



Prison Conditions in Ethiopia

February 2021 (COI included between 1st April 2018 and 31st December 2020)

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We are extremely grateful to Paul Hamlyn Foundation for its support of this project.

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Introduction

This report on prison conditions in Ethiopia is the third in a series which follows the September 2019 ARC Foundation/Garden Court Chambers publication, [Prison Conditions in Afghanistan: A commentary](#) and the November 2019 ARC Foundation/Garden Court Chambers publication, [Prison Conditions in Nigeria](#).

All three reports present Country of Origin Information (COI) on prison conditions according to those issues identified by UK¹ and European Court of Human Rights case law², the Istanbul Protocol: *Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*³ and the United Nations *Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*⁴.

Research has therefore been presented on the following issues in the context of Ethiopian detention facilities and where possible, this has been disaggregated by detention facility: detention in general (control of facility unknown); prisons; pre-trial detention facilities; policy custody and 'other' (e.g. 'rehabilitation camps', informal detention places):

1. Physical or psychological torture, inhuman or degrading treatment
2. Use of forced confessions
3. Deaths in custody
4. Size of cells, overcrowding [less than 3m² of personal space]
5. Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement
6. Unhygienic conditions
7. Restrictions to medical care
8. Irregular or contaminated food and water
9. Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures
10. Number of prisoners on remand and length of pre-trial detention
11. Factors that affect length of pre-trial detention
12. Effective monitoring
13. Investigations and accountability
14. Redress
15. Impunity for state human rights abuses
16. Death penalty, especially after unfair trials
17. Access to legal representation
18. Separation of and situation for women detainees
19. Situation of detained children
20. Discrimination including freedom to practice religion, special needs including treatment of disabled prisoners

¹ See 'Legal Notes' in the [Appendix](#)

² See for example, European Court of Human Rights, [Detention conditions and treatment of prisoners](#), October 2020

³ UN, [Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), 2004

⁴ UN, [United Nations Standard Minimum Rules for the Treatment of Prisoners \(the Nelson Mandela Rules\)](#), 17 December 2015

At the time of drafting, three Home Office Country Policy and Information Notes (CPINs) were available on Ethiopia⁵, as well as a Fact-Finding Mission report following the Home Office's mission to Ethiopia from 16 September to 20 September 2019⁶. All of these raised a number of additional relevant issues for research, which have also been addressed in this report:

21. Situation in detention for Oromos
22. Situation in detention for OLF members and perceived OLF members
23. Situation in detention for perceived government opponents

⁵ See UK Home Office, [Country Policy and Information Note, Ethiopia: Actors of protection](#), September 2020, 4.10 Prison conditions, 5.3 Monitoring of prisons; UK Home Office, [Country Policy and Information Note, Ethiopia: Opposition to the government](#), July 2020, 4.6 Treatment of detainees/prison conditions, 15.2 Military training/rehabilitation camps; and UK Home Office, [Country Policy and Information Note, Ethiopia: Oromos](#), November 2019, 6.5 Arbitrary arrest, detention and ill treatment

⁶ UK Home Office, [Report of a Home Office Fact-Finding Mission, Ethiopia: The political situation, Conducted 16 September 2019 to 20 September 2019](#), 10 February 2020, 9.4 Military training camps/rehabilitation centres, 9.6 Detention conditions

Explanatory Note

This report presents Country of Origin Information (COI) researched by ARC Foundation that was published between 1st April 2018 and 31st December 2020 on issues identified to be of relevance for an assessment of conditions in Ethiopian detention facilities. The COI is presented by the themes identified above in chronological order.

The COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim.

All sources are publicly available and a direct hyperlink has been provided. A list of sources and databases consulted is also provided in this report, to enable users to conduct further research and to undertake source assessments.

ARC Foundation is grateful to David Neale, Legal Researcher at Garden Court Chambers, for preparing the [legal notes](#), as annexed to this report, and for his guidance in shaping the framework for these series of reports on prison conditions.

Disclaimer

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. **This report is not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

List of sources consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About Us' tab of a source's website.

