Suppressing Dissent Human Rights Abuses and Political Repression in Ethiopia's Oromia Region

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Summary

On May 15, 2005, Ethiopia will hold national elections. The international community, including international donors, who have poured substantial amounts of aid into Ethiopia since the current government came to power fourteen years ago, will be watching these elections closely for signs that Ethiopia is moving towards real democracy. In advance of these elections, the government of Prime Minister Meles Zenawi enacted reforms that could, on the surface, make the elections more open. However, as this report documents, the political freedoms required for elections to be a meaningful exercise of Ethiopian citizens' fundamental right to participate in the selection of their government do not exist for many Ethiopians. In Oromia, the largest and most populous state in Ethiopia, systematic political repression and pervasive human rights violations have denied citizens the freedom to associate and to freely form and express their political ideas. As a result, on election day, most voters there are unlikely to be presented with real choices.

Since 1992, regional authorities in Oromia have cultivated a climate of fear and repression by using state power to punish political dissent in often brutal fashion. Regional and local authorities have consistently harassed and abused perceived critics of the current government. And in the past year, these authorities have taken drastic new steps to consolidate their control over the region's large rural population. This backdrop of oppression must be factored into any assessment of the upcoming elections.

Oromia is governed by the Oromo People's Democratic Organization (OPDO), which was formed by the Tigrayan People's Liberation Front (TPLF) in 1990 and integrated into the TPLF-controlled Ethiopian People's Revolutionary Democratic Front (EPRDF) coalition that seized power in and continues to hold power today. The OPDO has dominated politics in Oromia since 1992, when the Oromo Liberation Front (OLF), which had much older and deeper roots in Oromia, withdrew from the transitional political process after clashes with the EPRDF and the OPDO in the run-up to the country's first national elections in 1992. Since then, OLF has waged a generally ineffectual "armed struggle" against the government—and the OPDO, the TPLF's regional surrogate, has governed Oromia as if it were facing a serious military threat.

Since 1992, security forces have imprisoned thousands of Oromo on charges of plotting armed insurrection on behalf of the OLF. Such accusations have regularly been used as a transparent pretext to imprison individuals who publicly question government policies or actions. Security forces have tortured many detainees and subjected them to continuing harassment and abuse for years after their release. That harassment, in turn,

has often destroyed victims' ability to earn a livelihood and isolated them from their communities.

In urban areas, regional authorities have treated Oromia's student population in particular with suspicion and mistrust. Between 2000 and 2004, Oromo students poured into the streets of major towns throughout the region several times to protest government policies. Police and security forces put those demonstrations down with unnecessary force—and the regional government reacted by subjecting students in schools throughout the region to persistent and intrusive surveillance, both in and out of the classroom. Teachers have been required to gather information about their students for school administrators and government officials on pain of transfer to remote postings far from their homes and families. Students who have had the misfortune to be labeled subversives by government officials have been imprisoned, tortured or expelled from school.

In the countryside, where more than eighty-five percent of Oromia's population resides, the government has gone to even greater lengths to maintain control and put down dissent. Expanding upon a pre-existing system of local government that was designed by the Derg primarily as a tool to maintain tight political control, regional authorities have created an entirely new set of quasi-governmental institutions that now monitor and control the activities, speech and movement of the rural population down to the level of individual households.

Regional authorities claim that these new institutions, called *gott* and *garee*, are voluntary associations of like-minded farmers who have joined together to carry out development work in their communities. But farmers throughout Oromia told Human Rights Watch that woreda (district) authorities imposed these new structures on their communities and that the *garee* regularly require them to perform forced labor on projects they have no hand in designing. More disturbingly, regional authorities are using the *gott* and *garee* to monitor the speech and personal lives of the rural population, to restrict and control the movement of residents, and to enforce farmers' attendance at "meetings" that are thinly disguised OPDO political rallies.

These abuses stand in fundamental contradiction to the human rights principles enshrined in the Ethiopian Constitution and seriously call into question the Ethiopian government's claim that it is making real progress in putting in place democratic forms of governance. The thousands of Oromo who have been subjected to detention, torture and harassment for voicing their political opinions serve as examples that intimidate their neighbors and friends into silence. Improvements in the electoral process have

done nothing to change this reality. Instead, the pervasive pattern of repression and abuse documented in this report ensures that voting on May 15 will be a hollow exercise for most of Oromia's population.

Human Rights Watch calls on the Ethiopian government to end the deeply entrenched patterns of human rights violations documented in this report. It also urges international observers charged with monitoring the May 2005 elections in Ethiopia to take into account the effects of pervasive human rights abuse on Ethiopians' ability to exercise their right to free political expression.

This report is based on a three-week Human Rights Watch research mission in March 2005 to the capital Addis Ababa and towns in Oromia's East Shewa, West Shewa, East Wollega, West Wollega and Jimma zones. Human Rights Watch interviewed about 115 persons; just over half were farmers from rural kebeles¹ in Oromia. The remaining interviews were of Oromo civil society and opposition figures, current and former government officials and residents of urban areas who have experienced various forms of human rights abuse. In most cases, names and other identifying details have been withheld to protect the security of victims and witnesses.

Recommendations

To the Government of the Federal Democratic Republic of Ethiopia and the Regional Government of Oromia State

- Prohibit gott and garee administrative units from dispensing punishment
 without due process, from engaging in forced labor, and from
 interfering with the freedoms of association, expression and movement.
 If decisive action is not taken to end these abuses, disband the gott and
 garee throughout Oromia.
- Take all necessary action to ensure that the police, armed forces and other security forces in Oromia abide by Ethiopia's obligations under international law, including respect for the rights to freedom from arbitrary arrest and detention, and from torture and other mistreatment. In accordance with the Ethiopian constitution, ensure that all persons taken into custody be brought before a judge within forty-eight hours,

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¹ The kebele is the smallest unit of government in Ethiopia, corresponding roughly to neighborhoods in urban areas and to larger geographic areas in more sparsely-populated areas of the countryside.

and have the right of access to family members and legal counsel, in addition to other due process rights.

- Conduct an independent investigation into violations of human rights committed in Oromia. Discipline or prosecute, as appropriate, government officials and members of the security forces at all levels who are implicated in abuses.
- Provide appropriate training to police and other security forces on human rights standards and the rule of law.
- In accordance with Ethiopian law and international standards, ensure that prosecutors do not initiate or continue prosecutions in cases where an impartial investigation shows that criminal charges are unfounded.
- Ensure, in accordance with international law, that persons whose rights have been violated have recourse to effective remedies.
- Prohibit local and regional officials from using members of the security forces, school administrators and teachers to monitor students' speech and political opinions.
- Permit free and full access to domestic and foreign non-governmental organizations to monitor and report on the human rights situation in Oromia.

To International Election Observers

Prepare comprehensive reports on the electoral environment that take
into account all aspects of the election process, including underlying
patterns of human rights abuse that affect the ability of voters to freely
express political opinions and determine who they want to govern them.

To Donor Governments

Recognizing that effective development programs depend on a
government that respects the human rights of its citizens, publicly urge
federal authorities in Ethiopia to conduct a thorough and independent

investigation into human rights violations committed by security and police forces in Oromia and to make the findings public. Closely monitor the progress of any government investigation and insist that its findings result in appropriate action to hold responsible officials accountable and provide adequate remedies to victims.

- Demand that police officials and other members of the security forces responsible for human rights violations be held accountable.
- Publicly call for more robust and comprehensive training on human rights standards for police and security forces and support such training.
- Insist that the federal and Oromia regional governments immediately act
 to end rights violations by the *gott* and *garee* structures or urge that they
 be disbanded throughout the region.
- Take steps to ensure that all forms of military assistance and cooperation
 with the Ethiopian government do not, directly or indirectly, aid or abet
 those responsible for human rights abuses committed in Oromia.

To the World Bank and United Nations Agencies Involved in Development in Ethiopia

• Urge regional and federal authorities in Ethiopia to ensure that development imperatives are not used as a pretext to justify intimidation, harassment, forced labor and other human rights violations by the *gott* and *garee* structures. Take action to monitor the human rights impact of the *gott* and *garee* system in Oromia.

Introduction

On May 15, 2005, Ethiopia will hold national elections. These elections are seen by many observers as an important indicator of Ethiopia's progress toward democracy.² In anticipation of the international scrutiny these elections will receive, the Ethiopian government pushed through a number of electoral reforms that could make these elections appear more open and competitive than any previous national election. Those reforms include granting opposition candidates access to state-owned media outlets, relaxing onerous registration requirements for opposition candidates, and inviting international observers to monitor the election process. These reforms are a positive step. But, if international observers focus solely on the mechanics of electioneering and the conduct of the vote on May 15, they could end up presenting a distorted picture of the current state of democracy in Ethiopia.

For elections to be a meaningful exercise of citizens' fundamental right to participate in the selection of a government, they must take place in an environment where all citizens have the opportunity to freely form and express their political ideas and voters are offered real choices among parties and candidates. Unfortunately, that kind of freedom and choice does not exist in most of Ethiopia today. It especially does not exist in the state of Oromia, which is home to roughly one-third of the Ethiopian population and the nation's largest individual ethnic group, the Oromo.

International election monitors can perform an important role in the process of encouraging democratization. Monitors need to look not only at what happens on election day but at the context in which elections are taking place to discover long-term, invidious repressive practices and human rights abuses in places like Oromia. Those kinds of practices and abuses clearly determine whether or not elections can be meaningful expressions of citizens' democratic will.³ Where, as in Oromia, a government systematically stifles and punishes dissent and uses its coercive power to prevent genuine opposition parties from emerging, even procedurally flawless elections cannot be regarded as meaningful expressions of the electorate's political will.

² For example, on April 18, 2005, the Carter Center announced that former President Jimmy Carter will lead a delegation that will observe the elections; and Rachel Fowler, a senior associate at the Center, called the election "an important step in the consolidation of democracy since the 1991 transition." Press Release, Carter Center, April 18, 2005.

³ The International Covenant on Civil and Political Rights (ICCPR), which Ethiopia ratified in 1993, provides that: "Every citizen shall have the right and the opportunity ... [t]o take part in the conduct of public affairs, directly or through freely chosen representatives" and "[t]o vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors." International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), entered into force Mar. 23, 1976, article 25.

Political Competition in Oromia

To understand the context in which the 2005 election is taking place in Oromia—and the underlying causes of the patterns of political repression and human rights abuses documented in this report—it is necessary to understand the history of the competition for political control of Oromia.

Historical Background

Oromia is the largest and most populous of Ethiopia's nine regional states. It sprawls over 32 percent of the country's total land area and is home to at least 23 million people.⁴ Oromia surrounds the nation's capital, Addis Ababa, and divides Ethiopia's southwestern states⁵ from the rest of the country. While Oromia's population is ethnically diverse, the overwhelming majority of people who reside there are ethnic Oromo.⁶ The Oromo population is quite diverse in terms of history, religion and other factors, but the group shares a common language, *Afan Oromo* and a strong and distinct sense of ethnic and national identity.

Oromo nationalism has evolved in response to the Oromo people's long, difficult and often antagonistic relationship with the Ethiopian state. Much of what is now Oromia was conquered and forcibly incorporated into the Amhara-dominated Ethiopian empire towards the end of the nineteenth century. During the old imperial era, the Oromo people were subjected to widespread repression. The rulers in Addis Ababa adopted a policy of forced cultural assimilation and they took steps to suppress Oromo culture, including restricting the use and development of *Afan Oromo*. Haile Selassie, the last Ethiopian emperor, was overthrown by the military in 1974. But the "Derg," the

⁴ This estimate is based on a projection made by the 1994 National Census. This estimate is not without controversy, as many Oromo argue that the region's true population is substantially higher than this. It is also worth noting that there are substantial Oromo populations in other parts of Ethiopia, and the country's total Oromo population likely exceeds 27 million.

⁵ Namely, Gambella and the Southern Nations, Nationalities and Peoples Regional State.

⁶ According to the 1994 national census, ethnic Oromo make up 85 percent of Oromia's total population.

