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Ethiopia Country Report on Human Rights Practices for 1996

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ETHIOPIA

Ethiopia continued its transition from a unitary to a federal system of government. Prime Minister Meles Zenawi leads the Government of the Federal Democratic Republic of Ethiopia, which was elected in 1995 to replace a transitional government that was established following a long and brutal civil war. Most opposition groups boycotted the elections, and candidates affiliated with the dominant party within the transitional government, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) won a landslide victory in national and regional contests. The EPRDF is in turn dominated by the Tigray Peoples' Liberation Front (TPLF). The judiciary is weak and overburdened, but showed increased signs of independence.

New federal regions, organized along ethnic lines, are increasingly autonomous, with greater local control over both fiscal and political issues. A history of highly centralized authority, great poverty, the recent civil conflict, and unfamiliarity with democratic culture all combine to complicate the implementation of federalism. The federal Government can not yet protect constitutional rights at the regional level, especially when local authorities are unwilling or unable to do so. Local administrative, police, and judicial systems remain weak in many regions.

Responsibility for internal security continued to shift from the military forces to the police in most regions. Throughout the year, military forces conducted low level operations against the Oromo Liberation Front (OLF) in parts of the Oromo regional state. The national police organization is subordinate to the Ministry of Justice. Some local officials and members of the security forces committed human rights abuses.

The economy is based on smallholder agriculture, with more than 85 percent of the population living in rural areas under very poor conditions. Per capita gross national product is estimated at \$120 per year. Real economic growth in 1996 was 7 percent. Coffee accounts for about 60 percent of export revenues. The Government continued to implement an internationally supported economic reform program designed to liberalize the economy and bring state expenditures into balance with revenues.

The Government took a number of steps to improve its human rights practices, but serious problems remain. Security forces sometimes beat

or mistreated detainees, and arbitrarily arrested and detained citizens. Prolonged pretrial detention is a problem. The judiciary lacks sufficient staff and funds, and consequently most citizens are denied the full protections provided for in the Constitution. The Government restricts freedom of the press and detained or imprisoned 14 journalists. At year's end, most were accused or convicted of inciting ethnic hatred or publishing false information in violation of the 1992 Press Law. The Government limits freedom of association and refused to register several nongovernmental organizations (NGO's), but otherwise did not prevent them from operating. Societal discrimination and violence against women and abuse of children remain problems; female genital mutilation is nearly universal. Societal discrimination against disabled persons is a problem.

The Government intensified measures to create a national, apolitical army by replacing thousands of demobilized Tigrayan soldiers with recruits from other ethnic groups. It implemented a training program in military justice and undertook programs to enhance the professional capacity and improve the performance of military personnel. It sought to strengthen the judiciary; additional civil and criminal judges were trained and assigned to regional courts, while efforts to eliminate judicial malfeasance resulted in the dismissal of many others. The Government sought to enhance transparency and accountability by publishing in state media several detailed reports of officials who were jailed or dismissed for abuse of authority, corruption, and violations of human rights. Governmental transparency, however, remains a problem. In October the Deputy Prime Minister and Minister of Defense was dismissed from all official posts for corruption.

The trial of the first group of defendants accused of war crimes under the brutal Marxist regime of Colonel Mengistu Haile Mariam (1974-1991), which began in December 1994, continued through the year. In December approximately 1,200 additional detainees were charged with war crimes.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no confirmed reports of extrajudicial killings by government security forces. However, unconfirmed reports alleged that the Government was responsible for extrajudicial killings in parts of Oromiya regional state related to actions directed against the OLF.

In September a court convicted in absentia and sentenced to death three Egyptian Islamic militants for the attempted assassination of Egyptian President Hosni Mubarak in June 1995. Mubarak was unhurt, but two policemen were killed.

The Islamic extremist group Al'Ittihad Al'Islami claimed responsibility for three hotel bombings in which several people were killed, as well as for an attempt on the life of Minister of Transport and Communications Abdulmejid Hussein. The Minister was wounded and two bodyguards were killed. In November the Al'ittihad terrorist cells believed responsible

for these actions were uncovered. The trial of those arrested continued at year's end.

The execution style killing in October of two foreigners in separate incidents in Dire Dawa is still under investigation. Banditry remained a serious problem in some parts of the country. Bandits, often heavily armed, killed civilians, police, and soldiers during robbery attempts. While government critics frequently ascribe political motives to bandit activity, most evidence suggests that these activities are primarily economically motivated.

b. Disappearance

There were no confirmed reports, but numerous unconfirmed reports, of alleged disappearances.