Databases

[Asylos's Research Notes](#) [Members only]
[EASO COI Portal](#)
[European Country of Origin Information Network \(ECOI\)](#)
[Relief Web](#)
[UNHCR Refworld](#)

Media sources

[Addis Standard](#)
[Africa News](#) [Ethiopia country page]
[Al Jazeera](#)
[All Africa](#)
[BBC News](#)
[Capital Ethiopia](#)
[Ethiopian Gazette](#)
[Ethiopia Insight](#)
[Ethiopian Monitor](#)
[Ethiopian Satellite Television and Radio \(ESAT\)](#) [English news]
[Ethiopian News Agency \(ENA\)](#) [State owned]
[Inter Press Service](#)
[The New Humanitarian](#) [Ethiopia country page]
[The Reporter Ethiopia](#)
[Reuters Africa](#)

Other sources

[African Arguments](#) [Ethiopia country page]
[African Studies Centre Leiden](#)
[Africa Center for Strategic Studies](#)
[African Centre for the Constructive Resolution of Disputes \(ACCORD\)](#)
[African Union Peace and Security Council](#)
[Amnesty International](#) [Ethiopia country page]
[Article 19](#)
[Assessment Capacities Project](#) [Ethiopia country page]
[Association for Human Rights in Ethiopia \(AHRE\)](#)
[Association for the Prevention of Torture](#)
[Atlantic Council](#)
[Bertelsmann Stiftung Transformation Index](#)
[Brookings Institution](#)
[Carnegie Endowment for International Peace](#)
[Centre for Security Governance](#)
[Centre for Strategic and International Studies](#)

[CHR. Michelsen Institute \(CMI\)](#)
[Christian Solidarity Worldwide](#)
[Conciliation Resources](#)
[Council on Foreign Relations](#)
[Democracy in Africa](#)
[Ethiopian Human Rights Council](#)
[Freedom House](#) [Ethiopia country page]
[Hudson Institute](#)
[Human Rights Watch](#) [Ethiopia country page]
[Immigration and Refugee Board of Canada – Responses to Information Requests](#)
[Institute for Human Rights and Development in Africa](#)
[Institute for War and Peace Reporting](#)
[International Crisis Group](#) [Ethiopia country page]
[International Federation for Human Rights \(FIDH\)](#)
[International Freedom of Expression Exchange](#)
[International Institute for Strategic Studies](#)
[Jamestown Foundation](#)
[Minority Rights Group International](#)
[Minorities at Risk Project](#)
[Oakland Institute](#)
[Open Society Foundations](#)
[Rift Valley Institute](#)
[UK Foreign and Commonwealth Office](#)
[United Nations Committee Against Torture](#)
[United Nations Committee on Enforced Disappearances](#)
[United Nations High Commissioner for Refugees \(UNHCR\)](#)
[United Nations Human Rights Council](#)
[United Nations News Centre](#)
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)
[United Nations Secretary General](#)
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment](#)
[United States Institute of Peace](#)
[United States Department of State – 2019 Country Reports on Human Rights Practices](#)
[Unrepresented Nations and People’s Organisation](#)
[World Organisation Against Torture \(OMCT\)](#)
[World Watch Monitor](#) [Ethiopia country page]

1. Physical or psychological torture, inhuman or degrading treatment

A. Detention facilities in general

[Human Rights Watch, Ethiopia: Submission to the Universal Periodic Review, Submitted October 2018 for the May 2019 UPR that covers 2014-2019, October 2018](#)

[...] Arbitrary detention and mistreatment in custody

[...] In practice, arbitrary detention and torture continue to be major problems in Ethiopia. Ethiopian security personnel, including plainclothes security and intelligence officials, federal police, special police, and military, have frequently tortured and otherwise ill-treated political detainees held in official and secret detention centers, to coerce confessions or the provision of information.

[...] Even though in April 2018 Ethiopia closed Maekelawi detention center, known for torture and mistreatment of political prisoners, detention centers administered by regional governments, some well-known for ill treatment, rape, torture, and lack of access to medical and legal aid remain open and there no plans for investigations into past abuses.

[...] Abuses in Somali Regional State and lack of accountability

[...] Somali region's prison, Jail Ogaden, long administered by Liyu Police, was closed in September 2018. Former prisoners described to Human Rights Watch horrific abuses including torture, and rape, with no access to adequate medical care, family, lawyers, or even, at times, food. Officials stripped naked, beat prisoners, and forced them to perform humiliating acts in front of the entire prison population, as punishment and to instill shame and fear. Due to lack of health care, some prisoners died from their injuries while female prisoners gave birth inside their cell in unhygienic settings. Cells were often overcrowded. The new regional administration which closed the jail has not taken any measure to hold anyone accountable for the many abuses in Jail Ogaden. [...]

