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UPDATE ON POLITICAL CONDITIONS

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NOTE: This paper has been particularly written to address the information needs and issues of concern to U.S. Asylum Officers and other Immigration Officers. As such, it may not be exhaustive in its coverage of human rights issues within the country. To facilitate timely access, certain information may be repeated in several sections of this paper.

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SUMMARY

The Transitional Government of Ethiopia (dominated by the Ethiopian People's Revolutionary Democratic Front [EPRDF], which in turn is largely controlled by the Tigrayan People's Liberation Front [TPLF]) has now been in power for over three years. The Resource Information Center published a report in early 1993 which focused on the status of "Amharas" (a term that was broadly defined to encompass not just the Amhara ethnic group, but also a larger category of Ethiopians who are Amhara-speakers; former employees of the Amhara-dominated governments of Mengistu Haile Mariam or Haile Selassie; students, professors, and others in the educated elite who formed the core of organized ideological opposition to the Mengistu government; or even merely sympathizers with the concept of a centralized, rather than federated, Ethiopian state).¹ As stated in that paper, the focus was chosen not because Amharas or "centrists" are, or are not, at greater risk in Ethiopia than other groups (such as Oromos, Somalis and Afars), but because most Ethiopian claims for asylum in the United States are from applicants who describe themselves as Amhara or whose claims reflect their "centrist" political opposition to the current government's decision to accept Eritrea's independence and to grant various ethnic groups considerable regional autonomy.² This report is intended to serve as an update to the earlier report, and most questions about the history or interrelationships of the groups discussed in this report may be answered by referring to the earlier document. This report also includes some general information about other ethnic opposition groups, but in less detail.

Human Rights and Democratization

¹The Resource Center recognizes that the term "Amhara" is not the best term for describing this broad category. The term Amhara was retained primarily because the vast majority of asylum applicants whose claims are based on a "centrist" affiliation describe themselves as Amharas. To avoid confusion, some Africanists prefer to use either "nationalists" or "centrists" to describe those who worked for, identified with, or were associated with the former regimes of this century. Alex de Waal, of African Rights, distinguishes between several different categories of "Amharas." One is the peasants of the northern regions. These people speak the Amharic language and have a cluster of cultural traits in common, including adherence to Orthodox Christianity, certain traditions of land tenure and social organization, and the use of certain agricultural technologies. Another group is the *neftennya*, settlers in the southern regions who were closely associated with the land-owning, governing, and military classes of the empire. A third category is the urbanized or government-related ruling class. Historically, these people have formed the core of an indigenous conquest state and have social attitudes to match. Many are assimilated from other ethnic groups, having "become Amhara" by adopting the Amharic language, Orthodox Christianity, and other cultural traits. These latter two categories formed the bulk of the army's officer class and the governmental bureaucracy under Haile Selassie and Mengistu. When the term "Amhara" is used in this paper, it is used to indicate this third group of urbanized and/or government related ruling classes, unless otherwise specified. De Waal, Alex, "Ethiopia: Transition to What?" *World Policy Journal* (Cambridge, Massachusetts: Vol. IX, No. 4, Fall/Winter 1992), p. 728-730. Clapham, Christopher, *Transformation and Continuity in Revolutionary Ethiopia* (Oxford: Cambridge University Press, 1988). Lefort, Rene, *Ethiopia: An Heretical Revolution?* (London: Zed Press, 1983).

²As one commenter noted, before this century, Tigreans had, at various times, controlled the Ethiopian empire and had fought against external invasions of the territory of Ethiopia. The commenter pointed out that commitment to preserving the territorial integrity of Ethiopia is not limited to ethnic Amharas.

Under the Transitional Government,³ many more Ethiopians have access to freedom of expression, political participation, and rule of law than during the Mengistu era, and the EPRDF's military appears to be in greater control of outlying areas -- where attacks against non-political Amhara civilians by other ethnic groups often occurred -- than a year ago. However, although the situation of many Ethiopians has improved under the Transitional Government, some Ethiopians could face grave risks if returned to Ethiopia under current conditions. Both the June 1992 local elections and the June 1994 national elections (held to create a Constituent Assembly which will create a permanent Constitution) were seriously flawed and failed to include many of the major opposition groups in Ethiopia.⁴ The Lawyers Committee has criticized a pattern of excessive use of force -- including extrajudicial executions -- by security officials throughout Ethiopia.⁵ Apparently systematic abuse of human and civil rights by the military and civilian officials -- including extrajudicial executions, deaths and torture in custody, and disappearances -- a new and not entirely independent judiciary, and other human rights problems make redress of grievances extremely difficult.⁶

Status of Political Opposition Movements

The Transitional Government has demonstrated an unwillingness to tolerate opposition from political groups outside the EPRDF coalition, particularly those which refuse to conform to the EPRDF's "game rules," or the laws and political structure introduced by the EPRDF. The EPRDF's military takeover of Ethiopia in May 1991 interrupted talks involving both armed and unarmed political movements on a negotiated transition. Despite this history, and the fact that none of the EPRDF's opponents -- in exile or inside Ethiopia -- appear to represent a serious threat to the EPRDF's military supremacy or political popularity, the EPRDF has been extremely hostile toward any group which demands that it renegotiate the terms of its authority with those groups which were represented in the original transition negotiations. The Transitional Government appears to equate any challenge to its legitimacy, or its decision to create an ethnic-based federated state, with a commitment to the violent overthrow of its government, and has insisted that any opposition group which wants to operate within Ethiopia must "renounce

³The Transitional Government was established at the July 1991 conference, and included those parties which held the 87 seats in the original Council of Representatives. The EPRDF was by far the largest bloc within the Transitional Government. The Oromo Liberation Front (OLF) controlled 12 seats, while other parties controlled at most a few seats. After the OLF and several other parties outside the EPRDF boycotted the June 1992 elections and left the Council of Representatives, the Transitional Government and the EPRDF became essentially the same entity. This paper uses the term "Transitional Government" to refer to the member parties of the Council of Representatives, and uses the term EPRDF to refer solely to the EPRDF as a grouping of political parties.

⁴Letter from Terrence Lyons, Brookings Institution, to John D. Evans, Resource Information Center, 10 October 1994.

⁵Lawyers Committee for Human Rights, *Critique: Review of the U.S. Department of State's Country Reports on Human Rights Practices 1993* (New York, NY: July 1994), pp. 113-116.

⁶International Human Rights Law Group, *Ethiopia in Transition* (Washington, D.C.: January 1994), pp. vi-viii.

violence," whether or not that group has any genuine capacity to challenge the government militarily.⁷ Because the Transitional Government's conferences, elections, and policies have not facilitated full political participation by political organizations which oppose the political system introduced by the EPRDF -- ethnic-based political participation, devolution of power to local authorities, and Eritrean independence -- citizens of Ethiopia do not, at present, have a "legitimate method of peaceful government reform."⁸

Increasingly, the lines between the government's treatment of exiled opposition groups which do claim to be engaged in acts of violence against the government (such as the EPRP), internal and external opposition groups which initially did not have the capacity or inclination for violence (such as, respectively, the All-Amhara People's Organization, and the umbrella political grouping the COEDF), and individuals who have no known political affiliation but whom the government apparently perceives as hostile, are becoming blurred. As will be discussed in more detail below, although it is not clear from media sources whether members of, for instance, the AAPO, are instigating violence against government forces, the EPRDF is increasingly likely to charge members of such internal, legal opposition parties as the AAPO with committing acts of violence. Moreover, arrests and detentions of individuals with no known political affiliation -- Oromos detained in 1992 as alleged OLF supporters,⁹ arrests in Ambo following the funeral of a man who may have been the victim of an extrajudicial execution,¹⁰ and arrests and detention without food, shelter or medical attention of several hundred demonstrators (including some over age 60) who were protesting the imprisonment of Professor Asrat Woldeyes of the AAPO -- raise the possibility that individuals may be arrested for imputed, rather than known, political beliefs.¹¹

Over the past year, the number of political groups unable or unwilling to work within the EPRDF's system has grown considerably, although it is not clear whether they represent an increase in grassroots hostility toward the Transitional Government. Opposition appears to be roughly divided into three categories: "centrists," or the "urbanized elite," including students, academics, journalists, educated exiles, royalists, and those opposed to Eritrea's withdrawal from

⁷"Fundamental Rights, Freedom Guaranteed," *Washington Times* (Washington, D.C.: 3 February 1994) -- as reported on NEXIS database.

⁸Immigration and Naturalization Service Asylum Branch, *Basic Law Manual* (Washington, D.C.: Immigration and Naturalization Service, 1993), Part III, "Elements of an Asylum Claim: Legal Standards," (e)(iv), p. 42.

⁹Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 1-2. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 93.

¹⁰"Ethiopia," *Indian Ocean Newsletter* (London: Indigo Publications, 8 October 1994) -- as reported on NEXIS database.

¹¹Amnesty International, "Disappearance/Fear of Ill-treatment," *Urgent Action Appeal* (Nederland, Colorado: 27 September 1994), UA 357/94. Amnesty International, "Fear of Ill-treatment, Legal Concern" *Urgent Action Appeal* (Nederland, Colorado: 23 September 1994), UA 353/94. "Police Say 272 Ethiopian Opposition Supporters Held," *Reuters* (London: 30 September 1994) -- as reported on NEXIS database. "Ethiopia: Crisis in the Unions and Arrests," *Indian Ocean Newsletter* (London: Indigo Publications, 1 October 1994) -- as reported in NEXIS database.

Ethiopia and the EPRDF's support for regional autonomy (this group includes both those who supported or benefitted from the Mengistu government, and those, such as members of the EPRP and MEISON, who were opposed to Mengistu or targeted by his regime); ethnic-based political parties, such as the Oromo Liberation Front, the Ogadeni National Liberation Front, and other smaller ethnic groupings; and a small but growing Islamic fundamentalist movement, which often draws its support from ethnic groups already in opposition to the government, such as the Oromos and Somalis. The Transitional Government has ensured a certain measure of popularity among peasant farmers -- including less privileged ethnic Amharas in rural areas -- by allowing those peasants who were forcibly moved to return to their home areas. It has also offered peasants -- both male and female -- guaranteed lifetime access to state-owned farmland.¹² Devolution of political power to the local level through ethnic parties has also won the government support from some groups which considered themselves disenfranchised by the Mengistu and Haile Selassie regimes.

Although legal opposition parties outside Ethiopia's elected legislative body -- the Council of Representatives -- exist (including, for instance, the All-Amhara People's Organization [AAPO] and the Oromo Liberation Front [OLF]), Amnesty International stated in an August 1993 report that members experience

arrests, violence or intimidation from time to time in Addis Ababa... [O]pposition outside Addis Ababa is much more difficult and more subject to repression. Findings from Amnesty International's research mission have confirmed reports of detention without charge or trial, the use of torture, the existence of secret detention and interrogation centres, and, in some cases, extrajudicial executions of government opponents.¹³

More recently, in a June 1994 *Urgent Action Appeal*, Amnesty International reported that:

[t]here is an emerging pattern of 'disappearances' of suspected government opponents in Ethiopia. In reality these people are held in secret detention by the security service, and are at risk of further human rights violations, including torture. Amnesty International has received testimonies of former 'disappeared' people who were tortured in secret security interrogation centres in Addis Ababa in the past year.¹⁴

¹²Fitzgerald, Mary-anne, "Ethiopia Splits Tribes In a Bid To Avert War," *London Sunday Times* (London: 6 February 1994) -- as reported on NEXIS database.

¹³Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 1.

¹⁴Amnesty International (USA), *Ethiopia: Disappearance* (Boulder, Colorado: Amnesty International [USA], UA 235/94, 16 June 1994), p. 1.

When asked by Asylum Officers whether members of COEDF¹⁵ would be detained if they were returned to Ethiopia, Brookings Institution Senior Research Analyst Terrence Lyons stated that the question:

is impossible to answer in my view. The Transitional Government has arrested some, ignored others, held some until they renounced violence, and continued to hold some despite their renouncing violence. The larger point is that the very unpredictability is part of the policy. Addis Ababa has a number of political opponents operating openly. On the other hands, some have been arrested for murky reasons and held under murky provisions of the law. The inability to predict the consequences of returning is the result of an intentional absence of clear lines between acceptable political activity and unacceptable activity. The resulting uncertainty keeps political opponents off balance and reduces their ability to operate.¹⁶

Trials of Mengistu-Era Officials

Human rights groups and the international community have been strongly critical of the Transitional Government's delays in trying former Mengistu government and military officials detained since May 1991. Trials started in the final months of 1994, but judging from the current pace and capacities of the Special Prosecutor's office, the trials could take years to complete.¹⁷ Although the Transitional Government can legitimately claim that many of its delays are due to logistical problems and minimal funding, it has been unable to meet any of the deadlines it has set in the process.¹⁸ While critics do not contest the need for such trials, the indefinite detention of approximately 1,300 individuals is considered a violation of due process and other human rights of those detained. Amnesty International is aware of incidents in which relatives of those detained on charges related to Mengistu-era misconduct have been questioned or subjected to surveillance, but is not aware of any jailings of family members solely for their familial relationships.¹⁹

Human rights monitors are even more critical of the Transitional Government's decision to disenfranchise and otherwise restrict the political rights of members of Mengistu's Workers' Party of Ethiopia, most of whom have not been, and never will be, charged with any criminal offense. Because Amharas dominated these organizations, many of those disenfranchised or held in indefinite detention are Amharas. However, in spite of these problems, and in spite of the fact

¹⁵COEDF is an opposition group headquartered in Washington whose members comprise a significant proportion of asylum claims in the United States.

¹⁶Letter from Terrence Lyons, Brookings Institution, to John D. Evans, Resource Information Center, 10 October 1994.

¹⁷One commenter noted that one cause of delay was the Special Prosecutor's decision to computerize its records.

¹⁸"Trial of Top Officials of Former Ethiopian Government Starts Next Month," *Xinhua* (Beijing: 23 August 1994) -- as reported on NEXIS database.

