

## Joint Civil Society Report Submission for UPR – 19<sup>th</sup> session

### Ethiopia

*Presented by:*

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## Introduction

1. The Oromia Support Group (OSG) was established in the UK in 1994. The Australian branch of OSG (OSGA) was established in 2000. Both are non-political organisations that work to report on human rights issues in Ethiopia.

2. Refugees were interviewed by OSG and OSGA in Kenya (September 2010),<sup>1</sup> Somaliland and Djibouti (November/December 2011),<sup>2, 3</sup> South Africa (October/November 2012),<sup>4</sup> Australia (August 2013),<sup>5</sup> and Egypt.<sup>6</sup> All except two of the 188 interviewees reported human rights abuses in Ethiopia. Their first-hand testimonies of human rights violations, especially those occurring since mid-2009 form the substance of this submission.

3. The focus of this report is on Ethiopia's implementation of the Recommendations of the Human Rights Council Working Group on the Universal Periodic Review of Ethiopia, 9 December 2009 (A/HRC/13/17), including 98 which were supported by Ethiopia (paragraph 97.1-98) and 12 that were to be examined by Ethiopia (paragraph 98.1-12). Our findings show blatant contradictions of those accepted recommendations since mid 2009. They have been listed numerically and grouped according to issue, followed by our evidence against them.

### 4. Section One: Political Detention

Recommendations (97): 63, 91.

Any opposition or criticism of the Ethiopian government is met with accusations of terrorism. Detention is usually arbitrary, without trial, and takes place in military camps, police stations and unofficial places of detention, as well as prisons.

5. Kenya 2010 (OSG Report 46). Out of 58 interviewees, 41 had been detained without trial in Ethiopia. Three had been detained since mid-2009:

i. A 37 year-old from Arsi Negele was detained and severely beaten for the second time, for six months in a military camp from December 2009. He had been tortured during his first detention (p.23);

ii. Abdulkadir Mame, 33, a school director and then civil servant in Shashemane, was detained for the third time, from 1 January to 3 March 2010, in the Third Police Station, Addis Ababa. He was forced to sign a document on release that he was at fault, that he would not question the government and would report daily to Shashemane police station (pp.36-37);

<sup>1</sup> [http://www.oromo.org/osg/Report\\_46.pdf](http://www.oromo.org/osg/Report_46.pdf)

<sup>2</sup> <http://www.oromo.org/osg/pr47.pdf>

<sup>3</sup> [http://www.oromo.org/OSG/pr\\_48.pdf](http://www.oromo.org/OSG/pr_48.pdf)

<sup>4</sup> [http://www.oromo.org/OSG/pr\\_49.pdf](http://www.oromo.org/OSG/pr_49.pdf)

<sup>5</sup> The detention of Lelise Wodajo was reported, [http://www.oromo.org/osg/Report\\_45.pdf](http://www.oromo.org/osg/Report_45.pdf), pp.6-7. She was interviewed in Melbourne, Australia on ????????????????

<sup>6</sup> 26 Oromo refugees were interviewed by OSG in Cairo, 20-29 May 2013. Report is in preparation.

**iii.** Workneh Dinsa, 58, a primary school teacher in Nekemte, was detained 16 times by the current regime and was detained at Nekemte police station two days after the May 2010 election (p.37).

**6.** Tesfahun Chemed, was sentenced to life imprisonment in March 2010, for alleged terrorist offences, after being in incommunicado detention since his refoulement from Kenya in April 2007 until he was charged in December 2008 (OSG Report 46, pp.43-44). His death in detention in August 2013 is reported below.

**7.** Somaliland and Djibouti 2011 (OSG Reports 47 and 48). All 43 interviewees (17 in Somaliland and 26 in Djibouti) reported severe human rights abuses against themselves or their families in Ethiopia. 23 had been detained without trial but none had been detained after mid-2009.