[Amnesty International, Ethiopia: Deeper Reforms Needed: Amnesty International Submission for the UN Universal Periodic Review, 1 October 2018](#)

[...] Torture and other ill-treatment

In the last four years, torture and other ill-treatment have been routine interrogation tools, used in particular against people suspected of terrorism. While the principal aim of the torture was to extract "confessions", Amnesty International has also documented instances of torture being used to force people to testify falsely against others suspected of terrorism.

Places of torture include the Federal Police Central Investigation and Forensic Directorate in Addis Ababa, more commonly known as Maekelawi, military bases and jails in different cities of Oromia (Shashemane, Borana, Neqemte, Dembi Dolo), the Amhara region (Gondor, Bahir Dar, Shewa Robit), the Tigray region (Humera, Mekele), and the Somali Region (Jigjiga). [...]

[Freedom House, Freedom in the World 2019 – Ethiopia, 4 February 2019](#)

[...] Security forces frequently commit human rights violations including torture and extrajudicial killings, and often act with impunity. [...]

[United Nations General Assembly, Summary of Stakeholders' submissions on Ethiopia: Report of the Office of the United Nations High Commissioner for Human Rights, 4 March 2019](#)

[...] 26. JS13 [Human Rights Council et al.] stated that the judicial response to complaints of torture and ill treatment during police or prison custody had been unacceptably inadequate and inconsistent, raising serious questions as to the independence and capacity of the judiciary. On many occasions, the judiciary had refrained from its responsibility of protecting the rights of detained accused.⁴⁷

27. AI [Amnesty International] stated that torture and other ill-treatment was a routine interrogation tool, especially for people suspected of terrorism. While the principal aim of torture was to extract "confessions", cases had been documented where torture was being used to force people to testify falsely against others suspected of terrorism. Allegations of torture and other ill-treatment by accused in terrorism trials were rarely investigated. Additionally, objections by the defence to the admissibility of forced "confessions" as evidence, had mostly been rejected and judges have received the confession as admissible evidence irrespective of how they may have been obtained.⁴⁸ [...]

47 JS13, para 48. JS14 made a recommendation (para. 51).

48 AI, p. 4. AI made recommendations (p. 6); See also HRF, paras 17-19. HRF made a recommendation (para. 27 (c)).

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] C. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution prohibits such practices, there were reports that security officials tortured and otherwise abused detainees.

[...] Multiple sources reported general mistreatment of detainees at official detention centers, unofficial detention centers, police stations, and in Kilinto federal prison. Interrogators administered beatings and electric shocks to extract information and confessions from detainees. Police investigators used physical and psychological abuse to extract confessions.

On April 6, following through on a January 3 EPRDF decision under the leadership of the former prime minister, the government announced the closure of Maekelawi, the federal crime investigation and detention center in Addis Ababa and the site of many reports of prisoner abuse in past years. Officials transferred the detainees in the center to another facility. [...]

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

55. The Committee notes that thousands of political prisoners, including women, have been released and that arbitrary detention is prohibited under the Constitution and by law. It is concerned, however, about the prevalence of gender-based violence against women in detention, in particular rape, and reports that in some cases torture, ill-treatment and rape have been committed against women by government security forces in places of detention. [...]

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Arbitrary Detention, Torture and Detention Conditions, 5 April 2019](#)

[...] Arbitrary Detention, Torture and Detention Conditions

[...] The government has acknowledged that torture occurred in the past, a positive step, and it has closed some abusive detention facilities. [...] Human Rights Watch has received fewer reports of torture and ill-treatment than previously.

[...] Background

[...] Torture occurred in facilities under federal, regional and local jurisdictions. For example, in Jijiga Central Prison, commonly known as Jail Ogaden, a regional detention facility in the Somali Region, prisoners were brutally and relentlessly tortured and humiliated individually and in groups. Many of them were accused of belonging to the Ogaden National Liberation Front (ONLF), a group banned by the Ethiopian government.

While patterns varied across the country, Ethiopian officials have often relied on torture to extract confessions, typically regarding a prisoner's connection to one of the groups that the government had designated a terrorist organization, to gain information, or merely as punishment.

