

SOLIDARITY COMMITTEE FOR ETHIOPIAN POLITICAL PRISONERS – CANADA
(SOCEPP-CAN)

የኢትዮጵያ ፖለቲካ እሴረኞች አንድነት ኮሚቴ ሰነድ (ኢ.ፖ.አኮ - ካናዳ)

P. O. BOX 413 STATION E, TORONTO, ON M6H 4E3 CANADA.

Email: socepp-can@humanrightsethiopia.com www.humanrightsethiopia.com

Election 2010 and the Situation of Human Rights and Democracy in Ethiopia

Presented To:

**The Standing Committee on Foreign Affairs and International Development,
House of Commons**

Ottawa, ON (CANADA)

April 27, 2010

In less than a month or on May 23, 2010, Ethiopia will hold yet another “election” for its federal parliament. This “election” is the fourth since the ruling TPLF/EPRDF came to power in 1991 after the fall of the then military government of Col. Mengistu Haile Mariam. In all of these elections, the ruling party “won” by landslide mainly because all of these elections were extremely restrictive and highly uncontested.

As we are fast approaching the day of the election, many have asked what the prospect for free fair election would be this time around. They ask what could be done to make sure that this exercise would help bring about peace and democracy to Ethiopia. Peace and democracy that is sustainable in nature and help end the violation of the people’s human rights.

Democracy and human rights are distinct yet interrelated concepts, with the former referring to government by the people, and the latter referring to universal rights that apply to all individuals in all societies. Therefore, in order to assess whether the upcoming elections would be free and fair, one has to examine whether or not the internationally acceptable standards of democracy and human rights are respected in today’s Ethiopia.

In our humble opinion and in the opinion of learned professionals in the field advancing democracy around the world, for any election to be free and fair, we sincerely believe that the following minimum requirements would have to be in place before anything else.

- 1) Freedom of expression and freedom of the press
- 2) Freedom of association and assembly
- 3) Protection of human and legal rights of the citizens.
- 4) An independent election board and
- 5) An independent and impartial judiciary,

Free and fair election is one which is rooted in the respect for basic human rights such as the freedom of the press and expression. These rights become even more important during election times for Individuals have be free to express their opinions, their likes and dislikes, their approvals and disapprovals of various policies and practices of contending political parties; and the free press is a vital feature of this process.

In today’s Ethiopia, the free press is completely muzzled and systematically wiped out and individuals are no longer able to express their views for fear of persecution by the ruling party. Among the many evidences, here is what Human Rights Watch said in its recent report titled [Ethiopia: Repression Rising Ahead of the May Elections](#):

"Expressing dissent is very dangerous in Ethiopia," writes Georgette Gagnon, Africa director at Human Rights Watch. "The ruling party and the state are becoming one, and the government is using the full weight of its power to eliminate opposition and intimidate people into silence. Government repression has caused many civil society activists and journalists to flee the country in recent months. The most prominent independent newspaper was closed in December 2009 and the government jammed Voice of America radio broadcasts last month. Ethiopians are unable to speak freely, organize political activities, and challenge their government's policies - whether through peaceful protest, voting, or publishing their views - without fear of reprisal".

In February 2010, in a letter addressed to PM Meles Zenawi, Joel Simpson, Executive Director of the international advocacy Committee to Protect Journalists (CPJ), indicating the presence of [Five journalists](#) currently in Ethiopian prisons in connection with their work, CPJ explicitly stated that: "according to our research, this makes Ethiopia the second worst jailer of the press in Sub-Saharan Africa." Eritrea jails more.

A September 2009 [study](#) by Open.Net Initiative, an internationally respected group that examines Internet censorship, identified Ethiopia as the only country in sub-Saharan Africa with "consistent" and "substantial" filtering of critical Web sites. The web site, cpj.org, is among those blocked

The principles of free and fair election also necessitate freedom of assembly. The situation in Ethiopia as it pertains to **Freedom of assembly** is extremely prohibitive. To start with, a number of opposition parties continue to be barred from functioning freely. These include parties such as EPRP (Democratic), Oromo Liberation Front (OLF), Ogaden Liberation Front, TAND, and many others.