⁷ The Imperial government maintained control over this vast territory through a highly repressive system of governance that granted power at the local level to large numbers of armed, non-Oromo settlers generally referred to as neftegna (which translates as "rifleman.") Because the Oromo constituted such a large proportion of the Ethiopian population after their incorporation into the state, Imperial authorities treated any expression of Oromo national consciousness as a potential threat to the territorial integrity of the empire and the continued dominance of its ruling Amhara elite. Many Oromo regard their absorption into the Ethiopian state as a form of colonial conquest. See, e.g., Mekuria Bulcha, Survival and Reconstruction of National Identity, in P.T.W. Baxter, et. al, eds., Being and Becoming Oromo: Historical and Anthropological Inquiries (Lawrenceville, NJ: Red Sea Press, 1996).

committee of military officers who seized control of the country, quickly evolved into an extremely brutal dictatorship that continued the oppression of the Oromo.⁸

In 1991, after a long civil war, the Derg collapsed. The political vacuum that was created by the Derg's collapse was immediately filled by the TPLF-controlled Ethiopian People's Revolutionary Democratic Front (EPRDF) coalition, which has remained in power through the present day. The TPLF, led by Meles Zenawi, Ethiopia's current prime minister, gained control in Addis Ababa despite its humble origins as a narrowly based, ethnic guerilla movement with little support outside of the northern highlands. A major reason it was able to do so was the lack of strong potential rivals in much of the South and the respect it had earned by driving the Derg from power. But equally important was the TPLF's ability to include within the EPRDF groups claiming to represent different regions and ethnicities⁹; and its enunciation of a new "ethnic federalist" vision of the Ethiopian state.

Ethiopia and Oromia under EPRDF Rule

Ethnic federalism promised, for the first time in Ethiopia's long history, to respect the country's incredible cultural diversity and give meaningful autonomy to its different ethnic groups. A new constitution was adopted in 1994 that divided Ethiopia into regions drawn roughly along ethnic lines.

Under the new dispensation, the largest region by far was Oromia, a vast territory that had never before been governed as a single unit. One third of the seats in the national legislature are allocated to Oromia. In contrast, the TPLF's home region, Tigray, commands only seven percent of the seats in parliament. Thus, the TPLF's ability to remain in control in Addis Ababa depends entirely on the ability of its EPRDF allies in other regions, especially Oromia, to maintain regional political control.

In Oromia, the TPLF's regional ally is the Oromo People's Democratic Organization (OPDO), which was created in 1990, as the Derg began to collapse. The OPDO was

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⁸ "Derg" means "committee" in Amharic. This appellation refers to the committee of military officers who led the government when it seized power.

⁹ The EPRDF's members are the TPLF; the Oromo People's Democratic Organization (OPDO), which governs Oromia; the Amhara National Democratic Movement (ANDM), which governs Amhara region; and the Southern Ethiopia People's Democratic Front (SEPDF), which administers the Southern Nations, Nationalities and Peoples Region (SNNPR). The TPLF has also created satellite parties in the country's other regions, but they are not full members of the EPRDF.

created outside of Oromia without any grassroots political participation.¹⁰ Thus, it started with very little popular support in Oromia. Its only real assets were the complete backing it received from the TPLF and a hope that the Oromo population, grateful for the role the EPRDF had played in liberating Oromia from the Derg, would rally behind its flag.¹¹

The Oromo Liberation Front

The Oromo Liberation Front (OLF) had its origins in a protracted armed struggle in Oromia against the Haile Selassie government in the 1960s.¹² Thus, long before the OPDO was created in Tigray, the OLF had established itself as the leading voice of Oromo nationalism. By 1991, when the Derg collapsed, it enjoyed widespread popular support in much of the region and its leaders had longstanding ties to Oromo civil society.¹³ In the later years of the struggle against the Derg, the OLF forged a loose alliance with the TPLF, but the two organizations were never formally affiliated and each regarded the other with suspicion—and the TPLF's decision to create the OPDO exacerbated tensions between the two groups.¹⁴

The Struggle for Political Control in Oromia during the Transition

In 1991, the OLF joined the TPLF-led transitional government and continued to administer an area around Dembi Dollo in Western Wollega, which it had controlled in the final days of the war. National elections were scheduled for June 1992. In Oromia, the contest pitted the OPDO against the OLF. The run-up to election day was marred by widespread violence and harassment. OLF candidates were intimidated and

¹⁰ Most of the OPDO's initial membership consisted of Oromo POWs who had been fighting for the Derg and who were captured by the TPLF and recruited into the OPDO while in captivity.

¹¹ Human Rights Watch interviews with former OPDO officials, Addis Ababa, March 2005.

¹² In fact, the OLF's exact origins are a matter of some controversy, but some trace the organization's roots back to a long armed struggle waged against Imperial rule throughout the Bale region of Oromia from roughly 1963-68. The Bale revolt remains a potent symbol of Oromo nationalism and the struggle for self-determination

¹³ Perhaps most importantly, much of the OLF's leadership had been involved with the Mecha-Tulema Association, the first Oromo civil society organization and an organization widely credited with helping to revive and nurture a sense of nationalism among Ethiopia's educated Oromo elite. The OLF also had strong ties with the Mekene Yesus Church, the largest and most influential Protestant Church in Ethiopia.

¹⁴ Many within the OLF's leadership viewed the TPLF's creation of the OPDO as a hostile act, as it seemed to indicate that the country's new rulers had no desire to maintain a lasting alliance with the OLF. On the other hand, many within the TPLF believed that the OLF was intent on destroying the territorial integrity of the Ethiopian state by pressing for an independent Oromia.

prevented from campaigning effectively in most of Oromia, while, in the small area that was under OLF control, OPDO officials faced similar intimidation and restrictions.¹⁵

After the OLF became convinced that it would not be allowed to compete fairly in the election, it withdrew from the race. Relations between the OLF and EPRDF quickly degenerated into open conflict, and OLF ministers who had been serving in the transitional government withdrew and left the country. The result was complete disaster for the OLF. EPRDF military forces captured thousands of OLF fighters within the space of a few weeks and drove the OLF administration in Dembi Dollo out of the country. Virtually overnight, it was almost entirely neutralized as a military force and excluded from the political process.

After the OLF's departure, no other substantial party emerged in Oromia to challenge the OPDO. The OPDO currently controls 172 out of Oromia's 179 seats in the House of People's Representatives, Ethiopia's national legislature.¹⁸ The OPDO's dominance is equally overwhelming at the local level. From top to bottom, the OPDO has had a near-total monopoly on political power in Oromia since 1992.

Despite its defeat on the ground and long absence from the political scene, the OLF has retained its status as the most potent symbol of Oromo nationalism and continues in many ways to be the central focus of political discourse in Oromia. Since 1992, the OLF has waged what it calls an "armed struggle" against the EPRDF government; and in recent years, it has accepted military training and assistance from Eritrea.¹⁹ The OLF has occasionally managed to infiltrate fighters into Ethiopia and it has been blamed by EPRDF officials for a number of terrorist attacks throughout the country.²⁰ But the OLF's military adventures proved largely ineffectual, and few—if any—observers regard

¹⁵ See Siegfried Pausewang, et. al., *Ethiopia Since the Derg: A Decade of Democratic Pretension and Performance* (London: Zed Books, 2002) at 30-32; National Democratic Institute, *An Evaluation of the June 21, 1992 Elections in Ethiopia*, (Washington: National Democratic Institute, 1992).

¹⁶ Human Rights Watch interviews with former high-ranking OLF officials, February and March 2005.

¹⁷ Ibid.; see also Siegfried Pausewang, et. al., Ethiopia Since the Derg: A Decade of Democratic Pretension and Performance (London: Zed Books, 2002) at 30-32.

¹⁸ The opposition Oromo National Congress (ONC) won only one seat in the HPR. The other six non-OPDO seats went to "opposition" or "independent" candidates widely believed to be supportive of the EPRDF. Nationwide, the EPRDF and affiliated parties won 520 out of 547 seats in the House of People's Representatives.

¹⁹ Much of the OLF's leadership is currently based in Asmara, Eritrea.

²⁰ Most recently, in 2002 the OLF reportedly managed to infiltrate fighters into Wollega from Sudan with logistical support from the Eritrean government. Those fighters were quickly wiped out by EPRDF forces. There have not been any confirmed clashes between OLF and EPRDF forces since, although the OLF has periodically issued claims that its forces have engaged and defeated EPRDF soldiers. The OLF has also been blamed for a number of bomb attacks carried out against railroad installations and hotels.

it as a serious military threat to the Ethiopian government.²¹ Nevertheless, the OPDO has used the specter of an ongoing OLF "armed struggle" to justify the widespread repression that is described in this report. Regional government and security officials routinely accuse dissidents, critics and students of being OLF "terrorists" or insurgents. Thousands of Oromo from all walks of life have been targeted for arbitrary detention, torture and other abuses even when there has been no evidence linking them to the OLF. Even some apolitical civil society organizations have been treated as subversive threats to the regime, hampering their ability to operate effectively.²²

Thus, the OLF and the OPDO are engaged in a tragic charade: The OLF pretends to be waging the kind of armed struggle that Meles Zenawi and the TPLF fought to bring down the Derg. The OPDO and the TPLF/EPRDF use the OLF's quixotic guerrilla campaign to justify political repression. And the people of Oromia suffer from both sides' pretentions.

The May 2005 Elections

The only Oromo parties of any real strength contesting the May 2005 elections are the Oromo National Congress (ONC), which until recently has not attempted to build a permanent base of support outside its leader's home region in Ambo woreda, and the Oromo Federal Democratic Movement (OFDM), which only emerged in mid-2004.²³ Both parties claim that they will field candidates in a large proportion of Oromia's electoral constituencies and expect to win some seats, but neither is likely to pose a serious threat to the OPDO's regional political monopoly. One indication of the lack of genuine political competition in this year's election is that, as of March, when Human Rights Watch visited the area, there were no signs of any opposition presence or campaigning in rural areas outside of Ambo woreda. In addition, many of the individuals Human Rights Watch interviewed did not know whether any opposition parties were running in their constituencies, or what opposition parties existed in Oromia.

²¹ Human Rights Watch interviews with western diplomatic and intelligence sources and other observers, March and April 2005.

²² Human Rights Watch interviews with Oromo civil society leaders and western diplomatic officials, Addis Ababa, Nekemte and Dembi Dollo, March 2005.

²³ Neither of these parties has any apparent link with the OLF, although OPDO officials have made such accusations in some communities.

Government Use of Torture, Arbitrary Detention, Surveillance and Harassment to Discourage and Punish Dissent

Many local authorities and security officials in Oromia routinely commit various human rights violations against people they believe to be critical or unsupportive of the government. These abuses range from arbitrary detention and torture to long-term patterns of surveillance and harassment that isolate targeted individuals from their communities and destroy their livelihoods. In much of Oromia, these abuses are so widespread and so arbitrarily inflicted that they have left many people afraid to engage in any kind of public discussion related to issues of concern to their communities. These abuses take on an added importance in the context of the coming elections, as they have tainted the entire electoral process by leaving many voters convinced that government authorities are certain to punish any sign of support for the political opposition.

Arbitrary Detention and Torture

Since 1992, security officials have arrested tens of thousands of Oromo whom they have accused of being members or supporters of the OLF since that organization was banned in 1992.²⁴ According to former Ethiopian President Negasso Gidada, when he left office in 2001 roughly 25,000 people were in prison on OLF-related charges throughout Oromia and in Addis Ababa and no public moves have since been made to substantially reduce the number of detainees.²⁵ Oromo civil society and community leaders have long complained that allegations of OLF involvement are used as a thinly veiled pretext to detain government critics and intimidate others into silence²⁶. One leading Oromo opposition figure, voicing an often-repeated complaint, lamented that "If you are a young man you are liable to ask questions. But if you ask questions you are liable to go to jail as an OLF suspect."²⁷ A prominent Oromo academic put it this way: "OPDO officials feel that if you are not with them then you are their enemy. If you are not OPDO, you are OLF, and if you are OLF you are a terrorist and a criminal."²⁸

²⁴ While there is no provision in the Ethiopian criminal code dealing specifically with the OLF, allegations of involvement with the organization can lead to charges of inciting or participating in armed insurrection against the government, arms trafficking and treason, among other offenses.

²⁵ Human Rights Watch interview with Dr. Negaso Gidada, Addis Ababa, March 4 2005. This figure includes a large number of OLF fighters who were captured almost immediately after relations between the OLF and TPLF broke down in 1992.

²⁶ Human Rights Watch interviews with Oromo civil society leaders, Addis Ababa, Nekemte and Dembi Dollo, March 2005

²⁷ Human Rights Watch interview with Bulcha Demeksa, Addis Ababa, March 2, 2005.

²⁸ Human Rights Watch with Addis Ababa University professor, March 2 2005.

