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U.S. Department of State

Ethiopia Country Report on Human Rights Practices for 1997

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ETHIOPIA

Ethiopia continued its transition from a unitary to a federal system of government. Prime Minister Meles Zenawi leads the Government of the Federal Democratic Republic of Ethiopia, which was elected in 1995 to replace a transitional government that was established following a long and brutal civil war. Most opposition groups boycotted the elections, and candidates affiliated with the dominant party within the transitional government, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), won a landslide victory in national and regional elections. The principal faction within the EPRDF remains Prime Minister Meles' Tigray Peoples' Liberation Front (TPLF). The judiciary is weak and overburdened, but continued to show signs of independence.

Federal regions, organized along ethnic lines, are increasingly autonomous, having greater local control over fiscal and political issues. However, the relationship between the central Government and local officials and among the various judiciaries has not yet been finalized. A history of highly centralized authority, great poverty, the civil conflict, and unfamiliarity with democratic culture combine to complicate the implementation of federalism. The federal Government has significant difficulty protecting constitutional rights at the local level, especially when local authorities are unwilling or unable to do so. Local administrative, police, and judicial systems remain weak in many regions.

Responsibility for internal security continued to shift from the military forces to the police in most regions. Throughout the year, military forces conducted low level operations against the Oromo Liberation Front (OLF) in parts of the Oromia regional state. The military forces also conducted operations against the Somalia-based Al'ittihad terrorist organization and elements of the Ogaden

National Liberation Front (ONLF). The national police organization is subordinate to the Ministry of Justice. Despite increased professional training during the year, some local officials and members of the security forces committed human rights abuses.

The economy is based on smallholder agriculture, with more than 85 percent of the population of 58.5 million living in rural areas under very poor conditions. Per capita gross national product is estimated at \$135 per year. Real economic growth in 1997 was 6 percent. Coffee accounts for about 60 percent of export revenues. The Government continued to implement an internationally supported economic reform program designed to liberalize the economy, attract foreign investment, and bring state expenditures into balance with revenues.

Despite promises by the Government to improve its human rights practices, serious problems remain. An opposition figure suspected of terrorism was killed while reportedly trying to avoid arrest. Security forces sometimes beat or mistreated detainees, and arbitrarily arrested and detained citizens. Prisons are seriously overcrowded, and prolonged pretrial detention remains a problem. The judiciary lacks sufficient staff and funds; consequently, most citizens are denied the full protections provided for in the Constitution. In response the Government sought to strengthen the judiciary; it trained additional civil and criminal judges and prosecutors and assigned them to regional courts, while it dismissed many others in an effort to eliminate judicial malfeasance. The law regarding search warrants is widely ignored. The Government restricts freedom of the press and continued to detain or imprison journalists. At year's end, 13 journalists were detained, two were imprisoned, and five were awaiting trial. Most were accused or convicted of inciting ethnic hatred, libel, or publishing false information in violation of the 1992 Press Law. Nevertheless, the private press is active and flourishing. Many publications are unprofessional and print inaccurate and untrue articles.

The Government limits freedom of association and continued to refuse to register several nongovernmental organizations (NGO's), but otherwise did not prevent them from operating. The Government remains skeptical of NGO's, and the registration process is slow and tedious. However, in the latter half of the year, the pace of registration improved considerably. Societal discrimination and violence against women and abuse of children remain problems; female genital mutilation is widespread despite active government support for groups opposed to the practice. Child labor is pervasive. Societal discrimination against disabled persons is a problem. On several occasions, the Government took active measures to protect religious freedom.

The Government continued its efforts to create a national, apolitical army by replacing thousands of demobilized Tigrayan soldiers with recruits from other ethnic groups. It expanded its training programs in military justice and undertook programs to enhance the professional capacity and improve the performance of military personnel. The Government sought to enhance transparency and accountability by continuing to publish in state media several detailed reports on officials who were arrested or dismissed for abuse of authority, corruption, and violations of human rights. These included two EPRDF members of Parliament who were removed from office in July and indicted for war crimes committed during the former Mengistu regime. The former Deputy Prime Minister and Minister of Defense, indicted for abuse of authority and embezzlement in 1996, are now facing trial. Governmental transparency, however, remains limited.

Preliminary hearings and arraignments of the first group of defendants accused of war crimes under the brutal Marxist regime of Colonel Mengistu Haile Mariam (1974-1991), which began in December 1994, continued through the year. Many of the accused have been held in detention for more than 6 years without formal charge.

By February the Special Prosecutor's Office (SPO), which is in charge of war crimes investigations and

indictments, had completed its lengthy investigation process and brought charges against 5,198 persons; however, more than half of those accused were not in custody and were charged in absentia.

