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2010 Country Reports on Human Rights Practices - Ethiopia

Bureau of Democracy, Human Rights, and Labor
April 8, 2011

Ethiopia is a federal republic led by Prime Minister Meles Zenawi and the Ethiopian People's Revolutionary Democratic Front (EPRDF). The population is estimated at 82 million. In the May national parliamentary elections, the EPRDF and affiliated parties won 545 of 547 seats to remain in power for a fourth consecutive five-year term. In simultaneous elections for regional parliaments, the EPRDF and its affiliates won 1,903 of 1,904 seats. In local and by-elections held in 2008, the EPRDF and its affiliates won all but four of 3.4 million contested seats after the opposition parties, citing electoral mismanagement, removed themselves from the balloting. Although there are more than 90 ostensibly opposition parties, which carried 21 percent of the vote nationwide in May, the EPRDF and its affiliates, in a first-past-the-post electoral system, won more than 99 percent of all seats at all levels. Although the relatively few international officials that were allowed to observe the elections concluded that technical aspects of the vote were handled competently, some also noted that an environment conducive to free and fair elections was not in place prior to election day. Several laws, regulations, and procedures implemented since the 2005 national elections created a clear advantage for the EPRDF throughout the electoral process. Political parties were predominantly ethnically based, and opposition parties remained splintered. During the year fighting between government forces, including local militias, and the Ogaden National Liberation Front (ONLF), an ethnically based, violent insurgent movement operating in the Somali region, resulted in continued allegations of human rights abuses by all parties to the conflict. Security forces generally reported to civilian authorities; however, there were instances in which security forces, specifically special police and local militias, acted independently of civilian control.

Human rights abuses reported during the year included unlawful killings, torture, beating, and abuse and mistreatment of detainees and opposition supporters by security forces, especially special police and local militias, which took aggressive or violent action with evident impunity in numerous instances; poor prison conditions; arbitrary arrest and detention, particularly of suspected sympathizers or members of opposition or insurgent groups; detention without charge and lengthy pretrial detention; infringement on citizens' privacy rights, including illegal searches; use of excessive force by security services in counterinsurgency operations; restrictions on freedom of speech and of the press; arrest, detention, and harassment of journalists; restrictions on freedom of assembly and association; restrictions on freedom of movement; ruling party intimidation, threats, and violence during the elections; police, administrative, and judicial corruption; harassment of those who worked for human rights organizations; 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; forced labor and child labor; and government interference in union activities.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There was no proof that the government and its agents committed any politically motivated killings during the year; however, there were credible reports of involvement of security forces in the killings and other abuses of civilians in connection with the conflict in the Somali region (see section 1.g.) and in the deaths of opposition party activists (see section 3).

In January Oromia police shot two unarmed students, one of them fatally, during a college riot at Ardayta College in the Western Arsi zone of the Oromia Regional State. The government acknowledged a disturbance at the college, evidently related to longstanding disputes between students and the administration, that led the college dean to call the police for assistance. After the shooting incident, the police suspended two senior officers for giving inappropriate orders, and one policeman was charged and found guilty of murder by use of excessive force. He was sentenced to prison.

In June the press reported that police in Addis Ababa beat 17-year-old Besufekad Tamene to death. The government confirmed that police officers Girma Makonnen and Birhanu Julia were on duty when they were approached for assistance by Yewebnesh

Hailemariam because her grandson was causing a disturbance at home. They reportedly hit him repeatedly with a stick on the head, neck, and chest. Besafekad died on June 4 as a result of his injuries. The officers were arrested on June 5 and charged with murder. The case was pending at year's end.

According to a May 2009 government report, the security chief of Gue, Tamene Tadesse, was charged with the use of excessive force and sentenced to 15 years in prison for the 2007 fatal shootings of two students in Gue, in the Oromia region.

There was no official action taken against police officers involved in the January 2009 shooting and killing of Debasu Yengusie Mengesha and Gobeze Wudu as they left a bar.

There were no developments in the February 2009 incident in which police shot and killed a 19-year-old student protester, Wendimu Damena, or in the police shooting that injured a 20-year-old student, Belay Motuma, during the same demonstration.

There were no developments in the following 2008 incidents: the killing of three brothers – Yayeh Yirad Assefa, Negusu Assefa, and Temesgen Assefa – by local police and militia in Zeba kebele (Dejen woreda, East Gojam zone, Amhara region); the killing of Aschalew Taye, a supporter of the opposition All Ethiopia Unity Party (AEUP); and several bombings (the Humera bus and school incidents in Amhara; two hotels in Negele Borena, in the Oromia region; and a bombing at a Jijiga hotel).

There were no developments in the April 2009 land mine explosion in the Danakil Depression area of the Afar region, which killed two persons and wounded two others. The government claimed that the South Red Sea Rebel Liberation Front was responsible.

There were no developments in the December 2009 incident in which two hand grenades thrown into a crowded cafe in Kebri Dehar, in the Somali region, killed one woman and wounded nine other persons. The government claimed that the perpetrators were four Eritreans supporting the rebel ONLF.

On May 6, in the Oromia region, a hand grenade was thrown into a political meeting of the Oromo Peoples' Democratic Organization (OPDO) killing two persons and injuring 14. A government spokesman, Shimeles Kemal, stated that the incident was an attempt to assassinate the region's deputy president, Abdulaziz Mohammed, who escaped unhurt. Police officials arrested suspects, one of whom, Tadesse Haile, was sentenced to death after a trial within a week of the incident.

Clashes between ethnic clans during 2008 and 2009 resulted in hundreds of deaths (see section 6).

Disappearance

There were no reports of politically motivated disappearances; however, there were innumerable reports of local police, militia members, and the National Intelligence and Security Service (NISS) seizing individuals, especially opposition political activists, for brief periods of incommunicado detention. Neither diplomatic missions nor nongovernmental organizations (NGOs) were allowed access by the government to the Somali region and therefore had very limited ability to comment on the procedures of security forces operating there.

There were no developments in the 2008 disappearances in Addis Ababa of Ethiopian Teachers' Association members Tilahun Ayalew and Anteneh Getnet, or of Alexander Gebre Meskel, a resident of Addis Ababa.

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 credible reports that security officials physically mistreated detainees.

Opposition political party leaders reported frequent, systematic abuse and intimidation of their members and supporters by police and local militias. Those leaders stated that victims of such abuse did not seek redress from police and other criminal justice authorities for fear of provoking retaliation. When opposition parties packaged hundreds of such reports of abuse for consideration by officials at the National Electoral Board of Ethiopia (NEBE), the board – possessing the legal discretion to investigate but lacking an investigative staff – generally dismissed the complaints for lack of evidence or procedural defects, in both 2008 and 2010.

The UN Committee Against Torture noted in a November 19 report that it was "deeply concerned" about "numerous, ongoing, and consistent allegations" concerning "the routine use of torture" by the police, prison officers and other members of the security forces – as well as the military, in particular – against political dissidents and opposition party members, students, alleged terrorists, and alleged supporters of insurgent groups, such as the ONLF and the Oromo Liberation Front (OLF). The committee reported that such acts frequently occurred with the participation of, at the instigation of, or with the consent of commanding officers in police stations, detention centers, federal prisons, military bases, and unofficial or secret places of detention.

Numerous reliable sources confirmed in April 2009 that in Maekelawi, the central police investigation headquarters in Addis Ababa, police investigators often used physical abuse to extract confessions. Several prisoners who were held at Maekelawi and other

nontraditional detention facilities independently claimed with credible detail that they and other detainees were tortured in police station jails in attempts by security officials to elicit confessions before their cases went to trial. No indication came during the year that these abusive practices were eliminated. NGO and diplomatic access to Maekelawi was curtailed during the year.

Several of the persons arrested in April 2009 for alleged affiliation with Ginbot 7, a largely diaspora opposition group some of whose members publicly advocated violent overthrow of the government, reported harsh physical abuse and torture during pretrial interrogations. In November 2009 these defendants reiterated these accusations to their trial court. A government spokesman denied the allegations. In December 2010 the Global Alliance Against Torture in Ethiopia, an antigovernment diaspora group, released reports, purportedly originating with cooperative prison personnel, summarizing the accusations of mistreatment given by individual Ginbot 7 inmates.

In those reports Amerar Bayabel, Second Sergeant Gobena Belay Ayele, and Lieutenant Colonel Abere Assefa Abera described similar, consistently horrific experiences at Maekelawi. They included lengthy nights of physical mistreatment, including: being made to lie on the ground, handcuffed, blindfolded, and in some cases naked, while interrogators wearing military boots stood on their chests; being whipped with wire and beaten on the head and the insides of their feet; being gagged, hung upside down, and beaten with electrical cords; being threatened with injection of HIV-infected blood; and being subjected to ethnic slurs.

In July 2009 Nimona Tuffa, a student at Hayuma Medical College in Ambo and a member of the Oromo People's Congress (OPC), an opposition party, was detained in Guder by Oromia regional security officials dressed in civilian clothes. Nimona reported that security officials, including the head of security of West Shoa zone, Tesfaye Sime, beat him, first in a nearby forest and later at the OPDO Ambo offices, part of the EPRDF, where they pressured him to sign a statement admitting he was a member of the OLF. He eventually signed. When released Nimona was hospitalized for severe nerve-ending damage, hearing damage, and back injuries. When the case was brought to court, the prosecutor suggested that the case was not politically motivated but was a personal conflict. However, Nimona testified that he had no knowledge of his attackers before the incident and that he believed it was politically motivated. The judge sentenced the perpetrators to a fine of 500 birr (\$30.53). With the involvement of a diplomatic mission, the case was reopened and the primary police officer involved was eventually sentenced to three years in prison, for use of excessive force. However, at year's end the officer apparently had not begun to serve the sentence. Nimona fled the country.

There were no developments in the 2008 beating of Gelaye Tadele while in local police custody in Arba Minch, in the Southern Nations, Nationalities, and Peoples Region (SNNPR).

Prison and Detention Center Conditions

The country has three federal and 120 regional prisons. There also are many unofficial detention centers throughout the country, including in Dedessa, Bir Sheleko, Tolay, Hormat, Blate, Tatek, Jijiga, Holeta, and Senkele. Most are located at military camps.

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. Severe overcrowding was common, especially in sleeping quarters. The government provided approximately eight birr (\$0.50) per prisoner per day for food, water, and health care. Many prisoners supplemented this with daily food deliveries from family members or by purchasing food from local vendors. Medical care was unreliable in federal prisons and almost nonexistent in regional prisons. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities.

Many prisoners had serious health problems in detention but received little treatment. In April an Italian citizen died after receiving allegedly substandard medical treatment in Kality prison. At year's end there were an estimated 86,000 persons in prison, of whom 2,474 were women and 546 were children incarcerated with their mothers. Juveniles were sometimes incarcerated with adults who were awaiting execution. Male and female prisoners generally were separated. Authorities generally permitted visitors. In some cases family visits to prisoners were restricted to a few per year.

Following a 2008 investigation on prison conditions, the Ethiopian Human Rights Commission (EHRC) reported that the overwhelming majority of detainees in prisons were held on pending charges. Some prisoners reported being detained for several years without being charged and without trial. Pretrial detention during the year, while still high, showed a rapid decline. Approximately 80 percent of those incarcerated in Amhara, Benishangul-Gumuz, Oromia, SNNPR, and Tigray had been sentenced.

