, nongovernmental organizations (NGOs) and others reported persistent abuses. While civilian authorities generally maintained effective control of the security forces, there were numerous instances in which elements within those forces acted independently of government authority.

Human rights abuses reported during the year included limitations on citizens' right to change their government in local and by-elections; unlawful killings, torture, beating, abuse, and mistreatment of detainees and opposition supporters by security forces, usually with impunity; poor prison conditions; arbitrary arrest and detention, particularly of suspected sympathizers or members of opposition or insurgent groups; police and judicial corruption; detention without charge and lengthy pretrial detention; infringement on citizens' privacy rights including illegal searches; use of excessive force by security services in an internal conflict and counterinsurgency operations; restrictions on freedom of the press; arrest, detention, and harassment of journalists; restrictions on freedom of assembly and association; violence and societal discrimination against women and abuse of children; female genital mutilation (FGM); exploitation of children for economic and sexual purposes; trafficking in persons; societal discrimination against persons with disabilities and religious and ethnic minorities; and government interference in union activities, including harassment of union leaders.

RESPECT FOR HUMAN RIGHTS

1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Government forces, including militias, and armed elements of the ONLF were responsible for targeted killings in the Somali Region during the year (see section 1.g.).

Security forces committed arbitrary and politically motivated killings during the year.

In December 2007 three government militiamen abducted Welelaw Muche, a supporter of the former Coalition for Unity and Democracy in Enamrit town (West Gojjam Zone, Mecha Woreda, Amhara Region) from his home and arrested him. One of the militiamen shot him to death in a nearby forest. No arrests were made by year's end.

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

Land mines planted as a result of the 1998-2000 conflict with Eritrea and unresolved border dispute killed at least four civilians in the Tigray Region along the border with Eritrea. In addition, there were unconfirmed reports from a credible source of at least 12 killed and 50 injured in landmine blasts. The government's demining unit, the Ethiopian Mine Action Office, continued to make progress in its survey and demining of border areas. The office defused 5,274 of an estimated two million landmines in the country, most of which were located along the border with Eritrea in the regions of Tigray and Afar. Two people were also wounded by landmines in the Ogaden Region.

Addis Ababa and other areas experienced several bombings that killed civilians and military personnel during the year. Although no one claimed responsibility, the government charged the bombings were the work of insurgent groups and or agents of Eritrea.

On March 13, a bomb exploded on a public bus in Humera (near the Eritrean border), killing eight persons and wounding at least 27. The government captured the alleged perpetrators, who testified in court to working for dissident groups supported by Eritrea. Their trial was ongoing at year's end.

The UN Mission in Ethiopia and Eritrea and the Mine Action Coordination Centre reported 10 casualties when unexploded ordinance exploded while persons were burning paper at a school in Humera on the Ethiopian side of the Temporary Security Zone. Among the casualties were a 16-year-old girl, a 50-year-old woman, and eight men.

On April 14, bombs exploded at two commercial gas stations in Addis Ababa, killing four persons and wounding at least 16. The perpetrators remained unknown at year's end.

On May 20, a bomb exploded on a public minibus, killing six persons and wounding at least five. The police apprehended suspects they claimed were affiliated with the insurgent Oromo Liberation Front (OLF).

On May 26, bombs exploded in two hotels in Negele Borena, Oromiya Region, killing three persons and wounding five. Ethiopian soldiers were among the casualties. Investigation was ongoing at year's end.

On September 3, a bomb exploded in the Merkato market in Addis Ababa, killing six persons and wounding 26.

On September 27, a bomb exploded outside a hotel in Jijiga, Somali Region, killing four and wounding 20. Police apprehended a suspect whom they identified as a member of Al-Ittihad al-Islamiya, an insurgent group. No trial date had been set by year's end.

There were no developments in the following 2007 killings: Tesfaye Taddese, Degaga

Gebissa, Tsegaye Ayele Yigzaw, Belachew Endale Bitew, Manaye Alamrew, Alemu Tesfaye, Tariku Yakiso, Mensur Musema, and the two students at Gue Secondary School (Gue town, Oromiya Region).

Police officer Alemu Deriba, sentenced to death for a 2006 shooting of four youths, remained on death row at year's end.

There were no developments in any of the 2006 bombings.

Clashes between ethnic clans during the year resulted in hundreds of deaths (see section 5).

There were no developments in the following 2006 attacks: the bus attack near Bonga town (Gambela Region) by armed men; the hand grenade incident in the town of Jijiga; and the explosion in Addis Ababa.

The Federal High Court in Addis Ababa convicted and sentenced to death in absentia Mengistu Hailemariam and eight of his aides, who were charged with committing genocide and other war crimes, including extrajudicial killings, under the 1975-91 Derg regime (see section 1.e.).

b. Disappearance

There were reports of politically motivated disappearances.

According to the Ethiopian Teacher's Association (ETA), two active members of their organization (see section 2.b.) disappeared this year. Tilahun Ayalew, chairman of the Dangila town ETA and coordinator of the program Education for All, was detained from December 2007 to March 2008. He reported that Bahir Dar regional police detained and tortured him for three to four days before transferring him to Maikalawi police station in Addis Ababa, where police reportedly tortured him also. The Federal First Instance Court then released him on a habeas corpus petition, citing the lack of formal charges against him. Shortly after seeing his family upon release, Tilahun disappeared, and his whereabouts remained unknown at year's end.

Also, Addis Ababa police arrested Anteneh Getnet, chairman of the original ETA in Addis Ababa and an ETA coordinator, in 2006 on charges of participating in the Ethiopian Patriotic Front (EPF) an outlawed, allegedly armed group operating in the Amhara Region. The Federal High Court denied his release, but the Federal Supreme Court released him on bail. After a few additional trial appearances, he disappeared in March, and his whereabouts remained unknown at year's end. Anteneh was first detained in 2006 for more than two months on charges of instigating violence in the 2005 elections. He alleged that he was tortured during his 2006 detention.

There were no developments in the following reported 2007 disappearances: Yohannes Woldu Girma Tesfaye Ayana, Befekadu Bulti Merri, Mulatu Gebremichel, Ismail Blatta, Daniel Worku, and Amha Yirga.

A few of the thousands of civilian protestors who were detained and held incommunicado in 2005 remained in prison at year's end; however, most had been released by the end of 2006, and an additional 31 were released in August 2007, reportedly following an elders negotiations process in July 2007 (see section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution and law prohibit the use of torture and mistreatment, there were numerous credible reports that security officials tortured, beat, or mistreated detainees. Opposition political party leaders reported frequent and systematic abuse and intimidation of their supporters by police and regional militias, particularly in the months leading up to the local and by-elections held during the year (see section 3). In

Makelawi, the central police investigation headquarters in Addis Ababa, police investigators reportedly commonly used physical abuse to extract confessions.

In December 2007 student Ayena Cheri was arrested in Nekempt on suspicion of being a member of the OLF. The lower court dismissed his case and ordered his release, but he remained in prison until the High Court ordered his release on February 11 following a 1,000-birr (\$98) bail. He alleged repeated severe beatings while in detention. On January 11, police and security forces arrested Coalition for Unity and Democracy (CUD) member Alemayehu Seifu while he was on his way home from work in Addis Ababa. He was conveyed to Makalawi where he was allegedly tortured for eight days while his captors sought to force a confession that he was part of a plot to overthrow the government. He was released on January 21 without appearing in court.

On February 9, police and militia broke into the home of Gelaye Tadele, a resident of Arba Minch town in the Southern Nations, Nationalities, and Peoples' Region (SNNPR), and beat him. They then took him to a detention facility in Kofele where they fractured his right leg and beat him unconscious. He was eventually taken to the local police station and later admitted to Arba Minch hospital. His mother filed a complaint but local authorities took no action by year's end.

Of the 37 CUD members arrested and tortured in May 2006, the courts released 26 on a 5,000-birr (\$488) bail in October 2007 while denying bail to nine others who remained in jail at year's end. The other two individuals died in prison.

There were no developments in the September 2007 beating of regional parliamentarian Wegayehu Dejene (Me-ea District, Oromiya Region) and his family members.

There were no developments in the 2006 beatings of one regional parliamentarian of the Oromo Federal Democratic Movement (OFDM) and five of the Oromo National Congress (ONC).

Prison and Detention Center Conditions

The country has three federal prisons, 117 regional prisons, and many unofficial prisons. Prison and pretrial detention center conditions remained harsh and life threatening. Severe overcrowding was a problem. In September 2007 it was reported that there were 52,000 persons in prison. Earlier in the year, prison populations decreased by 10,000 due to pardons but reportedly again increased due to increases in ethnic conflict and economic crimes. Prisoners often had less than 22 square feet of sleeping space in a room that could contain up to 200 persons, and sleeping in rotations was not uncommon in regional prisons. The daily meal budget was approximately 5 birr (50 cents) per prisoner. Many prisoners supplemented this with daily food deliveries from family members or by purchasing food from local vendors. Prison conditions were unsanitary and there was no budget for prison maintenance. Medical care was unreliable in federal prisons and almost nonexistent in regional prisons.

In detention centers, police often physically abused detainees. Authorities generally permitted visitors but sometimes arbitrarily denied them access to detainees. In some cases, family visits to political prisoners were restricted to a few per year.

While statistics were unavailable, there were some deaths in prison due to illness and poor health care. Prison officials were not forthcoming with reports of such deaths. Several pardoned political prisoners had serious health problems in detention but received little treatment at the time.

Authorities sometimes incarcerated juveniles with adults if they could not be accommodated at the juvenile remand home. Men and women prisoners were largely, but not always, segregated.

During the year the International Committee of the Red Cross (ICRC) visited regional

prisons only. The government continued to prevent ICRC representatives from visiting police stations and federal prisons throughout the country including those where opposition, civil society, and media leaders were held. Regional authorities allowed the ICRC to meet regularly with prisoners without third parties being present. The ICRC also continued to visit civilian Eritrean nationals and local citizens of Eritrean origin detained on alleged national security grounds. The local NGO Prison Fellowship Ethiopia (JFA-PFE) was granted access to various prison and detention facilities, including federal prisons. The government also periodically granted diplomatic missions access to regional prisons and prison officials, subject to advance notification.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, the government frequently did not observe these provisions in practice.

Role of the Police and Security Apparatus

The Federal Police Commission reports to the Ministry of Federal Affairs, which is subordinate to the parliament; however, this subordination is loose in practice. Local militias also operated as local security forces largely independent of the police and military. Corruption remained a problem, particularly among traffic police who solicited bribes. Impunity also remained a serious problem. According to contacts at government agencies, the government rarely publicly disclosed the results of investigations into abuses by local security forces, such as arbitrary detentions and beatings of civilians. The federal police acknowledged that many of its members as well as regional police lacked professionalism.

The government continued its efforts to train police and army recruits in human rights. During the year the government continued to seek assistance from the ICRC, JFA-PFE, and the Ethiopian Human Rights Commission (EHRC) to improve and professionalize its human rights training and curriculum by including more material on the constitution and international human rights treaties and conventions. JFA-PFE conducted human rights training for police commissioners and members of the militia.