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

The Constitution prohibits the use of torture and mistreatment of prisoners. Nevertheless, there were numerous credible reports that security officials sometimes beat or mistreated detainees. Government media published occasional reports of officials who were jailed or dismissed for abuse of authority and violations of human rights.

Prison conditions are not generally life threatening and meet minimal international standards. Overcrowding, however, remains a serious problem. Prisoners are often allocated less than 2 square meters of sleeping space in a room that may contain up to 200 people. Prison food is adequate. Prisoners are typically permitted daily access to prison yards. Visitors are permitted, and many prisoners receive regular deliveries of food and other supplies from family members. Female prisoners are housed separately from men, and rape does not appear to be a problem.

There were credible reports that the army sometimes used military camps for the temporary detention and interrogation of OLF fighters and alleged supporters.

The Government permits independent monitoring of prison conditions, military camps, and police stations by the International Committee of the Red Cross (ICRC) and often by diplomatic missions. However, the ICRC does not have immediate access to government facilities and must either request permission or notify the government each time it wants to visit. Granting prison access is now the responsibility of regional governments. In most regions, permission to visit detention facilities is routinely granted.

There were several diplomatic visits to prominent detainees accused of war crimes who were held by the Special Prosecutor's Office (SPO), including Abera Yemane-ab, Mamo Wolde, and Mekonnen Dori, who bore no signs of mistreatment by prison authorities.

d. Arbitrary Arrest, Detention, or Exile

The Constitution and both the Criminal and Civil Codes prohibit

arbitrary arrest and detention, but the Government does not always respect these rights in practice.

Under the Criminal Procedure Code, any person detained must be charged and informed of the charges within 48 hours and, in most cases, be offered release on bail. Those persons believed to have committed serious offenses may be detained for 15 days while police conduct an investigation, and for additional 15-day periods while the investigation continues. Some offenses, such as murder and treason, are not bailable. In practice, and especially in the regions, people are often detained without warrant, frequently not charged within 48 hours, and--if released on bail--never recalled to court. Nationwide, thousands of criminal suspects remained in detention without charge or trial at year's end. Most often these detentions resulted from the severe shortage and limited training of judges, prosecutors, and attorneys.

Federal and regional authorities arrested and detained hundreds of persons without charge or trial for activities allegedly in support of armed opposition groups. The vast majority of these took place in the Oromo regional state. In typical cases, security forces arrested and held these persons incommunicado for several days or weeks before eventually releasing them. Most detainees were accused of participating in armed actions by the OLF. Some 93 persons who were among a large group of OLF fighters detained in 1994 continued to be held.

In December the SPO filed charges against approximately 1,200 of the 2,000 persons jailed and accused of war crimes under the previous regime. Some of the defendants have been in pretrial detention for 5 years.

Exile is illegal and is not used.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the federal courts showed increased signs of judicial independence.

Consistent with the 1994 Constitution, the Government continued to restructure the judiciary toward a decentralized federal system comprised of courts at the district and regional levels. In May the Government appointed 56 federal court justices. A judicial administrative commission was established to oversee the performance of the federal judiciary. The Federal High Court and Federal Supreme Court adjudicate cases involving federal law, transregional issues and national security and hear both original and appeal cases. The regional judiciary is increasingly autonomous. District (woreda), higher and supreme courts have been established, mirroring the structure of the federal judiciary. Regional supreme courts may be delegated authority by the federal courts to hear some federal cases. The Government may delegate some of the war crimes trials to supreme courts in the regions where the crimes were allegedly committed.

The military services have undertaken a sweeping overhaul of the military justice system. Foreign assistance is being used to train soldiers in topics which include judicial and nonjudicial punishment and the conduct of soldiers during military operations.

The Government's goal is a decentralized system that brings justice closer to the people; in practice, however, severe shortages of adequately trained personnel in many regions, as well as serious financial constraints, combine to keep the judiciary weak and overburdened and to deny most citizens the full protections provided for in the Constitution. Hundreds of individuals were detained, especially in the Oromo and Somali regions, without charge. Many were ultimately released without explanation or appearance before a judge. Such cases at times may reflect arbitrary actions on the part of heavy handed local officials, but also result from a shortage of trained and competent prosecutors and judges. The Government established regional offices of the Ministry of Justice to monitor local judicial developments, but the federal presence in the regions remains limited. Anecdotal evidence suggests that some local officials interpret decentralization to mean that they are no longer accountable to any higher authority, even within their own regions.