Radical Ahmara groups, the OLF, and the Islamic extremist group Al'Ittihad Al'Islamia were responsible for a number of grenade attacks, bombings, shootings, and ambushes that killed and injured a number of persons.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were unconfirmed reports of extrajudicial killings by government security forces; however, the very high numbers claimed by human rights activists and ethnically based NGO's, could not be substantiated. Two incidents drew international attention: The death of teacher and OLF sympathizer Wako Tola, apparently of natural causes while in police custody; and the shooting death by police of Assefa Maru, assistant secretary of the Ethiopian Teachers Association and an executive committee member of the Ethiopian Human Rights Council (EHRCO), who security officials suspected was a member of a terrorist organization. Police officials reported that Assefa Maru was shot while trying to resist arrest. The Government declined to make public the results of an internal investigation into Assefa's death.

On October 8, Addis Ababa police killed three men who were allegedly involved in an OLF attack in July; reportedly, the victims were resisting arrest. Two other persons were arrested.

Preliminary hearings and arraignments continued of persons charged with committing genocide and war crimes during the Mengistu regime (see Sections 1.d. and 1.e.).

Police blamed the Oromo Liberation Front (OLF) for a series of grenade attacks in Addis Ababa in mid-April that killed left two persons and seriously injured 75 others. Other deadly grenade attacks, attributed to the Islamic extremist group Al'ittihad al'Islami and the OLF, occurred in Dire Dawa and Harar. The police blamed OLF members for the March 28 ambush and killing of the mayor of Dolo Mena, a Danish missionary nurse, and a passing motorist.

On July 13, 150 to 200 suspected OLF militants attacked the Jeldu Wereda police station, killing 3 policemen and wounding 5.

Banditry remained a serious problem in some parts of the country. Bandits, often heavily armed, killed civilians, police, and soldiers during robberies that they attempted. While authorities frequently ascribed political motives to bandit activity, most evidence suggests that their motives were primarily economic.

b. Disappearance

There were no confirmed reports, but numerous unsubstantiated reports, of alleged disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits the use of torture and mistreatment of prisoners. Nevertheless, there were numerous credible reports that security officials sometimes beat or mistreated detainees. Government

media published occasional reports of officials who were jailed or dismissed for abuse of authority and violations of human rights. The Government provided additional police training to combat this problem.

Prison overcrowding remains a serious problem. Prisoners are often allocated less than 2 square meters of sleeping space in a room that may contain up to 200 people. Prison food is adequate. Prisoners are typically permitted daily access to prison yards. Visitors are permitted, and many prisoners receive regular deliveries of food and other supplies from family members. Female prisoners are housed separately from men, and rape does not appear to be a problem.

The International Committee of the Red Cross (ICRC) reported that the army sometimes used military camps for the temporary detention and interrogation of OLF fighters and alleged supporters. These camps are located near Goba in Bale zone, Oromiya.

The Government permitted independent monitoring of prison conditions, military camps, and police stations and sometimes by diplomatic missions during the year. The ICRC had routine access to prisons and civilian detention facilities throughout the country. ICRC visits to federal prisons are irregular, but regional authorities routinely permit the ICRC to visit prisons and police stations. The ICRC has only restricted access to military detention facilities in eastern regions, where suspected OLF fighters are held.

There were several diplomatic visits to prominent prisoners accused of war crimes by the SPO or charged with plotting violent insurrection against the Government. They included: Abera Yemane-ab, Mamo Wolde, Dr. Alemayehu Tefera, Dr. Taye Wolde Semayat, Mekonnen Dori, and Professor Asrat Woldeyes. International observers, among them a delegation from Education International, were also granted access to prisoners. There were no reports that these prisoners had been mistreated.

d. Arbitrary Arrest, Detention, or Exile

The Constitution and both the Criminal and Civil Codes prohibit arbitrary arrest and detention, but the Government does not always respect these rights in practice.

Under the Criminal Procedure Code, any person detained must be charged and informed of the charges within 48 hours and, in most cases, be offered release on bail. Those persons believed to have committed serious offenses may be detained for 15 days while police conduct an investigation, and for additional 15-day periods while the investigation continues. Some offenses, such as murder and treason, are not bailable. In practice, and especially in outlying regions, authorities often detain persons without a warrant, frequently do not charge them within 48 hours, and--if persons are released on bail--never recall them to court. Nationwide, thousands of criminal suspects remained in detention without charge or trial at year's end. Most of the 7,000 detainees are suspected OLF supporters or guerrilla fighters. Often these lengthy detentions are due to the severe shortage and limited training of judges, prosecutors, and attorneys.