Prisoners were generally permitted religious observance, but this varied by prison, and even by section of prison, at the discretion of prison management. Prisoners can, during trial, make complaints about prison conditions or treatment to the presiding judge.

During the year the International Committee of the Red Cross (ICRC) visited regional prisons but, like all international organizations and NGOs, remained barred from visiting federal prisons, which held persons accused or convicted of crimes against national

security, and all prisons in the Somali region. Regional authorities allowed NGO representatives to meet regularly with prisoners without third parties being present.

The Ethiopian NGO Justice for All-Prison Fellowship Ethiopia (JFA-PFE) was granted access to various prison and detention facilities, including federal prisons. JFA-PFE ran a "model" prison in Adama with significantly better conditions compared with other prisons.

The government and prison authorities were generally cooperative in dealing with NGO efforts to effect improvements in prison conditions.

The government routinely failed to meet its obligation to notify diplomatic missions of the arrest of foreign nationals, so foreign representatives had only rare access to prisons and other detention facilities.

In 2009 the government established regional "justice forums" throughout the country to improve coordination among the Ministry of Justice (MOJ) as well as regional security and prison administration officials.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, the government frequently ignored these provisions in practice. During the year the phenomenon increased significantly in the preelection environment (see section 3).

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 was loose in practice. Each of the country's nine regions has a state or special police force that reports to the regional civilian authorities. Local militias also operated as local security forces in loose coordination with regional police and military, with the degree of coordination varying by region. NISS officers were involved in all matters deemed to have implications for national security.

Impunity remained a serious problem. According to sources at government agencies, the government rarely publicly disclosed the results of investigations into abuses by local security forces, such as arbitrary detention and beatings of civilians. In its November report, the UN Committee Against Torture noted that there were "numerous and consistent reports" about the government's "persistent failure" to investigate allegations of torture and prosecute perpetrators, including Ethiopian National Defense Force

(ENDF) or police commanders. The committee further noted the absence of information on cases in which soldiers and police or prison officers were prosecuted, sentenced, or subjected to disciplinary sanctions for acts of torture or mistreatment.

There were no further developments in the July 2009 case of the 444 staff members, including high-ranking officials, fired by the Addis Ababa Police Commission for involvement in serious crimes, including armed robbery, rape, and theft.

The government continued its efforts to provide human rights training for police and army recruits. During the year the government continued to seek assistance from the JFA-PFE and the 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. The JFA-PFE conducted human rights training for police commissioners, prosecutors, judges, prison administration, and militia in Amhara, Oromia, SNNPR, Benishangul-Gumuz, and Gambella.

Arrest Procedures and Treatment While in Detention

Authorities regularly detained persons without warrants and denied access to counsel and family members, particularly in outlying regions. Although the constitution and the penal code require that detainees be brought to court and charged within 48 hours, this requirement generally was not respected in practice. A functioning bail system was in place but not available in murder, treason, and corruption cases. In most cases authorities set bail between 500 and 10,000 birr (\$30 and \$610), 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 without being charged 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 detainees were in pretrial detention, authorities allowed them little or no contact with legal counsel. Police continued to arrest individuals without warrants (see section 1.f.). Opposition party members consistently and credibly reported that authorities frequently detained persons in police stations for long periods without charge or access to a judge. Authorities apparently targeted certain individuals for arrest, with charges and other terms of detention determined only after detention commenced.

In January NISS officers detained a foreign citizen and held him incommunicado in Tigray without warrant at various locations for 48 hours (see section 2.a.). When he complained

to a senior NISS official, he was told: "This is Ethiopia. We can do what we want. You are lucky the worst hasn't already happened to you." He was released soon after without charges being filed.

Persons arrested in April 2009 in connection with the Ginbot 7 case were held for more than a month at Maekelawi without charges while police gathered evidence, during which time family members were not informed of their whereabouts. They were then charged with conspiracy to destroy government institutions, the attempted assassination of government officials, and an attempt to incite rebellion in the army. The detainees were denied pretrial access to legal counsel, and several alleged mistreatment while in detention. Ultimately, their property was confiscated, five received death sentences, 33 received life imprisonment in Kality prison, and two received sentences of 10 years.

In May 2009 customs authorities detained Abebe Worke, the chairman of the Ethiopian Human Rights Council (EHRCO) and a prominent human rights lawyer, and Meleskachew Amha, a Voice of America (VOA) reporter, for allegedly attempting to illegally sell imported duty-free publishing equipment that belonged to Addis Broadcasting Company, of which both were shareholders (see section 2.a.). Meleskachew and Abebe were detained at the Customs Authority compound, not a formal detention facility, for 12 days before being released on bail. Abebe fled the country. On July 15, the Federal First Instance Court dropped all charges against Meleskachew due to lack of evidence. Abebe was sentenced in absentia to one year's imprisonment and fined 1.4 million birr (\$85,370).

In June 2009 town officials in Bistima, Werebaba woreda (South Wollo zone, Amhara region), arrested an EHRCO investigator, Mulugeta Fentaw. Mulugeta was returning home after investigating alleged cases of harassment in Bistima of Unity for Democracy and Justice (UDJ) members. The woreda Security Chief, Makonnen Hussein, confiscated Mulugeta's notebook containing sensitive summaries of his interviews. Immediately thereafter the police accused Mulugeta of stealing 2,000 birr (\$122.10) and arrested him. At the police station he was searched, and when the police found only 200 birr (\$12.21) in his possession, they modified the charge to claim that he stole only 200 birr (\$12.21). Mulugeta was arrested and jailed for three days. He was brought to the woreda court on June 3, convicted, and sentenced to eight months' imprisonment. He appealed to the zonal high court. On July 17, the high court dismissed the case, stating that such acts by the woreda court eroded public confidence in the judiciary. The woreda administration appealed and brought another charge of "tarnishing the reputation of woreda officials by bringing false witnesses." Mulugeta again appealed to the high court, which dismissed the case. Fearing further harassment by government officials, he went into exile abroad.

One of Mulugeta's defense witnesses, Alemu Abaineh, was arrested after he gave testimony in court. He was accused of stealing and possessing antitank grenades and plotting to attack the militia. He was sentenced to four years' imprisonment. He appealed to the high court and was released on bail. The trial continued at year's end.

There were no developments in the cases of the opposition AEUP members Mekuanent Seneshaw, Alehegne Mekuanent, Kifle Tadege, and Endale Tadege, who were arrested at a Chendiba wedding in 2008 and charged with holding an illegal political gathering in the form of a wedding.

Amnesty

On September 10, the federal government and Amhara and Oromia regional governments granted pardons to more than 9,000 prisoners, in keeping with a longstanding tradition for celebration of the new year on September 11.

The president of the opposition party UDJ, Birtukan Mideksa, was pardoned and released from prison on October 6 (see Political Prisoners and Detainees).

e. Denial of Fair Public Trial

The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, the criminal courts remained weak, overburdened, and subject to significant political intervention and influence. The upper house of parliament has sole responsibility for judging the constitutionality of new laws, handling judicial appointments, and reviewing judicial conduct. In theory and in practice, courts have the ability to convict defendants on charges not raised by the prosecution.

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 that had not begun operation; overall, the federal judicial presence in the regions was limited. Consequently many citizens residing in rural areas generally had little access to formal judicial systems, at any level, and effectively had no choice but to rely on traditional mechanisms of resolving conflict.

The law provides legal standing to some preexisting religious and traditional courts and allows federal and regional legislatures to recognize decisions of such courts. By law all parties to a dispute must agree to use a traditional or religious court before such a court may hear a case, and either party can appeal to a regular court at any time. Sharia (Islamic) courts may hear religious and family cases involving Muslims. In addition other traditional systems of justice, such as the Council of Elders, continued to function.

These customary courts resolved disputes for the majority of citizens who lived in rural areas. Some women complained of lack of access to free and fair hearings in the traditional justice system because they were excluded by custom from participation in the Council of Elders and because there was strong gender discrimination in rural areas.

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 the primary focus of the training. To address backlogs in case processing, in October 2009 the government allocated 147 million birr (\$8.97 million) to construct five new courthouses in Addis Ababa and Dire Dawa. During the year the federal Supreme Court, high courts, and courts of first instance remained open for over two-and-one-half months during their regular recess period in June, July, and August to try to reduce the backlog of cases.

The seventh criminal branch of the federal court of first instance, 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. There were also credible reports that domestic violence and rape cases were often significantly delayed and given low priority.

In October the EHRC, a government entity, signed a memorandum of understanding with four public universities to encourage students to participate in legal aid for indigent clients.

In July 2009 the parliament passed the Anti-Terrorism Proclamation to address growing terrorist threats. Several human rights organizations raised concerns over the law's broad definition of terrorism, severe penalties, broad rules of evidence, and discretionary powers afforded police and security forces. Although a full prosecution under this law had not yet been conducted by year's end, several defendants were charged under it, including elderly citizens and students who staged public demonstrations in January in Oromia against gold mining interests they claimed were polluting their community's air and water.

Criminal matters related to the military are handled by military tribunals. Military tribunals may not try civilians except in certain cases involving allegations of threats to national security. The total caseload of the military justice system grew, reflecting an effort to hold military officers and troops more accountable, but the military lacked adequately trained staff to handle the increased demands on the system.

In November 2009 the Federal Supreme Court sentenced Judge Girma Tiku, former president of the Court of First Instance for Urban Affairs of Lideta subcity, Addis Ababa, to seven years' imprisonment and a fine of 1,000 birr (\$61) on corruption charges.

There were no developments in two 2008 MOJ corruption cases against judges.

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. In some sensitive cases deemed to involve matters of national security, notably the Ginbot 7 and OLF trials, closed proceedings took place, and at times authorities allowed detainees little or no contact with legal counsel. The court system does not use trial by juries.

Judicial inefficiency, lengthy trial delays, and lack of qualified staff often resulted in serious delays in trial proceedings. The Public Defender's Office provided legal counsel to indigent defendants, although its scope and quality of service remained limited due to the shortage of attorneys. Although the law explicitly stipulates that persons charged with corruption are to be shown the evidence against them prior to their trials, several credible sources reported that authorities routinely denied defense counsel pretrial access to such evidence. As in previous years, the government did not establish an execution date for the 19 former Derg officials sentenced to death in 2006 for crimes of genocide, treason, and murder. All remained on death row at year's end except Colonel Mengistu Haile Mariam, who was in exile in Zimbabwe. According to a May 2009 government report, religious leaders requested that the government reduce the sentences of former Derg officials. The government had not responded by year's end, although religious officials increased the volume of their pleas in December.

Political Prisoners and Detainees

Domestic and international NGOs estimated that there were 200 to 300 political prisoners and detainees at year's end.

In August several opposition party leaders reported an intensification in the arrest and detention of opposition supporters, especially in Oromia, Amhara, and Tigray. Approximately 1,200 opposition Oromo Federalists' Congress (OFC) Party supporters, for example, were reportedly arrested and detained in association with the May elections. (The OFC was formed by the merger of the OPC and the Oromo Federalist Democratic Movement (OFDM)). Many were released during the year after serving four- to five-month sentences, but many remained in jail.

In October the president of the UDJ, Birtukan Mideksa, whose pardon was revoked and life sentence reinstated in 2008, was released. Prior to her release she was held in solitary confinement until June, despite a court ruling that indicated it was a violation of her constitutional rights.