Arrest and Detention

Authorities regularly detained persons without warrants and denied access to counsel and family members, particularly in outlying regions. Although the law requires detainees to be brought to court and charged within 48 hours, this generally was not respected in practice. While there was a functioning bail system, it was not available in murder, treason, and corruption cases. In most cases authorities set bail between 500 and 10,000 birr (\$494-975), which was too costly for most citizens. Police officials did not always respect court orders to release suspects on bail. With court approval, persons suspected of serious offenses can be detained for 14 days and for additional 14-day periods if an investigation continues. The law prohibits detention in any facilities other than an official detention center; however, there were dozens of unofficial local detention centers used by local government militia and other formal and informal law enforcement entities. The government provided public defenders for detainees unable to afford private legal counsel but only when their cases went to court. While in pretrial detention, authorities allowed such detainees little or no contact with legal counsel.

Opposition party members consistently reported that in small towns, authorities detained persons in police stations for long periods without charge or access to a judge, and that sometimes these persons' whereabouts were unknown for several months. Opposition parties registered many complaints during the year that government militias beat and detained their supporters without charge in the run-up to the local and by-elections held earlier in the year. For example, at a May wedding in Chendiba town in Chilga District, Amhara Region, officials arrested nine AEUP supporters: Wagnew Tadesse, Mekuanent Seneshaw, Alehegne Mekuanent, Kifle Tadege, Demissie Yehualla, Kolagie Jegne, Teffera Akemu, Setegne Tadege, and Endale Tadege. Officials accused them of holding an illegal political gathering. At year's end, all nine remained in jail,

held without bail, formal charges, or communication with their families.

On October 4, the government released eight of 10 Kenyans suspected of being foreign fighters in Somalia and detained clandestinely in the country since early 2007. Human Rights Watch (HRW) reported that Kenya originally arrested at least 150 suspected fighters of several nationalities and then rendered dozens to the Ethiopian National Defense Forces (ENDF) for questioning. Most were eventually released but these last 10 remained in ENDF custody where they reported beatings and torture. The whereabouts of the remaining two were unknown at year's end.

In late October, officials arrested at least 53 ethnic Oromos (some reported as high as 200), including university lecturers, businessmen, and housewives, many with no apparent political affiliation, for alleged support to the banned OLF. Many supporters of the mainstream political opposition OFDM were also arrested during the same time period for the same charges.

On December 23 and 24, hundreds of Somalis were arrested in Addis Ababa. A Somali embassy spokesperson reported that following the initial round-up, police checked records, fingerprinted, and then released detainees.

Just before the Ethiopian New Year in September 2007, security forces arrested individuals suspected of supporting the OLF or terrorist activity. Many were members of the opposition United Ethiopian Democratic Forces (UEDF) or OFDM parties. Approximately 450 arrests were reported to opposition party offices in Addis Ababa. At year's end, 148 detainees remained in jail.

In the case of Yosef Abera and nine others who were arrested in 2006 on accusations of providing food and arms to the OLF, police transferred them from Ayra Guliso town in Oromiya to Senkelle Police Training Center, also in Oromiya. They were released on March 16 after signing a letter stating they would not participate in any future illegal activities.

Police continued to enter private residences and arrest individuals without warrants (see section 1.f.).

Most of the 180 persons arrested in Nazret, Oromiya Region, in 2006 were released in 2006, but there was no information available on the remaining three detained at year's end.

Amnesty

On March 28, the federal government pardoned two human rights activists, Daniel Bekele and Netsanat Demissie, after they signed an admission of guilt and served 28 months in detention. These two were the last of the high-profile political detainees arrested after the 2005 national elections. Both originally declined to admit guilt, instead defending their case before the Federal High Court. The court ultimately convicted them of incitement, a charge that had never been alleged or raised until the day of the court's verdict, and sentenced both to 30 months imprisonment.

On September 28, the federal government granted amnesty to 4,500 prisoners, excluding convicted murderers, rapists, and those found guilty of corruption.

On November 16, the Tigray regional government granted amnesty to 2,167 prisoners, excluding those who committed crimes in connection with corruption, and causing fire and destruction of infrastructures or forests.

On November 25, the Ministry of Justice (MOJ) Pardon Board pardoned 44 OLF members who were convicted of serious crimes after serving 16 years in prison.

e. Denial of Fair Public Trial

The law provides for an independent judiciary. Although the civil courts operated with independence, the criminal courts remained weak, overburdened, and subject to significant political intervention and influence. Constitutional interpretation remains solely with the upper house of parliament, exclusively comprised of ruling party members, which also handles judicial appointments and reviews judicial conduct. Judicial practice allows the court unilaterally to convict defendants on charges not raised by the prosecution at any point preceding the court's decision on guilt. This practice effectively impedes defendants from presenting an adequate defense as they may not be aware of the potential charges they face.

The government continued to decentralize and restructure the judiciary along federal lines with the establishment of courts at the district, zonal, and regional levels. The Federal High Court and the Federal Supreme Court heard and adjudicated original and appeal cases involving federal law, transregional issues, and national security. The regional judiciary was increasingly autonomous and often heard regional cases.

Regional offices of the federal MOJ monitored local judicial developments. Some regional courts had jurisdiction over both local and federal matters, as the federal courts in those jurisdictions had not begun operation; overall, the federal judicial presence in the regions was limited. Because of this, many citizens residing in rural areas did not have reasonable access to the federal judicial system and were forced to rely on traditional conflict resolution mechanisms like the Elders' Councils. Anecdotal evidence suggested that women did not always have access to free and fair hearings in the traditional justice system because they were excluded from participation in the Elders' Councils and because there was strong gender discrimination in rural areas.

Anecdotal evidence suggested that some local officials believed they were not accountable to a higher authority.

The judicial system severely lacked experienced staff, sometimes making the application of the law unpredictable. The government continued to train lower court judges and prosecutors and made effective judicial administration its primary focus.

Judicial corruption was a significant issue. During the year, the federal MOJ brought corruption cases against 17 judges; however, 15 of those cases were dismissed without sanction against the judges involved. The remaining two cases were pending at year's end.

Trial Procedures

According to the law, accused persons have the right to a fair public trial by a court of law within a "reasonable time," a presumption of innocence, the right to be represented by legal counsel of their choice, and the right to appeal. However, closed proceedings occurred, at times authorities allowed detainees little or no contact with legal counsel, and detainees usually were not presumed innocent. Judicial inefficiency, lengthy trial delays, and lack of qualified staff often resulted in serious delays in trial proceedings.

The Public Defender's Office provides legal counsel to indigent defendants, although its scope and quality of service remained limited due to the shortage of attorneys available. Although the law explicitly stipulates that persons charged with corruption are to be shown the evidence against them prior to their trials, authorities routinely denied defense counsel pretrial access to such evidence.

In the country's judicial system, there are federal and regional criminal courts. There are federal first instance courts, high courts, and the Supreme Court. There are also regional first instance courts and high courts. The Supreme Court maintains appellate authority over all courts.

The law provides legal standing to some preexisting religious and customary courts and allows federal and regional legislatures to recognize other courts. By law all parties to a

dispute must agree to use a customary or religious court before such a court may hear a case. Shari'a (Islamic) courts may hear religious and family cases involving Muslims. In addition other traditional systems of justice, such as Councils of Elders, continued to function. Although not sanctioned by law, these traditional courts resolved disputes for the majority of citizens who lived in rural areas and generally had little access to formal judicial systems.

The federal first instance court's seventh criminal branch, headed by three judges, handled cases involving juvenile offenses and cases of sexual abuse of women and children. There was a large backlog of juvenile cases, and accused children often remained in detention with adults until officials heard their cases.

Criminal matters related to the military are handled by military tribunals. Military tribunals may not try civilians except in cases of national security. The military justice system lacked adequately trained staff to handle the growing caseload.

In January and February 2007, Ethiopian forces serving in Somalia arrested and detained civilians suspected of being affiliated with foreign fighters in Somalia. Some of the civilians were released after questioning; however, two international NGOs reported that some were transferred from Somalia through Kenya to Ethiopia, where they were tried by a military tribunal. Others were held without charge or due process. While most of these foreign fighters were returned to their home countries in 2007, the country returned eight Kenyans to Kenya on October 4. These are believed to be the last remaining such detainees.

In 2006 the 57 top officials from the former Derg (Mengistu) regime, including former communist dictator Colonel Mengistu Hailemariam, were found guilty of genocide, treason, and murder for crimes committed during their 17 years of rule. On January 11, they were given sentences ranging from 23 years to life in prison. However, the prosecutor appealed many of these sentences, and on May 26, the court sentenced Colonel Mengistu and 18 of his associates to death. All but Colonel Mengistu, who was in exile in Zimbabwe, sat on death row at year's end; the government had not established an execution date.

Political Prisoners and Detainees

The number of political prisoners and detainees during the year was estimated to be in the hundreds. There were numerous reports of unlawful detention of opposition candidates and their supporters, mostly in the months before April's local and by-elections (see section 3).

In one example, Chaka Robi, a 20-year-old CUD supporter, was arrested without a warrant from his Addis Ababa residence on March 5. Officials held him in Maekelawi where, family members reported to the Ethiopian Human Rights Council (EHRCO), police denied them visitation rights accorded by law. It is common practice for police to deny visitation rights without cause while detainees are under investigation.

Political prisoner Assefa Abraha, former head of the Office of Government Development Organizations in the Prime Minister's Office, was paroled on July 31 after serving more than seven years in detention. Police arrested Assefa and four of his siblings, including former defense minister Seeye Abraha, on corruption charges in May 2001 following a contentious rift within the ruling party but released his siblings in 2007. Assefa was eventually convicted in July 2007 and sentenced to nine years' imprisonment before being paroled.

In mid-October about 20 people were arrested and put under the custody of the Federal Army at the Army Camp in Dembe Dollo. Among them was Ato Makonnin Dheressa, a prominent member of the OFDM. He was released one week later.

In late October/early November, police, local authorities, and ruling party cadres

arrested more than a dozen second-tier leaders from various opposition parties engaged in community outreach or opening new offices throughout the country. OFDM secretary general Bekele Jirata was arrested on October 30 and charged on December 16 with recruiting and organizing OLF members, promoting OLF terrorist activities, and financially supporting the OLF. The case was pending at year's end.

On December 5, a popular singer known as Teddy Afro (Tewodros Kassahun) was sentenced to six years in prison and fined 18,000 birr (\$1,755) for the hit-and-run death of a homeless man in 2006. Some of Teddy Afro's songs were seen as opposition anthems during the violent aftermath of the 2005 elections. While it is unclear whether the conviction was politically motivated, the expeditious incarceration and prosecution of Afro's case 18 months after the alleged incident suggest political interference rather than solely delays in pursuing the case.

On December 29, Unity for Democracy and Justice Party president Birtukan Mideksa was rearrested for accurately telling European media organizations that she had not requested from the government a pardon leading to her release from jail in July 2007. President Girma Wolde-Giorgis revoked her pardon and reinstated her life sentence.