In March police detained several of the organizers of an off-campus university student demonstration (see Sections 2.a. and 2.b.). Federal and regional authorities arrested and detained hundreds of persons without charge or trial for activities allegedly in support of armed opposition groups. The vast majority of these incidents took place in the Oromiya and Somali regional states. In typical cases, security forces arrested and held these persons incommunicado for several days or weeks before eventually releasing them. Most detainees were accused of participating in armed actions by the OLF or ONLF. Some 93 persons who were among a large group of OLF fighters detained in 1994 continued to be held.

On November 5 authorities arrested three alleged OLF terrorists, who confessed to hotel and restaurant bombings in Addis Ababa and Dire Dawa. On November 6, the Federal Police arrested 17 OLF supporters, most of them members of Tulema, a longstanding Oromo self-help organization that the Government asserts is a political organization. Six were founding members of the newly registered Oromo Human Rights League. A total of 31 OLF activists were arraigned on various terrorism and illegal weapons possession charges on December 2. Although the OLF is an illegal organization, due to its refusal to renounce violence and accept the Constitution, simple membership is not necessarily cause for arrest. OLF members travel abroad for negotiations with the Government without hindrance. The Government draws a distinction, however, between the OLF's rank and file and its leadership.

In September the Federal High Court in Addis Ababa began arraignment and prosecution of the 5,198 persons charged with genocide and other war crimes under the previous regime. Some defendants had spent 6 years in pretrial detention. Of that total, 2,246 are in detention, while the remaining 2,952 are charged in absentia. The defendants are mainly charged with genocide and war crimes, except for 25 who are charged with aggravated homicide. Of the 5,198 persons indicted, 2,658 have had preliminary hearings. All defendants who are in custody are scheduled to appear before courts of justice in 1998. Some defendants have been in pretrial detention for 6 years. In July the SPO removed parliamentary immunity from two EPRDF Members of Parliament, arrested them, and indicted them for war crimes. The SPO trials of Olympic marathon champion Mamo Wolde and former Addis Ababa university president Dr. Alemayehu Tefera began.

The authorities arrested the Federal Sports Commissioner in late December because of his affiliation with the previous regime's "reign of terror."

Authorities arrested Dr. Taye Wolde Semayat, chairman of the Ethiopian Teachers' Association (ETA) in August 1996 upon his return from a trip abroad. Taye has been formally charged with forming an Amhara extremist organization that allegedly planned and carried out attacks against foreigners, including the attempted murder of a diplomat and a grenade attack on a diplomatic compound in Addis Ababa. The Government's case against Taye is not linked to his activities on behalf of the ETA. Charges linking Taye to the grenade attacks were dropped, but his trial on other charges continued.

Opposition groups allege that some of the persons detained by the SPO, as well as some other detainees, are held for political reasons. The Government denies that it holds persons for political reasons.

Exile is illegal and is not used.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Federal and regional courts continued to show signs of judicial independence. In practice, however, severe shortages of adequately trained personnel in many regions, as well as serious financial constraints, combine to keep the judiciary weak and overburdened and to deny most citizens the full protections provided for in the Constitution.

Consistent with the Constitution, the Government continued to restructure and decentralize the judiciary along federal lines with the establishment of courts at the district and regional levels. The federal High Court and federal Supreme Court adjudicate cases involving federal law, transregional issues, and national security and hear both original and appeal cases. The regional judiciary is increasingly autonomous; district (Woreda), High and Supreme Courts mirror the structure of the federal judiciary. The Government delegated some of the war crimes trials to the supreme courts in the regions where the crimes were allegedly committed.

The Government continues its sweeping overhaul of the military justice system. Foreign assistance is being used to train officers and noncommissioned officers in topics including judicial and nonjudicial punishment, human rights, and the conduct of soldiers during military operations.

The Government's goal is a decentralized judicial system that brings justice closer to the people.

Authorities detained hundreds of persons without charge during the year, especially in the Oromiya and Somali regions, for supposed involvement with the OLF and ONLF. Many were ultimately released without an appearance before a judge. Such cases often reflect arbitrary actions by local officials, but also result from a shortage of trained and competent prosecutors and judges. In May 1996, the Government appointed 56 federal court justices to help address this shortage. Regional offices of the federal Ministry of Justice monitor local judicial developments, but the federal judicial presence in the regions is limited. Anecdotal evidence suggests that some local officials interpret decentralization to mean that they are no longer accountable to any higher authority, even within their own regions.

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To remedy the severe lack of experienced staff in the judicial system, the Government continued to identify and train lower court judges and prosecutors, although officials acknowledge that the pay scale offered must be significantly increased to attract significant numbers of competent professionals. Senior government officials charged with judicial oversight estimate that the creation of a truly independent and skilled judicial apparatus requires decades. The Government has welcomed foreign financial and technical assistance.