Chaka Robi, a supporter of the opposition Coalition for Unity and Democracy (CUD) arrested in 2008, was released during the year.

There were several developments in the 2008 case in which police, local authorities, and ruling party cadres arrested 16 second-tier leaders from various opposition parties engaged in community outreach or opening new offices throughout the country. On August 12, 15 arrestees were ordered to present their defenses against charges of recruiting and organizing OLF members, promoting OLF terrorist activities, and financially supporting the OLF. The case against one defendant was dismissed. Among the 15 tried, OFDM secretary general Bekele Jirata was charged and released on bail in February 2009. He later fled the country. He was found guilty in absentia on March 31 and sentenced to 12 years in jail. The other men were also found guilty. One man was sentenced to death, one was sentenced to life in prison, and the rest were given jail terms ranging from 10 to 13 years.

In February the government pardoned 182 members of the AEUP previously convicted of threatening the "constitutional order" during the violent aftermath of the 2005 national elections. The pardons reportedly were part of a negotiated agreement for the AEUP leadership to participate in EPRDF-led talks on the enactment of an electoral code of conduct for political parties.

Civil Judicial Procedures and Remedies

Civil courts 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 police often ignored this law, and there were no records of courts excluding evidence found without warrants.

The Ethiopian government and regional governments began to put in place "villagization" plans in the Gambella and Benishangul-Gumuz regions, an effort to speed up agricultural development. The plan involves the resettlement of 45,000 households in each of the

two regions. The governments describe the resettlement plans as strictly voluntary, but there were reports of local skepticism and resentment and isolated reports of violence, in part because much of the land was or was to be leased to foreign companies.

There were reports of police forcibly entering civilian homes in 2008 and 2009. During the year there were innumerable reports of ruling party operatives making unwelcome visits to the homes of opposition operatives, although forced entry was not part of the usual pattern alleged (see section 1.c.).

In April 2009 witnesses reported that Tirch kebele (Dejen woreda, Amahara region) and woreda police and officials searched the house of Waltenegus Abate, the woreda vice chairman of the AEUP, without a warrant. Although officials accused him of hiding armaments, none were found. In 2008 kebele officials had previously searched Waltenegus' home without a warrant. He accused police of beating him and his family members during the searches.

By year's end there had not been any action taken by officials against the police officers and militia of Tirch kebele (Dejen woreda, Amhara region) for the 2008 assault and illegal search of the home of Tiringo Mengist.

All but three electronic communications facilities are state owned. Opposition political party leaders reported suspicions of telephone tapping and other electronic eavesdropping. In May 2009 a former employee of Ethiopian Telecommunication Corporation (ETC), the state-run monopoly telecommunications and Internet provider reported from self-imposed exile that the government had ordered ETC employees to unlawfully record citizens' private telephone conversations.

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

The government tampered with the mail of an independent media organization, according to a report from the Committee to Protect Journalists (see section 2.a.).

Security forces continued to detain family members of persons sought for questioning by the government. Officials in some kebeles reportedly went from house to house demanding that residents attend ruling coalition meetings. Residents were not arrested or harassed if they did not attend party meetings; however, there were reports that some persons who did not attend party meetings had difficulty obtaining basic public services from their kebeles. Reliable reports establish that unemployed youth who were not affiliated with the ruling coalition sometimes had trouble receiving the "support letters" from their kebeles necessary to get jobs.

Human Rights Watch, opposition parties, and elements of the media alleged a general politicization of foreign donor assistance. These reports suggested that, in the period prior to the May elections, the EPRDF and its regional affiliated parties used humanitarian assistance as incentives to secure support for the ruling coalition. The donor community, collectively known as the Development Assistance Group, conducted an assessment of the four largest donor-supported development programs. The assessment evaluated the systems and safeguards that various programs had in place to prevent, detect, and address political and financial distortion. The final report, issued in July, concluded that all four programs had accountability systems in place that provided checks on distortion in the distribution of assistance. In addition the two programs related to the provision of food aid were deemed to have the strongest safeguards and thus were the least likely to have been subject to distortion for political purposes.

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

During the year fighting continued between government forces, primarily regional government-backed militia, and the ONLF, a violent ethnic insurgent movement operating in the Ogaden area of the Somali region, with continuing allegations of human rights abuses by all parties to the conflict. Deliveries of food and medicine were restricted as a result of insecurity, lack of capacity, and military restrictions.

Since it was outlawed in 1994, the ONLF has engaged in armed conflict with the government. In October another insurgent group, the United Western Somali Liberation Front, as well as the "Salahdin Ma'ow faction" of the ONLF, signed a peace agreement with the government and ceased hostilities. The "Admiral Osman faction" of the ONLF, consisting of hard-core fighters and supported by the Eritrean government, denounced the peace talks and staged attacks against government forces.

Since the military began significant counterinsurgency operations in the Ogaden region in response to the April 2007 slaying of 65 citizens and nine Chinese oil workers living outside an oil exploration camp, the government has continued to limit the access of diplomats, NGOs, and journalists to the Somali region. The government allowed some humanitarian access but restricted the ability to investigate reports of human rights abuses. Reports of human rights violations largely have come from interviews with second-hand sources or alleged victims who fled the Somali region. Credible reports of human rights abuses continued, although these diminished dramatically after the signing of the two peace agreements. NGO personnel have been compelled by ENDF and regular police officials to report ONLF activity. Some villagers reported that local authorities threatened to retaliate against anyone who reported abuses by the ENDF, special police, or local militias.

Civilians, international NGOs, and other aid organizations operating in the region reported that both government security forces and the ONLF were responsible for abuses and harsh techniques used to intimidate the civilian population. Reliable reports indicated that special police and local militias, both accountable to the Somali regional government, forcibly relocated whole villages believed to be supportive of the ONLF.

Reliable sources reported increasingly violent ONLF attacks on police and military elements during the year. Development workers reported being frequently stopped for questioning by the ONLF.

Killings

There were several instances of killings in internal conflicts. These included the killing of five persons and wounding of 20 others in a bomb attack in the northern town of Adi Aro, and a bus bombing near the Eritrean border that wounded 13 persons. The government blamed Eritrean-sponsored elements for both incidents but produced no evidence.

In 2008 police forces reportedly attempted to force villagers from Laare and Puldeng, in Gambella, to move to a new area. When villagers refused, violence ensued, and police reportedly killed nine civilians and wounded 23. Two police officers were killed and six others were wounded. Police also reportedly set fire to homes and killed numerous livestock. Gambella Deputy Police Commissioner Mulugeta Ruot Kuon gave a different account. According to him, police responded to a clash between two Nuer groups and tried to facilitate a negotiation. One group started beating the police with sticks and shot one officer, triggering a gunfight that killed one police officer and four civilians and wounded 27. The conflict spread to eight kebeles, and federal police and the ENDF came to the region to calm the fighting. Traditional methods of conflict resolution, facilitated by elders, were used to resolve the conflict.

The government has not responded to ONLF accusations that the ENDF killed 48 civilians in Mooyaha village and six civilians in Galashe in the Ogaden region in 2008.

There were no developments in the February, June, and July 2009 attacks by the ONLF against military and civilian targets that resulted in civilian casualties. Similarly there were no development in the 2008 arrests of eight men suspected of involvement in the 2007 ONLF attack on a Chinese-run oil facility in the Somali region; the ONLF killed 65 civilians and nine Chinese nationals.

Abductions

In April nine NGO employees were abducted and held for five days by a group purporting to represent the ONLF. They were released unharmed but told to warn their principals that cooperation with security forces in delivering humanitarian supplies would provoke ONLF violence.

Physical Abuse, Punishment, and Torture

Special police were accused of rape and other abuses of women in early 2009 in the Degehabur and Kebredehar zones, in the Ogaden.

Child Soldiers

Although there were no reports that ENDF or regional police recruited children, there were credible reports that some local militias in Somali region did so. In recent years, the Somali Regional Security and Administration Office had increased recruitment of special police forces and local militias in conflict zones. Also see the Department of State's annual [*Trafficking in Persons Report*](#).

Other Conflict-Related Abuses

The government continued to restrict access by NGO workers and journalists to affected Somali region 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, having previously alleged that it cooperated with the ONLF. During the year some humanitarian groups reported roadblocks manned by insurgent groups, which occasionally briefly detained them. These same humanitarian groups reportedly were interrogated by the ENDF on their encounters at the roadblocks with the insurgents.

In 2008 the ENDF placed Medecins Sans Frontieres-Holland (MSF-NL) staff members under house arrest in Warder for allegedly providing medical support to the ONLF and confiscated MSF-Switzerland property and vehicle keys in Kebri Dehar, limiting its staff members' movement to the town for three weeks. There was no judicial process and no charges filed in either case. MSF-NL continued to work in Warder zone, while MSF-Spain, which was working in Deghabur, withdrew after a hand-grenade attack on its offices in August; the attack was believed to be the work of a disgruntled former employee.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the constitution and law provide for freedom of speech and of the 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, including the sole television station, except three private FM radio stations. Private-sector and government journalists routinely practiced self-censorship. The broadcasting law prohibits political and religious organizations or foreigners from owning broadcast stations.

Government-controlled media mostly reflected the views of the government and the ruling EPRDF coalition. However, live radio and television broadcasts occasionally included televised parliamentary debates and broadcast the views of opposition parliamentarians, as did government newspapers. During the election campaign, state media broadcast debates between the parties; because broadcast time was allocated on the basis of parliamentary seats, spokesmen for the ruling party received the most time.

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 owned the only newspaper printing press and used its monopoly position, inter alia, to regularly increase costs to publishers. Reports indicated that this practice influenced the circulation numbers of the private newspapers, forcing them to adjust their printing runs according to what they could afford.

Foreign journalists and local stringers employed by foreign publications at times published articles critical of the government but were subjected to government pressure to practice self-censorship. Few foreign journalists were based in the country. 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.

For example, in January in Tigray, NISS officials detained a foreign journalist with a valid residence permit, who was accredited by the government, when he attempted to investigate allegations of food aid politicization in the area. His credentials and cell phone were taken from him, and he was transported by authorities to Addis Ababa, where he was questioned by immigration officials and held overnight at the airport. He was not permitted to call consular officials or his family. After almost 48 hours in custody, he was released and told by the Ministry of Foreign Affairs as well as immigration officials that he would have to leave the country within two days. No

specific charges were brought against him. His credentials were eventually returned to him, and he was told that he could continue to live and work as a journalist in Ethiopia.

In May the editor in chief of the Amharic weekly *Awramba Times*, Wubshet Taye, was asked to appear at the Ethiopian Broadcasting Authority (EBA) two days before the national elections. He was accused of unbalanced reporting favoring Forum, a major opposition coalition. The EBA referred to a feature article that compared two photographs of Meskal Square: one taken in 2005 with more than one million pro-opposition demonstrators, and one of an empty square during the year with only an EPRDF campaign poster. The article was called "Where Did These People Go?" Wubshet was told that this sort of article was not allowed and that he would be held responsible if any violence resulted. Shortly after this incident, Wubshet resigned as editor in chief of the *Awramba Times*.

On June 29, the Committee to Protect Journalists (CPJ) reported that the new editor in chief of the *Awramba Times*, Dawit Kebede, complained to the Ethiopian Postal Service (EPS) at least three times earlier that month, after the newspaper received opened letters and destroyed envelopes in its postal box. The EPS asserted that the "quality of the paper" might have been responsible for the tearing of the mail.