¹⁹Jerry Jones, Amnesty International, Asylum Officer training (Arlington, Virginia: 3 November 1994).

that Amharas are being released from government employment in significant numbers,²⁰ the Transitional Government does not appear to be "targeting" Amharas or "centrists" associated with the former governments for physical violence or harassment solely because of their ethnicity or association with past regimes.²¹

²⁰Under both the Mengistu and Haile Selassie governments, Amharas and "centrists" occupied a disproportionate number of government jobs relative to their percentage in the population, in part because of better access to education and a higher level of urbanization.

²¹Jerry Jones, Amnesty International, Asylum Officer training (Arlington, Virginia: 3 November 1994).

BACKGROUND AND METHODOLOGY

The Ethiopian People's Revolutionary Democratic Front (EPRDF), dominated by the Tigrayan People's Liberation Front (TPLF), captured the capital of Ethiopia, Addis Ababa, in May 1991. Although the war preceding the transition had been exceptionally bitter and prolonged, the Mengistu army offered little resistance in the final days of the war, and the EPRDF quickly gained control of most of Ethiopia, while its ally, the Eritrean People's Liberation Front (EPLF), assumed control in Eritrea.²² Few Ethiopians regretted the end of the Mengistu era, which in its final years had degenerated into a brutal war in which young teenagers were being conscripted and slaughtered in battles against the TPLF, EPLF, and Oromo Liberation Front (OLF), among other opposition guerrilla armies. However, in evaluating the relatively smooth, disciplined transition effected by the EPRDF, two historical issues must be taken into account.

First, the TPLF, formed during the early days of the Mengistu era, was originally allied with other anti-Mengistu guerrilla movements, including the Ethiopian People's Revolutionary Party (EPRP). However, disputes between the two groups quickly degenerated into a situation in which the TPLF and the EPRP were fighting not only the Mengistu government, but also each other. The TPLF nearly destroyed the EPRP militarily in the late 1970s and early 1980s. The EPRP only began to regroup in the late 1980s, and relations between the two groups -- and therefore between the coalitions the two groups helped form, the EPRDF and the Coalition of

²²Eritrea is a physical territory defined by boundaries created when Italy colonized the coastal region of what was then the Ethiopian empire. Eritreans do not comprise a single ethnic group: nine major ethnic groups (the largest of which are the Beni Amir and the Tigrina), live in the region, and several straddle the border between Eritrea and Ethiopia or Eritrea and Djibouti.

Ethiopian Democratic Forces²³ (COEDF), respectively -- have remained extremely bitter even though the COEDF alliance does not appear to represent a plausible military or political threat to the TPLF.

Second, the TPLF used military force to gain power during a period when former United States President Jimmy Carter was sponsoring an attempted negotiated settlement among the various military and political factions in Ethiopia. Although the umbrella coalition created by the TPLF is now recognized as the official government of Ethiopia, many guerrilla groups and unarmed political opposition movements feel that its legitimacy is tainted by its failure to follow through with the negotiated settlement.²⁴ Opposition groups and international observers consider the conferences and elections which the EPRDF has held since it came to power flawed by the exclusion of certain opposition groups, including but not limited to COEDF's coalition of political parties (including the EPRP, MEISON [All-Ethiopian Socialist Movement (AESM)], the Ethiopian People's Democratic Alliance [EPDA] and a faction of the Ethiopian Democratic Union [EDU]), and later the OLF and All-Amhara People's Organization (AAPO). The EPRDF's decision to recognize the EPLF as the government of Eritrea until a referendum could be held on Eritrean independence, its decision to introduce an ethnic-based decentralized government into Ethiopia, and disputes over who would be allowed to participate in the initial assembly which

²³COEDF was formed in Washington, D.C., and a high percentage of asylum applicants in the United States are members of COEDF. The emphasis on the status of COEDF members in this paper reflects their representation in the United States' asylum caseload, not, necessarily, their relative political power or popularity.

²⁴Bill Carr, "U.S. Ethiopian Policy in Tatters As Addis Coalition Fractures," *International Media Corporation Defense and Foreign Affairs' Strategic Policy* (Washington, D.C.: October/November 1992) -- as reported on NEXIS database.

created the Transitional Government are cited as evidence that the TPLF/EPRDF is unwilling to tolerate dissent from those who question the political parameters it has set.

The EPRDF openly acknowledges that it is unwilling to compromise or negotiate on certain issues it perceives as fundamental. Most importantly, although the EPRDF came to power by force, it refuses to acknowledge as legitimate any opposition parties which advocate the use of force, or even those which do not renounce violence as an option. Members of opposition parties who have not renounced violence have been detained on return to Ethiopia, and are only released if they do agree to renounce violence. This stipulation would be appropriate if made by a democratically elected government. However, because the EPRDF itself came to power by force rather than a negotiated settlement, and has been unable to hold free and fair elections which encompass genuine, organized opposition, their stipulation that opposition parties specifically renounce violence and accept the EPRDF's right to set the parameters of political participation or face indefinite detention or conviction on charges of sedition or inciting violence is controversial. It is not yet appropriate to conclude that all citizens of Ethiopia have a "legitimate method of peaceful government reform."²⁵

GROUPS AT POTENTIAL RISK

Human Rights and Political Tolerance: General Conditions

According to available human rights sources, while human rights abuses are no longer as widespread or severe as they were under the Mengistu government, they continue to occur, and abuses against certain groups can be severe. According to the State Department *Country*

²⁵Immigration and Naturalization Service Asylum Branch, *Basic Law Manual* (Washington, D.C.: Immigration and Naturalization Service, 1993), Part III, "Elements of an Asylum Claim: Legal Standards," (e)(iv), p. 42.

Reports, Amnesty International, and the non-governmental Ethiopian Human Rights Council [EHRCO], extrajudicial executions, unlawful detentions, abuse of prisoners, election-related harassment and intimidation, and other serious human rights violations continue to occur in Ethiopia.²⁶

Many of the abuses reported were allegedly perpetrated by members of the EPRDF's security forces. The Oromo People's Democratic Organization (OPDO), a party created by the TPLF as an "alternative" to the Oromo Liberation Front (OLF), has been implicated in many of the abuses committed against OLF supporters and Amharas, and in the heightened ethnic tension in the regions shared by Oromos and other ethnic groups.

The Transitional Government is, however, directly responsible for certain acts aimed at suppressing or discouraging political opposition, including the firing of 42 professors, some tenured, from Addis Ababa University in April 1993. According to the Department of State, "[c]redible reports indicated that some of the professors were fired for expressing anti-government views. TGE [Transitional Government of Ethiopia] officials admitted as much by stating that some professors were dismissed for inappropriately using their classrooms for

²⁶U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 91-100. Amnesty International, "Ethiopia," *Amnesty International Report 1993* (New York: Amnesty International, 1993), p. 127-130. Ethiopian Human Rights Council (EHRCO), *Fifth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 3 June 1993), 15 p.

political purposes."²⁷ The Department of State reported further that

the TGE expelled in 1993 four non-EPRDF parties from the Council of Representatives. Opposition political parties made credible allegations that they had been intimidated by the authorities, for example, by having their offices closed and their staffs harassed. Further, the TGE circumvented the 1992 press law by invoking the Criminal Code to harass and intimidate the independent press; interfered with peaceful assembly; [and] detained briefly officials of the Ethiopian Human Rights Council (EHRCO).²⁸

The Ethiopian Human Rights Council has also complained that it has been unable to obtain a permit to conduct its activities, and that its members and leadership have been harassed and arrested.²⁹

Local and international human rights and media reports have noted that the Transitional Government appears to be quite tolerant of dissent from some sources, but intolerant of dissent from other sources, and that the level of dissent tolerated in Addis Ababa is much higher than in outlying areas. Newspapers and political tracts critical of the government are widely available in Addis Ababa, but some groups have had their printing presses destroyed or their publications seized. Some demonstrations (in favor of restoring the monarchy, in favor of imposing Shari'a on all Ethiopian Muslims, against Eritrean independence) are held peacefully,³⁰ while other gatherings (observers at the trial of AAPO leader Professor Asrat, student protests at the University, a

²⁷U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 94.

²⁸U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 92.

²⁹Ethiopian Human Rights Council (EHRCO), *Fifth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 4 January 1994), p. 1.

³⁰"Muslim Demonstrators Demand Full Authority for Shari'ah Courts," *British Broadcasting Corporation* (London, 30 November 1994) -- as reported in NEXIS database.

funeral in the Gondar region) have led to arrests and killings by the police or military.³¹ Because freedom of expression is not uniformly tolerated and severe repression is occurring, the Committee to Protect Journalists ranked Ethiopia as worse on media freedom than all countries except China in its Annual Report, *Attacks on the Press in 1993*. According to this source, although the Ethiopian Government has committed itself to freedom of expression in the Transitional Period Charter of Ethiopia, in effect intimidation, harassment, and arbitrary arrests create an atmosphere in which self-censorship is routinely practiced.³² A July 1994 report by Amnesty International listed the arrests and indefinite detentions or convictions of ten journalists (as well as one disappearance) in 1994. Some of the convictions are under appeal.³³

As mentioned above, the Transitional Government has openly acknowledged its unwillingness to compromise with certain opposition groups. When the umbrella political grouping the Coalition of Ethiopian Democratic Forces (COEDF, which includes among its members the EPRP, MEISON, and a faction of the EDU) and other opposition parties held a

³¹Jerry Jones, Amnesty International, Asylum Officer training (Arlington, Virginia: 3 November 1994). "Muslim Demonstrators Demand Full Authority for the Shari'ah Courts," *British Broadcasting Corporation* (London: 30 November 1994) -- as reported in NEXIS database. "Channel 9 Eye Witness News at 4:00 PM," *WUSA Television Network* (Washington, D.C.: 20 September 1993). Ethiopian Human Rights Council (EHRCO), *Sixth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 4 January 1994), p. 3-4. Mutua, Makau Wa, "An Oppressed Opposition," *Africa Report* (New York: November/December 1993), p. 50-52. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 92.

³²"Press Release," American Association for the Advancement of Science Human Rights Action Network, 18 May 1994 -- as reported on PeaceNet database. "Ethiopia," *World Press Freedom Review*, International Press Institute, Vol. 42, No. 12, 7 June 1994. Ethiopian Human Rights Council (EHRCO), *Sixth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 4 January 1994), p. 14-15. Press, Robert M., "Ethiopia's Regime Stymies Opposition, Critics Assert," *Christian Science Monitor* (Boston: 10 June 1993), p. 6. "Ethiopia's Transition to Democracy," *Washington Post* (Washington, D.C.: 9 February 1994), p. A22.

³³Amnesty International, "Arrests, Imprisonment Of Journalists" (London: Amnesty International, 20 July 1994), AFR 25/1/94 -- as reported on NEXIS database.

political conference in Paris in April 1993, several political parties represented in the Ethiopian Constituent Assembly attended. In response, the Transitional Government announced that anyone who attended the conference would either have to apologize and denounce the communiqué which they had signed (which stated, in part, that "at present there is not [a] legitimate government in Ethiopia") or be removed from the Constituent Assembly. Some apologized; those that did not were indeed removed from the Assembly.³⁴ Amnesty International concluded that the "main reason for the arrests seems to be to prevent prominent exile opponents from receiving public exposure and possible support in a political conference inside the country."³⁵ The opposition groups that did not participate in the June 1994 election for the Constituent Assembly were mainly those that were either dismissed or withdrew from the Council of Representatives subsequent to their participation in the Paris Conference. Since then, most have become members of the Council of Alternative Forces for Peace and Democracy in Ethiopia (CAFPDE).³⁶

A more recent conference (held by opposition leaders after they met with former American President Jimmy Carter³⁷), billed as a "Peace and Reconciliation Conference," was held inside Ethiopia in December 1993. The Transitional Government arrested eight people who

³⁴U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 96.

³⁵Amnesty International, "Arrest of Exiles Returning for Conference on Peace and Reconciliation," *Urgent Action Appeal* (Nederland, Colorado: 17 December 1993) -- UA Extra 107/93.

³⁶Letter from Berhane Woldegabriel, Human Rights Watch/Africa, London, to John D. Evans, Resource Information Center, Washington, D.C., 28 September 1994, p. 2.

³⁷Staff from the Carter Center have worked closely with the Ethiopian Transitional Government on elections and with the Special Prosecutors' Office on the trials. Kurylo, Elizabeth, "Carter To Host Opposition Chiefs From Ethiopia," *The Atlanta Journal and Constitution* (Atlanta: 29 January 1994) -- as reported on PeaceNet database.

returned to Ethiopia for the purpose of attending the conference: Ibsa Gutama and Lencho Leta³⁸ from the Oromo Liberation Front (OLF); Mesfin Teffera, a member of the umbrella opposition organization the Ethiopian Democratic Union (EDU); Genenew Assefa (COEDF and EPRP); Guenet Girma (COEDF and EPRP); Aberra Yemane Ab (COEDF and MEISON); and Seyoum Zenebe (Salvation Party, associated with Medhin, both formed by Colonel Goshu Wolde).³⁹ Those held were not released until they "wrote to the justice ministry disassociating themselves from any idea of armed struggle and acknowledging that the regime of President Meles Zenawi permitted peaceful political campaigning."⁴⁰ The government did not stop the conference from proceeding, but did not participate. One of those held, Aberra Yemane Ab of the COEDF agreed to renounce violence but remains in jail pending a trial before the Special Prosecutor because the Transitional Government has charged him with having participated in summary executions during Mengistu's rule.⁴¹ According to one report, another person was formally charged with belonging

³⁸Lencho Leta's status with the Oromo Liberation Front is not entirely clear. Some reports seem to indicate that he is no longer considered an acknowledged party official, and was acting on his own both in returning to Ethiopia to attend the conference and in renouncing violence to secure release from jail.

