

# Human Rights Watch's Submission to the Committee against Torture on Ethiopia September 2010

#### Introduction

This memorandum provides an overview of Human Rights Watch's concerns and recommendations regarding serious patterns of torture and other cruel, inhuman, and degrading treatment in Ethiopia. Human Rights Watch's reports are based on extensive interviews in Ethiopia with victims, eyewitnesses, and other primary sources of information.

Torture and ill-treatment have been used by Ethiopia's police, military, and other members of the security forces to punish a spectrum of perceived dissenters, including university students, members of the political opposition, and alleged supporters of insurgent groups, as well as alleged terrorist suspects. Human Rights Watch has documented incidents of torture and ill-treatment by Ethiopian security forces in a range of settings. The frequency, ubiquity, and patterns of abuse by agents of the central and state governments demonstrate systematic mistreatment involving commanding officers, not random activity by rogue soldiers and police officers. In several cases documented by Human Rights Watch, military commanders participated personally in torture.

Methods of torture vary. Repeated and severe beatings with sticks, electric cables, rifle butts, iron bars, or other hard instruments is the most frequent method of abuse. Occasionally, police and soldiers resort to other methods, such as immersing victims' heads in water; beating and kicking victims while they hang bound upside down; tying bottles of water to testicles; and forcing detainees to run or crawl barefoot over sharp gravel for several hours at a time. Some victims have suffered serious permanent injury; a few have been tortured to death. Human Rights Watch has also documented rape and sexual violence against

female detainees by the military during counterinsurgency operations in several different locations.

Ethiopia has acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment<sup>1</sup> and has incorporated similar provisions in its constitution.<sup>2</sup> Although Ethiopia has criminal code provisions and other laws available to enforce its international and domestic obligations, they are seldom enforced. Very few incidents of torture have been investigated promptly and impartially, much less prosecuted.

### Patterns of Torture by Police, Militia, and Military Engaged in Law Enforcement

Torture is regularly used in federal prisons, police stations, and military training camps where civilians have been incarcerated in the course of military operations and law enforcement activities. It occurs in the capital Addis Ababa, including, notably, in Maekelawi, the federal police's "central investigation department." It also occurs in both known and secret detention facilities in rural Ethiopia. The perpetrators range from high-level officials at the federal and state level to rural militia acting at the direction of local administrators.

Over the past few years, Human Rights Watch has documented the use of torture against a variety of people deemed to be critics of the government, including students and peaceful protestors, members of political opposition groups, people perceived to be supporters or members of insurgent groups, and individuals alleged to be connected to terrorist activities. These categories are not necessarily discrete or mutually exclusive. It is worth noting that Ethiopia's government has habitually used accusations of supporting insurgents as a

<sup>&</sup>lt;sup>1</sup> Ethiopia acceded to the Convention on March 14, 1994. United Nations Treaty Collection, "Status of Treaties," http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\_no=IV-9&chapter=4&lang=en (accessed April 2, 2010).

<sup>&</sup>lt;sup>2</sup> Constitution of the Federal Democratic Republic of Ethiopia, 1995, University of Pennsylvania African Studies Center, "Ethiopian Constitution," http://www.africa.upenn.edu/Hornet/Ethiopian\_Constitution.html (accessed September 26, 2010), art. 16 ("Everyone has the right to protection against bodily harm.") and art. 18(1) ("Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment

pretext for harassing students and muzzling members of the political opposition, particularly among the ethnic Oromo population.

The following examples provide a brief overview of the types of individuals who typically are detained and subjected to torture and ill-treatment.

#### Punishment for participation in protests

The Ethiopian government generally refuses to issue permits for large protests or demonstrations. When they occur, the security forces generally arrest large numbers of people; those arrested are often subject to brutal treatment in detention.

