



Key Words: Oromo, Ogaden, racial discrimination, minority rights, arbitrary arrests, extrajudicial killings, torture.

Oromo and Ogaden

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1. Introduction

The Oromo are an indigenous group who traditionally live in Oromia, a region in present-day Ethiopia. The Oromo are the largest national group in Ethiopia, making up about 35 million out of a population of 75 million. Prior to their violent colonization by Abyssinia during the late 19th Century, the Oromo also had unique political, religious, and legal institutions.

Oppression was particularly brutal under the imperial rule of Haile Selassie (1930-1974). The Oromo language was banned and speakers were privately and publicly suppressed, as the government attempted to ensure the domination of the Abyssinian language and culture over the Oromo people.

In recent years, high school and college students have been central to peaceful demonstrations against the Ethiopian government. They have consequently been targeted by the government, which has led to the closing of several schools, the arbitrary arrests of students and teachers, and the inhumane treatment of detainees. The discontent within the Oromo population stems from the Tigrayan People's Liberation Front (TPLF) forcing minority political parties to leave the political process, thus denying their community a voice. The resulting dissatisfaction has been met with violence and persecution on the part of the Ethiopian government. Such incidences have been well-reported by various governmental organizations and NGOs, although many more human rights abuses go unreported as they have occurred in rural areas.

The Ogaden are ethnically a Somali minority who live in the Somali region of eastern Ethiopia. They have a population of 4 million, and are predominantly Muslim. The Ogaden are indigenous to the Somali region and were subject to Ethiopian rule after the British defeated Italy in the Horn of Africa in 1941. Ethiopia gained control over the Ogaden without the knowledge or the consent of the Ogaden Somali people. In 1948, the British "returned" the Ogaden to Ethiopia, based on a treaty they signed in 1897 in which the British ceded Somali territory to the Ethiopian Emperor Menelik. Britain included the proviso that the Somali residents would retain their autonomy, but Ethiopia immediately claimed sovereignty over the area. From then onwards, successive Ethiopian regimes have subjected the Ogaden people to everything from ethnic persecution to arbitrary confiscation of land.

The Ogaden have long suffered persecution at the hands of the Ethiopian government, most recently through corrupt law enforcement officers in the eastern Somali region. There have been numerous testimonies to arbitrary arrests, torture, and cases of physical/sexual violence against detainees. The Ogaden have also faced displacement, particularly those living within 100 km of oil exploration sites. Some are herded into internally displaced camps, whilst others are simply made homeless. The Ethiopian military operating in the Ogaden region are carrying out extra judicial killings and gang rapes, falsely arresting and torturing innocent civilians, and looting and destroying villages.



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2. Right to Assembly

Article 30 of the Federal Democratic Republic of Ethiopia's Constitution provides that "everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition." This right has not been respected in the case of the Oromo and Ogaden minorities, who are severely punished and arbitrarily arrested during peaceful protests.

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There has been a highly-organized 18 month-long series of protests against government interference in the Oromia region, the vast majority of which have been peaceful. Despite many months of large-scale peaceful protests, the government has repeatedly labelled the protest movement as violent and terrorist-related in statements to the media and in parliament in an attempt to undermine its legitimacy. On the morning of 8 August 2013, several arrests were made during the Oromo community's Eid al-Fitr celebrations in the town of Kofele. There have been at least four incidents involving serious allegations of the excessive use of force by security forces against demonstrators in this town. Claire Beston, Amnesty International's Ethiopia researcher, says that "The Ethiopian government's on-going repressive crackdown on freedom of speech and the right to peacefully protest has to end now."

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3. Freedom of Expression

Article 29 of the Ethiopian Constitution protects the freedom of expression. It states specifically: "Everyone has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds." Yet unfortunately it is the open imparting of information that has fallen victim to the Ethiopian government's arrests of both foreign and native journalists. Criticism of the government is treated with a heavy hand and often foregoes the bureaucracy of due process. In June of 2011, journalists Woubshet Taye of *Awramba Times* and Reeyot Alemu of *Feteh*, newspapers which are often critical of the government, were arrested and accused of conspiring to commit terrorist acts. After almost three months of detention, without access to their lawyers, the two were charged in September of several counts of terrorism.