Human Rights Watch interviewed forty-one individuals who have been detained and released since 2001 by local or security officials who accused them of conspiring against the government. Many had been arrested more than once and some had been arrested as many as ten times since 1992. Most were accused of providing support to the OLF or of plotting acts of armed insurrection on the organization's behalf. Many were individuals who had been outspokenly critical of government actions or policies.

In all forty-one cases investigated by Human Rights Watch, courts or police investigators ultimately found the allegations against these detainees to be unsupported by any sort of evidence. None were ever tried for any offense related to the allegations that led to their arrest, but all were nonetheless imprisoned for weeks or months before being released.²⁹ In many cases, police and military officials also subjected these detainees to interrogation and torture aimed at forcing them to produce information about OLF activities that they did not possess. Taken together, their testimonies describe a widespread climate of suspicion and abuse within which many security and government officials make widespread use of arbitrary imprisonment as a weapon in an ongoing war against dissent.

Arbitrary Detention

Policie and security officials often target people who publicly criticize government policies for arrest and detention. One farmer from a village near Agaro said that he has been arrested four times since 1992 and accused of providing support to the OLF but has never been formally charged. In several public meetings in June and July of 2004, he stood up and argued that Ethiopian Prime Minister Meles Zenawi should be required to stand down because he has been too long in power.³⁰ In August 2004, he was arrested along with more than a dozen other people and accused of conspiring with the OLF to "make the [May 2005] elections unsuccessful."³¹ No evidence was presented against him, but he was detained for six weeks before being released. "In meetings, I speak out," he said. "The others don't. That is my crime."³²

Another man from Nekemte told Human Rights Watch that in the past, "many times in meetings when they said, 'you are free to talk,' I stood up and talked about the oppression that is taking place and said that these things should be corrected. I used to ask why people were being arrested." In early 2004, he was arrested and detained for

²⁹ None of the detainees interviewed by Human Rights Watch outside of Addis Ababa benefited from any legal representation.

³⁰ Human Rights Watch interview, Agaro, March 15, 2005.

³¹ Documentation provided by police officials to interviewee, on file with Human Rights Watch.

³² Human Rights Watch interview, Agaro, March 15, 2005.

four months on charges of being a "member of an OLF cell."³³ A court ordered his release in May 2004 after the police failed to produce any evidence to substantiate the charges. Human Rights Watch interviewed several other people who were detained shortly after publicly criticizing the government or specific actions of local officials. All were eventually released after one or more months in prison without being charged with any crime.³⁴

Not all of those arrested by security officials on allegations of OLF involvement are outspoken critics of the government. In fact, many of those interviewed by Human Rights Watch were at a loss to explain why they or their family members had been targeted for arrest. One distraught mother whose teenage son had repeatedly been arrested and accused of being involved with the OLF and was being held in Dembi Dollo prison when she spoke with Human Rights Watch said:

They say he is a *shifta* [bandit] and that he raises unrest among the people. I don't know why they say this about him. I was asking [the woreda] many times but they started showing signs they suspected me also and so I stopped asking them. [My son] doesn't speak much and because of this many people think he doesn't like people or is hiding something. But really he is just a quiet fellow.... Now every night at home I look at his exercise books and cry because my home seems so empty.³⁵

The young man had not formally been charged with the commission of any crime and had never been tried on any of the other occasions when he was arrested.

In some cases, arrests of suspected OLF "terrorists" border on the absurd. One 77 year-old farmer who has not seen his son since he ran away from home in 1992 told Human Rights Watch that he had been imprisoned ten times since his son's disappearance and accused of collaborating with him to carry out acts of terrorism on behalf of the OLF:

The last time they arrested me was in September [2004]. I am not sure exactly what it is all about but it has something to do with my son. He

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³³ Documentation provided by police officials to interviewee, on file with Human Rights Watch.

³⁴ Human Rights Watch interviews, Addis Ababa, Ambo, Nekemte, Agaro, Tokke, Jimma and Dembi Dollo, March 2005.

³⁵ Human Rights Watch interview, Dembi Dollo, March 18, 2005.

disappeared a long time ago but the imprisonment continues up until now. They always tell me to bring them my child and I tell them that I have lost him myself. They also say that I send provisions to the OLF. They never bring any evidence or take me to court. I go to jail and then I come out, sometimes after a month, sometimes after two weeks.³⁶

In early 2004, police in Dembi Dollo arrested a twelve-year-old schoolboy and imprisoned him after discovering that he had tattooed "ABO," the *Afan Oromo* acronym for "OLF," onto his hand. "They said he was a terrorist," his father said. "They said he was a supporter of the OLF."³⁷ The child's family petitioned the local authorities and secured his release after two weeks of detention, but the police continued to follow and harass the boy until the family was forced to send him to live with relatives in Addis Ababa. At least twenty other children under the age of fifteen have been imprisoned for similar reasons in Dembi Dollo alone since 2001.³⁸ A relative of one of those boys shook his head incredulously when remembering the incident that led to his arrest in early 2003. "I had an eleven-year old relative who wrote 'ABO' on the blackboard at school. He was dragged off to the police station and imprisoned there. They released him after several days because there was too much noise about it. I mean, come on-you're not supposed to imprison 11 year-olds." That child also experienced problems with the police after his release and eventually left to live with relatives in Canada.³⁹

In most of the cases reported to Human Rights Watch, the courts eventually stepped in to order the release of detainees when the police failed to produce any evidence in support of the accusations against them. This has not, however, prevented the authorities from detaining people for periods long enough to be punitive, or from detaining the same people repeatedly without any evidence. In many cases, the courts allowed police to hold detainees for several months by acquiescing to repeated requests for more time to look for evidence even though the police had already failed to meet one or more court-imposed deadlines for the production of such evidence. While prosecutors are legally obligated to promptly dismiss charges that are not supported by any evidence, they did not exercise that discretion in any of the cases documented by Human Rights Watch.⁴⁰ Human Rights Watch also interviewed several people who had been detained on between five to ten separate occasions on allegations of OLF

³⁶ Human Rights Watch interview, Nekemte, March 10, 2005.

³⁷ Human Rights Watch interview, Dembi Dollo, March 18, 2005.

³⁸ Human Rights Watch interviews, Dembi Dollo, March 16-18, 2005; Documentation provided by parents of child detainees, on file with Human Rights Watch.

³⁹ Human Rights Watch interview, Dembi Dollo, March 17, 2005.

⁴⁰ See Ethiopian Criminal Procedure Code, Article 42(1)(a).

involvement only to be released each time when the police failed to produce evidence against them.⁴¹ Of the thirty-three people interviewed by Human Rights Watch who had been detained on suspicion of involvement with the OLF, not one had ever been brought to trial or confronted with any evidence that they had committed a crime. Some were released after several weeks or months without explanation while others were released after a court ordered the police to free them if they could not produce any evidence that they had committed a crime.⁴² Police detained several of them for weeks without being brought before a judge, in violation of the Ethiopian Constitution.⁴³

Prolonged Arbitrary Detention of High-Profile Oromo Defendants

In relatively high-profile cases involving Oromo civil society leaders, regional and federal authorities have used several methods to keep persons in detention for longer periods despite prosecutors' inability to produce any evidence against them.

As of April 2005, four prominent Oromo civil society leaders were being kept in detention after having been released on bail and then quickly rearrested and eventually charged with new offenses arising out of the same allegations.⁴⁴ Four leaders of the Mecha-Tulema Association, the oldest and most prominent Oromo civil society organization,⁴⁵ were arrested in May 2004 and accused of providing support to the OLF and of having plotted a grenade attack at Addis Ababa University that took place on April 29, 2004.⁴⁶ A court ordered their release on bail just over three months later, but

⁴¹ Human Rights Watch interviews, Agaro, Addis Ababa, Dembi Dollo and Nekemte, March 2005.

⁴² Human Rights Watch interviews, Addis Ababa, Nekemte, Jimma, Agaro, Tokke, Ambo and Dembi Dollo, March 2005.

⁴³ Article 19(3) of the Ethiopian Constitution requires that every detainee to be brought before a court within 48 hours of their arrest.

⁴⁴ The right to bail is guaranteed by the Ethiopian Constitution and protected under international law. Article 19(6) of the Ethiopian Constitution provides that "Persons arrested shall have the right to be released on bail." Article 9(3) of the International Covenant on Civil and Political Rights (ICCPR) provides that bail be reasonably available to detainees as an alternative to pre-trial detention. Pre-trial detention generally is lawful only in exceptional cases where release on bail would impede due process of law.

⁴⁵ The Mecha-Tulema Association (MTA) was established in 1963 and played a leading role in building and nurturing a sense of Oromo nationalism among Ethiopia's educated Oromo elite. The MTA has always been a highly political organization; the OLF and most prominent contemporary Oromo civil society groups trace their roots back to Mecha Tulema, and many of their leaders are among those who helped to found and grow the MTA in the 1960s. The MTA was banned by the Imperial government in 1967 after the Association's leadership was implicated in an abortive assassination attempt against Emporer Haile Selassie. The Derg did not permit any sort of independent civil society to exist in Ethiopia, including the MTA. When the EPRDF government came to power in 1991, it won widespread praise among educated Oromo when it allowed the Association to resurrect itself and resume its work.

⁴⁶ The Association had aroused the ire of the authorities by organizing a large, unauthorized public demonstration in January 2004 to protest the Oromia regional government's decision to move the regional capital from Addis Ababa to Adama. The police broke that demonstration up by force and the event led to the Association's being formally banned in July 2004 for involvement in "political" activities in violation of its charter.

all four defendants were rearrested one week later. When a second judge ordered that the original grant of bail be respected, the four were released only briefly before being rearrested on "new" charges of homicide related to the same grenade attack. As of April 2005, nearly a year after the date of their original arrest, all four remained in detention awaiting trial. One of the men responsible for organizing their defense told Human Rights Watch that he was not aware of any evidence that had been produced in support of the charges against them.⁴⁷

In late April 2004, police arrested two employees of the state-owned Ethiopian Television's *Afan Oromo* service, Shiferu Insermu and Dhabasa Wakjira, and charged them with involvement in acts of terrorism, transferring information to the Eritrean government and to the OLF, and acting as a link between the OLF abroad and students in Ethiopia.⁴⁸ Shiferu was released on bail several months later but was then rearrested in August 2004 on new charges alleging his involvement in arms trafficking. As of April 2005, roughly a year since the date of their original arrest, no evidence had been produced to substantiate the charges against either defendant. "I have no doubt that they will be acquitted," their lawyer told Human Rights Watch. "But it may happen only after two or three years."⁴⁹

In another prominent case, eight founding members of the Human Rights League, an organization that set out to report on human rights issues affecting Ethiopia's Oromo community, were detained in October 1998 and charged with involvement in terrorist activity. No evidence was produced in support of these charges, but by the time the detainees were acquitted and released in 2002 they had spent three-and-a-half years in detention. The organization itself fared little better; federal authorities denied the Human Rights League the registration it needed to operate legally for eight years; the League obtained formal recognition only in March 2005, two years after a federal court ordered the government to recognize the organization.⁵⁰ All of the lawyers and Oromo civil society leaders interviewed by Human Rights Watch said that they believed that these delays were deliberately used to keep outspoken Oromo in detention despite the lack of evidence implicating them in any crime, and to use their detention as an example to intimidate others into silence.⁵¹

⁴⁷ Human Rights Watch interview, Addis Ababa, March 3, 2005.

⁴⁸ Human Rights Watch interview, Addis Ababa, March 21, 2005.

⁴⁹ Human Rights Watch interview, Addis Ababa, March 21, 2005.

⁵⁰ Human Rights Watch interviews with Human Rights League representatives, March 4, 2005 and March 21, 2005; Human Rights Watch telephone interview with Garoma Waqassa, former Human Rights League detainee, February 26, 2005.

⁵¹ Human Rights Watch interviews, Addis Ababa, March 2005.

