

07 MRS. 2001



U.S. DEPARTMENT OF STATE

Home | Contact Us | FOIA | Search
About the State Department | Travel & Living Abroad | Business Center | Other Services | Employment
Press & Public Affairs | Countries & Regions | International Topics & Issues | History, Education & Culture

69

Ethiopia

Country Reports on Human Rights Practices -2000
Released by the Bureau of Democracy, Human Rights, and Labor
February 2001



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. In May the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) won general elections to the federal and regional parliaments. The elections were the second held based on an organizational concept of ethnic federalism incorporated into the 1994 Constitution. Most opposition political parties competed in the May election; however, due to lack of funds and often weak political organization, opposition parties contested only 20 percent of the seats to the federal parliament. EPRDF and affiliated parties hold 518 seats in the 547-seat federal parliament. EPRDF and affiliated parties also hold all regional parliaments by large majorities, although opposition parties hold approximately 30 percent in the Addis Ababa region council and 9.5 percent in the southern region council. According to international and local observers, the elections were generally free and fair in most areas; however, serious election irregularities occurred in the Southern Nations and Nationalities Peoples' Regional State (SNNPRS or southern region), particularly in Hadiya zone. The National Electoral Board (NEB) investigated complaints of the irregularities and determined that many of them had merit. The NEB conducted new elections in June in the SNNPRS, which were determined to be relatively free and fair by international observers, and resulted in the opposition winning 29 seats in the federal parliament and 33 seats in the region council. The principal faction within the EPRDF remains Prime Minister Meles' Tigray Peoples' Liberation Front (TPLF). Federal regions, largely organized along ethnic lines, increasingly are autonomous and have a large degree of local control over fiscal and most political issues. However, the relationship between the central government and local officials and among various judiciaries lacks consistent coordination, and occasionally actions are taken at the local level that conflict with stated federal policy. Highly centralized authority, poverty, civil conflict, and unfamiliarity with democratic concepts combine to complicate the implementation of federalism. The federal Government's ability to protect constitutional rights at the local level is limited and uneven. Local administrative, police, and judicial systems remain weak throughout the country. The judiciary is weak and overburdened but continued to show signs of independence.

The Government's security forces consist of the military and the police, both of which are responsible for internal security. The police, which are subordinate to the Ministry of Justice, report to the Security, Immigration, and Refugees Affairs Authority (SIRAA). The military consists of both air and ground forces and reports to the Ministry of National Defense. There was renewed fighting in May and June between Ethiopian and Eritrean armed forces. In June the two countries signed a cessation of hostilities agreement and, on December 12, signed a formal peace treaty. In 1998 when the conflict with Eritrea broke out, military forces assigned to help police and local militia in the Gambella and Benishangul-Gumuz regions establish order, control banditry, and curtail rebel activities, were redeployed to areas bordering Eritrea. Without the military's assistance, these areas once again experienced a breakdown in law and order. There was increased internal military presence in some parts of the Somali region and Oromiya. Military forces conducted an increased number of low-level operations against the Oromo Liberation Front (OLF), the Somalia-based Al'Ittihad terrorist organization, and elements of the Ogaden National Liberation Front (ONLF) both in the country and in southern Somalia and northern Kenya. 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 estimated population of 63 million living in rural areas under very basic conditions. Agriculture accounts for approximately 80 percent of total employment. Per capita gross national product is estimated at \$100 per year. The real gross domestic product growth rate was estimated at 4.6 percent for the year. Total exports increased from between 2.9 and 6.9 percent over the previous year. Exports consist primarily of coffee, chat, hides, skins, beans, and oilseeds. Coffee accounted for 60 percent of the value of exports during the year, 60 percent of the value of 1999 exports and 70 percent of 1998 exports. The conflict with Eritrea led to increased military spending. Military spending from July 1999 to July 2000 was \$830 million dollars (6.8 billion birr). The Government continued to implement an economic reform program designed to stabilize the country's financial position, promote private sector participation in the economy, and attract foreign investment. In December 1999, the customs authority introduced a 10 percent surtax on most imports to raise funds for the military; however, the surtax was rescinded as of January 1.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Security forces committed a number of extrajudicial killings and at times beat and mistreated detainees. Prison conditions are poor. Arbitrary arrest and detention and prolonged pretrial detention remained problems. The Government continued to detain persons suspected of sympathizing with or being involved with the OLF. The Government continued to detain and deport without due process Eritreans and Ethiopians of Eritrean origin. Since the outbreak of the border conflict in May 1998, as many as 75,000 such persons have left Ethiopia for Eritrea; the vast majority were deported, although a small number

left voluntarily. However, the Government stopped deporting Eritreans and Ethiopians of Eritrean origin after it signed the cessation of hostilities agreement with Eritrea in June. Another 1,200 male Eritreans and Ethiopians of Eritrean origin were being held in internment camps at Dedesa at year's end. Although prompted by national security considerations, the expulsions and detentions raised fundamental concerns regarding arbitrary arrest and detention, forced exile, the forcible separation of families, and nationality issues, as well as the hardships and financial losses suffered by those who were detained or expelled. Despite some efforts, the judiciary continued to lack sufficient trained staff and funds, which limited its ability to provide citizens the full protection provided for in the Constitution. During August and September, the federal courts were able to reduce the backlog of court cases by approximately a third. The judiciary also showed some signs of growing independence. The Government infringed on citizen's privacy rights, and the law regarding search warrants was ignored widely.

The Government restricts freedom of the press and continued to detain or imprison members of the press; however, fewer journalists were detained than in previous years. Most were accused or convicted of inciting ethnic hatred, committing libel, or publishing false information in violation of the 1992 Press Law. Journalists continued to practice self-censorship. The Government at times restricted freedom of assembly. The Government limits freedom of association and, while the non-governmental organization (NGO) registration process continued to improve, the Government continued to refuse to register some NGO's. In July legislation to create a constitutionally mandated Human Rights Commission and office of the ombudsman, which was passed in October 1999, entered into force; however, neither entity was operational at year's end. The Government generally respected freedom of religion; however, on occasion local authorities infringed on this right. The Government restricted freedom of movement. The border conflict with Eritrea displaced a large number of persons internally; however, approximately half of the internally displaced persons (IDP's) were able to return home by year's end.

Violence and societal discrimination against women, and abuse of children remained problems. Female genital mutilation (FGM) is widespread. The Government supported efforts to eliminate FGM and other harmful traditional practices. The exploitation of children for economic and sexual purposes remained a problem. Societal discrimination against disabled persons was a problem. Discrimination against religious and ethnic minorities continued. Child labor, particularly in the informal sector, continued to be a problem. Forced labor, including forced child labor, was also a problem, and there were reports of trafficking in persons.

The Government's Special Prosecutor's Office (SPO) continued conducting the trials of persons accused of committing crimes under the brutal Marxist regime (1974-91) of Colonel Mengistu Haile Mariam. Charges have been brought against 5,198 persons. All have been indicted and arraigned, and the testimony of victims continued to be heard in open court. However, more than half of those accused are not in custody and were charged in absentia. Most SPO detainees have been held in custody for 7 or 8 years awaiting trial and judgment.

Respect for Human Rights

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

a. Political and Other Extrajudicial Killing

The security forces committed a number of extrajudicial killings, including alleged political killings. In February in Soro, police tortured and killed two farmers--supporters of the opposition--while they were in police custody; the farmers allegedly were arrested for the non-payment of taxes (see Sections 1.d. and 3). No action was taken against the police by year's end. In March in Ambo, police killed a student, Getu Driba, injured 6 others, and detained over 1,000 students and 3 teachers after a demonstration (see Sections 1.c., 1.d., and 2.b.). There was a credible report that in March security forces killed a student who was attempting to assist another person being arrested for the non-payment of taxes (see Section 1.d.). In April in Dembi Dolo, police killed a student during a student demonstration in support of detained Ambo students and teachers (see Sections 1.d. and 2.b.). In May in the SNNPRS region, Hadiya zone, security forces killed two women while they were voting, allegedly because they refused to mark their ballots for an EPRDF candidate (see Section 3). An election observer who saw the bodies stated that the women were shot in the face. A government investigation into the killings was conducted during the year; however, no results were released or further action taken in the matter by year's end. Also in May, according to Beyene Petros, the chairman of the Southern Ethiopian People's Democratic Coalition (SEPDC), police killed seven SEPDC supporters who were protesting outside two polling stations in the south (see Section 3). In December in Awassa, riot police shot and killed a student in a demonstration (see Section 2.a. and 2.b.). In December police reportedly beat to death a man detained allegedly in retaliation for election activities (see Section 1.c.). There also were numerous unconfirmed reports of extrajudicial killings by government security forces from Oromiya and the Somali region.

There were some reports that Ethiopian troops in Somalia killed some civilians during the year. For example, on September 23, approximately 30 Ethiopian soldiers attacked Haji Salah village in Somaliland, killed two persons, and confiscated radio equipment. Somaliland President Egal wrote a letter to the Ethiopian Government and asked for an explanation for the attack.

The Government provided financial support to a coalition of Eritrean opposition groups based in Sudan, which were reported to have laid landmines in Eritrea that resulted in several civilian deaths.

In late November, armed men reportedly from Ethiopia killed nine persons and seriously injured five others in the town of Moyale near the Kenyan border. Local politicians claimed that the attackers had support from Ethiopian security forces; the incident was not resolved by year's end.

There were some deaths in prison during the year due to illness and disease (see Section 1.c.).

In November 1999, student protests against the arrest of two teachers who criticized new textbooks in the Welayita speaking sections of the SNNPRS led to widespread demonstrations and riots (see Sections 1.d. and 5). Special police units called in to suppress the riot killed up to 10 persons and injured hundreds of others. The Government conducted an investigation into the incident but had not released a report by year's end. There was no action taken or investigation into reports that in August 1999 security forces fired on a group of Somalis who were protesting the military's occupation of a Somali border town, killing two persons.

In June 1999, a youth attending the funeral of All Amhara People's Organization (AAPO) founder Dr. Asrat Woldeyes was shot and killed by an undercover security officer who subsequently was arrested and charged for the crime. No further action was taken in the case by year's end.

In 1997 the Federal High Court in Addis Ababa began the arraignment and prosecution of 5,198 persons formally charged with genocide and other war crimes, including extrajudicial killings, under the previous regime (see Section 1.e.). Of the 5,198 persons charged, 2,246 were detained, while the remaining 2,952 were charged in absentia. At year's end, witnesses still were being heard and evidence taken in the ongoing trials. During the year, the Government acquitted and released a number of prisoners for lack of evidence. In November 1999, the Federal High Court handed down a death sentence in absentia to Getachew Tekeba, a former district governor and army lieutenant. Tekeba was convicted of ordering the detention, torture, and execution of five alleged opponents of the Mengistu Government. Tekeba's whereabouts remained unknown at year's end. In November the Federal High Court sentenced Colonel Sileshi Mekuria to life imprisonment for killings he committed while he was head of the palace guards under Mengistu. The Federal High Court also sentenced three former palace guards to 15 years' imprisonment.

During the year, the Ethiopian army reportedly laid landmines in the Eritrean territories that it occupied. During the year, there were approximately 48 reported casualties in Eritrea, including a number of deaths, from landmines and unexploded ordnances; however, in addition to the landmines laid by Ethiopia during the conflict, Ethiopian forces also laid landmines during the Eritrean war for independence, and landmines were laid during the year by an armed group opposed to the Eritrean government. It was not clear which landmines in particular were responsible for the casualties. During the year, Eritrean forces also laid landmines as they withdrew from occupied territories; approximately 100 Ethiopian civilians were killed in landmine explosions from landmines laid by Eritrea.

