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EHR CO stands for dem ocracy, the rule of law and the respect of h um an righ ts.

Urgent Call! Stop The Illegal Arrests Being Committed By Government Security Forces 77th Special Report

19 April 2004

It is to be recalled that in its 75th Special Report issued on 25 March 2004, EHRCO had denounced the illegal arrest and detention of persons of Oromo decent following the student protests in different parts of Oromia that had ignited following the decision taken by Addis Ababa University to suspend and dismiss Oromo students.

The illegal arrests and incommunicado detention of Oromos from homes and working places have continued unabated until the present. Apart from the illegal arrests, the detainees had been denied their rights to be visited by their families and counsels for days after their arrest.

Art.17 (1) of the FDRE Constitution stipulates, “No one shall be deprived of his life or her liberty except on such grounds and in accordance with such procedure as are established by law.”

Art.9 of the Universal Declaration of Human Rights (UDHR) states, “No one shall be subjected arbitrary arrest, detention or exile.”

Also, Art.9 (1) of the International Covenant on Civil and Political Rights (ICCPR) provides, “Everyone has the right to the liberty and security of person. No one shall be subjected to arbitrary arrest and detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law.”

In transgression of these constitutional and international human rights provisions, armed federal police members have illegally arrested and detained the following individuals

1. Ato Legesse Gebre Selassie: - 54, lives in Addis Ababa wereda 15, kebele 33, house number 219. He



is a technician at the MIDROC Air Service. On 18 March 2004 at about 7:00 P.M. an unidentified man made a telephone call to Ato Legesse's house and threatened to kill the little girl who answered the phone and hung up. About ten minutes after the telephone call, several uniformed and plainclothes security personnel forced their way to Ato Legesse's house. Then, they disconnected the telephone line, captured Ato Legesse and took him with them.

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EHR CO has an observer's status in the African Commission on Human and People's Rights, is a member of World Organization Against Torture and is also a corresponding member of the International Federation of Human Rights.

Some of the security men remained at the house and assaulted the son of Ato Legesse, Aseffa Legesse. They also took the keys to the bedroom from the wife of Ato Legesse, locked the room up and kept the keys with them. Then, they took the wife of the detainee along with her two daughters and forced them to get in to the children's bedroom and told them all the three would spend the night in there. Prior to this, they had searched the bedroom.

The security men denied Mekdes Legesse, another daughter of Ato Legesse, entrance to the house when she came back from outside after they had controlled the house. Ato Legesse's wife had to implore the security men to let her daughter in. Mekdes was permitted to get in finally at about 11:00 P.M. Once she is in the house, Mekdes asked permission to serve dinner to the family. However, the security men would not let her do that by saying "it's too late for dinner." As a result, the family had to spend the night without having dinner.

On the next day (19 March 2004), two of Ato Legesse's children had to go to school and thus asked permission from the captors, but they were denied and told to stay at home. On the same day, at about 11:00 A.M. policemen brought back Ato Legesse home and searched the house after ordering him to stay put at the main house. Members of Ato Legesse's family told EHRCO that they asked the security forces to show them a search warrant and they told them that they had no search warrant. The security forces took personal documents, letters, audio and videocassettes and photographs. After they finished the search, they took Ato Legesse back at about 5:00 P.M. Four policemen stayed in the house until 7:00 P.M. Ato Legesse's wife W/ro Demekech Lemma and children Alili Legesse 10, Haweten Legesse 14, Mekdes Legesse 23 and Aseffa Legesse 28, were detained at the house for about 24 hours without having anything to eat.

The whereabouts of Ato Legesse was not known for a week. It is on 25 March 2004 that his family was told that they could bring food for the detainee at the Central Crime Investigation Department. The family was not allowed even to see the detainee until 3 April 2004. On this day, the family saw Ato Legesse for the first time after his detention. Police took Ato Legesse to court on 2 April 2004 and requested the court's permission to conduct investigation while detaining Ato Legesse. The court allowed the requested fourteen days and remanded the detainee in custody until 16 April 2004. Another fourteen days requested by police for investigation was allowed on 16 April and the case is adjourned until 30 April. Ato Legesse is now in detention at the Central Crime Investigation Department.

- 2. Ato Derar Abdissa:** - 50, lives in Addis Ababa Kirkos sub-city, kebele 03, house no. 474. He is a father of six children and is a maintenance worker at the Ethiopian Telecommunication Corporation. On 22 March 2004 at about 4:00 P.M. Federal policemen arrested him while he was going to his home from work. The policemen took Ato Derar to his house at about 4:30 P.M. and searched the house until 9:45 P.M. without a search warrant. They took books, a fax machine that was in the house for maintenance, audiocassettes, and different documents of an Oromo self help association (Idir), which Ato Derar is a secretary. This documents include, a name list of 198 members of the Idir, the seal, vouchers, license, and tax receipt copies. Ato Derar appeared before court on 23 March and was remanded in custody until 6 April as per the request of police. On 6 April the court allowed another 14 days for investigation and remanded the detainee until 20 April. His family was allowed to visit Ato Derar starting from 3 April 2004.