³⁹Some news sources use the terms "Salvation Party" and "Medhin" interchangeably. Some asylum applicants have described the Salvation Party as the armed or military wing of Medhin, and have described Medhin itself as a non-violent exiled movement. Both organizations appear to be under the leadership of Colonel Goshu Wolde. Colonel Goshu Wolde, formerly a foreign minister under Mengistu, left the Mengistu government in 1986, and established himself in exile in the United States, in opposition first to the Mengistu government and then to the EPRDF. Unlike COEDF, Medhin apparently includes among its members many former Mengistu government officials. "Four OLF Officials Arrested While Attending Conference Will Not Be Charged," *British Broadcasting Corporation* (London: 21 February 1994) -- as reported on NEXIS database. "Ethiopia Frees Four Political Opponents," *Agence France Presse* (Paris: 18 February 1994) -- as reported on NEXIS database.

⁴⁰"Ethiopia Frees Four Political Opponents," *Agence-France Presse* (Paris: 18 February 1994) -- as reported on PeaceNet database.

⁴¹"Ethiopia Frees Four Political Opponents," *Agence-France Presse* (Paris: 18 February 1994) -- as reported on PeaceNet database. "Ethiopia Releases Opposition Supporters from Jail," *Reuters* (London: 18 February 1994) -- as reported on NEXIS database.

to a political party which sought to overthrow the Transitional Government.⁴² Most reports indicated, however, that all of those arrested except Aberra Yemane Ab were eventually released after renouncing violence.⁴³

Conditions for Amharas and "Centrists"

With the transition from Mengistu to the EPRDF, ethnic Amharas, Amhara-speakers, and other "centrists" who dominated the political, religious, military and commercial life of Ethiopia for decades are now experiencing a relative loss of power and influence, and more open hostility and harassment from other ethnic groups. Some Amhara-speaking or "centrist" groups formed before or shortly after the EPRDF took power remain in exile (these groups include the COEDF and the Salvation Party/ Medhin). Others, such as the All-Amhara People's Organization (AAPO), have experienced considerable conflict with the current Transitional Government while attempting to operate as legal opposition movements. Many members of the former Amhara-speaking elite are bitterly opposed to the Transitional Government's policies, particularly allowing Eritrea to become independent, decentralizing the functions of government, allowing for greater regional self-government, barring all private ownership of land, and providing a constitutional guarantee that "every nation, nationality or people in Ethiopia has the unrestricted right to self-

⁴²"Two Washington Area Men Detained In Ethiopia," *Washington Times* (Washington, D.C.: 23 February 1994) -- as reported on NEXIS database. The person was identified as Seyoum Meherka, but his political affiliation was not mentioned.

⁴³"Ethiopia Releases Opposition Supporters from Jail," *Reuters* (London: 18 February 1994) -- as reported on NEXIS database.

determination up to secession."⁴⁴ The Amhara or "centrist" position -- most clearly articulated by the All-Amhara People's Organization (AAPO) -- supports a perpetual union of Ethiopia's remaining 14 provinces and opposes the independence of Eritrea.

One reason many Amharas and Amhara-speakers or "centrists" hold this position is that they fear that a result of decentralization will be the subjugation of the widely scattered Amhara populations (some of whom relocated voluntarily, while others were forcibly resettled) in areas where other ethnic groups predominate. As the Resource Center's 1993 *Alert* on Ethiopia documented, attacks on Amharas in certain outlying areas certainly have occurred. Although the reports of such incidents have diminished somewhat, the government has either been unable or unwilling to halt them entirely. Over time, it has also become apparent that the Transitional Government is relatively inflexible in its relations with groups which advocate the "centrist" position, even if they do not, to outside observers, appear to pose a military or political threat to the government. Below are some examples of groups in which Amharas, Amhara-speakers, or "centrists" are represented, and their experiences with the Transitional Government. It should be stressed that not all members of these groups are ethnic Amharas, nor is the list an exhaustive one.

**COEDF (Umbrella party including the EPRP, MEISON, EPDA
and a faction of the EDU) and other "Centrist" Exile Parties**

⁴⁴According to a *Reuters* report, "up to secession" means "the right of Ethiopia's regions to secede if they want to." Ethiopians would have the right to own buildings on land leased from the state. "State to Own Land in Post-Marxist Ethiopia," *Reuters* (London: 26 November 1994) -- as reported on NEXIS database. *Reuters* also reported that although the Constituent Assembly voted in favor of a federal system, it has not determined whether the structure would be based on ethnic boundaries or other factors. "Ethiopian Assembly Endorses Federal Government," *Reuters* (London: 8 November 1994) -- as reported on NEXIS database. Anaclat Rwegayura, "Ethiopia to try Federal Republicanism" *Inter Press Service* (New York: 29 November 1994) -- as reported on NEXIS database.

As stressed in the 1993 *RIC Alert* on Ethiopia, many of the groups within the COEDF alliance, particularly the EPRP, have a long history of enmity not just toward the Mengistu government, but also toward the TPLF, and therefore toward the EPRDF. This enmity is exacerbated by the fact that many of the member parties in the COEDF umbrella grouping were participating in talks on a negotiated settlement in Ethiopia at the time that the EPRDF took over the capital by force. Members of the newly formed COEDF did not participate in the July 1991 conference which formed the Transitional Government of Ethiopia; a variety of different explanations are given for this fact by the various parties concerned.

In its first two years (as discussed in more detail in the 1993 *RIC Alert*), COEDF apparently made a distinction between its status as a purely political, exile umbrella group, and member organizations of COEDF, including the EPRP and MEISON, who claimed to be involved in underground military and political activities inside Ethiopia. In mid-1994, the Arlington Asylum Office began receiving claims from Ethiopian applicants that COEDF itself, not just its member organizations, was involved in underground political and military activity inside Ethiopia, and had been involved in such activity since at least 1992. The Resource Information Center telefaxed a query on this subject to the COEDF headquarters in the Washington area, but has not received a response. The Resource Center was able to find only one media report which appears to support this claim. According to Phil McCombs, a *Washington Post* Staff Writer, "*Washington Post* special correspondent Jennifer Parmelee reports from Addis Ababa that COEDF has in fact declared war on the government, and is believed by Western intelligence to be recruiting former

Mengistu soldiers in Kenya and Uganda."⁴⁵ (It should be noted that most Mengistu soldiers were conscripted, and that their affiliation with COEDF [if substantiated] does not suggest that COEDF is in any way "pro-Mengistu.")

There is no clear consensus among academic experts on Ethiopia on whether COEDF -- not just its member organizations like the EPRP -- might have a military or underground political presence in Ethiopia. All of the sources consulted stated that it was certainly possible, but only one source stated that he had actually heard that COEDF had a military presence in the country, and believed that he had first heard of such a presence in late 1993. Other academic experts stated that they had not heard anything that indicated such a military presence existed. One expert noted that, with the creation of the Council of Alternative Forces for Peace and Democracy in Ethiopia (of which COEDF is a member) in early 1994, COEDF may simply be representing its structure and sources of support/ power differently as it maneuvers for support in a changing political environment. COEDF members may now be claiming responsibility for the actions of the military wings of the EPRP and MEISON, whereas previously COEDF members had stressed COEDF's distance from such activities. Another expert noted that it would not be in COEDF's interest to either confirm or deny rumors of its involvement in military activities: it is in COEDF's interest as a negotiating tactic to stress its commitment to peaceful dialogue even while rumors of its involvement in military activities suggest that it has greater power than its status as an exiled political movement would afford it.⁴⁶

⁴⁵McCombs, Phil, "Ethiopia's Potomac Politics: In Washington, a Community in Exile Fights the Battles of a Distant Conflict," *Washington Post* (Washington, D.C.: 18 February 1994), p. G1, G4.

⁴⁶Telephone interviews with Professor Marina Ottaway, Georgetown University, Washington, D.C. 17 December 1994; Professor Edmond Keller, University of California at Los Angeles, James Coleman African Studies Center, Los Angeles, 16 December 1994; Professor Tsehai Berhane Selassie, Princeton University, Princeton, New Jersey, 17

Another political group which has no direct ties to the COEDF -- but which is also an exiled opposition group comprised primarily of "centrists" -- is Medhin/ the Salvation Party, led by Colonel Goshu Wolde, foreign minister of Ethiopia from 1983-1986. Medhin includes many members who had ties to the former Mengistu government (many of whom left the government and went into exile before the Mengistu government was overthrown). According to a *Washington Post* article, Medhin announced in October 1993, that it would "wage armed struggle" against the EPRDF. Medhin leader Col. Goshu Wolde later stated that he was referring to some form of popular uprising that would force the Transitional Government to negotiate with Medhin and other exiled parties.⁴⁷ There is no evidence that Medhin has either the popular support in Ethiopia, or the military capability, to affect the policies of the Transitional Government through violent or non-violent pressure. Some asylum applicants who have been found credible have stated, however, that Medhin, or its

December 1994; Kabahenda Nyakabwa, Immigration and Refugee Board, Documentation, Information and Research Branch, Ottawa, Canada, 14 December 1994; Terrence Lyons, Brookings Institution, Washington, D.C., 10 October 1994.

⁴⁷Phil McCombs, "Ethiopia's Potomac Politics," *Washington Post* (Washington, DC: 18 February 1994), p. G1.

affiliated Salvation Party, is in fact engaged in violence. As with the COEDF and other exiled "centrist" groups who demand negotiations with the EPRDF and refuse to accept that the EPRDF has a legitimate right to rule (and therefore refuse to concede that violence against the EPRDF is illegitimate), members of Medhin who have returned to Ethiopia have been arrested and detained by the EPRDF until they do make a statement that they have renounced violence.

Incidents involving arrests, detentions, and trials of COEDF members date back to the first months of the EPRDF's accession to power.⁴⁸ As discussed in more detail above, the TPLF (the dominant party in the EPRDF) has a history of violent enmity toward the EPRP (one of the major parties comprising COEDF) dating back to the early years of the Mengistu regime. The TPLF, EPRP, and other political and military factions in Ethiopia were engaged in talks on a possible negotiated transition from the Mengistu regime to more representative government when the TPLF gained military control of Ethiopia. Central to the conflict between the EPRDF and COEDF is COEDF's refusal to accept the EPRDF as the legitimate government of Ethiopia, and to renounce violence unconditionally.⁴⁹

Because of the history of arrests and detentions of members of the COEDF and its member organizations, Amnesty International maintains that it is, for instance, "still inadvisable for EPRP members actively opposed to the current government to return to Ethiopia."⁵⁰ The State Department Bureau of Democracy, Human Rights and Labor concurs that returning EPRP

⁴⁸Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 2-4.

⁴⁹Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 2-4.

⁵⁰Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 4.

members to Ethiopia, even those who have never been directly involved in the EPRP's guerrilla activities, is inadvisable. It also states that members of Medhin would "appear to be at risk of prosecution by the TGE, unless, as is the case with other political leaders, the individual personally renounced violence as a means of political change."⁵¹

When asked by Asylum Officers whether members of COEDF (COEDF's headquarters are in Washington, and members comprise a significant proportion of Ethiopian asylum claims in the United States) would be detained if they were returned to Ethiopia, Brookings Institution Senior Research Analyst Terrence Lyons stated that the question:

is impossible to answer in my view. The Transitional Government has arrested some, ignored others, held some until they renounced violence, and continued to hold some despite their renouncing violence. The larger point is that the very unpredictability is part of the policy. Addis Ababa has a number of political opponents operating openly. On the other hands, some have been arrested for murky reasons and held under murky provisions of the law. The inability to predict the consequences of returning is the result of an intentional absence of clear lines between acceptable political activity and unacceptable activity. The resulting uncertainty keeps political opponents off balance and reduces their ability to operate.⁵²

⁵¹"Ethiopia -- Profile of Asylum Claims and Country Conditions," *Bureau of Democracy, Human Rights and Labor* (Washington, D.C.: June 1994) -- as reported on RICINFO database.

⁵²Letter from Terrence Lyons, Brookings Institution, to John D. Evans, Resource Information Center, 10 October 1994.

Internal Opposition Forces: News Media

Local and international human rights and media reports have noted that the Transitional Government appears to be quite tolerant of dissent from some media sources, but intolerant of dissent from other sources, and that the level of dissent tolerated in Addis Ababa is much higher than in outlying areas. Newspapers and political tracts critical of the government are widely available in Addis Ababa, but some groups and individuals have experienced harassment, detention, and governmental violence. Editors and publishers of some news publications -- *Ethiopia* magazine, for instance -- have been arrested and held without charge. At least twenty-eight other journalists and media employees have been detained, some without charge, some convicted for sentences of up to two years. Other media workers have been "disappeared." Many other journalists have been subjected to questioning by security forces, and there appears to be a relatively high level of self-censorship.⁵³ The Committee to Protect Journalists' Annual Report, *Attacks on the Press in 1993* ranked Ethiopia among the top six countries worldwide in the number of journalists imprisoned. The Committee to Protect Journalists noted that although the Ethiopian Government has ostensibly committed itself to freedom of expression in the

⁵³Ethiopian Human Rights Council (EHRCO), *Sixth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 4 January 1994), p. 14-15. Press, Robert M., "Ethiopia's Regime Stymies Opposition, Critics Assert," *Christian Science Monitor* (Boston: 10 June 1993), p. 6. "Ethiopia's Transition to Democracy," *Washington Post* (Washington, D.C.: 9 February 1994), p. A22. Amnesty International, "Arrests of Journalists," *Urgent Action Appeal* (Nederland, Colorado: 18 May 1994), further information on UA 35/94. Amnesty International, "Arrests of Journalists," *Urgent Action Appeal* (Nederland, Colorado: 20 October 1994), further information on UA 35/94. Amnesty International, "Arrests, Imprisonment Of Journalists" (London: Amnesty International, 20 July 1994), AFR 25/1/94 -- as reported on NEXIS database. Jerry Jones, Amnesty International, Asylum Officer training (Arlington, Virginia: 3 November 1994). Makau Wa Mutua, "An Oppressed Opposition," *Africa Report* (New York: November/December 1993), p. 50-52. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 92.