In April 2001, police raided Addis Ababa University. According to eyewitnesses interviewed by Human Rights Watch, more than 50 students were injured, yet the police refused to allow ambulances to take injured students to hospitals for several hours.<sup>3</sup> The police arrested 3,000 students, some of whom were beaten as they boarded trucks taking them to the Sendafa police camp. There, the students were ordered to run races barefoot or crawl on their knees over gravel for long distances, during which the police beat students' backs, shoulders, and buttocks with rifle butts.<sup>4</sup>

High-level commanders participated in the abuse. A student told Human Rights Watch he had been kicked by the detention camp commander, who walked on him while he lay prostrate, and then placed his pistol into the student's mouth as if to execute him.<sup>5</sup> Fasil Eshetu, spokesman of the student movement, was abducted near the campus on April 20, 2001. He told Human Rights Watch he was held for nine days during which police, including high-ranking officers, tortured him. He was first taken to a former air force base. There, "two uniformed

<sup>&</sup>lt;sup>3</sup> See Human Rights Watch, *Lessons in Repression: Violations of Academic Freedom in Ethiopia*, vol. 15, no. 2(A), January 2003, http://www.hrw.org/en/reports/2003/01/23/lessons-repression-violations-academic-freedom-ethiopia-0, p. 19.

<sup>&</sup>lt;sup>4</sup> Ibid., p. 22.

<sup>&</sup>lt;sup>5</sup> Ibid., p. 22.

higher officers came.... The officers tied my hands and my ankles together with rope. They threw me down into the sand, and at night they torched me with electricity. When they beat me, they did it with a stick. They pushed my head into a bucket of water so I could not breathe, and I was so weak I couldn't resist, and my hands were tied together.... They tortured me like that for three days."<sup>6</sup>

In 2004, the federal police engaged in a similar pattern of abuse when many students were arrested and detained at the Kolfe police training academy in Addis Ababa.<sup>7</sup> They too were ordered to run barefoot and crawl over gravel for three and a half hours. Students were forced to carry each other over the gravel, inflicting even greater pain. This treatment was repeated the following day.

In November 2005, nearly 200 people were killed by security forces in Addis Ababa, and an estimated 30,000 people in Addis Ababa and other towns were arrested and transported to military camps outside of Addis Ababa.<sup>8</sup> Human Rights Watch interviewed former detainees who had been held for several weeks who said they had been beaten and forced to remove their clothes and crawl over gravel.<sup>9</sup>

#### Attacks on political opposition members

Security forces have beaten and otherwise ill-treated members and supporters of opposition political parties, especially in the periods leading up to elections.

In April 2001, the government arrested 112 members of the opposition Ethiopian Democratic Party when violence broke out in Addis Ababa during student protests that coincided with local election campaigns. One opposition supporter told Human Rights Watch that, although he had not been beaten while being held at an Addis Ababa police station, he witnessed beatings, including a

http://www.hrw.org/en/reports/2010/03/24/one-hundred-ways-putting-pressure-0, p. 15.

<sup>&</sup>lt;sup>6</sup> Ibid., p. 22.

<sup>&</sup>lt;sup>7</sup> "Ethiopia: Investigate Torture by Police," Human Rights Watch news release, March 17, 2004, http://www.hrw.org/en/news/2004/03/17/ethiopia-investigate-torture-police.

<sup>&</sup>lt;sup>8</sup> Human Rights Watch, *"One Hundred Ways of Putting Pressure": Violations of Freedom of Expression and Association in Ethiopia*, ISBN: 1-56432-610-1, March 2010,

<sup>&</sup>lt;sup>9</sup> Human Rights Watch interviews, Addis Ababa, December 2005.

prisoner being thrown against a wall and another whose skull and hand were broken after two hours of beatings.<sup>10</sup>

The government justified the arrests of opposition party members, many of whom were candidates in the local elections, because they allegedly had been active in recruiting "hooligans" to participate in violence.<sup>11</sup> One political party, the All-Amhara People's Organization (AAPO), said that one of its members had died as a result of severe beatings while detained. The government claimed he had died of tuberculosis but AAPO noted that his family had not been informed he was hospitalized and had not been able to collect his body.<sup>12</sup>

An opposition politician from the Oromo National Congress, a registered opposition party, told Human Rights Watch that federal police in western Oromia beat and arrested him in a nighttime raid on his house in December 2005. "They beat every part of my body; the blood was coming out of my mouth," he said. "They beat with guns and sticks and plastic rope."<sup>13</sup>