[...] Under Abiy

[...] While Human Rights Watch continues to receive some reports of beatings and mistreatment of detainees arrested in the past year, the volume has dropped dramatically. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Legal expert and active critic, 18 September 2019

[...] Detention – treatment and mistreatment in the context of Abiy and his commitment to the end of use of torture.

Abiy promised to change the previous modus operandi but the government lacks commitment in really implementing the rules. One of Abiy's main failures is maintaining law and order across the whole of Ethiopia. I do not agree with torture and do not think it is happening in custody.

Inhumane treatment may happen in police stations, but no torture takes place in Oromia. [...]

[...] One of the NaMA leaders, 18 September 2019

[...] Treatment in detention

I have to be honest, there is not any physical harassment so far. However, they are detained in cold houses in underground rooms. We complained, and one of the police heads of the prison promised to change the rooms

and they did. But interrogations were long, like 84 hours. So, they couldn't get proper rest. The wife of General Asaminew was arrested and detained whilst three months pregnant (due to lengthy interrogations, she was sick and suffered abortion and related psychological crisis). Some people were a little sick and couldn't get proper medical treatment. Compared to previous arrests this seems better, as there are no torture and reported physical abuses. [...]

[...]Ambo University lecturers, 19 September 2019

[...] Detention [...]

How know about Sankalle if no-one can visit? Not allowed for people to visit. But different individuals from media; activists; they always claim that. Those who are released from the detention centres give testimonies and information on this and what is happening in these detention centres. Yesterday, I met 2 guys who had been released from prison. They said there was no food to eat, beating, psychological pressure. [...]

[Freedom House, Freedom in the World 2020 – Ethiopia, 4 March 2020](#)

[...] Security forces frequently commit human rights violations including torture and extrajudicial killings, often with impunity. [...]

[Amnesty International, Human Rights in Africa: Review of 2019 – Ethiopia, 8 April 2020](#)

[...] Hundreds of political opposition members, journalists and others who were critical of the government faced unfair trials on charges brought under the ATP law. The trials were marked by illegal and prolonged pre-trial detention, unreasonable delays and persistent complaints of torture and other ill- treatment. [...]

[Bertelsmann Stiftung, BTI 2020 Country Report: Ethiopia, 29 April 2020](#)

[...] At the same time, many regional detention centers, also well-known for using torture, are still in operation. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.3 Detention conditions

[...] The detention conditions in Sanqale were particularly harsh due to a shortage of food, severe punishments and harsh interrogation sessions.

[...] The detainees at Sanqale complained to the police officials through delegates selected from the detainees and staged a hunger strike about the quality of the food and other detention conditions including lack of access to families, and shortage of water, sanitation and hygiene facilities.¹²⁷ However, the response from the Oromia police officials was physical punishment.¹²⁸

“When we started a hunger strike protesting the detention conditions, the police paraded us out of the detention halls and beat us. They forced us to walk on our knees on ground sprinkled with pebbles. When police found out who the organizers of the strike were, they kept us in a separate place and did not give us food for two consecutive days. I was one of those who organized the hunger strike,”¹²⁹ said Abdurrahman.

[...] 5.4 Torture and ill-treatment

Amnesty International documented multiple cases of torture and ill-treatment by EDF soldiers, members of Oromia police and Kebele militia in East Guji, West Guji, and Sanqale. Various people we spoke to talked about severe beatings they had received resulting in serious injuries.

[...] On 5 May, members of the Oromia Police arrested Burusa Gofe, a resident of Adola town in East Guji Zone, in Shashemene. Two days later, while transferring him to Adola town in East Guji Zone the two police officers stopped the vehicle and took him to a nearby bush and beat him up. “I am still suffering from health complications due to the torture,” Burusa said.¹³³

Burusa told Amnesty International that the beating in the bush came after he had already been beaten multiple times while he was in Sanqale, which impacted his health and livelihood even after his release:

“I was tortured and interrogated by three officials while I was in Sanqale. They were telling me that I financially support Shane. They were asking me who was sending me money from abroad to support Shane. They forced me to stand for many hours during the interrogations. They were also asking me where Jal Maro and Adi Jela [leaders of the OLA in western and southern Oromia, respectively] are. They were slapping me, kicking me and hitting me with sticks. In Sanqale, they have three offices where they were holding the interrogations and one of them is dark. The Oromia special force and the regular police were the ones interrogating and beating me. I still have scars from the beatings.”¹³⁴

At the time of the interview, Burusa was having trouble urinating. He said it was frequent and painful due to the beatings. He said they had beaten him with sticks and kicked him in his pelvic area. After his release, he spent time and money on medical treatment. Burusa told Amnesty International that he had spent at least 80,000 Birr (about 2,400 dollars) on medical treatment and follow-up due to the injuries he had sustained in detention. Burusa has 10 children.