On July 19, the Oromia region special zonal administration ordered the Media and Communications Center (MCC), owned by Amare Aregawi (also the publisher and owner of *The Reporter*), to stop construction on its future printing house site in Dukem, 21 miles from Addis Ababa, which the MCC had leased from the regional administration. On July 24, the Government Housing Agency, alleging unlawful occupancy, commandeered the MCC's office compound in Addis Ababa, also owned by Amare.

On August 26, EBA Director General Desta Tesfaw sent a letter to the *Awramba Times* requesting that sources for its news stories be provided. The constitution states that journalists do not have to reveal their sources, even in court procedures.

On September 11, the *Al-Quds* editor in chief, Ezeddin Mohammed, was released from prison after serving eight months on charges of violating article 10 of the Press Proclamation, including counts of defamation and attempts to incite conflict between persons. The charges followed the newspaper's publication of articles criticizing a Ministry of Education directive on religious worship in schools. Although Ezedin was released, his 17-year-old son, Ahmed Ezedin, was arrested in the Afar region that same day. Ahmed was serving as the acting editor of *Al-Quds* during his father's imprisonment. The arrest was purportedly the result of articles Ahmed had written criticizing the Islamic Council of Afar.

There were no new developments in the April 2009 case in which the government Communications Affairs Office summoned three VOA reporters – Peter Heinlein, Meleskachew Amha, and Eskinder Firew – and suspended the licenses of Meleskachew and Eskinder for three days for reasons that were never disclosed.

There were no new developments in the July 2009 case in which unidentified individuals beat a journalist for *Addis Neger*, Abraham Begizew, who was attempting to report on a disagreement within the leadership of the Ethiopian Orthodox Church.

In September 2009 Kassahun Addis, an Ethiopian citizen based in Addis Ababa who was a reporter for a foreign newspaper, fled the country due to a credible fear of unreasonable prosecution. There were no new developments in the case.

In December 2009 *Addis Neger*, an Addis Ababa-based weekly newspaper often critical of government policies, ceased publication after months of reported government harassment. Three staff members – Abiy Tekle Mariam, Mesfin Negash, and Tamirat Negera – fled the country.

In 2008 Dawit Kebede, then editor in chief of the weekly newspaper *Awramba Times*, was accused by the NEBE of violating electoral regulations by posting an advertisement for his newspaper on a poster promoting EPRDF candidates for local elections. Charges in the case were dropped in February.

There were no developments in the 2008 case of Alemayehu Mahtemework and three staff members of the private Amharic monthly entertainment magazine *Enku*. The government accused them of publishing "stirring articles that could incite people" and held them for five days before release. Alemayehu also was charged with threatening public order. The magazine continued operating during the year.

Dawit Kebede and Wosseneged Gebrekidan, who were charged in 2008 with inciting the public through false rumors by publishing articles about the Ginbot 7, were released on bail in December 2009.

In 2008 two police officers, one from Addis Ababa and the other from Gonder, arrested Amare Aregawi, editor in chief of *The Reporter*, at his office. The arrest was in connection with a private libel suit brought by the Gonder-based, EPRDF-owned Dashen Brewery following a 2008 story on a labor dispute at the brewery. Amare appeared in court in 2008 but learned there were no charges against him, and his bail money was returned to him. The article's author, Teshome Niku, appeared in court in 2008 and was released on bail of 300 birr (\$18.32). Following his release Teshome reportedly received anonymous, threatening telephone calls and was beaten and intimidated by unidentified

persons. In January 2009 a private newspaper reported that Teshome fled to Kenya. The Dashen Brewery manager filed defamation charges against Amare in August 2009. The Federal High Court 10th Criminal Bench ordered Amare to defend his case. Amare won, and the case was dropped in March.

In 2008 Amare Aregawi was attacked by civilian assailants in front of his son's school. Three individuals, who admitted they had attacked Amare, appeared at the federal high court and testified that they were hired to attack him. Amare reported that he suspected he was attacked by government supporters threatened by his newspaper's reporting on corruption. There were no developments by year's end, although Amare continued to press for further investigation of the clique that hired the assailants to attack him.

Several journalists remained in self-imposed exile, including journalists detained following the 2005 elections but released in 2007.

Prime Minister Meles publicly announced on March 18 that he would authorize the jamming of VOA Amharic service broadcasts and compared the VOA to Radio Mille Collines, the Rwandan radio station that helped incite genocidal violence in 1994. VOA's Amharic services experienced jamming throughout the country from March until October.

Ethiopian Satellite Television, based in Amsterdam and supported by the Ginbot 7 group, which espouses violent overthrow of the government, reported periodic jamming of its service in Ethiopia, beginning in May, at the start of broadcasting.

In June 2009 the EBA ordered the private radio station Sheger-FM (102.1) to cease all rebroadcasts of VOA programming. Sheger had been broadcasting some VOA programs daily, mostly music, through a contractual agreement. Sheger management resolved the issue with the EBA, which stated that the station needed preapproval from the government to rebroadcast programs. After going through the proper procedure, Sheger resumed rebroadcasting of all VOA programs with the exception of a brief news show.

In 2008 the parliament passed the Mass Media and Freedom of Information Proclamation. 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 entities to publish print media, requires all previously licensed press to reregister, bars foreign and cross media (involving more than one form of media, i.e. print and radio) ownership, grants the government the unlimited right to prosecute the media, criminalizes defamation of public officials, increases defamation fines to 100,000 birr (\$6,105), 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 Communication Affairs Office's authority to regulate the media.

The Ministry of Information was dissolved in 2008. The new Communication Affairs Office reports directly to the prime minister. The EBA took over responsibility for press registration and oversight from the dissolved ministry. All existing newspapers and magazines were required to reregister with the EBA in 2009.

In February 2009 the EBA issued a regulation barring newspaper and magazine publishers and those owning more than a 2 percent stake in a media house from holding the position of editor or deputy editor in their media houses.

The government used its licensing authority to censor the media indirectly. In June 2009 the Federal High Court denied an appeal and ruled that Sisay Agena, Serkalem Fasil, and Eskinder Nega could not be granted press licenses due to a 2005 court ruling that called for the dissolution of their former publishing companies. While the defendants had been acquitted of all charges and their former companies remained defunct, the court found that granting licenses to these individuals would be tantamount to circumventing the 2005 court ruling ordering the dissolution of the former companies.

In February 2009 the Federal High Court dropped the fines levied against the same three publishers in 2008 for a combined amount of 300,000 birr (\$18,315), in connection with their newspapers' coverage of the 2005 elections. They appeared in court in 2008 and delivered a written petition citing the pardon law, which stipulates that pardons granted to persons automatically pertain to monetary penalties against them.

In 2008 Ayele Chamisso, chairman of the CUD, filed charges against three private newspapers: *Addis Neger*, the *Awramba Times*, and the now-defunct *Soressa*. Ayele claimed that the newspapers used his party's name for other groups. The editor of the *Awramba Times*, Dawit Kebede, appeared in court in 2008 on defamation charges and was released on bail of 2,000 birr (\$122.10). In December 2009 Ayele Chamisso asked the court to drop the charges against the three newspapers.

Internet Freedom

The government restricted access to the Internet and blocked opposition Web sites, including the sites of insurgent groups advocating violent overthrow of the government (OLF, ONLF, Ginbot 7) and several news blogs and Web sites run by opposition diaspora groups, such as *Addis Neger*, *Nazret*, *Ethiopian Review*, *CyberEthiopia*, *Quatero Amharic*

Magazine, Tensae Ethiopia, and the Ethiopian Media Forum. The news Web site for VOA was inaccessible from March to October.

In early March 2009, the government lifted Internet restrictions on all domestic news Web sites and opposition Web sites for a short time. However, some Web sites, including Nazret.com, reported being blocked again soon after.

In 2008 a press release by the CPJ stated that, according to reliable sources, its servers were inaccessible to users in the country and that e-mails from the country were not coming through to the CPJ. These reports emerged at the same time that the CPJ was investigating the detention of *The Reporter* editor in chief Amare Aregawi. *The Reporter* also alleged that its Web site was blocked for four days during this time. The CPJ's Web site was also inaccessible at other times during the year. The CPJ continued to report matters with e-mails and domestic access to its Web site.

As of March 2009, the ETC reported 42,707 Internet subscribers. Citizens in urban areas had ready access to Internet cafes; however, rural access remained extremely limited. According to International Telecommunication Union statistics for 2008, approximately 0.45 percent of the country's inhabitants used the Internet. Mobile telephone text messaging was available countrywide. The number of mobile telephone subscribers was 6.1 million, according to the Ministry of Communication and Information.

Academic Freedom and Cultural Events

The government restricted academic freedom during the year. Authorities did not permit teachers at any level to deviate from official lesson plans and actively prohibited partisan political activity and association of any kind on university campuses. Innumerable anecdotal reports suggest that non-EPRDF members were reportedly more likely to be transferred to undesirable posts and to be bypassed for promotions. There was a lack of transparency in academic staffing decisions, with numerous complaints from individuals in the academic community of bias based on party membership, ethnicity, or religion. Speech, expression, and assembly were frequently restricted on university and high school campuses. Several teachers who were members of, or were perceived to support, opposition parties – particularly in Oromia, Tigray, Amhara, and the SNNPR – reported being harassed by local officials and threatened with the loss of their jobs or transfers to distant locations.

Some college students reportedly were pressured to pledge allegiance to the EPRDF to secure enrollment in universities or postgraduation government jobs. According to multiple credible sources, teachers and high school students in grade 10 and above were required to attend training at their schools on the subject of revolutionary democracy

and EPRDF policies on economic development, land, and education. After the training attendees reportedly were routinely provided with EPRDF membership forms; as a result, some students were under the impression that they needed EPRDF membership to gain admission to university in the future.

In August the Ministry of Education (MOE) disseminated a directive banning distance learning programs offered by both public and private universities and prohibiting private universities from offering degree programs in law and teacher education. The directive also required private universities to align their curriculum offerings with the previously announced MOE policy of a 70-to-30 ratio between science and social science academic programs. The directive permitted universities to complete ongoing courses, but no new enrollments were permitted. The directive disproportionately affected private universities, which were the primary purveyors of distance learning programs. Private university curricula also were heavily focused in the social sciences. MOE officials cited a need to maintain quality standards as the reason for the directive. In October the government lifted the ban.

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 48 hours in advance and obtain a permit. Local government officials, invariably associated with the EPRDF, controlled access to municipal halls, and there were many complaints from opposition parties that local officials would deny or otherwise obstruct the scheduling of opposition parties to use halls for lawful political rallies.

Regional governments, including the Addis Ababa regional administration, were reluctant to grant permits or provide security for large meetings.

Multiple opposition political parties reported EPRDF partisans with cameras at the entryway of campaign rallies who would film opposition activists while they were entering, leaving, or participating in meetings. After a meeting the individuals pictured reportedly were harassed and intimidated to discontinue their support for the opposition party; sometimes they were detained.

Opposition parties also often reported difficulty in obtaining use of local municipal halls, controlled by local officials who invariably were affiliated with the EPRDF, to hold public campaign events.

