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EHRCO

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EHRCO stands for democracy, the rule of law and the respect of human rights.

AAU: Respect the right to a hearing of students! 104th Special Report

29 November 2007

Introduction

Article 13(1) of the International Covenant on Economic, Social and Cultural Rights provides that everyone has the right to education. This article underscores the agreement of the States Parties to see to it that education should be directed to the full development of the human personality and the sense of its dignity and should strengthen respect for human rights and fundamental freedoms. Article 41(2) of the FDRE Constitution provides, “Every Ethiopian has the right to choose his or her means of livelihood, occupation and profession.” As people should have adequate education to be able to fully exercise their rights, this article of the Constitution also provides that the state has the obligation to allocate ever increasing resources to provide education and other social services.

It is a fundamental element of the principle of the rule of law that no one should be deprived of his or her rights without due process of law. In this regard, elementary principles of justice dictate that anyone suspected of committing an offence has the fundamental rights to be informed of the charges against them, defend the charges and appeal to a competent tribunal. It is also clearly stipulated in the Constitution that everyone is presumed innocent until proven guilty in accordance with the law.

Nevertheless, in violation of these Constitutional and basic principles of the international human rights instruments, some students of Addis Ababa University (AAU) have been dismissed from school without being charged, and without being told the reasons for their dismissal. As some of the AAU students reported to EHRCO, they were denied entry to the campus when they returned from the summer vacation to continue their studies. Campus security guards told the students that the guards had orders not to let them in the campus as they were dismissed by the authorities of the University. Similarly, some AAU students, who graduated in the last academic year, reported to EHRCO that they were denied their academic testimonials for reasons that were not explained to them.

In this 104th Special Report, EHRCO investigated the situation based on the complaints of the students and the graduates and presents the details as follows.

Details

1. **Tadesse Dinku:** He is a resident of Addis Ababa, Akaki Kality subcity, Kebele 13, House No. 483. He is a 4th year Graphic Arts degree student in the regular program at the AAU. When he returned from the summer vacation to register for the 2000 E.C. academic year, University security guards told him that his name was on the list of those students who are dismissed from the University. He told EHRCO that his plea to the guards to get in to the campus and discuss the issue with University officials was not successful

2. **Sherefedin Oumar:** He is a resident of Dire Dawa town, Kebele 06, House No. 583. He is a 2nd year Biology degree program student in the University. University security guards took away his student ID card and told him that he could not get into the campus as he was one of the students who were dismissed from the University. He told EHRCO that he did not know the reason why he was dismissed from the university, and now he is facing problems not knowing where to lodge his petition.

3. **Ahmed Mohammad Kadi:** He is a resident of Alemaya town, Kebele 01, House No. 01/08. He graduated in Geology from AAU in the last academic year (1999 E.C.) When he went to the University to collect his academic testimonials, University security guards told him that he could not enter the campus after finding his name on a list they have. Ahmed told EHRCO that the guards told him to leave the area or they would call the federal police to arrest him. He did not know why he was denied his academic testimonials. He could not apply for jobs as he is unable to submit his academic testimonials.

4. **Abebaw Mohammad:** He is a resident of Amhara region state, South Wollo Administration, Jamma Woreda, Kebele 01. He graduated with B.Sc degree in Statistics from the University in 1999 E.C. When he went to the University to collect his academic testimonials, he was told by the guards that he could neither enter the campus nor could he collect his testimonials as his name was on the list of those who were prohibited from entering the campus. He was also told by the guards to leave the area. Abebaw told EHRCO that he did not know the reason of the prohibition. He could not apply for jobs as he is unable to submit his academic testimonials

5. **Molla Philipos:** He is a resident of Alaba town in the South Region. He is a 3rd year Physics degree student in the regular program at the AAU. When he returned from the summer vacation to continue his studies, the guards told him that he was dismissed from the University. He was also told to leave the area. Molla told EHRCO that he did not know why he was dismissed, and is now facing problems not knowing where to appeal his case.

6. **Abubeker Abdulaziz:** He is a resident of Oromia region, Merti zone, Negele Kebele 01. He is a 4th year regular Mathematics student at the University. When he returned from vacation to continue the 2000 E.C. academic year education, the guards told him that he was dismissed from the University after checking out his name from a list. As a result, he could not enter the campus. Abubeker told EHRCO that he did not know the reason for his dismissal, and is now facing problems, as did not know where to lodge his appeal.

In addition to the complainants stated above, EHRCO, although unable to verify the details, has learnt that there are also other students of the AAU who were dismissed from the University in similar situations.

When the students were expelled from the University and denied their academic testimonials, they were not informed of their alleged wrongdoings let alone given the chance to defend themselves or to appeal against the decision affecting them. The students came to realize about the University's decision only after they were told by the campus guards. When asked about this, a University official replied verbally to EHRCO that the University was unable to inform the students about the decision because the decision was taken while the students were on summer vacation. It is also learnt that representatives of the Students' Union were not consulted when the decision was taken.

EHRCO requested the University to give it explanations on the matter in a letter dated November 13, 2007 No.ER3-820/1/11/07. However, the University failed to reply.

Conclusion

- As indicated above, when the University took the decision to dismiss the students and deny the graduates their academic testimonials, it neither informed them of their alleged wrongdoings nor it did give them a chance to a hearing.
- EHRCO strongly condemns this decision as it was made in utter disregard to the principles of the rule of law and due process enshrined in the Constitution of the country.
- Therefore, EHRCO urges the AAU to abide by the rule of law and readmit the expelled students to resume their studies, and also to give the graduates their academic testimonials.

In addition, EHRCO calls on citizens, national and international organizations, representatives of governments and international groups who stand for the respect of human rights and the rule of law, to exert pressure on Addis Ababa University to respect the rights of the students, who were expelled without due process of law

and readmit them to continue their studies as well as to give the graduates their academic testimonials.

CC.

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