



EHRCO

ETHIOPIAN HUMAN RIGHTS COUNCIL

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

Stop illegal measures being taken by security forces on innocent civilians 94th Special Report

30 June 2006

Introduction

It is to be recalled that EHRCO has been issuing reports on human rights violations occurred during unlawful displacement and eviction of people.

A business place by the commonly known as Gemb Gebeya found in Nazareth town of the East Shewa Zone of the Oromia region was established in 1974. There are over 1700 shops subdivided into small plots that are used by about 10,000 small and big businesses. The tenants of the small plots had organized themselves in a share company and submitted a proposal requesting the Nazareth town Council to be given a permit to construct a three-story business complex on the land occupied by the market place. The Council however declined their request and gave a construction permit to other investors.

The town's Council told the traders that as they were tenants they are not allowed to construct a business complex on the land. This created a dispute between the Council and the merchants which escalated on 26 May 2006 when government armed security forces tried to forcibly remove the traders from the market place.

According to evidence documented by EHRCO, during the disturbance occurred on 26 May, scores of innocent civilians were killed and sustained injuries as a result of the measures taken by government security forces. Others were also arrested and illegally detained.

A. Extrajudicial killings

In violation of article 15 of the FDRE Constitution which states that "... No person may be deprived of his life except as a punishment for a serious criminal offence determined by law" and article 3 of the Universal Declaration of Human Rights, government security forces killed the following individuals.

1. Alemu Tesfaye (22). He was a daily laborer living in Nazareth town kebele 08. He was shot dead by security forces on 26 May 2006 when the security forces were forcibly evicting the traders.
2. Tariku Yakiso Kantso (20). He was a daily laborer living in Nazareth town kebele 08. He was shot dead by security forces on 26 May 2006.

3. Mensur Musema (25). He was a merchant living in Nazareth town kebele 05. He was shot dead by security forces on 26 May 2006.

B. Bullet wounds

1. Seid Abdullahi Absino (18). He is a construction worker living in Nazareth town kebele 03. He was shot on the leg by bullet fired by security forces on 26 May 2006. He was taken to hospital and got treatment on the same day.
2. Benyam Beyene Dessie (22). He is an unemployed youth living in Nazareth town kebele 08. He was shot on the left arm by a bullet fired from security forces on 26 May 2006. HE was receiving treatment for a broken bone at the Adama Hospital by the time this report was being prepared.
3. Aschalew Yirga (17). He is a 9th grade student at the Adama Secondary School. He was shot on the left leg by a bullet fired by security forces on 26 May 2006 while he was going to school. He was receiving treatment in a private clinic by the time this report was being prepared.
4. Eshetu Aberra (17). He is a resident of Nazareth town kebele 08. He was shot on the hip by a bullet fired by security forces on 26 May 2006. He was receiving treatment by the time this report was being prepared.
5. Mentessinot Getu (17). He is a resident of Nazareth town kebele 08. He was shot on the chest by a bullet fired by security forces on 26 May 2006. He was receiving treatment as an outpatient by the time this report was being prepared.
6. Yohannes Negussie (13). He is a resident of Nazareth town kebele 08. He was shot on the chest by a bullet fired by security forces on 26 May 2006. He was receiving treatment in Adama Hospital by the time this report was being prepared.
7. Mengistu Tebeku (25). He is a resident of Nazareth town kebele 08. He was shot by a bullet fired by security forces on 26 May 2006. He was receiving treatment by the time this report was being prepared.
8. Yidnekachew Hailu (13). He is a 5th grade student living in Nazareth town kebele 08. He was shot on the leg by a bullet fired from security forces on 26 May 2006. He was receiving treatment as an outpatient by the time this report was being prepared.

C. Illegal Detention

In transgression of article 17 (2) of the FDRE Constitution which states that “No person may be subjected to arbitrary arrest and no person may be detained without a charge or conviction against him” and Article 9 (1) of the International Covenant on Civil and Political Rights (ICCPR) which

states that “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds as in accordance with such procedures as established by law” authorities illegally detained the following persons.

1. Tarekegn Kitila
2. Yoseph Dibaba
3. Kinfе Tarekegn
4. Bedru Beyan

Those were some of the representatives of the tenants of the Gemb Gebeya market place who were negotiating with the Nazareth town Council officials to resolve the dispute between the two parties that ensued following the order of the Council to demolish the market place. Police arrested the four individuals on 19 May 2006 and detained them in Adama Police Station. The detainees appeared before court on several occasions. They were denied bail and were in detention by the time this report was being prepared.

Police also arrested over 180 persons for allegedly attempted to incite violence while authorities were demolishing the market place. They were detained without charges by the time this report was being prepared.

Conclusion

According to evidence documented by EHRCO the hasty decision of the Nazareth Town Council to evict the traders and demolish the market place without adequate discussions with them has resulted in violence and the subsequent loss lives, bodily injuries and illegal detention. Thus, EHRCO appeals to the concerned authorities:

- To give the displaced traders a suitable replacement market place as it would be difficult for them to sustain themselves in the new place they were given.
- To bring to justice members of the security who caused death and bodily injuries to innocent civilians as well as ensure the payment of compensation to the victims.
- To ensure that citizens are entitled to work and live without fear in their areas.

EHRCO also calls on national and international organizations, representatives of governments and international groups that stand for the respect of human rights and the rule of law to put pressure on the authorities so that they address the plight of the traders who were evicted from their plots and are now struggling to survive in inconvenient areas to start their business afresh. Please express your concerns by writing to the government bodies and officials listed below.

- House of Peoples Representatives
P.O.Box. 80001 Fax 251-1-1 55 09 00 Addis Ababa, Ethiopia
- House of Federation
P.O.Box 80001 Fax 251-1-1 55 07 02 Addis Ababa, Ethiopia
- H.E. Ato Girma Woldegiorgis, President, FDRE
P.O.Box 1031 Fax 251-1-1 55 20 20 Addis Ababa, Ethiopia
- H.E. Ato Meles Zenawi, Prime Minister, FDRE
P.O.Box 1031 Fax 251-1-1 55 20 20 Addis Ababa, Ethiopia
- H.E. Ato Siraj Fergessa, Minister, Federal Affairs
P.O.Box 1370 Fax 251-1- 5 52 08 74 Addis Ababa, Ethiopia
- H.E. Ato Assefa Kessito, Minister of Justice
P.O.Box 1370 Fax 251-1- 5 52 08 74 Addis Ababa, Ethiopia
- Oromia Regional Council
P.O.Box 101769 Fax 251-1- 5 51 36 42 Addis Ababa Ethiopia
- Ethiopian Human Rights Commission
P.O.Box 1165 Fax 251-1- 6-45 92 90 Addis Ababa Ethiopia
- The Institution of the Ombudsman
P.O.Box 2459 Fax 251-1- 6-45 92 29 Addis Ababa Ethiopia