The Government is making concerted efforts to identify and train replacements for many lower court judges. Many judges were hastily appointed in 1991 and were subsequently dismissed for corruption, incompetence, or abuse of authority. The Government, aware of the severe lack of trained staff in the judicial system, began in 1995 to place greater emphasis on training new judges and prosecutors. Senior government officials charged with judicial oversight estimate that the creation of a truly independent and skilled judicial apparatus will take several decades. The Government has welcomed foreign financial and technical assistance.

Pending passage by regional legislatures of laws particular to their region, all judges are guided exclusively by the Federal procedural and substantive codes. Trials are public, and defendants have the right to a defense attorney. The Government established a public defender's office to provide legal counsel to indigent defendants, although its scope remains severely limited. The law does not allow the defense access to prosecutorial evidence before the trial.

The Constitution provides legal standing to some preexisting religious and customary courts and gives federal and regional legislatures the authority to recognize other courts. By law, both parties to a dispute must agree before a case may be heard by a customary or religious court. Shari'a (Islamic) courts hear religious and family cases involving Muslims. In addition, some traditional courts still function. Though not sanctioned by law, these courts resolve legal disputes for the majority of citizens who live in rural areas and who generally have little access to formal judicial systems.

The SPO was established in 1992 to create an historical record of the abuses during the Mengistu government and to bring to justice those criminally responsible for human rights violations. The trial of the first group of defendants charged with crimes against humanity during the former regime began in 1994 and continued intermittently through the year. Court appointed attorneys represent many of the defendants, following claims that they could not afford an adequate defense. Of the 73 defendants, the Government is trying 21 in absentia, including Colonel Mengistu Haile Mariam, the former dictator now in self-exile in

Zimbabwe. In December approximately 1,200 additional detainees were charged with war crimes. Senior government officials expressed growing frustration with the slow pace of the work of the SPO. Local court observers believe that the remaining trials, once they begin, may last several years. Legal observers expect relatively few additional cases to be brought, with many defendants charged and tried collectively in each instance.

All Amhara People's Organization (AAPO) Chairman Professor Asrat Woldeyes and four other AAPO leaders were convicted in 1994 of planning armed action against the Government at a 1993 meeting. Asrat was also convicted of "incitement to war" in connection with a speech he made in 1992. He was sentenced to a total of 5 years' imprisonment. He currently faces charges stemming from a May 1994 prison escape in Debre Berhan in which several guards were killed. Asrat is reportedly in good health.

Authorities arrested Dr. Taye Wolde Semayat, chairman of the Ethiopian Teacher's Association (ETA), in August upon his return from a trip abroad. Taye has been formally charged with leading an Amhara extremist organization that planned and carried out attacks against foreigners, including the attempted murder of a diplomat and a grenade attack on a diplomatic compound in Addis Ababa. The Government's case against Taye is not linked to his activities on behalf of the ETA. Taye's trial continued at year's end.

Opposition groups and the Ethiopian Human Rights Council allege that some of the persons detained by the SPO, as well as some other detainees, are held for political reasons. The Government denies that it holds political prisoners.

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

The law requires judicial search warrants, but in practice they are seldom obtained outside Addis Ababa, as local governments vary in their understanding and practice of democratic norms. In Dire Dawa, for example, there were credible reports that some neighborhood officials searched residences without possessing warrants.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the Constitution and the 1992 Press Law provide for the right to free speech and press, the Government often used legal mechanisms to restrict press rights in practice.

Journalists may fall victim to vague provisions of the Press Law concerning publishing false information or inciting ethnic hatred, and some journalists practice self-censorship. There were 14 journalists under government detention at year's end; most were accused or convicted of inciting ethnic hatred or publishing false information in violation of the Press Law.

The editor of a private newspaper received a 6-month suspended sentence for not delivering two copies of the newspaper to the Ministry of Information, as specified by the Press Law, even though the breach had

occurred a year earlier. In a similar case, the editor of a government magazine was fined about \$80 for the same offense. According to a number of sources, the whereabouts of one independent editor have been unknown since March; a second allegedly missing editor later turned up in Germany.