The OLF and the ONLF regularly used landmines, which resulted in numerous civilian deaths and injuries (see Section 1.c.). Explosions by landmines laid by the OLF and the ONLF were estimated to have killed 2 to 5 persons per month during the year. The OLF has claimed responsibility for several landmine explosions along the railroad line from Addis Ababa to Djibouti, which resulted in between 5 and 15 civilian deaths; OLF responsibility could not be confirmed. For example, during the summer, a freight train was derailed by a landmine explosion near Nazareth; two persons died and several were injured. Observers believe the landmines were laid by the OLF.

Preelection and postelection violence resulted in some deaths (see Section 3). For example, on election day, three persons were killed when an EPRDF member threw a grenade into the home of an opposition party election observer while the observer was in his residence, killing him. In August in the Somali region, nine people, including five election observers, one opposition candidate, and three other passengers, were killed when the cars they in which they were riding were struck by either rockets or landmines. The identity of the perpetrators remained unknown at year's end.

Banditry remained a serious problem in parts of the country. Bandits, often heavily armed, killed civilians during robberies and attempted robberies. Most evidence suggests that their motives primarily were economic.

Ethnic clashes during the year resulted in a number of deaths (see Section 5). The drought has exacerbated tensions between the Oromo Borena community and ethnic-Somali Garre pastoralists in the south, and reportedly at least 150 people have been killed in clashes between the two communities during the year (see Section 5).

b. Disappearance

There were no confirmed reports of disappearances perpetrated by the Government; however, there have been some unconfirmed reports of politically motivated disappearances.

In 1997 the federal High Court in Addis Ababa began the arraignment and prosecution of 5,198 persons charged with genocide and other war crimes under the previous regime, including the disappearance of 14,209 persons (see Section 1.a.).

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

The Constitution prohibits the use of torture and mistreatment; however, there were 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. In the fall, police reportedly beat a man who was detained allegedly in retaliation for election activities; he was beaten so severely that he sustained permanent damage. In December police reportedly beat another man to death who

was detained for similar reasons (see Section 1.a.)

In March in Ambo, police injured 6 students who were hospitalized for their injuries, killed a student, and detained over 1,000 students and 3 teachers after a demonstration (see Section 1.d. and 2.b.).

In November 1999, student protests against the arrest of two teachers who criticized new textbooks in the Welayita speaking sections of the SNNPRS led to widespread demonstrations and riots (see Sections 1.d. and 5). Special police units called in to suppress the riot injured hundreds of the demonstrators and killed up to 10 persons. The results of a government investigation into the incident were not released by year's end.

Preelection and postelection violence resulted in some injuries and deaths (see Sections 1.a and 3).

The OLF and the ONLF regularly used landmines, which resulted in numerous injuries and deaths (see Section 1.a). For example, there was a report that a landmine explosion injured a nurse and driver working on the National Polio Immunization Campaign. Landmine explosions derailed cargo and passenger trains on occasion during the year. For example, during the summer, a freight train was derailed by a landmine explosion near Nazareth; two persons died and several were injured (see Section 1.a.). Observers believe the landmines were laid by the OLF.

Ethnic clashes throughout the year resulted in numerous injuries and the deaths of hundreds of persons (see Sections 1.a. and 5).

Prison conditions are poor, and overcrowding remains a serious problem. Prisoners often are allocated fewer than 21.5 square feet of sleeping space in a room that may contain up to 200 persons. Prison food is inadequate, and many prisoners have food delivered to them every day by family members or use their own funds to purchase food from local vendors. Prison conditions are unsanitary, and access to medical care is not reliable. There were some deaths in prison during the year due to illness and disease. Prisoners typically are permitted daily access to prison yards, which often include working farms, mechanical shops, and rudimentary libraries. Visitors are permitted. Prison letters all must be written in Amharic, making outside contact difficult for non-Amharic speakers; however, this restriction is not enforced. Female prisoners are housed separately from men, and rape does not appear to be a problem; however, there was a report in September that a guard raped a female prisoner. The guard was arrested in September and remained in detention pending a trial at year's end.

Approximately 2,000 Eritrean soldiers were captured as a result of fighting conducted during May and June. These prisoners of war (POW's) have been interned in camps in Tigray region, in addition to those captured during earlier combat and imprisoned in a camp at Dedesa. In June 1999, approximately 1,200 internees of Eritrean origin and 172 POW's were moved from the Bilate detention camp to the Dedesa internment camp in western Oromiya. The new camp is in an area less prone to malaria. Conditions in the camp are Spartan, but there are adequate housing, food, water and sanitation facilities. In July 1999, approximately 350 Eritrean POW's were moved from the Tigray region to the Dedesa internment camp. Following the signing of a formal peace treaty on December 12, the Government repatriated 359 severely wounded or ill POW's to Eritrea.

The Government permits independent monitoring of prison conditions and police stations by the International Committee of the Red Cross (ICRC) and by diplomatic missions. The ICRC generally had access to federal and regional prisons, civilian detention facilities, and police stations throughout the country; in May the Government granted the ICRC access to the Central Investigation Division (CID) detention facility in Addis Ababa, which holds upwards of 200 persons whose cases are under investigation. The ICRC had access to the Tatek military detention facility in the east but not to other military detention facilities where suspected OLF fighters are held. Unlike in the previous year, the ICRC was permitted access once in June to all 29 police stations in Addis Ababa where it identified and registered three individuals of Eritrean origin. The Government generally permitted the ICRC access to detention facilities holding Eritrean POW's, including the main camp at Dedesa. The ICRC also regularly visited civilian Eritrean nationals and Ethiopians of Eritrean origin detained on national security grounds.

Government authorities continued to permit diplomats to visit prominent detainees held by the SPO for alleged involvement in war crimes and terrorist activities. These detainees include the former housing ministry official and governor of Sidamo under Mengistu, Abera Yemane-Ab, 1968 Olympic marathon winner Mamo Wolde, and former Addis Ababa university president Dr. Alemayehu Tefera. Ethiopian Teachers Association (ETA) president Dr. Taye Woldesemayat, now serving a 15-year sentence for plotting violent insurrection, also is permitted visitors from the diplomatic community. However, although a delegation from the international NGO Education International had received visas to visit Dr. Woldesemayat in prison, they were turned back upon arrival at Addis Ababa airport in June (see Section 6.a.). A second delegation from Education International attempted to visit Dr. Woldesemayat in December; however, all but one of the delegation members were denied visas (see Section 6.a.).

d. Arbitrary Arrest, Detention, or Exile

The Constitution and both the criminal and civil codes prohibit arbitrary arrest and detention; however, 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 outlying regions, authorities regularly detain persons without a warrant, do not charge them within 48 hours, and—if persons are released on bail—never recall them to court. Thousands of criminal suspects remained in detention without charge; most were accused of involvement in OLF terrorist activities. Often these lengthy detentions are due to the severe shortage and limited training of judges, prosecutors, and attorneys.

Federal and regional authorities arrested and detained persons without charge or trial for activities allegedly in support of armed opposition groups. The vast majority of these incidents took place in the Oromiya and Somali regional states. Approximately 7,500 persons allegedly associated with armed opposition groups remained in detention at year's end. Most detainees were accused of participating in armed actions by the OLF or the ONLF. In typical cases, security forces arrested and held these persons incommunicado for several days or weeks before eventually releasing them.

In August Dr. Moga Frissa, vice president of Mecha-Tulema, an Oromo civic organization, was arrested on charges of involvement with the OLF. The police and prosecutor charged Moga with subversion and aligning with a terrorist organization; however, the judge in this case did not accept the charges and ordered Moga released. Dr. Moga was released on September 24.

There were reports that in June, soldiers arrested 200 persons in Malka Jabdu near the site of a landmine explosion that derailed a train in May (see Section 1.c.). The individuals arrested were mostly OLF or suspected OLF members.

In February in Soro, police tortured and killed two farmers—supporters of the opposition—while they were in police custody (see Sections 1.a. and 3).

In March in Ambo, police detained over 1,000 students and 3 teachers, injured 6 students, and killed a student after a demonstration (see Section 1.c. and 2.b.). Most of the students were released after questioning, and all of the students and teachers were released by year's end.

In December ethnic tensions between Oromo and Tigrayan students at Addis Ababa University led to some fighting and vandalism, and authorities arrested some Oromo students (see Section 5). The Oromo students claim that the arrests were out of proportion to their involvement in the fighting.

In August authorities arrested the official driver of the Eritrean Embassy. He remained in detention at year's end; however, no further information on his case was available.

There were credible reports that local authorities in the Oromiya, Amhara, and southern regions periodically arrested and detained supporters of opposition parties in the period prior to and following the May elections (see Section 3). For example, approximately 500 Hadiya Nation Democratic Organization (HNDO) supporters were detained by the police ostensibly on charges of non-payment of taxes and fertilizer loans; most were released just prior to the May elections. There was a credible report that in March security forces killed a student who was attempting to assist another person being arrested for the non-payment of taxes (see Section 1.a.).

Representatives of the SEPDC alleged in July that authorities in the southern region detained hundreds of SEPDC supporters in retaliation for voting for the opposition in the May elections (see Section 3). Some of those detained were released, some were released after paying a fine, and some remained in detention at year's end.

A total of three journalists were detained during the year and five journalists remained in detention at year's end, including four journalists detained in 1997, and one journalist sentenced to a 1-year prison term in June (see Sections 1.e. and 2.a.). In February a journalist was released after the International Federation of Journalists protested her continued detention despite having posted bail in December 1999 (see Section 2.a.). She was convicted in July of having violated the Press Law and was sentenced to 6 months' imprisonment.

In response to attacks by armed opposition groups operating out of Somalia and Kenya (see Sections 1.a. and 1.c.), the Ethiopian military has conducted operations in and around the areas bordering Somalia and Kenya. These operations have resulted in the capture and detention of hundreds of opposition fighters and their suspected supporters on both sides of these borders.

In December 1999, the Government arrested 26 Nuer tribal political activists associated with the Gambella People's Democratic Congress (GPDC); the Government released 12 of the activists, and 14 remained in detention at year's end (see Sections 3 and 5). Some of the activists were arrested for inciting Nuer students in November to demonstrate for the use of the Nuer language in school (see Section 2.b.), while others were arrested on suspicion of supporting the OLF.

In November 1999, student demonstrations against the arrests of two teachers in Sodo in the SNNPRS for objecting to the use of a new language in student textbooks led to widespread weeklong demonstrations and riots (see Section 5). Special police units brought in to suppress the demonstrations killed up to 10 persons, injured hundreds, and arrested up to 1,000 others (see Sections 1.a. and 5). A former Young Men's Christian Association camp in Sodo was used as a temporary detention facility for hundreds of demonstrators. Most of those arrested were released by year's end; however, approximately 50 elders, teachers, and civil servants were charged with subversion and remained in detention pending trials at year's end. Bail was set for the detainees from between \$6,060 to \$12,121 (50,000 and 100,000 birr), but none of the detainees were able to

make bail.

In June 1999, ETA president Dr. Woldesemayat was convicted of treason and alleged involvement in an underground terrorist organization and sentenced to 15 years in jail (see Section 6.a.). In handing down the sentence the court referenced two alleged terrorist acts that had been dropped from the list of charges against Dr. Woldesemayat during the trial. Dr. Woldesemayat's attorney appealed the conviction.