In August 2009 the UDJ attempted to hold a town hall meeting in Adama after receiving permission from local authorities. Prior to the meeting, local authorities prevented the UDJ from displaying posters and announcing the meeting to the public. The meeting was disrupted by the shouts of several participants. Security guards did not attempt to stop the disruption. The meeting adjourned 15 minutes after it began. The Minister of Communications announced that the disruptions were illegal and that the government would launch an investigation; however, at year's end there was no information reported on the conclusions.

There were credible reports from Shakiso woreda of mass arrests and rough treatment of students and elderly citizens while they were attempting to protest the practices of the Laga Dembi mine in December 2009. Residents claimed that the mine was releasing toxic waste into a nearby river. The Ministry of Mines and Energy and regional administration officials carried out a study to attempt to dispel rumors of environmental damage leading to miscarriages and still births, finding that such damages had never occurred. In December 2009 police arrested more than 100 persons at a demonstration in anticipation of a response from local officials to their petition. Among those arrested were two political figures, Assefa Arure and Dulecha Robe. According to press reports, as well as a former member of parliament, Demboba Boku, on January 5-6, police arrested three students at Awassa University in connection with the riots.

There were no developments in the 2008 beatings of Dejen town residents who were protesting the stalling by local officials of the residents' application for use of nearby farmland.

Freedom of Association

Although the law provides for freedom of association and the right to engage in unrestricted peaceful political activity, the government limited this right in practice.

In accordance with the Charities and Societies Proclamation (CSO law), adopted in February 2009, which entered into force in February, charities and civil society organizations (CSOs) were required to reregister by February with the recently established Charities and Societies Agency (CSA). The CSA was originally under the authority of the MOJ but was moved to the Ministry of Federal Affairs before the end of the year. According to the MOJ, there were 3,522 organizations registered before the CSO law was adopted, and, after the law, 1,655 organizations reregistered.

The Ministry of Foreign Affairs screens applications for international NGOs and submits a recommendation on whether to approve or deny registration.

The Ethiopian Teachers' Association (ETA) has operated since 1967, but after the EPRDF took power in 1993, an alternate, pro-EPRDF ETA was established. In 1993 the original ETA and the government-supported ETA began a prolonged legal battle over the organization's name and property rights. In 2008 the Court of Cassation ruled against the original ETA and awarded its name and property to the pro-EPRDF ETA (see section 7.a.). In 2008 the original ETA applied to the MOJ for registration as the National Teachers' Association but was denied registration.

c. Freedom of Religion

For a complete description of religious freedom, please see the Department of State's *2010 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.

The government severely restricted the movement of persons into and within the Ogaden area of the Somali region, arguing that the ONLF armed insurgency posed a security threat (see section 1.g.).

The law prohibits forced exile, and the government did not employ it. Several citizens sought political asylum or remained abroad in self-imposed exile, including prominent human rights advocates.

In October the government announced a new policy that allows exiled Eritreans living in Ethiopia to become permanent legal residents of Ethiopia with full entitlement to public services.

Internally Displaced Persons (IDPs)

The Federal Disaster Risk Management and Food Security Sector (DRMFSS), under the authority of the Ministry of Agriculture and Rural Development, is the main government actor responsible for the emergency needs of IDPs, in collaboration with the Ministry of Health, Agriculture, and Water Resources. However, there was no coordination mechanism and no government policy dedicated particularly to IDPs and related matters. The DRMFSS mandate includes only assistance and not protection, return,

resettlement, or finding durable solutions, and IDP matters are dealt with mostly on an ad hoc basis.

The relationship between conflict and natural disaster-induced displacement in Ethiopia was complex. In some cases conflict has arguably exacerbated displacements caused by drought conditions (e.g., those in the Somali region), resulting in mixed causes of displacement. The UN Office for the Coordination of Humanitarian Affairs estimated there were between 300,000 and 350,000 natural disaster and conflict-induced IDPs, including an estimated 62,259 from Gambella and 184,239 from the Somali region and Oromia.

In Gambella intercommunal conflict and cross-border conflict with residents of Sudan over resources continued to exacerbate vulnerabilities and lead to displacement. The regional government stated that the number of persons affected by conflict between clans was not available but acknowledged it was a concern. In addition the impact of raids by Murle and Lou Nuer Sudanese led to the displacement of residents from the woredas of Akobo, Jor, Jikawa, and Wantawa. A joint government and humanitarian partners' assessment, completed in March, indicated that approximately 11,460 households – 57,300 persons – were displaced from the woredas of Mathar, Lare Itang, and Jor.

In July 2009 Menit Goldia and Menit Shasha (Amhara region) woreda officials forced an estimated 5,500 Bench Maji persons from their homes for unknown reasons. Many fled to Addis and appealed to several government officials. Some also filed a complaint with the Office of the Ombudsman. Following a joint investigation by regional and zonal government authorities, a decision was made to allow those who settled in Menit Goldia and Menit Shasha woredas prior to August 1997 to resettle in their respective woredas. At the end of 2009, woreda officials continued discussions as to the process of resettlement. Those who arrived after August 1997 were sent back to the Amhara region. Vehicles were provided by the Amhara regional government, but most of the victims chose not to go because they considered themselves to be from the Welkite and Gojeb areas in the SNNPR.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 Convention relating to the Status of Refugees, its 1967 Protocol, and the 1969 Organization of African Unity Convention Governing the Specific Aspects of the Refugee Problem in Africa. The government has established a system for providing protection to refugees. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of

their race, religion, nationality, membership in a particular social group, or political opinion, and it granted refugee status and asylum. The government generally cooperated with the UN Office for the High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and returning citizens. There were continued anecdotal reports that Ethiopian asylum seekers deported from Yemen were detained upon return to the country.

In February, in cooperation with the UNHCR, the government opened a new refugee camp, Melkadida, northwest of the town of Dolo Odo, near the border with Kenya and Somalia, to accommodate new Somali refugees, since Bokolmayo camp, which opened in April 2009, had reached its 20,000-person capacity. The capacity of the new camp was 30,000 refugees, and it held more than 22,659 refugees as of year's end. The UNHCR and the government also planned to increase the population capacity of Bokolmayo to 30,000 to deal with the continued influx of Somali asylum seekers. Registration of new arrivals in the transit center in Dolo Odo averaged 1,700 per month.

The number of Eritrean asylum seekers increased, with approximately 1,000 to 1,500 new arrivals per month, according to the International Organization for Migration (IOM), compared with 800 to 1,000 in 2009. As in the previous year, approximately half, an estimated 500 to 750 Eritrean refugees a month, departed monthly on secondary migration through Egypt and Sudan to go to Europe and other final destinations.

In April the government opened a new refugee camp for Eritreans, Adi Harush, located less than nine miles from My Ayni camp. The UNHCR continued to assist in the reception and transportation back to My Ayni or Adi Harush of more than 150 Eritrean refugees who had been detained in Egypt and deported by the Egyptian authorities. Overall, the UNHCR reported 44,823 Eritrean refugees living in Ethiopia at year's end. The UNHCR and the government also reported a significant increase in the number of unaccompanied minors fleeing Eritrea. The population of such minors grew from 336, in December 2009, to 1,100 as of year's end. Unaccompanied minors in the 15- to 17-year age group represented more than 75 percent of the total population of such minors, consisting of those individuals who stated that they fled Eritrea to avoid military conscription.

In August the government announced an out-of-camp policy for Eritrean refugees, a change to its previous requirement that all refugees remain in designated camps, most of which were located near the borders with Eritrea, Somalia, and Sudan, unless granted permission to live elsewhere in the country. Prior to this new policy, such permission was given primarily to attend higher education institutions, undergo medical treatment, or avoid security threats at the camps. The policy permitted Eritrean refugees to live

outside the three camps located in the north of the country. The policy provided more freedom of movement to Eritrean refugees and eased the burden of providing services within the camps. There were more than 1,700 urban refugees registered with the UNHCR and the government, most of them from Somalia, Eritrea, and the Democratic Republic of the Congo.

The government, in cooperation with the 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 the IOM processed 4,606 refugees who departed for resettlement abroad. While still ongoing, interest in Sudanese repatriation waned, and the UNHCR and the government did not assist the return of any Sudanese refugees to their homes during the year.

On January 18, police outside of My Ayni camp fired upon a car that failed to stop at a police checkpoint, killing one female refugee and seriously wounding two others. On June 12, police shot three Eritrean refugees, one fatally, at a police checkpoint outside My Ayni. In both instances the refugees were seeking to leave My Ayni for secondary migration to Sudan and Egypt. In response the UNHCR officially wrote to the government to request an investigation.

On April 28, nine Somali refugees from Kebrebeyah refugee camp were arrested on suspicion of affiliation with the ONLF. All were released later without charge. On June 30, one refugee from Kebrebeyah was sentenced to eight years in prison for having links to the ONLF.

At year's end four of the refugees arrested in December 2009 remained in prison without charge. The Administration of Refugee and Returnee Affairs, an Ethiopian government agency, but not the UNHCR, had access to the prisoners.

As in 2009 there were no allegations of government cooperation with the government of Sudan in the forcible repatriation of Ethiopian refugees. In 2009 there were instances of refoulement, in which Ethiopian refugees from Somaliland and Puntland were turned over to government security forces.

There were no developments in the ongoing investigation of the December 2009 arrest of eight Kebrebeya camp refugees by police and the subsequent killing of three of them by the military. The government asserted that the individuals were IDPs, not refugees. When shown proof from the UNHCR database that the individuals were indeed registered refugees, authorities alleged the individuals were Ethiopians posing as refugees. The

UNHCR transferred two of the families of the refugees involved in the incident away from Kebrebeayah due to continued harassment by security forces. At year's end the government continued to investigate the incident.

Section 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. In practice the country has never had a peaceful change of government, and the ruling EPRDF and its allies dominated the government. In simultaneous national and regional parliamentary elections in May, the EPRDF received approximately 79 percent of the total votes cast but won more than 99 percent of all legislative seats. Election day was peaceful, as 93 percent of registered voters cast ballots, but independent observation of the vote was severely limited. Accredited diplomats were restricted to the capital and barred from proximity to polling places. Although those few independent observers allowed access to the process did not question the EPRDF victory, there was ample evidence that unfair government tactics – including intimidation of opposition candidates and supporters – influenced the extent of that victory. International observation was limited to 60 observers from the African Union (AU), who arrived on May 16 for the May 23 vote, and 120 observers from the EU, some of whom arrived as early as February. In preliminary comments following the elections, the AU pronounced them free and fair. The EU concluded that the elections fell short of international standards for transparency and failed to provide a level playing field for opposition parties. Overall the EU observed a "climate of apprehension and insecurity," noting that the volume and consistency of complaints of harassment and intimidation by opposition parties was "a matter of concern" and had to be taken into consideration "in the overall assessment of the electoral process."

Elections and Political Participation

The constitution provides citizens the right to freely join political organizations of their choice; however, in practice these rights were restricted through bureaucratic obstacles and government and ruling party intimidation, harassment, and arrests, with physical threats and violence used by local officials and EPRDF operatives, local police, and shadowy local militias under the control of local EPRDF operatives.

In the May national and regional parliamentary elections, the EPRDF and its affiliates won 2,450 of 2,453 seats. Coupled with the 2008 local elections, in which the EPRDF and its affiliates took all but four of 3.4 million seats after a boycott by most of the opposition, the May electoral cycle solidified the EPRDF's political domination at every level of government.