At year's end, four journalists were serving sentences of from 6 months to 2 years. Four journalists were fined for their offenses, most for being unable to produce guarantors for bail. Ten journalists remained in detention without charge; six journalists were released after completing jail terms; and 13 others were free on bail. Bail for journalists is sometimes set at unreasonably high levels, often much more than their annual salaries.

The private press, which is often irresponsible, frequently reports that government forces or regional officials commit human rights abuses. Most private press accounts, however, are too imprecise to verify.

In general, the Government continued to deny access by private journalists to government press conferences, calling into question official affirmations of support for a responsible and dynamic free press. In December, however, for the first time, the Government invited several private newspapers to cover a major government press conference. One senior minister granted unprecedented interviews to several private newspapers. Critics note that the Press Law requires the Government to be accessible to those seeking information, but the Government more typically continued to ignore this provision. It usually denied access to information, even to government journalists. Both private and government journalists wrote extensively about problems of access to information. Most, but not all, government officials refuse to speak to the private press, even to confirm or deny an allegation.

Citizens are generally free to discuss publicly any topic they choose. A number of groups critical of the Government held press conferences and public meetings without apparent retribution.

Only about 1 percent of citizens regularly read any newspaper or magazine, and citizens outside Addis Ababa have extremely limited access to the print media. As a result of poor management, market forces, and government harassment, only about nine weekly newspapers appear regularly. Foreign journalists continued to operate freely and often wrote articles critical of government policies. They or their local affiliates were granted greater access to government officials than were local journalists.

Much of the private press continues to lack professionalism in its reporting. To address this problem, the Ministry of Information and Culture established the Ethiopian Mass Media Training Institute in April. In June the Government invited 10 private newspapers to participate in a 2-month training course, but only 2 attended.

Radio remains the most influential medium in reaching those who live in rural areas. The Press Law allows for private radio stations, but the only nongovernment radio license granted so far has been to Radio Fana, a station operated by the ruling EPRDF party. The Government operates the sole television station. It rescinded a previous ban on ownership of

private satellite receiving dishes and dropped import restrictions on facsimile machines and modems. Internet access is unrestricted.

The official media, including broadcast, wire service, and print media, are legally autonomous and responsible for their own management and partial revenue generation, although they continue to receive government subsidies. Government reporters practice self-censorship but have, at times, questioned official policies. In April the Government created a Press and Information Department to act as official spokesman and to implement a new information policy which will guide contacts among government, the press, and the public. At year's end, the office was not yet fully functioning.

Academic freedom is respected. Students at Addis Ababa University, who have not been allowed to have a student council since 1993, were invited to elect representatives to a student committee following demonstrations in late 1995. In general, however, political activity is not encouraged on university campuses.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly, and the Government generally permitted groups to assemble during the year. Organizers of political meetings or demonstrations must notify the Government in advance and obtain a permit. Permits are required only for large meetings and are routinely granted. A number of large public demonstrations protesting various government actions took place in Addis Ababa. Protesters demonstrated against rent increases, an end to food subsidies, military pensions, the detention of Professor Asrat, government plans to commemorate the centennial of the victory at Adwa, and the policies of the Orthodox Patriarch. The Addis Ababa Municipal Government granted permits for each of these demonstrations, and there were no reports of violence.

The Constitution provides for freedom of association and the right to engage in unrestricted peaceful political activity. Government procedures for registration of NGO's were changed, and a number of policy issues regarding NGO's remain unclear. Primary responsibility for NGO registration now rests with the Ministry of Justice (MOJ), which has not yet issued written procedures. In 1995 the Government revoked the registration certificates of 47 domestic and international NGO's. It has refused to grant new registration to several of these NGO's despite their attempts to obtain it. The Ethiopian Human Rights Council, which the Government asserts is primarily a political organization, has applied for, but has not been granted, registration as an NGO.

The Government requires political parties to register with the National Election Board (NEB). Parties that do not participate in two consecutive national elections are subject to deregistration. There are about 60 organized political parties. Of these, eight are national parties, and the remainder operate only in specific regions. In July the NEB granted registration to the Council of Alternative Forces for Peace and Democracy in Ethiopia (CAFPDE) as a national party. CAFPDE has announced its intention to establish branch offices in several regions and has launched its own newspaper which is highly critical of government policies. The NEB also registered the opposition Oromo National Congress

as a political party.

c. Freedom of Religion

The Constitution provides for freedom of religion, including the right of conversion, and freedom of worship exists in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement, including the right of domestic and foreign travel, emigration, and repatriation. Citizens may freely change their residence or workplace. Citizens and residents are required to obtain an exit visa before departing the country.