The closed trial of 65 Oromos suspected of involvement in OLF terrorist acts and arrested in 1997 and indicted in 1998 continued. Six of the defendants staged a 10-day hunger strike in May 1999 to protest the prison policy of keeping them in handcuffs 24 hours a day. The defendants are no longer kept handcuffed.

In 1997 the SPO formally charged 128 defendants with politically motivated genocide dating back to the 1976 "red terror" (see Section 1.e.). The SPO has the authority to arrest and interrogate anyone suspected of involvement in the Red Terror Campaign under Mengistu. In December 1998, the SPO began presenting prosecution testimony in the case of former Addis Ababa University president Alemayehu Tefera, imprisoned since 1993, although the charges on which he originally had been detained were dropped the same year. His petition to separate his case from the 127 other defendants was denied (see Section 1.a.). The court also started hearing testimony in December 1998 on the case of former Olympic marathon champion Mamo Wolde, who was charged with genocide for the state-sponsored killing of 14 teenagers during the prior regime. Wolde has been detained since 1992. Both trials were ongoing at year's end. During the year, the Government freed a number of SPO prisoners for lack of evidence.

Opposition groups allege that some of the persons detained by the SPO are held for political reasons. The Government denies that it holds persons for political reasons.

Some civilian residents of Eritrean origin have been detained since the outbreak of hostilities between Ethiopia and Eritrea. The Government justified these detentions on grounds of security. Approximately 1,200 civilian residents of Eritrean origin remained detained in the internment camps at Dedesa at year's end (see Section 1.c.). The ICRC was conducting interviews with the detainees at year's end to determine their willingness to be repatriated to Eritrea; repatriations for those willing are scheduled to occur in early 2001. There were credible reports that hundreds of other detainees of Eritrean origin were held in police stations for months prior to being deported in 1999. In June for the first time, the ICRC was granted access to all 29 police stations in Addis Ababa (see Section 1.c.). Beginning in April 1999, authorities began releasing Eritrean civilian detainees if they could obtain visas to a country other than Eritrea. Approximately 90 detainees left Ethiopia in 1999, mostly to other African countries, particularly Uganda and Malawi. However, following a violent confrontation in August in Malawi between some former detainees and Malawi police, the Government reportedly decided to not let detainees travel to other African countries (see Section 2.d.).

Approximately 2,000 Eritrean POW's, captured in fighting between Ethiopia and Eritrea, remained detained at year's end. In December 359 severely wounded or ill POW's were repatriated to Eritrea; the remaining POW's are scheduled to be repatriated in early 2001 under ICRC supervision.

Exile is illegal, and the Constitution provides that citizens shall not be deprived of their nationality against their wills; however, since the outbreak of conflict with Eritrea in May 1998, the Government has detained and deported as many as 75,000 Eritreans and Ethiopians of Eritrean origin on national security grounds. Some of the deportees were voluntary returnees who had requested return to Eritrea; however, the vast majority were deported forcibly. Deportation orders originated from the SIRAA in Addis Ababa. The Government's actions raised serious issues of due process since there were no preliminary hearings to determine the merits of the deportations, no right to counsel was provided to detainees, and detainees only had a very circumscribed opportunity to register protests. In addition the issue of the nationality of Eritrean-origin Ethiopians has not been settled yet. Heads of households were taken without warning, detained, and often deported via overland routes within 48 hours. Remaining family members were given arbitrary deadlines to sell property and sometimes were subjected to departure taxes based on estimated annual income and unpaid balances on government bank loans. The ICRC monitored the deportation or repatriation of approximately 475 Eritreans or Ethiopians of Eritrean origin during the year; 747 were deported or repatriated without ICRC involvement. The Government stopped deporting Eritreans and Ethiopians of Eritrean origin after it signed the cessation of hostilities agreement with Eritrea in June. Approximately 400 Eritreans were voluntarily repatriated to Eritrea between June and December. In August 1999, all Eritreans and Ethiopians of Eritrean origin over 18 years of age who had taken part in the 1993 referendum on Eritrean independence were required to register with the SIRAA and complete residence application forms. After registration applicants received identity cards and residence permits valid for 6 months (see Section 2.d.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary remained weak and overburdened. Although the federal and regional courts continued to show signs of judicial independence, in practice severe shortages of adequately trained personnel in many regions, as well as serious financial constraints, combined to deny many citizens the full protections provided for in the Constitution.

Consistent with the Constitution, the Government continued to decentralize and restructure the judiciary along federal lines with the establishment of courts at the district, zonal, and regional levels. The federal High Court and federal Supreme Court hear and adjudicate original and appeal cases involving federal law, transregional issues, and national security. The regional judiciary is increasingly autonomous, with district (woreda), zonal, high, and supreme courts mirroring the structure of the federal judiciary. In March the president of the federal High Court created two new three-judge benches at the High Court level to handle criminal cases. The Government has delegated some of the war crimes trials to the supreme courts in the regions where the crimes

allegedly were committed.

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 customary or religious court may hear a case. Shari'a (Islamic) courts may hear religious and family cases involving Muslims. In addition some traditional courts still function. Although not sanctioned by law, these courts resolve disputes for the majority of citizens who live in rural areas and who generally have little access to formal judicial systems.

The outbreak of hostilities between Ethiopia and Eritrea adversely impacted the military justice system. Most foreign assistance to train officers and noncommissioned officers was suspended at the same time that the rapid expansion of the military greatly increased the need for trained military lawyers and judges.

Regional offices of the federal Ministry of Justice monitor local judicial developments, and the regional courts have jurisdiction over both local and federal matters, but the federal judicial presence in the regions is limited nevertheless. Anecdotal evidence suggests that some local officials believe they will no longer be held accountable to a higher authority. For example, during the year local government officials in some areas ignored instructions from the National Electoral Board (NEB) on the acceptance of candidate endorsement signatures from opposition party candidates (see Section 3).

To remedy the severe lack of experienced staff in the judicial system, the Government continued to identify and train lower court judges and prosecutors, although officials acknowledge that the pay scale offered does not attract the required numbers of competent professionals. Senior government officials charged with judicial oversight estimate that the creation of a truly independent and skilled judicial apparatus would take decades. The Government has welcomed foreign financial and technical assistance to accelerate this process. Pending the passage by regional legislatures of laws particular to their region, all judges are guided by the federal procedural and substantive codes.

According to the Constitution, accused persons have the right to a public trial by an ordinary court of law within a reasonable time after having been charged. Accused persons have the right to be represented by legal counsel of their choice. However, in practice, lengthy pretrial detention was common, closed proceedings occurred, and at times, detainees were allowed little or no contact with their legal counsel. The public defender's office provides legal counsel to indigent defendants, although its scope remains severely limited, especially with respect to SPO trials. The law does not allow the defense access to prosecutorial evidence before the trial.

The Constitution provides that persons arrested have the right to be released on bail. In most cases, bail is set between approximately \$120 (1,000 birr) and approximately \$1,200 (10,000 birr). Since 1999 approximately 50 elders, teachers, and civil servants remained in detention pending trials at year's end because they were not able to make bail (see Section 5). Certain offenses such as capital crimes are not bailable.

Authorities detained hundreds of persons without charge for supposed involvement with the OLF and the ONLF (see Section 1.d.). Such cases often reflect arbitrary actions on the part of local officials but also result from an overburdened and cumbersome judicial system marked by a shortage of trained and competent prosecutors and judges.

The SPO was established in 1992 to create a historical record of the abuses committed during the Mengistu Government and to bring to justice those criminally responsible for human rights violations. The SPO has the authority to arrest and interrogate anyone suspected of involvement in the Red Terror Campaign under Mengistu. The federal High Court has considered the cases of 2,658 defendants accused of genocide, war crimes, and aggravated homicide. Trials began in 1994 and continued during the year; however, the process is subject to frequent and lengthy adjournments. Court appointed attorneys, sometimes with inadequate skills and experience, represent many of the defendants, following claims that they could not afford an adequate defense. Of the 5,198 defendants, the Government is trying 2,952 in absentia, including former dictator colonel Mengistu Haile Mariam, who remained in exile in Zimbabwe. Cases were dealt with more quickly during the year; however, most cases still were in progress at year's end. No SPO defendant has been released on bail; however, at least 50 defendants were released for lack of evidence or acquitted. Several sentences were handed down during the year, including 5 death sentences, 1 life imprisonment, and at least 27 sentences of imprisonment of up to 15 years (see Sections 1.a. and 1.c.). In July the special prosecutor, Girma Wakjira, was jailed for contempt of court after accusing one of the judges of having participated in abuses under Mengistu; he was released after 2 weeks. The judge in question was transferred to a different (criminal) court, and the president of the federal High Court took his place.

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

The law requires judicial search warrants; however, they seldom are obtained outside of Addis Ababa in practice. For example, in August Dr. Moga Frissa, vice president of an Oromo civic organization, was arrested without a warrant on charges of involvement with the OLF (see Section 1.d.).

There were credible but unconfirmed reports that in certain rural areas local officials used threats of land redistribution and withholding of food aid and fertilizer to enforce support for the ruling coalition (see Section 3). There also were credible reports that teachers and other government workers have had their employment terminated if they were not of the dominant ethnic group in their region (see Section 5). According to the SEPDC, some SEPDC supporters were suspended or dismissed from their jobs in retaliation for voting for the opposition in the May elections (see Section 3).

According to a few NGO's, there were reports that the Government had forcibly conscripted young men from eastern and southern states; however, repeated investigations by other international observers found no evidence to support these claims. Ethiopia maintains an all-volunteer military.

During the fighting in May and June, Ethiopian forces looted and caused extensive damage to a number of Eritrean towns and villages. Among the properties ransacked and looted were mosques and churches, factories, flour mills, health clinics, pharmacies, schools, warehouses, bridges, and the homes of government officials.

During the conflict with Eritrea, Eritrean and Ethiopians of Eritrean origin have lost their jobs, business licenses, and access to government services including health care facilities, and many were deported without due process (see Section 1.d. and 2.d.). Individuals often were taken without warning and at night, separated from their families, detained, and deported via overland routes within 48 hours. Remaining family members were given arbitrary deadlines to sell property and sometimes were subjected to departure taxes based on estimated annual income and unpaid balances on government bank loans (see Section 1.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution and the 1992 Press Law provide for the freedom of speech and of the press; however, the Government used legal and other mechanisms to restrict these rights in practice. For example, the Government continued to prosecute journalists and editors for publishing articles that violated the Press Law. Some journalists practiced self-censorship. Nonetheless the private press was active and often published articles extremely critical of the Government.

The Government used provisions of the Press Law concerning publishing false information, inciting ethnic hatred, and libel to justify the arrest of journalists. Three journalists were arrested during the year, and at year's end, five journalists remained in detention. Five journalists were released from detention on bail pending court cases during the year.

Five journalists of the Oromo-oriented private weekly "Urjii," arrested in October and December 1997, are among the group of 65 Oromos indicted for involvement in OLF terrorist activities (see Section 1.d.). Three of these journalists remained in detention at year's end, and their trials for Press Law violations were ongoing. In February a journalist with the newspaper Zegabi was released after the International Federation of Journalists protested her continued detention despite having posted bail in December 1999. In July she was convicted of violating the Press Law for writing an article on OLF activities and was sentenced to 6 months in prison. Former Urjii publisher and president of the Human Rights League, Garoma Bekele, who was sentenced to 1-year's imprisonment in 1999, completed his term in May but was convicted on two more press charges. He remained in prison at year's end, and three other Press Law charges were pending against him. In August Solomon Nemera, deputy editor-in-chief of Urjii, was convicted on three charges of violating the Press Law and sentenced to 2 years' imprisonment and fined approximately \$1,600 (13,000 birr). A fourth unspecified charge was pending against him at year's end.