At year's end, many other political detainees, including CUD, ONLF, and OLF members, remained in prison.

In July and August 2007, the government pardoned 71 individuals arrested following demonstrations in 2005. The pardons permitted the defendants' future political participation, but in practice the government continued to limit that right.

The trial continued for most of the 52 individuals arrested in 2006-07 for alleged membership in the EPF, although two prominent ETA members reportedly disappeared (see section 2.b.).

Civil Judicial Procedures and Remedies

Civil courts, which provided judicial remedy for alleged wrongs, were generally viewed as independent and impartial. The law provides citizens the right to appeal human rights violations in civil court; however, no such cases were filed during the year.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires authorities to obtain judicial warrants to search private property; however, in practice, particularly outside Addis Ababa, police often ignored this law. Opposition party representatives claimed that police sometimes used fraudulent warrants to enter homes and commit criminal acts, including extorting money. This occurred primarily in the months preceding April's local and by-elections. There were reports that members of local militias robbed persons during the year in locations throughout Oromiya.

There continued to be reports of police forcibly entering civilian homes throughout the year.

All but three electronic communications facilities were state-owned. Political party leaders reported incidents of telephone tapping and other electronic eavesdropping. There were also reports of the government jamming radio stations (see section 2.a.).

The government used a widespread system of paid informants to report on the activities of particular individuals.

There were reports during the year of the forced displacement of families in the Somali Region (see section 1.g.).

Security forces continued to detain family members of persons sought for questioning by the government.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

During the year fighting continued between government forces, including government-backed and affiliated militia, and the ONLF, an ethnically based, nationalist, insurgent movement operating in the Somali Region, triggering widespread criticism of human rights abuses. While NGO reports of burnt villages and population displacement significantly declined during the year, unsubstantiated, but largely credible, reports of human rights abuses continued, including extrajudicial killings, torture, rape, abductions, and arbitrary arrest. Deliveries of food and medicine were restricted as a result of insecurity, lack of capacity, and Ethiopian military restrictions. Since the ONLF was outlawed in 1994, the organization has engaged in low-intensity armed conflict with the government. The regional conflict in Somalia that began in late 2006 spread to the Somali Region and, allegedly fueled by support from the Eritrean government, resulted in greatly increased armed activity by the ONLF, whose members share ethnic ties with Somalis. Civilians, international NGOs, and other aid organizations operating in the region have reported that both the ENDF and the ONLF were responsible for abuses and harsh techniques used to intimidate the civilian population.

Since the Ethiopian military began significant counterinsurgency operations in the Ogaden in response to the April 2007 slaying of oil exploration workers, the government has limited the access of diplomats, NGOs, and journalists to the Somali Region, allegedly due to serious security concerns. However, human rights groups and others have accused the government of denying access to the region in order to prevent potential critics and observers from monitoring ENDF operations. The government has allowed some humanitarian access, but the ability to investigate human rights abuses has been restricted. Reports of human rights violations largely have come from interviews with second-hand sources or alleged victims who have fled the Somali Region.

In June HRW issued a report alleging that the ENDF committed war crimes and crimes against humanity in the Ogaden area of the Somali Region. The report claimed a "brutal counter-insurgency" campaign was conducted in the Ogaden involving systematic forced relocation, burning of villages, arbitrary killings, mass detentions, torture, rape and assault, livestock confiscations, and restrictions on civilian movements. In response to the allegations the government conducted its own investigation into the alleged abuses and found that there were no systematic human rights abuses but rather "evidence of one or two cases of abuse, and one of torture." The selection of former ruling party insider Lisan Yohannes to lead the investigation, however, opens questions about the independence of the investigation. The government stated that the officer responsible for the said abuses was summoned to court.

Killings

On March 30, the government reported that security forces arrested eight men suspected of involvement in the April 2007 ONLF attack on a Chinese-run oil facility in the Degehabur zone of the Somali Region. The attack killed 65 civilians and nine Chinese nationals and resulted in a dramatic escalation in the conflict, which triggered widespread criticism of human rights abuses perpetrated by government forces. The government also reported that the same eight individuals were implicated in a May 2007 Jijiga grenade attack on a crowd during an official holiday celebration. All suspects remained on trial at year's end.

On September 27, a bomb exploded in a hotel in Jijiga, killing four and wounding 10. Police apprehended three suspects who reportedly acknowledged being ONLF members.

On October 16, Prime Minister Zenawi told parliament that the government had confirmed that all bombings this year in Addis Ababa were the work of the OLF and all bombings in the Somali Region were confirmed to be the work of the ONLF. Apart from the cases noted above, no credible evidence has been presented to verify these claims.

On November 22, police forces attempted to force villagers from Laare and Puldeng villages (Gambella Region) to move to a new area. When villagers refused, violence ensued, killing nine civilians and wounding 23 others. Two policemen were killed and six others were wounded. Police also reportedly set fire to homes and killed numerous livestock.

The ONLF issued a report stating that the ENDF killed 48 civilians and wounded 50 on December 17 in Mooyaha village (23 miles northwest of Dagabur, Ogaden). They also accused the ENDF of killing six civilians in Galashe (near Fik) on the same day. The government had not responded to the allegation by year's end.

Abductions

On September 23, an unknown armed group kidnapped two foreign staff members of the French NGO Medecins du Monde (MDM) near Shilabo town in the Somali Region. The kidnappers transported both hostages into Somalia where they were sold to another group that demanded ransoms. At year's end ransom had not been paid and the two MDM staff members remained hostages.

Physical Abuse, Punishment, and Torture

International rights groups and NGOs reported that alleged unlawful killings, torture, rape, abductions, and arbitrary arrests continued in the conflict zone. While there were numerous reports of human rights violations in the conflict-affected areas, there were no successful attempts at substantiating the reports due to lack of access to the region (see section 1.g.).

Other Conflict-Related Abuses

During the year the government loosened restrictions on the delivery of food aid from donor organizations into the five zones of the Somali Region in which military activity was the most intense. Nevertheless, only 12 percent of food aid reached beneficiaries. Improvements in food aid deliveries allowed relief to reach primary destination points, but distribution to secondary towns, rural areas, and final beneficiaries remained limited. Commercial traffic into these zones somewhat increased.

The government restricted access of NGO workers and journalists to affected areas. International journalists who entered the Somali Region without permission of the government were arrested or obliged to leave the country. The government continued to ban the ICRC from the region, alleging it cooperated with the ONLF. Bureaucratic impediments to Medicins Sans Frontieres-Switzerland (MSF-CH) operations in the Somali Region and government accusations it cooperated with the ONLF prompted MSF-CH to terminate operations in the country on August 26.

During the year, some humanitarian groups reported roadblocks manned by insurgent groups who occasionally briefly detained them. These same humanitarian groups reportedly were interrogated by the ENDF on their encounters at the roadblocks with the insurgents.

On January 26, the ENDF placed Medicins Sans Frontieres-Holland (MSF-NL) staff members under house arrest in Warder for allegedly providing medical support to the ONLF and confiscated MSF-CH property and vehicle keys in Kebri Dehar, limiting its staff members' movement to the town for three weeks. These restrictions originally covered all UN and NGO groups operating in the Somali Region; however, they were lifted on January 31 for all groups except MSF. On June 18, ENDF again detained five MSF-CH Fik-based staff for 19 days. The government previously suspended MSF-NL operations between July and November 2007. There was no judicial process or charges filed in any of the cases.

2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the constitution and law provide for freedom of speech and press, the government did not respect these rights in practice. The government continued to arrest, harass, and prosecute journalists, publishers, and editors. The government continued to control all broadcast media except three private FM radio stations. Private sector and government journalists routinely practiced self-censorship.

Government-controlled media mostly reflected the views of the government and the ruling EPRDF coalition. However, live radio and television broadcasts at times included televised parliamentary debates and broadcast the views of opposition parliamentarians, as did government newspapers.

Although some new, small-circulation newspapers were published during the year, the number of private newspapers remained low. Approximately 20 private Amharic-language and English-language newspapers with political and business focuses were published, with a combined weekly circulation of more than 150,000.

The government operated the sole television station and tightly controlled news broadcasts. The broadcasting law prohibits political and religious organizations or foreigners from owning broadcast stations.

Foreign journalists and local stringers working for foreign publications at times published articles critical of the government but were subjected to government pressure to self-censor. During the year some reporters for foreign media were subjected to intimidation and harassment or threatened with expulsion from the country for publishing articles critical of the government.

During the year the government convicted and sentenced journalists for articles and reports in their publications. Journalists were intimidated, harassed, arrested, and detained on charges of defamation, threatening public order, and contempt of court.

For example, on February 16, police arrested *Al-Quds* publisher Maria Kadi Abafita and editor-in-chief Ezeddin Mohammed, along with Sheikh Ibrahim Mohammed Ali, the publisher and editor-in-chief of the Islamic Amharic weekly newspaper *Salafia*. The arrests followed their publishing of articles critical of an education ministry directive on religious worship in schools, including the reprint of a letter allegedly written by the vice president of the Ethiopian Islamic Affairs Supreme Council. The vice president denied writing the letter and filed criminal defamation charges. Police searched the newspapers' offices and confiscated computers and printers. The journalists were detained for 26 days and released on February 29 on a bail of 12,000 birr (\$1,200). The case was pending at year's end.

On March 6, Dawit Kebede, editor-in-chief of the weekly *Awramba Times*, was detained and released. The National Electoral Board (NEB) accused him of posting an advertisement for his newspaper on a poster promoting EPRDF candidates for local elections. He appeared in court and was released on 200 birr (\$20) bail the same day. No further action was taken before year's end.

There were multiple incidents of harassment and arrest surrounding journalists' coverage of the ongoing 2006 hit-and-run trial of pop singer Tewodros Kassahun, commonly known as Teddy Afro.

For example, on May 2, police detained editor/owner Alemayehu Mahtemework and three staff members of the private Amharic monthly entertainment magazine *Enku* and confiscated 10,000 magazine copies after *Enku* ran a cover story on Afro's controversial arrest and trial. The government accused them of publishing "stirring articles that could incite people" and held them for five days before release. Alemayehu was also charged with threatening public order, and his case remained pending at year's end. The magazine continued operating and police released the confiscated copies on July 31.

Also on July 29, *Mesenazeria* reported that its editor-in-chief and deputy editor-in-chief were detained for 32 hours and released on July 26 for printing photos without permission of the two police officers escorting Afro to trial. The journalists were not formally charged.

On August 4, the judge presiding over Afro's trial charged Mesfin Negash, editor-in-chief of the independent Amharic weekly *Addis Neger*, with contempt of court after he published an interview with the singer's lawyer, Million Assefa, in the July 26 edition. The newspaper accurately quoted the lawyer as saying he would file a complaint against high court judge Leul Gebremariam over alleged bias in his handling of the singer's case. On August 6, the judge sentenced Mesfin to a one-month sentence suspended for two years. The lawyer, Million Assefa, was also found guilty of contempt of court and sentenced to one month and 20 days at Kaliti prison.