Exit visas are issued routinely, except to persons with pending court cases or unpaid debts.

All Ethiopian Jews (Falashas and Beta Israel) who wanted to emigrate to Israel are believed to have departed. The status of thousands of Feles Mora (Ethiopians who claim forced conversion to Christianity from Judaism during the past 100 years, but who have not been accepted as Jews by the Isranli Rabbinate) remains unresolved. Israel is handling Feles Nora applications on a case-by-case basis, and the two governments have agreed to grant about 110 visas per month for family reunification.

According to both the U.N. High Commissioner for Refugees (UNHCR) and foreign diplomats, the Government treats asylum seekers fairly and cooperates with the UNHCR and other humanitarian organizations in assisting refugees and returning citizens. It provided first asylum to more than 360,000 refugees this year; most are from Somalia and Sudan. There were no reports of forced expulsion on those having a valid claim to refugee status. Ethiopia is host to a total of approximately 400,000 refugees; most are from Somalia and Sudan.

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

This right was exercised for the first time in Ethiopian history in 1995. However, most opposition groups chose to boycott the elections, despite a widespread finding that opposition participation was possible. Boycotting parties claimed that the Government impeded their ability to participate in the political process. Concerted efforts by Western governments to promote dialogue and political reconciliation between the Government and several key opposition groups leading up to the elections were not successful. Nevertheless, observers organized by Western donor governments, the Organization of African Unity, and a coalition of domestic NGO's judged the elections to be generally free and fair, although they cited numerous irregularities. The boycott was one factor leading to an overwhelming victory by candidates of the better funded and better organized EPRDF over candidates of the relatively weak and poorly organized opposition parties and independent candidates.

Political participation remains closed to a number of organizations that have not renounced violence and do not accept the Government as a

legitimate authority. These groups include Medhin, the Coalition of Ethiopian Democratic Forces, the Ethiopian People's Revolutionary Party, the Oromo Liberation Front, and several smaller Somali groups.

Neither law nor practice restricts the participation of women or minorities in politics. While women's status and political participation are greater than ever, women are minimally represented in the Council of Ministers and among the leadership of all political organizations. Only 1 of the 15 members of the Council of Ministers is a woman; 2 other women hold ministerial rank, and a number of others hold senior positions. There are only 18 women among the 660 members of Parliament, and 4 of the 23 judges on the Federal High Court are women.

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

Human rights organizations include the Ethiopian Human Rights and Peace Center, the Ethiopian Congress for Democracy, Action Professionals Association for the People, the Ethiopian Womens' Lawyers Association, and the Inter-Africa Group. These groups are primarily engaged in civic and human rights education, legal assistance and trial monitoring. The Ethiopian Human Rights Council, a self-proclaimed human rights monitoring organization, continues to operate without legal status as an NGO, since the Government considers it primarily a political organization.

The Government allows visits by the ICRC and international human rights groups and permits them to operate and travel freely, although prior approval is required from regional governments for prison visits. The ICRC conducts regular visits to detention centers throughout the country. While access has generally been excellent, access to some sites in the Oromo and Somali regions was a problem. The Government has encouraged human rights groups and foreign diplomats to observe the war crimes trials since court proceedings began in 1994. Delegations from Human Rights Watch/Africa, the Committee to Protect Journalists, Reporters sans Frontieres, and the Lawyers Committee for Human Rights all visited during the year. Representatives from these organizations held substantive discussions with a number of senior government officials, including Prime Minister Meles Zenawi. Officials of the Federal Security Authority have generally been responsive to requests for information from the diplomatic community.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that all persons are equal before the law. The law provides that all persons should have equal and effective protection without discrimination on grounds of race, color, sex, language, religion, political or other opinion, national or social origin, wealth, birth, or other status. The Government, however, has not yet put fully into place mechanisms for effective enforcement of these protections.

Women

The Constitution provides for the equality of women, but these provisions are often not applied in practice. Domestic violence.

including wife beating and rape, are pervasive social problems. While women have recourse to the police and the courts, societal norms and limited infrastructure inhibit many women from seeking legal redress, especially in remote areas.