An environment conducive to free and fair elections was not in place in the two years prior to the May elections. The EPRDF employed advantages of incumbency to restrict political space for opposition candidates and activists. On the federal level, a series of reforms passed by the EPRDF-dominated parliament allowed the EPRDF to progressively narrow the freedom of opposition parties and civil society organizations to participate in the elections process. The parliament enacted a code of conduct that created a system of "joint councils" through which political parties could present all manner of complaints for peer review and arbitration. In practice only 16 of the 637 joint councils envisioned for the country were in fact formed, and only the Addis Ababa Joint Council took up cases in earnest. In an April speech, Prime Minister Meles threatened opposition leaders with postelection criminal prosecution for unspecified violations of the electoral code of conduct; however, there were no prosecutions by year's end. At the local level, thousands of opposition activists complained of EPRDF-sponsored mistreatment, ranging from harassment in submitting candidacy forms to beatings by local militia members, and complained further that there was no non-EPRDF dominated forum to which to present those complaints. Although the law provides for partial public funding of campaigns, in practice opposition parties received very little public funding, since funding was allocated on the basis of the number of seats held by each party in the parliament. The law also permits private citizens and companies to contribute to campaigns, but recently enacted disclosure rules likely limited contributions to opposition parties. The EPRDF entered the election season with millions of dollars, whereas major opposition parties were virtually bankrupt.

The parliament also enacted the CSO law, which prohibited NGOs with greater than 10 percent foreign funding from participating in the elections process. This essentially eliminated independent civil society participation in the elections.

Voter education efforts, previously undertaken by civil society, were taken over exclusively by the NEBE, which launched its voter education campaign only days before the election and limited it to instruction on finding polling stations and completing ballots. The major educational effort that would have been required to explain to voters, the majority of whom were illiterate, that they were free to vote for whomever and whichever party they chose was not undertaken.

The EPRDF controlled all 112 seats in the House of Federation, the upper house of parliament, whose members were appointed by regional governments and by the federal government. The primary role of the Upper House is to judge, as necessary, the constitutionality of the laws passed by the lower house and to allocate financial resources from the federal government to the regions.

An opposition candidate for the federal parliament, Aregawi Gebreyohannes, was killed on March 2, in western Tigray. He was a member of the Arena Tigray Party, which belonged to the Forum opposition coalition. The party chief, Gebru Asrat, said that the killing came after weeks of harassment and multiple politically motivated arrests of Aregawi. The government stated that the death stemmed from a personal dispute and confrontation between Aregawi and Tsige Berhane, a customer in Aregawi's restaurant. Tsige was convicted of murder on March 10 and sentenced to 15 years in prison.

On April 16, Biyansa Daba died in an Addis Ababa hospital. Members of Biyansa's family and Forum coalition leaders claimed that Biyansa was a Forum activist who had been repeatedly harassed and physically abused by local officials, police, and militia in his home village of Balemi, in Oromia. Biyansa's family and neighbors said that he had been severely beaten by local police and militia outside his home approximately two weeks before his death and had sought medical treatment in Balemi and Ambo before being transferred to an Addis Ababa hospital. Local officials and police insisted that Biyansa was an EPRDF supporter, denied that any beating took place, and did not investigate the allegations. EPRDF leaders in Addis Ababa insisted that Biyansa died of natural causes and produced an autopsy report to that effect. Dergis Merera, a close friend of Biyansa's who said he witnessed the beating and saw the medical records, stated that Biyansa's death was the result of trauma from the beatings. Dergis was arrested in May and convicted of "organizing an uprising to disrupt the constitutional order." He was released from Ambo prison in September.

The government policy of ethnic federalism led to the creation of individual constituencies to provide for representation of all major ethnic groups in the House of People's Representatives. There were more than 80 ethnic groups, and small groups lacked representation in the legislature. There were 24 nationality groups in six regional states (Tigray, Amhara, Beneshangul, SNNPR, Gambella, and Harar) that did not have a sufficient population to qualify for constituency seats based on the 2007 census result; however, in the May elections, individuals from these nationality groups competed for 24 special seats in the House of People's Representatives. Additionally these 24 nationality groups have one seat each in the unelected, largely ceremonial House of Federation.

During the year the United Ethiopian Democratic Forces, UDJ, OFDM, Arena Tigray for Democracy and Sovereignty, and OPC reported arrests of members and the forced closure of political party offices throughout the country, as well as intimidation of landlords to force them to evict the political groups (see section 1.d.).

During the year some opposition political leaders, including federal and regional members of parliament (MPs), were discouraged or physically blocked from traveling to their constituencies to meet with supporters, although others visited constituents without incident. In January police and militia in the Oromia region, as well as civilians, allegedly physically harassed two senior leaders of OPC when they tried to register candidates.

Reporting from Human Rights Watch further documented preelection intimidation and harassment of opposition candidates and activists by the government and the EPRDF. In the period prior to the election, the government jammed both VOA and Deutsche Welle Ethiopian-language broadcasts and blocked their Web sites, a state of affairs that lasted until October.

There were 152 women in the House of People's Representatives, two female judges on the 11-seat Supreme Court, and three women among the 39 state ministers.

Membership in the EPRDF conferred advantages upon its members; the party directly owned many businesses and was broadly perceived to award jobs and business contracts to loyal supporters. There were frequent reports that local authorities told opposition members to renounce their party membership and become EPRDF members if they wanted access to subsidized seeds and fertilizer; food relief; civil service job assignment, promotion, or retention; student university assignment and postgraduate employment; and other benefits controlled by the government.

During the year 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 such as the OFDM and the OPC, the Oromia regional government continued to threaten to dismiss opposition party members – particularly teachers – from their jobs.

Registered political parties must receive permission from regional governments to open and occupy local offices. There were, however, reports of opposition parties closing offices due to coercion by local officials. A common tactic reported was to intimidate landlords into evicting their political party tenants. Another factor that influenced the closing of offices was a decrease in the availability of funding. For example, the OPC had no more than seven offices, down from more than 100 in 2005.

The political leaders of the OPC, Major Mekonnen Geleta and Colonel Asrat Tekalegne, alleged that supporters of the ruling party, including EPRDF woreda officials, beat and intimidated them as they tried to register their party's candidates for the May election.

They did not pursue legal action, stating that appeal to the EPRDF-dominated local institutions would be pointless and potentially dangerous.

Merera Gudina, the chairman of the OPC, stated that he was unable to register candidates in five woredas; that security forces attacked and damaged an OPC vehicle, stole party documents, and beat representatives traveling to East Wallega to register candidates; that the police in the Somali region prevented him from holding a rally by dispersing the crowd; and that of 38 events planned at the woreda level, he was able to hold only six.

There were no developments in the 2008 beating of federal MP Gutu Mulisa and suspected CUD supporter Bilisuma Shuge.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption. Corruption remained a problem, particularly among traffic police who routinely solicited bribes. The World Bank's 2009 Worldwide Governance Indicators made it clear 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, some government officials appeared to manipulate the privatization process, and state- and party-owned businesses received preferential access to land leases and credit.

In March parliament passed the Disclosure and Registration of Assets Proclamation, requiring that all government officials and employees officially register their wealth and personal property. The registration of assets of government officials began in December. At year's end the president, prime minister, and all the cabinet-level ministers registered their assets.

On April 22, the Federal High Court handed down sentences of two to 15 years, in addition to fines, for seven defendants accused of corruption in connection with a scheme to sell land in Addis Ababa illegally. Behailu Lemma Dinku, a former technician in the Land and Housing Department, created two front companies to appropriate 205 million birr (\$12.5 million) worth of city land illegally; two employees of the land-leasing company acted as his chief accomplices, formalizing the fake associations.

The Federal Ethics and Anti Corruption Commission released a statement claiming that from March through May, 110 persons convicted of corruption were sentenced to prison

terms ranging from one to 21 years and fined amounts ranging from 3,000 to 5,000 birr (\$183 to \$305). The statement said that the individuals were found guilty of abusing power, embezzling public property, receiving bribes, and administrative mismanagement. Among the individuals sentenced to 21 years was the previous finance section head of the Federal Courts Law Enforcement Division, Goshu Andualem, and the former manager of the land development office of the Kolfe subcity in Addis Ababa, Wondwosen Alemu. Nineteen of the 110 individuals convicted were reported to be women.

Government tenders were occasionally discontinued after bids were received, rereleased several times without being filled, or awarded to bidders with strong links to the government and ruling party with little to no transparency in these processes or reviews.

In February 2009 the Ethics Commission reported that it conducted investigations on and arrested 203 corruption suspects from August 2008 to January 2009. The Ethics Commission also reported it held a training session for 553 persons on the concept of ethics, the anticorruption law, and corruption-prevention strategies.

In October 2009 federal MP Belete Etana Disassa published allegations of several instances of serious corruption within the federal government, including illegal procurement, unlawful payments, and unaccounted spending amounting to more than 2.5 billion birr (\$152 million).

In December 2009 the Federal High Court sentenced nine army officers and Kolfe-Keranyo subcity officials of Addis Ababa to from seven to 10 years' imprisonment and fines of 5,000 to 10,000 birr (\$305 to \$620) for illegally possessing land worth more than 6.7 million birr (\$409,000) for personal gain.

In 2008 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 that violated government bid regulations and cost 1.52 billion birr (\$92.7 million). In August the ETC found that the evidence against Tesfaye and the others presented a prima facie case of corruption and ordered the 12 defendants to present their cases, which were pending at year's end.

In 2008 the Ethics Commission accused eight high-ranking National Bank officials of involvement in a gold scandal worth 158 million birr (\$9.7 million). The Federal High Court ordered the defendants to present their cases. The cases were pending at year's end.

Police and judicial corruption continued to be problems.

The law provides for public access to government information, but access was largely restricted in practice. The Press Law, passed in 2008, included freedom of information provisions.

The government publishes its laws and regulations in the national gazette prior to their taking effect. The Communication Affairs Office managed contacts between the government, the press, and the public; however, the private press reported that the government routinely refused to respond to queries from the private press.

Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few domestic human rights groups generally operated, although with significant government restriction. The government was generally distrustful and wary of domestic human rights groups and international observers. Particularly in the period prior to the May national elections, continuing through the immediate postelection environment, the national media were critical of international human rights groups such as Human Rights Watch (HRW), which they accused of promoting subversive "neoliberal" and "rent-seeking" agendas, and the government restricted diplomatic movements in the country around the time of the election.

Both before and after the May national elections, small demonstrations were instigated against HRW. HRW was strongly criticized for interference in internal country affairs. On November 8, the EU Election Observer Mission issued its final report on the elections, criticizing what it described as an electoral process that "fell short of international commitments for elections, notably regarding the transparency of the process and the lack of a level playing field for all contesting parties." It described "the blurring of the distinction between the ruling party and the local administration" at the kebele level, and it found discrepancies between the final results from polling stations and the previously recorded vote counts in 27 percent of observed cases.

On February 13, the CSO law entered into force following a one-year grace period. During the grace period, NGOs and CSOs had to complete new registration processes. The law prohibits charities, societies, and associations (NGOs or CSOs) 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 persons with disabilities; equality among nations, nationalities, people, genders, and religions; conflict resolution or reconciliation; and the promotion of justice. During the grace period, leading human rights defender organizations adjusted by registering either as

local charities, meaning that they could not raise more than 10 percent of their funds from foreign donors, or as "Resident Charities," which allowed donations but prohibited activities in the enumerated areas.