**8.** South Africa 2012 (OSG Report 49). Out of 60 interviewees, 38 had been detained, of whom eight were detained without trial after mid-2009:

**i.** A 32 year-old merchant and tailor (Interview 19; p.18) was detained for the third time, for seven months in 2009 in Mi'esso military camp and Chiro prison;

**ii.** A 37 year-old farmer and trader (Interview 25; pp.22,24, 27) was detained for three months at Sabian regional police station in Dire Dawa in 2009 after fighting between the OLF and local militia. Fearing he would not survive being tortured, he agreed to produce his wanted brother within 15 days and was released;

**iii.** A 25 year-old Addis Ababa university graduate (Interview 34; pp.26, 30, 32, 43) with a family history of severe persecution and personal history of detention and torture when a student, was detained for 10 days in Arada Sub-city police station, Addis Ababa, in February 2012. He signed a document on release acknowledging he would be sent to Kaliti prison for life if he did not stop 'supporting the OLF';

**iv.** A young woman from Deder (Interview 42; p.14) was a 17 year-old grade 6 school student when she and her siblings were arrested in November 2009. She was held in Deder military camp until escaping at the end of December;

**v.** Two grade 9 school students (Interview 45; pp.47-48) were detained in Badu police station for five days in March 2012 after being forced to carry goods for the OLF in a remote mountainous area;

**vi.** A 23 year-old woman (Interview 53; pp.25, 31, 43) reported being arrested as a 20 year-old grade 9 High School student in 2009. She was among 12 arrested;

**vii.** A Bale teacher (Interview 58; pp.23, 33), who had witnessed the killing of two older brothers and was himself badly injured as a child, was detained in Goba military camp for three months in 2010;

**viii.** A 23 year-old woman (Interview 60; pp.25, 31-32, 40-41) was detained for one month in 2011 in Ajersa Goro police station and Harar military camp. Local elders were too frightened to act as guarantors for her release. Her mother did so. Release was conditional on her bringing back her disappeared father within a month or be detained or killed herself.

9. Egypt 2013 (report in preparation). Out of 26 interviewees, all except two minors had been detained in Ethiopia. 21 had been detained since mid-2009.

## 10. Recommendations

Many rights related to judicial process, outlined in the Ethiopian Federal Constitution, are abused under the guise of national security. Laws should clearly define the boundaries of terrorism/national security, and its separation from lawful political opposition. The right to judicial review of the legality of detention within 48 hours should be enforced in accordance with the Federal Constitution. The effective application of the law regulating the treatment of prisoners should be monitored and officials involved in law enforcement adequately trained.

## 11. Section Two: Extrajudicial Killing

Recommendations (97): 11, 12, 13.

OSG has now documented 4557 extrajudicial killings of Ethiopian citizens by members of the security forces.

12. 58 interviewees in Kenya (OSG Report 46, pp.1-2) reported killings of 94 friends, co-detainees and relatives (including 14 first degree relatives - parents, spouses, siblings, children). However, none of these deaths occurred after mid-2009.

13. 43 interviewees in Somaliland and Djibouti (OSG Report 48, p.3) reported 34 killings of close relatives and friends and 94 killings of co-detainees, but none in or after 2009.

14. 62 interviewees in South Africa reported 91 killings by government forces, including 21 first degree relatives, but none of these occurred after mid-2009 (OSG Report 49, pp.34-36).

15. Among 26 interviewees in Egypt, 17 reported the killings of at least 36 first degree relatives, including 4 who died in detention. Another two died from effects of torture shortly after release from detention. At least 21 other killings were reported. Killings after mid-2009 were reported by four interviewees:

i. A 42 year-old widow (Interviewee 5) reported the death of her husband, Mohammed Abdulla Hassan, aged 45, in Shinile prison, East Hararge, in late 2010;

ii. A man (Interviewee 16) who was detained in Galamso prison for 15 months in 2010 and 2011, reported 'Every day, someone died' in the prison;

iii. Interviewee 23 reported that nine grade 9-12 students were killed at a demonstration at Mechara High School in 2010;

iv. Two older brothers of Interviewee 26, Ibrahim Yusuf Ahmed, 31, and Jamal Yusuf Ahmed, 33, were shot dead by soldiers on the outskirts of Harar, in August 2010.