"Only one of them is working and the rest are students. Since I am not able to cover their costs, I begged the owner of a school to admit my children. They take them in for free now,"¹³⁵ he said.

In Finchawa, the EDF soldiers were beating detainees with sticks to force them to confess that they supported the OLA.¹³⁶ Momina Roba, who was four months pregnant when she was arrested told Amnesty International that:

"It was the EDF soldiers who used to beat all the detainees when I was in Finchawa. They were beating me with batons alleging that I support and feed the Shane fighters. They used to beat us during the nighttime. The EDF soldiers took all the detainees out from the detention rooms during the night and ordered us to kneel on the pebbles. They beat us when we were walking on our knees. I was beaten on the day I was arrested and the next day. I told them I was pregnant when they were beating me. But they said it does not matter whether I am pregnant or not. They said they may even kill me."¹³⁷

Momina was detained in Finchawa police station for a month before the police transferred her to Sanqale along with others. She suffered a miscarriage which she attributes to the torture she suffered in Finchawa and the bad detention condition in Sanqale, where she was later transferred.¹³⁸ She also told Amnesty International that she did not get any medical treatment in Sanqale after she had suffered the miscarriage.¹³⁹

Chaltu Gemechu, who was in detention in Harqelo Police Station, told Amnesty International that:

"On day one and day two of my detention members of Oromia police and EDF soldiers physically assaulted me with batons, sticks and kicks before they put me in a separate room. On the second day the police repeatedly beat me after taking me into their office. They were asking me to confess that I sheltered Shane fighters. In the evening, I was really in pain but restrained myself from crying for help since I had information that the police rape female prisoners."¹⁴⁰

Bati Fayisa, who was still in detention at Arero Police Station when Amnesty International spoke to him on telephone clandestinely, said that members of the Oromia police tied his hands and beat him with sticks during the first three nights and days after his arrest.¹⁴¹ He was arrested suspected of supporting the OLA.

In Sanqale, members of Oromia police physically assaulted detainees after they complained of inhumane conditions in detention.¹⁴² Yet, the physical punishment of the detainees continued unabated. Guta Birhanu told Amnesty International that:

"After that time, they were using every excuse to punish us. They forced us to do strenuous physical exercises, including squatting for extended periods while touching our ears with our hands passing between our legs and doing press-ups on ground strewn with pebbles."¹⁴³

[...] 5.5 Rape and Other Gender Based Violence

[...] While Amnesty International, in the course of conducting the research, received multiple allegations of sexual assault including rape of minor girls, only two female interviewees came forward and told Amnesty International that they had been subjected to sexual violence. One said she was sexually assaulted while in detention at Harqelo police station and the other said she was gang raped at kebele administration office of the Duqisa Megada Kebele.¹⁴⁴ There are reasons to believe that sexual violence is underreported in this report considering the feeling of shame and the taboo to report sexual violence. Although the two women told Amnesty International that they know and can identify the men who sexually violated them, they were too scared to register formal complaints against the alleged perpetrators for fear of reprisals.

In January 2019, two Kebele militia officials arrested Ebise Eba and took her to the Duqisa Megada Kebele office and raped her overnight. Ebise went into hiding after the EDF soldiers killed her husband and brother while riding on a motorbike.¹⁴⁵ The two officials took her mobile phone and told her that her phone had a lot of incriminating evidence and the EDF soldiers might kill her if they found the evidence on her phone.

"They forced me to have sex with them so that they don't give me to the soldiers. One of them, I only know his nickname 'Qeyo'. He is from the Kebele peace and security Department. The other is the commander of the militia in the kebele,"¹⁴⁶ she said

Chaltu, who was in detention at Harqelo Police Station suspected of supporting the OLA, told Amnesty International that a policeman attempted to rape her while she was returning from the toilet in the evening. [...]

127 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019; Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019.

128 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019.

129 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019.

[...] 133 Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019.