Police summoned and questioned *Addis Neger* journalists regarding four separate stories involving investigative reports.

Following *Awramba Times'* extensive coverage of the Movement for Freedom, Democracy, and Justice (Ginbot 7), an opposition group advocating a change in the government by "any means," the newspaper reported receiving threats on August 4 and 5 that it would be banned and "held accountable." In addition there were allegations that an internal MOJ memo advocated the same. On August 7, the Addis Ababa Police Commission charged editor-in-chief Dawit Kebede with "inciting the public through false rumors" but released him on bail the same day. *Harambe* editor-in-chief Wossenseged Gebrekidan was also charged and released on bail following similar coverage of Ginbot 7. There were no further developments in the cases by year's end.

On August 22, two police officers, one from Addis Ababa and the other from Gondar, arrested Amare Aregawi, editor-in-chief of the Amharic- and English-language newspaper *The Reporter*, at his office. Police held him overnight in an Addis Ababa police station and then transferred him in a brewery vehicle to a station in Gondar, approximately 470 miles north of Addis Ababa. On arrival, he was transferred to Gondar police custody. The arrest was in connection with a libel case brought by the Gondar-based, ruling-party-owned Dashen Brewery in response to a July 20 story on a labor dispute at the brewery. Amare appeared in court in Gondar on August 27 and was released after posting bail of 300 birr (\$29) and spending six days in detention. He again appeared in court on September 1 but learned there were no charges against him, and the bail money was returned to him. The article's author, Teshome Niku, was taken to Gondar on July 30 to appear in court but was released on bail of 300 birr (\$29) on August 1. The rendering of both journalists to Gondar raised concerns about the legality of the action; the press law adopted on July 1 stipulates that defamation cases are to be tried in the locality where the claimed offense allegedly took place, and *The Reporter's* registered headquarters is in Addis Ababa. Following his release, Teshome reportedly received anonymous, threatening phone calls.

On November 4, private newspaper *Enbilta* editor-in-chief Tsion Girma, deputy editor Habte Tadesse, and reporter Atenafu Alemayehu were arrested in connection with an article published October 3 that mistakenly identified the judge in the Teddy Afro hit-and-run case. Tsion was released on October 22 on 2,000 birr bail (\$200). Her two colleagues were released October 24 with no charges. Tsion was convicted November 4 on criminal charges of inciting the public through false rumors and fined an additional 2000 birr (\$200).

On October 31, *The Reporter* editor-in-chief Amare Aregawi was violently attacked in front of his son's school. School staff found him unconscious and rushed him to the intensive care unit at the hospital. He later recovered and returned to work. The media reported that police arrested one of the assailants and the driver of a taxi planned as a getaway car. The Addis Ababa Police Commission continued to investigate the case at year's end.

Several journalists remained in exile, including journalists detained following the 2005

elections but released in 2007.

On July 1, the parliament passed The Mass Media and Freedom of Information Proclamation, published in the official *Negarit Gazette* on December 4. The law prohibits pretrial detention of journalists and censorship of private media, and it recognizes the right of journalists to form professional associations. However, the law allows only incorporated companies to publish print media; requires all previously licensed press to reregister; bars foreign and crossmedia ownership; grants the government unlimited rights to prosecute the media; criminalizes defamation of public officials and increases defamation fines to 100,000 birr (\$9,751); establishes "national security" as grounds for impounding materials prior to publication; provides government information officials exclusive discretion to withhold "sensitive" information without judicial review; and maintains the MOI's absolute authority to regulate the media.

The Ministry of Information was dissolved on October 30. Media reported that the government planned to replace the ministry with a new communications office that would be directly accountable to the prime minister. Although reports indicated the new entity would not be responsible for press licensing, that responsibility had not been reassigned by year's end.

Regional governments censored the media during the year by prohibiting NGOs and health centers from providing information to, or allowing photography by, foreigners or journalists about malnutrition caused by the mid-year drought.

The government indirectly censored the media by controlling licensing. In the first week of January, the Ministry of Information denied press licenses to Eskinder Nega, Serkalem Fasil, and Sisay Akena, the former editors of banned private newspapers *Menelik*, *Asqual*, *Satenaw*, *Ethop*, and *Abay*, who had been detained for 17 months after the 2005 elections and were pardoned and released in April 2007.

On July 2, the same three publishers were fined a combined amount of 300,000 birr (\$29,252) in connection with their papers' coverage of the 2005 elections. The court ordered them to appear before the First Criminal Bench of the Federal High Court in December if they failed to pay. They appeared in court on December 24 and delivered a written petition citing pardon law 395/2004, article 231/2, which stipulates that pardons granted to persons automatically pertain to monetary penalties against them. The court adjourned and is scheduled to reconvene in January 2009.

During the year the government granted licenses to Dawit Kebede and Wosonseged Gebrekidan, two other journalists detained after the 2005 elections and released in August 2007, for two new Amharic-language weeklies, *Awramba Times* and *Harambe*.

The government owned the only newspaper printing press.

In June, Ayele Chamisso, member of parliament (MP) and chairman of the Coalition for Unity and Democracy Party (CUDP), filed charges against three private newspapers: *Addis Neger*, *Awramba Times*, and now-defunct *Soressa*. Ayele claimed that the papers used his party's name for other groups. The editor of *Awramba Times* appeared in court in November on defamation charges and was released on 2000 birr (\$190) bail. He appeared in court again in December. His case and the cases against the other two newspapers were pending at year's end.

The sustained jamming of Voice of America's Amharic and Afan Oromo Services, which started in December 2007, largely ended in March.

Internet Freedom

The government restricted access to the Internet and blocked opposition Web sites, including the sites of the OLF, ONLF, Ginbot 7, and several news blogs and sites run by opposition diaspora groups, such as the Ethiopian Review, CyberEthiopia.com, Quatero

Amharic Magazine, Tensae Ethiopia, and the Ethiopian Media Forum.

On August 29, a statement by the New York-based NGO Center Committee to Protect Journalists (CPJ) stated that reliable sources reported that its servers were inaccessible to users, and that emails were not coming through to CPJ. These reports emerged at the same time CPJ was investigating the detention of *The Reporter* editor Amare Aregawi. *The Reporter* also alleged blocking of its Web site for four days during this time. CPJ's Web site was also inaccessible at other times during the year.

The Ethiopian Telecommunications Corporation (ETC), the state-run monopoly telecom and Internet provider, had approximately 30,000 Internet subscribers. Citizens in urban areas had ready access to Internet cafes; however, rural access remained extremely limited. Mobile telephone text messaging, which restarted in September 2007, was available. The number of mobile telephone subscribers reached 1.9 million.

Academic Freedom and Cultural Events

The government restricted academic freedom during the year, maintaining that professors could not espouse political sentiments. Authorities did not permit teachers at any level to deviate from official lesson plans and discouraged political activity and association of any kind on university campuses. Reports continued of uniformed and plainclothes police officers on and around university and high school campuses. Professors and students were discouraged from taking positions not in accordance with government positions or practices. College students were reportedly pressured to pledge allegiance to the EPRDF to secure enrollment in universities or post-graduation government jobs. There was a lack of transparency in academic staffing decisions, with numerous complaints from individuals in the academic community of bias based on ethnicity or religion. Speech, expression, and assembly were frequently restricted on university and high school campuses.

In June the government banned the first exhibition of nude photography scheduled to open on June 27 in Addis Ababa. The private photographer who organized the exhibition, Biniam Mengesha, told the media that culture ministry officials wanted to preview the photos, did so, then banned them for being pornography, not art.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly; however, the government restricted this right. Organizers of large public meetings or demonstrations must notify the government 72 hours in advance and obtain a permit. The government issued permits to political parties to assemble in halls but has barred street demonstrations since 2005.

Opposition political parties reported that during the year their supporters were targets of frequent and systematic harassment and violence by government security forces, particularly in the lead up to the local elections (see section 3). Regional governments, including the Addis Ababa regional administration, are reluctant to grant permits or provide security for large meetings. For example, police refused to permit Unity for Democracy and Justice's (UDJ) general assembly to meet in a hotel in Addis Ababa, despite a letter from the NEB stating no license was needed.

There were few attacks by police and militia against demonstrators since no public assembly permits were issued and illegal demonstrations were infrequent.

On August 21, residents of Dejen town, Amhara Region, gathered to protest local officials' stalling on the residents' application for use of nearby farmland. Local police and militia surrounded the demonstrators, beating dozens. A few protestors required hospitalization. No legal action was taken against the perpetrators.

There were no developments in the April 2007 police shooting of two demonstrators in Damot Weyde District and none in the 2006 killing of 15 demonstrators by police in the East Wallega zone, Guduru District.

The Independent Inquiry Commission, established in late 2006 by the government to investigate the use of excessive force by security forces in violent 2005 antigovernment demonstrations, found that security forces did not use excessive force, given demonstration violence; however, prior to the release of the report, the chairman and deputy chairman of the commission fled the country, allegedly in response to threats made against them by government forces. After fleeing, both stated publicly and showed video evidence that, at an official meeting in 2006, the commission had originally decided, by a vote of eight to two, that excessive force was used and that the total number of killed and injured was the same as eventually reported. Following this vote, government officials allegedly urged commission members to change their votes to indicate that excessive force was not used. At year's end, the government had taken no action to investigate or prosecute perpetrators of the excessive force.

Freedom of Association

Although the law provides for freedom of association and the right to engage in unrestricted peaceful political activity, the government in practice limited this right. Opposition parties reported receiving no government subsidies for their political activities despite laws providing for them. The MOJ technically registers and licenses NGOs, but the Ministry of Foreign Affairs (MFA) screens applications for international NGOs and submits a recommendation to the MOJ whether to approve or deny registration. The MFA recommended that some international NGOs' registration be denied absent a deposit of two million birr (\$195,000), effectively preventing them from registering.

As provided by law, the government required political parties to register with the NEB, which continued to limit political activity by the CUDP. For example, on January 3, the NEB awarded the CUDP name to a renegade member and the CUDP party symbol to another breakaway group, the United Ethiopian Democratic Party (UEDP)-Medhin, forcing the bulk of the CUDP's leaders to establish new parties.

During the year the UEDF, UDJ, OFDM, and Oromo People's Congress (OPC) reported arrests of members and the forced closure of political party offices throughout the country and intimidation of landlords to force them to evict the political groups (see sections 1.d. and 3).

During the year some political leaders, including federal and regional MPs, were discouraged from traveling to their constituencies to meet with supporters, although others visited constituents without incident. For example, OFDM chairman Bulcha Demeksa was persuaded not to visit his constituency in Wellega district, Oromiya Region, because the government told him his security could not be guaranteed. Some local officials blocked some opposition MPs access to their constituencies, arguing that as federal MPs they had no reason to visit.

The ETA has operated since 1967, but in 1993, after the EPRDF took power, an alternate, pro-EPRDF ETA was established. In 1993 the original ETA and the government-supported ETA began prolonged legal battles over the organization's name and property rights. On June 26, the Court of Cassation ruled against ETA and awarded its name and property to the pro-EPRDF ETA (see section 6.a.).