Although women played a prominent role (including service in combat) during the civil war and hold some senior government positions, in practice women do not enjoy equal status with men. The law considers men and women to be equal, but tradition and cultural factors place the husband as head of the household: in practice, men typically hold land tenure and property rights for all the family. Discrimination is most acute in the rural areas, where 85 percent of the population lives, and where women work more than 13 hours per day fulfilling household and farming responsibilities. In urban areas, women have fewer employment opportunities than men, and the jobs available do not provide equal pay for equal work. In 1993 the Government launched an initiative to promote the equality of women. As a result, statutes were changed, women's concerns were factored into the Government's development planning, and women's affairs desks were established in each of the ministries.

Children

The Government has encouraged the efforts of domestic and international NGO's that focus on children's social, health, and legal issues. However, with daunting development challenges and severely limited resources, direct government support beyond efforts to provide improved health care and basic education remains limited.

Societal abuse against young girls continues to be a serious problem. Almost all girls undergo some form of female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health. Clitorectomies are typically performed 7 days after birth, and the excision of the labia and infibulation, the most extreme and dangerous form of FGM, can occur any time between the age of 8 and the onset of puberty. FGM is not specifically prohibited, although it is officially discouraged, and the Government has been very supportive of the National Committee on Traditional Practices in Ethiopia, which is dedicated to eradicating FGM. Nevertheless, early childhood marriage is common in rural areas, with girls as young as age 9 being party to arranged marriages. The maternal mortality rate is extremely high, due in part to food taboos for pregnant women, early marriage, and birth complications related to FGM, especially from infibulation.

Many thousands of street children live in Addis Ababa. These children beg, sometimes as part of a gang, or work in the informal sector in order to survive. Government and privately run orphanages are unable to handle the number of street children, and younger children are often abused by older children. There are credible reports that children are maimed or blinded by their "handlers" in order to raise their earnings from begging. Abandoned infants are often overlooked or neglected at hospitals and orphanages, and those children found to be HIV-positive are taken to an Addis Ababa orphanage where very limited medical care is available.

People with Disabilities

The Constitution stipulates that the State shall allocate resources to provide rehabilitation and assistance to the physically and mentally disabled. Limited government resources restrict action in these areas. The Amhara Development Association operates a semigovernmental project to provide vocational training to disabled war veterans in Bahir Dar. A similar center has been established by the Tigray Development Association in Mehele. In 1994 the Government passed a law mandating equal rights for the disabled, but has not yet put into place mechanisms to enforce this law. Cultural attitudes toward the disabled are often negative. The Government does not have sufficient resources to mandate access to buildings or government services for persons with disabilities, and people with minor disabilities sometimes complain of job discrimination. An official at the government's rehabilitation agency estimated that, partly as a result of the long civil war, there are more than 5 million disabled persons in the population of about 56 million.

Religious Minorities

Accurate information on the complex relationships among Ethiopia's religious groups is difficult to obtain, especially because religious differences are often related to ethnic distinctions. Religious tensions between Christians and Muslims, particularly in certain regions (most notably the Oromiya and Somali regions) persist, and anti-Christian sentiment is sometimes fueled by historical perceptions of Christians as elite. According to reports from NGO's, tension at the local level between and among Christians and Muslims has led to incidents of harassment, intimidation, and in some cases, violence.

National/Racial/Ethnic Minorities

There are more than 80 ethnic groups. Although all these groups have had some influence on the political and cultural life of the country, Amharas and Tigrayans from the northern highlands have played a dominant role. Some ethnic groups such as Oromos, the largest single group, claim to have been subjugated during this period by Amharas and Tigrayans. In an attempt to address these concerns, the Government has established a federal system with political boundaries drawn along major ethnic lines. With federalism, for example, citizens of the Oromo region now have greater say over their own affairs and resources than at any time in the past century. Primary school students are increasingly being taught in their local languages, consistent with the new constitution. The military services have continued their efforts to recruit ethnic minorities at all levels. The demobilization of an additional 25,000 Tigrayan soldiers was completed, and these troops were replaced by recruits from other ethnic groups. All new recruits are screened as potential officer candidates, and those who qualify are offered officer training. As regional militia were disbanded, the Government integrated over 3,500 militia members into the national defense forces. The military services also welcomed back 7,000 soldiers who had served under the previous Marxist regime and who have important technical skills. These soldiers and former militia members are often permitted to retain their previous grade, up to the rank of colonel. Six of the military's nine general officers are non-Tigrayans.

Section 6 Worker Rights

a. The Right of Association

Only a small percentage of the population is involved in wage labor employment, which is largely concentrated in urban areas. Approximately 85 percent of the work force lives in the countryside, engaged in subsistence farming.