134 Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019.

135 Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019.

136 Amnesty International interview with Bifle Garoma and Momina Roba, Hawassa, 27 December 2019

137 Amnesty International interview with Momina Roba, Hawassa, 27 December 2019.

138 Amnesty International interview with Momina Roba, Hawassa, 27 December 2019.

139 Amnesty International interview with Momina Roba, Hawassa, 27 December 2019.

140 Amnesty International interview with Chaltu Gemechu, Hawassa, 26 December 2019.

141 Amnesty International telephone interview with Bati Fayisa (name has been changed to ensure the interviewee's anonymity), Arero, 24 November 2019.

142 See the section 4.3 on detention conditions.

143 Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019

144 Amnesty International interview with Chaltu Gemechu, Hawassa, 26 December 2019; and Amnesty International interview with Ebise Eba, Hawassa, 27 December 2019.

145 Amnesty International interview with Ebise Eba, Hawassa, 27 December 2019. See Section 4.1 on Extrajudicial execution.

146 Amnesty International interview with Ebise Eba, Hawassa, 27 December 2019.

[Amnesty International, Ethiopia: Account for all people arrested after Hachalu Hundesa's killing, 18 July 2020](#)

[...] Eskinder Nega, a prominent journalist who is now the Chairman of the Balderas for True Democracy party and his deputy Sintayehu Chekol were also arrested on 30 June in Addis Ababa. Eskinder was presented in court on 1 July on suspicions of organizing Addis Ababa youth for violence, and again on 16 July, when the police asked for more time to complete investigations.

Eskinder Nega complained to the court of having been beaten during arrest and detention. The court ordered investigations into the allegations, but according to his lawyer, the police have not done so. The court re-issued the orders. [...]

B. Prisons

[Human Rights Watch, World Report 2019: Events of 2018 – Ethiopia, 17 January 2019](#)

[...] Abuses in Somali Region

[...] In Jail Ogden, a regional detention facility administered in part by Liyu police, prisoners were tortured, with no access to adequate medical care, family, lawyers, or even, at times, food. After the July publication of a Human Rights Watch report, many prisoners were released from Jail Ogaden. The prison was closed in August. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Wondemagegn Goshu, Addis Ababa University, 20 September 2019

[...] Torture

The use of systematic torture by government authorities has ebbed; I do not think it is happening.

I am involved and reporting on the prison reforms now. I have visited the prisons; spoken to federal prisoners; spoken to CSOs and others. The federal prison administration has been reformed, it is the most reformed out of all the reforms, it is the most positive.

I have seen that treatment during detention is good, it is nothing like the previous regime. Families can also visit. The treatment I have seen comes from visits, speaking with federal prison guards and prisoners, things have improved. All positive about prison reform. Members of civil society & prison officers have also spoken.

Torture in prison administrations is something I know nothing of, in fact, the prison guards who used to commit torture within the old regime's prisons have since stopped, some have even been charged. HRC has a

mandate to monitor prisons. They can do unexpected visits. This is at the federal level, what is happening at the local regional level may be different. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Significant human rights issues included: [...] unexplained disappearances; arbitrary arrest and detention by security forces; harsh and life-threatening prison conditions

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

[...] The constitution prohibits such practices, but there were reports of abuses against detainees by security officials.

In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours. [...] Police called detainees for nightly interrogations where they were forced to stand for long periods of time. The Ethiopian Human Rights Council (HRCO) voiced concern over the arrests of members of NaMA, the Oromo Federalist Congress (OFC), the Ethiopian Citizens’ Party for Social Justice (EZEMA), journalists, and civilians.

[...] In April 2018 the government announced the closure of Maekelawi, the federal crime investigation and detention center in Addis Ababa and the site of many reports of prisoner abuse in previous years. Prison officials transferred the detainees in the center to another facility. Parliament’s Legal, Justice, and Democracy Affairs Standing Committee visited the site in December 2018 and confirmed that the government had shuttered the center. In September 2018 the current administration of the Somali regional state closed Jijiga Central Prison (Jail Ogaden) known for its brutal torture of inmates. On May 26, Somali regional security officials arrested the former head of Jail Ogaden, Hassan Ismail Ibrahim, also known as Hassan Dhere, in neighboring Somalia.

Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. There were reports authorities physically abused prisoners in detention centers, military facilities, and police stations. Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. [...]