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice; however, local authorities and members of society occasionally infringed on this right. The Ethiopian Orthodox Church (EOC) and Sufi Islam are the dominant religions; nearly 90 percent of the population adhered to one or the other faith.

While the government required that religious institutions annually register with the MOJ, there were no reports of government action against institutions that chose not to register. Under the law, a religious organization that undertakes development activities must register its development wing separately as an NGO. The government did not issue work visas to foreign religious workers unless they were associated with the development wing of a religious organization.

Some religious property confiscated under the Mengistu (Derg) regime had not been returned by year's end.

Minority religious groups reported discrimination in the allocation of government land for religious sites. Authorities continued to ban Waka-Feta, a traditional animist Oromo religious group, because it suspected that the group's leaders had close links to the OLF. Protestant groups occasionally reported that local officials discriminated against them when they sought land for churches and cemeteries. Evangelical leaders stated that because authorities perceived them as "newcomers," they were at a disadvantage compared with the EOC and the Ethiopian Islamic Affairs Supreme Council (EIASC) in the allocation of land. The EIASC claimed it had more difficulty obtaining land from the government than did the EOC; others charged that the government favored the EIASC.

On May 6, the MFA hosted a conference for religious, regional, and NGO leaders to promote religious tolerance. Also, an interfaith dialogue involving leaders from the Orthodox Church, EIASC, and other religious institutions meets regularly to discuss such issues as interfaith cooperation, religious tolerance, health, and community development.

On December 1, police opened fire at a public gathering near a church in Arba-Minch (Gamo Gofa Zone), wounding three individuals. Police were reportedly attempting to disperse a crowd following a disagreement between Orthodox priests.

Societal Abuses and Discrimination

The Jewish community numbered approximately 2,000, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2008 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

Although the law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, the government restricted some of these rights in practice.

Throughout the year the government severely restricted the movement of persons into and within the Ogaden areas of Somali Region, arguing that the counterinsurgency operation against the ONLF posed a security threat (see section 1.g.).

The law prohibits forced exile; and the government did not employ it. A steadily increasing number of citizens sought political asylum or remained abroad in self-imposed exile, including more than 55 journalists (see section 2.a.).

During the year the ICRC repatriated 1,023 citizens from Eritrea and repatriated 27 Eritreans. Most Eritreans and Ethiopians of Eritrean origin registered with the government and received identity cards and six-month renewable residence permits that allowed them to gain access to hospitals and other public services.

Internally Displaced Persons (IDPs)

The conflict between government and insurgent forces in the Ogaden area of the Somali

Region resulted in the displacement of thousands of persons (see section 1.g.). During the year violent clashes between different clans, often over competition for scarce resources or resulting from disputes over territorial boundaries, displaced persons and resulted in deaths and injuries.

UNHCR estimated there were approximately 200,000 IDPs in the country, including an estimated 62,000 in the Tigray Region, 44,700 in the Gambella Region, 30,000 in the Borena area of the Oromiya Region, and 50,000 on the border of the Oromiya and Somali regions.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees, its 1967 protocol, and the 1969 Organization of African Unity (OAU) Convention. The government has established a system for providing protection to refugees. In practice the government provided protection against "refoulement," the expulsion or return of refugees to countries where their lives or freedom would be threatened, and it granted refugee status and asylum. The government generally cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and returning citizens. There were anecdotal reports that deported Ethiopian asylum seekers from Yemen were detained upon return.

During the year the government, in cooperation with UNHCR, opened two new refugee camps: Sheder, northeast of the town of Jijiga, to accommodate a steady influx of Somali refugees, and My Ayni, in Tigray National Regional State, to accommodate up to 10,000 new Eritrean refugees. An average of 400 to 500 new Eritrean refugees arrived monthly during the year. However, approximately 200 to 300 Eritrean refugees departed monthly on secondary migration through Egypt and Sudan to go to Europe and other final destinations. UNHCR assisted in the reception and transportation back to My Ayni of over 150 Eritrean refugees who had been detained in Egypt and deported by the Egyptian authorities.

The government required that all refugees reside and remain in designated camps, most of which were located near the Eritrean, Somaliland, and Sudanese borders, unless granted permission to live elsewhere in the country. Such permission was given primarily to attend higher education institutions, undergo medical treatment, or avoid security threats at the camps. During the year, the government expanded its policy to provide greater freedom of movement to some Eritrean refugees with family members living outside of the camps. Almost 1,500 urban refugees are currently registered with the UNHCR and the government, the majority of them from Somalia, Eritrea, and the Democratic Republic of Congo.

Unlike in the previous year, conflict between ethnic groups in the Gambella Region did not directly interfere with UNHCR's refugee protection activities.

The government, in cooperation with UNHCR, continued to provide temporary protection to individuals from Sudan, Eritrea, and Somalia who may not qualify as refugees under the 1951 convention and the 1967 protocol.

During the year UNHCR processed 334 refugees who departed for resettlement abroad. UNHCR and the government also assisted the safe, voluntary return of more than 10,215 Sudanese refugees to their homes during the year, allowing UNHCR to close two Sudanese refugee camps in May.

Unlike in the previous year, there were no allegations of government cooperation with the government of Sudan in the forcible repatriation of Ethiopian refugees.

3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through partially free and fair elections held on the basis of universal suffrage. In practice the ruling EPRDF and its allies dominated the government. In local and by-elections held in April, the ruling EPRDF and allied parties won virtually all of the more than three million seats contested, severely diminishing opportunities for mainstream political opposition. Prior to the vote, ruling party agents and supporters engaged in coercive tactics and manipulation of the electoral process, including intimidation of opposition candidates and supporters during the run-up to the vote. Citing these obstacles, two leading opposition parties withdrew from the elections shortly beforehand.

The government policy of ethnic federalism led to the creation of individual constituencies to ensure representation of all major ethnic groups in the House of Peoples' Representatives. Nevertheless, small ethnic groups lacked representation in the legislature. There were 23 nationality groups in six regional states that did not have a sufficient population to qualify for constituency seats; however, in the 2005 elections, individuals from these nationality groups competed for 23 special seats in the 547-seat House of Peoples' Representatives. Additionally, these 23 nationality groups have one seat each in the 112-seat House of Federation, the upper house of parliament.

Elections and Political Participation

The constitution provides citizens the right to change their government peacefully and to freely join a political organization of their choice; however, in practice these rights were restricted through bureaucratic obstacles and government and ruling party intimidation and arrests.

The local and by-elections on April 13 and April 20, respectively, were the first nationwide elections since the historic 2005 national elections, which ended in heavy postelection violence and large-scale arrests. According to domestic and international observers, the 2005 elections, in which the EPRDF coalition won 372 of 547 seats, generally reflected the will of the people and were an important step forward in the country's democratization efforts. However, irregularities in 2005 marred polling in many areas. For instance, observers reported vote count fraud, improper handling of ballot boxes, and barring of party agents from polling stations and ballot counts. Observers also reported killings, disappearances, voter intimidation and harassment, unlawful detentions of opposition party supporters, and bribery. Opposition parties accused the NEB of ruling party bias and of failing to address the complaints it received. Following an ad hoc complaints resolution process, the NEB decided to hold new elections in 31 constituencies in 2005; however, opposition parties boycotted due to perceived flaws in the review process.

Opposition parties made an unexpectedly strong showing in the 2005 elections, increasing their parliamentary representation from 12 to 172 seats and earning 137 of 138 Addis Ababa City Council seats. Despite this, some opposition members refused to take their seats and instead boycotted. Violent antigovernment protests then erupted in November 2005 and led to a government crackdown including arrests of several dozen opposition leaders, journalists, and civil society group members, as well as between 30,000 and 50,000 demonstrators. Most prisoners were released in three months, but many prominent individuals spent almost two years in prison, with an unknown number of individuals still in custody. Military intervention also led to widespread abuses such as arbitrary detention and killings.

These events in 2005 formed the backdrop for this year's local and by-elections held on April 13 and 20, as the first nationwide elections since 2005. Unlike in 2005, polling went smoothly and peacefully and there were no postelection mass arrests or violence. However, the prepolling weeks and months were marred by reports of harassment, intimidation, arrests, and killings of opposition party candidates and their supporters, and incomplete compliance by the NEB with the Electoral Law, prompting some of the major opposition parties such as UEDF and OFDM to boycott the election. Ruling party, regional, federal, and NEB officials mostly denied these incidents and, with few

exceptions, neither investigated such allegations nor held perpetrators responsible. Other opposition parties remained in disarray and did not have enough time to take part in the elections.

This climate, along with a dearth of opposition candidates, contributed to starkly different election results from those in 2005. Of the 3.6 million local and by-election seats contested, opposition parties won three: a federal parliament seat, an Addis Ababa city council seat, and a Gambella town council seat. According to the NEB, the EPRDF coalition won more than 3.5 million seats with the remainder going to noncoalition but EPRDF-allied parties. For instance, EPRDF won 38 of 39 contested federal parliament seats and 137 of 138 Addis city council seats; this latter result was an exact reversal of 2005.

The EPRDF, its affiliates, and its supporters controlled 408 seats in the 547-member House of People's Representatives and all seats in the 112-member House of Federation, whose members were appointed by regional governments and by the federal government. Membership in the EPRDF conferred advantages upon its members; the party owned many businesses and was broadly perceived to award jobs and business contracts to loyal supporters.

The NEB reported a 93 percent voter turnout, approximately 24.5 million of 26.3 million registered voters. However, the government refused to allow foreign election observers, and this turnout rate was inconsistent with observed voter presence levels and posted polling station tallies.

Opposition parties fielded very few candidates in some regions. This was due in part to widespread harassment of opposition candidates and supporters as well as the delayed reopening of party offices in November 2007, following forced closures after the 2005 elections. Together opposition parties were able to register only an estimated 16,000 candidates countrywide. For example, in one area of Oromiya where the opposition won overwhelmingly in 2005, there were 60,955 EPRDF candidates running against seven opposition candidates. Given a lack of capacity, some opposition groups chose not to contest town seats and instead focus on district and zonal seats.

On April 10, the UEDF, a coalition of opposition parties from SNNP and Oromiya regions, announced their withdrawal from the elections. This followed their delivery to the NEB of a list of seven preconditions to their electoral participation based on incomplete implementation of the Electoral Law, including proper elections of poll observers, an end to candidate harassment, and registration of all denied UEDF candidates.

The 2007 Electoral Law requires each polling station to have five nonpartisan observers elected from the community, or approximately 200,000 election observers for the more than 42,000 polling stations. There were, however, widespread reports that many of these poll observers were instead appointed directly by the NEB from EPRDF affiliates. The Electoral Law also allows NGOs to conduct either voter education or election observation, but not both. While the Electoral Law stipulates that election observers shall monitor the electoral process, the NEB finally released its election observation guidelines on February 29, three months after voter registration commenced and weeks after the conclusion of candidate registration. This came too late for some NGO monitors, and others did not even request permission to observe, due to a lack of confidence in the process. Still others, like EHRCO, simply didn't receive an NEB response. In the end, the NEB approved 11 domestic NGOs as observers.