In December journalist Zemedkur Mogus of the newspaper Atkurot, originally detained for violating the Press Law in 1998, was released on bail. Journalist Melasse Shine of the newspaper Ethop, arrested in November for violating the Press Law, reportedly was released on bail by year's end. Approximately 24 journalists, including Mogus and Shine, who obtained bail still were subject to trial for violations of the Press Law at year's end.

In December 1999, Aberra Wegi, deputy editor-in-chief of Maebel was sentenced to 1-year's imprisonment on charges of publishing false information in a story about the TPLF killing captured government soldiers during the fight against the Derg regime. He was released in February without completing his sentence. In January Tesehalene Mengesha, deputy editor-in-chief of Zegabi, was sentenced to 6-months' imprisonment on charges of violating the Press Law. She had been arrested and released in February on bail of approximately \$250 (2000 birr).

In June Tewodros Kassa, editor-in-chief of Ethiopia, was sentenced to 1-year's imprisonment or a penalty fine of approximately \$1,800 (15,000 birr) on charges of publishing fabricated news in a story about the disappearance of an OLF member.

In January Mekonnen Worku, deputy editor-in-chief of Maebel, committed suicide by hanging himself in his home. The Ethiopian Free Press Journalists Association (EFPJA) released a statement claiming that Worku killed himself because of depression and frustration due to police surveillance. Mekonnen had been detained several times, and new charges were brought against him 3 weeks before his death.

At year's end, 27 journalists remained abroad in self-imposed exile rather than face Press Law charges upon returning. In June Dawit Kebede, editor-in-chief of Fiameta (now defunct), who had 12 press charges pending in court, fled the country. In December Israel Seboka, the editor-in-chief of Seife Nebelbal newspaper, and Samson Seyoum Kebede, the former editor of GOH, fled the country. In 1999 Seyoum had been convicted on charges of incitement to war and attempting to spread Islamic fundamentalism; he was sentenced to 4 1/2 years' imprisonment but was released pending an appeal of his conviction. Six charges were pending against Seboka in court, and he had posted bail on two other charges.

Despite the constant threat of legal action, the private press remained active. Many private newspapers continued to publish inaccurate information, unsubstantiated stories, and harsh antigovernment articles without any official sanction. The Government has not banned any newspaper or publication. The office of the Government spokesperson was created in 1998 as a temporary entity responsible for distributing press releases on the border conflict with Eritrea to the Ethiopian news agency, foreign news agencies, foreign embassies, and international organizations. The Government continued to bar some private newspapers and news organizations from attending government briefings and press conferences, and most government officials still refuse to meet with private journalists.

On March 13, after a 7-year wait, EFPJA, which consists of about 80 members from the private press, was registered as a professional association with the Ministry of Justice (see Section 2.b.).

Although most independent newspapers have supported the Government's position on the conflict with Eritrea, the private press remained confrontational and continued to publish articles extremely critical of the Government and continued to report on human rights abuses.

According to the Constitution, citizens generally are free to discuss publicly any topic they choose; however, on occasion the Government restricted this right in practice. The Government opposed the activities and operations of groups critical of the Government such as the ETA and the HRL (see Sections 2.b. and 4). Nevertheless several groups critical of the Government held press conferences and public meetings without retribution. Prior to the national elections in May, a series of political debates conducted in Addis Ababa and in regional towns between the EPRDF and opposition political parties were broadcast over national television; opposition candidates and members of opposition parties voiced sharp criticism of the EPRDF and its policies during the debates.

There are approximately 30 independent political Amharic language weekly newspapers and 6 independent English language weekly newspapers with an estimated total circulation of approximately 160,000. There are 5 EPRDF coalition party newspapers, published in Amharic, Tigrigna, and Oromiffa languages, with a total circulation of 120,000. In September the English thrice-weekly *The Monitor* began publishing on a daily basis, and the first independent daily in Amharic, *Addis Daily*, began publishing.

Nearly all private newspapers as well as state newspapers are printed at one of the state-owned printing presses. In late July, the only two printing presses equipped to print tabloids, including the major state-run Berhanena Selam printing press, raised printing costs, because of an increase in the price of pulp and paper in the world market. The majority of private Amharic-language newspapers that are members of EFPJA temporarily stopped publication between September 11 and 18 to protest unsuccessfully against the rise in printing costs.

The Ministry of Information and Culture requires that newspapers show a bank balance of approximately \$1,250 (10,000 birr) at the time of their annual registration for a license. Some of the newspapers that were shut down by the Government for failing to show sufficient bank assets began publishing again during the year under different names and with new licenses.

While much of the private press continues to lack professionalism in its reporting, some print media are developing into more responsible publications. Others actually are opposition newsletters that often purvey unsubstantiated criticism of the Government. Several are tied to distinct ethnic groups, especially the Amharas and Oromos, and severely criticize the Government for being ethnocentric. Newspapers critical of government leaders and their policies are available widely in the capital but scarce elsewhere.

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 independent journalists. A number of foreign journalists were allowed to go to the war front under restricted circumstances. About 10 Ethiopian affiliates of foreign news agencies also were permitted to go to the war front in June and July to visit liberated areas and Eritrean POW's (see Section 1.c.). Local journalists representing privately-owned newspapers were denied access to the war front.

Radio remains the most influential medium for reaching citizens, especially those who live in rural areas. The Press Law allows for private radio stations, but there are no truly independent radio stations. Two nongovernmental stations, Radio Fana, a station controlled by the ruling EPRDF coalition, and the Tigray People's Liberation Front (TPLF) radio, which broadcasts in the Tigrigna language from Mekele, have close ties to the Government. In June the state-run Radio Ethiopia began broadcasting news and music on a new 18-hour channel. Broadcasting time is sold to private groups and to individuals who want to buy spots for programs and commercials. The Government operates the sole television station, and news is controlled tightly. In September the state-run ETV started a new entertainment channel, "TV Africa," contracted from a South African company. However, there are no restrictions on access to international news broadcasts. Ownership of private satellite receiving dishes and the importation of facsimile machines and modems are permitted. Internet access is provided through the government-controlled telecommunications company, which maintained a waiting list for new accounts. At the beginning of the year, access was restricted to existing lines while the Government expanded capacity; however, by year's end, new accounts were being issued. The Government issued further regulations for licensing private Internet service providers; however, no private Internet service providers were operating at year's end. Private satellite transmission uplinks generally are not allowed.

In 1999 the Government issued a broadcast proclamation creating a broadcasting authority to review

applications for private radio and television licenses; however, the authority had not been established by year's end. The broadcast proclamation prohibits political parties and religious organizations from owning stations; foreign ownership also is prohibited. Private entities that would like to be broadcasters claim that the delay in implementing the broadcast law is deliberate.

The official media, including broadcast, wire service, and print media, legally are autonomous and responsible for their own management and partial revenue generation, although they continue to receive government subsidies. Government reporters practice self-censorship. The Government's press and information department acts as an official spokesperson and implemented the 1996 information policy, which guides contacts among the Government, the press, and the public.

The Government generally respects academic freedom; however, in general, political activity is not encouraged on university campuses. In addition the Government requires that it appoint all deans and the Presidents at all eight public universities. The Ministry of Education has approved the charter for the country's first private university, Unity College, which began to offer a bachelor's degree program in September 1999. In May Unity College began offering a 2-year diploma course in journalism and communication.

In July SEPDC representatives alleged that some teachers in the southern region who served as SEPDC election observers were subject to retaliation by local authorities (see Section 3); teachers reported that they were not able to collect their salaries and that they were denied entry to summer update courses.

On a few occasions, police killed and injured some students during student demonstrations during the year (see Section 1.a., 1.c., 1.d. and 2.b.). For example, in December in Awassa, riot police shot and killed a student who was participating in a demonstration over inadequate school services (see Section 2.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly; however, on occasion the Government restricted this right in practice. Organizers of large public meetings or demonstrations must notify the Government in advance and obtain a permit. While there were no reports that any permits were denied, there were long unexplained delays in issuing permits, which hindered the ability of groups to organize events. EHRCO and some opposition political parties reported that they had difficulties renting halls from local government officials. The ETA was not permitted to organize seminars in the regions, despite Ministry of Education assurances in 1998 that it would be allowed to do so.

In March in Ambo, after a group of students demonstrated to protest the Government's refusal to fund and send them to fight forest fires in Bale zone, police killed a student, injured 6 students who were hospitalized, and detained over 1,000 other students and 3 teachers. Most of the students were released after questioning and all of the students and teachers were released by year's end. In April in Dembi Dolo, police killed a student during a student demonstration in support of detained Ambo students and teachers. In December in Awassa, riot police shot and killed a student who was participating in a demonstration over inadequate school services.

In November 1999, student demonstrations against the arrest of two teachers who criticized new textbooks in the Welayita speaking sections of the SNNPRS led to widespread demonstrations and riots during which police killed up to 10 persons, injured hundreds, and arrested and detained as many as 1,000 others (see Sections 1.d. and 5). Most of those arrested were released by year's end; however, approximately 50 elders, teachers, and civil servants were charged with subversion and remained in detention pending trials at year's end.

In November 1999, Nuer students in the Gambella region demonstrated for the use of the Nuer language in schools (see Section 5). In December 1999, the Government arrested up to 26 Nuer tribal political activists and leaders associated with the GPDC on charges of inciting the Nuer students to demonstrate (see Sections 1.d. and 5.). Twelve were released on bail in 1999, and 14 remained in detention at year's end.

The Constitution provides for freedom of association and the right to engage in unrestricted peaceful political activity; however, the Government limited this right in practice. The Government changed its procedures for registration of NGO's in 1996, which improved the NGO registration process significantly; however, a number of policy issues regarding NGO's remain unresolved, and the NGO registration process still was extremely slow. Primary registration rests with the Ministry of Justice. In March after a 7-year wait, the EFPJA, which consists of 80 members from the private press, obtained a certificate of legal recognition as a professional association in March from the Ministry of Justice. The Ministry of Justice recognizes the Ethiopia Journalists' Association, which represents journalists working for government-owned media.

Authorities closed the offices of the HRL in April 1998, on the grounds that some HRL board members wished to use the organization as a front for the OLF. Board members denied any connection to the OLF. The HRL had been operating without a license; however, it had fulfilled the prerequisites for licensing and has been waiting 3 years to get a license (see Section 4). The Government investigation of the HRL was ongoing at year's end, and the contents of its office, confiscated by the Government in 1998, have not been returned.

The Government requires political parties to register with the NEB. Parties that do not participate in two consecutive national elections are subject to deregistration. Registered political parties also must receive permission from regional governments to open local offices. The opposition AAPO complained that in 1999 the Oromiya region government refused its application to open branch offices in the region. There are 58 organized political parties; eight are national parties, and the remainder operate only in limited areas.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, on occasion local authorities infringed on this right.