C. Pre-trial detention facilities

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. There were reports authorities physically abused prisoners in detention centers, military facilities, and police stations. [...] Pretrial detention often occurred in police station detention facilities, where conditions varied widely and where reports stated there was poor hygiene and police abuse of detainees. [...]

D. Police custody

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Wondemagegn Goshu, Addis Ababa University, 20 September 2019

[...] Torture

The use of systematic torture by government authorities has ebbed; I do not think it is happening.

I am involved and reporting on the prison reforms now. I have visited the prisons; spoken to federal prisoners; spoken to CSOs and others. The federal prison administration has been reformed, it is the most reformed out of all the reforms, it is the most positive. [...]

Can’t say for sure about the police. [...]

[Amnesty International, Ethiopia: Vendor killed, musician injured after police attack opposition supporters in Oromia, 17 February 2020](#)

[...] Police in Ethiopia launched an attack on opposition party supporters in the Oromia Region on Saturday, killing one person and arresting and injuring scores more.

Just hours after the date for Ethiopia's parliamentary elections was announced, the Oromia Liyu police raided the inauguration of an Oromia Liberation Front (OLF) office in Welenchiti, firing live bullets and tear gas, killing one OLF supporter who was a clothes vendor.

[...] Later that day, police arrested around 30 guests at a hotel launch party in Burayu and drove them to a sports stadium where they were beaten and humiliated for hours.

[...] The second attack by the Liyu Police took place later the same day at the launch of a new hotel in Burayu. Police descended on the guests as the party was winding down, bundled about 30 of them into a police van and drove them to the Burayu Stadium.

Here detainees were beaten again, forced to do laps around the stadium on their knees and roll on the ground late into the night.

Hawi Haile Yesus Keneni, a female musician, was among those seriously beaten up in Burayu, sustaining injuries that require surgery. She told Amnesty International that members of the Oromia Liyu Police in green uniforms beat her on the head, hands and other parts of her body. [...]

[Ethiopia Insight, Democracy in action amid authoritarian reaction, 23 June 2020](#)

[...] Tasked with enforcing activities prohibited under the state of emergency decree put in place on April 8 to control COVID-19, police trucks roam the compound on a daily basis.

Informed by a regular warning, the residents scatter. However, the neighborhood also serves as a source of income for hundreds of youths, e.g. door-to-door delivery boys; taxi drivers; coffee girls—who rely on daily wages. These groups are in fear because of the arbitrary mass detentions occurring when they are already grappling for their survival.

“They force you to get into the police cars after beating you without explanations. They ask why you have come out of your home to work,” says Azimeraw Kifle. He is among the delivery boys known as ‘shebellas’—which means ‘handsome’ but is also sometimes a term for young men, often from Amhara, who do odd jobs. Azimeraw has been witnessing the detentions for over a month now.

On one Wednesday afternoon, 27 March, Ethiopia Insight was at the compound while city police beat people going about their day, taking them away en masse in a pick-up. They often drive people to nearby police stations and send them back with a warning after physical punishment. [...]

2. Use of forced confessions

A. Pre-trial detention facilities

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] E. Denial of Fair Public Trial

[...] There were reports of authorities subjecting detainees to abuse while in detention to obtain information or confessions. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] e. Denial of Fair Public Trial

[...] There were unverified reports of authorities subjecting detainees to abuse while in detention to obtain information or confessions. [...]

B. Police custody

[Amnesty International, Urgent Action: University Lecturer Must Be Released, 20 September 2019](#)

[...] Firew Bekele, a Marketing lecturer at Rift Valley University, was arrested by Federal police on 17 August 2019 outside his home. Before searching his home, the police read him a court order that stated he was suspected of writing and publishing a book entitled “Yetetlefe Tigil” (the Hijacked Struggle), which criticises politicians, security officials, business people and other individuals for having allegedly hijacked Ethiopia’s current political transition.

[...] Following his arrest, Firew Bekele was first brought before the first instance court on 20 August and charged with incitement to terrorism under the current Anti-Terrorism Proclamation (ATP). His hearing was twice postponed and was then remanded to police custody for 28 days on 27 August, as instructed under the ATP. [...] His lawyer has told Amnesty that he is being interrogated to get him to confess to have authored the book or to share names of the author. [...]