There were again reports that local officials used threats of land redistribution and withholding of food aid and fertilizer to garner support for the ruling coalition. There were many reports of ruling-party or government harassment intended to prevent individuals from joining opposition parties, registering their candidacies for elected office, or renting property. There were numerous reports of intimidation and violence directed against opposition party members and supporters, primarily in the months before the local and by-elections, including threats, beatings, arrests, and killings.

Registered political parties must receive permission from regional governments to open and occupy local offices. There were, however, widespread reports of opposition parties closing offices due to intimidation and coercion by local officials. A common tactic reported was to intimidate landlords into evicting their political party tenants. For example, ONC had only two remaining offices, down from more than 100 in 2005, and AEUP had only 25 offices, down from 280 in 2005.

On October 12, Bekele Girma, AEUP political organizer, left AEUP's head office in Addis Ababa to open an office in Dilla town in the SNNPR. Despite possessing an NEB letter requesting every regional government to assist the bearer in opening a political office, Dilla town police chief Obsa Hundessa detained Bekele and refused to allow an AEUP office. Bekele was released in November.

Authorities often disrupted or unlawfully banned opposition party meetings. For instance, authorities banned as illegal a preplanned March 29 UEDF rally in a local constituency.

There were reports that authorities told opposition members to renounce their party membership and vote for EPRDF if they wanted access to fertilizer, agricultural services, food relief, continued employment, and other benefits controlled by the government.

There were reports of closed voter registration stations in pro-opposition rural areas and of prospective voters advised to return the following day after walking two or more miles. Opposition candidates also reported registration office closures and fraudulent dropping of opposition names from NEB candidate registration lists.

There were numerous reports of intimidation, harassment, abuse, and detention of opposition candidates and their supporters, particularly in the months leading up to the April elections. For example, in early April the OPC assembled a list of 189 willing candidates for zonal and district seats and sent a party officer to deliver it from Nekempt to the OPC chairman in Addis Ababa. Regional police stopped the bus he was riding on, confiscated the candidate list, detained each individual named on the list, and held most until after candidate registration closed.

On February 3, OPC member Terefe Tolossa, was assisting candidate registration in Bekke town, Oromiya Region. Police detained him for five days without charge and without trial at the Bekke police station, where he suffered leg and back injuries from their beatings. After his release, police and local militia rearrested him on February 14 at his home and again released him on February 23 without trial. He was rearrested twice more, on March 7 and March 9, never charged, and eventually released.

In February ruling party cadres detained an opposition candidate seven times in the 15 days after he registered as a district candidate in Western Oromiya. They alternately threatened to fire him from his teaching job, relocate him to a rural site, and kill him and his children.

On March 9, police and local officials beat federal parliamentarian Gutu Mulisa while he campaigned for the UEDF in Elfeta District, Oromiya Region. Gutu filed a complaint with Elfeta District Police. At year's end the case was pending.

On March 24, police and plainclothes officers stopped Bilisuma Shuge, a resident of Bole Sub-City, Addis Ababa, at gunpoint on his way home from playing sports and beat him severely as a suspected CUD supporter.

There were credible reports that teachers and other government workers had their employment terminated if they belonged to opposition political parties. According to opposition groups OFDM and ONC, the Oromiya regional government continued to dismiss their members – particularly teachers – from their jobs.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement these laws effectively. The World Bank's worldwide governance indicators reflected that corruption remained a serious problem.

The MOJ has primary responsibility for combating corruption, largely through the Federal Ethics and Anti-Corruption Commission (Ethics Commission). A combination of social pressure, cultural norms, and legal restrictions limited corruption. However, government officials appeared to manipulate the privatization process, and state and party-owned businesses received preferential access to land leases and credit.

During the year, there were numerous arrests of senior and junior officials on corruption charges. For instance, on February 18, the Ethics Commission arrested Tesfaye Birru, former ETC managing director, and 12 other senior management staff and accused them of approving an equipment and technology contract outside of government bid regulations, costing 1.52 billion birr (\$148.2 million). The case was before the Federal High Court by year's end.

Also early in the year, the Ethics Commission accused eight high-ranking National Bank officials for involvement in a gold scandal worth 158 million birr (\$15.4 million). The trial began in July before the Federal High Court and continued at year's end.

The law provides for public access to government information, but access was largely restricted in practice. The Press Law passed in July included freedom-of-information provisions but will not take effect for two years.

The government publishes its laws and regulations in the national gazette prior to their taking effect. The Ministry of Information managed contacts between the government, the press, and the public; however, the government routinely refused to respond to queries from the private press (see section 2.a.).

4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated with limited government restriction, investigating and publishing their findings on human rights cases. The government generally was distrustful and wary of domestic human rights groups and international observers.

Two of the most prominent domestic human rights organizations were EHRCO and the Ethiopian Women Lawyers Association (EWLA). The government routinely discounted EHRCO's reports and labeled it a political organization.

EWLA's primary function was to provide legal representation for women. These and numerous other groups mainly engaged in civic and human rights education, advocacy, legal assistance, and trial monitoring. However, the government neither shared information nor acknowledged the existence of human rights abuses.

During the year the government introduced restrictive legislation that would affect numerous civil society organizations. The Charities and Societies Proclamation seeks to prohibit civil society organizations that receive more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights and democracy; the rights of children and the disabled; equality among nations, nationalities, people, gender and religion; or conflict resolution or reconciliation. Since nearly all civil society organizations that work in these areas rely on foreign funding, it is likely that many will be unable to continue their activities. Among the civil society organizations likely to be affected are the two most prominent human rights organizations, EHRCO and EWLA.

The government sometimes cooperated with international organizations such as the UN. However, the government continued to restrict the ICRC, MSF, and other NGOs from

working in the Somali Region. Both the ICRC and MSF had expressed concern about the government's counterinsurgency campaign against the ONLF (see section 1.g.).

Two NGO members detained in 2005 were pardoned (see section 1.d.).

The government denied the ICRC access to federal prisons, police stations, and political prisoners.

Security officials continued to intimidate or detain local individuals to prevent them from meeting with NGOs and foreign government officials investigating abuse allegations.

The government-established Ethiopian Human Rights Commission (EHRC) investigates human rights complaints and produces both annual and thematic reports; however, their reports were not public. This year, the EHRC received 300 complaints but determined that most fell outside of its jurisdiction and, at year's end, had eight to 10 cases pending.

Early in the year, an EHRC team investigating human rights abuses in the Somali Region was prohibited from traveling outside of the regional capital and was permitted access to only one detention facility.

The Office of the Ombudsman has the authority to receive and investigate complaints with respect to misadministration by executive branch offices. The office received hundreds of complaints this year, mainly focused on delays or denials in services, improper institutional decisions, promotions or demotions, and pension issues. It is not known which complaints were investigated or acted upon.

5. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution (Article 25) provides all persons equal protection without discrimination based on race, nation, nationality, or other social origin, color, gender, language, religion, political or other opinion, property, birth, or status; however, in practice the government did not fully promote and protect these rights.

Women

The constitution (Article 35) provides women the same rights and protections as men. Harmful Traditional Practices (HTPs) such as female genital cutting, abduction, and rape have been explicitly criminalized. Enforcement of these laws lags. To address this, the government established a National Commission for Children's and Women's Affairs in 2005, as part of the EHRC, to investigate alleged human rights violations against women and children.

Women and girls experience gender-based violence daily, but it is underreported due to shame, fear, or a victim's ignorance of legal protections. The National Committee for Traditional Practices in Ethiopia identified 120 HTPs. The 2005 Ethiopian Demographic and Health Survey found that more than 74 percent of women and girls were subjected to FGM, although this was declining. In the context of gender-based violence, significant gender gaps in the justice system remained due to poor documentation, inadequate investigation, and lack of special handling of cases involving women and children.

The law criminalizes rape, calling for five to 20 years of imprisonment depending on the severity of the case. The law does not include spousal rape. The government did not fully enforce the law, partially due to widespread underreporting. The Addis Ababa 2006 annual police report listed 736 rape cases out of an estimated population of five million persons. Statistics on the number of abusers prosecuted, convicted, or punished were not available at year's end.

Domestic violence, including spousal abuse, was a pervasive social problem. The 2005 Health Survey found that 81 percent of women believed a husband had a right to beat his wife. A 2005 World Health Organization (WHO) study found that in two rural districts,

Meskan and Mareko, 71 percent of women were subject to physical or sexual violence, or both, by an intimate partner during their lifetime. While women had recourse to the police and the courts, societal norms and limited infrastructure prevented many women from seeking legal redress, particularly in rural areas. The government prosecuted offenders on a limited scale.

Limited access to family planning services, high fertility, low reproductive health and emergency obstetric services, and poor nutritional status and infections all contributed to high maternal mortality ratio (673/100,000 mothers), according to the 2005 Health Survey. Maternal health care services did not reach the majority of women; skilled birth attendants aided only 10 percent of births. The national average for antenatal care (ANC) is 28 percent.

Prostitution was legal for persons over age 18 and was commonly practiced around the country; however, the law prohibits pimping and benefiting from prostitution. Persons exploited in prostitution routinely reported that poverty was the principal reason. Article 634 of the Ethiopian Penal Code (revised May 2005) stipulates "whoever, for gain makes a profession of or lives by procuring on the prostitution or immorality of another, or maintains, as a landlord or keeper, a brothel, is punishable with simple imprisonment and fine."

Sexual harassment was widespread. The penal code prescribes 18 to 24 months' imprisonment; however, harassment-related laws were not enforced.

The law sets the legal marriage age for girls and boys at 18; however, this law is not enforced. For example, a 2006 Pathfinder International study found that in the Amhara Region, 48 percent of women are married before the age of 15 – the highest early marriage rate in the country.

Discrimination against women was most acute in rural areas, where 85 percent of the population was located. The law contains discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children over five years old. Authorities did not consider domestic violence a serious justification for granting a divorce. There was limited legal recognition of common law marriage. Irrespective of the number of years the marriage existed, the number of children raised, and joint property, the law entitled women to only three months' financial support if a common law relationship ended. A husband had no obligation to provide financial assistance to his family and, as a result, women and children sometimes faced abandonment. Even with recent stronger formal laws, most rural residents continued to apply customary law in economic and social relationships.

All land belongs to the government. Although women could obtain government leases to land, and the government had an explicit policy to provide equal access for women to land, rural communities rarely enforced this policy. In nearly all regions women did not have access to land, except through marriage. The law states that any property owned before marriage belongs to the spouse that previously owned it, while any property gained during marriage belongs to the husband upon divorce. In practice, when a husband died, other family members often took the land from his widow. In pastoralist areas where poverty is higher, women do not own property without a male guardian, which increases their marginalization and vulnerability. A widow must marry her brother-in-law or have an adult son in order to keep her deceased husband's land.

