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ETHIOPIAN HUMAN RIGHTS COUNCIL (EHRCO)

EHRCO's Press Release on the Arbitrary Arrest of EHRCO's Human Rights Defenders (HRDs)

January 14, 2023

Background:

Four human rights defenders (HRDs) of the Ethiopian Human Rights Council (EHRCO) whilst on an investigation to look into the complaints of people whose houses were demolished *vis-a-vis* the house demolishing activities taking place around *Addis Ababa City, Oromia Special Zones* on January 05, 2023, were detained by the police and their whereabouts remained ambiguous for a while. Following repeated efforts, it was determined that all four EHRCO's HRDs, including the organization's vehicle, had been arrested at *Alem Gena Zero Hulent (02) Police Station*, which is currently known as *Sheger City Administration- Gelan Guda Sub-City*. On the same day January 05, 2023, they had been brought before the Court, and although it was stated *via* the police that all four of EHRCO's HRDs did not express to the police their reason for arrest, being without the duty of such expression, that our organization's investigators had made an effort to do so as well as, that EHRCO is a civil society organization (CSO) that has been registered under Proclamation 1113/2019 by the Federal Democratic Republic of Ethiopia (FDRE) Authority for Civil Society Organizations (ACSO), with registration no. 1146, and works for the respect of human rights, and thus has a legal permission to engage in human rights monitoring and investigation work. Thus, after hearing the case, the Court adjourned for January 11, 2023, and until then, it can be recalled that all four EHRCO's HRDs, had been arbitrarily detained in the aforementioned Police Station.

As per the court's order, EHRCO's four HRDs were brought before the *Finfinne Zuriya Oromia Special Zone, Sebeta Town District Court*, and police requested additional time for investigation after claiming that the HRDs took pictures, did not have a support letter and that they said the eviction was based on identity. EHRCO's lawyer, stating in detail that it is improper to hold as well

as detain EHRCO's HRDs based on the aforementioned reasons, that the Court should not grant the request for more time as well as the aforementioned reasons raised by the police do not make bail rights impermissible, requested the Court to grant the HRDs their bail rights. And following suit, the Court, rejecting the request of the police for more time, decided the attorney to provide his suggestion on the bail right and adjourned the proceeding. On January 12, 2023, following the fact that the attorney had no objection to the bail, it was decided to release all four EHRCO's HRDs on bail, and subsequent to this decision, EHRCO's HRDs under detention were released.

From January 05- January 12, 2023, whilst EHRCO's HRDs were arbitrarily detained at the former *Alem Gena Zero Hulet (02) Police Station*, in a Police Department currently known as *Sheger City Administration- Gelan Guda Sub-city*, the small room that they had been arbitrarily detained, in estimation, was 3 meter by 5 meter, which at a minimum holds about forty-five (45) and at a maximum holds about ninety-three (93) people, and the window at the gate for visitors of detainees is not suitable. EHRCO also learned that the Police Department, granted that the HRDs had been detained did not have proper bathroom facilities, the HRDs, and other prisoners were in a serious predicament and that, due to the lack of adequate mattresses and blankets, they had to sleep in rounds.

Concerning the illegal detention of its HRDs, EHRCO wrote letters to *Finfinne Zuriya Oromia Special Zone Police Department* reference number (ref. no.) ER3-M41/82/22 on January 05, 2023, the Ethiopian Human Rights Commission (EHRC) ref. no. ER3-M41/84/22 on January 9, 2023, Oromia Police Commission ref. no. ER3-M41/82/22 on January 9, 2023, and the Federal Police Commission ref. no. ER3-M41/85/22 on January 10, 2023, calling them to uptake their respective responsibilities. Although they have not given any official or letter response until the publication of this press release, EHRC observed the Court proceeding of January 11, 2023.

For the past 31 years, EHRCO has been engaged in human rights monitoring, investigation, and documentation work, is an organization that has published 152 special reports, 39 regular reports, and thousands of press releases, and thus it is contributing its part for the improvement of human rights conditions in Ethiopia. As such, it's HRDs and members have been facing harassment, follow-ups, intimidation, forced exile, as well as serious human rights violations such as extrajudicial killings, arbitrary arrest, and beatings. As of 2017 G.C. on the eve of the some positive normative changes although the civic space was improving to bolster the continued work of human rights organizations as well as that of human rights conditions in the country, as of late, systemic and myriad pressures are being imposed upon HRDs disabling them from properly