Transitional Charter of Ethiopia, in effect "the intimidation of independent media resulted in a high degree of self-censorship."⁵⁴

Internal Opposition Forces: Academics

Academic freedom also appears to have been curtailed by the Transitional Government. In late 1992 and early January 1993, members of the All-Amhara People's Organization and students who opposed the Transitional Government's dismantling of Ethiopia's traditionally strong central government and its decision to accept Eritrea's independence staged a series of peaceful, but unauthorized, demonstrations at Addis Ababa University. After the University was temporarily closed, at least one and possibly more students were killed by security forces at an unauthorized demonstration on January 4, 1993. The Transitional Government did begin an investigation into the matter and was to report its findings within three months. However, no report has been made public to date.

On April 9, 1993, 42 professors and lecturers from the University of Addis Ababa (some tenured and therefore customarily immune from dismissal) were fired without due process, while 38 others were put on probation. All had signed a letter protesting the use of

⁵⁴"Ethiopia," *Attacks on the Press in 1993* (New York: Committee to Protect Journalists, March 1994), p. 63. "Press Release," American Association for the Advancement of Science Human Rights Action Network, 18 May 1994 -- as reported on PeaceNet database. "Ethiopia," *World Press Freedom Review*, International Press Institute, Vol. 42, No. 12, 7 June 1994. Ethiopian Human Rights Council (EHRCO), *Sixth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 4 January 1994), p. 14-15. Press, Robert M., "Ethiopia's Regime Stymies Opposition, Critics Assert," *Christian Science Monitor* (Boston: 10 June 1993), p. 6. "Ethiopia's Transition to Democracy," *Washington Post* (Washington, D.C.: 9 February 1994), p. A22.

violence against student demonstrations. According to the Department of State

[c]redible reports indicated that some of the professors were fired for expressing antigovernment views. TGE officials admitted as much by stating that some professors were dismissed for inappropriately using their classrooms for political purposes.⁵⁵

Of those fired, 39 were ethnic Amharas, and all could be described as "centrists" opposed to the government's policies on Eritrea and decentralization. According to a May 1994 report from the American Association for the Advancement of Sciences,⁵⁶ the professors, represented by a lawyer who was among the 42 dismissed, filed a suit in court. During a court hearing in January 1994, the government authorities claimed that those dismissed

had not been legal government employees. They claimed that earlier contracts [from the Mengistu era] were not legal, and that the teachers were simply not required for the new contract, so the government had no case to answer as the teachers were neither government employees nor former government employees. The court summoned the Minister of Education and the Commissioner of the Commission for Personnel Affairs (CPA), or at least their representatives, to appear in court in March. No one turned up from the CPA. The court has now summoned the Minister of Education and the Commissioner of the CPA to appear in court personally. The lawyers have not yet raised the issue of pensions. None of the professors have [sic] been reinstated.⁵⁷

According to the May 1994 report, the AAAS has been unable to obtain information on 18 students arrested after the January 1993 student demonstration. The immediate past president

⁵⁵U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 94.

⁵⁶"Update of Alert on Academic Freedom and Freedom of Expression -- Dismissal of 42 Professors Including Social Scientists, Physical Scientists, Engineers, Linguists, and Economists, Arrest of Students, and Recent Arrest of the Chairman of the Ethiopian Chemical Association, Berhane Mewa," *Human Rights Action Network* (Washington, D.C.: American Association for the Advancement of Science, 18 May 1994), p. 1.

⁵⁷"Update of Alert on Academic Freedom and Freedom of Expression -- Dismissal of 42 Professors Including Social Scientists, Physical Scientists, Engineers, Linguists, and Economists, Arrest of Students, and Recent Arrest of the Chairman of the Ethiopian Chemical Association, Berhane Mewa," *Human Rights Action Network* (Washington, D.C.: American Association for the Advancement of Science, 18 May 1994), p. 1.

of Addis Ababa University, Dr. Alemayehu Teferra, was arrested in April 1993. Although, according to the AAAS, he had been absolved of any crime by the EPRDF in 1991, Dr. Alemayehu was accused in his 1993 arrest of activities related to the "Red Terror" of the Mengistu regime. Dr. Alemayehu has been detained without formal charge for over a year, and is reportedly in need of medical attention for a duodenal ulcer. In February 1994, the Chair of the Ethiopian Chemical Association, Dr. Berhane Mewa, was reportedly detained without charge and then released after a court order, but was immediately rearrested in connection with an article that his newspaper, *Netsa Gazette*, had printed. The article was written by a group called the Ethiopian Unity Brigade, which had claimed responsibility for an attack on an American diplomat. The government accused Dr. Berhane of being a member of the EUB, and therefore of advocating violence or colluding with those who do. The Transitional Government ratified the Covenant of Civil and Political Rights in June 1993, and the AAAS argues that it therefore has agreed to prohibit arbitrary arrests, to ensure that individuals are tried or released within a reasonable period of time, and to guarantee that detainees be presumed innocent until proven guilty -- an agreement that has been broken in its treatment of many academics.⁵⁸

Internal Opposition Forces: Political Opposition

Although the Transitional Government is not involved in the flagrant oppression of ethnic Amharas solely on the basis of their ethnicity, the military has -- on relatively rare occasions --

⁵⁸"Update of Alert on Academic Freedom and Freedom of Expression -- Dismissal of 42 Professors Including Social Scientists, Physical Scientists, Engineers, Linguists, and Economists, Arrest of Students, and Recent Arrest of the Chairman of the Ethiopian Chemical Association, Berhane Mewa," *Human Rights Action Network* (Washington, D.C.: American Association for the Advancement of Science, 18 May 1994), p. 1.

used excessive force in its confrontations with Amharas and "centrists" who are seen as potential sources of political opposition. There are unsubstantiated reports that the EPRDF's army was responsible for the deaths of three former officials of Mengistu's Workers' Party of Ethiopia while the latter were in United Nations refugee camps in Kenya and Uganda.⁵⁹ One of the most publicized -- and better documented -- cases of military abuse occurred on September 7, 1993, in the Gondar region. Government forces opened fire in a church crowded with over 1,000 worshipers, with a death toll of at least 18. The government's stated goal was to apprehend an Ethiopian Orthodox Church priest, Abba Amhayesus, who has been highly critical of the Transitional Government. The government alleged that Amhayesus had been inciting ex-Mengistu soldiers to commit acts of violence against the government. Media reports portrayed the incident as indicative of the government's hostility toward Amhara "centrists"; most of the congregants were Amhara, while most of the military forces were Tigrean or Oromo.⁶⁰

The AAPO has been an identifiable target of government repression; Amnesty International has reported on the repeated detentions of the AAPO's president, Professor Asrat Woldeyes, and the frequent detention and harassment of AAPO officials and members.⁶¹ In late June 1994, the president of the AAPO was sentenced to two years for sedition; the prosecution

⁵⁹"Notes: Ethiopia," *Indian Ocean Newsletter* (Paris: 2 October 1993), p. 4.

⁶⁰"Channel 9 Eye Witness News at 4:00 PM," *WUSA Television Network* (Washington, D.C.: 20 September 1993). Ethiopian Human Rights Council (EHRCO), *Sixth Report of the Human Rights Situation in Ethiopia* (Addis Ababa: EHRCO, 4 January 1994), p. 3-4. Mutua, Makau Wa, "An Oppressed Opposition," *Africa Report* (New York: November/December 1993), p. 50-52. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 92.

⁶¹"Ethiopia: Arrests of Two Government Opponents and Court Witnesses," *Amnesty International News Service* (London: 4 August 1993), p. 1. "Ethiopia: Professor Asrat Woldeyes Released, Six Others Still Held," *Amnesty International News Service* (London: 10 September 1993), p. 1.

argued that he had incited rebellion against the government, citing a meeting in which plans for a rurally-based armed struggle against the government were allegedly discussed. Four other AAPO members received sentences at the same time. Professor Asrat is on bail pending appeal, but the others were denied bail and have been held in jail for well over a year.⁶² In discussing the trial, Amnesty International maintains that the five defendants "appear to have been imprisoned on the basis of slender and dubious evidence and without direct proof of the alleged conspiracy,"⁶³ questions whether the five have received "a fair trial according to international standards,"⁶⁴ and considers the five to be prisoners of conscience -- Amnesty's term for those who oppose a government by non-violent means. The Ethiopian Minister of Defense has publicly accused Professor Asrat of "unsuccessfully declaring war against the government for the last three years," an allegation previously reserved for such external or "underground" opposition groups as the EPRP.⁶⁵

The AAPO began as a non-violent organization -- one whose membership was comprised primarily of academics and other elites -- and the internal leadership of AAPO continues to insist that its aims are non-violent and that the charges of conspiracy to commit violence leveled against

⁶²Parmelee, Jennifer, "Ethiopian Government Critic Sentenced," *Washington Post* (Washington, D.C.: 29 June 1994), p. A5.

⁶³"Court Jails Government Opponents," *Amnesty International News Service* (London: AFR 25/WU 02/94, 1 July 1994), p. 1.

⁶⁴"Court Jails Government Opponents," *Amnesty International News Service* (London: AFR 25/WU 02/94, 1 July 1994), p. 1.

⁶⁵"Court Jails Government Opponents," *Amnesty International News Service* (London: AFR 25/WU 02/94, 1 July 1994), p. 1.

it (and thus its confrontations with the security forces) are entirely unwarranted.⁶⁶ There have been increasing reports of AAPO clashes with the government (in which the AAPO invariably suffers most or all of the deaths), and the government is increasingly charging AAPO members with intent to commit violence, as opposed to its previous tactic of closing down AAPO offices, harassing members, and so on. In one incident, the *Indian Ocean Newsletter* reported that several people suspected of membership in the AAPO or other internal opposition groups were arrested or "disappeared" during army raids in the area north-east of Addis Ababa. It is believed that at least three of these people are being held in detention, and that the secretary of the Jihur branch of the AAPO was shot and killed during the confrontation with the military. The incidents occurred after an armed group -- calling itself the Ethiopian Salvation Front and not claiming affiliation with the AAPO (nor with the similarly-named Salvation Party / Medhin) nor any other internal political party -- freed a group of prisoners held in the Debre Berhan prison in May 1994.⁶⁷

Also according to the *Indian Ocean Newsletter*, nine people were killed and eleven arrested on June 28, 1994, in clashes in the northern Shoa region, near Addis Ababa. According to the government, the group consisted mainly of former members of the Mengistu army, and had refused to surrender to security forces. One of the dead included Andualem Melaku, the AAPO representative at Debre Berhan, who had recently been released on bail pending a trial for "arms smuggling." The government claimed that its attack on the group was motivated by the group's assault on the Debre Berhan prison, although responsibility for that attack was actually claimed by

⁶⁶"Court Jails Government Opponents," *Amnesty International News Service* (London: AFR 25/WU 02/94, 1 July 1994), p. 1. Amnesty International has expressed concern about the arrest in late June 1994, of five opposition party leaders, on what Amnesty described as "slender and dubious evidence" of conspiracy.

⁶⁷"Ethiopia," *Indian Ocean Newsletter* (Paris: 18 June 1994), p. 4.

the Ethiopian Salvation Front. AAPO headquarters were searched by police on July 4 and 5, 1994, and a former chairman and others were jailed on July 4, 1994, after being charged. The *Indian Ocean Newsletter* noted that, although the AAPO remains a legal opposition party, a large number of its leaders have been killed or disappeared in the past year.⁶⁸ While some sources, including a recent *Agence-France Presse* report, describe confrontations between the AAPO and the EPRDF as military clashes (much as the Transitional Government describes them), other sources, including the *Indian Ocean Newsletter* and Amnesty International, appear to be discounting the government's explanation and generally characterize such incidents as unprovoked attacks by the government on the AAPO.⁶⁹ While the top levels of the internal political leadership of AAPO do appear to be committed to non-violent political opposition to the Transitional Government, there have been a few reports -- some from credible asylum applicants represented by reputable attorneys -- that some members of the AAPO are in fact engaged in acts of violence against the EPRDF, although it is not clear whether the violence is planned or committed with the knowledge or approval of the leadership of the AAPO.

As mentioned above in the context of the Transitional Government's treatment of exiled opposition groups, the government is extremely hostile toward political parties which do not accept its basic tenets, such as decentralization and ethnic-based political parties. The

⁶⁸"Ethiopia: Sights Lined Up On AAPO," *Indian Ocean Newsletter* (Paris: 9 July 1994) -- as reported on NEXIS database. "Nine 'Bandits,' Including AAPO Member, Killed in North," *British Broadcasting Corporation* (London: 4 July 1994) -- as reported on NEXIS database.

⁶⁹See, for example, "Ethiopia: Sights Lined Up On AAPO," *Indian Ocean Newsletter* (Paris: 9 July 1994) -- as reported on NEXIS database. "Nine 'Bandits,' Including AAPO Member, Killed in North," *British Broadcasting Corporation* (London: 4 July 1994) -- as reported on NEXIS database. "Court Jails Government Opponents," *Amnesty International News Service* (London: AFR 25/WU 02/94, 1 July 1994), p. 1. "Ethiopia Frees Four Political Opponents," *Agence-France Presse* (Paris: 18 February 1994) -- as reported on PeaceNet database.

Transitional Government does not acknowledge any need for negotiations or dialogue with parties or movements which do not recognize its fundamental tenets or its legitimacy. Moreover, the Transitional Government has openly conceded its total unwillingness to compromise with certain opposition groups. When the OLF, COEDF, and other opposition parties held a political conference in Paris in April 1993, several political parties represented in the Ethiopian Constituent Assembly attended the conference. In response, the Transitional Government told members of the Assembly that anyone who attended the conference would either have to apologize and denounce the communiqué which they had signed (which stated, in part, that "at present there is not (a) legitimate government in Ethiopia") or be removed from the Assembly. Some apologized; those that did not were indeed removed from the Assembly.⁷⁰

A more recent conference, billed as a "Peace and Reconciliation Conference," was held inside Ethiopia in December 1993. The Transitional Government arrested eight leaders of opposition political parties who had returned to Ethiopia for the purpose of attending the conference, a decision condemned by both Africa Watch and the United States Department of State as unproductive. Those held were not released until they "wrote to the justice ministry disassociating themselves from any idea of armed struggle and acknowledging that the regime of President Meles Zenawi permitted peaceful political campaigning."⁷¹ One of those held, Aberra Yemane Ab of the COEDF, agreed to renounce violence but remains in jail pending a trial before

⁷⁰U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 96.