In urban areas, women had fewer employment opportunities than men, and the jobs available did not provide equal pay for equal work. Women's access to gainful employment, credit, and owning and/or managing a business was limited by their low level of education and training, traditional attitudes, and limited access to information.

Children

The constitution (Article 36) provides a comprehensive list of rights for children. The government supported efforts by domestic and international NGOs that focused on

children's social, health, and legal issues, despite its limited ability to provide improved health care, basic education, or child protection.

As a policy, primary education was universal and tuition-free, but not compulsory; however, there were not enough schools to accommodate the country's youth, particularly in rural areas, and the cost of school supplies was prohibitive for many families. In 2005, primary school attendance rates were 81.7 percent for male children and 73.2 percent for female children; in Addis Ababa, girls' attendance was significantly higher. Government reports indicated that 20.6 percent of the children who attended school left the system before they reached the second grade, and only 41.7 percent who began first grade completed eighth grade.

Child abuse was widespread. Members of an NGO staffed 10 child protection units in Addis Ababa's police stations to protect the rights of juvenile delinquents and juvenile victims of crime. Some police officers received training during the year on procedures for handling cases of child abuse.

Societal abuse of young girls continued to be a problem. HTPs included FGM, early marriage, marriage by abduction, and food and work prohibitions.

In the Afar Region older men continued to marry young girls, but this traditional practice continued to face greater scrutiny and criticism. Local NGOs, such as the Kembatta Women's Self-Help Center and the Tigray Women's Association, also influenced societal attitudes toward harmful traditional practices and early marriage in their areas. Regional governments in Amhara and Tigray ran programs to educate young women on the issues of early marriage.

The majority of girls and women in the country had undergone some form of FGM. Girls typically experienced clitorectomies seven days after birth (consisting of an excision of the clitoris, often with partial labial excision) and faced infibulations (the most extreme and dangerous form of FGM) at the onset of puberty. The 2005 Health Survey reported that the practice of FGM among all women had decreased from 80 to 74 percent, while support for the practice among women had dropped from 60 to 29 percent. Additionally, a February study funded by Save the Children Norway reported a 24 percent national reduction in FGM cases over the past 10 years due in part to a strong anti-FGM campaign. The penal code criminalizes practitioners of clitorrectomy by imprisonment of at least three months or a fine of at least 500 birr (\$49). Likewise, infibulation of the genitals is punishable with imprisonment of five to 10 years. No criminal prosecutions have ever been brought for FGM. The government discouraged the practice of FGM through education in public schools and broader mass media campaigns.

Although illegal, the abduction of women and girls as a form of marriage continued to be widespread in several regions, including the Amhara, Oromiya, and SNNP regions, despite the government's attempts to combat the practice. Forced sexual relationships accompanied most marriages by abduction, and women often experienced physical abuse during the abduction. Abductions led to conflicts among families, communities, and ethnic groups. In cases of marriage by abduction, the perpetrator did not face punishment if the victim agreed to marry the perpetrator. Authorities often commuted the sentence of the convicted perpetrator if the victim married the perpetrator.

Child marriage was also a problem, particularly in the Amhara and Tigray regions, where girls were routinely married as early as age seven, despite the legal minimum age of 18 for marriage. There were some signs of growing public awareness in communities of the problem of abuse of women and girls, including early marriage.

The UN Children's Fund (UNICEF) estimated there were between 150,000 and 200,000 street children nationally, with a further one million vulnerable or at risk of ending up on the streets. UNICEF stated the problem was exacerbated because of families' inability to support children due to parental illness and decreased household income. These children begged, sometimes as part of a gang, or worked in the informal sector. Government- and privately-run orphanages were unable to handle the number of street

children, and older children often abused younger ones. Due to severe resource constraints, hospitals and orphanages often overlooked or neglected abandoned infants. "Handlers" sometimes maimed or blinded children to raise their earnings from begging.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked from and within the country. The law prescribes five to 20 years imprisonment for such crimes. The Ministry of Labor and Social Affairs (MOLSA), in collaboration with the police, is responsible for monitoring trafficking in persons, while the MOJ is responsible for enforcing laws related to trafficking. During the year, the MOLSA revised Proclamation 104/98 to improve coordination, supervision, and control over international employment agencies and better protect migrant workers from fraudulent recruitment and debt bondage situations.

The country is a source country for men, women, and children trafficked primarily for the purpose of forced labor and, to a lesser extent, for commercial sexual exploitation. High unemployment, extreme poverty, and the chance at better opportunities abroad drive migration. Local NGOs estimated 30,000 to 35,000 persons were trafficked internationally between March 2007 and March 2008. More females than males were trafficked. Young women, particularly those ages 16-30, were the most commonly trafficked group, while a small number of children were also reportedly trafficked internationally.

Rural children and adults are trafficked to urban areas for domestic servitude and, less frequently, commercial sexual exploitation and other forced labor, such as street vending, begging, traditional weaving, or agriculture; situations of debt bondage were reported. Women are trafficked transnationally for domestic servitude, primarily to Lebanon, Saudi Arabia, and the United Arab Emirates, but also to Bahrain, Djibouti, Kuwait, Sudan, Syria, and Yemen. Some of these women are trafficked into the sex trade after arriving at their destinations, while others have been trafficked onward from Lebanon to Turkey, Italy, and Greece. Small numbers of men are trafficked to Saudi Arabia and the Gulf States for low-skilled forced labor.

Addis Ababa's police Child Protection Unit (CPU) reported that traffic broker networks grew increasingly sophisticated and collaborative. Traffickers now approached vulnerable individuals at bus terminals seven to nine miles outside of Addis Ababa to avoid police presence. Traffickers sometimes used agents and brokers to lure victims with jobs, food, guidance, or shelter.

Crosscountry bus and truck drivers are involved in trafficking of children, while brokers, pimps, and brothel owners finalize the deal at the receiving end.

Local brokers operate and recruit at the community level, and many knew the victim or victim's family. To avoid police detection and identification, local brokers did not advertise, often worked from rented houses, cafes, or hotel rooms, and changed places often. Some brokers used commission-based facilitators who were trusted by a potential victim's family to recruit victims.

The government helped address trafficking through awareness raising about risks of seeking employment overseas. It employed two predeparture counselors to brief persons intending to work overseas, worked with NGOs and the International Organization for Migration (IOM) to monitor immigration and emigration patterns for evidence of trafficking, and supervised and trained international labor migration firms.

The government and its embassies and consulates provided little assistance to victims of trafficking: limited legal advice, infrequent temporary shelter, and no repatriation loans. Returning victims relied on psychological services provided by public health institutions and NGOs.

The government accords no special protections, restitution, and has very limited shelter provisions or other special services benefits for victim returnees. In 2007 there were anecdotal reports of returned trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing prostitution or immigration.

While antitrafficking investigations continued, there were only three convictions reported in the last year. In addition, law enforcement entities lacked the institutional capacity to separate data on trafficking cases from broader fraud cases. In 2007, the CPU at the central bus terminal reported 694 cases of child trafficking to the police, a decrease over the previous year. Of these, 50 cases were referred to the prosecutor's office; 30 were closed for lack of evidence or a suspect; and the remaining 20 cases were pending prosecution. Of the remaining 594, 103 were referred for shelter services in Addis Ababa. No follow up information was available regarding the remaining 491. Law enforcement data was not reported for areas outside of the capital.

In March the Federal High Court sentenced a man to five years' imprisonment for trafficking more than 40 men to work for a Saudi Arabian construction company, where they were forced to provide unpaid manual labor and experienced physical abuse.

Another trafficker was sentenced in January to one year's imprisonment and fined 26,000 birr (\$2,535) for trafficking a female domestic worker to Dubai. A small number of local police and border control agents are believed to accept bribes to overlook trafficking.

See also the State Department's [2008 Report on International Religious Freedom](#).

Persons with Disabilities

The law does not mandate equal rights for persons with disabilities, and the government devoted few resources to rehabilitate or assist such persons. The government did not mandate access to buildings, such as schools, for persons with disabilities or provide services for them.

Persons with disabilities sometimes complained of job and wage discrimination.

Women with disabilities are more disadvantaged than men in education and employment. For instance, an Addis Ababa University study showed that female students with disabilities are subjected to a heavier burden of domestic work than their male peers. The enrollment rate for girls with disabilities is lower than males at the primary school level, and this gap increases at higher levels of education. Girls with disabilities are also much more likely to suffer physical and sexual abuse than able-bodied girls.

There were approximately seven million persons with disabilities, according to the Ethiopian Federation of Persons with Disabilities. There was one mental hospital and an estimated 10 psychiatrists in the country. There is one school for the blind in Addis Ababa. MOLSA, which was responsible for protecting the rights of persons with disabilities, funded prosthetic and orthopedic centers in five of the nine regional states over the past three years as part of its "National Program of Action for Rehabilitation of Persons with Disabilities."

National/Racial/Ethnic Minorities

There are more than 80 ethnic groups, of which the Oromo, at 40 percent of the population, was the largest. Although many groups influenced political and cultural life, Amharas and Tigrayans from the northern highlands played a dominant role. The federal system drew boundaries roughly along major ethnic group lines, and regional states had much greater control over their affairs than previously. Most political parties remained primarily ethnically based.

The military remained an ethnically diverse organization; however, Tigrayans

increasingly dominated the senior officer corps both through preferential promotions and heightened attrition among non-Tigrayans.

There were occasional reports that officials terminated the employment of teachers and other government workers if they were not of the dominant ethnic group in the region.

Government and ONLF forces were responsible for widespread human rights abuses in the Somali Region (see section 1.g.).

EHRCO reported that ethnic conflict made up the majority of its human rights reporting this year. Ethnic conflict in the western, southern, and eastern areas resulted in killings and injuries above levels in 2007 and resulted in the death of hundreds and displacement of tens of thousands of persons. There were also clashes among ethnic groups in the Oromiya, Benishangul-Gumuz, and SNNP regions.

For example, on February 22, an Oromo student stabbed to death Zewdu Abate, an ethnic Amhara and fellow classmate at Dilla University in the SNNPR, allegedly due to ethnic tension. The suspect was in custody.

From February 3 to 7, clashes between Konso and Derashe ethnic groups left 33 dead and 17 injured in the SNNPR.

From February 21 to 26, Koira and Guji ethnic groups fought over scarce resources along the Oromiya-SNNPR border, resulting in 10 dead and 27 injured.

From May 17 to 21, a conflict over land rights between the Oromo and Gumuz ethnic groups in the Sasiga, Diga, Bumto Gida, and Limu districts in the Oromiya Region resulted in approximately 130 deaths and an unknown number of injuries. Federal and local police restored some order and arrested approximately 120 suspects, including the Benishangul-Gumuz regional vice president. At year's end trials were reportedly underway for some suspects.

During the year, the government, led by the EHRC, completed its first implementation report for the Convention on the Elimination of Racial Discrimination. The EHRC solicited input from NGOs and encouraged them to do a shadow report.