The Government requires that religious groups be registered. Religious institutions, like NGO's, are registered with the Ministry of Justice and must renew their registration every year. Unlike NGO's, religious groups are not subject to a rigorous registration process. Two religious organizations reportedly have refused to comply with the Government requirement that they register, without consequence. Under current law, a religious organization that undertakes development activities must register its development wing separately as an NGO. The Government does not issue work visas to foreign religious workers unless they are attached to the development wing of a religious organization. Religious groups are not accorded duty-free status; however, with the exception of Jehovah's Witnesses, they are given free government land for churches, schools, hospitals, and cemeteries. Religious groups, like private individuals or businesses, must apply to regional and local governments for land allocation. An interfaith effort was underway at year's end to promote revision of the law in order for religious organizations to obtain duty-free status:

There are more than 6,000 members of Jehovah's Witnesses in the country. The Government continued its policy of not deporting members of Jehovah's Witnesses of Eritrean origin, who might face religious repression in Eritrea.

Evangelical leaders have complained of strict regulations on the importation of bibles, as well as heavy customs duty on bibles and other religious articles; however, bibles and religious articles are subject to the same customs duty as are all imported books and most imported items.

Unlike in the previous year, there were no complaints from Muslim leaders that public school authorities sometimes interfered with their free practice of Islam.

In December Samson Seyoum Kebede, the former editor of GOH, fled the country. In 1999 Seyoum was convicted on charges of incitement to war and attempting to spread Islamic fundamentalism; he was sentenced to 4 1/2 years' imprisonment, but was released pending an appeal of his conviction (see Section 2.a.). Under the Press Law, it is a crime to incite one religion against another.

The Government has interpreted the constitutional provision for the separation of church and state to mean that religious instruction is not permitted in schools, whether public or private. Catholic, Orthodox, evangelical and Muslim-owned and operated schools are not permitted to teach religion as a course of study. Most private schools teach a morals course as part of the school's curriculum, and the Government Education Bureau in Addis Ababa has complained that such courses are not free of religious influence. Churches are permitted to have Sunday schools, the Koran is taught at mosques, and public schools permit the formation of clubs, including those of a religious nature.

Protestant groups occasionally complained that local officials discriminate against them when seeking land for churches and cemeteries. Evangelical leaders complain that, because they are perceived as "newcomers," they remain at a disadvantage compared with the Ethiopian Orthodox Church and the Supreme Islamic Council when it comes to the allocation of land.

While some Pentecostals and evangelicals complained in past years that the police failed to protect them adequately during instances of interreligious conflict (see Section 5), there were no complaints of inadequate police protection during the year. In most interreligious disputes, the Government maintains neutrality and tries to be an impartial arbitrator. Some religious leaders have requested the establishment of a federal institution to deal with religious groups. The Government considered the request but had taken no action to establish such a federal institution by year's end.

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

The Constitution provides for freedom of movement, including the right of travel, emigration, and repatriation; however, the Government restricted these rights in practice. Some AAPO codefendants, convicted in 1998 on charges of treason, completed their prison sentences in 1998 and 1999 but have not been permitted to leave the country. In May the Government denied entry visas to a Norwegian human rights group that wanted to monitor the elections (see Section 3); they were granted visas when they changed the purpose of their trip to academic research.

In principle citizens can freely change their residence or workplace; however, since the outbreak of the border conflict with Eritrea in May 1998, Eritreans and Ethiopian citizens of Eritrean origin were subjected to detention and deportation to Eritrea. By year's end, as many as 75,000 persons had been compelled to leave Ethiopia for Eritrea or had left under adverse conditions since 1998; the vast majority were deported, although a small number left the country voluntarily to join family members who were deported without due process (see Section 1.d.). The Government stopped deporting Eritreans and Ethiopians of Eritrean origin after it signed the cessation of hostilities agreement with Eritrea in June. It is estimated that more than 200,000 Eritreans and Ethiopians of Eritrean origin remain in Ethiopia. In 1999 the Government decreed that all Eritreans 18 years of age and above residing in Ethiopia, who either had taken part in the 1993 referendum on the independence of Eritrea from Ethiopia or who had been granted Eritrean citizenship, had to register as aliens with the SIRAA. Those registering would be issued an identity card and given a 6-month residence permit, which was allowed to

expire. However, the residence permits did not give individuals access to hospitals or other public services. The Ethiopian passports of residents of Eritrean origin routinely were confiscated or restricted in use for a single exit and no reentry.

Beginning in April 1999, the Government adopted a policy of releasing those Eritrean detainees from the Bilate and Dedesa internment camps who could obtain visas to a country other than Eritrea. Approximately 90 detainees took advantage of this opportunity, with most going to African countries, particularly Uganda and Malawi. However, following an incident in August 1999, in which 25 detainees obtained fraudulent Malawian visas, traveled to Malawi with government-issued laissez-passers and were returned forcibly to Ethiopia after a violent confrontation with Malawi police in which one former detainee was killed and at least six others were injured, the Government reportedly decided not to permit detainees to depart for other countries in Africa.

The law requires citizens and residents to obtain an exit visa before departing the country. Eritreans and Ethiopians of Eritrean origin have been able to obtain exit visas but often are not permitted to return to the country.

In Addis Ababa and western Gondar in the Amhara region there are very small concentrations of Ethiopian Jews (Falashas) and those who claim that their ancestors were forced to convert from Judaism to Ethiopian Orthodoxy (Feles Mora). Approximately 3,000 Feles Mora migrated voluntarily from the western Amhara region to Addis Ababa in 1991 at the time of "Operation Solomon," when a large number of Falashas were airlifted to Israel. The Feles Mora also seek to immigrate to Israel. The number of Feles Mora in the country is approximately 26,000. Israeli officials evaluate the Feles Mora immigration claims on a case-by-case basis and estimate that by year's end approximately 100 individuals were immigrating to Israel under the law of return each week. All of the eligible Falashas from Ethiopia had immigrated to Israel by December 1999.

During the year, more than 25,000 Ethiopians were deported or repatriated from Eritrea to Ethiopia. These deportees and returnees were initially housed in camps in Adwa and possibly Adigrat for a few days, before returning to their homes and families.

As a result of the conflict with Eritrea, approximately 343,000 persons have been displaced internally. The Government has presented relief and rehabilitation proposals for these internally displaced persons (IDP's) to bilateral donors and NGO's. By year's end, the Government, with international assistance, returned at least half of the IDP's to their homes and granted other assistance, including food and money, to the remaining IDP's.

The law includes provisions for the granting of refugee and asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally treats asylum seekers fairly and cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and returning citizens.

Ethiopia hosts approximately 300,000 refugees; most are from Somalia and Sudan. The Government in cooperation with the UNHCR continues to provide first asylum to refugees from Sudan and Somalia. Along the border of northwest Somalia, 195,345 Somali refugees were resident in 8 camps at year's end, down from 600,000 Somali refugees in 1996. Along the Sudanese border approximately 60,000 Sudanese refugees were resident in 4 refugee camps around Gambella and Asossa at year's end. Approximately 80 percent of the Sudanese refugees are women and children. There are approximately 1,500 Djiboutian Afar asylum-seekers remaining in the country, down from a high of 18,000 when Djiboutian Afars first entered the country in 1993. By year's end, the UNHCR was able to register most Djiboutian Afars in the country, including 1,503 Djiboutian Afars in the area of Assaita, and 57 in other parts of the country. The Afar claim that the Government arbitrarily reduced the estimated number of Afar refugees in the country without evidence that any refugees had actually left the country. These asylum seekers have requested, but never have been granted, formal registration by the Ethiopian Agency for Refugee and Resettlement Affairs (ARRA). Negotiations began in 1997 between the Government and the UNHCR concerning their status and were ongoing at year's end. ARRA conducted an informal registration of Djiboutian Afars in May 1999 without UNHCR involvement.

In November the Governments of Ethiopia and Kenya, with UNHCR facilitation, began a second effort to repatriate approximately 4,800 Kenyan refugees from the Moyale area. By year's end, all of the Kenyan refugees had been repatriated. During the year, the UNHCR facilitated the return of 44,000 Somalis to Somaliland. An additional 8,000 Somalis were resettled from camps in the east in the northern Ogaden region.

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

Citizens exercised the right to vote for a national government in May, during elections for the House of People's Representatives (HPR). According to observers organized by the Ethiopian Human Rights Council (EHRCO), local U.N. staff, diplomatic missions, political parties, and domestic NGO's, the elections were generally free and fair in most areas; however, serious election irregularities occurred in the SNNPRS region, particularly in Hadiya zone. As a result, the NEB, acting on its constitutional authority, investigated complaints of the irregularities and determined that many of them had merit. These included incidents of election officials instructing voters for whom to vote, candidates campaigning at polling stations, and candidates being pressured into quitting. There were also credible reports of ballot stuffing, vote count fraud, voter intimidation or bribery, dismissals from work, withholding of salaries, detentions, abductions, and killings (see Sections 1.a., 1.c., and 1.d.). The NEB ordered new elections in some areas of SNNPRS that were held in June; they were declared generally free and fair by international observers. The NEB agreed to bring charges against those suspected of the worst election abuses in the SNNPRS; however, no action had been taken by year's end. Elections in the Somali region took place in August, after delays due to a food emergency and voter registration irregularities.

Seventeen opposition political parties contested the May election, including the AAPPO, the SEPDC, and the Oromo National Congress. The better-funded and better-organized incumbent party, the EPRDF, generally dominated over candidates of the relatively weaker and less-organized opposition parties and independent candidates, except in the SNNPRS, where the opposition made significant inroads. EPRDF candidates won 481 seats in the HPR, EPRDF affiliate candidates won 37 seats, opposition party candidates won 16 seats, and independent candidates won 13 seats.

The Government made efforts to level the playing field for non-EPRDF political parties, by establishing a donor supported fund for opposition party candidates, providing opposition candidates access to state-owned electronic media, and changing the law to permit civil servants to run for office without first resigning their positions. The Government was willing to engage opponents in open debate at candidate and party forums. Many of these debates were broadcast live on national radio and television and reported on in both government and private newspapers (see Section 2.a.). Free radio broadcast time was set aside for the elections, and 225 independent candidates and 33 political parties made use of it.

By the end of 1999, the NEB had begun investigating abuses of election laws related to candidate registration for the May election in the SNNPRS and the Gambella region. There were credible reports that local officials throughout the country ignored NEB instructions on the acceptance of candidate endorsement signatures from opposition party candidates. There were instances in which the NEB had to force local authorities to accept nominations. There were credible reports that during candidate registration in January, many kebele offices were closed for holidays or were otherwise understaffed, hindering the registration process of opposition candidates. In the Somalia region prior to the August elections, thousands of ballots were reprinted to rectify the fact that a female opposition candidate had not been listed despite having met NEB requirements for candidate registration.

There were credible reports that citizens who tried to register to vote were told by government personnel that they had to prove their citizenship in order to register; under the law only citizens can vote. Reportedly Ethiopians of Eritrean origin were not allowed to register or to vote. In May local officials denied three HNDO observers in possession of valid election authorization letters admission to a Wachara polling station when the ballot box was unsealed. A review of the polling station registration book by a diplomatic election observer indicated that no more than 20 individuals had voted, although the canvas ballot box was filled with ballots. In the Soro zone, there were credible reports of many NEB polling station officials being dismissed shortly before the election and being replaced by local government officials.

In May the Government denied entry visas to a Norwegian human rights group that wanted to monitor the elections; they were granted visas when they changed the purpose of their trip to academic research (see Section 2.d.).

