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ETHIOPIAN HUMAN RIGHTS COUNCIL

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

**Prisoners have the Right to be Treated with Respect  
95<sup>th</sup> Special Report**

**December 2006**

Ethiopian Human Rights Council stands for the rule of law, democracy and the respect of human rights. Since its establishment it has been reporting to the concerned government organs of human rights violations that need particular attention.

Following the May 2005 general elections, and the November mass protest, opposition party leaders, journalists, and leaders of civic society organizations have been thrown to jail and are suffering from poor prisons conditions. These political prisoners are enduring maltreatment, and some of them were transferred from one person to another without any explanation of justification.

Not only prisoners but also their visitors are mistreated and embarrassed. Parents, children, relatives and friends of the prisoners are not allowed to visit the prisoners unless they bear kebele I D card. ID cards issued by government or private employers or even a passport is not enough to be admitted to visit prisoners. Moreover, the fact that the prisoners are put into different zones gives visitors a hard time, as a visitor is not permitted to visit prisoners who are in different zones at a time. This prohibition is particularly depression as it applies only to CUD leaders, journalists and leaders of civic society organizations, and not to all prisoners. This unjust and discriminatory treatment is against article 25 of the FDRE constitution which states that: "All persons are equal before the law and are entitled without any discrimination to equal protection of the law.....the law shall guarantee to all persons equal and effective protection with out discrimination...."

Recently some prisoners have been transferred from kality prison to Addis Ababa Kerchellie prison where conditions are very unbecoming for health and where there is no fresh air and sufficient toilet. Some prisoners in Kalitie were denied medication, despite the fact that physicians have confirmed that their health conditions had deteriorated and that they needed immediate medical treatment. Even those who could get treatment have been put back to the same prison that is hostile for their health. Thus their health condition is getting worse.

EHRCO has confirmed that the following prisoners have either become ill due to the poor prison conditions or have been subjected to mistreatment.

1. Ato Eskindir Nega Fantaw, 38, a resident of Addis Ababa Yeka sub city, charged under Engineer Hailu *et al* case file. He has been in Kalitie prison for over nine months now. Since July 27/2006, he has been transferred to Addis Ababa Kerchele prison and imprisoned in a dark room for unknown reason.

Ato Eskinder appealed to the Federal High Court, 2<sup>nd</sup> criminal bench on August 5/2006, that the policemen took him from Kalitie to Kerchellie prison and incriminated him in a very cold place where there is no sufficient air and light. However, the court ignored the application, saying that the prison administration has its own rules and regulations where the applicant may seek redress for his grievances. His family members have reported that, until the time that this report was being compiled, nothing has been improved.

2. Ato Andualem Aragie Wassie, 30, a resident of Addis Ababa Yeka sub city, charged under Engineer Hailu *et al* case file, in Kalitie prison for nine months. On July 27/2006, he was transferred to Addis Ababa Kerchlie prison and imprisoned in a dark room for unknown reasons.

Ato Andualem appealed to the Federal High Court 2<sup>nd</sup> criminal bench on August 5/2006, that the policemen took him from Kalitie to Kerchlie prison and incriminated him in a very cold place where there is no sufficient air and light. However, the court ignored the application, stating that the prison administration has its own rules and regulations where the applicant may seek redress for his grievances. His family members have reported that, until the time that this report was being compiled, nothing has been improved.

3. Ato Sisay Agena Golie, 35, a resident of Addis Ababa Gullelie sub city, charged under Engineer Hailu *et al* case file, and in Kalitie prison for over ten months. He was the owner and manager of Etope newspaper. On August 21/2006 he was transferred to Addis Ababa Kechlie prison and imprisoned in a dark room for unknown reason. While he was in Kalitie, his friends and relatives used to visit him, but since he has been transfer to Kerchellie, even his wife and children are not allowed to visit him.
4. W/ro. Serkalem Fassil W/Sillassie, 31, a wife of Ato Eskinder Nega. She was the owner and manager of the weekly newspapers: Minilik, Askual and Satenaw, which were published by Serkalem Publishers. She is charged under Engineer Hailu *et al* case file, and imprison since Nov. 2005. At the time of her arrest she was a two months pregnant. After 8 months of pregnancy in prison, she delivered a baby on June 1/2006 at police hospital. The baby was too week that it had to receive treatment in black lion hospital and was subsequently given to the mother of W/ro Serkalem. Until the time that this report has been being compiled W/ro Serkalem's mother was not allowed to visit Serkalem, and thus the latter has was not able to see her baby.

Apart from that, in Kality prison political prisoners were used to be visited by their family members, relatives and friends. But since Sep. 9/2006, it is only the parent, spouse, brother, sister and child of the prisoner who are allowed to visit the prisoners. The prisoners expressed their protest by not accepting the food that comes from their family until Sep. 23/2006.

## Conclusion

As pointed out above the rights of persons in custody as guaranteed under article 21 of the FDRE constitution, and article 10 (1) of ICCPR, which is ratified by Ethiopia are being violated. As a result, prisoners are suffering a lot.

Therefore, EHRCO requests the government to:

1. Take corrective measures regarding those prisoners who have been transferred to dark and cold cells that are hostile to the health and psychology well being of prisoners;
2. take appropriate measures so that relatives, friends and family members of the prisoners should be able to visit the prisoners; and
3. ensure that sick prisoners receive medical treatment in time.

EHRCO also calls upon all national and international organizations as well as government organs who stand for human rights protection and the prevalence of the rule of law to put pressure on concerned government authorities so that the plight of prisoners can be ameliorated. Please express your concerns to government bodies and officials listed below:

- Housel of People’s Representatives  
P.O.Box 80001, Fax (251-1) 1550900 Addis Ababa, Ethiopia
- Council of Federation  
P.O.Box 80001, Fax (251-1) 1550722 Addis Ababa, Ethiopia
- H.E. Ato Girma Wolde Giorgis, President, FDRE  
P.O.Box 1031, Fax (251-1) 1552020, Addis Ababa, Ethiopia
- H.E.Ato Meles Zenawi, Prime Minister, FDRE  
P.O.Box 1031, Fax (251-1) 1552020 Addis Ababa, Ethiopia
- H.E.Ato Assefa Kessito, Minister of Justice, FDRE  
P.O.Box 1370 Fax (251-1) 5520874 Addis Ababa, Ethiopia
- Ethiopian Human Rights Commission  
P.O.Box 1165 Fax (251-1) 6459290, Addis Ababa, Ethiopia
- The Institute of the Ombudsman  
P.O.Box 2459 Fax (251-1) 6459229, Addis Ababa, Ethiopia