⁷¹"Ethiopia Frees Four Political Opponents," *Agence-France Presse* (Paris: 18 February 1994) -- as reported on PeaceNet database.

the Special Prosecutor because the Transitional Government has charged him with having participated in summary executions during Mengistu's rule.⁷²

The government did not stop the conference from proceeding, but refused an invitation to participate, describing the conference as "an exercise in futility" and as "pointless propaganda."

After the arrest of the eight opposition leaders, 19 of the 70 organizations invited withdrew from the conference, a decision seen by human rights observers as a reaction to intimidation.

Participants formed a loose coalition movement, the Council of Alternative Forces for Peace and Democracy in Ethiopia (CAFPDE), led by Beyene Petros. The CAFPDE held a relatively large demonstration in Addis Ababa in April 1994, espousing a platform which roughly reflected "centrist" positions -- opposition to a new education policy in which national languages will be taught in elementary schools (instead of Amharic), protest against the closing of premises used by opposition parties, and condemnation of the arrests of journalists. The CAFPDE apparently originally intended to contest the June 5, 1994, national elections, but later decided to boycott them (as discussed below). The platform of the CAFPDE held little appeal for the Transitional Government, and also represented the spreading divisions among the groups in opposition to the Transitional Government. The fundamental premise of the ethnic-based opposition groups, the right to self-determination, was not acknowledged as a legitimate position at the CAFPDE conference. Although the OLF participated in both the Paris and Addis Ababa conferences, it

⁷²"Ethiopia Frees Four Political Opponents," *Agence-France Presse* (Paris: 18 February 1994) -- as reported on PeaceNet database. "Ethiopia Releases Opposition Supporters from Jail," *Reuters* (London: 18 February 1994) -- as reported on NEXIS database.

later distanced itself from the CAFPDE platform because the CAFPDE failed to acknowledge the right to self-determination in its emphasis on holding a "centrist" or "nationalist" position.⁷³

Status of Mengistu-Era Officials: Trials of Mengistu Officials

The Transitional Government refrained in 1991 from conducting a massive campaign of retribution against former officials of the Mengistu government or their relatives. It did, however, announce early in the transition period that those members of the Mengistu government who were believed to have committed particularly grievous crimes would stand trial. It is difficult to evaluate the record of the Transitional Government in conducting these trials. On the one hand, the government appears to be following internationally accepted procedures (most of the time) in preparing the trials, and has accepted outside help in monitoring the trials and providing lawyers to the defendants (although a Public Defender's Office has been created and defendants are permitted to hire paid attorneys if they can afford to, Human Rights Watch/ Africa has expressed grave concern about whether all defendants will have access to legal counsel).⁷⁴ On the other hand, the sheer length of time it has taken to start the trials, and the government's consistent inability to meet the deadlines it sets for stages in the trial process, are criticized by human rights groups as in themselves constituting a violation of the rights of the defendants. Some defendants

⁷³"Ethiopia Frees Four Political Opponents," *Agence-France Presse* (Paris: 18 February 1994) -- as reported on PeaceNet database. "Ethiopia: Africa Watch Protests Arrests," *Inter Press Service* (New York: 28 December 1993), as reported in the Immigration and Refugee Board Documentation Centre, *Indexed Media Review*, Vol. VI, No. 26, 1993. "Opposition Demonstration in Addis," *Indian Ocean Newsletter* (Paris: 23 April 1994), p. 4. "Opposition Rejects Elections," *Indian Ocean Newsletter* (Paris: 2 April 1994), p. 3.

⁷⁴Human Rights Watch/Africa, "Ethiopia: Reckoning Under the Law" (Washington, D.C.: December 1994), Vol. 6, No. 11, pp. 33-34.

have now been in jail for over three years, and although the Special Prosecutor's Office began hearing cases in December 1994, it is unclear how quickly the trials can be completed once they have begun.⁷⁵

Originally, there were approximately 2,400 Mengistu-era officials and military leaders held in detention pending trials. During 1993, the Chief Special Prosecutor, Girma Wakjira, reviewed most of these cases and released approximately 1,300 of the detainees. Some were released on bail pending trial, while others had all charges against them dropped. There have been no known reports of the re-arrest of those who were freed without charge, but the Transitional Government has arrested, or drawn up extradition charges, against an additional 200 Mengistu officials after having reviewed material available to the Special Prosecutor's Office.⁷⁶

There is abundant evidence -- both that compiled over the years by human rights observers, and that available to the Special Prosecutor's Office through perusing Mengistu-era files -- to support the Transitional Government's contention that trials of Mengistu era officials are merited. Among the documents which have been examined by international observers is the record of the meeting in which Mengistu's "cabinet" voted unanimously to execute (without charge or trial) certain military and civilian officials from Haile Selassie's government. There are also handwritten memoranda from Mengistu-era officials with graphic details of tortures performed (followed by requests for promotions or pay raises). Reports on the costs of

⁷⁵"Trial of Top Officials of Former Ethiopian Government Starts Next Month," *Xinhua* (Beijing: 23 August 1994) -- as reported on NEXIS database.

⁷⁶U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 94. Letter from Chief Special Prosecutor Girma Wakjira, Special Prosecutors' Office, to the American Association for the Advancement of Science (Addis Ababa: 30 October 1993), p. 1.

executions were maintained, and torture sessions and bombings were filmed. Moreover, as the trials began, one of the first of those accused openly acknowledged the accuracy of charges against the Mengistu government, but maintained that such actions were necessary to defend "the revolution."⁷⁷

The issue that concerns human rights advocates, therefore, is not whether trials should occur, or that the prisoners are being held in unreasonably harsh conditions,⁷⁸ or that the sentences which have been determined are unreasonably stiff,⁷⁹ but rather that the rights of the

⁷⁷"Proclamation 22/1992 of the Special Prosecutor's Office of the Transitional Government of Ethiopia," *Horn of Africa Bulletin: Scandinavian Institute of African Studies* (Uppsala: 2 March 1994) -- as reported on the PeaceNet Database. Telephone interview with Leah Leatherbee, Horn of Africa Project, 21 April 1994. "Senior Member of Former Regime Gave Himself Up on 5th November," *British Broadcasting Corporation* (London: 18 November 1994) -- as reported in NEXIS database. "Ethiopia: Trials to Begin," *International Herald Tribune* (Paris: 12 November 1994) -- as reported in NEXIS database.

⁷⁸In the Resource Center's 1993 paper on Ethiopia, conditions for detained Mengistu-era officials are discussed in greater detail. Prison conditions are poor, or in the words of Amnesty International, "very unsatisfactory," but not deliberately punitive. Prisoners are allowed to see their families and receive medical treatment. The International Red Cross and other international observers have been given access to the prisoners, and there are no reports that relatives of prisoners are harassed or punished simply for their relationship to those imprisoned. See also Amnesty International, *Amnesty International's Concerns Regarding the Continued Detention in Ethiopia of Officials of the Former Government* (Toronto: Amnesty International, 16 February 1993), p. 1.

⁷⁹"Proclamation 22/1992 of the Special Prosecutor's Office of the Transitional Government of Ethiopia," *Horn of Africa Bulletin: Scandinavian Institute of African Studies* (Uppsala: 2 March 1994) -- as reported on the PeaceNet Database.

According to the Special Prosecutor's Office:

The following are cases and areas of repression where the detained are criminally implicated in one or more of the actions:

-In November of 1974 the Dergue sat in a General Assembly and discussed the fate of the high government officials from the regime of Haile Selassie. Most of the ex-officials of the emperor's government were detained starting in June of 1974. The SPO has the minutes of this meeting. The minutes include information about what Dergue members were present at the meeting and the comments they made during the discussions. Each former official's case was brought to the General Assembly for discussion. Each official was discussed separately and an order given on each individual. The decisions were unanimous regarding the 60 ex-officials that were ordered to be executed.

-In the days proceeding May Day 1976, the EPRP youth committees were planning a nation-wide protest against the Dergue regime. The day before May Day, the Dergue Campaign Department issued a directive to

accused are being violated by the excessive amount of time taken to hold the trials. If the trials

the Dergue Special Forces to eliminate all those who were planning to participate in the EPRP demonstration. It is important to note that the Dergue Campaign Department was under the direct command of the Dergue Standing Committee, a committee chaired by Mengistu Haile Mariam.

-On April 30, 1976, hundreds of youths were executed throughout the country. For example, Addis Ababa was divided into 28 zones. On average 15-30 youths were killed in each zone. Hundreds more were killed outside of Addis. In zone (higher) 18, for example, the SPO has proof of 21 youths being executed.

-The SPO has proof that all the youths that were killed in this massacre in the Addis Ababa area were taken to the morgue at Menelik Hospital. The government authorities would not allow a victim's family to take the corpse without first paying for the bullets used to kill the victim.

-The SPO has literally hundreds of orders, directives, and reports of summary executions carried out during the Red Terror.

-The forced resettlement programme consisted of moving hundreds of thousand of peasants from the north of the country to the south. Originally dubbed a famine relief programme, we have evidence of the political nature of the relocation. According to Non-Governmental relief organizations, between 15-20% of those resettled died either in transport or upon arrival in the resettlement camps. Given that 600,000 people were resettled between 1984-1986, about 100,000 people lost their lives due to this governmental policy.

-On a Wednesday in June 1988, government air forces systematically attacked the market town of Hawzen i Tigray. The bombardment by MIG fighters lasted from dawn to dusk, and approximately 2- 500 [two to five hundred] civilian marketgoers were killed. To prevent anyone from fleeing, air force helicopters circled the market town.

All detainees presently being held are suspected of serious crimes (e.g. multiple murders).

Sentencing System (It should be noted that the Ethiopian Penal Code allows for consecutive sentencing):

-First Degree Homicide:	life imprisonment or death.
-Second Degree Homicide:	5-25 years imprisonment.
-Homicide by Negligence:	Not to exceed 5 years.
-Grave Wilful Injury:	1-10 years.
-Common Wilful Injury:	Not less than 6 months.
-Exposure of Life of Another:	3 months to 3 years.
-Failure to Lend Aid:	Not to exceed 6 months.
-Unlawful Arrest or Detention:	Not to exceed 5 years.
-Abuse of Power:	Not to exceed 5 years.
-Genocide; Crimes against Humanity:	5 years to life, or death.
-War Crimes against the Civilian Population:	5 years to life, or death.
-War Crimes against Wounded:	5 years to life, or death.
-War Crimes against Prisoners and Interned Persons:	5 years to life, or death.
-Use of Illegal Means of Combat:	Not less than 3 months, in grave cases, 3 years to life or death.

And under the "special penal code" of Mengistu:

-Abuse of Authority:	3-15 years.
-Failure to Supervise:	Not to exceed 3 years.
-Unlawful Arrest or Detention:	Not to exceed 5 years.
-Jeopardising Defence/Famine:	10 years to life.

are to be fair, hearings for over 1,000 individuals, most of whom will be charged with multiple murders, could take considerable additional time. In its defense, the Transitional Government has compared its minimal resources -- particularly the lack of international aid -- to those of other governments which have held such trials. It has also noted that the trials are only one of several competing priorities; others include coping with impending famine, attempting to hold elections, dealing with unemployed and armed demobilized soldiers, and handling insurgencies among the Oromos and Somalis.⁸⁰

Status of Mengistu-Era Officials: WPE Members

All of the major human rights monitoring sources agree that the civil rights -- but not necessarily the basic human rights -- of members of Mengistu's Workers' Party of Ethiopia have been violated by the Transitional Government. Among other things, WPE members are unable to vote or run for office, even though most have not been accused of any crime. These restrictions will eventually all be lifted, but not until after the form and content of the new federated state and its redrawn constitution have been determined by the Constitutional Assembly. While some members of the WPE did commit abuses in office, not all did so. WPE members could reasonably demand that the Transitional Government either officially charge them or restore their political rights, but there will apparently not be any opportunity for them to make this request.

⁸⁰"Proclamation 22/1992 of the Special Prosecutor's Office of the Transitional Government of Ethiopia," *Horn of Africa Bulletin: Scandinavian Institute of African Studies* (Uppsala: 2 March 1994) -- as reported on the PeaceNet Database. Telephone interview with Leah Leatherbee, Horn of Africa Project, 21 April 1994. Letter from Chief Special Prosecutor Girma Wakjira, Special Prosecutors' Office, to the American Association for the Advancement of Science (Addis Ababa: 30 October 1993). "Notes: Ethiopia," *Indian Ocean Newsletter* (Paris: 12 March 1994), p. 8.

Initially, the Transitional Government retained many members of the Mengistu bureaucracy, including many WPE members, to continue to oversee the functioning of the government. In more recent years, there have been numerous firings from an admittedly extremely bloated bureaucracy. Because those who held such jobs were overwhelmingly ethnic Amharas, Amhara-speakers, or "centrists," a disproportionate number of people in these categories have lost jobs. There are credible accounts of Amharas being fired and replaced by Tigreans (heavily represented in the EPRDF), but some of those fired have not been replaced, and others have been replaced by non-Tigreans.⁸¹ None of the human rights groups has compiled statistics to support allegations of systematic dismissals or discrimination against Amharas as an ethnic group. There is somewhat more evidence, however, that "centrists" -- Amhara-speakers associated with former regimes -- may have experienced dismissals because of their real or perceived political views. According to the Department of State *Country Reports*, the Ethiopian Teachers Association (ETA) claims that the government has closed 133 of their 137 branch offices (the ETA represents 120,000 teachers, some of whom belonged to the WPE), has frozen their assets, and has fired 22 of their officers. As mentioned above, a number of university professors who might be considered "centrists" have also been fired.⁸²

Status of Mengistu-Era Officials: Former Mengistu Army Soldiers

As discussed in greater detail in the 1993 Resource Center *Alert* on Amharas, when the EPRDF came to power, it demobilized Mengistu's entire army of approximately half a million

⁸¹U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 94. Letter from Berhane Woldegabriel, Human Rights Watch/Africa, London, to John D. Evans, Resource Information Center, Washington, D.C., 28 September 1994, p. 3.