The run-up to the 2008 local elections saw a resurgence of patterns of intimidation and harassment of opposition parties which included the ill-treatment of opposition members. In Oromia, for example, opposition candidates accused of supporting a banned organization were physically assaulted.<sup>14</sup>

In the course of its research in 2009 in the lead-up to the May 2010 general elections, Human Rights Watch received a number of allegations of recent violent attacks on opposition supporters by militia controlled by *kebele* (local-level) officials who oversee the local security apparatus. Opposition parties publicly complained about politically motivated violence against members. One

<sup>&</sup>lt;sup>10</sup> Human Rights Watch interview, Addis Ababa, December 2002.

<sup>&</sup>lt;sup>11</sup> Human Rights Watch, *World Report 2002* (New York: Human Rights Watch, 2002), Ethiopia chapter, http://www.hrw.org/wr2k2/africa5.html.

<sup>12</sup> Ibid.

<sup>&</sup>lt;sup>13</sup> "Ethiopia: Hidden Crackdown in Rural Areas," Human Rights Watch news release, January 11, 2006, http://www.hrw.org/en/news/2006/01/11/ethiopia-hidden-crackdown-rural-areas.

<sup>&</sup>lt;sup>14</sup> "Ethiopia: Repression Sets Stage for Non-Competitive Elections," Human Rights Watch news release, April 9, 2008, http://www.hrw.org/en/news/2008/04/09/ethiopia-repression-sets-stage-non-competitive-elections.

opposition party reported seven murders of party activists in various election districts.

In East Gojjam, Amhara region, priests, farmers, and opposition officials reported beatings of opposition supporters in Dangla district.<sup>15</sup> A local human rights activist told Human Rights Watch that in Debre Markos town, "the militia are very active in [assaulting] people who had been opposition supporters in 2005.... Militia are raiding homes, beating people, even killing."<sup>16</sup> In another town in Amhara, a young woman manning an opposition office described how she was sexually assaulted by a member of the *kebele* militia, who said to her afterwards, "Let Birtukan come and deliver you from this mess!"—a reference to detained opposition leader Birtukan Midekssa.<sup>17</sup>

In March 2010, an opposition candidate for the federal parliament was stabbed to death by five unidentified men.<sup>18</sup> The candidate had previously been detained twice in connection with his political activities, officials from his party told Human Rights Watch. He had reported to his colleagues that he was experiencing rising intimidation and harassment in the days preceding his killing, and that he feared for his own safety.<sup>19</sup>

#### Torture and ill-treatment of alleged supporters or members of

#### insurgent groups

Government security forces have frequently tortured and ill-treated suspected members or supporters of insurgent groups in Oromia region, the largest and most populous province in Ethiopia. Over the years, Ethiopia's government has regularly used accusations of support for the Oromo Liberation Front (OLF), who have been carrying out a low-level insurgency for a decade, as a pretext for cracking down on political dissent among the Oromo population. The Ethiopian government frequently arrests and detains individuals deemed to be supporters

<sup>&</sup>lt;sup>15</sup> Human Rights Watch, *"One Hundred Ways of Putting Pressure,"* p. 36.

<sup>&</sup>lt;sup>16</sup> Ibid., p. 36.

<sup>&</sup>lt;sup>17</sup> Ibid., p. 36.

<sup>&</sup>lt;sup>18</sup> Jason McClure, "Candidate Is Stabbed to Death in Ethiopia," Bloomberg News, March 2, 2010.

<sup>&</sup>lt;sup>19</sup> Human Rights Watch, *"One Hundred Ways of Putting Pressure*," p. 37.

of the OLF; those who have been detained frequently report severe beatings and torture.

In 2005, Human Rights Watch interviewed 41 individuals who had been detained and released since 2001 by the authorities in Oromia.<sup>20</sup> In all 41 cases investigated by Human Rights Watch, courts or police investigators ultimately cleared the individuals of allegations that they supported the OLF. That did not spare them from unlawful treatment. Many reported that police and military officials subjected them to torture aimed at forcing them to provide information about OLF activities.