There were credible reports that local authorities in the Oromiya, Amhara, and southern regions periodically arrested and detained supporters of opposition parties in the period prior to and following the May elections. Most of these individuals were eventually released without being charged formally. For example, in February and March, 16 HNDO candidates were arrested. All were released on bail in April; however, while the charges against them have not been dropped, trials are not expected to be held. Three of the candidates were charged with treason for allegedly staging a coup d'etat and for publicly accusing the ruling party of directing most development money to projects in the Tigray region. The coup d'etat charges originated from instances in which HDNO personnel legally voted to replace ruling party personnel in their local peasant association. In addition approximately 500 HNDO supporters were detained by the police in April on charges of non-payment of taxes and fertilizer loans (see Section 1.d.); all were released by the end of that month.

There were a number of killings as a result of preelection and postelection violence (see Section 1.a.). In February in Soro, police tortured and killed two farmers—who supported the opposition—while they were in police custody; the farmers allegedly were arrested for the non-payment of taxes (see Section 1.d.). No action was taken against the police by year's end. The deaths led to clashes between the villagers and the police, during which three police officers were injured. In May in the SNNPRS region, Hadiya zone, security forces killed two women while they were voting, allegedly because they refused to mark their ballots for an EPRDF candidate. An election observer who saw the bodies stated that the women were shot in the face. A government investigation into the killings was conducted during the year; however, no results were released nor further action taken in the matter by year's end. Also in May, according to Beyene Petros, the chairman of the SEPDC, police killed seven SEPDC supporters who were protesting electoral fraud outside of two polling stations in the south. On election day, three persons were killed when an EPRDF member threw a grenade into the home of an opposition party election observer while the observer was in his residence. The observer's son retaliated by killing a polling station official. In May there were reports of at least two other killings in the SNNPRS, in particular in the Gurage Zone. In August in the Somali region, nine people, including five election observers, one opposition candidate, and three other passengers, were killed when the cars they were riding in were struck by either rockets or landmines (see Section 1.a.). The identity of the perpetrators remained unknown at year's end. In the fall, police reportedly beat a man who was detained allegedly in retaliation for election activities; he was beaten so severely that he sustained permanent damage. In December police reportedly beat another man to death who was detained for similar reasons (see Section 1.a. and 1.c.).

Following the May elections, the SEPDC filed a complaint with the NEB detailing election irregularities in various constituencies of the region. The NEB sent investigators to the region and later ordered that new elections be held in the Hadiya zone on June 25. According to the NEB, problems in other areas were not serious enough to warrant a new election. The NEB agreed to bring charges against those suspected of the worst election abuses in the SNNPRS; however, no action had been taken by year's end.

In July there were credible reports that ruling party personnel withheld fertilizer and food aid in the SNNPRS region as retaliation for voters electing opposition candidates. The amount of government-supplied fertilizer available in the area was reported to have dropped from 100,000 quintals in 1999 to 10,000 quintals during the year, while the price was reported to have increased. Representatives of the SEPDC alleged in July that authorities in the southern region detained hundreds of SEPDC supporters in retaliation for voting for the opposition in the May elections (see Section 1.d.). According to the SEPDC, some SEPDC supporters were suspended or dismissed from their jobs in retaliation for voting for the opposition in the May elections. SEPDC representatives also alleged that some teachers in the southern region who served as SEPDC election observers were subject to retaliation by local authorities; teachers reported that they were not able to collect their salaries and that they were denied entry to summer update courses.

In December 1999, the Government arrested 26 Nuer tribal political activists associated with the Gambella People's Democratic Congress (GPDC) on charges of inciting Nuer students in November 1999 to demonstrate for the use of the Nuer language in schools (see Sections 1.d. and 5). The GPDC claimed that the charges were without merit and that the Government was attempting to interfere with the political process for the May elections. The NEB sent investigators to the region. Just prior to the May elections, 12 of the 26 Nuer tribal political activists associated with the GPDC were released. The remaining 14 still were in detention at year's end.

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 OLF, some elements of the ONLF, and several smaller Somali groups. The AAPO complained that in 1999 the Oromiya regional government refused its application to open branch offices in some areas of the region (see Section 2.b.).

Neither law nor practice restricts the participation of women in politics; however, women are underrepresented in government and politics. One of the 15 members of the Council of Ministers is a woman; 2 other women hold Ministerial positions; and a number of other women hold senior positions. There are 42 women among the 547 members of the HPR, and 10 of 113 members in the House of Federation are female, including the Speaker of the House. There are three women on the Supreme Court.

The government policy of ethnic federalism led to the creation of individual constituencies to help ensure representation in the HPR of all major ethnic groups; however, small ethnic groups were not represented in the legislature. There are 23 nationality groups in 6 of the regional states that do not have a sufficient population to qualify for constituency seats; however, individuals from these nationality groups competed for 23 special seats in the 547-seat HPR in the May elections.

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

Human rights organizations include EHRCO, the HRL, the Ethiopian Women's Lawyers Association, the Inter-Africa Group, the National Committee on Traditional Practices, the Peace and Development Committee, the Society for the Advancement of Human Rights Education, Enwayay, the Center for Local Capacity Building and Studies, African Initiatives for a Democratic World Order, and Hundee. These and numerous other groups primarily are engaged in civic and human rights education, legal assistance, and trial monitoring. The HRL, founded by prominent Oromo civic leaders in 1997, still was being investigated by the Government at year's end for its alleged ties to the OLF. Authorities closed the offices of the HRL in April 1998 and confiscated the contents of its offices, which have not been returned (see Section 2.b.). In October 1999, the Ministry of Justice decertified the Ethiopian Congress for Democracy, reportedly for financial irregularities.

In March 1999, 160 domestic and international NGO's signed a code of conduct and formed a code observance committee. The code details standards of conduct for numerous areas including moral and ethical integrity, transparency and accountability, good governance, gender equity, and environmental consciousness. The code observance committee, composed of five members elected by the NGO general assembly and two representatives from civil society at large, hears and decides matters in all instances involving a violation or breach of the code.

The ICRC was able to carry out more of its normal program of registration and intervention than in the previous year. The ICRC conducted regular visits to detention centers and prisons throughout the country and in May was permitted access to the CID detention facility in Addis Ababa, which holds upwards of 200 persons whose cases are under investigation (see Section 1.c.). The ICRC was granted access to the Tatek military detention facilities but not to other military detention facilities where suspected OLF fighters are held. The ICRC visited the Dedesa POW internment camp and police stations in Addis Ababa once in June (see Sections 1.c. and 1.d.). The ICRC registered 1,700 new Eritrean POW's in the Tigray region following the May offensive. In September Ethiopia and Eritrea agreed that the ICRC would be the supervisory organization for the exchange of expellees or deportees. In December following the signing of the peace agreement, Ethiopia and Eritrea agreed that the ICRC would facilitate all POW exchanges. In May and June, the ICRC suspended emergency relief flights to Dire Dawa and Gode because Ethiopian Airlines demanded a high "handling fee" for each flight.

The chairman of the African Commission on Human and Peoples' Rights (ACHPR) visited in February and March to investigate Eritrean complaints regarding government deportations of Eritreans and Ethiopians of Eritrean origin. His program included meetings with senior officials of the executive, legislative and judicial branches. The ACHPR did not release a report by year's end.

A delegation from the international NGO Education International received visas to visit Dr. Woldesemayat in prison, but were turned back upon arrival at Addis Ababa airport in June. A second delegation from Education International attempted to visit Dr. Woldesemayat in December; however, all but one of the delegation members were denied visas (see Section 6.a.).

The Government is required under the Constitution to establish a human rights commission and office of the ombudsman. The office of the ombudsman is expected to have the authority to receive and investigate complaints with respect to misadministration by executive branch offices. Parliament completed legislative action to create both entities in July; however, neither entity was operational by year's end.

The Government continues to encourage international human rights groups and foreign diplomats to observe the war crimes trials that began in 1994. Officials of the Federal Security Authority generally have been responsive to requests for information from the diplomatic community. Several international human rights groups visited the country during the year.

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. However, the Government has not yet fully put into place mechanisms for the effective enforcement of these protections.

Women

Culturally based abuses including wife beating and marital 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 rural areas. Social practices obstruct investigations into rape and the prosecution of the rapist, and many women are not aware of their rights under the law. It is estimated that there are more than 1,000 rapes a year in Addis Ababa alone; however, only 168 rape convictions were handed down nationwide from September 1999 to September. Rape sentences have increased incrementally to 10 to 13 years, in line with the 10 to 15 years prescribed by law. There was a report in September that a guard raped a female prisoner; he was arrested in September and was awaiting trial at year's end (see Section 1.c.).

The Constitution provides for the equality of women; however, these provisions often are not applied in practice. Furthermore, these provisions often are in conflict with the 1960 Civil Code and the 1957 Penal Code, both of which still are in force but under review by the Ministry of Justice. The 1960 Civil Code is based on a monarchical constitution that treated women as if they were children or disabled. Discriminatory regulations in the civil code include recognizing the husband as the legal head of the family and designating him as the sole guardian of children over 5 years old. Family arbitration councils, which in the past had the power to dissolve marriages, engaged only in arbitration and reconciliation counseling, and only the courts have the legal power to dissolve marriages. Domestic violence is not considered a serious justification under the law to obtain a divorce. There is only limited juridical recognition of common-law marriage. Irrespective of the number of years the marriage has existed, the number of children raised, and the joint property, the woman is entitled to only 3 months' financial support should the relationship end. However, a husband has no obligation to provide financial assistance to his family and, as a result, women and children sometimes are abandoned when there is a problem in the marriage. All land belongs to the state; however, land reforms enacted in March 1997 stipulate that women may obtain government leases to land, and the Government has an explicit policy implemented in 1995 to provide equal access to land for women. Discrimination is most acute in rural areas, where 85 percent of the population lives. In urban areas, women have fewer employment opportunities than do men, and the jobs available do not provide equal pay for equal work.

As a result of changes in the Labor Law in 1998, thousands of women traveled to the Middle East as industrial and domestic workers. There were credible reports that female workers were abused in these positions (see Section 6.f.).

Although illegal, the abduction of women and girls as a form of marriage still is widely practiced in the Oromiya region and the SNNPRS. Forced sexual relationships often accompany most marriages by abduction, and women often are abused physically during the abduction. Abductions have led to conflicts between families, communities, and ethnic groups.

To enhance the status of women, the Government formally adopted a national program of action in 1997. The program seeks to expand educational and work opportunities for women, improve women's access to health care, and educate women about certain unhealthy traditional practices such as early marriage. There have been few improvements in the status of women since the inception of this program; however, according to a study published by the National Committee on Traditional Practices of Ethiopia (NCTPE) in 1998, certain harmful traditional practices such as early marriage and marriage by abduction appeared to be on the decline. During the year, proclamations were passed that established the Human Rights Commission (HRC) and the office of the ombudsman. The proclamations make special provision for a commissioner, in the case of the HRC, and an ombudsman to be particularly responsible for the rights of women and children.

On July 29, Parliament adopted a new family law, drafted by Ministry of Justice in 1998; the family law was backdated and took effect on July 4. As a result, the revised civil code raises the legal age for marriage for girls from 15 to 18, the same as for boys; puts civil law above customary and religious law; allows for the legal sharing of property for unmarried couples who have lived together for at least 5 years (previously, there was no

property sharing for couples separating, even if they had lived together their entire adult lives); eliminates family arbitrators as a means of settling marital disputes in lieu of the court system (historically women have fared poorly under the family arbitration system); allows for the joint administration of common marital property (previously a man could sell joint property without the consent or knowledge of his wife); and requires the courts to take into account the situation of children or the weakest member of the family in the event of a divorce or separation (previously women and children were often forced out of the family home in such cases).