Two prominent human rights defender organizations – EHRCO and the Ethiopian Women Lawyers' Association (EWLA) – registered as local charities to preserve their mission and adjust to the law. For EHRCO the only organization in the country doing actual investigation and reporting on alleged human rights abuses, the readjustment also included dropping its "Ethiopian" designation, since it could not afford to retain offices in at least five regions, as required by the CSO law. Therefore, it eliminated "Ethiopian" from its name and registered as HRCO. The CSA set up by the government to oversee NGOs froze the accounts of these two and four other organizations, claiming that funds raised in 2009 would have to be cross-checked against the annual work plan for the year. Donors demanded that the seized assets be returned to the organizations, or at least to donors, but the matter remained unresolved at year's end.

EWLA was the prominent women's rights advocacy NGO providing support services to disadvantaged women in three major areas: research and advocacy to find gender gaps and suggest amendments to the national laws, legal aid to support victims of violence and resolve civil problems in marriage relations as well as employment, and public education to influence aspects of the traditional outlook that are harmful to women and girls. Due to financial cutbacks, EWLA significantly reduced its public education program, decreased its staff by 70 percent, and closed its hotline.

Other prominent organizations, such as the Ethiopian Bar Association were compelled to seek reregistration under new names, since their names were appropriated by new, identical associations organized by the EPRDF.

There were 3,522 organizations registered before the CSO law was adopted, and, after the law 1,655 organizations reregistered. The government maintained that the majority of the organizations that did not reregister had not functioned organizations prior to the reregistration process.

The government harassed individuals who worked for domestic human rights organizations. For example, in June 2009 Werebabo woreda officials in South Wollo zone arrested EHRCO investigator Mulugeta Fentaw in Bistima town. He was charged with stealing 200 birr (\$12.21) and sentenced to eight months in prison. In July 2009 the zonal high court dismissed the case (see section 1.d.).

The government generally cooperated with international organizations such as the UN. In 2009 with the assistance of the Office of the High Commissioner for Human Rights,

East Africa Regional Office, the government undertook a project to prepare all of its overdue initial, combined, and periodic reports required under various international and regional human rights instruments, and by year's end all reports were completed, with the process of review in various committees underway.

The government continued to restrict Somali region access to the MSF and other NGOs (see section 1.g.).

The government denied NGOs access to federal prisons, police stations, and political prisoners. There were credible reports that security officials continued to intimidate or detain local individuals to prevent them from meeting with NGOs and foreign government officials investigating allegations of abuse.

In May 2009 state-owned Ethiopian Television broadcast a three-part documentary claiming to refute cases of human rights abuses documented by foreign observers. The Ministry of Foreign Affairs initiated an ostensible "investigation" conducted by the Ethiopian News Agency (ENA), a part of the government Communication Affairs Office. Human rights abuse victims and their families, neighbors, and friends were questioned by ENA officials, sometimes while being recorded on video and escorted by armed security officers. The testimony by individuals confirming their stories of abuse to these investigators was excised from the final documentary report. The government-established Ethiopian Human Rights Commission, which is funded by the parliament and subject to parliamentary review, investigates human rights complaints and produces both annual and thematic reports, although it did not release any reports during the year. The Office of the Ombudsman has the authority to receive and investigate complaints with respect to administrative mismanagement by executive branch offices. The office received hundreds of complaints during the year, mainly focused on delays or denials in services, improper institutional decisions, promotions or demotions, and pension matters. It was not known which complaints were investigated or acted upon.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution 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 provides women the same rights and protections as men. Harmful Traditional Practices (HTPs) such as FGM, abduction, and rape are explicitly

criminalized; however, enforcement of these laws was inconsistent. 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 experienced gender-based violence daily, but it was underreported due to cultural acceptance, shame, fear, or a victim's ignorance of legal protections. The National Committee for Traditional Practices in Ethiopia identified 120 HTPs. One of the most prevalent HTPs, FGM, was still widespread but declining. In 2000 the Ethiopian Demographic and Health Survey found that FGM was practiced on 80 percent of all women surveyed, while the total dropped to 74 percent of all women surveyed in 2005. Furthermore, the number of younger women subjected to FGM was declining more rapidly; in 2005, 81 percent of women ages 35-39 had been subjected to FGM, compared with 62.1 percent of women ages 15-19. The same survey found that four in five women who had been subjected to FGM in the Somali region, and three in five in the Afar region, underwent infibulation, the most severe form of FGM. 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 and provides penalties of five to 20 years' imprisonment, depending on the severity of the case; however, the law does not expressly address 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 in an estimated population of 3.5 million persons; the true incidence may have been much higher. More recent statistics on the number of abusers prosecuted, convicted, or punished were not available. However, EWLA reported that in 2006, 558 rape cases were reported and 281 offenders were punished. Additionally, in 2005, 938 incidents of rape were reported; however, only 103 offenders were punished. The length of imprisonment for offenders in both years was unknown.

Domestic violence, including spousal abuse, was a pervasive social problem. The 2005 Demographic and Health Survey (DHS) found that 81 percent of women believed a husband had a right to beat his wife. A 2005 World Health Organization study found that in two rural districts in SNNPR, Meskan and Mareko, 71 percent of women were subject to physical or sexual violence, or both, by an intimate partner during their lifetime. Although 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. Domestic violence is illegal under the criminal code. Depending on the severity of damage inflicted,

punishment varies from small fines to imprisonment for up to 10 to 15 years. During the year the government expanded its efforts to combat domestic violence by setting up a hotline run by the Federal Police, under the Ministry of Federal Affairs; another domestic violence hotline established by EWLA was closed due to budget constraints. In addition police officers were required to receive domestic violence training from domestic NGOs and the Ministry of the Women's Affairs. There is a deputy commissioner of women's and children's rights in the EHRC.

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 was not uniformly enforced. The 2005 DHS found that among women ages 25-49, 66 percent were married by age 18 and 79 percent were married by age 20. The median age at first marriage among women ages 25-49 was 16.1 years of age, with a range of 14.2 years in Amhara to 21.9 years in Addis Ababa. There was little change in these numbers between the 2000 and 2005 studies, although it appeared that there was a small decline in marriages at the earliest ages.

In 2004 the Ministry of Health launched an ambitious Health Sector Development Program that significantly increased access to health care, especially in rural areas. The Health Extension Program (HEP) supports a paid health extension worker at a health post in every area with a population of at least 5,000; health posts feed into a health center that provides limited services. The HEP contributed significantly to increases in access to improved water and sanitation, family planning, and immunization, which in turn have drastically improved health indicators. For example, according to the 2000 DHS, the contraceptive prevalence rate among married women was 8 percent, of which 6.3 percent used modern methods. This increased to 14.7 percent in 2005, with 13.9 percent of that due to modern methods. The DHS's 2009 Last Ten Kilometers Project baseline survey reported a contraceptive prevalence of 32 percent in the four most populous agrarian regions (accounting for 80 percent of the country's population). Similarly, under-five mortality declined from 166 deaths per 1,000 live births in 2000 to 123 deaths per 1,000 live births in 2005 (DHS). Infant mortality declined from 97 to 77 per 1,000 live births. Maternal mortality rates declined from 871 in 2000 to 673 in 2005.

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. Courts generally did not consider domestic violence a 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 relationship ended. A common-law husband had no obligation to provide financial assistance to his family, and as a result, women and children sometimes faced abandonment. Notwithstanding progressive provisions in the formal law, such as the family law passed in 2000, traditional courts continued to apply customary law in economic and social relationships.

According to the constitution, all land belongs to the government. However, both men and women have land-use rights, which they can pass on as an inheritance as long as their offspring are also engaged in farming. Those who use the land may rent all or a portion of their land according to regional land laws, which vary from region to region. In Amhara one may rent up to 100 percent of one's land for a maximum of 25 years; in Tigray and SNNPR, up to 50 percent of land may be rented for a maximum of 20 years; in Oromia the maximum duration of the lease is 15 years. All recently passed federal and regional land laws empower women to access government land. Inheritance laws also enable widowed women to inherit joint property they acquire during marriage. At year's end Gambella and Benishangul-Gumuz had not passed regional land policies.

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 the opportunity to own and/or manage a business was further limited by their low level of education and training, traditional attitudes, and limited access to information.

The MOE reported that female participation in undergraduate and postgraduate programs had increased to 90,938 in 2008-09 from 33,146 in 2004-05, due to the expansion of higher-learning institutions, awareness training, and the establishment of gender offices in universities.

Children

The constitution provides a comprehensive list of rights for children. Citizenship is derived from one's parents.

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, tuition-free, and compulsory; however, there were not enough schools to accommodate the country's youth, particularly in rural areas. The cost of school supplies

was prohibitive for many families, and there was no legislation to enforce compulsory primary education.

Child abuse was widespread. Unlike in previous years there was no training of police officers on procedures for handling cases of child abuse. One NGO that assisted in the training lost foreign funding because of the CSO law and had ceased its operations.

A 2009 study conducted by the African Child Policy Forum revealed that prosecuting offenders for sexual violence against children was difficult due to inconsistent interpretation of laws among legal bodies and the offender's right to bail, which often resulted in the offender fleeing or coercing the victim or the victim's family to drop the charges.

Societal abuse of young girls continued to be a problem. HTPs included FGM, early marriage, marriage by abduction, and food and work prohibitions. A 2006 African Child Policy Forum retrospective survey indicated that 68.5 percent of girls surveyed had been sexually abused and 84 percent had been physically abused.

The majority of girls and women in the country had undergone some form of FGM. Girls typically experienced clitoridectomies seven days after birth (consisting of an excision of the clitoris, often with partial labial excision) and faced infibulation (the most extreme and dangerous form of FGM) at the onset of puberty. A 2008 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 clitoridectomy, with imprisonment of at least three months or a fine of at least 500 birr (\$30.53). Likewise, infibulation of the genitals is punishable with imprisonment of five to 10 years. However, no criminal charges have ever been brought for FGM. The government discouraged the practice of FGM through education in public schools and broader mass media campaigns.

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 HTPs and early marriage in their areas. Child marriage was a problem particularly in Amhara and Tigray, where girls were routinely married as early as age seven, despite the legal minimum age of 18 for marriage. Regional governments in Amhara and Tigray ran programs to educate young women on issues associated with early marriage. There were some signs of growing public awareness in communities of the problem of abuse of women and girls, including early marriage.

Marriage by abduction is officially illegal, although it continued in some regions, including the Amhara, Oromia, and SNNPR, 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. EGLDAM (Ethiopia Goji Limadawi Dirgitoch Aswogaj Mahibar), the former National Committee for Traditional Practices in Ethiopia, reported in June that there were significant decreases in this practice in all regions over the past decade. Overall, 25 percent of women ages 60 and above reported marriage by abduction, but only 8 percent of women under age 30 reported this practice.

The commercial sexual exploitation of children continued during the year, particularly in urban areas. Girls as young as age 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. Within the country children were trafficked from rural to urban areas for domestic service, commercial sexual exploitation, and forced labor in street vending and other activities. Reports indicated that children were trafficked from Oromia and SNNPR to other regions of the country for forced or bonded labor in domestic service.

According to a Ministry of Labor and Social Affairs (MOLSA) report, approximately 150,000 children lived on the streets, and 60,000 of these children lived in the capital. The MOLSA report stated that the problem was exacerbated because of families' inability to support children, due to parental illness and insufficient 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. "Handlers" sometimes maimed or blinded children to raise their earnings from begging.