Torture and Other Mistreatment

Police officials in Oromia often subject individuals who are arrested on suspicion of OLF-related activities to torture and other forms of mistreatment. In some cases torture is applied in the course of interrogations, while in other cases it is used as a form of punishment. Human Rights Watch interviewed several former detainees who had been severely beaten in police custody in 2003 and 2004. One nineteen-year-old woman who had recently been expelled from school after arguing with another student was arrested in Agaro in August 2004 and accused of working with other detainees to sabotage the May elections:

They told me that I had gone to school not for education but to do politics. They told me that I knew how much money [the other detainees] were receiving from abroad from the party [OLF]. Then they forced me to take off my clothes and I was naked except for my underwear when they started kicking me. They had some kind of a stick and they hit me with that one as well.... [Then] they put a pistol in my mouth and said that they would kill me. I couldn't go to the bathroom after that because of how they kicked me.⁵²

An elderly man who was arrested at the same time described being taken to an office inside the police station and beaten by several police officers. He said, "I told them, 'I am an old man. Are you not afraid of God at least?' But they beat me a lot. After that they didn't touch me but the others were taken out at night and beaten."53

In other cases, Ethiopian military personnel have taken people accused of OLF involvement into their custody and subjected them to torture during interrogation in their own facilities. Human Rights Watch interviewed one man who had been detained in a military camp near Mendi in West Wollega in 2001. He was interrogated about his alleged involvement with the OLF and beaten severely by soldiers who nearly killed him when they fractured his skull with a blow from one of their rifles. Nearly four years later when Human Rights Watch interviewed him, his forehead was marked by a deep depression left by that fracture. In April 2004, the same man was again arrested and taken to a military garrison near Nekemte where he was imprisoned and tortured for nearly six months without ever being brought before a judge. His "release" came when

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⁵² Human Rights Watch interview, Agaro, March 15, 2005.

⁵³ Human Rights Watch interview, Agaro, March 15, 2005.

his captors abandoned his unconscious body in a riverbed near the garrison after a particularly severe beating.⁵⁴

In other cases, military personnel have participated in the torture during interrogation of individuals detained by the police. One middle-aged merchant who was arrested in Agaro in August 2004 described being interrogated and tortured by a uniformed Ethiopian National Defense Force (ENDF) officer who demanded that he find a way to bring his son home from London, where the police believed he was involved in raising money on behalf of the OLF, for questioning. "He told me to sit on the floor and took off my spectacles. Then he beat me," he said. "He said, 'your son is with the OLF and you want to bring down the government.' I said, 'What power do I have to bring down the government? I am just a person who is trying to survive.' He replied [by] asking me why I had been in jail so many times unless it was because I was guilty."⁵⁵

Human Rights Watch interviewed two men, one in Nekemte and the other in Agaro, whom police and military officials had allegedly tortured in the same manner by having a partially full bottle of water tied to their testicles. One man, a twenty-six-year-old arrested in August 2004, told Human Rights Watch that he was tortured and interrogated in the Agaro police station in the presence of police and military officials as well as an official from the woreda government⁵⁶. He was tied with his arms behind his back and beaten on the soles of his feet, and then made to stand naked with a bottle of water tied to his testicles. "I couldn't tell them anything," he said, "and after three days they sent me to prison."57 The other man, a thiryty-five-year-old businessman who was arrested in Nekemte in March 2004 and accused of providing financial support to the OLF, also alleged that he was forced to stand naked with a bottle of water tied to his testicles. His police interrogators also 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. "When they continued to beat me and I couldn't tell them anything, they didn't think it was because I didn't know anything," he recalled. "They just thought I was so disciplined that I would not let my secrets out."58

Human Rights Watch also conducted interviews with several current and former government and OPDO officials who confirmed that the practice of torture was

⁵⁴ Human Rights Watch interview, Nekemte, March 10, 2005.

⁵⁵ Human Rights Watch interview, Agaro, March 15, 2005.

⁵⁶ A woreda is a unit of local governance in Ethiopia. Each region is divided into zones, with each zone divided into several woredas. Each woreda, in turn, is divided into kebeles and Peasant Associations (PAs).

⁵⁷ Human Rights Watch interview, Agaro, March 15, 2005.

⁵⁸ Human Rights Watch interview, Nekemte, March 10, 2005.

widespread.⁵⁹ One elected local official from a town in Wollega responded to allegations that police had tortured dozens of people in his community by telling Human Rights Watch that "what you are describing is going on here, but it isn't something I can discuss."⁶⁰ A former police officer from Ambo, who said that he was dismissed from his post after refusing to testify against students who had been involved in student protests in Ambo in February 2004, told Human Rights Watch that "most people who go to prison here [in Ambo] are beaten, even people we call elders or respected people."⁶¹

Continuing Harassment of Targeted Individuals

Many of the former detainees interviewed by Human Rights Watch said that their eventual release from custody was only the beginning of their ordeal. In many cases, police officials follow, harass and intimidate former detainees and their families for years after their release. One man who has been detained six times since 1992 on suspicion of belonging to an "OLF cell"62 told Human Rights Watch that since his last release in May 2003, "The police follow me and watch my house. They ask my neighbors whether they know anything about my involvement with the OLF. They try to make them hate me my neighbors tell me they say that I have admitted to the police that I am an OLF supporter and that they should watch me closely."63 Another former detainee who was detained and beaten for six weeks beginning in September 2004 after being accused of hiding weapons for the OLF said that, "Since my release, if someone comes to visit me he is asked by the police what he was doing talking to me. So people avoid me and I avoid them as well because I am afraid I will cause problems for them."64 A young man in Nekemte told Human Rights Watch that since his release from two months of detention in a military camp outside of the town in October 2004, he has been followed and harassed continuously. "Two weeks ago I went to Addis Ababa to visit my family," he said. "As soon as I came back they [soldiers] arrested me and took me back to the [military] camp and interrogated me. They asked me why I went there and what I had brought back with me.... I passed the night there."65

Several former detainees told Human Rights Watch that they had been forced to close their businesses because after their release the police harassed and drove away most of

⁵⁹ Human Rights Watch interviews, March 2005.

⁶⁰ Human Rights Watch interview with local official, March 2005.

⁶¹ Human Rights Watch interview with former police officer, Ambo, March 7, 2005.

⁶² Documentation provided by police officials to interviewee, on file with Human Rights Watch.

⁶³ Human Rights Watch interview, Nekemte, March 11, 2005.

⁶⁴ Human Rights Watch interview, Agaro, March 15, 2005.

⁶⁵ Human Rights Watch interview, Nekemte, March 10, 2005.

their customers. One man who had opened a modest but profitable tea house in Nekemte shortly after his release from detention in April 2003 said that the police quickly ran the business into the ground by harassing his clientele:

Teachers and people like that came and took their lunches there on a contract basis. Then they started telling people that my tea room was of the OLF and a den of robbers. They interrogated some of the teachers who used to come there about their relationship with me—they [the teachers] told me that they got into trouble just because of me.... I asked some of my other customers why they had stopped coming when I saw them on the street. They said that they had been stopped by the police who asked them, "Why do you eat in that particular place? What do you want with that man?" They said they were afraid to be associated with me.⁶⁶

The man was forced to close the shop, losing much of his initial investment, and was working as a day laborer on a farm in the countryside at the time of Human Rights Watch's visit in March 2005. Another former detainee who owned a bakery in Agaro was forced to close it shortly after his release from detention in late 2004. "Since they [labeled me a member of] the OLF even the workers who baked the bread avoided coming to work. When I asked them why they stopped coming they told me they were afraid."⁶⁷

In some cases security officials have harassed even the family members and friends of former detainees. Several of the former detainees interviewed by Human Rights Watch said that their relationships with those people had suffered as a result, and in some cases people had been ostracized almost entirely. One woman who was detained in Agaro said that after her release, police harassment drove most of her family to reject her.

After I left I tried to go back to my family in the countryside but they could not accept me because they were afraid.... My brother who did not reject me because of this took me in but then he was arrested for two months. They said that he is a thug, but he is a person with a wife and children and he has a job. He is back home now but he avoids

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⁶⁶ Human Rights Watch interview, Nekemte, March 10, 2005.

⁶⁷ Human Rights Watch interview, Agaro, March 15, 2005.

talking about anything now and [the police] are always telling him that he has the OLF in his house.⁶⁸

Several detainees told Human Rights Watch that police and woreda officials repeatedly told them that the only way to prove they weren't involved with the OLF was to become a member of the ruling OPDO. One man who was briefly arrested in October 1997 told Human Rights Watch that he has been summoned by the police for questioning related to suspected OLF activities in the area more than a dozen times since his release. "[A woreda official] called me to his office in December [2004]. He told me, 'you have to prove that you are not an OLF by joining our party." "69

Targeting Oromo Students for Harassment and Abuse

In past years, Oromo students at Addis Ababa University and in secondary and junior secondary schools throughout Oromia have organized several public demonstrations against unpopular government policies and actions. Authorities have repeatedly responded to these demonstrations with mass arrests and violence. Most recently, in January 2004 between 330 and 350 Addis Ababa University students were arrested for participating in a peaceful student demonstration protesting the Oromia regional government's decision to move its capital from Addis Ababa to Adama. Police ordered both male and female students to run and crawl barefoot, bare-kneed, and bare-armed over sharp gravel for three-and-half hours; they were also forced to carry each other over the gravel, increasing the pressure on their soles and inflicting greater pain. When many of those students were subsequently dismissed from the University, secondary school students in towns throughout Oromia reacted by staging public protests of their own. Security forces responded with force and arrested hundreds of demonstrating

⁶⁸ Human Rights Watch interview with woman from rural kebele near Agaro, March 15, 2005.

⁶⁹ Human Rights Watch interview, Nekemte, March 11, 2005.

⁷⁰ In May 2000, students across Oromia demonstrated in protest of the government's failure to effectively combat fires that ravaged huge swathes of forest in Bale. Those demonstrations were put down by force and over 1,000 students were arrested in Ambo alone. *See* Report on Human Rights Practices: Ethiopia (Washington: U.S. Department of State, 2001). In April 2001, security forces crushed another wave of student demonstrations at Addis Ababa University in extremely brutal fashion, killing more than thirty people, wounding some four hundred, and arresting thousands. Many of the detainees were beaten, and most of the students who participated in the demonstrations were barred from returning to University for a year. In March 2002, student demonstrations in high schools throughout Oromia were met with force and police killed at least five students and arrested hundreds of others in the demonstration's aftermath and in the following weeks. *See* Human Rights Watch, *Lessons in Repression*, January 2003.

⁷¹ See Human Rights Watch, Letter to Ethiopian Ministers of Justice and Federal Affairs, March 17, 2004.

⁷² Over two hundred Oromo students were dismissed from the University following the January 2004 demonstrations. As of March 2005, twenty-two of them had yet to be readmitted. Human Rights Watch interview, Addis Ababa, March 22, 2005.

students in towns throughout the region.⁷³ Many students, teachers and parents were beaten as police and military personnel moved in to crush demonstrations in Ambo, Nekemte, Jimma, Dembi Dollo and other towns.⁷⁴ At least one student was shot and killed by security forces during the protests.⁷⁵ The Ethiopian government claimed that the student protests had been organized by "anti-peace elements" supported by the OLF, but produced no evidence to substantiate those claims.⁷⁶

Human Rights Watch interviewed several students in Ambo, Nekemte and Dembi Dollo who said that they were tortured after being detained during these demonstrations.⁷⁷ One high school student in Nekemte said that he was stripped naked and interrogated by one police officer while another forced the barrel of his pistol into the boy's mouth. "They told us that we were planning to burn down the school and that we were OLF supporters," he said. "They pointed to a scar on my leg and said that I had gotten it while fighting with the OLF."⁷⁸

Students have frequently been arrested by security forces outside the context of student demonstrations as well. Human Rights Watch interviewed several students who had been arrested and tortured in recent years by police and military officials who accused them of involvement with the OLF. One fourth-year Addis Ababa University student who had yet to be readmitted to the University following his dismissal at the time of the January 2004 student demonstrations said that he has been arrested and interrogated repeatedly throughout 2004. Most recently, he was arrested in December 2004 and taken to a police station in Addis Ababa's Gulele district for questioning:

They took me to the police station and asked me to tell them what I knew about the OLF, about their structures here in Addis. I said I didn't know. Then they asked me for the addresses of some OLF members. I said again that I didn't know anything about the OLF.

⁷³ Ethiopian Human Rights Council, Special Report #76, 5 April 2004, [online], available at http://www.ehrco.net/reports/special_report_76.pdf (retrieved April 13, 2005).

⁷⁴ Human Rights Watch interviews with students, former students and teachers, Addis Ababa, Ambo and Dembi Dollo, March 2005; *see also* U.S. Department of State, 2004 Country Report on Human Rights Practices: Ethiopia, February 28, 2005; Ethiopian Human Rights Council, Special Report #76, 5 April 2004, [online], available at http://www.ehrco.net/reports/special report 76.pdf (retrieved April 13, 2005).