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The freedom of expression is heavily restricted within Ethiopia's borders, as seen in the case of Swedish journalists Martin Schibbye and Johan Persson, who were arrested alongside other Ogaden human rights activists in June of 2011. The pair was found guilty of supporting a "rebel group", while the Ethiopian authorities falsified evidence against them. Despite the gross disregard for due process and fair trials, the underlying threat that these two journalists posed was exposure of the truth. The Ethiopian government has neglected the freedom of expression and seeks to penalize journalists and human rights activists who could shed light on these truths.

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4. Arbitrary Arrests

Despite Articles 14, 17, 19, 20, 25 and 37 of the Ethiopian Constitution allowing for liberty, protection against arbitrary arrest, a prompt process of law, equality before the law, and the right to have a judicial matter decided on by a competent judicial power, the Ethiopian government is charged with arbitrarily arresting Oromo and Ogaden activists and holding them indefinitely and *incommunicado* often on fabricated charges of terrorism. Oromo students have effectively been detained and jailed without trial for their political beliefs and ethnicity.

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In March of 2011, more than 200 members and supporters of registered Oromo political parties the Oromo Federal Democratic Movement (OFDM) and the Oromo People's Congress (OPC), were arrested *en masse*. Those arbitrarily arrested and detained included former members of parliament, long-serving party officials, and candidates in the 2010 regional and parliamentary elections. They were gradually arrested in small groups and then publicly accused of being involved with the Oromo Liberation Front (OLF); at least 89 were charged with a variety of offenses, including terrorism. On 30 March 2011, the government confirmed that 121 were in detention without charge, alleging that they were conspiring terrorism. The government later told Human Rights Watch that they would continue to detain the 121 prisoners while evidence was gathered against them. The Ethiopian government has failed to meet the requirements set forth by its very own Constitution in assuring all detainees with a speedy trial. To this day, there is no knowledge of whether formal charges have been brought against the detainees.

5. Extrajudicial Killings

Article 15 of the Ethiopian Constitution protects the right to life, and states that “no person may be deprived of his life except as a punishment for a serious criminal offence determined by law.” However despite this domestic protection there have been numerous incidences of indiscriminate and extra-judicial killings amongst the Oromo and Ogaden populations.

In 2007, the Ethiopian government began a heavy crackdown in the Ogaden region in the hopes of driving out this indigenous population. The Ethiopian military forcibly displaced thousands of civilians while escalating its campaign against Ogaden activists. The military attacks on villages displaced civilians in the Wardheer, Qorahey and Dhagahbur zones, even in areas where there is no known ONLF presence. An Ethiopian government-backed paramilitary force killed 10 men who were in their custody and killed 9 other villagers in the Ogaden on 16 and 17 March 2011 following a confrontation over an incident in the village of Raqda. Sadly, this is just one example of many instances where the Ethiopian military has extrajudicially attacked the Ogaden people of eastern Ethiopia, and to date there have been no formal motions by the government to punish such attacks.

6. Torture

Ethiopia has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (acceded 14 March 1994), and this is reflected in Article 18 of their Constitution. However, not unlike the prevalence of arbitrary arrests, the Oromo and Ogaden people are often subjected to torture and inhumane treatment at the hands of the Ethiopian military and police forces.

Fifty-eight Oromo and two Ogaden refugees were interviewed by the Oromia Support Group (OSG) and the Oromo Relief Association UK in Johannesburg in October and November of 2012. The refugees spoke about their experiences with the Ethiopian military and corroborated previous reports of extraordinarily high rates of torture in places of detention in Ethiopia. 26 had been tortured, and all had been severely beaten. The reported conditions of detention in Ethiopia were atrocious. The interviewees explained that torture was routinely practiced in military camps, prisons, and police stations. Methods included arm-tying, flaying of the soles of the feet, whipping, immersion of the head in water and other forms of asphyxiation, walking and running on gravel, suspension by the wrists or ankles, stress



140 positions, sleep deprivation by overcrowding cells, electrocution, suspension of weights from
genitalia, and castration.

145 Previous reports of high mortality rates among detainees in military camps, most notably the
Hamaresa camp, were corroborated by former detainees. In addition to the many that were
killed or died in detention, the interviewees reported 91 killings of family and friends. These
150 included 21 summary executions, some of which were public. Two of 13 female interviewees
were raped in custody; one was raped in her home by a government official. Three
interviewees reported rape of others in Ethiopia, including the multiple gang-rape of a 14
year-old in the Ogaden, who was strangled to death after ten days by the soldiers who raped
her. Although almost all of the abuses were justified by State on the basis of the victims'
155 involvement with the OLF, only half of the interviewees had ever had any personal or family
association with the organization. Only three were themselves involved after the OLF left
government in 1992.