The Constitution and the 1993 Labor Law provide most workers with the right to form and join unions and engage in collective bargaining, but only about 250,000 workers are unionized. Employees of the civil and security services (where most wage earners are found), judges, and prosecutors are not allowed to form unions. Workers who provide an "essential service" are not allowed to strike. Essential services include a large number of categories such as air transport, railways, bus service, police and fire services, post and telecommunications, banks, and pharmacies. There is no requirement that unions belong to the Confederation of Ethiopian Trade Unions (CETU), which was established in 1993. CETU includes nine federations organized by industrial and service sector rather than by region. In December 1994, the Government decertified CETU following a 30-day probationary period given to permit CETU to resolve serious internal management disputes. At year's end, CETU offices remained closed despite a court ruling that there were procedural violations in the Government's action to seal the CETU offices. The offices remained closed in part because the member trade unions have been unable to agree among themselves on a unified structure to govern CETU's assets and offices. By year's end, most CETU member federations were preparing to reorganize their organizations and were expected to receive government recognition of a new CETU. The Labor Law stipulates that a trade organization may not act in an overtly political manner.

The Labor Law explicitly gives workers the right to strike to protect their interests, but it also sets forth restrictive procedures that apply before a legal strike may take place. These apply equally to an employer's right to lock out workers. Strikes must be supported by a majority of the workers affected. The Labor Law prohibits retribution against strikers. Both sides must make efforts at conciliation, provide at least 10 days' notice to the Government, include the reasons for the action, and in cases already before a court or labor board, the party must provide at least a 30-day warning. If an agreement between unions and management cannot be reached, the Minister of Labor may refer the case to arbitration by a Labor Relations Board (LRB). The Government established LRB's at the national level and in some regions. The Minister of Labor and Social Affairs appoints each LRB chairman, and the four board members are composed of two each from trade unions and employer groups. Some efforts to enforce these regulations are made within the formal industrial sector.

Independent unions and those belonging to CETU are free to affiliate with, and participate in, international labor bodies.

b. The Right to Organize and Bargain Collectively

Collective bargaining is protected under the Labor Law and under the

Constitution, and it is practiced freely throughout the country. Collective bargaining agreements concluded between 1975 and the promulgation of the 1993 Labor Law are covered under the 1975 Labor Code and remain in force. Labor experts estimate that more than 90 percent of unionized workers are covered by collective bargaining agreements. Wages are negotiated at the plant level. The law prohibits antiunion discrimination by employers against union members and organizers. There are grievance procedures for hearings on allegations of discrimination brought by individuals or unions. Employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities.

c. Prohibition of Forced or Compulsory Labor

The Constitution proscribes slavery, which was officially abolished in 1942, and involuntary servitude. There are no reports of slavery. The Criminal Code specifically prohibits forced labor unless by court order as a punitive measure.

d. Minimum Age for Employment of Children

Under the Labor Law, the minimum age for wage or salary employment is 14 years; children between the ages of 14 and 18 years are covered by special provisions. Children may not work more than 7 hours per day; work between the hours of 10 p.m. and 6 a.m.; work on public holidays or rest days; or perform overtime work. While some efforts to enforce these regulations are made within the formal industrial sector, large numbers of children of all ages grow and harvest crops outside most government regulatory control in the countryside, or work as street peddlers in the cities.

e. Acceptable Conditions of Work

There is no minimum wage in the private sector. However, since 1985 a minimum wage has been set and paid to public sector employees, by far the largest group of wage earners. This public sector minimum wage is about \$16 (105 Ethiopian birr) per month, which is insufficient to provide a decent standard of living for a worker and family. According to the Office of the Study of Wages and Other Remunerations, a family of five requires a monthly income of \$61 (390 Ethiopian birr). Thus, even with two minimum wage earners, a family receives only about half the income needed for adequate subsistence.

The legal workweek, as stipulated in the Labor Law, is 48 hours, consisting of 6 days of 8 hours each, with a 24-hour rest period. However, in practice, most employees work a 40-hour workweek, 5 days of 8 hours each.

The Government, industry, and unions negotiate to set occupational health and safety standards. However, the Inspection Department of the Ministry of Labor and Social Affairs enforces these standards ineffectively, due to a lack of human and financial resources. Workers have the right to remove themselves from dangerous situations without jeopardy to continued employment.

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