⁸²U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 94.

soldiers. Some soldiers in Eritrea, including those who were critically ill, were summarily expelled to the border. Many soldiers within Ethiopia were literally forced to walk to their home regions, often without adequate food, because the government lacked the means to transport them home. Most officers and many soldiers were put through "re-education programs," and a few were detained for months or years before eventually being released without charge. Some are still in detention pending trial. However, soldiers who were not members of the WPE, and have not been formally accused of crimes during the Mengistu era, have not been deprived of any of their civil rights.⁸³

Given Ethiopia's extremely poor economy, its continuing battles with serious droughts, and the other severe hardships which face demobilized soldiers, there remains a possibility that some embittered soldiers will use their weapons either against civilians or against the EPRDF's military. While there have been reports of violence perpetrated by demobilized soldiers, and rumors that various exiled opposition groups and individuals (including Mengistu himself) are attempting to recruit soldiers to fight against the EPRDF's army, for the most part there appears to have been relatively little conflict involving demobilized soldiers. Most ex-soldiers have returned to their home regions and are farming. About 10% are receiving aid from foreign governmental projects -- the largest of which is funded by the German government -- which provide them with farm implements or artisan training in masonry, repair of rural water supply systems, or other trades aimed at rebuilding Ethiopia's infrastructure.⁸⁴

⁸³Rwegayura, Anaclet, "Mengistu's Men Find A Place In Civilian Life," *Inter Press Service* (New York: 17 March 1994) -- as reported on PeaceNet database.

⁸⁴Rwegayura, Anaclet, "Mengistu's Men Find A Place In Civilian Life," *Inter Press Service* (New York: 17 March 1994) -- as reported on PeaceNet database. The German Agency for Technical Cooperation (GTZ) is working with the newly founded Commission of Former Soldiers and Disabled Veterans, formed to reintegrate former soldiers into

ETHNIC-BASED OPPOSITION MOVEMENTS

One of the most controversial decisions taken by the EPRDF when it assumed power in May 1991 was its recognition of the Eritrean People's Liberation Front as the government of Eritrea, pending a referendum among Eritreans on whether they wanted independence from Ethiopia. At the time, the EPRDF's stance was that all nationalities and regions would enjoy the right to self-determination within Ethiopia, or to secession if that was their decision. The TPLF and the EPLF had been closely allied in their efforts to topple the Mengistu government, and the TPLF supported the EPLF's demand for independence.⁸⁵ Although there is no military force in Ethiopia that, realistically, has the capacity to challenge the EPLF's decision to declare its independence from Ethiopia, many "centrists" in Ethiopia believe that Eritrea is an inviolate part of Ethiopia, and that promising each ethnic group the right to secede could destroy Ethiopia. They also argue that the EPRDF's policy of decentralization can be interpreted as an attempt to lessen the power of Amharas and Amhara-speakers, since Amharas comprise only 25% of the population, and many Amharas -- not always out of choice -- live as minorities in outlying regions of Ethiopia.

In the shortest term, the EPRDF's policy of allowing each ethnic group to maintain some autonomy appeared to act as a unifying factor. The Oromo Liberation Front, the largest guerrilla army representing Oromos (the largest single ethnic group in Ethiopia at 40% of the population),

civilian life by providing basic vocational training. Ramesh Jaura, "Bonn Uses Aid As An Instrument Of Democracy," *Inter Press Service* (New York, 21 June 1994) -- as reported on NEXIS database.

⁸⁵In a 1993 referendum, the population of Eritrea did vote, overwhelmingly, in favor of independence.

had announced in early 1991 its intention to secede from Ethiopia. The territory in which Oromos live, however, does not have the clear borders Eritrea has. Oromos tend to live in areas where they are a majority but which are not ethnically homogenous.⁸⁶ For instance, the capital of Ethiopia, Addis Ababa, lies in Oromo territory; secession by Oromos would therefore be far harder to implement than Eritrean independence was. The EPRDF reserved for itself a plurality of seats in the National Assembly it created on achieving power, and offered the various Oromo opposition parties the second largest bloc of seats, in effect ensuring that no decision of the EPRDF's could pass the assembly without the consent of the Oromo bloc. Initially, the various Oromo parties, including the Oromo Liberation Front and the Oromo People's Democratic Organization (created and largely controlled by the TPLF), were able to agree on basic principles and to present a united platform within the National Assembly. In this early stage it looked as if the EPRDF's gamble of offering greater autonomy to all ethnic groups and regions had ensured that such groups would be willing to work with the Ethiopian government and drop demands for secession.

The Oromo Liberation Front

For a variety of reasons, both the OLF's willingness to cooperate with the EPRDF and the solidarity of the Oromo ethnic parties have deteriorated badly. Ethnic battles between Oromos and other ethnic groups living in Oromo-dominated territories marred the first years of the post-

⁸⁶As stated in the 1993 Resource Center paper on Ethiopia, and in Resource Center queries on Eritrea, Eritrea is a physical territory, not an ethnic group. There are at least eight ethnic groups living in Eritrea, some of whom, such as the Afar, live in areas which straddle the border between Eritrea and Ethiopia or Djibouti, and were opposed to independence. While certain groups, particularly Christians, have somewhat more power than other groups, there is no one ethnic or religious group which dominates Eritrea.

Mengistu era. During the pre-election period in 1992, OLF activists were subjected to what Amnesty International characterized as "widespread arrests and killings,"⁸⁷ and the State Department described as a process "flawed by numerous irregularities, including fraud, harassment, intimidation, and political assassination."⁸⁸ As a consequence, the Oromo Liberation Front decided not only to withdraw from the 1992 local elections, but also to engage in armed conflict with the EPRDF. At the time, their demand was not for independence, but for the elections -- which the EPRDF itself admitted were flawed -- to be held again under better conditions. The decision to confront the EPRDF on the battlefield was not an effective one: the EPRDF's military forces are far better organized and equipped than the Oromo Liberation Front's, and the latter suffered a serious defeat. Amnesty International and Africa Watch reported that some OLF forces, as well as some EPRDF forces -- particularly forces from the OPDO -- committed grave human rights abuses during the conflict.⁸⁹

During the conflict, the EPRDF detained approximately 20,000 Oromos, many of them civilians, some elderly persons or children, and some who denied any affiliation with the OLF. Although there were few allegations of deliberate abuses against the prisoners of war, many prisoners were detained for months without charge, and some died in detention of communicable diseases or exposure to malarial conditions in the camps. Most of the detainees were released in

⁸⁷Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 1.

⁸⁸U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 91.

⁸⁹Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 2. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices for 1993* (Washington D.C.: U.S. Government Printing Office, February 1994), p. 91.

early 1993 without charge, but at least 1,200 of the detainees eventually faced criminal charges for their activities against the EPRDF or earlier attacks on civilians (including the destruction of several predominantly Amhara villages in the period before the elections). Others were arrested at later dates. Most of those from the last two groups are still awaiting trial.⁹⁰

Although the OLF has never been banned as a political party,⁹¹ and the EPRDF and OLF have both made attempts to negotiate an agreement for future cooperation, the OLF withdrew from the Constitutional Assembly in June 1992, leaving the EPRDF with a majority of the remaining votes. In the succeeding months, many of the OLF's leaders have gone into exile, violence in the Oromo region continues, and some Oromo leaders have been "disappeared."⁹² Initially, the OLF attempted to shift the balance of power somewhat by participating in the Paris and Addis Ababa opposition conferences, and by calling on the EPRDF to acknowledge these opposition parties as legitimate voices in Ethiopian politics. However, the strong "centrist" flavor of the Addis Ababa conference alienated the OLF, which continues to reserve the right to withdraw from Ethiopia if it is unable to effect a satisfactory solution to its current problems with the EPRDF. More recently, almost all the Oromo parties (with the exception of the OPDO) boycotted the June 1994 elections, alleging that the conditions under which the elections were held precluded the possibility of fair, open competition.

⁹⁰Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 1-2. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 93.

⁹¹Amnesty International, *Amnesty International's Concerns Regarding the Human Rights of Oromos in Ethiopia* (Toronto: Amnesty International, 7 May 1993), p. 1.

⁹²Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 2. U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 91-93.

The future of Oromos within Ethiopia is uncertain. Although the Transitional Government allowed Eritrea its independence, it is not as clear that it will grant independence or genuine autonomy to any other ethnic secessionist movements which request this status -- as many Oromos have done. According to the Department of State, there have been credible reports that EPRDF security personnel -- often from the Oromo People's Democratic Organization (OPDO) -- were involved in the arrests and beatings of Oromo detainees for political reasons. Evidence of OPDO forces beating suspects they have detained at local administrative buildings, and whom they believe are associated with the OLF, appears particularly strong. There have, moreover, been no charges brought against security forces in relation to their alleged offenses against real and suspected OLF members.⁹³

Just as significantly, the Oromos are no longer united -- among themselves or with other opposition coalitions -- in their approach to dealing with the Transitional Government. As mentioned above, the Addis Ababa conference emphasized the differences between those opposition groups which advocate a "centrist" position, and those, like the Oromos, who advocate political decentralization and regional autonomy, or outright secession. Most top leaders of the OLF are now in exile, and rifts have begun to appear between Oromo political groupings, and even within the OLF itself. There is no consensus among OLF leaders, let alone among Oromos at large, on the issue of secession from Ethiopia. According to Brookings Institution Senior Research Analyst Terrence Lyons, it is "often unclear whether calls for

⁹³U.S. Department of State, "Ethiopia," *Country Reports on Human Rights Practices For 1993* (Washington, D.C.: U.S. Government Printing Office, February 1994), p. 91-92.

independence are tactical or genuine, and the degree to which the OLF leadership continues to reflect the aspirations of the Oromo people is murky.⁹⁴

Accounts on whether the OLF is engaged in anti-government violence, or is willing to engage in such violence, differ, although the international relief organization CARE reported in early December 1994 that the OLF was involved in military operations in eastern Ethiopia.⁹⁵ As with the COEDF, however, the major issue for the Transitional Government appears to be less the threat of military attack, or the refusal to foreswear violence, than the failure of the opposition to agree to the EPRDF's terms for conducting negotiations, and to concede that the EPRDF's government is "legitimate." It is not at all clear what would happen if an organized Oromo delegation demanded the right to vote on secession, as the Eritrean People's Liberation Front did: the Transitional Government appears far more reluctant to contemplate this option in the Oromo case. However, the OLF's coalition has also begun to experience rifts along religious lines, as the mainly Christian Oromos in the area near Addis Ababa appear to be forming their own guerrilla movement (Oromos at Ambo), while Islamic fundamentalists within the OLF are gravitating toward either the military wing of the Islamic Front for the Liberation of Oromia (IFLO) or civilian Islamic groups. Thus, while Oromos may have legitimate grievances against the Transitional Government, they do not appear to have the leverage necessary to demand genuine

⁹⁴"Ethiopia," *Washington Times* (Washington, D.C.: 2 February 1994). Letter from Berhane Woldegabriel, Human Rights Watch/Africa, London, to John D. Evans, Resource Information Center, Washington, D.C., 28 September 1994, p. 2. Letter from Terrence Lyons, Brookings Institution, to John D. Evans, Resource Information Center, Washington, D.C., 10 October 1994.

⁹⁵"Ethiopia," *Washington Times* (Washington, D.C.: 2 February 1994) -- as reported on NEXIS database. "Ethiopia: Insecurity in the East," *Indian Ocean Newsletter* (London: Indigo Publications, 3 December 1994) -- as reported on NEXIS database.

regional autonomy or to prevent unchecked abuses by government security forces.⁹⁶ According to Amnesty International (and borne out by the arrest of two OLF delegates to the April 1994 Addis Ababa conference), "[k]nown or suspected OLF activists are still at risk of detention on return to Ethiopia."⁹⁷

Other Potential Ethnic Secessionist Movements

Although an organized Oromo secessionist movement would present the greatest threat to the survival of an identifiable Ethiopian state, there are other organized, violent secessionist movements within Ethiopian territory that could also pose such a threat. The Transitional Government's original stance did support the right to self-determination, but it does not appear to be as receptive to the demands of these groups for a referendum as it was with Eritrea's. One of the movements which has demanded regional autonomy since May 1991 is the Afar Liberation Movement. The Afar ethnic group straddles the border between Ethiopia and Eritrea, and most Afar have been strongly opposed to the division of their territory into two states. The Transitional Government initially attempted to appease the Afar by offering them territory inside Ethiopia which had formerly belonged to Ethiopian Jews (referred to as Falashas), most of whom have left Ethiopia for Israel. Although many Afar have not been reconciled with the Transitional Government's decision to allow Eritrea to become independent, or with their perceived lack of

⁹⁶"Opposition Demonstration In Addis," *Indian Ocean Newsletter* (Paris: 23 April 1994), p. 4. "Reports of Oromo Guerrillas at Ambo," *Indian Ocean Newsletter* (Paris: 19 March 1994), p. 3. "Notes: Ethiopia," *Indian Ocean Newsletter* (Paris: 12 March 1994), p. 4.

⁹⁷Amnesty International, *Amnesty International's Concerns Regarding the Human Rights of Oromos in Ethiopia* (Toronto: Amnesty International, 7 May 1993), p. 1.

autonomy, and there has been fighting between some Afars and the Transitional Government's military, the Afar are neither a large enough group (4% of the population of Ethiopia), nor unified enough (at least four Afar groups participated in the June 1994 elections, and several other Afar groups boycotted the elections) to represent a threat to the Transitional Government's authority. Compared to the first year after the May 1991 transition, there have been relatively few reports of fighting in the Afar region, although it has not died down entirely.