Labor unions are subdued and their leaders forced to exile. The Ethiopian Teachers Association (ETA), one of the country's oldest trade unions, has been crippled and its resources confiscated by the order of the ruling group.

Currently, the opposition's ability to organize freely, engage the public and hold demonstrations has been extremely hampered by the ruling party. The opposition is not allowed to hold outdoor meetings and demonstrations. Since 2005, in many parts of the country the opposition has been denied the right to open offices and function legally.

Since 2005, three exceptionally draconian legislations were passed by the ruling party in order to fully paralyze or disable the functioning of independent civic society groups as well as the opposition. They include: the **Anti Terrorism Proclamation, the Charities and Societies Proclamation** and [Mass Media and Freedom of Information Proclamation](#),

The Charities and Societies Proclamation prohibits any civic society group/NGO receiving more than 10% of its income from foreign sources from participating in any advocacy work be it human rights, women's rights, children's rights, etc.,

In a report issued in March 2010, Article 19, a respected UK based rights group stated its view about the so called Anti Terrorism Proclamation – 2009.

The proclamation seriously undermines freedom of expression in a manner that is unlikely to improve security. It gives broad and vaguely defined powers to authorities to criminalize speech that is not directly inciting terrorism, and undermines the media's fundamental rights to protection of sources. In doing so, it violates Ethiopian obligations under international law.

As a result of these laws, in today's Ethiopia the independent civic society is crippled, rights groups are paralyzed and the basic institutions that could hold the governing party accountable are dismantled.

Suppression of basic human rights has been one of the defining characteristics of the ruling regime. This includes political repression, detention without trial and disappearances. Among such political repressions is the detention and subsequent life sentence of Birtukan Mideksa, the leader of the opposition Unity for Democracy and Justice Party (UDJ).

As the election date approaches, the repression has intensified. The killings of the opposition coalition MEDREK's candidate Aregawi Gebre Yohanes in Tigray and another opposition organizer in central Ethiopia are just two examples.

Torture is rampant in the country. Thousands of political opponents continue to languish in prisons denied due process of law and basic medical and other necessities. It is worth noting that political prisoners such as Aberash Berta, Tsegaye Gebremedhin and many others of the outlawed opposition EPRP continue to be unaccounted for over 18 years and feared "disappeared".

In 2008 and 2009 Human Rights Watch accused the Ethiopian military of extrajudicial killings, rape, torture, forcibly displacing thousands of civilians and using food as a weapon of war in its attempts to defeat the Ogaden National Liberation Front (ONLF). Satellite images in the report show how villages had been razed to the ground to deny the rebels a support base

The existence of an independent election board is fundamental to carrying out a free and fair election. An independent election board is necessary to make sure that the authority to govern is based on the will of the people as expressed through periodic elections under a genuine process.

In the case of Ethiopia, the ruling party handpicks members of the election commission. Most of the members of the commission are affiliated with the ruling party and are neither independent nor impartial. As stated by the opposition repeatedly, the elections' officers on the ground are for the most part members and/or affiliates of the EPRDF. Clearly, this is a condition for manipulation, rigging the election and for denying the people's sovereign votes.

In addition, there are numerous examples that show the ruling TPLF/EPRDF has continued to be fully engaged in manipulating the electoral process. It uses the nation's resources and donor funds, political party controlled funds, sheltered employment, land and fertilizer to buy votes ahead of the election.

On another and equally relevant note, it is worth mentioning at this juncture that investigative reports by the BBC have unraveled the sad reality that the international aid sent to Northern Ethiopia in 1984/85 had been misappropriated to buy arms and strengthen the TPLF army while hundreds of thousands of Ethiopians were perishing from the great famine. The same political force and its leader are now on the reins of power always worrying about and working towards protracting their rule. It is, hence, a pipe dream to expect this group's respect for the principles of free and fair election.