16. Tesfahun Chemed, 37 year-old victim of refoulement from Kenya (see below), died in Kaliti prison on 24 August 2013. He was reportedly held in solitary confinement for up to two years and was beaten and tortured before death. Authorities only released his body after continuous pressure from media and family.

## 17. Recommendations

The government should enforce the full employment of the law. All extrajudicial killings should be investigated and perpetrators brought to justice. The government should only hold detainees in official detention facilities, and list details of detainees that are available to the public. The Ethiopian government should comply with requests that Special Rapporteurs of the HRC are allowed to visit and investigate extrajudicial killings.

## 18. Section Three: Disappearance

Recommendations (97): 11, (98): 2.

OSG has documented 1031 disappearances in Ethiopian custody. 187 interviewees in Kenya, Djibouti, Somaliland, South Africa and Egypt reported 87 disappearances, of whom 69 were first degree relatives. Eight disappearances after mid-2009 were reported.

**19.** 15 of 58 refugees in Kenya reported the disappearance of 18 first degree relatives and 25 others before mid-2009 (OSG Report 46, pp.1-2).

**20.** Five of 43 refugees in Djibouti and Somaliland reported the disappearance of parents and husbands before 2008 (OSG Report 48, p.17).

**21.** In South Africa, the disappearance before 2009 of 10 brothers, parents and husbands were reported by 10 interviewees. Another reported the disappearance of 8 Galamso High School students after demonstrations in 2004. (OSG Report 49, p.37.)

**22.** Ten of 26 refugees in Egypt reported the disappearance in custody of 21 first degree relatives. Three refugees reported eight disappearances of first degree relatives after mid-2009:

**i.** A 35 year-old woman (Interviewee 6) from E. Hararge reported the disappearance of her husband in Chiro prison in 2010;

**ii.** A 27 year-old from Wallega (Interviewee 19) reported the disappearance of her brother in Dembi Dollo prison in 2011;

**iii.** The father of Interviewee 26, Yusuf Ahmed Hassan, was among 35 detained after a pre-election meeting in May 2010. He disappeared after being detained in Kombolcha police station. Five siblings of Interviewee 26 disappeared after being taken into custody in 2011. Anwar Yusuf Ahmed, a 28 year-old law graduate, and Mohammed Yusuf Ahmed, 30, were taken from the outskirts of Harar. Zarira Yusuf Ahmed, 24, Murad Yusuf Ahmed, 25 year-old political science graduate, and Mawardi Yusuf Ahmed, 27, were taken from the family home in Kombolcha.

## 23. Recommendations

The government should only hold detainees in official detention centres and keep their names and places of detention in registers readily available and accessible to those concerned. Prompt and regular access of detainees should be guaranteed at all times to doctors, lawyers and family members. The government should also take appropriate measures to enforce provisions applicable to the treatment of prisoners in a comprehensive manner. All

disappearances in custody should be investigated. The Ethiopian government should agree to requests by the Special Rapporteur to further investigate these cases.

#### **24. Section Four: Torture and Cruel, Inhuman and Degrading Treatment**

Recommendations (97): 11, (98): 5.

Out of a total of 187 interviewees, 95 (51%) gave a history of being tortured. This was 75% of the 126 former detainees.

**25.** 27 interviewees in Kenya had been tortured (OSG Report 46, p.2). One was tortured after mid-2009 and another threatened and intimidated:

**i.** Abdulkadir Mame, when detained in the Third Police Station, Addis Ababa, from January to March 2010, was daily flogged with sticks and electric cable and held incommunicado in solitary confinement in a dark underground cell. He lost a tooth from being beaten and was starved for four days (pp.36-37);

**ii.** Workneh Dinsa, 58, when held in the police station in Nekemte in May 2010, was beaten about the head with the barrel of a pistol and it was pointed at his face, while he was intimidated and told ‘We can just eliminate you’ (p.37).