Pending passage by regional legislatures of laws particular to their region, all judges are guided exclusively by the federal procedural and substantive codes. Trials are public, and defendants have the right to a defense attorney. The public defender's office provides legal counsel to indigent defendants, although its scope remains severely limited, especially with respect to SPO trials. The law does not allow the defense access to prosecutorial evidence before the trial.

The Constitution provides legal standing to some preexisting religious and customary courts and gives federal and regional legislatures the authority to recognize other courts. By law both parties to a dispute must agree before a case may be heard by a customary or religious court. Shari'a (Islamic) courts may hear religious and family cases involving Muslims. In addition some traditional courts still function. Although not sanctioned by law, these courts resolve disputes for the majority of citizens who live in rural areas and who generally have little access to formal judicial systems.

The SPO was established in August 1992 to create an historical record of the abuses during the Mengistu regime and to bring to justice those criminally responsible for human rights violations. Trials began in 1994 and continued through the year. The federal High Court has considered the cases of 2,658 defendants accused of genocide, war crimes, and aggravated homicide. Court dates are scheduled for 1998. Court appointed attorneys represent many of the defendants, following claims that defendants could not afford an adequate defense. Of the 5,198 defendants, the Government is trying 2,952 in absentia, including Colonel Mengistu Haile Mariam, the former dictator, who is now in exile in Zimbabwe. Senior government officials expressed growing frustration with the slow pace of the work of the SPO, but the special prosecutor and the vice president of the federal High Court announced in August that all the defendants would appear before court in 1998. Legal observers expect relatively few additional cases to be brought, with many defendants charged and tried collectively in each instance.

There were no reports of political prisoners.

All Amhara People's Organization (AAPO) chairman professor Asrat Woldeyes and four other AAPO leaders were convicted in 1994 of planning armed action against the Government at a 1993 meeting in Debre Berhan. Asrat was also convicted of "incitement to war" in connection with a speech he made in 1992. He was sentenced to a total of 5 years' imprisonment. Asrat currently faces charges stemming from a May 1994 prison escape in Debre Berhan in which several guards were killed. Asrat is reportedly in good health.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law requires judicial search warrants but, in practice, they are seldom obtained outside Addis Ababa.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution and the 1992 Press Law provide for the right to free speech and press; however, the Government used legal and other mechanisms to restrict press rights in practice. The Government continued to prosecute journalists and editors for publishing articles that violated the Press Law.

The Government uses provisions of the Press Law concerning publishing false information or inciting ethnic hatred to arrest journalists, and some journalists practice self-censorship. A total of 15 journalists were either detained or imprisoned by the Government at year's end; 13 of them were awaiting trial. Most were accused or convicted of inciting ethnic hatred or publishing false information in violation of the Press Law. At year's end, two journalists were serving sentences of 1 year. Of the 13 awaiting trial, 5 were arrested for publishing reports in Urjii, a newspaper that is openly supportive of the OLF, which accused the police of executing three alleged OLF operatives in the Mekanissa area of Addis Ababa on October 8. Two others were unable to produce guarantors for bail. One journalist was released after completing a 12-month sentence; another charged with libel was released on bail in August.

Despite the threat of legal action, however, the private press is very active. Many private newspapers continue to publish false information and harshly antigovernment articles without any official sanction. While the private press often reports that government forces or regional officials commit human rights abuses, most private press accounts are unsubstantiated and extremely difficult to verify. However, The Government has not banned any newspaper or publication.

The Government continued to deny access by private journalists to government press conferences, despite the fact that the Press Law requires the Government to be accessible to those seeking information. The Government typically ignores this provision and denies access to information even to government journalists. Both private and government journalists wrote extensively about problems of access to information. Most, but not all, government officials refuse to speak with the private and official press.

Citizens are generally free to discuss publicly any topic they choose. A number of groups critical of the Government held press conferences and public meetings without retribution.

Only about 1 percent of citizens regularly read any newspaper or magazine, and citizens outside Addis Ababa have extremely limited access to the print media. As a result of poor management, market forces,

and government enforcement of the Press Law, only about 20 weekly newspapers appear regularly. Foreign journalists continued to operate freely and often wrote articles critical of government policies. They or their local affiliates were granted greater access to government officials than were local journalists.

While much of the private press continues to lack professionalism in its reporting, some print media are developing into more responsible publications. Others are actually oppositionist newsletters that often purvey unsubstantiated criticism of the Government. Several are tied to distinct ethnic groups, especially Amhara and Oromo, yet severely criticize the Government for being ethnocentric and a party to national dissolution. Newspapers critical of government leaders and their policies are widely available in the capital, but scarce elsewhere.