In 1999 the Ministry of Justice completed a revision of the 1957 Penal Code and a national debate on the revisions continued during the year. Critical issues affecting women and children include the penalties for rape, domestic violence, and child molestation. However, regardless of changes to the Penal Code, tradition and culture often prevail over civil and criminal law, and in practice women do not enjoy equal status with men. For example, the harmful traditional practice of abduction as a form of marriage already is illegal under the Penal Code but still is practiced widely in many rural areas.

Children

The Government has encouraged efforts by domestic and international NGO's that focus on children's social, health, and legal issues. For example, local officials provided transportation and free facilities to NGO activities. During the year, proclamations were passed that established the HRC and the ombudsman. The proclamations make special provision for a commissioner, in the case of the HRC, and an ombudsman to be particularly responsible for the rights of women and children. However, the Government has limited ability to provide improved health care and basic education. By law primary education is compulsory, free and universal; however, despite efforts by the Government to increase the number of schools, there are not enough schools to accommodate the country's youth. In 1977 the Government adopted a three-shift system in all primary and secondary schools to maximize the utilization of classrooms and to provide an opportunity for working children to attend school. Nationwide only 61 percent of male primary age children and 41 percent of female primary age children attend school, and many do so in shifts; girls reportedly attended school in greater numbers in some regions. However, government reports show that approximately 30 percent of the children who attend school leave the system before they reach grade two of primary school. The chance of their relapsing to illiteracy is high. Only about 18 percent of children reach grade five. The overall literacy rate is approximately 20 to 30 percent, and only 17 percent of women are literate compared with 26 percent of men; however, it is difficult to estimate literacy rates accurately due to a lack of government statistics. Only 12 percent of males and 8.5 percent of females attend secondary school. During the year, 46,140 males and 27,418 females earned a school-leaving certificate, a prerequisite to attend college. There is space in institutions of higher education for only a small percentage of these graduates.

In Addis Ababa's police stations, there are 10 Child Protection Units, which are staffed by members of an NGO and protect the rights of children by assisting them when they become victims of crime. Some police officers underwent training in 1997 on procedures for handling cases of child abuse and juvenile delinquency. Nevertheless there is a clear need for reform of the juvenile justice system. Three federal judges sit on one bench to hear all cases of juvenile offenses. There is a large backlog of juvenile cases and accused children often remain in detention with adults until their cases are heard. There is only one juvenile remand home with a capacity of 150 for children under age 15, and the juveniles who cannot be accommodated at the juvenile remand home are incarcerated with adults (see Section 1.c.).

Societal abuse of young girls continues to be a problem. The majority of 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. The NCTPE conducted a survey that was published in 1998, which indicated that 72.7 percent of the female population had undergone FGM, down from an estimated 90 percent of the female population in 1990. Clitoridectomies typically are performed 7 days after birth and consist of an excision of the labia. Infibulation—the most extreme and dangerous form of FGM—is performed at any time between the age of 8 and the onset of puberty. The law does not specifically prohibit FGM, although it is discouraged officially, and the Government has been very supportive of the NCTPE. The Government also is working to discourage the practice of FGM through education in public schools.

Other harmful traditional practices surveyed by the NCTPE included uvulectomy, milk-teeth extraction, early marriage, marriage by abduction, and food and work prohibitions. A new family law adopted in July defines the age of consent as 18 for both females and males; however, early childhood marriage is common in rural areas where girls as young as age 9 are subjected to arranged marriages. In the Afar region of the east, young girls continue to be married to much older men, but this traditional practice is coming under greater scrutiny and criticism. There was a report that a girl was sold by her father to a local man in exchange for cattle; the girl's mother brought the case to the Ethiopian Women Lawyer's Association, and, at year's end, the case was being prosecuted in the courts (see Sections 6.c. and 6.f.). The Tigray Women's Association also has had an impact in changing societal attitudes toward early marriage. Pregnancy at an early age often leads to obstetric fistulae resulting in lifelong misery due to total and permanent incontinence. Treatment is available at only one hospital in Addis Ababa that performs over 1,000 fistula operations a year. It estimates that for every successful operation performed, 10 other young women need the treatment. The maternal mortality rate is extremely high due, in part, to food taboos for pregnant women, poverty, early marriage, and birth complications related to FGM, especially infibulation.

There are approximately 200,000 street children in urban areas, of which 150,000 reside in Addis Ababa; however, the figures are difficult to estimate, and observers believe the problem is growing. These children beg, sometimes as part of a gang, or work in the informal sector in order to survive (see Section 6.d.). Government and privately run orphanages are unable to handle the number of street children, and older children often abuse younger children. Due to severe resource constraints, abandoned infants often are overlooked or neglected at hospitals and orphanages. There are a few credible reports that children are maimed or blinded by their "handlers" in order to raise their earnings from begging.

Child prostitution continues to be a problem and is perceived widely to be growing. There are no laws that criminalize child prostitution or prostitution in general. In 1996 the National Steering Committee Against Sexual Exploitation of Children was formed and is chaired by the Children, Youth, and Family Affairs Department of the Ministry of Labor and Social Affairs. In October 1999, the committee reported that child prostitution is on the increase especially in major urban centers; however, there are no statistics available. NGO's report that girls as young as age 11 are recruited to work in houses of prostitution where they are kept ignorant of the risks of HIV/AIDS infection. There have been many press reports of the large-scale employment of children, especially underage girls, as hotel workers, barmaids, and prostitutes in resort towns and rural truck stops. There were continued reports that poor rural families sold their young teenage daughters to hotel and bar owners on the main truck routes; however, these reports were difficult to confirm (see Sections 6.c. and 6.f.). Social workers note that young girls are prized because their clients believe that they are free of sexually transmitted diseases. The unwanted babies of these young girls usually are abandoned at hospitals, police stations, welfare clinics, and adoption agencies. There were numerous anecdotal accounts of young girls going to the Middle East to work as house servants and nannies, some of whom were abused, including sexually. (see Sections 6.c., 6.d., and 6.f.). Factors aggravating the problem of child prostitution are pervasive poverty, migration to urban centers, early marriage, HIV/AIDS, and limited educational and job opportunities. There are several NGO's which work with child prostitutes, including the Forum on Street Children-Ethiopia, which provides shelter and protection for child prostitutes trying to get off the streets.

In September 1999, a forum on child labor was launched by over 80 government, NGO and foreign entities, including the International Labor Organization (ILO), to combat such problems as child prostitution. The forum held a series of meetings during the year.

Child labor is pervasive, especially in the informal sector, and child laborers sometimes are subjected to abuse, including neglect, and, among children working as domestic servants, sexual abuse and rape (see Section 6.d.).

It is the policy of the Ministry of Defense not to permit persons under the age of 18 to join the armed forces, and the Government made efforts to enforce this policy. While there were reports that some children under the age of 18 were recruited into the military in 1999, and military officers have admitted that underage applicants sometimes were enlisted, there were no such reports during the year. Ethiopia has an all-volunteer military; however, scarce birth certificates, poor educational opportunities, patriotism, and pervasive poverty conspired to entice underage applicants to try to circumvent restrictions on underage soldiers. If young boys are found to be under the age of 18, they are prohibited from doing military service; however, in rural areas children often do not have birth certificates. If a unit commander suspects but cannot prove that a soldier is underage, he can transfer the soldier from a front-line combat unit to a rear-area command. There is evidence that children as young as age 14 were permitted to join local militia units in an effort to keep them close to home and prevent them from attempting to join the regular army.

People with Disabilities

The Constitution stipulates that the state shall allocate resources to provide rehabilitation and assistance to the physically and mentally disabled; however, the Government devoted few resources for these purposes. At year's end, the Government had not yet put into place mechanisms to enforce a 1994 law mandating equal rights for the disabled. The Government does not mandate access to buildings or government services for the disabled, and persons with minor disabilities sometimes complain of job discrimination. The conflict with Eritrea resulted in numerous soldiers losing limbs, many from landmine explosions; however, wheelchairs are rare in the country. According to an NGO report in 1998, only 500 of the approximately 700,000 visually impaired persons in the country have access to employment opportunities. Although there are approximately 800,000 mentally ill persons estimated in the country, there is only 1 mental hospital and only 10 psychiatrists. In the past several years, the mental hospital trained 117 psychiatric nurses to work in 33 rural clinics; however, half of these nurses subsequently left their jobs.

There are numerous domestic NGO's that work with the disabled. For example, the Amhara Development Association operates a project to provide vocational training to disabled war veterans in Bahir Dar. The Tigray Development Association operates a center in Mekele that provides prostheses and seed money for business development, training, and counseling for disabled persons. The international NGO Landmine Survivors commenced operating in the country during the year; Landmine Survivors provides a number of services to victims of landmine explosions including counseling, and referrals to rehabilitation services. A 1994 census determined that there were 989,000 disabled persons in the country; however, observers believe that number has grown and is significantly higher.

Religious Minorities

Despite the generally broad level of societal tolerance for established faiths, there were instances of open conflict among religious groups before 1998, most noticeably between Ethiopian Orthodox Christians on the one hand, and Pentecostals and evangelicals on the other, and there continued to be pockets of interreligious tension and criticism during the year. Newer faiths such as Jehovah's Witnesses and Pentecostals encountered overt opposition from the public. Muslims and Orthodox Christians complained about proselytization by Pentecostals and Jehovah's Witnesses. Ethiopian Orthodox leaders complained that at times Protestants fail to respect Orthodox holy days and Orthodox customs. Muslims complained that some Pentecostal preachers disparage Islam in their services. There were complaints by Muslim leaders that the Ethiopian Orthodox church's desire to "show supremacy" sometimes caused irritation in the country's various regions. Protestant and Pentecostal leaders complained that, on occasion, Orthodox or evangelical adherents interrupted Protestant and Pentecostal religious meetings and attempted to prevent the construction of

Protestant churches in predominately Orthodox or evangelical areas.

In April 1999, two Muslim communities in the Dire Dawa and north Welo areas attempted to construct new mosques but abandoned the construction when local Orthodox church members caused damage to the construction sites and beat one Muslim who tried to prevent their actions. The Government intervened, and the mosques were being built at year's end.

Nevertheless in most sections of the country Orthodox Christians and Muslims participated in each other's religious observances, and there is tolerance for intermarriage and conversion in certain areas, most notably in Welo, as well as in urban areas throughout the country. In Addis Ababa, persons of different faiths often live side-by-side. Most urban areas reflect a mixture of all religious denominations. Longstanding evangelical Protestant denominations, particularly the Mekane Yesus church and Kale Heywet churches, provide social services such as health care and education to nonmembers as well as to members.

National/Racial/Ethnic Minorities

There are more than 80 ethnic groups. Although many of these groups influenced the political and cultural life of the country, Amharas and Tigrayans from the northern highlands played a dominant role. Some ethnic groups such as the Oromos, the largest single group, were subjugated during the 19th century. In an attempt to address ethnic concerns, the Government has established a federal system with political boundaries drawn roughly along major ethnic lines. With federalism regional states have much greater control over their affairs. For example, in Oromiya in 1999, the regional government required that all primary schools adopt Oromiffa as the language of instruction. This drew protests from groups that reside in Oromiya whose mother tongue is not Oromiffa and who believe that their children are now at a disadvantage. There are credible reports that teachers and other government workers have had their employment terminated if they are not of the dominant ethnic group in the region.