fulfilling their duties and contributing their part for the respect of human rights. Cases in point of such pressures being imposed by the government on EHRCO include the threats and intimidations imposed on EHRCO's HRD based at Gambella Regional Branch Office, the arrest of the 22 complainants, out of the 28, who was arrested by a government security forces on December 3, 2022, after having forged their complaints to EHRCO's Central District Branch Office located around *Ledeta*, Addis Ababa, as well as the phone call threats and intimidation being committed against EHRCO's HRDs by security persons. Additionally, on January 05, 2023, the arbitrary detention of the four EHRCO's HRDs who had gone for monitoring purposes to the former *Alem Gena Zero Hulet (02) Police Station*, a Police Department currently known as *Sheger City Administration- Gelan Guda Sub City*, is telling of the increasingly concerning human rights conditions in the country and that it is an improper, illegal, and irresponsible act that is not expected from the authority designated with the primary duty to Respect, Protect, and Promote human rights.

To add, during this trying time, to our colleagues who have stood by us (including the court observation of the Ethiopian Civil Society Organizations Council- ECSOC) and the local, regional, as well as intentional organizations brought up their voices for their release, eleven (11) local CSO organizations working on human rights, and together, who have put out a statement for the release of EHRCO's HRDs, as well media houses who have been advocating for their release and sharing information with the public since the day of their arrest, in recognition of your relentless efforts for the improvement of human rights in the country, EHRCO will like to express its great gratitude. Lastly, upon this opportunity, EHRCO will like to express, concerning the choice of local and international governmental and non-governmental organizations (NGOs) working on human rights to keep silent *vis-a-vis* the arbitrary arrest of EHRCO's HRDs, as an improper act that is not expected from human rights institutions. As these human rights institutions, the silence of media houses *vis-a-vis* the arbitrary arrest of EHRCO's HRDs put to question the impartiality of the organizations but also impose adverse implications upon the betterment of the sector. Having said this, EHRCO believes, in regards to future engagement, whilst hoping that some governmental organizations and NGO human rights institutions or else, media houses will not demonstrate the same silence regarding similar acts, rather by facilitating avenues of partnership, the improvement of human rights conditions within the country.

Related Legal Obligations:

The United Nations (UN) Special Rapporteur on the Situation of Human Rights Defenders has continually noted the necessity of special protection for HRDs *vis-a-vis* the violations that come

along with their work and work-related mandates. The UN General Assembly's Declaration on Human Rights Defenders (Resolution No. 53/144), in its preamble as well as in articles 2, 9, and 12, stipulates the state's duty to respect and protect the security of HRDs. Although it may not be said that this declaration is binding over states, since its constituent provisions, mainly those that grant rights to HRDs, have been driven out of international instruments that impose the duty to protect human rights upon states, its constituent principles shall also be regarded as binding.

EHRCO's Call:

- For the government to conduct an appropriate investigation and hold members of the police force and officials who have committed or else, ordered the commission of the arbitrary arrest of EHRCO's four HRDs and who have curtailed their speedy release from detention legally accountable;
- For the government, in the realization of its primary duty *vis-a-vis* the respect, protection, and promotion of human rights, to stop the pressures, threats, intimidation, harassment, arrest, and such other violations being committed on institutions, such as EHRCO, which work for the respect of human rights;
- Upon this opportunity, EHRCO will like to express its concern regarding the various documents that have been confiscated from its experts by the police;
- For the government, to ensure that it does not commit similar arbitrary detention and pressure, to take legal measures against those who abuse their power;
- For the government, to ensure human rights institutions that work in human rights investigation and monitoring freely and impartially, establishing the appropriate legal and regulatory framework so that, without the fear of arrest or other similar concerns, they can accomplish their core organizational visions; and
- For CSOs that work on human rights and other thematic areas, governmental institutions which specialize in human rights, international and continental human rights institutions, media houses, social activists, and others, granted the severity of human rights conditions within Ethiopia thus calling for a swift and adequate response, to contribute your part by working together and supporting each other, towards its betterment.

Addis Ababa, Ethiopia

Copied to:

- FDRE Prime Minister Office
- FDRE President Office
- FDRE House of Peoples' Representatives
- FDRE House of Federation
- Ethiopian Human Rights Commission
- FDRE Ombudsman
- FDRE Ministry of Justice
- FDRE Ministry of Peace
- Federal Police Commission
- Oromia Police Commission
- Finfine Zuriya Oromia Special Zone Police Center
- FDRE Authority of Civil Society Organizations (ACSO)
- Ethiopian Civil Society Organizations Council (ECSOC)

January 14, 2023 Addis Ababa, Ethiopia