Human Rights Watch interviewed three men from different towns who said they were tortured by having a partially filled bottle of water tied to their testicles. A 26-year-old man told Human Rights Watch that he was tortured in a police station in the presence of police and military officials as well as an official from the local government.<sup>21</sup> His arms were tied behind his back and he was beaten on the soles of his feet, and then made to stand naked with a bottle of water tied to his testicles. Another detainee said he had been forced to stand naked with a bottle of water tied to his testicles. His police interrogators broke several bones in his right hand and left him with injuries to his back and legs that had not fully healed a year later.<sup>22</sup>

Torture during interrogation caused permanent injury. One man, detained in a military camp, had his skull fractured by a rifle butt. Nearly four years later when Human Rights Watch interviewed him, his forehead was marked by a deep depression left by that fracture. He had been arrested and taken to a military garrison near Nekemte where he was imprisoned and beaten periodically for nearly six months. His "release" came when his captors abandoned him unconscious in a riverbed near the garrison after a particularly severe beating.<sup>23</sup>

<sup>&</sup>lt;sup>20</sup> See Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, vol. 17, no. 7 (A), May 2005, http://www.hrw.org/en/reports/2005/05/09/suppressing-dissent-0.

<sup>&</sup>lt;sup>21</sup> Ibid., p. 19.

<sup>22</sup> Ibid., p. 19.

<sup>&</sup>lt;sup>23</sup> Ibid., pp. 18–19.

Women who are suspected of being OLF members or supporters are subject to torture and ill-treatment. A 19-year-old woman who was accused of working with other detainees to sabotage elections told Human Rights Watch that she had been stripped to her underwear and then kicked and hit. She said, "I couldn't go to the bathroom after that because of how they kicked me."<sup>24</sup> Her interrogators had also put a pistol in her mouth and threatened to kill her.

#### Torture of detainees with suspected links to terrorism

In 2007, Ethiopian authorities tortured and ill-treated dozens of people who had been deported to Ethiopia from Kenya and Somalia.<sup>25</sup>

A 30-year-old United Nations employee in Somalia was transferred from Somalia to Ethiopia and then tortured in an underground cell at a military base in Awassa, about 250 kilometers south of Addis Ababa, for five months.<sup>26</sup> He described a pattern of severe beatings and ill-treatment:

Often at night, the military officers would come to our cell and hit our heads and bodies against the wall. Sometimes they would hit and kick me in the testicles. One time they put a knife in my shoulder and told me I was al-Qaeda. When I said no, I wasn't, they would move the knife around in my shoulder. I was so weak and malnourished that I hardly even bled. But my shoulder still hurts from that injury.<sup>27</sup>

Another deportee recounted being beaten so severely that he was blind in both eyes for three months. A year-and-a-half later he could see only "vague shapes" in his left eye. Interrogators also pulled out his toenails.<sup>28</sup>

<sup>&</sup>lt;sup>24</sup> Ibid., p. 18.

<sup>&</sup>lt;sup>25</sup> Human Rights Watch, *"Why Am I Still Here?": The 2007 Horn of Africa Renditions and the Fate of Those Still Missing*, ISBN: 1-56432-380-3, October 2008, http://www.hrw.org/en/reports/2008/09/30/why-am-i-still-here-0.

<sup>&</sup>lt;sup>26</sup> Ibid., pp. 29-31.

<sup>&</sup>lt;sup>27</sup> Ibid., p. 30.

<sup>&</sup>lt;sup>28</sup> Ibid., pp. 35–36.

### Patterns of Torture and Ill-Treatment by the Military in Conflict Zones

The Ethiopian military has also been responsible for torture and ill-treatment in the course of counter-insurgency operations in Ethiopia and neighboring Somalia.