⁷⁵ Ethiopian Human Rights Council, Special Report #76; U.S. Department of State, 2004 Country Report on Human Rights Practices: Ethiopia, February 28, 2005.

⁷⁶ U.S. Department of State, 2004 Country Report on Human Rights Practices: Ethiopia, February 28, 2005.

 $^{^{77}}$ Human Rights Watch interviews with current and former students, Ambo, Nekemte and Dembi Dollo, March 2005.

⁷⁸ Human Rights Watch interview, Nekemte, March 12, 2005.

Then one of them took a chair and hit me on the head with it, and called in some other police officers to beat me. They beat me repeatedly and locked me in a cell for three days. After three days they brought me a paper that said that if I heard anything from here onwards about the OLF I would report it to the police. Since I had no other option I signed it. They didn't even take me to court.⁷⁹

Another young man, a high school student in Nekemte, was arrested by military personnel along with more than a dozen other students in January 2005 while returning to town from a picnic in celebration of the "European" New Year.⁸⁰ The soldiers accused them of holding an OLF meeting cleverly disguised as a picnic and took them to a police station. At the station, in the presence of several police officers, they tied, beat and interrogated the students about their alleged involvement with the OLF. They kept the students in detention for five days, during which time they were alternately beaten and made to sit, bound, in the sun for hours at a time.⁸¹

Pressuring Teachers to Monitor Students for Subversive Speech

Local authorities have also employed somewhat more subtle methods of controlling dissent among the student population. School administrators routinely force teachers to provide them with information about who their students are associating with and what they are discussing in class. Teachers in several schools told Human Rights Watch that they had been instructed to pay special attention to any incriminating drawings or notes they might find when reading their students' exercise books.⁸² One teacher from Dembi Dollo said that the director of his school even told him to keep an eye out for anything suspicious his students might scrawl onto their desks. One eight-year old student in Dembi Dollo was recently expelled from school for a year after making an "OLF" stamp for a school crafts project.⁸³ "I have to follow them as he says and I have reported some students to the director," the teacher told Human Rights Watch, "I worry very much about this because I am being made to oppress my own students. They should have the right to do what they want on their exercise books. But if I do not report and someone else sees they may say that I encouraged the students to do this." One student in

⁷⁹ Human Rights Watch interview, Addis Ababa, March 22, 2005.

⁸⁰ Many Oromo students have begun celebrating the "European" New Year on January 1 rather than the "Ethiopian" New Year in September as a form of protest against the dominance of Amhara culture.

⁸¹ Human Rights Watch interview, Nekemte, March 12, 2005.

⁸² Human Rights Watch interviews, Ambo, Nekemte and Dembi Dollo, March 2005.

⁸³ Human Rights Watch interview, Dembi Dollo, March 16, 2005; Human Rights Watch interview with Dr. Negaso Gidada, Addis Ababa, March 4, 2005.

⁸⁴ Human Rights Watch interview, Dembi Dollo, March 15, 2005.

Ambo said that "teachers ask us about other students: 'Who are his friends? With whom does he pass the day? He was seen talking to such-and-such person—what were they saying?' There is no way for us to ask why they ask us these questions."⁸⁵ One former high-ranking local security official who was formerly responsible for supervising this sort of surveillance told Human Rights Watch that many teachers undertook to gather such information because they were threatened with transfer to remote postings far from their families if they refused. "Many people in government jobs—especially in the school system—become party [OPDO] supporters even if they don't want to," he said. "They have families to think of, and so they eventually submit."⁸⁶

The Chilling Effect of Government Abuse on the Freedom of Expression

Several Oromo students told Human Rights Watch that as a result of all of the surveillance in their schools, they felt unable to express themselves in class discussions for fear of inadvertently saying something controversial. One twenty-year-old student in Dembi Dollo described the atmosphere of tension and suspicion that most of the students interviewed by Human Rights Watch complained of:

They say you can ask whatever you want but afterwards they write down your name and that person will meet problems. If a student or teacher stands up and airs his view, even if it is a very peaceful and mature thought, he is suspected of being OLF. I am very careful about this and I avoid everything. I don't even breathe. Because of this, up until now I have not had any problems.⁸⁷

Another student expressed his frustration this way: "We have to ask questions because our minds have been made active to do this. That is our problem. But they are the ones teaching us about democracy in our books." 88

Students were not the only ones to express concern about the situation in the schools. One elderly farmer from a remote village in western Wollega complained that "When children ask questions about the problems that exist they go to jail or get [other]

⁸⁵ Human Rights Watch interview, Ambo, March 7, 2005.

⁸⁶ Human Rights Watch interview, March 2005.

⁸⁷ Human Rights Watch interview, Dembi Dollo, March 17, 2005.

⁸⁸ Human Rights Watch interview, Dembi Dollo, March 18, 2005.

penalties. We work a lot in order to send our children to school [in town], but then they don't have the right even to think."89

Many other people, even those who themselves had not been subjected to any sort of abuse, said that pervasive human rights abuses in their communities had left them afraid to air their views on issues of importance to their communities. One tailor from Dembi Dollo said that "Before I used to speak at meetings about things that I thought were wrong. But now I never do this... They are too suspicious of anyone whose ideas are not the same as theirs." Another man from Nekemte who had been arrested on charges of involvement with the OLF and whose neighbors had ostracized him after his release because the police had questioned them about their relationship with him said, "I don't talk anymore. I don't even go to meetings." Most people said that their friends and neighbors were equally cautious. As one retiree in Dembi Dollo put it:

People are afraid to say anything at all—they are always suspicious of the person sitting next to them. Even me—I choose the most neutral topic of conversation possible. I cannot even talk about the shortage of electricity or water because it points to the government. Even innocuous topics like that are off limits, let alone politics.⁹²

Some former detainees said that they believed their arrests were carried out precisely in order to intimidate others into silence. Human Rights Watch interviewed one prominent intellectual who was suddenly arrested without explanation in May 2003. Rather than arrest him quietly, the police sent eight heavily-armed men to his home in the early evening and marched him away to the police station under guard as his neighbors looked on in confusion. He said:

They never took me to court or said, 'this is what you did, this is why we arrested you.' I think it was intended more as a message to the rest of the people—'even these individuals you see as more educated and so on, we can get them, so imagine what we could do to you.'... They took eight rifles to pull me in there. It's just to create terror and for people to see me taken from my home with all these guns.⁹³

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⁸⁹ Human Rights Watch interview with farmer from Abichu Shogo kebele, Dembi Dollo, March 18, 2005.

⁹⁰ Human Rights Watch interview, Dembi Dollo, March 18, 2005.

⁹¹ Human Rights Watch interview, Nekemte, March 11, 2005.

⁹² Human Rights Watch interview, Dembi Dollo, March 17, 2005.

⁹³ Human Rights Watch interview, Dembi Dollo, March 18, 2005.

The only thing the police later reproached him with was that he was found to be in possession of a book written by Leenco Late, a founding member of the OLF. The arresting officers found and seized the book when they searched his home. "The book is still under arrest," he said; the police had never returned it.⁹⁴

Mechanisms Used by the Ethiopian Government to Control Rural Communities in Oromia

Over 85 percent of Oromia's population lives in the countryside, scattered for the most part among small farming communities that are often far removed from any urban center. With elections approaching in May 2005, the regional government has taken drastic new steps to tighten its control over the rural population. New quasi-governmental structures have been set up throughout the region and are being used to monitor and control the rural population down to the level of individual households. These structures have been employed to gather information, monitor and harass outspoken individuals, control and restrict the movement of the rural population and disseminate political propaganda on behalf of the ruling OPDO.

The Kebele System

The formal structure of local government in Ethiopia has remained largely unchanged since the overthrow of the Derg dictatorship in 1991. The Derg organized the households in every community throughout the country into groupings called kebeles. The kebeles generally corresponded roughly to neighborhoods in urban centers and to larger geographic areas in more sparsely populated rural areas. While originally intended to help implement the Derg's ambitious rural development agenda and land reform program, the kebele system quickly evolved into a highly effective mechanism of control and repression. Kebele officials were expected to keep their communities under perpetual surveillance and to report any subversive activities to higher authorities. The kebeles were also used to disseminate government propaganda, implement government policies and maintain general order and discipline. When the EPRDF came to power it retained the kebele as the smallest unit of local government throughout Ethiopia and has continued to use the system to consolidate and extend the power of the ruling party.

⁹⁴ Ibid

⁹⁵ Technically, urban communities were organized into kebeles while rural areas were organized into Peasant Associations (PAs). Here, the term "kebele" is used to refer to both.

⁹⁶ See, e.g., John Young, *Peasant Revolution in Ethiopia: The Tigray People's Liberation Front*, 1975-1991 (Cambridge: University Press, 1997).

⁹⁷ See, e.g., Desalegn Rahmato, Land Policy in Ethiopia at the Crossroads, in Desalegn Rahmato, Land Tenure and Land Policy in Ethiopia After the Derg (Trondheim: Norwegian University of Science and Technology,

In Oromia's rural areas, kebele officials wield a great deal of power over the populations they govern. Most of the region's rural population consists of subsistence farmers who depend upon kebele officials to provide them with a range of essential services and agricultural inputs. Perhaps most significantly, kebele officials distribute fertilizer to farmers throughout Oromia on credit and are responsible for collecting those debts when they come due. Farmers must also obtain letters from kebele officials verifying their identity and place of residence when they wish to access government services outside of their communities. Such letters are usually required, for example, in order to visit a doctor or send one's children to secondary school in town.

In addition, most kebeles have their own tribunals as well as small prison houses. The kebele tribunals have the power to issue binding decisions in local disputes and mete out fines and brief periods of imprisonment as punishment for various minor infractions. Most significantly, farmers who fail to repay their fertilizer debts on time are regularly imprisoned, sometimes for more than a month at a time. Regional government agricultural extension workers and civil society leaders interviewed by Human Rights Watch said that in many of the villages they worked in, a very large proportion of the population had served some time in prison in 2004 for failing to repay their fertilizer debts. In many cases, such debtors were released only after being forced to sell off their livestock and other personal property to raise enough money to pay what they owe. Human Rights Watch interviewed one farmer who had fled his village the day before because he was facing imprisonment over an unpaid fertilizer debt of 250 birr, or roughly thirty U.S. dollars. While such farmers often serve out their terms of imprisonment in woreda prisons, primary responsibility for reporting and apprehending them generally falls to the kebele administration.

This authority gives kebele administrations an enormous amount of power over their constituents, and many Oromo opposition politicians and civil society figures have long alleged that kebele officials employ that leverage to discourage and punish dissent. Most commonly, kebele authorities have been accused of unevenly enforcing fertilizer debt repayment obligations, briefly imprisoning "troublemakers" on the basis of trumped-up

^{1994),} arguing as early as 1994 that "all indications are that the rural institutions are once again being turned into pliant tools of the state...the new power structure at the local level closely resembles that of the Derg." A Norwegian-led team that observed Ethiopia's national elections in 1995 and 2000, as well as local elections in 2001, reported that the kebele system was used to mobilize support for the EPRDF and to discourage support for the opposition. See Siegfried Pausewang, et. al., Ethiopia Since the Derg: A Decade of Democratic Pretension and Performance (London: Zed Books, 2002).

⁹⁸ Human Rights Watch interviews, Addis Ababa, Nekemte, Jimma and Dembi Dollo, March 2005.

⁹⁹ Human Rights Watch interview with farmer from Abdefa kebele, Guto Wayu woreda, East Wollega zone; Nekemte, March 12, 2005.

¹⁰⁰ Human Rights Watch interviews, Addis Ababa, Ambo, Nekemte and Dembi Dollo, March 2005.

charges of minor criminal infractions and wrongly evicting outspoken dissidents from their land.¹⁰¹

Many of the farmers interviewed by Human Rights Watch also said that such abuses take place in their communities. Many alleged that people who had good relations with kebele officials were allowed to carry massive amounts of fertilizer debt from year to year while for others repayment obligations were strictly enforced. One farmer from East Wollega said that "the men they send to take us to prison [for failing to meet repayment obligations] have also not paid for their fertilizer." ¹⁰²

In several communities around Ambo, kebele officials have recently imprisoned people for campaigning for or providing support to the opposition Oromo National Congress (ONC). In mid-February 2005, a farmer in a village called Wedessa, roughly twenty-six kilometers from Ambo, was imprisoned overnight by kebele authorities after loaning two of his mules to ONC supporters so that they could travel further into the countryside to campaign. Kebele officials in the same village also reportedly expelled four students from school indefinitely because they attended an ONC rally that was held during school hours; other students had missed class to attend meetings held by the OPDO without being disciplined at all. Another ONC supporter was arrested and imprisoned for several days in February 2005 by kebele officials in a nearby village called Kotaba after he attempted to speak before the people who had assembled for the village's large Saturday market. Description of the village's large Saturday market.