Radio remains the most influential medium in reaching those who live in rural areas. The Press Law allows for private radio stations, but the only nongovernmental radio license granted so far is Radio Fana, a station controlled by the ruling EPRDF party. The Government operates the sole television station. Ownership of private satellite receiving dishes, facsimile machines, and modems is permitted. Internet access is unrestricted, but private satellite transmission uplinks are not allowed, even for international organizations.

The official media, including broadcast, wire service, and print media, are legally autonomous and responsible for their own management and partial revenue generation, although they continue to receive government subsidies. Government reporters practice self-censorship but have, at times, questioned official policies. The Government's Press and Information Department acts as official spokesperson and implemented a 1996 information policy to guide contacts among the Government, the press, and the public.

Academic freedom is respected. Students at Addis Ababa University (AAU) formed a student council for the first time since 1993. In general, however, political activity is not encouraged on university campuses. In March authorities detained a number of student activists for several days after they staged a demonstration outside the AAU campus without a permit. The students demonstrated in support of farmers in the Amhara region following the regional government's implementation of a new land policy.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly, and the Government generally permitted groups to assemble during the year. Organizers of large public meetings or demonstrations must notify the Government in advance and obtain a permit. Permits appear to be routinely granted. A number of large public demonstrations protesting various government actions took place in Addis Ababa. The police stopped demonstrations held without permits. Addis Ababa shopkeepers and businessmen, protesting announced rent increases, went on strike May 17, only to have a number of their shops sealed by the police and some of their business licenses revoked. A university student demonstration against the Government's land reform policy resulted in the arrest of several organizers. On the other hand, a major All Amhara Peoples Party demonstration was held on May 3 to protest the continued detention of Professor Asrat without incident. The Addis Ababa municipal government granted permits for all but one of the major demonstrations that took place in the capital.

The Constitution provides for freedom of association and the right to engage in unrestricted peaceful political activity. Government procedures for registration of NGO's were changed in 1996, but a number of problems regarding NGO's remain unresolved. NGO representatives complain about the slowness of the registration process, including arrangements for work permits. Primary authority for NGO

registration rests with the Ministry of Justice (MOJ), which has still not issued comprehensive written procedures. Nonetheless, at mid-year the pace of registration improved. In 1995 the Government revoked the registration certificates of 47 domestic and international NGO's. It has refused to grant new registration to several of these NGO's despite their attempts to obtain it. EHRCO, which the Government asserts is primarily a political organization, has not been granted registration as an NGO. The Action Professionals' Association for the People was reregistered in November.

The Government requires political parties to register with the National Election Board (NEB). Parties that do not participate in two consecutive national elections are subject to deregistration. There are about 60 organized political parties. Of these, eight are national parties and the remainder operate only in specific regions. The All Amhara People's Party (AAPPO) is a leading opposition party. Although the AAPPO is registered with the NEB, its activists often complain that the Government limits their ability to campaign for popular support. In July 1996 the NEB granted registration to the Council of Alternative Forces for Peace and Democracy in Ethiopia (CAFPDE) as a national party. The CAFPDE has established branch offices in several regions and launched its own newspaper, Amaratch, which is highly critical of government policies. The NEB also registered the opposition Oromo National Congress as a political party in 1996.

c. Freedom of Religion

The Constitution provides for freedom of religion, including the right of conversion, and the Government respects this right in practice. Pentecostals complain that police do not protect them adequately during instances of conflict with orthodox Christians (see Section 5). In interreligious disputes, the Government tries to be an impartial arbitrator.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement, including the right of domestic and foreign travel, emigration, and repatriation. Citizens can and do freely change their residence or workplace. Citizens and residents are required to obtain an exit visa before departing the country. Exit visas are issued routinely, except to persons with pending court cases or unpaid debts.

Ethiopian Jews (Falashas and Beta Israel) who wish to emigrate to Israel may do so if qualified under Israeli law. The status of several thousand Feles Mora (Ethiopians who claim forced conversion to Christianity from Judaism during the past 100 years or more) is under review by the Israeli government on a case-by-case basis. There are 110 to 120 departures per month under provisions of Israeli law pertaining to family reunification.

According to both the U.N. High Commissioner for Refugees (UNHCR) and foreign diplomats, the Government treats asylum seekers fairly and cooperates with the UNHCR and other humanitarian organizations in assisting refugees and returning citizens. It provided first asylum to more than 360,000 persons in 1996, and continues to host approximately 270,000 refugees; most are from Somalia and Sudan. The Government, in cooperation with the UNHCR, continues to provide first asylum to persons from Sudan and Somalia. Negotiations between the Government and the UNHCR concerning the status of 8,000 refugees from Djibouti living in Afar regional state began during the year. There were no reports of forced expulsion of individuals having a valid claim to refugee status.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens exercised this right for the first time in the country's history in 1995. However, most opposition

groups chose to boycott the elections, despite a widespread finding that opposition participation was possible. Boycotting parties claimed that the Government impeded their ability to participate in the political process. Concerted efforts by foreign governments to promote dialogue and political reconciliation between the Government and several key opposition groups leading up to the elections were not successful. Nevertheless, observers organized by foreign donor governments, the Organization of African Unity, and a coalition of domestic NGO's judged the elections to be generally free and fair, although they cited numerous irregularities. The boycott was one factor that led to an overwhelming victory by candidates of the better funded and better organized EPRDF over candidates of the relatively weak and poorly organized opposition parties and independent candidates.