#### Violations in the Ogaden area of Somali region in 2007-2008

In 2007, the Ethiopian army launched a counter-insurgency campaign in Ethiopia's Somali region in response to an attack on a Chinese oil exploration site by an insurgent group, the Ogaden National Liberation Front (ONLF). Human Rights Watch's investigations concluded that Ethiopian security forces during 2007-2008 were responsible for at least 150 extrajudicial executions, mass arbitrary arrests, rape and other forms of sexual violence, and torture. Many extrajudicial executions, including some by strangulation, were done in public to instill terror in the local population. Others were carried out on army bases, frequently in the presence of base commanders. Human Rights Watch concluded that the Ethiopian army's actions were "far too systematic and widespread to be considered the acts of rogue commanders. On the contrary, the available information indicates that specific policies were chosen to deliberately terrorize the civilian population."<sup>29</sup>

Almost all detainees in military custody interviewed by Human Rights Watch after they were released or escaped recounted that they had suffered severe beatings or torture, many to the point of unconsciousness. Several eyewitnesses gave accounts of commanders' active participation in the mistreatment.

A student, 18, said she was beaten and kicked, losing a tooth, then tied up in the sun for a day.<sup>30</sup> A woman, 24, told of having been beaten on three successive nights, once to unconsciousness, and threatened with execution.<sup>31</sup> A shopkeeper, 30, said that, at a military camp where he had been taken, he had been severely beaten for an hour and then hung upside down and beaten

<sup>&</sup>lt;sup>29</sup> See Human Rights Watch, *Collective Punishment: War Crimes and Crimes against Humanity in the Ogaden Area of Ethiopia's Somali Regional State*, June 2008, http://www.hrw.org/en/reports/2008/06/12/collective-punishment, p. 116.

<sup>&</sup>lt;sup>30</sup> Ibid., p. 65.

<sup>&</sup>lt;sup>31</sup> Ibid., p. 68.

again.<sup>32</sup> A student, 22, spoke of being beaten every few days while held at a military base, at least twice until he lost consciousness. He told Human Rights Watch he was "still very sick" more than a year after his release.<sup>33</sup> A shepherd, 37, said he was interrogated every few days, and beaten for 30 minutes at a time when he refused to admit that he was a terrorist or that he belonged to the ONLF. Once, he was interrogated and beaten almost continuously for two full days. Interrogators aimed at his testicles on occasion. As a result, "I often urinated blood." Over a year after his release, he reported still seeing blood in his urine from time to time.<sup>34</sup>

According to many of the women and men interviewed by Human Rights Watch, rape and other sexual violence was widespread. Senior military officials, including base commanders, and interrogators were among those implicated in rape. In June 2007, a 38-year-old woman going to market was taken by the soldiers to brigade headquarters where during the next 25 days, she said, soldiers raped her on five separate occasions.<sup>35</sup> A student, 17, arrested at her home and accused of being an ONLF supporter, reported that during her three-month detention at a military base, all of the 40 or so women who were passed through the base were raped, many repeatedly. She told Human Rights Watch, "The commander of the base also participated in the rapes and beatings. We were all raped—the girls and the mothers. They brought new girls and women all the time."<sup>36</sup>

#### Violations in Gambella region in 2003-2004

Many of the abuses used by the military as investigative tools and as punishment in Somali region had earlier been employed by the army in Gambella region in 2003-2004.

Following an attack on a government convoy allegedly by an ethnic Anuak insurgent group, non-Anuak residents of the state capital went on a two-day

<sup>&</sup>lt;sup>32</sup> Ibid., p. 69.

<sup>&</sup>lt;sup>33</sup> Ibid., p. 70.

<sup>&</sup>lt;sup>34</sup> Ibid., pp. 24–26.

<sup>&</sup>lt;sup>35</sup> Ibid., pp. 58-62.