There were reports during the year of recruitment of child soldiers in connection with the Somali region conflict (see section 1.g.).

There were an estimated 5.4 million orphans in the country, according to the report of Central Statistics Authority. Government-run orphanages were overcrowded, and conditions were often unsanitary. Due to severe resource constraints, hospitals and orphanages often overlooked or neglected abandoned infants. Children did not receive adequate health care, and several infants died due to lack of adequate medical

attention. There were multiple international press reports that parents received payment from some adoption agencies to relinquish their children for international adoption, and that some agencies concealed the age or health history of children from their adoptive parents. The government was slow to investigate these allegations.

The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

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

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual [*Trafficking in Persons Report*](#).

Persons with Disabilities

The constitution does not mandate equal rights for persons with disabilities. However, two laws prohibit discrimination against persons with physical and mental disabilities in employment and mandate access to buildings.

The Right to Employment of Persons with Disabilities Proclamation, gazetted in 2008, prohibits employment discrimination on the basis of disability. It also states that employers are responsible for providing appropriate working or training conditions and materials to persons with disabilities. The law specifically recognizes the additional burden on women with disabilities. The government took limited measures to enforce the law. For example, the government assigned interpreters for hearing-impaired civil service employees.

The Ethiopian Building Proclamation, gazetted in May 2009, contains an article that mandates building accessibility and accessible toilet facilities for persons with physical disabilities. In addition landlords are required to give persons with disabilities preference for ground-floor apartments, and this was respected in practice.

Women with disabilities were more disadvantaged than men in education and employment. An Addis Ababa University study showed that female students with disabilities were subjected to a heavier burden of domestic work than their male peers. The enrollment rate for girls with disabilities was lower than for boys at the primary

school level, and this gap increased at higher levels of education. Girls with disabilities also were 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 were several schools for hearing and visually impaired persons and several training centers for children and young persons with intellectual disabilities. There was a network of prosthetic and orthopedic centers in five of the nine regional states.

The CSO law that went into effect in February prohibits organizations receiving more than 10 percent of their funding from foreign sources from promoting the rights of persons with disabilities. Several domestic associations, such as the Ethiopian National Association of the Blind, Ethiopian National Association of the Deaf, and Ethiopian National Association of the Physically Handicapped, were negatively affected by the legislation.

National/Racial/Ethnic Minorities

There are more than 80 ethnic groups, of which the Oromo, at 40 percent of the population, is the largest. 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.

In late January and early February, press reports alleged and credible sources confirmed that some students in Addis Ababa who originated from the Ogaden province of the Somali regional state were being arrested. In a criminal trial, the government charged Mohamed Muse, Ahmed Nure Abdi Ali, Meryamo Moalin Abdu, Faysel Abdiquadir, and Siyad Sheekh with undermining the political and territorial integrity of the country, including membership in the ONLF, and raising finances for the ONLF. Codefendants Mohammed Muse, Ahmed Nure, and Meryamo Moalin Abdu were found guilty and sentenced to 11 years in prison. The other three defendants were acquitted and released.

In March press reports alleged that ethnic Oromos fled to Yemen due to fear of political persecution and systematic abuse. However, the IOM reported that a significant portion of the migrants returning from Yemen were from Oromia.

In June 2009 several minority ethnic groups in SNNPR (composed of more than 50 minority ethnic groups) complained the government took measures to silence indigenous persons who protested the exploitation of natural resources. The regional State Justice

Bureau of SNNPR revoked the licenses and suspended the activities of 42 community-based organizations (CBOs) for engaging in activities outside their mandate. Alleged infractions included mobilizing communities against the use of fertilizers, setting up a parallel government, promoting harmful traditional practices, nontransparent remuneration and accounting practices, producing no visible development projects for the perceived amount of money the associations were receiving, and practicing traditional rites that offended Christians. All of the CBOs were cultural and environmental preservation associations. The associations denied some or all of the allegations and lodged appeals with the Office of the Prime Minister, the ombudsman, the House of People's Representatives, and the House of Federation. The case continued at year's end.

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

There were no developments in the following 2008 ethnic conflict incidents: the Holte-Keyama kebele conflict that resulted in the killing of 18 persons and the injury of 26; the Borena and Gheri ethnic conflict that resulted in the death of 600 persons and the displacement of thousands; the Oromo, Afar, and Argoba conflict that resulted in the killing of 14 persons and severe injury to 18; and the killing of Zewdu Abate.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexuality is illegal and punishable by imprisonment under the criminal code. Instances of homosexual activity involving coercion or involving a minor (ages 13 to 16) are punishable by imprisonment prison term of anywhere from three months to five years. Where children under 13 years of age are involved, the law provides for imprisonment of five to 25 years. There were some reports of violence against lesbian, gay, bisexual, and transgender individuals; however, reporting was limited 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 2008 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. At year's end no action had been taken on the resolution.

Other Societal Violence or Discrimination

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 were no statistics on the scale of this problem.

Section 7 Worker Rights

a. The Right of Association

The law provides most workers with the right to form and join unions, and the government permits unions in practice. However, the law specifically excludes managerial employees, teachers, and civil servants (including judges, prosecutors, and security service workers) from organizing unions. Approximately two-thirds of union members belong to organizations affiliated with the Confederation of Ethiopian Trade Unions, which is under the influence of the government. There was no reported government interference in trade union activities during the year, because the major trade unions were government-established entities.

A minimum of 10 workers is 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. 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 400,000 workers were union members.

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

Under a regulation passed in 2008, the Ethiopian Revenue and Customs Authority's director general has the sole power to dismiss government workers suspected of corruption. Courts have no authority to reinstate workers cleared of such charges.

Based on a 2008 Council of Ministers' regulation, the government sued the Workers' Association of the National Bank of Ethiopia (central bank) in the Federal High Court, claiming that the bank was a nonprofit government agency and that the labor union should be dissolved. In February 2009 the High Court ruled that the association could not

be dissolved by a regulation while the rights of workers of the bank were protected by law. The government appealed to the Supreme Court, and at year's end the case was pending.

In 2008 the Supreme Court ruled that the independent ETA be shut down and forfeit its name, property, and bank assets to the government-controlled ETA. The decision capped 15 years of lengthy legal proceedings and appeals. Subsequently, the original ETA applied for registration with the MOJ as the National Teachers' Association but was denied registration. Leaders of the organization sued the MOJ for refusing to register their association but lost in the Federal First Instance Court. They appealed to the Federal High Court in June 2009 and reapplied for registration with the CSA. On April 19, the High Court ruled that the case could be referred to the CSA. The agency refused to register the National Teachers' Association, explaining to its leaders that their organization was superfluous given the existence of the government-controlled ETA. The original ETA leaders planned to appeal the decision to the CSA board, a body that began operations in August.

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 when the case is referred to a court or labor relations board. The law requires aggrieved workers to attempt reconciliation with employers before striking and includes a lengthy dispute settlement process. These provisions applied equally to an employer's right to lock workers out. Two-thirds of the workers involved must support a strike for it to occur.

If a case has not already been referred to a court or labor relations board, workers retain 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 Ministry of Labor and Social Affairs and make efforts at reconciliation.

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.

Fourteen employees of Roto PLC were fired for arriving late on July 9. Another 20 employees went on strike in support of their 14 colleagues on July 30, claiming that the company had failed to respect the agreement it had signed with the employees' labor union. These 20 employees were also dismissed by Roto PLC. The Addis Ababa city administration Social and Labour Issues Office and the National Federation of Energy, Chemical, and Mine Trade Unions (NFECMTU) attempted to reconcile both sides, but the company refused to reinstate the 14 it had dismissed, as well as the 20 employees who went on strike as a result of the action taken against the 14. The company instead hired and trained 20 new employees and decided not to bring back the 34 employees. On August 4, the company stated that it was willing to pay compensation, but the employees wanted to negotiate for a return to work, not compensation. At year's end the NFECMTU was trying to intervene and reconcile both sides, but the dismissed employees stated that their intent was to take the matter to court if Roto PLC refused to negotiate a return to work.

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 take years to resolve because of case backlogs in the courts. 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

The law prohibits forced or compulsory labor, including by children; however, such practices occurred (see sections 6 and 7.d.).

Courts could order forced labor as a punitive measure. Additionally, 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.

Also see the Department of State's annual *Trafficking in Persons Report*.

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. By 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 are not permitted to work more than seven hours per day, between 10 p.m. and 6 a.m., on public holidays or rest days, or overtime. The law defines 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.

A 2001 survey conducted by the Central Statistics Agency found that approximately 58 percent of boys and 42 percent of girls ages five to 14 were working. These figures were supported by a 2006 UNHCR study on the worst forms of child labor. The great majority of working children were found in the agricultural sector (95 percent), followed by services, manufacturing, and other sectors. The number of working children was higher in Amhara, Oromia, SNNPR, and Tigray than in 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. The government claimed a 94 percent rate of initial school enrollment for children of primary school age.

According to the MOLSA, many children worked for their families without pay. In both rural and urban areas, children often began working at young ages. The MOLSA reported that two of five working children were below the age of six. In rural areas children worked in agriculture on commercial and family farms and in domestic service. Children in rural areas, especially boys, also engaged in activities such as cattle herding, petty trading, plowing, harvesting, and weeding, while other children, mostly girls, collected firewood and fetched water. In urban areas many children, including orphans, worked in domestic services, often working long hours, which may prevent them from attending school regularly. Anecdotal evidence suggests that some children in urban areas also worked in construction, manufacturing, shining shoes, making clothes, portering, directing customers to taxis, petty trading, and herding animals. According to social welfare activists and civic organizers, who cited anecdotal evidence, forced child labor was poorly documented, and child laborers often faced physical, sexual, and emotional

abuse at the hands of their employers. Also see the Department of State's annual *Trafficking in Persons Report*.

Estimates of the population of street children varied, with government estimates of approximately 100,000. In Addis Ababa alone, there were an estimated 50,000 to 60,000 street children, according to the MOLSA. Some of these children worked in the informal sector to survive.

Child labor issues are 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 children's rights, and criminal and civil penalties may be levied in child rights violation cases. In the absence of a national strategy, investigation and disposition in cases of the violation of children's rights was minimal.

To prevent children from being exploited for labor purposes, a joint police-NGO child victim identification and referral mechanism operated in the capital. Child Protection Units (CPUs) operated out of each Addis Ababa police station but were sponsored by an NGO, Forum for Street Children; the CPUs rescued and collected information on trafficked children that facilitated their return to their families. The CPUs referred 240 trafficked children to the IOM and local NGOs for care in 2006, 843 in 2007, 761 in 2008, and 723 in 2009. The CPUs also collected data on rescued children to facilitate their reunification with their families. At year's end the CPUs stopped child protection activities because the new CSO law prevents Forum for Street Children from conducting advocacy work in the area of children's rights. Previously, 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 child victims of 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 (\$20); employees in the banking and insurance sector had a minimum monthly wage of 336 birr (\$21). 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. Young girls continued to migrate, often illegally, to the Gulf States in search of housekeeping work in order to assist families back home and often fell victim to exploitation or were trafficked. Many of these girls were subjected to inhumane living and working conditions, and some lost their lives. In an effort to prevent these situations, the MOLSA continued to encourage illegal employment agencies to register as legal organizations.

The 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 39-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 precluded 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.