Human Rights Watch interviewed many other farmers who spoke of similar abuses by kebele officials in their communities. Most, however, were far more eager to discuss an entirely new set of administrative structures that had been imposed on their communities in recent months.

¹⁰¹ Human Rights Watch interviews with Oromo opposition and civil society leaders, Addis Ababa, Ambo, Nekemte, Jimma and Dembi Dollo, March 2005.

¹⁰² Human Rights Watch interview with farmer from Ebba kebele, Guto Gida woreda, East Wollega zone; Nekemte, March 12, 2005.

¹⁰³ Human Rights Watch interviews with ONC representatives and farmers from Wedessa, Ambo, March 6-7, 2005

¹⁰⁴ Human Rights Watch interview with farmer from Wedessa, Ambo, March 7, 2005.

¹⁰⁵ Human Rights Watch interview, Ambo, March 7, 2005.

The Gott and Garee System

The Oromia regional government has created an entirely new set of quasi-governmental structures below the kebele level in rural communities throughout Oromia. Every rural kebele is now divided into groups of households called *gott*. The *gott* vary in size but usually encompass between sixty and ninety households. Each *gott* is divided into smaller groups of roughly thirty households called *garee*, which means "group" in *Afan Oromo*. The *gott* supervise the activities of the *garee* and report to kebele authorities. The *garee* are the more active of the two structures and have the most day-to-day contact with the households they oversee.

Oromia's *gott* and *garee* are not entirely new innovations. The *gott* are reportedly modeled on rural administrative structures that were put in place in rural Tigray by the TPLF during the war against the Derg.¹⁰⁷ In addition, a similar set of structures has existed for some time in the Amhara and Southern Peoples, Nations and Nationalities Regional States, although it is not clear whether they are being used for the same purposes. In most of Oromia, however, the *gott* and *garee* are very new. According to some regional officials, the *gott* and *garee* have been in place for over a year in some parts of the region¹⁰⁸, but in all of the areas visited by Human Rights Watch the structures have been in place only since roughly September 2004.

Officials placed in charge of the *gott* and *garee* have been implicated in numerous violations of human rights. These include imposing fines and even imprisonment without due process, forced or compulsory labor, and restrictions on the rights to freedom of association, movement and expression.

The Imposition of Gott and Garee on Rural Communities

High-level regional government officials claim that the *gott* and *garee* are nothing more than voluntary associations of farmers who are interested in promoting development in their communities. Ultimate responsibility for organizing and supervising the *gott* and *garee* lies with the Oromia regional government's Bureau of Mass Organization, Culture, Sports and Social Affairs. The head of that Bureau, Getachew Bedane, told Human

¹⁰⁶ These structures are actually called *garee misoma*, which means "groups for development." Most people simply refer to them as *garee*, however.

¹⁰⁷ The highly efficient system of rural governance put in place by the TPLF is widely credited with helping it win the war against the Derg. For a discussion of rural administration in Tigray during the war, see John Young, *Peasant Revolution in Ethiopia: The Tigray People's Liberation Front, 1975-1991* (Cambridge:University Press, 1997).

¹⁰⁸ Human Rights Watch telephone interview with Getachew Bedane, head of Oromia Regional Government Bureau of Mass Organization, Culture, Sports and Social Affairs, April 11, 2005.

Rights Watch that the new structures had been created in response to widespread popular demand that the government organize farmers into small groups for the purpose of facilitating development activities. According to him, no farmer is forced to participate in either structure or any of its activities. "The farmer who does not want to be organized into this *garee* does not," he said. "He can simply go and work his own land." He also insisted that the *gott* and *garee* had "no other purpose" beyond facilitating the design and implementation of development projects selected by the communities themselves.¹⁰⁹

Human Rights Watch interviewed farmers from twenty-one different rural kebeles in western Oromia, 110 and all of them said that the gott and garee structures had been imposed on them from above without any kind of consultation. When one farmer from a village near Nekemte was asked whether the people in his village had been asked whether they wished to participate in these structures, he replied "it just came from the government. What do the people know about such things? An order came from above."111 All of the other farmers interviewed by Human Rights Watch responded similarly. Even gott and garee committee members and local officials who expressed considerable enthusiasm for the new institutions did not claim that they were voluntary. One gott committee member claimed that everyone in his village was extremely pleased with the new system except for a few people who were "lazy or do not want to work," but he acknowledged that the institutions were imposed on the village pursuant to an order from the woreda administration.¹¹² One local government official in Dembi Dollo said that the gott and garee had been imposed on local communities by the woreda administration but argued that this was justified because "this form of discipline is a very good thing. The people must get ready to work!"113

Theoretically, the *gott* and *garee* committees are freely elected by all of their members. Many of the farmers interviewed by Human Rights Watch said that there were elections. Most, however, said that the "elections" were actually a simple show of hands for or against a slate of candidates chosen by the kebele. "There was no voting," said one farmer from West Wollega. "They just brought their people and said 'this is the *gott* and this is the *garee*. Do you agree?' People didn't say anything and then they all clapped and

¹⁰⁹ Human Rights Watch telephone interview with Getachew Bedane, head of Oromia Regional Government Bureau of Mass Organization, Culture, Sports and Social Affairs, April 11, 2005.

¹¹⁰ These kebeles are located in East Shewa, West Shewa, East Wollega, West Wollega and Jimma zones.

¹¹¹ Human Rights Watch interview with farmer from Wolkituna kebele, Sasiga woreda, East Wollega zone; Wolkituna kebele, March 11, 2005.

¹¹² Human Rights Watch interview with *gott* committee member, Dune Kani kebele, East Wollega zone, March 13, 2005.

¹¹³ Human Rights Watch interview with advisor to the mayor of Dembi Dollo, Dembi Dollo, March 18, 2005.

it was finished."¹¹⁴ Many farmers said that all of the people kebele officials chose as candidates were very young men who had no real stature within the community but who were malleable and staunchly pro-OPDO. "There are no serious people among them," one farmer lamented. "There are no elders. The elders are considered too wild [independent]."¹¹⁵ Another man sighed when asked who had been chosen to serve on his *garee*'s committee and said of the committee head that "He is a twenty-year-old student. If you have good relations with him you have no problems; otherwise it is the opposite. I try to avoid him as much as possible."¹¹⁶

Forced Labor under the Garee

The garee have undertaken a range of often highly visible development-related projects in rural communities throughout Oromia. These projects include construction of irrigation systems, road repair and digging of wells and latrines. Participation in these projects, however, is in no way voluntary. Every rural household is assigned to a gott and a garee and is regularly required to contribute unpaid labor towards whatever development projects its garee chooses to implement. The amount of labor required by the garee varies somewhat from week to week and between communities. Most of the farmers interviewed by Human Rights Watch said that one or two members of every household are generally expected to dedicate one entire day per week to work assigned by the garee.¹¹⁷ Forced labor violates both Ethiopia's constitution¹¹⁸ and its obligations under international law.¹¹⁹

¹¹⁴ Human Rights Watch interview with farmer from Dembi Dollo area, Dembi Dollo, March 17, 2005.

¹¹⁵ Human Rights Watch interview with farmer from Shoso kebele, West Wollega zone; Dembi Dollo, March 17, 2005

¹¹⁶ Human Rights Watch interview with farmer from Ambo area, Ambo, March 8, 2005.

¹¹⁷ Human Rights Watch interviews, March 2005.

¹¹⁸ Article 18 of the Ethiopian constitution states in part:

^{3.} No one shall be required to perform forced or compulsory labour.

^{4.} For the purpose of this article, the term "forced or compulsory labour" shall not include: ...:

c) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community.

d) Any *voluntary* economic or social developmental activity undertaken by the people of the community concerned. [Emphasis added.]

¹¹⁹ Forced or compulsory labor violates ICCPR article 8(3) on the prohibition of slavery, involuntary servitude and forced labor. International Labor Organization (ILO) Convention No. 29 (June 28, 1930) defines forced or compulsory labor as "all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." ICCPR article 8(3) makes certain exceptions to the prohibition on forced labor, including "service exacted in cases of emergency or calamity threatening the life or well-being of the community," and any service that forms part of "normal civil obligations." Government officials in Oromia have made no showing that the development projects on which residents are forced to work is part of a local emergency that threatens the community; such emergencies have been defined in ILO Convention No. 29 to including events such as war, fire and flood. Nor can this work be considered "normal civic obligations," which have been defined as forced labor "absolutely necessary in democratic communities in

The garee have the power to impose punishment without due process on farmers who fail to carry out the tasks assigned to them, and their use of that power provides a useful illustration of how much coercive power over individuals the garee have at their disposal. This punishment generally takes the form of monetary fines that grow in severity with each successive transgression. In most of the communities surveyed by Human Rights Watch, farmers said that the first time a person missed a day of required work, they were fined between two and fifteen birr¹²⁰, depending on the community. Fifteen birr is more than most people could hope to make in a single day working as a day laborer in town. In most communities these fines have been imposed quite strictly. One sixty-five-yearold farmer from a rural kebele in Guto Gida woreda said that in his community, "There is almost no one who has not paid [a] ten birr [fine], even if he is the poorest of all with no clothes on his buttocks.... They say that if you do not pay you will be put in prison until you [do] pay."121 In some communities, kebele authorities and garee heads had said that farmers who missed work more than three times would be imprisoned for between one and three days in addition to being fined, but it is not clear whether such punishments have been meted out in practice. 122

Many farmers expressed anger and distress at being forced to dedicate so much time to the *garees*' development schemes. "The only result we see from these *garee* is being fined for not doing things," one farmer said. "So now we just do whatever they tell us; there is no way you can refuse to obey." Most farmers, however, were less concerned with the required labor than with the ways their *garee* were being employed to control and monitor them in ways that were not related to their development-related goals. Expressing a sentiment common to most interviewees, a protestant minister from a rural kebele near Nekemte told Human Rights Watch that he thought the real reason the *garee* were created was "to follow up what people do in their houses, where they get their money from, who they eat with, what politics they talk." In many areas, the *garee* have

order to fulfill State functions and that cannot be accomplished in any other manner than by force." Such obligations have included physicians having to render medical care or lawyers acting as defense counsel. Manfred Nowak, UN Covenant on Civil and Political Rights: CCPR Commentary (Arlington, Engle: 1993) pp. 155-56.

¹²⁰ This translates into roughly U.S. \$0.20-2.00.

¹²¹ Human Rights Watch interview with farmer from Gemechis Sorga Alemi kebele, Guto Gida woreda, East Wollega zone; Nekemte, March 12, 2005.

¹²² Human Rights Watch interviewed two farmers, from communities near Ambo, who said that they knew of people who had been imprisoned for repeatedly failing to turn up for work. Most interviewees said that no one in their communities had missed more than one or two days of work because they could not afford to pay the fines. Human Rights Watch interviews, March 2005.

¹²³ Human Rights Watch interview with farmer from Lomecha kebele, Abay Dungoro woreda, East Wollega zone; Nekemte, March 10, 2005.

¹²⁴ Human Rights Watch interview, Wolkiutna kebele, Sasiga woreda, East Wollega zone, March 11, 2005.

been employed to achieve a level of control and surveillance that was not possible under the kebele system alone.

Forced Attendance at Political Meetings

The *gott* and *garee*, as well as the kebele, have the power to call meetings of all of their member households at any time and to enforce attendance at those meetings. In most of the communities surveyed by Human Rights Watch, the *garee* usually called meetings at least once per week and in some communities around Ambo they were more frequent. In almost all communities, failure to attend any meeting of the *garee* without obtaining permission beforehand is punished with a monetary fine that grows in severity with each successive offense. ¹²⁵ In some communities in Ambo woreda, *garee* committees had told farmers that people who had missed more than two or three *garee* meetings would be imprisoned overnight in addition to being fined. ¹²⁶ By coercing attendance at *garee* meetings, the government is violating the right to freedom of association under the ICCPR. ¹²⁷

The ostensible purpose of the *gott* and *garee* meetings is to discuss progress on whatever development projects the community is undertaking. Since early 2005, however, these compulsory meetings have been used as thinly-disguised OPDO political rallies. Most of the farmers interviewed by Human Rights Watch said that they were regularly required to attend *gott* or *garee* meetings devoted primarily to disseminating election-related propaganda in favor of the OPDO.¹²⁸

Many farmers said that they did not want to attend such meetings but were compelled to do so because of the penalties they faced if they failed to attend. One man, who had been arrested three times since 1991 on suspicion of involvement with the OLF, said that he would vote for any candidate who was not affiliated with the OPDO in the May elections. Nonetheless, he found himself spending part of almost every week listening

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¹²⁵ Human Rights Watch interviews, March 2005. In most communities farmers said that fines ranged from 3-10 *birr* for a first offense and ranged as high as 20-60 *birr* for individuals who missed several meetings.