More recently, the Ogadeni National Liberation Front has demanded to be allowed to exercise its rights to self-determination by holding a referendum under the auspices of the United Nations and the Organization of African Unity. The ONLF, which with the Western Somali Liberation Front held a majority of the seats in the predominantly ethnic Somali Region 5 Council (Regions are administration units which determine the boundaries used for local government and elections), claims that the Regional Parliament in Region 5 unanimously supported the ONLF's call for a referendum in Region 5 on secession. This claim is difficult to substantiate, as, according to the *Indian Ocean Newsletter*, the Executive Council chosen by the Regional Council of Region 5 met on April 6, 1994, to replace the chairman and deputy chairman of the Regional Council, and to add ten new members to the Council. The ONLF and other members of the Regional Council in Region 5 protested the restructuring, claiming that only 14 members of the elected Council were present at that meeting, and that they were outnumbered by 21 newly appointed members. It is clear that a majority of the members of the Regional Council in Region 5 did support recognition of the right of nationalities to self-determination and even secession, a clause which is guaranteed in the recently introduced Constitution, but that opposition groups

state they doubt will be honored in practice.⁹⁸ Conflicts over these and other issues led the ONLF to announce that it would boycott the June 1994 elections, and ask the Transitional Government to postpone the elections in that region.⁹⁹

Whether the ONLF's demand for a referendum is supported by the majority of residents in Region 5 is not clear. The situation of ethnic Somalis in Ethiopia is complicated by spillover from the ethnic clashes between Somali clans in Somalia, and one credible source suggested that the ONLF's position may not reflect that of most Somalis. Some may want greater autonomy, but would not necessarily favor being incorporated into war-torn Somalia. Thus, until a referendum is held in Region 5 -- not a strong possibility given the security situation -- there can be no definitive evidence as to whether ethnic Somalis have a unified opinion on autonomy and secession.¹⁰⁰ What is clear is that the EPRDF has committed numerous human rights abuses against ONLF members. The ONLF reports several incidents in which their military wing, "El

⁹⁸According to a *Reuters* report, "up to secession" means "the right of Ethiopia's regions to secede if they want to." "State to Own Land in Post-Marxist Ethiopia," *Reuters* (London: 26 November 1994) -- as reported on NEXIS database. *Reuters* also reported that although the Constituent Assembly voted in favor of a federal system, it has not determined whether the structure would be based on ethnic boundaries or other factors.

"Ethiopian Assembly Endorses Federal Government," *Reuters* (London: 8 November 1994) -- as reported on NEXIS database. Anacleto Rwegayura, "Ethiopia to try Federal Republicanism" *Inter Press Service* (New York: 29 November 1994) -- as reported on NEXIS database. "New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1. "Council of Region Five Rejigged," *Indian Ocean Newsletter* (Paris: 30 April 1994), p. 2.

⁹⁹"New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1.

¹⁰⁰Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights In Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 4. "New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1. "Notes: Ethiopia," *Indian Ocean Newsletter* (Paris: 5 February 1994), p. 4. "Spotlight - Ethiopia: Rising Perils," *Indian Ocean Newsletter* (Paris: 19 February 1994), p. 1-2.

Itihaad" (Unity) clashed with the EPRDF's army, including one in February 1994 in which the EPRDF killed at least 80 people.¹⁰¹

The ONLF claims that the Transitional Government has met its demands with "political suppression, massacre, and wanton detention without due process."¹⁰² Amnesty International confirms that the EPRDF has followed a particularly repressive policy against the ONLF since the ONLF's first call for a referendum on independence for the ethnic Somali region of Ethiopia, back in 1992. Amnesty reports armed clashes, mass arrests, torture in detention resulting in at least one death and one permanent case of brain damage, several extrajudicial executions -- including some of unarmed pro-ONLF demonstrators, and some of ONLF leaders -- "disappearances," and some indefinite detentions.¹⁰³

The Transitional Government postponed elections in region 5 in part because of the security situation, and in part because of the ONLF's announcement that it would boycott the election. The ONLF's justification for boycotting the election is that the draft Constitution which the Transitional Government has written, and which is almost certain to be adopted, "systematically and subtly" denies the concept of self-determination, violating the 1991 Charter which promised to guarantee the rights of nationalities for "self-determination up to and including

¹⁰¹"New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1. Amnesty International (USA), *Ethiopia: Extrajudicial Executions/Fear for Safety/Torture and Ill-Treatment* (Boulder, Colorado: Amnesty International [USA], UA 75/94, 24 February 1994), p. 1-2.

¹⁰²"New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1.

¹⁰³Amnesty International, *Amnesty International's Present Concerns Regarding Human Rights in Ethiopia* (Toronto: Amnesty International, 26 August 1993), p. 4. Amnesty International (USA), *Extrajudicial Executions/Fear For Safety/Torture and Ill-Treatment* (Boulder, Colorado: Amnesty International [USA], UA 75/94, 24 February 1994), p. 1-2. Amnesty International (USA), *Extrajudicial Executions/Fear For Safety/Torture and Ill-Treatment: Further Information* (Boulder, Colorado: Amnesty International [USA], UA 75/94, 20 May 1994), p. 1. Amnesty International [USA], UA312/94, *"Disappearances/ Fear for Safety"* (Boulder, Colorado: Amnesty International [USA], UA 312/94 25 August 1994) -- as reported on PeaceNet database.

[se]cession."¹⁰⁴ According to the *Horn of Africa Bulletin*, elections were finally held in region 5 in early August 1994: the ONLF boycotted the elections and most of the seats went to the OPDO, a member party of the EPRDF.¹⁰⁵ The newly-introduced Constitution does appear, on paper, to continue to guarantee the right to self-determination and even secession,¹⁰⁶ but in practice none of the ethnic-based movements which have demanded referenda on autonomy or secession -- or even the right to campaign openly and freely for these goals -- have found the EPRDF cooperative.¹⁰⁷

None of the ethnic movements which favor greater autonomy or independence have the military means to challenge the EPRDF successfully -- they do not, individually, represent a security risk to the EPRDF. However, the number of ethnic movements which are claiming that the EPRDF is not responsive to their needs, and the latter's tendency to respond by military means, raises the question of whether the Transitional Government will be able to ensure peace by voluntary means, and whether it will be able to meet other critical goals, such as improving the economy, coping with a particularly severe drought, and reforming the police, military, judicial,

¹⁰⁴"New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1.

¹⁰⁵"Somali Region," *Horn of Africa Bulletin* (Uppsala, Sweden: July-August 1994), Vol. 6 No. 4 -- as reported on PeaceNet database.

¹⁰⁶According to a *Reuters* report, "up to secession" means "the right of Ethiopia's regions to secede if they want to." Ethiopians would have the right to own buildings on land leased from the state. "State to Own Land in Post-Marxist Ethiopia," *Reuters* (London: 26 November 1994) -- as reported on NEXIS database. *Reuters* also reported that although the Constituent Assembly voted in favor of a federal system, it has not determined whether the structure would be based on ethnic boundaries or other factors. "Ethiopian Assembly Endorses Federal Government," *Reuters* (London: 8 November 1994) -- as reported on NEXIS database. Anaclet Rwegayura, "Ethiopia to try Federal Republicanism" *Inter Press Service* (New York: 29 November 1994) -- as reported on NEXIS database. "New Crisis in Ogaden," *Africa News and Information Service* (Durham, North Carolina: 2 March 1994), p. 1. "Council of Region Five Rejigged," *Indian Ocean Newsletter* (Paris: 30 April 1994), p. 2.

¹⁰⁷"Ethiopia: Constitutional Dilemmas," *Africa Confidential* (London: Indigo Publications, 1 July 1994), Vol. 35, No. 13, pp. 3-5.

and electoral systems. The Transitional Government has made some attempts at introducing a broader-based, more inclusive form of government than existed in the past, but it is intolerant of opposition groups which refuse to accept the laws and standards which have been introduced -- in essence, unilaterally -- by the EPRDF. There appears to be considerable evidence suggesting that members of ethnic opposition groups could face considerable risks in Ethiopia, and that such groups have only limited options for changing the form of government under which they live. Among those ethnic and political groups which have experienced harassment from the EPRDF are dissident members in the middle ranks of the EPRDF itself, other members of the National Assembly who have expressed sympathy for opposition groups outside the Assembly, and (according to less solid evidence) Tigreans who refuse to support the TPLF and the Transitional Government.¹⁰⁸ Reports in late 1994 suggest that members of the Sidama Liberation Movement - a recognized political party which was expelled from the Council of Representatives after attending the Paris opposition conference in 1993 -- have begun experiencing serious abuses, including mass arrests without charge or trial, and possible ill-treatment in detention. The Sidama Liberation Movement claims that, despite government charges that it is involved in violence, it disbanded its military wing when the EPRDF came to power. Amnesty International recognizes those SLM leaders who were arrested as non-violent prisoners of conscience.¹⁰⁹

ELECTIONS

¹⁰⁸Lycett, Andrew, "The Struggle Continues," *New African* (London: October 1993), as reported in the Immigration and Refugee Board Documentation Centre, *Indexed Media Review*, Vol VI, No 26, 1993, p. 23. Press, Robert M., "Ethiopia's Regime Stymies Opposition, Critics Assert," *Christian Science Monitor* (Boston: 10 June 1993), p. 6.

¹⁰⁹Amnesty International, "Fear of Ill-Treatment/ Legal Concern," *Urgent Action Appeal* (Nederland, Colorado: 3 October 1994), UA 364/94.

As observers of the 1992 elections (including the Transitional Government itself) concluded, the 1992 local elections were far from being either free or fair. Harassment of non-EPRDF party members, pre-election violence and detentions, and irregularities during the elections are among the flaws noted by international observers, including representatives from the African-American Institute, the U.S. Congress, Amnesty International, and Human Rights Watch. With the OLF, the largest non-EPRDF party in the National Assembly, boycotting the election, the EPRDF controlled 96% of the seats in those regions where it determined that the conduct of the elections was acceptable. The Transitional Government itself concluded that the elections were not free and fair in three of its 14 regions, but was not able to organize make-up elections for those regions.¹¹⁰

National elections held on June 5, 1994, to elect a Constituent Assembly which would then amend and vote on the EPRDF's draft Constitution, were characterized by *The Economist* as "[v]oting, of a sort."¹¹¹ The elections were organized so that each ethnic group was to receive proportional representation in the 524-seat Constituent Assembly, with a 176 seat plurality for Oromos, 37 seats for Tigreans, eight for Afars, 21 reserved for the smaller minorities, etc.¹¹² None of the major internal or external opposition groups participated in the elections. Some evidently intended to do so, but were unable to meet the relatively rigorous registration rules for

¹¹⁰Helene, Jean, "Defiant Ethiopian Leader Boycotts Peace Conference," *Manchester Guardian Weekly* (Manchester: 2 January 1994), p. 11.

¹¹¹"Voting, Of A Sort," *The Economist* (London: 4 June 1994), p. 44.

¹¹²Seyoum, Saba, "High Turnout in Constituent Assembly Poll," *Agence-France Presse* (Paris: 6 June 1994) -- as reported on PeaceNet database.

parties which the Transitional Government announced in February 1994.¹¹³ Others, particularly those who had boycotted the 1992 election, had announced early on that they would boycott the 1994 elections. Amhara-speaking or "centrist" parties took part in the boycott partly because the new Constitution promises all ethnic groups the right to self-determination. Ironically, many of the ethnic-based parties, such as the OLF and ONLF, boycotted the election because of the perception that, in practice, the EPRDF is obstructing conditions (such as allowing referenda) which could determine whether or not ethnic groups want to secede, and that therefore secession is not a genuine option. A variety of small, primarily ethnic-based parties were formed to contest the elections, some of which joined into coalitions which quickly fell apart. Overall, voters had a choice between candidates who ran as independents (over 60% of those who competed), and EPRDF candidates. Not surprisingly, the results of the vote, released on schedule in early July 1994, showed that the EPRDF gained a majority of seats in the Constituent Assembly, and is therefore likely to ratify the Constitution which it drafted.

The conduct and results of the elections serve to emphasize the political dilemma in Ethiopia today. On the one hand, organized opposition movements have been alienated by the government's record on human rights toward identifiable opposition parties, their perception being that the EPRDF is not willing to entertain open discussions about the parameters of government (the concepts of decentralization, secession, etc.), and are now equally unable to form a united opposition to the existing government (the "centrists" believing that the government is unwilling

¹¹³ "Ethiopia Orders Political Party Registration," *Reuters* (London: 23 February 1994) -- as reported on PeaceNet database. The regulations stipulated that groups based on religion, humanitarian organizations and profit-making bodies would not be allowed to register as political parties, and that no parties could receive foreign funding. While these stipulations were reasonable, it is worth noting that much of the ethnic-based opposition which has arisen in the past year has been from ethnic groups which are primarily Muslim, often fundamentalist, and which receive some support from Muslim countries, including Sudan and Saudi Arabia.

to rescind its decisions on decentralization and secession, and many of the ethnic opposition groups believing that the government is unwilling to honor such decisions).

On the other hand, turnout was high in the regions where the elections did take place (the exception being region 5, comprised primarily of ethnic Somalis, where elections were postponed because of "unrest"), and the elections themselves were reported to be generally peaceful.

According to *Agence-France Presse* "[f]oreign correspondents watching the voting in Addis Ababa saw little sign of real enthusiasm, but rather a disciplined showing at the polls by people carrying out their civic duty."¹⁴ Thus, while fully aware of the restrictive parameters placed on the elections, and therefore on the form which the Constituent Assembly could take, and aware of the fact that most of the major opposition groups were boycotting the elections, a majority of Ethiopians chose -- apparently without coercion -- to vote. Observers stated that, within the parameters of the opposition boycott, the elections themselves were free and fair -- independents running against the EPRDF coalition won 13 of the 23 seats in the Addis Ababa region.

Moreover, some members of opposition groups conceded that the opposition boycott may have been counterproductive, in that the majority of Ethiopians chose to vote regardless of the boycott. Not surprisingly, when the results of the elections were released in early July 1994, the EPRDF's member parties had over 400 of the 502 seats being contested for the Constituent Assembly.