**26.** 21 interviewees in Djibouti and Somaliland had been tortured in detention before mid-2009 (OSG Report 48, p.3).

**27.** 26 interviewees in South Africa had been tortured (OSG Report 49, pp.20-28). Four were tortured after mid-2009:

**i.** A 37 year-old was tortured during his detention in Sabian regional police station in Dire Dawa in 2009 for three months. During the first week, he was tortured for 24 hours every second day. His elbows were tied tightly behind his back while he was drenched with buckets of cold water. When he cried out, he was kicked. He lost front teeth when he was kicked in the mouth with military boots. (Interview 25; pp.22,24, 27.)

**ii.** A 25 year-old Addis Ababa university graduate (Interview 34; pp.26, 30, 32, 43) was tortured when held for ten days in Arada Sub-city police station in February 2012. He was kept naked in solitary confinement, with his hands chained together behind his knees, released only for eating and toilet. He was beaten with truncheons.

**iii.** A 23 year-old woman (Interview 60; pp.25, 31-32, 40-41) was detained for a month in 2011, in Ajersa Goro police station for two weeks and in Harar military camp for two weeks. In the military camp, she was beaten, kicked and whipped with electric cable during the first twelve days.

**iv.** During her second detention, in Dodola prison for one month in early 2010, a grade 9 high school student (Interview 53; pp.25, 31, 43) was tortured by being whipped with a hippopotamus hide whip.

**28.** All of the 18 men interviewed in Egypt had been detained and beaten in Ethiopia. Mistreatment amounted to torture in 17, of whom 11 were tortured during detention after mid-2009. Out of 8 women interviewed, 6 had been detained, 4 of whom had been tortured, 3 after mid-2009.

**i.** Interviewee 3 (Jimma prison, 2009) was burnt with a red hot iron bar and was made to lie naked on the ground while being beaten with rubber or plastic tubing for an hour at a time, while being questioned throughout.

**ii.** Interviewee 4 (Jimma, one year detention beginning 2010) was beaten with truncheons made from synthetic material. He was slapped around the ears, which caused bleeding and persistent deafness from a ruptured eardrum. His head was immersed in cold or dirty water about 3-4 times per month. An old kitchen knife was heated to red-heat and applied to his lower legs. His jaw was broken by a punch and he lost some lower teeth.

**iii.** Interviewee 6, a 35 year-old woman, was held in Chiro prison for two years from 2010. She was beaten and made to carry sand and to split and chop wood. For 2-3 months, around the middle of her spell of detention, she was beaten and interrogated 2-3 times each week. Electric shocks from a mains electricity supply were administered, including to her breasts, until she lost consciousness, 2-3 times in each of these 2-3 months.

**iv.** Interviewee 7, a 42 year-old woman, was arrested a second time in 2009 and held in Jirime kebele prison for 15 days before being transferred to the 'Mission' prison in Deder, where she was detained for 6 months with 30 other women. During two-hour interrogation sessions, initially twice a week, her arms were tied tightly, above the elbows, behind her back and she was beaten, including on her stomach. On three occasions, she was blindfolded and raped by at least two policemen. She was subjected to forced labour and became ill because of lack of food and beating. In May 2010, an uncle bailed her out of prison so she could attend hospital, signing a guarantee that he would return her to the prison.

**v.** Interviewee 8 was arrested a few days before the election in May 2010, and taken to Agarfa prison for three months before transfer to Zeway, where he remained until August 2012. In Agarfa, he was made to perform heavy work during the day - clearing land of trees and digging. In the evenings, he was interrogated and beaten with rifle butts. Two or three times a week, he was subject to mock execution, when a Kalashnikov was put in his mouth before being fired over his head. In Zeway, he was whipped with strips of tyre rubber and sticks. He was forced to witness dying torture victims and told 'You are going to die like this.' 'Your father died and you will die the same.' 'You will not leave here.' He saw three men die, one of whom was bleeding from his ears, indicating a fractured skull.