<sup>&</sup>lt;sup>36</sup> Ibid., p. 59.

rampage in December 2003. Human Rights Watch investigated the incident and concluded that over 400 Anuaks were killed.<sup>37</sup> Human Rights Watch estimated that more than 100 Ethiopian troops participated in the December 13-14 massacre and documented 104 extrajudicial killings by the army outside the capital from December 2003 through the end of 2004. Troops also gang raped Anuak women.<sup>38</sup> The garrison commander, Maj. Tsegaye Beyene, not only made no effort to stop his troops' rampages, but Human Rights Watch also concluded he had participated in them.<sup>39</sup>

Although the killings, rapes, and devastation largely ended in the capital by December 15, 2003, the military committed serious abuses elsewhere in Gambella region repeatedly during the following year. Soldiers routinely beat Anuak men they encountered in villages and in the countryside looking for insurgents and contraband weapons. Many of the beatings were severe enough to amount to torture.<sup>40</sup> Severe beatings by soldiers were so rampant that villagers considered them almost inevitable. One man told Human Rights Watch, "If all they do is beat you, you are lucky."<sup>41</sup>

Women taken by the military in Gambella region were frequently raped. Most of the rapes that Human Rights Watch researchers learned of from eyewitnesses occurred during chance encounters with soldiers, not while women were incarcerated at military bases, as happened in the Ogaden in 2007-2008. One woman was gang raped by 12 soldiers, others by four or more.<sup>42</sup> When women or their relatives complained to army commanders, they were typically told that

<sup>&</sup>lt;sup>37</sup> See Human Rights Watch, *Targeting the Anuak: Human Rights Violations and Crimes against Humanity in Ethiopia's Gambella Region*, vol. 17, no. 3(A), March 2005,

http://www.hrw.org/en/reports/2005/03/23/targeting-anuak-0, p. 20. Human Rights Watch concluded that an estimate of 424 deaths, based on a list of victims prepared by Anuak groups, was well founded. An independent investigation by the Ethiopian Human Rights Council, a nongovernmental organization, estimated over 300 deaths. By contrast, a government commission of inquiry report concluded that only 65 Anuak civilians were killed on December 13-14, 2003. See "Report of the Commission of Inquiry to the House of People's Representatives," July 2004, on file with Human Rights Watch.

<sup>&</sup>lt;sup>38</sup> Ibid., pp. 18–19.

<sup>&</sup>lt;sup>39</sup> Ibid., pp. 18–19.

<sup>&</sup>lt;sup>40</sup> Ibid., p. 36.

<sup>&</sup>lt;sup>41</sup> Ibid., p. 38.

<sup>42</sup> Ibid., p. 34-36.

women should not stray far from their villages or go out in groups, and should run when they see soldiers.<sup>43</sup>

## Violations of Convention Articles 2, 5, 11, 12: Failure to Investigate Alleged Violations Promptly and Impartially and to Prosecute Violations of the Convention

The Ethiopian government has failed to conduct credible and impartial investigations into reports of violations of the Convention or prosecute those responsible for them.

Typically the government denies that violations even occur. Although the government established inquiries into the events in Somali and Gambella regions, both inquiries lacked credibility and impartiality. The government has refused to facilitate independent, international investigations into the allegations, including outstanding requests from the relevant Special Procedures of the UN Human Rights Council.

In 2007-2008, the government's initial reaction to reports of abuses in the Ogaden was to deny the reports, disparage the sources, and block access to the region by journalists, aid organizations, and other independent groups, including the International Committee of the Red Cross, which was expelled from Somali region in July 2007 and has not been allowed to return. In 2008, the government launched a politicized investigation in response to Human Rights Watch's June 2008 report on war crimes in Somali Region. Ethiopian officials, accompanied by a television camera crew employed by the government broadcaster, traveled to Somali region and interviewed an unknown number of individuals. Given the government inquiry should have taken special precautions to assure victims and witnesses that they could speak openly to investigators without fear of reprisal. The government took no such precautions. Unsurprisingly, the inquiry failed to find serious abuses.

<sup>&</sup>lt;sup>43</sup> Ibid., p. 36.

Despite repeated calls for an independent investigation, including at the UN Human Rights Council, the government has made no effort to facilitate such an inquiry.<sup>44</sup> For instance, Human Rights Watch is unaware of any member of the military being prosecuted for the assaults, rapes, and other serious abuses recounted in our 2008 report on the Ogaden.