Other Societal Abuses and Discrimination

Homosexuality is illegal and punishable by imprisonment. Instances of homosexual activity involving coercion or involving a minor (age 13 to 16) are punishable by three months' to five years' imprisonment. Where children under 13 years of age are involved, the law provides for imprisonment of five to 25 years. While society did not widely accept homosexuality, there were no reports of violence against lesbian, gay, bisexual, and transgender individuals; however, the lack of reporting may be due to fears of retribution, discrimination, or stigmatization.

The AIDS Resource Center in Addis Ababa reported that the majority of self-identified gay and lesbian callers – 75 percent of whom were male – requested assistance in changing their behavior to avoid discrimination. Many gay men reported anxiety, confusion, identity crises, depression, self-ostracizing, religious conflict, and suicide attempts.

In December nearly a dozen religious figures adopted a resolution against homosexuality, urging lawmakers to endorse a ban on homosexual activity in the constitution. The group also encouraged the government to place strict controls on the distribution of pornographic materials.

Societal stigma and discrimination against persons living with or affected by HIV/AIDS continued in the areas of education, employment, and community integration. Despite the abundance of anecdotal information, there is no data or statistical information on

the scale of this problem.

6. Worker Rights

a. The Right of Association

The law provides most workers with the right to form and join unions, and the government allowed this in practice. However, the law specifically excludes teachers and civil servants (including judges, prosecutors, and security service workers) from organizing unions. There was government interference in trade union activities during the year. Under a new regulation passed by the Council of Ministers on August 14, the Ethiopian Revenue and Customs Authority's director general has the sole power to dismiss workers suspected of corruption. Courts have no authority to reinstate workers cleared of such charges.

A minimum of 10 workers was required to form a union. While the law provides all unions with the right to register, the government may refuse to register trade unions that do not meet its registration requirements. The government retained the authority to cancel the registration of a union after consulting the appropriate courts. There were no reports that the government used this authority during the year. The law stipulates that a trade organization may not act in an overtly political manner. Approximately 300,000 workers were union members.

Seasonal and part-time agricultural workers did not organize into labor unions. Compensation, benefits, and working conditions of seasonal agricultural workers were far below those of unionized permanent agricultural employees.

On February 7, the Supreme Court ruled that the independent ETA be shut down and forfeit its name, property, and bank assets to the government-controlled ETA. This decision capped 15 years of lengthy legal proceedings and appeals. The independent ETA ultimately appealed this decision to the Court of Cassation, a component of the Supreme Court limited to fundamental errors in law, but again lost on June 26. The independent ETA relinquished its property on August 8.

On July 23, employees of Shell Ethiopia demonstrated at the gate of their head office, expressing disappointment with Shell's decision to sell its interests in the country to Oil-Libya and demanding better treatment. In November 2007 Shell Ethiopia's labor union filed a lawsuit in the Federal First Instance Court alleging that Shell Ethiopia illegally changed its retirement and severance packages to save money on unemployment payments prior to a possible closure of operations. At year's end the case remained pending.

During the year, top management of the state-owned Bole Printing Enterprise disagreed with its trade union on worker compensation and unlawful termination. In late December a labor advisory board composed of state ministers, representatives of the employees, the Confederation of Ethiopian Trade Unions, and the management of the enterprise found that both sides were at fault and decided to reinstate the unlawful terminations of employees. The employees were expected to resume their duties.

Although the constitution and law provide workers with the right to strike to protect their interests, it contains detailed provisions that make legal strike actions difficult to carry out, such as a minimum of 30 days' advance notice before striking. The law requires aggrieved workers to attempt reconciliation with employers before striking and includes a lengthy dispute settlement process. These applied equally to an employer's right to lock workers out. A majority of the workers involved must support a strike for it to occur.

Workers nonetheless retained the right to strike without resorting to either of these options, provided they give at least 10 days' notice to the other party and to the MOLSA, make efforts at reconciliation, and provide at least a 30-day warning in cases already

before a court or labor relations board.

The law also prohibits strikes by workers who provide essential services, including air transport and urban bus service workers, electric power suppliers, gas station personnel, hospital and pharmacy personnel, firefighters, telecommunications personnel, and urban sanitary workers.

The law prohibits retribution against strikers, but labor leaders stated that most workers were not convinced that the government would enforce this protection. Labor officials reported that, due to high unemployment and long delays in the hearing of labor cases, some workers were afraid to participate in strikes or other labor actions.

b. The Right to Organize and Bargain Collectively

The law protects the right of collective bargaining for most workers, and in practice the government allowed citizens to exercise this right freely. Labor experts estimated that collective bargaining agreements covered more than 90 percent of unionized workers. Representatives negotiated wages at the plant level. Unions in the formal industrial sector made some efforts to enforce labor regulations.

Although the law prohibits antiunion discrimination by employers against union members and organizers, unions reported that employers frequently fired union activists. Lawsuits alleging unlawful dismissal often took years to resolve because of case backlogs in the labor courts. According to labor leaders, a number of court cases in which workers were terminated for union activities were pending after four or five years. Employers found guilty of antiunion discrimination were required to reinstate workers fired for union activities and generally did so in practice.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

While the law prohibits forced or compulsory labor, including by children, such practices occurred (see sections 5 and 6.d.). Courts could order forced labor as a punitive measure. Both adults and children were forced to engage in street vending, begging, traditional weaving, or agriculture work. Situations of debt bondage also occurred in traditional weaving, pottery, cattle-herding and other agricultural activities, mostly in rural areas. Forced child labor occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

There were laws against child labor; however, the government did not effectively implement these laws in practice, and child labor remained a serious problem, both in urban and rural areas. Under the law, the minimum age for wage or salary employment is 14 years; however, the minimum age for employment was not effectively enforced. Special provisions cover children between the ages of 14 and 18, including the prohibition of hazardous or night work. By law, children between the ages of 14 and 18 were not permitted to work more than seven hours per day, between the hours of 10 p.m. and 6 a.m., on public holidays or rest days, or overtime; however, children ages 15 to 18 are allowed to work, so long as it is not hazardous to their health, education, development, or well-being. The government defined hazardous work as work in factories or involving machinery with moving parts or any work that could jeopardize a child's health. Prohibited work sectors include transporting passengers, electric generation plants, underground work, street cleaning, and many other sectors.

In a 2001 survey conducted by the Central Statistics Authority, approximately 58 percent of boys and 42 percent of girls ages 5 to 14 were working. These figures were supported by a 2006 UNHCR study on the worst forms of child labor. The majority of working children were found in the agricultural sector (95 percent), followed by services, manufacturing, and other sectors. The number of working children is higher in the

Amhara, Oromiya, SNNP, and Tigray regions compared with other regions. During the year the government increased investments in modernizing agricultural practices as well as in the construction of schools in efforts to combat the problem of children in agricultural sectors.

According to MOLSA, many children work for their families without pay. In both rural and urban areas, children often begin working at young ages. The MOLSA reported that two out of five working children are below the age of six. In rural areas, children work in agriculture on commercial and family farms and in domestic service. Children in rural areas, especially boys, engage in activities such as cattle-herding, petty trading, plowing, harvesting, and weeding, while other children, mostly girls, collect firewood and fetch water. In urban areas, many children, including orphans, work in domestic services, often working long hours which may prevent them from attending school regularly. Children in urban areas also work in construction, manufacturing, shining shoes, making clothes, portering, directing customers into taxis, petty trading, and herding animals. Many children believe they are unable to quit their jobs and fear physical, verbal, and sexual abuse from their employers while performing their work. According to social welfare activists and civic organizers, who cite anecdotal evidence, forced child labor is poorly documented, and child laborers often face physical, sexual, and emotional abuse at the hands of their employers.

Estimates of the population of street children vary, with government estimates between 150,000 and 200,000 and the UNICEF estimate, 600,000. In the capital city of Addis Ababa alone, there are an estimated 50,000 to 60,000 street children according to the government and 100,000 according to UNICEF. Some of these children work in the informal sector in order to survive.

The commercial sexual exploitation of children continued during the year, particularly in urban areas. Girls as young as 11 reportedly were recruited to work in brothels, often sought by customers who believed them to be free of sexually transmitted diseases. Girls were also exploited as prostitutes in hotels, bars, resort towns, and rural truck stops. Reports indicated that some young girls were forced into prostitution by their family members. The government's definition of worst forms of child labor included prostitution and bonded labor. Within the country, children are trafficked from rural to urban areas for domestic service, commercial sexual exploitation, and forced labor in street vending and other activities. Reports indicate that children have been trafficked from the Oromiya and the SNNP regions to other regions of the country for forced or bonded labor in domestic service.

Child labor issues are currently covered by the MOLSA, with limited support from the Ministry of Women's Affairs and the Ministry of Youth and Sports. Cooperation, information-sharing, and coordination between and among the ministries were poor. Courts are responsible for enforcing childrens' rights, and criminal and civil penalties may be levied in child rights violation cases. In the absence of a national strategy, investigation and disposition of child rights violation cases is minimal.

To prevent child trafficking, a joint police-NGO child victim identification and referral mechanism operates in the capital. The Child Protection Units (CPUs) in each Addis Ababa police station rescued and collected information on trafficked children that facilitated their return to their families; the CPUs referred 240 trafficked children to IOM and local NGOs for care in 2006. The CPUs also collect data on rescued children to facilitate their reunification with their families.

Internationally funded centers in Addis Ababa provided shelter, medical care, counseling, and reintegration assistance to girls victimized by trafficking. Other international NGOs provided assistance to children engaged in commercial sexual exploitation, including such services as a drop-in center, shelter, educational services, skills training, guidance, assistance with income-generating and employment activities, and family reunification services.

e. Acceptable Conditions of Work

There is no national minimum wage. Some government institutions and public enterprises, however, set their own minimum wages. Public sector employees, the largest group of wage earners, earned a monthly minimum wage of approximately 320 birr (\$31); employees in the banking and insurance sector had a minimum monthly wage of 336 birr (\$33). According to the Office for the Study of Wages and Other Remuneration, these wages did not provide a decent standard of living for a worker and family. Consequently, most families in the wage sector required at least two wage earners to survive, which forced many children to leave school early. Only a small percentage of the population was involved in wage labor employment, which is concentrated in urban areas. Many young girls have migrated illegally to the Gulf States in search of housekeeping work in order to assist families back home. Many of these girls have been subjected to inhumane living and working conditions, and some have lost their lives. In an effort to prevent these situations, the MOLSA continued to encourage illegal employment agencies to register as legal organizations.

The Ethiopian labor law provides for a 48-hour maximum legal workweek with a 24-hour rest period, premium pay for overtime, and prohibition of excessive compulsory overtime. Although the government did little to enforce the law, in practice most employees in the formal sector worked a 40-hour workweek. However, many foreign, migrant, and informal sector workers worked more than 48 hours per week.

The government, industries, and unions negotiated occupational health and safety standards; however, the MOLSA inspection department did not effectively enforce these standards, due to lack of resources. Lack of detailed, sector-specific health and safety guidelines also prohibited enforcement. Workers had the right to remove themselves from dangerous situations without jeopardizing their employment; however, most workers feared losing their jobs if they were to do so.