**vi.** Interviewee 9 was detained and tortured for the second time during the pre-election period in 2010. He was taken from his school and detained in Ambo prison for two years. He was subjected to interrogation and mock execution, with a Kalashnikov held to his ear and occasionally fired over his head. A cigarette was stubbed out on the back of his left hand.

**vii.** Interviewee 10 was detained for the third time in August 2012. He was held in solitary confinement in an underground cell in Maikelawi Central Investigation Department in Addis Ababa for four months. He was shackled in several stress positions, including being suspended upside down above a barrel of water with his hands chained behind his back, so that he had to arch his back to keep his head out of the water. In this position, he had a dirty rag stuffed into his mouth. This torture lasted about an hour and was performed four times. Every night for the first month, he was subjected to a stress position of some sort. Another was being made to squat with his hands threaded behind his knees and then around the back of his head. He was deprived of adequate food and water and was made to use a hole in the cell floor for a toilet.

**viii.** During the second episode of detention of Interviewee 12, he spent four years in Chiro prison, which included the latter half of 2009 and early 2010. He was regularly beaten to unconsciousness, stabbed with bayonets, and burned with hot knives. With his arms tied behind him, he was made to inhale burning chillies, which made him short of breath. He was forced to collect and chop wood, to cook and to wash clothes.

**ix.** Former detainee and torture victim, Interviewee 14, was detained from May 2010 to January 2013, in Hurso military camp. He was suspended by his wrists while his body was beaten, and was suspended over a bar while the soles of his feet were flayed.

**x.** Interviewee 15, a 32 year-old woman, was detained for 8 months from 2009, in Shano prison, E. Showa. In addition to being raped, she was beaten with truncheons, burnt with a hot knife and had her head immersed in water.

**xi.** When Interviewee 19 was detained in Dembi Dollo prison in 2011, he was held in solitary confinement for the first three days, before joining other prisoners and made to perform heavy work for a year. During these first three days, he was beaten and his toe-nails were removed with pliers.

**xii.** Interviewee 23 was detained as a grade 10 school student in Galamso prison in 2010, where he was beaten severely, including with sharp metal objects, every night for three months. His head was shaved with broken glass. The soles of his feet were flayed. He was forced to walk on his knees on gravel. He became doubly incontinent and had blood in his urine, due to the beating.

**xiii.** Interviewee 25 was tortured in Galamso prison for two years up to April 2012. Wounds on his legs, from being kicked and hit with wooden staves, were struck with a rifle barrel. His arms were tied tightly above the elbows, behind his back. He was placed on his chest when arms and legs were tied to each other behind him ('rocking horse'). In between times, he was made to cut and carry wood.

**xiv.** Interviewee 26, when a college student, was taken to Awazin prison in Harar in September 2011. He was held in solitary confinement for five months and regularly beaten with rifle butts and truncheons. His head was immersed in water.

**29.** The following accounts of cruel or degrading treatment in detention after mid-2009 were also reported by interviewees in South Africa (OSG Report 49):

**i.** A Bale teacher (Interview 58; pp.23, 33), when detained in Goba military camp for three months in 2010, was fed only once per week - a total of 12 times - with a small bowl of rice. He was regularly beaten, as well as starved.

**ii.** A 32 year-old merchant and tailor (Interview 19; p.18) was shot in his left thigh before his third episode of detention, for seven months in 2009 in Mi'esso military camp and Chiro prison. He received no treatment until visited by ICRC.

**iii.** Two grade 9 school students (Interview 45; pp.47-48) were detained in Badu police station for five days in March 2012 after being forced to carry goods for the OLF in a remote mountainous area. They were interrogated and beaten, slapped and kicked for 3-6 hours each day despite their full cooperation. Higher ranking officers in the police, military and security



service were called in to question them. With their hands tied behind them, they were forced to take a group of at least 30 soldiers and two plain-clothed security men to the OLF depot.