Political participation remains closed to a number of organizations that have not renounced violence and do not accept the Government as a legitimate authority. These groups include Medhin, the Coalition of Ethiopian Democratic Forces, the Ethiopian People's Revolutionary Party, the OLF, some elements of the ONLF, and several smaller Somali groups.

Neither law nor practice restricts the participation of women in politics. While women's status and political participation are greater than ever, women are minimally represented in the Council of Ministers and among the leadership of all political organizations. Only 1 of the 15 members of the Council of Ministers is a woman; 2 other women hold ministerial rank; and a number of others hold senior positions. There are only 13 women among the 545 members of the lower House of Peoples' Representatives; in the upper house, the House of Federation, 7 of 108 members are women, including the speaker. Among the 23 judges on the federal High Court, 4 are women.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Human rights organizations include the Ethiopian Human Rights and Peace Center, the Ethiopian Congress for Democracy, the Ethiopian Women's Lawyers Association, the Ethiopian Human Rights League, and the Inter-Africa Group. These groups are primarily engaged in civic and human rights education, legal assistance, and trial monitoring. The Ethiopian Human Rights Council, a self-proclaimed human rights monitoring organization, continues to operate without legal status as an NGO because the Government considers some of its activities as primarily political.

The ICRC conducts regular visits to detention centers throughout the country. ICRC access during the year improved measurably with the opening of new regional offices in Gode, a town in the Ogaden area of Somali state, and Assosa, near the border with Sudan in Benishangul state.

The Government continues to encourage international human rights groups and foreign diplomats to observe the war crimes trials, which began in 1994. Delegations from Human Rights Watch/Africa, the Committee to Protect Journalists, Reporters sans Frontieres, Amnesty International, Education International, the Lawyers Committee for Human Rights, and various international labor organizations all visited during the year. Representatives from these organizations held substantive discussions with a number of senior government officials, including Prime Minister Meles. Officials of the Federal Security Authority have generally been responsive to requests for information from the diplomatic community.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that all persons are equal before the law. The law provides that all persons should have equal and effective protection without discrimination on grounds of race, color, sex,

language, religion, political or other opinion, national or social origin, wealth, birth or other status. The Government, however, has not yet put fully into place mechanisms for effective enforcement of these protections.

Women

The Constitution provides for the equality of women, but these provisions are often not applied in practice. Culturally based abuses, including wife beating and rape, are pervasive social problems. While women have recourse to the police and the courts, societal norms and limited infrastructure inhibit many women from seeking legal redress, especially in remote areas. Social practices obstruct investigations into rape and the prosecution of the rapist.

Although women played a prominent role (including service in combat) during the civil war, in practice women do not enjoy equal status with men. The law considers men and women equal, but tradition and cultural factors place the husband as head of the household. All land belongs to the State. However, land reforms enacted in March stipulate that women may lease land from Government. Discrimination is most acute in rural areas, where 85 percent of the population lives. In urban areas, women have fewer employment opportunities than men, and the jobs available do not provide equal pay for equal work. Women's concerns have been factored into the Government's development planning since 1993. There are women's affairs desks in each of the ministries. To enhance further the status of women, the Government formally adopted a "National Program of Action" in June. The program seeks to expand women's access to health care, and educate women concerning maternal health.

Children

The Government has encouraged the efforts of domestic and international NGO's that focus on children's social, health, and legal issues. However, direct government support beyond efforts to provide improved health care and basic education remains limited.

Societal abuse against young girls continues to be a serious problem. The great majority of girls undergo some form of female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health. Reports place percentages of women and girls who have undergone FGM at 90 percent. Clitorectomies are typically performed 7 days after birth, and the excision of the labia and infibulation, the most extreme and dangerous form of FGM, is performed at any time between the age of 8 and the onset of puberty. Excision is the most common form of FGM practiced. The law does not specifically prohibit FGM, although it is officially discouraged, and the Government has been very supportive of the National Committee on Traditional Practices in Ethiopia, which is dedicated to eradicating FGM. The Government is also working to discourage the practice of FGM through education in the public schools.