¹²⁶ Human Rights Watch interviews with farmers from Omecho, Tokke and Wedessa, March 6-7, 2005.

¹²⁷ ICCPR article 22 provides that everyone shall have the right to freedom of association with others. As Manfred Nowak in his authoritative commentary on the ICCPR notes, "[T]he freedom to join and form association implies a second aspect: the *freedom to choose* the organizations to which one wishes to belong." Novak, *UN Covenant on Civil and Political Rights*, p. 388 (emphasis in original). The Human Rights Committee, which monitors state compliance with the ICCPR, has stated that "The right to freedom of association implies that in general no one may be forced by the State to join an association.... [W]hen sanctions exist on the failure to be a member of an association, the State party should be called on to show that compulsory membership is necessary in a democratic society in pursuit of an interest authorized by the Covenant." *Gauthier v Canada*, Human Rights Committee, case no. 633 (1995).

¹²⁸ Human Rights Watch interviews, March 2005.

to OPDO propaganda because he could not afford to pay the fine the *garee* would impose on him if he were absent from the "meetings." ¹²⁹

Many other farmers expressed similar concerns, but almost all said that they had continued to attend the garee meetings whenever they were called. The sole exception was a story related by several different farmers in Tokke, a large village situated roughly thirty-five kilometers west of Ambo along the road to Nekemte. Tokke is situated in one of the only parts of Oromia where the opposition Oromo National Congress has had consistently strong support over the past several years.¹³⁰ People in Tokke quickly began to rebel against being coerced into attending frequent gott and garee meetings where woreda and kebele officials subjected them to pro-OPDO propaganda. The number of people who consistently refused to attend such meetings was so large that the problem proved difficult to control. In mid-February 2005, the entire village was summoned to attend a meeting to hear zonal officials from Ambo "discuss the elections," but almost the entire village stayed away. That evening, kebele authorities made an announcement that the meeting would be held again the next afternoon and immediately cut off running water to the entire town. The next afternoon, the water was still cut off, and attendance at the meeting was considerably better. After sitting through nearly two hours of pro-OPDO and anti-ONC propaganda, people returned to their homes and the water was turned back on.131

Using the Garee to Monitor Speech

Almost all of the farmers interviewed by Human Rights Watch said that their *garee* officials were gathering information about individuals who they or kebele-level officials had labeled as critics of the government. While this is perhaps more subtle than overt restrictions on movement or required attendance at political propaganda sessions, farmers repeatedly described the *garee*'s ability to monitor their words and actions as the most insidious and onerous aspect of the system. One farmer said that his *garee* "creates a problem for anyone who talks," while another complained that "anyone who expresses their opinion is called a troublemaker." While kebele officials engaged in similar kinds of surveillance before the *garee* were introduced, the much smaller size of

¹²⁹ Human Rights Watch interview with farmer from Dembi Dollo area, Dembi Dollo, March 18, 2005.

¹³⁰ The leader of the Oromo National Congress, Dr. Merera Gudina, was born not far from Tokke and has strong support throughout Ambo woreda.

¹³¹ Human Rights Watch interviews with farmers and ONC supporters, Tokke and Ambo, March 7-8, 2005.

¹³² Human Rights Watch interview with farmer from Abdeta kebele, Guto Wayu woreda, East Wollega zone; Nekemte, March 12, 2005.

¹³³ Human Rights Watch interview with farmer from Dandi kebele, Ambo woreda, West Shewa zone; Ambo, March 7, 2005.

the *garee* has made it possible for the government to follow individuals more closely and consistently. In addition to being much smaller than the kebele, in many communities each member of the five-member committee that governs the *garee* is personally responsible for following up on five or six of the *garee*'s households.¹³⁴ In some areas these smaller groups are referred to as *shanee* ("the five" in *Afan Oromo*). As one seventy-year-old farmer from just outside of Dembi Dollo put it, "The government has its hands and the *garee* are like the fingertips.... The *garee* is very near to you. The kebele was not." ¹³⁵

Garee officials in many communities have been instructed by *gott*, kebele and woreda officials to gather information about individuals who make comments they believe to be critical of or hostile towards the government in public meetings or even during private conversations. In addition to farmers from communities throughout western Oromia, Human Rights Watch interviewed several current and former *gott* and *garee* officials from several rural kebeles who confirmed that they gathered such information about the households under their supervision. Most claimed that they were deeply reluctant to do so but felt they had no choice. One *garee* committee member from East Wollega said, "They said that these *garee* were for development work, but the actual thing is for watching each other. They tell us to report whatever we observe, but I avoid doing that. I try to solve problems myself and avoid reporting because [the information] is usually used for other purposes.... People who speak their minds are noted. We report what people said and who said it." ¹³⁷

This heightened level of surveillance was felt acutely by most of the farmers interviewed by Human Rights Watch. One farmer from a rural kebele near Ambo complained, "If you pass information upwards you are seen with sympathy by the OPDO. But what they need is not information that is helpful to the country but information like, what does this man think and what does that man think.... They [garee officials] are always asking us, 'What does this man say? What does he talk about? With whom does he pass the day?"138 Another man from East Wollega said, "They watch your mouth, what you say. If you talk about the kebele administration, the woreda, about [party] cadres, it

¹³⁴ Human Rights Watch interviews with farmers, *gott* and *garee* committee members, former local security official and civil society representatives, March 2005.

¹³⁵ Human Rights Watch interview with farmer from Dembi Dollo area, Dembi Dollo, March 17, 2005.

¹³⁶ Human Rights Watch interviews with current and former *gott* and *garee* committee members, Nekemte, Dune Kani kebele (East Wollega), Jimma and Dembi Dollo, March 2005.

¹³⁷ Human Rights Watch interview with *garee* committee member from East Wollega, Nekemte, March 12, 2005.

¹³⁸ Human Rights Watch interview with farmer from Omecho area, West Shewa zone; Ambo, March 8, 2005.

becomes a problem."¹³⁹ A third farmer, asked to explain what his experience living under the *garee* was like, said, "You can almost say that the people [in a *garee*] are tied to one another because we are so closely watched. It is as though they have us in their fist."¹⁴⁰

Several farmers said that some people in their communities had tried to question the *garee*'s need for the information it was trying to gather but were rebuffed without any real explanation. One teacher from a rural primary school said, "we are very suspicious about why they want to know these things. We think there must be a reason for this. But when we asked why they want to know these things, there is no answer. They [kebele officials] say only that they have their own structure and we should be administered according to what they tell us."¹⁴¹ One farmer said that the people in his community had given up questioning the *garee*'s actions because "when we ask [them], 'why are you doing this to us,' they accuse us of being 'anti-development."¹¹⁴²

The Chilling Effect of the Gott and Garee System on Speech

Many farmers said that because their words were so closely scrutinized for subversive undertones they generally avoided questioning local officials or government policies in public. One man said that he no longer spoke in *garee* or kebele meetings because, since the *garee* were introduced in his community in September 2004, "If you speak your thoughts out loud now it is given some dangerous meaning. They suspect you of being OLF." Another farmer from just outside of Dembi Dollo said that, "If in a [garee] meeting someone says, 'why is this being done, this is not correct,' they tell him that this is not his thought but the thought of OLF which is speaking through his mouth." One garee committee member from a rural kebele in West Wollega said that he disliked participating in the committee but was afraid of being labeled a dissident himself if he resigned his position. Since the garee were created, he said:

¹³⁹ Human Rights Watch interview with farmer from Haro Gudina kebele, Sasiga woreda, East Wollega zone; Wolkituna kebele, March 11, 2005.

¹⁴⁰ Human Rights Watch interview with farmer from Dembi Dollo area, Dembi Dollo, March 18, 2005.

¹⁴¹ Human Rights Watch interview with teacher from Sasiga woreda, East Wollega zone; Wolkituna kebele, March 11, 2005.

¹⁴² Human Rights Watch interview with farmer from Abdeta kebele, Guto Wayu woreda, East Wollega; Nekemte, March 12, 2005.

¹⁴³ Human Rights Watch interview with farmer from Gamene kebele, Sasiga woreda, East Wollega zone; Wolkituna kebele, March 11, 2005.

¹⁴⁴ Human Rights Watch interview with farmer from Abichu Shogo kebele, West Wollega zone; Dembi Dollo, March 18, 2005.

Our people do not speak. They have become mute because they are afraid. If two or three people are standing they avoid going to speak with them because those people may listen to what you say and give it a different meaning. If they [local officials] hate someone they say, 'You are an OLF.' If you say something they don't like, they say the OLF is behind you and telling you what to do.... When this thing started we cooperated because we thought it was actually for development, but things were better before.... Since the *garee* came you cannot even have a visitor in your home without being asked to report on him.¹⁴⁵

In some communities, the *garee* have subjected people labeled as opponents of the government to unrelenting harassment and public denunciations. One young man from just outside of Dembi Dollo said that both he and his mother were arrested on charges of providing support to the OLF in March 2004. Both were released without charge within three months of their arrest, but since then their *garee* committee had subjected them to a sustained campaign of harassment that had destroyed the family's already precarious ability to make a living:

They organized the *gott* and *garee* against our house. My mother was selling *shiro*¹⁴⁶ to earn a living and they said, 'this is an OLF house and no one should buy here.' Accidentally [without knowing who he was], a relative of ours had come from his village and the *garee* told him, 'you are a new person here and you should know that because that is an OLF house you should not go in there.' But because he was our relative he came and told us this.... No one comes to buy from my mother now, and whenever they meet me they ask me where I am going and why.¹⁴⁷

Another man from a rural kebele near Nekemte said that *garee* officials in his community had labeled him a supporter of the OLF and regularly denounced him during the course of *garee* meetings as a "thug" who is promoting an "anti-peace" agenda. "I raise my hand to talk [in response] and they say 'you have no right to speak," he said. "How can someone accuse me and then say I do not have the right to speak?" ¹⁴⁸

¹⁴⁵ Human Rights Watch interview with *garee* committee member, Dembi Dollo, March 17, 2005.

¹⁴⁶ Shiro is an inexpensive kind of *wot*, or stew, made from chickpeas that is commonly eaten throughout Ethiopia.

¹⁴⁷ Human Rights Watch interview, Dembi Dollo, March 18, 2005.

¹⁴⁸ Human Rights Watch interview, Nekemte, March 12, 2005.

Restrictions on the Freedom of Movement

Ethiopian and international law guarantees respect for citizens' freedom of movement.¹⁴⁹ However, local authorities in much of Oromia have used the garee to enforce drastic new restrictions limiting the rural population's ability to travel outside of their communities. These limitations on movement vary considerably between different woredas and between different kebeles within a single woreda as to their strictness and the zeal with which they are enforced. In almost all of the communities surveyed by Human Rights Watch, however, interviewees said that new regulations had been put in place through the garee to prevent them from traveling outside of their villages without permission unless they returned the same day. "You have to go and tell them if you are leaving, and you need to have a good reason for this," said one farmer from East Wollega. "If you only want to go and drink some tella [local beer] in Nekemte, they will not allow that."150 In most communities, farmers said that they asked orally for permission to travel from their garee, but in some places the garee have implemented a more formal set of procedures. In some communities in Ambo woreda, farmers interviewed by Human Rights Watch said that garee officials required them to obtain a signed paper authorizing their travel whenever they spent a night away from home. 151 A group of farmers from Wedessa told Human Rights Watch that their garee had threatened that anyone who passed the night in Ambo without obtaining written permission would spend their first night back home in the kebele prison. 152

Generally, villagers who travel away from home without first obtaining permission from the *garee* are interrogated as to their whereabouts upon their return and are often chastised or punished as well. One *garee* committee member from a community in East Wollega said that people who left his village without permission "will be interrogated—why did he go, what did he do and why does he think he has more rights than what the law gives him." Many of the farmers interviewed by Human Rights Watch said that they complied with the *garee*'s reporting requirements because villagers who did not were often accused of involvement in OLF-related or other illegal activities. One farmer from a rural kebele ninety-three kilometers from Nekemte said, "If we just leave without saying anything they will accuse us of going somewhere illegal. Even when we go to

¹⁴⁹ Article 32 of the Ethiopian Constitution states that "Every Ethiopian...shall have the freedom to freely move and establish his residence within Ethiopia as well as to travel abroad." Article 12 of the ICCPR guarantees that everyone shall have the right to liberty of movement and freedom to choose their residence.