Since each ethnic group was given a designated number of seats, the EPRDF's Oromo People's

¹⁴Seyoum, Saba, "High Turnout in Constituent Assembly Poll," *Agence-France Presse* (Paris: 6 June 1994) -- as reported on PeaceNet database.

Democratic Organization won most of the Oromo seats, and all but one of the seats in the Amhara-dominated north went to the EPRDF's Amhara National Democratic Movement.¹¹⁵

CITIZENSHIP IN ETHIOPIA

The Transitional Government's Charter adopts, largely unchanged, the laws on citizenship which existed in the previous Ethiopian Constitution. In essence, anyone who has at least one parent with Ethiopian citizenship (male or female) qualifies for Ethiopian citizenship as long as neither the qualifying parent(s), nor the individual, has renounced Ethiopian citizenship. Ethiopia does not permit dual citizenship, nor does birth within Ethiopian territory give an individual any special rights to Ethiopian citizenship. Individuals who are not citizens of Ethiopia but who have lived in Ethiopia for at least a year may apply for citizenship, but would be expected to renounce their prior citizenship. Now that Eritrea has become an independent country, those who are determined to have Eritrean citizenship have no more right to Ethiopian citizenship than any other foreign national.

¹¹⁵Flint, Julie, "Ruling Party Wins As Opponents Stay Home in First Free Ethiopian Election," *Ottawa Citizen* (Ottawa: 5 July 1994) -- as reported on NEXIS database. Flint, Julie, "Ruling Party Triumphs in Ethiopian Election," *The Guardian* (London: 4 July 1994) -- as reported on NEXIS database. Seats in region 5, which would bring the total number of seats to 547, were not voted on during the June 5, 1994 election. Most reports listed the EPRDF as having won 484 seats in a 547 seat Constituent Assembly, but in some the numbers varied. The Associated Press, for instance, listed the EPRDF as having won 502 seats in a 555 seat assembly (with independents winning 25 seats and other parties winning 28). "Ruling Party Wins Most Constituent Assembly Seats," *Associated Press* (New York: 4 July 1994) -- as reported on NEXIS database. In contrast, *Xinhua* reported only 449 seats for the EPRDF. "Ethiopian Ruling Party Wins Constituent Assembly Elections In Most Constituencies," *Xinhua* (Beijing: 3 July 1994) -- as reported on NEXIS database.

There are several instances in which some confusion could arise on Ethiopian citizenship. The government of Somalia traditionally recognized all ethnic Somalis -- such as, for instance, those living in the disputed Ogaden region of Ethiopia -- to be "Somalian." Until the collapse of the Somali government, it was relatively easy for ethnic Somalis to acquire Somali citizenship simply by establishing Somali ethnicity and agreeing to renounce citizenship in other states. Those who did so could be viewed by the Ethiopian government as having thereby renounced their Ethiopian citizenship. With the lack of centralized authority in Somalia and "Somaliland" (the breakaway northern region of Somalia), some ethnic Somalis who held Ethiopian citizenship but who took steps to acquire official Somali citizenship may lack the paperwork necessary to establish citizenship in Ethiopia, Somalia, or "Somaliland," and could be considered stateless.

In addition, because Eritrea's citizenship laws are somewhat more restrictive than Ethiopia's, some individuals who were once citizens of what was then a unified Ethiopia may have, involuntarily, become stateless. Others, particularly those from ethnic groups which straddle the border between Ethiopia and Eritrea, may be refusing to acknowledge the Ethiopian government's requirement that they choose citizenship in one region or the other, or may, because of constant travel across what was once an internal border, not have a clear claim to citizenship in either state (since neither uses birth as a determinant of citizenship). The Ethiopian and Eritrean governments have held a series of meetings to attempt to work out agreements which would eliminate the stateless status of most of these individuals, but such an agreement or law does not yet exist.¹¹⁶

¹¹⁶Immigration and Refugee Board, Documentation, Information, and Research Branch, *Ethiopia: Copy of the Citizenship Law of Ethiopia and Information on Whether an Eritrean Can Obtain Citizenship in Present-Day Ethiopia*, Response to Information Request (Ottawa: Immigration and Refugee Board, Documentation, Information, and

APPENDICES

List of Political Parties which Registered for the June 1994 Elections¹¹⁷

1.	Afar Liberation Front	ALF
2.	Tigray [Tigre/Tigrey] People's Liberation Front	TPLF
3.	Oromo People's Democratic Organization	OPDO
4.	Amhara National Democratic Movement	ANDM
5.	Islamic Front for the Liberation of Oromia	IFLO
6.	Harari National League	HNL
7.	Ethiopian Somali Democratic League	ESDL
8.	Burgi People's Democratic Organization	BPDO
9.	Kore Nationalities Democratic Organization	KNDO
10.	Sidama People's Democratic Organization	SPDO
11.	Alaba People's Democratic Organization	APDO
12.	Kembata People's Democratic Organization	KPDO
13.	Kembata People's Congress	KPC
14.	Tembaro People's Democratic Organization	TPDO
15.	Derassa People's Democratic Organization	DPDO
16.	Gurage People's Democratic Organization	GPDO
17.	Omo People's Democratic Organization	OPDO
18.	Wolaita People's Democratic Organization	WPDO
19.	Southern Omo People's Democratic Movement	SOPDM
20.	Kehena Democratic Organization	KDO
21.	Gurage People's Revolutionary Democratic Movement	GPRDM
22.	Mareko People's Democratic Organization	MPDO
23.	Gedeo People's Democratic Movement	GPDM

Research Branch, ETH14824, 9 August 1993), p. 1. Immigration and Refugee Board, Documentation, Information, and Research Branch, *Ethiopia: Information on the Nationality Law of Ethiopia and on Whether a Person Born in Djibouti of Ethiopian Parents is an Ethiopian National* (Ottawa: Immigration and Refugee Board, Documentation, Information, and Research Branch, ETH12380, 30 November 1992), p. 1. Immigration and Refugee Board, Documentation, Information, and Research Branch, *Ethiopia: Copy of the Nationality Law* (Ottawa: Immigration and Refugee Board, Documentation, Information, and Research Branch, ETH11629, 8 November 1992), p. 1. Immigration and Refugee Board Documentation Centre, *Ethiopia: Information on Whether a Person Born in 1974 in Kelafo, in the Ogaden Region, of Parents Born in Somalia is Considered to be an Ethiopian National According to Ethiopian Law as it Existed in 1974 and as it Exists Today* (Ottawa: Immigration and Refugee Board Documentation Centre, ETH10740, 3 June 1992), p. 1. Immigration and Refugee Board Documentation Centre, *Ethiopia: Citizenship of Somalis Born in Ethiopia* (Ottawa: Immigration and Refugee Board Documentation Centre, ETH2912, 16 November 1989), p. 1.

¹¹⁷"Election News," *Horn of Africa Bulletin: Scandinavian Institute of African Studies* (Uppsala: Bulletin No. 2, 3 June 1994) -- as reported on the PeaceNet Database.

24.	Hadia People's Democratic Organization	HPDO
25.	Dei People's Unity Democratic Organization	DPUDO
26.	Meanit People's Unity Democratic Organization	MPUDO
27.	Bench People's Unity Democratic Movement	BPUDM
28.	Shekecho People's Democratic Movement	SPDM
29.	Keficho People's Unity Democratic Organization	KPUDO
30.	Alaba People's Democratic Movement	APDM
31.	Gambela People's Liberation Movement	GPLM
32.	Gamo Democratic Union	GDU

33.	Silti Azernet Berbere Meskan/Weleni Gedebano People's Democratic Movement	SABM/WGPDM
34.	Derita Dibamo Kechenchila People's Democratic Organization	DDKPDO
35.	Harari Democratic Unity Party	HDUP
36.	Afar People's Democratic Organization	APDO
37.	Arguba National Unity Organization	ANUO
38.	Benishangul People's Liberation Movement	BPLM
39.	Gumuz People's Liberation Movement	GPLM

Partial List of Ethiopian Parties and Movements¹¹⁸

AAPO	All-Amhara People's Organization
ADU	Afar Democratic Union
ALF	Afar Liberation Front
APDO	Afar People's Democratic Organization
ARDU	Afar Revolutionary Democratic Union
ARDUF	Afar Revolutionary Democratic Unity Front
BPLM	Benishangul People's Liberation Movement
CAFPDE	Council of the Alternative Forces for Peace and Democracy in Ethiopia
COEDF	Coalition of Ethiopian Democratic Forces
CRDA	Christian Relief and Development Association
ECS	Ethiopian Catholic Secretariat
EDAG	Ethiopian Democratic Action Group
EDOC	Ethiopian Democratic Organization Coalition
EDUP	Ethiopian Democratic Unionist Party
EECMY	Ethiopian Evangelical Church Mekane Yesus
ENDP	Ethiopian National Democratic Party
EPDA	Ethiopian People's Democratic Alliance
EPDM	Ethiopian People's Democratic Movement
EPRDF	Ethiopian People's Revolutionary Democratic Front
EPRP	Ethiopian People's Revolutionary Party
ESDL	Ethiopian Somali Democratic League
ESDM	Ethiopian Somali Democratic Movement
GDU	Gamo Democratic Union
GPDF	Gurage People's Democratic Front
HPDO	Hadia People's Democratic Organization

¹¹⁸"Partial List of Ethiopian Parties and Movements," *Horn of Africa Bulletin: Scandinavian Institute of African Studies* (Uppsala: Vol. 6, No. 2, March-April 1994) -- as reported on the PeaceNet Database.

IFLO	Islamic Front for the Liberation of Oromia
IGLF	Issa Gurgura Liberation Front
KPC	Kembata People's Congress
MEISON	All Ethiopia Socialist Union
OALF	Oromo Abo Liberation Front
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front
OPDO	Oromo People's Democratic Organization
ORA	Oromo Relief Association
OSAFU	Oromo Students Association of Finfine University
SEPDC	Southern Ethiopian People's Democratic Coalition
SGPDO	Sodo Gordena People's Democratic Organization
SPDO	Sidama People's Democratic Organization
TPLF	Tigray People's Liberation Front
TWU	Tigri-Worji Union
UODO	United Oromo Democratic Organization
UOPLF	United Oromo People's Liberation Front
WPE	Workers' Party of Ethiopia
WPDF	Wolaita People's Democratic Front
WSLF	Western Somali Liberation Front

Guidelines on Claims for Asylum In the United States by Potential Persecutors

In a trial in Atlanta, Georgia, an Ethiopian who had been granted asylum by the INS was found guilty of having committed acts of persecution against three women who had also been granted asylum. While this particular person would have been difficult for the Asylum system to identify as a persecutor (he was not a high-level military official, an official of the Mengistu government, or a leader in the Workers' Party of Ethiopia), such cases underline the importance of assessing the possibility that some Ethiopian applicants could potentially be persecutors. When there is any doubt about whether an applicant could have participated in persecution, Asylum Officers should call the Resource Center to discuss how the case can be researched without breaching the confidentiality of the application. Some considerations which should assist the interviewing Asylum Officer in determining when to seek assistance from the Resource Center:

- * The Resource Center is unlikely to find concrete evidence of abuses committed by those asylum applicants who were detained by the Transitional Government and then released without charge, and have paperwork to indicate such status. It is relatively unlikely that the Ethiopian government has the evidence necessary to convict such applicants of human rights abuses, and relatively unlikely that the Resource Center will be able to find such evidence. On the other hand, such applicants should probably be able to articulate a basis for their claim other than fear of unjust re-arrest by the Transitional Government on the exact same charges -- the Resource Center has seen few reports of Mengistu era-

- bureaucrats whose cases as potential human rights abusers were reviewed and dismissed later being rearrested on similar charges. Some may, however, have suffered severe past persecution by the Mengistu government during coup attempts against that government, or may face arrest because of anti-government activities after their release from detention.
- * Similarly, those applicants who have lived openly in Ethiopia for a year or longer after the Transitional Government came to power, have never been detained or jailed by the Transitional Government, and were able to leave the country openly, probably do not face arrest and trial by the Transitional Government for acts they committed during the Mengistu era. The Transitional Government has already drawn up lists of those individuals it plans to prosecute, and is unlikely to have left free anyone within Ethiopia against whom it has strong evidence of persecution during the Mengistu era. The Resource Center is unlikely to find evidence that such applicants committed acts of persecution. Again, however, the applicant will probably need to articulate a claim on some basis other than fear of false arrest by the Transitional Government for acts allegedly committed during the Mengistu era.
 - * Applicants who state they left Ethiopia while out on bail, who claim to have escaped detention in Ethiopia, or who held relatively high-level or sensitive positions in the Mengistu government, military, or Workers' Party **and** have not been back to Ethiopia since the Transitional Government took power should be evaluated carefully to assess the possibility that they may have committed human rights abuses. Whenever there is some question about the applicant, the case can be discussed with the Resource Center.
 - * As a matter of record, Asylum Officers may want to ask all Ethiopian applicants whose claim involves adherence to a "centrist" political stance or past affiliation with the Mengistu government, or who claim they will be persecuted because they are Amharas or Amhara-speakers, whether they were related directly or indirectly to Mengistu or anyone in Mengistu's family, and what their jobs or positions were during the Mengistu era. Although Mengistu's own ancestry is unclear, he is considered an "Amhara-speaker," and his relatives and relatives-by-marriage are primarily Amharas and Amhara-speakers. Although some of Mengistu's relatives had no role in the government's abuses, others did. Similarly, although by no means all members of the Mengistu military and civilian bureaucracy were involved in abuses, some were. While such questions may not yield useful information, they will put on record the applicant's response to such questions. Again, the Resource Center should be consulted if issues arise in response to this line of questioning.
 - * On occasion, members of the Ethiopian community in the United States have lodged complaints about grants of asylum to Ethiopians whom they believe to have been persecutors. If an applicant is granted and credible allegations are later made against the applicant to a local Asylum Office, the Resource Center should be notified so that it can research the allegations.

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