In 2009, the Ethiopian Ministry of Foreign Affairs issued a lengthy rebuttal<sup>45</sup> to the United States State Department's Human Rights Country Report on Ethiopia that noted recent instances of torture, beatings, and extrajudicial killings.<sup>46</sup> The government-controlled Ethiopian Television Agency ran a three-part television series denouncing the State Department report and several Ethiopian human rights organizations, which it claimed were providing the State Department with erroneous information. The television broadcast also accused Ethiopian nongovernmental organizations of supplying false information to the US government for "bread" and of having a "concubinage-like relationship" with US authorities.<sup>47</sup> Human Rights Watch learned from a credible source that some of the people interviewed refused to recant their previous statements despite the pressure, but no mention of these interviews is included in the government rebuttal.<sup>48</sup>

The Ethiopian government created an inquiry commission to investigate the Gambella town massacres in 2003, but its mandate did not include the torture, rapes, and executions perpetrated by the Ethiopian army outside the capital the following year. Instead, the government entirely ignored the army's postmassacre conduct. As for the inquiry that the government did conduct, Human Rights Watch believes the commission's report to be highly inaccurate and

<sup>&</sup>lt;sup>44</sup> UN Human Rights Council, Report of the Working Group on Universal Periodic Review: Ethiopia, A/HRC/13/17, January 4, 2010.

<sup>&</sup>lt;sup>45</sup> Government Communication Affairs Office, "Ethiopia's Response to the U.S. State Department Report on the Human Rights Situation in Ethiopia," 2009,

http://www.aigaforum.com/ethiopia\_esponse\_to\_us\_state\_dept\_report\_2009\_part1.pdf (accessed September 16, 2010).

<sup>&</sup>lt;sup>46</sup> US State Department, Bureau of Democracy, Human Rights, and Labor, "Country Reports on Human Rights Practices – 2008: Ethiopia," February 25, 2009, http://www.state.gov/g/drl/rls/hrrpt/2008/af/119001.htm (accessed July 5, 2010).

<sup>&</sup>lt;sup>47</sup> A copy and an unofficial transcript of the television series are on file with Human Rights Watch.

<sup>&</sup>lt;sup>48</sup> Human Rights Watch interview with diplomat, Addis Ababa, December 15, 2009.

incomplete.<sup>49</sup> A second inquiry was conducted in 2004. Following that, eight lowranking soldiers were arrested in 2005. Maj. Tsegaye Beyene, commander of the Gambella garrison at the time of the massacres, was transferred elsewhere in the region, but troops under his new command continued to abuse civilians.<sup>50</sup>

Following the post-election violence in 2005, the government established an inquiry, which initially concluded that the security forces used excessive force on demonstrators, many of whom were shot or beaten to death. Two members of the panel fled the country after presenting this conclusion to government officials and receiving threats. The final report presented to parliament reversed the panel's finding, clearing the police of having used excessive force and instead blaming the violence on the demonstrators.<sup>51</sup>

Only once has a government agency acknowledged the prevalence of torture. In 2008, the Ethiopian Human Rights Commission issued a report on Ethiopian prisons.<sup>52</sup> It found that prison authorities in Benishangul-Gumuz region participated in "unusual forms of punishment such as beatings, suffocation by immersion in barrels filled with water, forcing inmates to roll on wet mud, sprinkling water on inmates' bodies prior to beatings, cuffing, and humiliating insults."<sup>53</sup> Neither the central nor regional governments have announced prosecutions for that conduct.

The Ethiopian government does not allow the International Committee of the Red Cross access to federal prisons, police stations, or military detention centers. There is therefore no comprehensive independent monitoring of institutions in which prisoners are known to have been tortured.

<sup>&</sup>lt;sup>49</sup> Human Rights Watch, *Targeting the Anuak*, p. 49.

<sup>&</sup>lt;sup>50</sup> Ibid., p. 50. Also see pp. 52–53.

<sup>&</sup>lt;sup>51</sup> Human Rights Watch, *"One Hundred Ways of Putting Pressure,"* p. 15.

<sup>&</sup>lt;sup>52</sup> Ethiopian Human Rights Commission, *Correctional Facilities Monitoring Visit Report* (Addis Ababa, December 2008), on file with Human Rights Watch.

<sup>&</sup>lt;sup>53</sup> Ibid., p. 27.