A free and fair election must also be anchored in democratic institutions and the rule of law – the two major features of responsible governance.

In today's Ethiopia, the judiciary is another institution that has mainly been a political tool of the ruling party. For the past 19 years, the courts have sent hundreds of political prisoners to the dungeons of the regime. Occasionally, when a court orders the release of a political prisoner, the ruling party often reverses the decision and keeps them in jail (Example: Mr. Abera Yemaneab, one of the leaders of the former opposition coalition – COEDF). The case of the UDJ leader Miss Birtukan Mideksa is another example of a repeat victimization through political intervention in the legal system. The court's order to allow more visitors continues to be denied by the security forces/political power except for her 4 year old daughter and elderly mother.

Yet another example of political intervention includes the PM's direct orders to members of the enquiry commission who wrapped up their reports into the killings of 200 demonstrators during the 2005 election to change the report sanitizing it from incriminating the government and its security forces. A number of these commissioners including the head of the inquiry commission were forced into exile and their report was completely altered thereafter exonerating the ruling party.

All of the above evidences show that in the absence of the conditions for free and fair elections, in a political space that has narrowed extremely and in a nation where rights are violated in a deliberate, persistent and systemic way; it is extremely hard to think of a sustainable peace and democratization for and in Ethiopia post-2010 elections. There is little doubt that the upcoming elections will be held under conditions lacking the minimum requirements for the expression of the will of the Ethiopian people and who knows what happens if and when people decide to take to the streets to have their votes respected. We only hope that the Belgium-based International Crisis Group's (ICG) fear of major violence can be avoided. (See: ICG September 04, 2009 report entitled: "Ethnic Federalism & Its Discontents".)

There are some who say that however imperfect and undemocratic it may be, the upcoming election could contribute to democratization and the respect for human rights in the long term. However, considering what transpired during and after the 2005 election and if that were to be a lesson, we are afraid that this hope is not grounded on reality. There is a near unanimous agreement today that Ethiopia has slipped backwards and continues to do so especially following the last election.

We are concerned that democracy and human rights will be further curtailed. As reported by the ICG in its September 2009 report: "while the EPRDF promises democracy, it has not accepted that the opposition is qualified to take power via the ballot box and tends to regard the expression of differing views and interests as a form of betrayal".

The popular aspiration for human rights and democracy and the continued narrowing of the political space are incompatible. We are concerned that such frustrating situations could undermine the peace and stability of the country and lead to the abandonment of peaceful political activity. This will not be in the interest of Ethiopia, the neighboring countries and the international community. Hence we recommend that the following measures be taken:

- Canada must strongly condemn the repression of human and democratic rights in Ethiopia and demand a full respect of basic rights; break its silence and condemn the ongoing repression and climate of fear in Ethiopia.
- Canada must join the people of Ethiopia and human rights organizations and demand that all political prisoners including Birtukan Mideksa be released without any preconditions and for the government to account for the "disappeared" including the leaders of EPRP.

- Use its considerable financial leverage to end the harassment of the opposition and the oppressive laws on activists and the media and demand the immediate repeal of the charities and societies, media, and the anti terrorism proclamations.
- Investigate whether Canadian aid had been misused for political purposes including the buying of votes.
- Send a substantial number of independent election observers to be placed in strategic election districts in consultation with the opposition. Take into account the pre-election repression when assessing the freedom and fairness of the polls.
- Canada take the initiative and work with other donor countries to put pressure on the incumbent regime to negotiate with all the opposition parties and pave the road for an all inclusive national reconciliation, sustainable change and democratization in Ethiopia.
- Canada should consider the suspension of non emergency aid and or targeted sanction should the ruling group in Ethiopia refuse to heed the call for respect of rights and democratization.

Aklilu Wendaferew, MSW
Chair, SOCEPP Canada