The Constitution defines the age of consent as 15 for females and 18 for males. Nevertheless, early childhood marriage is common in rural areas, with girls as young as age 9 being party to arranged marriages. Especially in the Afar region, young girls continue to be married to much older men, but this practice is coming under greater scrutiny and criticism. The maternal mortality rate is extremely high, due in part to food taboos for pregnant women, early marriage, and birth complications related to FGM, especially infibulation.

Many thousands of street children live in Addis Ababa. These children beg, sometimes as part of a gang, or work in the informal sector in order to survive. Government and privately run orphanages are unable to handle the number of street children, and younger children are often abused by older children. Due to

financial constraints, abandoned infants are often overlooked or neglected at hospitals and orphanages. There are credible reports that children are occasionally maimed or blinded by their "handlers," in order to increase their earnings from begging.

Child prostitution is a problem. There were many press reports of the large-scale employment of children, especially underage girls, as hotel workers, barmaids, and sex workers in resort towns and truckstops south of Addis Ababa. According to the head of the Labor and Social Affairs Office of East Shoa zone, children are being bought or stolen from the countryside by "child vendors" and sold to bar and liquor store owners in Shashemene and Nazareth. The going price for a child is reportedly about \$36. More than 3,000 young girls are working as dancers, barmaids, and prostitutes in the town of Shashemene. There are also credible reports that poor rural families sell their young teenage daughters to hotel and bar owners on the main truck routes. Social workers note that these girls are prized because their clients believe that they are free of sexually transmitted diseases. Some families send their unemployed, out-of-school, underage daughters to work in Middle Eastern countries as house servants and nannies, some of whom are kept in sexual bondage (see also Sections 6.c. and 6.d.).

People With Disabilities

The Constitution stipulates that the state allocate resources to provide rehabilitation and assistance to the physically and mentally disabled. Limited government resources restrict action in these areas. The Amhara Development Association operates a project to provide vocational training to disabled war veterans in Bahir Dar. A similar center has been established by the Tigray Development Association in Mekele. The Government has not yet put into place mechanisms to enforce a 1994 law mandating equal rights for the disabled. The Government does not have sufficient resources to mandate access to buildings or government services for persons with disabilities, and people with minor disabilities sometimes complain of job discrimination. An official at the Government's rehabilitation agency estimated that, partly as a result of the long civil war, there are more than 5 million disabled persons in the population of 58.5 million.

Religious Minorities

Despite the country's broad level of religious freedom and tolerance for established faiths, there have been instances of open conflict among religious groups, most noticeably between Orthodox Christians and Pentecostals. In most sections of the country, Orthodox Christians and Muslims participate in each other's religious observances, and there is a level of tolerance for intermarriage and conversion in certain areas, most notably in Welo. However, newer faiths encounter problems. Jehovah's Witnesses and Pentecostals have sometimes encountered overt, even violent, opposition from the public. On two occasions Orthodox Christians disrupted Pentecostal revivals in Debre Zeit and Arba Minch, apparently incited by Orthodox clergy. Orthodox members inflicted injuries and destroyed property before police intervened to restore order. While some Pentecostals complain that the police do not do enough to protect them, most observers assert that the Government strictly enforces the constitutional right to freedom of religion, and that the police strive to maintain impartiality in all interreligious disputes. Muslims and orthodox Christians complain about proselytization by Pentecostals and Jehovah's Witnesses. Muslims complain that some Pentecostal preachers disparage Islam in their sermons.

National/Racial/Ethnic Minorities

There are more than 80 ethnic groups. Although many of these groups have influenced the political and cultural life of the country, Amharas and Tigrayans from the northern highlands have played dominant roles. Some ethnic groups such as Oromos, the largest single group, were subjugated during the

nineteenth century. In an attempt to address ethnic concerns, the Government has established a federal system with political boundaries drawn along major ethnic lines. With federalism, for example, citizens of the Oromiya region now have a greater say over their own affairs and resources. Primary school students are taught in their local languages, consistent with the new Constitution.

The military services continued their efforts to recruit ethnic minorities at all levels. All new recruits are screened as potential officer candidates, and those who qualify are offered officer training. The military services have integrated 7,000 soldiers who served under the previous regime and have important technical skills. These soldiers and former militia members are often permitted to retain their previous grade, up to the rank of colonel. Seven of the military's nine generals are non-Tigrayans.

Section 6 Worker Rights

a. The Right of Association

Only a small percentage of the population is involved in wage labor employment, which is largely concentrated in urban areas. Approximately 85 percent of the work force live in the countryside, engaged in subsistence farming.