155 The most recent victim of the Ethiopian police's extreme and violent tactics was an Oromo
man named Tesfahun Chemed. Chemed was a strong advocate of freedom for the Oromo
people, thus, he was made one of the prime targets of persecution by the Ethiopian authorities
and forced to flee to Kenya. While in exile in Kenya, Chemed was granted refugee status by
the UNHCR and continued in his advocacy among other Oromo refugees. Irrespective of the
160 international protection granted to him, he was arrested by Kenyan authorities and handed
over to his persecutors. Detained in the Maikelwai center, he was held in solitary confinement
with no access to medical treatment for more than a year, which resulted in his death on 24
August 2013. While it is unclear whether Chemed suffered additional torture while
imprisoned, the conditions of his imprisonment proved to be uninhabitable. Sadly this is but
165 one example among many cases of extreme torture and deplorable detention conditions of the
Ethiopian prisons which house minority activists.

7. Summary of Conclusions

170 The Ethiopian government can be widely praised for incorporating key international human
rights obligations into the Ethiopian Constitution. However, the treatment of Oromo and
Ogaden minorities has demonstrated a distinct lack of commitment by the ruling party to
respect these rights. There have been several reports that have delved into the human rights
violations in Ethiopia by organizations such as Human Rights Watch, the U.S. State
Department, and Amnesty International; yet the Ethiopian government continues to target and
175 persecute its minority populations in a most violent and reprehensible manner. It is clear that
the Ethiopian government has targeted Ogaden and Oromo people by arbitrarily detaining
them, suppressing their freedom of expression, and in most extreme cases, violently torturing
and executing them.

180 The overall assessment of the human rights situation in Ethiopia leads the UNPO to conclude
that in the areas of civil and political rights, sufficient mechanisms are in place to adequately
guarantee the rights of these minorities, but that the implementation thereof is severely
lacking. The Ethiopian government is currently acting in contravention to its domestic
obligations and international commitments.

185 An 'ethnic'-based federal structure was introduced in Ethiopia as a political remedy for the
historic oppression of nations and nationalities of Ethiopia, which the current regime has
ignored along with a number of international norms.



The UNPO urges Ethiopian authorities to:

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Recommendations regarding the right to assembly

Respect the state's Constitution that protects the right to peaceful assembly (Article 30), and to assume its obligations under international treaties such as the International Covenant on Civil and Political Rights, which Ethiopia ratified in 1993.

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Recommendations regarding the freedom of expression:

Abide by its own Constitution with special attention to Article 29 which grants all Ethiopian citizens the freedom of expression.

Recommendations regarding the freedom from arbitrary arrests:

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Abide by the national Constitution and ratified international human rights mechanisms such as the International Covenant on Civil and Political Rights (ratified 11 June 1993) and the Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment (acceded 14 March 1994) and to either charge those that are detained, bring them to court for a prompt and fair trial, or release them with immediate effect.

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Recommendations regarding extrajudicial killings:

Respect its constitution and international norms especially Article 6 of the International Covenant on Civil and Political Rights, and stop extrajudicial killings.

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Initiate an independent and credible investigation into the reports of extrajudicial killings, torture and inhumane treatment of civilians and bring those found guilty to justice.

Recommendations regarding the freedom from torture:

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Desist in its inhumane treatment of the Oromo and Ogaden people, respect its constitution and international obligations and to investigate cases of alleged mistreatment and bring those guilty to justice.

Ensure fair and considered treatment of the Oromo and Ogaden communities – respectful of human and civil rights – which would fulfil their obligations made to the International Covenant on Civil and Political Rights and the Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment as well as their own constitution.

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Finally, the UNPO urges the Ethiopian government to ensure the implementation of unilateral and bilateral agreements signed and ratified by Ethiopia which are intended to uphold the respect of human rights, the promotion of democracy, and the furtherance of good governance, which will guarantee:

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- *proper access to political structures and legal assistance for the Oromo and Ogaden populations,*

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- *the right to peaceful assembly,*

- *an end to extrajudicial killings, and a guarantee that those alleged incidences are swiftly investigated independently, and those responsible fairly judged,*

- *an end to racial discrimination, which appears to be the motivation behind the current mistreatment of the Oromo and Ogaden populations, which is prohibited under Article 25 of the Ethiopian Constitution and the International Covenant on Civil and Political Rights*

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