**30.** Cruel and degrading treatment after mid-2009 was reported by two interviewees in Egypt:

**i.** Interviewee 11 was detained for the third time, after the election in 2010. While in Gimbi prison for 15 months, there was ‘not much’ beating and torture but he was forced to perform heavy labour each morning - clearing and cutting trees, and carrying goods to and from lorries.

**ii.** Interviewee 16, a former torture victim, was detained for 15 months from April 2010 in Galamso prison, where he was severely beaten and made to dig latrines, carry heavy loads and cultivate land, while weak from inadequate food.

### **31. Recommendations**

Domestic and international laws regarding torture should be fully enforced. All claims must be investigated and perpetrators brought to justice. Law enforcement officers should be adequately trained in Human Rights obligations and the implications of their breach.

### **32. Section Five: Rape by members of the security forces**

Recommendations (97): 30, 44, 45, 46, 47.

Overall, out of 85 female interviewees, 21 had been raped in detention or at the time of their arrest - 51% of 41 female former detainees. Only two of these were raped in detention after mid-2009:

**i.** Interviewee 15 in Egypt, a 32 year-old woman, was detained for 8 months from 2009, in Shano prison, E. Showa. In addition to being raped on many occasions, usually by one or two guards each time, she was beaten with truncheons, burnt with a hot knife and had her head immersed in water;

**ii.** Interviewee 18 was detained with her baby son in Ambo police station for three months in 2010. She was raped four times by 2-4 members of the security forces.

**33.** Four victims of rape by Ethiopian security forces were interviewed in South Africa (OSG Report 49); two former detainees, one woman at her home by the local government chairman and a refugee in Kakuma camp in Kenya by an Ethiopian security agent. The incidents occurred before 2009 (p.21). Interviewee 55 (insert, p.24) gave an eyewitness account of a 14 year-old girl being strangled to death after 9 days of repeated gang-rape by soldiers in 2007.

### **34. Recommendations**

Ethiopia must respect its constitution, domestic and international laws by investigating these accusations and bringing guilty parties to justice. The serious nature of these abuses warrants independent investigation. Ethiopia should allow the UN Special Procedures to investigate such claims as requested.

### **35. Section Six: Freedom of Expression and Political Freedom**

Recommendations (97): 59, 60, 61, 64.

**36.** Coercion to join or work for the government Oromo party, the OPDO, was reported by two interviewees in Kenya (OSG Report 46):

**i.** Abdulkadir Mame, a former teacher and senior civil servant, was intimidated and ordered to work for the OPDO in the run-up to the 2010 election and told that otherwise he would not be employed by the government again (OSG Report 46, pp.36-37.)

**ii.** Workneh Dinsa, 58, was harassed to join the OPDO. He hid for 15 days to avoid detention before the May 2010 election but was detained at Nekemte police station two days after the election (OSG Report 46, p.37).

**37.** The following incidents of political coercion and denial of political freedom were reported by interviewees in South Africa (OSG Report 49):

**i.** A 27 year-old engineering graduate (Interview 23; p.43) was harassed at home in Addis Ababa by three kebele officials and 7-10 soldiers. They came at night, twice in 2010, and searched his house for an hour. They told him to join the EPRDF Youth League and warned him that if he did not, he would be killed 'like his father' and his wife would be raped. Four months later, in July 2010, due to harassment to join the OPDO (government Oromo party) he fled from the capital.

**ii.** A 25 year-old Addis Ababa university graduate (Interview 34; pp.26, 30, 32, 43), who worked for the Ministry of Capacity Building from 2008, was repeatedly told he must join the OPDO but he refused. He also refused to go for a political re-education course at Xola. He was coerced, threatened and offered promotion if he joined. After warnings from zonal administrators, he was sacked. In early 2010, he was taken for two day's questioning at Arada Sub-city police station, Addis Ababa, and was imprisoned there in February 2012.