The Constitution and the Labor Law provide most workers with the right to form and join unions and engage in collective bargaining, but only about 300,000 workers are unionized. In general, employees of the civil and security services (where most wage earners are found), judges, and prosecutors are not allowed to form unions. Workers who provide an "essential service" also are not allowed to strike. Essential services include a large number of categories such as air transport, railways, bus service, police and fire services, post and telecommunications, banks, and pharmacies. There is no requirement that unions belong to the Confederation of Ethiopian Trade Unions (CETU), which was established in 1993, decertified in 1994 because of internal management disputes, and officially reestablished and recertified in April. The CETU includes eight federations organized by industrial and service sector rather than by region. With the reemergence of the CETU, the Center for International Labor Solidarity, the AFL-CIO's Nairobi regional office, has reestablished a working relationship with it, including democracy and human rights education.

The Labor Law stipulates that a trade organization may not act in an overtly political manner. It explicitly gives workers the right to strike to protect their interests, but it also sets forth restrictive procedures that apply before a legal strike may take place. These apply equally to an employer's right to lock out workers. Strikes must be supported by a majority of the workers affected. The Labor Law prohibits retribution against strikers. Both sides must make efforts at conciliation, provide at least 10 days' notice to the Government, include the reasons for the action, and in cases already before a court or labor board, the party must provide at least a 30-day warning. If an agreement between unions and management cannot be reached, the Minister of Labor may refer the case to arbitration by a Labor Relations Board (LRB). The Government has established LRB's at the national level and in some regions. The Minister of Labor and Social Affairs appoints each LRB chairman, and the four board members include two each from trade unions and employer groups. Some efforts to enforce these regulations are made within the formal industrial sector.

In a strike by shopkeepers and businessmen in May, police closed some strikers' shops and revoked their business licenses.

Independent unions and those belonging to the CETU are free to affiliate with and participate in international labor bodies.

b. The Right to Organize and Bargain Collectively

Collective bargaining is protected under the Labor Law and under the Constitution, and it is practiced freely throughout the country. Collective bargaining agreements concluded between 1975 and the promulgation of the 1993 Labor Law are covered under the 1975 labor code and remain in force. Labor experts estimate that more than 90 percent of unionized workers are covered by collective bargaining agreements. Wages are negotiated at the plant level. The law prohibits antiunion discrimination by employers against union members and organizers. There are grievance procedures for hearings on allegations of discrimination brought by individuals or unions. Employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution proscribes slavery, which was officially abolished in 1942, and involuntary servitude. There are no reports of slavery within Ethiopia, but there were numerous anecdotal accounts of young people, especially girls, being sent by their families into involuntary servitude in Saudi Arabia and other Arabian Peninsula states to work as house servants and nannies, some of whom are kept in sexual bondage. There is reportedly a network of sex smugglers based in the tourism and import-export sectors who are heavily involved in soliciting potential clients, recruiting young girls, arranging travel, and fabricating counterfeit work permits, travel documents, and birth certificates. More than 40 travel agents and import-export operators have been indicted for these illicit activities (see also Sections 5 and 6.d.).

The Criminal Code specifically prohibits forced labor, but it can be used by court order as a punitive measure. It does not apply to children age 15 or younger.

d. Status of Child Labor Practices and Minimum Age for Employment

Under the Labor Law, the minimum age for wage or salary employment is 14 years; children between the ages of 14 and 18 years are covered by special provisions. Forced or compulsory labor by children is illegal. However, there are reports that children are sent into involuntary servitude abroad, and that children are stolen from the countryside and sold to bar and liquor store owners (see Sections 5 and 6.c.). Children may not work more than 7 hours per day; work between the hours of 10 p.m. and 6 a.m.; work on public holidays or rest days; or perform overtime work. Authorities make some efforts to enforce these regulations within the formal industrial sector. Social welfare activists, civic organizers, government officials and entrepreneurs agree that child labor is pervasive throughout the country, especially in the informal sector. Large numbers of children of all ages grow and harvest crops outside most government regulatory control in the countryside, or work as street peddlers in the cities.

e. Acceptable Conditions of Work

There is no minimum wage in the private sector. However, since 1985 a minimum wage has been set and paid to public sector employees, by far the largest group of wage earners. This public sector minimum wage is about \$18 (120 birr) per month, which is insufficient to provide a decent standard of living for a worker and family. According to the Office of the Study of Wages and Other Remunerations, a family of five requires a monthly income of \$61 (414 birr).

The legal workweek, as stipulated in the Labor Law, is 48 hours, consisting of 6 days of 8 hours each, with a 24-hour rest period. However, in practice, most employees work a 40-hour workweek, consisting

of 5 days of 8 hours each.

The Government, industry, and unions negotiate to set occupational health and safety standards. However, the Inspection Department of the Ministry of Labor and Social Affairs enforces these standards ineffectively due to a lack of human and financial resources. Workers have the right to remove themselves from dangerous work situations without jeopardy to continued employment.

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