3. Ato Teferra Nesga Birru: - 45, lives in Addis Ababa Kolfe Keraniyo sub-city, kebele 16, house no.



1187. He is a father of five children and is a senior expert at the Oromia Cooperatives Promotion Agency. On 24 March 2004, at about 6:30 P.M. about 10 Federal police and six plainclothes men arrested him without a warrant while he was on his way home from work. On the same day, armed men went to Ato Teferra's house and detained seven other members of the family in the house until 3:00 P.M. the next day. The family members were denied food and water during the detention. The policemen brought Ato Teferra to his house at about 8:30 A.M. on 25 March and searched the house without a warrant. They took audiocassettes and books belonging to the detainee.

Ato Teferra appeared before court on 26 March 2004 and the judge remanded him in custody until 8 April upon the request of police to conduct its investigation. The detainee appeared before court for the second time on 8 April and police was allowed another fourteen days to complete its investigation. The detainee was remanded in custody until 22 April 2004. He is now at the Central Crime Investigation Department.

4. Ato Imru Gurmessa Birru: - a businessman who lives in Addis Ababa wereda 8, kebele 02, house no.



1790. On 1st April 2004, at about 9:00 A.M. five federal police members stormed the house of Ato Imiru and one of them arrested and took him against his will. The remaining four policemen detained the housemaid and three other men who were working as daily laborers on the maintenance of Ato Imiru's house. At about 10:00 A.M. on the same day five men in Federal police uniform and three other plainclothes security personnel brought Ato Imiru back to his house and searched the house. They took his mobile phone, audiocassettes and other personal documents. The security men completed their search at 1:00 P.M. and left the house taking Ato Imiru with them.

Ato Imiru appeared before court on 2 April 2004 and was remanded in custody until 16 April upon the request of police to conduct investigation. He appeared for the second time on the adjourned day and the court allowed another 14 days requested by police and remanded the detainee in custody until 30 April. He is now at the Central Crime Investigation Department. His family is allowed to visit him starting from 3 April 2004.

This was not the first time that Ato Imiru was detained by security forces. He had been arrested in December 1998 by unidentified men and involuntarily disappeared without his whereabouts known for about eight months. It was later discovered that he had been detained incommunicado at the Central Crime Investigation Department, his family told EHRCO.

Conclusion

As a result of the measures taken to put down the student protests in schools of the different parts of Oromia that followed the suspension and dismissal of Oromo students from Addis Ababa University, gross human rights violations are being committed by government security forces.

As the efforts being exerted by the pertinent government bodies to resolve differences legally and amicably do not seem to be adequate, the problems have not yet been given lasting solution.

Arresting citizens without sufficient grounds and without valid court warrants as well as detaining them without their whereabouts being known by their families and counsels are blatant violations of human rights.

Thus, EHRCO once again appeals to the government

1. to immediately release the individuals illegally detained

2. to respect its constitutional duty that requires it to arrest suspects only through the legally prescribed means and to bring to justice those members of the police and security forces who caused violations of the rights of citizens.
3. to bring an end without delay, to the continued illegal arrests and searches as these acts constitute infringements of the FDRE constitution and the international human rights covenants that Ethiopia ratified.

EHRCO also calls on citizens, national and international human rights organizations, government envoys and representatives of international organizations to put pressure on the Ethiopian Government so that it would be faithful to the international human rights covenants it signed, to refrain from acts which violate human rights and work for the realization of the rule of law by writing to the government bodies and officials listed below.

Council of People's Representatives

P.O.Box 80001, Fax (251-1) 550900 Addis Ababa, Ethiopia

Council of Federation

P.O.Box 80001, Fax (251-1) 550722 Addis Ababa, Ethiopia

H.E. Ato Girma Wolde Giorgis, President, FDRE

P.O.Box 1031, Fax (251-1) 552020, Addis Ababa, Ethiopia

H.E. Ato Meles Zenawi, Prime Minister, FDRE

P.O.Box 1031, Fax (251-1) 552020 Addis Ababa, Ethiopia

H.E. Ato Harka Haroye, Minister of Justice, FDRE

P.O.Box 1370 Fax (251-1) 520874 Addis Ababa

H.E. Wro. Genet Zewde, Minister of Education, FDRE

P.O.Box. 1367, Fax, (251-1) 550299 Addis Ababa, Ethiopia

Oromia Regional State Council

P.O.Box 1917769 Fax (251-1) 513642 Addis Ababa, Ethiopia