**iii.** A university student (Interview 59; p.44) and his brother joined a legal opposition Oromo party (ATBO) before the 2010 election. This party was accused of a bomb attack on a government party rally in Adaba one month before the election. Soldiers attempted to detain the two young men two months after the election, forcing them to flee the country.

**iv.** A Bale teacher (Interviewee 58; pp.23, 33) was warned on release from detention in 2010 that he would be shot if he taught 'pure democracy' instead of 'revolutionary democracy.'

**38.** In Egypt:

**i.** Interviewee 9 was taken from his school in the pre-election period in 2010, suspected of canvassing against the government. He was detained in Ambo prison for two years and tortured.

**ii.** Interviewee 11 was detained with six others for 15 months following the election in 2010, because they had 'not shown support for the OPDO in the election.'

### **39. Recommendations**

The Ethiopian government must genuinely guarantee freedom of expression in accordance with its Constitution. Its Electoral Code of Conduct should be observed and freedom of expression encouraged.

#### **40. Section Seven: Economic and Social Rights - Employment and Education**

Recommendations (97): 9, 85.

A 23 year-old woman (OSG Report 49: Interview 60; pp.25, 31-32, 40-41) was discriminated against at school and prevented from going to university, because her father supported the OLF when it was legal in 1991-1992. She trained as a nurse but was not allowed to work as a health worker in her own village. Because she was the only family breadwinner, she accepted a post in a distant village in East Hararge. After one year she was falsely accused of supplying medicines to the OLF and dismissed. She was not allowed to work even as a street trader. She was made to sign at the kebele office every week and prevented from returning to her own village for a year. Back home, she was not allowed to work, was closely watched, and had to seek permission to move out of the village, even to accompany her mother or siblings to hospital.

#### **41. Section Eight: Refoulement**

Recommendations (97): 91.

Tesfahun Chemed, engineer and former student activist, was born in 1976. OSG interviewed his housemate and his girlfriend in Nairobi in September 2010. His refoulement, as a registered refugee in Nairobi in 2007, was reported in the previous UPR submission by OSG. In 2010, his housemate informed OSG that he was phoned by Tesfahun from inside prison and told he had been cleared for release by the Kenya Anti-Terrorist police and by the FBI. The Refugee Consortium of Kenya and Kenyan Human Rights Commission, who had issued a writ of habeas corpus, were told in court that he and his co-detainee, Mesfin Abebe, had already been returned to Ethiopia to face terrorism charges. He and Mesfin Abebe were still in Kenya and in phone contact with their housemate. They were not returned until at least two days after the court hearing. They disappeared in detention until charged with terrorist offences in December 2008. Tesfahun was sentenced to life imprisonment in March 2010 (OSG Report 46, pp.43-44). He was severely beaten and tortured and died at the age of 37 in Kaliti prison on 24 August 2013. The authorities refused to release his body.

**42.** Eyewitnesses reported the abduction and refoulement of refugees from Somaliland by units of the combined security forces of Somaliland and Ethiopia (OSG Report 47, pp. 50-51):

**i.** On 10 February 2010, mandate refugees, Yasin Adam Ahmed and Bishaaro Wa'adi Shaqlane, an activist in the Ogaden Women's Democratic Alliance and former torture victim, were detained in Hargeisa and refouled to Ethiopia three days later;

**ii.** On 28 May 2010, four recognised Oromo refugees, Fahmi Kalif Adam, Mohammed Saani Mohammed, Abdi Yusuf Adam and Raajuu/Jeylan Jibril Kadir, were abducted by Amharic-speaking soldiers in Ethiopian army uniforms from Sha'abka district in Hargeisa. On 1 June 2010, Abdurahman Ibrahim was taken from the same area.