Ethnic clashes during the year resulted in a number of deaths and injuries. In July there were reports of clashes between the Oromo Borena community and ethnic-Somali Garre pastoralists in the southeast, which reportedly resulted in the deaths of approximately 40 persons and the theft of hundreds of livestock. In October there were reports of a clash over grazing and watering rights between the two communities, which reportedly resulted in the killing of at least 150 people and injuries to many others.

In December ethnic tensions between Oromo and Tigrayan students at Addis Ababa University were exacerbated when a Tigrayan student presented a paper which allegedly included a derogatory statement about Oromos. The students engaged in some fighting and vandalism, and authorities arrested some Oromo students (see Section 1.d.).

In May 1999, local administrators in the SNNPRS informed elementary and high school teachers that new textbooks would be used in the North Omo zone, which merged four closely related languages spoken in the zone: Welayita, Gamo, Goffa, and Dawro. Neither local communities nor teachers had been consulted before the decision was made to introduce the new textbooks. In November 1999, police arrested two teachers for objecting to the new language (see Section 1.d.). The arrests led to widespread demonstrations and rioting in the city of Sodo during which police killed up to 10 persons, injured hundreds, and arrested and detained as many as 1,000 others (see Sections 1.a., 1.c. and 1.d.). Most of those arrested were released, but approximately 20 elders, teachers, and civil servants were charged with subversion and remained in prison at year's end because they could not make bail of between \$6,000 and \$12,500 (50,000 and 100,000 birr—see Section 1.d.). As a result of the conflict, Welayita was used as the language of instruction in schools during the year, and Welayita became its own zone in November.

There has been a long history of tension between the Nuer and Anuak tribal groups. In November 1999, Nuer students in the Gambella region demonstrated for the use of the Nuer language in schools instead of the Amharic language. In December 1999, the Government arrested 26 Nuer tribal political activists associated with the GPDC on charges of inciting the Nuer students to demonstrate (see Section 1.d.). The GPDC accused the Anuak tribe, whose political organization—the Gambella people's democratic party—is an EPRDF affiliate, of interfering with their political activities prior to the May elections. Twelve of those arrested were released prior to the May elections; 14 remained in custody at year's end (see Section 1.d.).

The expansion of the military from a low of 60,000 personnel in April 1998 to approximately 285,000 to 300,000 personnel during the year aided greatly in the goal of bringing more ethnic groups into the military. By most accounts, the military is an ethnically diverse organization with very little friction between the various groups represented, at least in the lower ranks. At the higher ranks the officer personnel is much less ethnically diverse. Promotions awarded in November and December were disproportionately high among the Tigrayan ethnic group, although promotions were given to officers from a range of ethnic groups; Oromos were represented among those promoted in higher numbers than the previous year.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides most workers with the right to form and join unions, but the 1993 Labor Proclamation specifically excluded teachers and civil servants, including judges, prosecutors, and security services, from organizing unions. Only 300,000 workers are unionized. The 1993 Labor Proclamation also decreed that workers who provide essential services are not allowed to strike. Essential services are defined broadly to include air transport services, railways, bus service, postal, police and fire services, banking,

telecommunications, and medical services.

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

The ETA formerly had a membership of 120,000; however, that number has decreased significantly due to government intimidation and restrictions on ETA activities. In 1995 the leadership of the ETA filed with the ILO a freedom of association complaint against the Government based upon credible reports that the Government has harassed the ETA leadership at all levels since 1993. Security forces harassed members of the ETA and closed their offices; however, the ETA still is registered. In November the ILO Committee on Freedom of Association issued a strong criticism of the Government for its restrictions on freedom of association. The president of the ETA, Dr. Woldeesemayat, was sentenced to 15 years in prison in 1999 for inciting violence. In 1994 the Government encouraged and publicly supported the organization and registration of a second teachers' association. A delegation from the international NGO Education International received visas to visit Dr. Woldeesemayat in prison, but were turned back upon arrival at Addis Ababa airport in June. A second delegation from Education International attempted to visit Dr. Woldeesemayat in December; however, all but one of the delegation members were denied visas (see Section 1.c.).

There is no requirement that unions belong to the Confederation of Ethiopian Trade Unions (CETU), which was established in 1993, decertified in December 1994 because of internal management and political disputes, and officially reestablished and recertified in April 1997. CETU includes all nine federations organized by industrial and service sectors rather than by region.

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, but labor leaders state that most workers are not convinced that the Government would enforce this protection. Both sides must make efforts at reconciliation, 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 has 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 include two each from trade unions and employer groups. Some efforts to enforce labor regulations are made within the formal industrial sector. Some private sector workers, including construction workers and Ethiopian Airlines mechanics, went on strike during the year over salary issues. Labor officials have stated that in view of high unemployment and the inattention courts have given to labor cases, some workers are afraid to participate in strikes or other labor actions.

Independent unions and those belonging to CETU are free to affiliate with and participate in international labor bodies. Some unions have affiliated with international organizations.

b. The Right to Organize and Bargain Collectively

Collective bargaining is protected under the Labor Law and under the Constitution for most workers and is practiced freely throughout the country. Collective bargaining agreements concluded between 1975 and the promulgation of the 1993 Labor Law 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. Labor leaders point to a number of court cases that are 4 or 5 years old in which workers have been terminated for union activities as examples of inattention by the courts to worker rights. Seasonal and part-time agricultural workers are not organized even on state-owned plantations. Seasonal workers' compensation, benefits, and working conditions are far below those of unionized permanent plantation employees.

In December a private company dissolved its labor union after a disagreement between management and workers. A total of 586 workers were expelled from the company, including union leaders. The Government attempted to mediate the dispute, but the employer did not cooperate; the case is expected to be referred to the Ministry of Labor and Social Affairs in 2001.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Criminal Code, which applies to persons over the age of 15, specifically prohibits forced labor; however, forced labor can be used by court order as a punitive measure. Forced or compulsory labor by children is illegal; however, young girls reportedly were sold or forced into prostitution by family members (see Sections 5 and 6.f.). There were continued reports that poor rural families sold their young teenage daughters to hotel and bar owners on the main truck routes; however, these reports were difficult to confirm. There was a report that a girl was sold by her father to a local man in exchange for cattle; the girl's mother brought the case to the Ethiopian Women Lawyer's Association, and the case was being prosecuted in the courts at year's end (see Sections 5 and 6.f.). There also were numerous anecdotal accounts of young persons, especially girls, traveling to the Middle East to work as house servants and nannies, some of whom were abused, including

sexually (see Section 6.f.). The Constitution proscribes slavery, which was abolished officially in 1942, and involuntary servitude. There were no reports of slavery within the country.

d. Status of Child Labor Practices and Minimum Age for Employment

Under the Labor Law, the minimum age for wage or salary employment is 14 years; special provisions cover children between the ages of 14 and 18, including the prohibition of night work or hazardous work. The Government defines hazardous work as work in factories or involving machinery with moving parts, or any work that could jeopardize children's health.

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 the Government has made some effort to enforce these regulations within the formal industrial sector, social welfare activists, civic organizers, government officials, and entrepreneurs agree that child labor is pervasive throughout the country, especially in the informal sector. In urban areas, children in large numbers can be seen working in a variety of jobs, including shining shoes, hustling passengers into cabs, working as porters, selling lottery tickets, and herding animals. Child domestic workers are common.

Child laborers often are abused. A research study published in 1999 reported that the prevalence of child abuse among urban child laborers is 70 percent, compared with 24.5 percent among non-economically active children from the same urban district. The study concluded that physical and emotional abuse were twice as common among child workers compared with nonworkers, sexual abuse was five times as common, and neglect was eight times as common. Among child workers surveyed, rapes occurred exclusively among child domestics.

A second research study of child labor sponsored by CETU's National Federation of Farm, Plantation, Fishery, and Agro-industry Trade Unions and published in 1999 focused on rural locations. The study reported that 30 percent of the workers on state farms surveyed were between the ages of 7 and 14. Child workers, who worked alongside parents hired by the state, typically worked 6 days a week, received no benefits, and earned less than \$10 (80 birr) a month. At one plantation, 75 percent of the children worked 12-hour days. There also is evidence that children as young as age 14 are permitted to join local militias with the consent of village leaders. This reportedly is part of an effort to keep children in local areas despite limited educational or employment opportunities (see Section 5). The Government maintains that most economically active children are engaged in family-based, nonexploitative child work that is part of the socialization process and maintains that there is not a child labor problem.

In September 1999, a forum on child labor was launched by over 80 governments, NGO and foreign entities, including the ILO, to combat such problems as child prostitution, which is widely perceived to be growing (see Section 5). The forum concluded that the worst forms of child labor have increased in recent years, particularly child prostitution and the use of children in agricultural work where they are exposed to pesticides and insecticides.

The Ministry of Labor and Social Affairs is the authority designated to enforce child labor laws. The Government's definition of worst forms of child labor includes prostitution and bonded labor. The Government is not a signatory to the Worst Forms of Child Labor Convention.

Forced or compulsory labor by children is illegal; however, there are reports that it occurs (see Sections 6.c. and 6.f.).

e. Acceptable Conditions of Work

In 1995 the Government established a minimum wage of approximately \$15 (120 birr) per month for all wage earners in both the private and public sectors. In addition each industry and service sector has established its own minimum wage. For example, public sector employees, the largest group of wage earners, earn a minimum wage of approximately \$22 (175 birr) per month; employees in the banking and insurance sector have a minimum wage of \$25 (200 birr) per month. According to the Office of the Study of Wages and Other Remuneration, these wages are insufficient to provide a decent standard of living for a worker and family. Consequently most families must have at least two wage earners to survive, which is one of the reasons children leave school early.

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 consisting of 5 8-hour days.

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; however, most workers fear losing their jobs if they were to do so.

f. Trafficking in Persons

The law and the Constitution prohibit trafficking in persons; however, there were continued reports that poor rural families sold their young teenage daughters to hotel and bar owners on the main truck routes (see

Sections 5 and 6.c.). There was a report that a girl was sold by her father to a local man in exchange for cattle; the girl's mother brought the case to the Ethiopian Women Lawyer's Association. At year's end, the case was being prosecuted in the courts; it is the first case of this kind (see Sections 5 and 6.c.). There were numerous anecdotal accounts of young girls traveling to the Middle East to work as house servants and nannies, some of whom are abused, including sexually. There reportedly is a network of persons based in the tourism and import-export sectors who are involved heavily in soliciting potential clients, recruiting young girls, arranging travel, and fabricating counterfeit work permits, travel documents, and birth certificates (see Sections 5 and 6.c.).

Although illegal, the abduction of women and girls as a form of marriage still is widely practiced in Oromiya regions and the SNNPRS (see Section 5).

As a result of a change in the Labor Law, the Government no longer acts as an employment agency for workers going abroad. Private entities now arrange for overseas work and, as a result, the number of women being sent to Middle Eastern countries, particularly Lebanon and Saudi Arabia, as domestic or industrial workers increased significantly. There continue to be credible reports that some domestic workers abroad were subjected to abusive conditions, including sexual exploitation (see Section 5); however, such reports decreased after the Ministry of Labor and Social Affairs established an office in 1998 to review the contracts of prospective domestic workers and deny exit visas if the contracts did not appear satisfactory.

The Government continued work on revising the federal Civil and Penal Codes to increase the penalties for traffickers. Training programs were implemented for police officers on the criminal aspects of trafficking. There are several NGO's that work on the issue of trafficking, some of which provide protection for trafficking victims.

[End.]

[Privacy Notice](#) | [Disclaimers](#) | [Archive](#)