¹⁵⁰ Human Rights Watch interview with farmer from Gamene kebele, Sasiga woreda, East Wollega zone; Nekemte, March 11, 2005.

¹⁵¹ Human Rights Watch interviews, Ambo, March 7-8, 2005.

¹⁵² Human Rights Watch interview with farmers from Wedessa, Ambo, March 7, 2005.

¹⁵³ Human Rights Watch interview with *garee* committee member from Gemechis Sorga Alemi kebele, Guto Gida woreda, East Wollega zone; Nekemte, March 12, 2005.

nearby markets [for the day] we try to inform them. Otherwise we might be accused of belonging to a certain organization [the OLF]."154

Around Dembi Dollo in West Wollega zone the *garee*'s new restrictions on movement have been taken to unusual extremes and provide an illustrative example of the coercive power at the *garees*' disposal. Towards the end of 2004 woreda officials in Dembi Dollo instructed all of the *gott* and *garee* within the woreda's jurisdiction to inform farmers in their communities that they would no longer be able to travel to nearby markets on any day of the week other than Saturday. Farmers interviewed by Human Rights Watch said that their *garee* told them this measure had been taken because their travel to various local markets throughout the week was "jeopardizing development" by keeping them from their fields. 156

Unfortunately, the local rural economy is in large measure driven by precisely the markets the woreda had set out to abolish and many people depend on them as outlets for their produce. This fact meant that the new restrictions were quite onerous, and farmers in much of the woreda's countryside simply refused to comply with them. The garee reacted by imposing fines on people who participated in non-Saturday markets. When this failed to curb farmers' disobedience in some areas, several garee gathered together groups of young men who were authorized to use force to prevent people from traveling to "illegal" markets. Local garee and government officials interviewed by Human Rights Watch said that the men were posted along several secondary roads, arrested several dozen farmers they caught traveling to unauthorized markets and imprisoned them overnight in kebele jailhouses. Before they were released, kebele officials either fined them or confiscated the goods they had been traveling to market to sell. In some cases, the men who arrested the farmers reportedly beat them with sticks before imprisoning them. In the sound in the second seco

¹⁵⁴ Human Rights Watch interview with farmer from Lomecha kebele, Abay Dunforo woreda, East Wollega zone; Nekemte, March 10, 2005.

Human Rights Watch interviews with current and former regional and local government officials, Dembi Dollo, March 17-18, 2005; Human Rights Watch interview with Dr. Negaso Gidada, Addis Ababa, March 3, 2005

¹⁵⁶ Human Rights Watch interviews, Dembi Dollo, March 16-18, 2005.

¹⁵⁷ Human Rights Watch interviews with farmers, former government officials, academics and civil society representatives, Dembi Dollo and Addis Ababa, March 2005.

¹⁵⁸ Human Rights Watch interviews, Dembi Dollo, March 16-18, 2005.

¹⁵⁹ Ibid.

¹⁶⁰ Human Rights Watch interviews, Dembi Dollo, March 17.

¹⁶¹ Human Rights Watch interviews, Dembi Dollo, March 16-18, 2005.

Despite such draconian measures, popular resistance to the new restrictions proved so widespread that woreda officials ordered the *garee* to relax them around the beginning of 2005. While this has led to the reemergence of weekday markets in large towns and villages, many smaller communities continued to be prohibited from holding them at the time of Human Rights Watch's visit to the area in March 2005. 162

These drastic restrictions of the freedom of movement take on added significance in the context of the current electoral process. The *garees*' controls make it more difficult for villagers to exercise the rights to assembly and freedom of association, rights which are an essential prerequisite of any democratic election and which are guaranteed by both Ethiopian and international law.¹⁶³ Most obviously, villagers cannot travel to neighboring towns to participate in the political discussions or rallies that are more commonly held in urban areas without obtaining permission or, at the very least, expecting that they will have to answer for their whereabouts to local officials.

The International Response and Official Reactions of the Ethiopian Government to Criticism about its Human Rights Record

Foreign governments and intergovernmental institutions have largely failed to address serious violations of human rights in Oromia, and in Ethiopia generally. This has been the case despite consistently critical reporting on human rights in Ethiopia by various independent organizations.¹⁶⁴

Western donors pour more than one billion dollars into Ethiopia every year. Ethiopia is one of the world's poorest countries and its government relies on this aid to finance a substantial portion of its budget.¹⁶⁵ The United States is Ethiopia's largest bilateral

¹⁶² Human Rights Watch interviews with farmers and civil society representatives, Dembi Dollo, March 16-18, 2005.

¹⁶³ Articles 30 and 31 of the Ethiopian Constitution, respectively, guarantee the rights to assembly and association. Articles 21 and 22 of the ICCPR similarly guarantee these rights.

¹⁶⁴ See, e.g., National Democratic Institute, An Evaluation of the June 21, 1992 Elections in Ethiopia, (Washington: National Democratic Institute, 1992); Human Rights Watch, The Curtailment of Rights (New York: Human Rights Watch, 1997); Human Rights Watch, Lessons in Repression (New York: Human Rights Watch, 2003); Amnesty International, Annual Reports 1992-2004 (London: Amnesty International); Amnesty International: Ethiopia and Eritrea: Human Rights Issues in a Year of Armed Conflict (London: Amnesty International, 1999).

¹⁶⁵ The UNDP's annual Human Development Report in 2004 ranked Ethiopia 170th out of 177 countries in its Human Development Index rankings. The 2004 Human Development Report also reported that Ethiopia received a total of just over \$1.3 billion in foreign assistance in 2002, which is equal to 21.6% of the country's total GDP. See United Nations Development Program, *Human Development Report*, (New York: United Nations Development Program, 2004).

donor, with the United Kingdom and Italy also providing significant levels of assistance. Despite its dependence on outside assistance, the Ethiopian government has loudly rejected even measured criticism of its human rights record with sweeping, contemptuous denials. When the U.S. State Department released its annual Human Rights Report on Ethiopia in February 2005, for example, the Ethiopian government denounced the entire report as "baseless," "frivolous," and based entirely on "rumors" and "lies." 167

Despite the donor community's enormous investments of aid, donor governments have generally appeared reluctant to challenge the Ethiopian government's near-total refusal to engage in constructive dialogue about the government's many human rights-related failings¹⁶⁸. Western governments have generally appeared too timid to challenge the government publicly. Western diplomatic sources have told Human Rights Watch that precisely because the Ethiopian government reacts so angrily to criticism, the only option is to engage the government on human rights issues quietly and behind the scenes. United States policy is also influenced by Ethiopia's perceived status as the most stable country in the Horn of Africa and by its cooperation in Washington's "global war on terror." ¹¹⁶⁹

This "quiet" approach does not appear to be bringing about any change in the Ethiopian government's refusal to engage in constructive dialogue about human rights issues. Recent events seem to indicate that the Ethiopian government may be becoming bolder in its willingness to ignore international criticism of its human rights record. The Ethiopian government had previously committed to foreign scrutiny of the May 15 elections. On March 30, 2005, however, Ethiopian authorities expelled on 48-hours

¹⁶⁶ Human Rights Watch interviews with western diplomatic officials, Addis Ababa, March 2005.

¹⁶⁷ Ethiopian News Agency, *Ethiopia Describes Human Rights Report on Ethiopia by U.S. as Baseless, Frivolous*, March 4,2005 [online] available at http://www.ena.gov.et/default.asp?CatId=7&NewsId=165043 (retrieved April 14, 2005)

¹⁶⁸ For example, a recent Human Rights Watch report that documented extensive human rights abuses committed by the Ethiopian military in Gambella region was dismissed within hours of its release by the Ministry of Information as a "sheer fabrication" designed to "tarnish the name of the army." As of April 2005 the Ethiopian government had made no moves to engage in constructive dialogue about any of the issues raised in the report.

¹⁶⁹ Human Rights Watch interviews with western diplomatic sources, Addis Ababa. The Ethiopian military is cooperating with the U.S. government in undertaking counterterrorism operations in the eastern Somali region and in subjecting the country's border with Somalia to tighter controls. The U.S. military in turn has sent personnel to Ethiopia to provide training to Ethiopian military forces. Human Rights Watch interviews with western diplomatic and intelligence officials. The U.S. Department of State, in its 2004 Country Reports on Terrorism, described Ethiopia's support in the "global war on terrorism" as "solid and unwavering," noting with approval government efforts to investigate and combat terrorism in the eastern Somali region as well as its willingness to share information related to terrorist activities. United States Department of State, *Country Reports on Terrorism 2004*, April 2005.

notice three American non-governmental organizations that were doing election-related work from the country.¹⁷⁰ While all three groups said that they had been meeting regularly with Ethiopian government officials and working in close coordination with the Ethiopian embassy in Washington, D.C., Ethiopian officials claimed that they had been operating in the country "illegally."¹⁷¹ Soon after, the government forced the resignation of a respected senior member of the European Union observation team because he had contributed to a critical assessment of the 2000 national and 2001 local elections in Ethiopia that is widely regarded as the most credible and nuanced assessment of those polls.¹⁷² In April, the government refused to admit a Norwegian-led team of academics that is also associated with the 2000 and 2001 assessments. The Ethiopian government has also recently taken steps to bar many of the domestic organizations that had been expected to field monitors on election day.¹⁷³

The European Union is fielding a large team of observers with a mandate to examine pre-election conditions as well as election day.¹⁷⁴ The Carter Center is also planning to send a team of fifty election observers, and the African Union has been invited to send observers as well.¹⁷⁵ To accurately evaluate the electoral process, observers and donors will need to display a greater willingness to confront the broader context of repression

¹⁷⁰ The three NGOs were the National Democratic Institute, the International Republican Institute, and the International Foundation for Electoral Systems.

¹⁷¹ See Statement by the International Republican Institute (IRI), IFES and the National Democratic Institute (NDI) on Expulsion of their Representatives from Ethiopia, April 1, 2005 [online] available at: http://www.accessdemocracy.org/library/1817_et_press_040105.pdf (retrieved April 18, 2005).

¹⁷² The head of the National Election Board, Kemal Bedri, defended his government's action by claiming that Pausewang's assessments of previous Ethiopian elections had been critical. Ato Kemal stated that "When we saw the list [of observers] everybody knew him. The election board knows him. It didn't take much investigation to know what he wrote." See Anthony Mitchell, "EU Election Observer Quits After Ethiopian Government Accuses him of Bias," *Associated Press*, April 4, 2005.

¹⁷³ Civil society representatives estimate that recent regulations enacted by the National Election Board could have the effect of reducing the planned number of domestic observers by two-thirds. The new regulations prevent any organization that did not register with the government as election observers when originally founded from observing the poll. This eliminates most domestic organizations since election observation is a relatively new concept in Ethiopia. *See* IRIN, "Election Board Criticized for Barring Local Observers," April 12, 2005 [online] available at:

http://www.irinnews.org/ReportID=46581&SelectRegion=Horn_of_Africa&SelectCountry=ETHIOPIA (Retrieved April 18, 2005).

¹⁷⁴ Fifty-two long term observers from the EU observation team had arrived in Ethiopia by April 18, 2005, with 100 more short-term observers expected to arrive before the poll. *See* IRIN, "More EU Election Observers Arrive in Addis," April 18, 2005 [online] available at:

http://www.irinnews.org/ReportID=46675&SelectRegion=Horn_of_Africa&SelectCountry=ETHIOPIA (Retrieved April 18, 2005).

¹⁷⁵ The Carter Center team includes ten medium-term observers who had already arrived in Addis Ababa by early April. See Carter Center, "Carter Center to Observe Ethiopian Elections," April 18, 2005 [online] available at http://www.cartercenter.org/doc2074.htm (retrieved April 18, 2005).

and human rights abuses that lies behind the election process than donors have so far shown in other contexts.

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