**iii.** From 2006 to 2011, four Eritrean refugees and one asylum-seeker, and one Amhara refugee were refouled or disappeared from Hargeisa.

**iv.** On 20 April 2011, Abdusalem Haji Mukhtar, a Social Science teacher who had assisted a School of Oriental and African Studies researcher in July 2008, was detained in Hargeisa.

Despite efforts of UNHCR, he was refouled to Ethiopia on 1 August, where he was detained and tortured. (Personal communication, after escape.)

**v.** On 21 October 2011, at least 30 Ogaden Somalis were arrested on the Somaliland side of Loyada, the border town with Djibouti, and are believed to have been subject to refoulement.

**vi.** On 25/26 October 2011, a plain-clothed, armed Ethiopian snatch squad (speaking Amharic and Tigrigna) abducted and refouled refugees from Hargeisa: Sheikh Abdurahman Mohamed Qabato, 55, Riyad Kemal Hussen, 45, (a former victim of refoulement who was detained for one year), and Ali Ibrahim Haji, 45, a pharmacist. The snatch squad came to the home of another refugee and in his absence, removed two recent arrivals: Mohammed Tika and Abdurahman, both in their early twenties.

**vi.** On 10 November 2011, a registered asylum-seeker, Abdishukur Mohamed Usman, 43, was abducted at midnight from Hargeisa. On 2 January 2012, registered asylum-seeker, Sadiq Hussein Hassan, mid-30s, was taken at night from his residence in Alameda, Hargeisa, by men speaking Amharic and Tigrigna in two cars. He was reportedly immediately refouled to Ethiopia.

**43.** Telephone contacts in Djibouti and Somaliland reported on 24 November 2012 that a 23 year-old female Oromo teacher, Reyana Abdulrahman, was kidnapped in Hargeisa the previous day. An eye-witness reported she had been refouled and was being held in Jigjiga prison, Somali Region, Ethiopia.

**44.** Eye-witnesses reported the refoulement of refugees from Djibouti to Ethiopia, involving units of Ethiopian and Djibouti security forces (OSG Report 48, p.62):

**i.** On 25 November 2010, Oromo refugees Ibrahim Hussein, Kadir Umar and Mustafa Muktar (aged 16) were abducted in Djibouti city, disappeared and believed to have been refouled.

**ii.** In December 2010, about 15 Ogadenis were also abducted in Djibouti city and returned to Ethiopia.

**iii.** On 22 December 2010, Jundi Baker Ahmed, (c.45, previously refouled in 2003), Mohammed Ali (c.32), Omar Ibrahim (c.30), and Anwar Jemal (c.28) were abducted from their own or relatives' homes in Djibouti city at about 2.00 a.m. according to eye-witnesses. Human Rights League of the Horn of Africa also reported that Ahmed Mohammed Said and Ali Ahmed Mohammed were taken. Jundi Baker Ahmed was reported by an eye-witness to be in detention in Dire Dawa.

**iv.** In January 2011, Adem Abdush (c.45) was abducted from his house in Djibouti, by Ethiopian security men and Djibouti security forces in an Ethiopian embassy car, according to an eye-witness account. He disappeared and is believed to have been refouled.

**v.** On 20 May 2011, Habtamu Dababa, 42, a suspected member of the Ethiopian Patriotic Front, reported to friends that he was being followed in Djibouti city. Later that day, he was abducted by a team of Ethiopian and Djibouti security men and is believed to have been refouled.

**45.** Eye-witnesses reported by telephone from Djibouti on 3, 5 and 7 January 2013 that 11 Oromo, including at least two UNHCR-recognised refugees, Badassa Galata and Oda Wabiye, were abducted from Djibouti city and subject to refoulement. They were taken to a military camp in Dire Dawa, East Hararge, and appeared in court in Dire Dawa on terrorism charges on 4 January 2013.

**46. Recommendations**

International law must be respected. Recognised refugees and asylum-seekers awaiting status determination should be protected from refoulement.