3. Deaths in custody

A. Detention facilities in general

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

5.1 Extrajudicial Executions in West Guji and East Guji Zones

[...] From December 2018, the Ethiopian government established command posts in West Guji and East Guji zones of Oromia. The command posts were tasked to coordinate the operations of the kebele (local administration) militia, the Oromia Special Police, Oromia police, and the Ethiopian Defense Forces (EDF) to counter the OLA militants in the two zones of Oromia. Amnesty International has documented multiple instances of unlawful killings by members of the security forces the government deployed under the command post.

[...] Amnesty International received a list of 39 people who had been extrajudicially executed in Goro Dola District of East Guji Zone and Dugda Dawa District of West Guji Zone since January 2019. Among them, 23 were killed by EDF soldiers and Oromia Police in Goro Dola District. In Dugda Dawa District of West Guji Zone, Amnesty International has credible evidence that EDF soldiers killed at least 16 people in circumstances that amount to extrajudicial execution. Four victims of extrajudicial killings in Goro Dola District were closely related to each other and their other family members were also targeted with repeated arbitrary arrest and detention.

On 18 October 2019, members of the EDF soldiers shot and killed cousins Chedecha Mi'esa Halalkie, 42, and Abdullahi Golu Halalkie, 15, along with their relative Qanqae Utura Shure, 16, after taking them out of their cells in Raro Kebele, in Goro Dola District of East Guji Zone.⁵³ All of the detainees were in detention suspected of supporting OLA operating in the area. [...]

53 Amnesty International telephone interviews with Felma Jaleta (name has been changed to ensure the interviewee's anonymity), Harqelo, 26 November 19 and Amnesty International Interview with and Beletu Lamma (name has been changed to ensure the interviewee's anonymity), Hawassa, 26 December 19.

4. Size of cells, overcrowding [less than 3m2 of personal space]

A. Detention facilities in general

[Addis Standard, Detention Memoir: Eleven Detainees, Eleven Days. What Really Happened, 9 April 2018](#)

[...] Have you ever lived in a square meter room? I did, but not in a literal way. It happened in Nifas-silk police detention center in the last 11 days. Forty people have been sleeping, eating and even urinating in a 32 square meters' room. A person has been sleeping in less than a square meter. Of these 40 people, the renowned politician Andualem Aragie as well as journalists Eskinder Nega and Temesgen Desalegn were included.

[...] That night, when we were sent to three of the detention rooms at the Nifas-silk sub-city police detention center, the rooms were too congested to add a single person. I was with blogger Zelalem Workagegnehu, who was released from prison two months ago, in the first room. We bribed the room's 'capo' and he managed to find the two of us a place in between sleeping guys so we can rest our body without movement – like a statue.

[...] In the detention center, there are only three rooms and they are all filled beyond their capacity. Previously, I was told, the rooms were a bit relaxed than this. They are now overfilled with prisoners of the SOE [State of Emergency]. Almost half of the inmates are held by the Command Post. The 32 square-meters' room (they call it '3rd room') used to have a maximum of 27 people in normal days. The room has only one square meter window. It is filthy and hot. The other two are relatively big rooms with two windows each but contained more than their capacity. During the night, inmates are locked in the rooms and have to use a barrel in need of urinating. [...]

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care.

[...] During the SOE [State of Emergency] the government operated detention centers in six zones—Addis Ababa, Hawassa, Dire Dawa, Nekemte, Bahir Dar, and Semera. [...] Although conditions varied, problems of gross overcrowding and inadequate food, water, sanitation, and medical care were common at sites holding SOE detainees.

Physical Conditions: Severe overcrowding was common, especially in prison sleeping quarters. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Significant human rights issues included: [...] unexplained disappearances; arbitrary arrest and detention by security forces; harsh and life-threatening prison conditions

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours.

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening.

[...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care.

[...] Physical Conditions: Severe overcrowding was common, especially in prison sleeping quarters.

[...]

[Ethiopia Insight, Ethiopia's COVID-19 quandary, 1 April 2020](#)

[...] Despite government measures, prisons and detention centers are vulnerable to exposure, especially since mass arrests occurred recently with large numbers kept in detention rooms. The government says correction facilities will be expanded and it will utilize other buildings to avoid overcrowding. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.3 Detention conditions

[...] The police station in Harqelo, where the Command post detained hundreds of people at a time, was congested due to the large number of detainees.¹²⁰

[...] The detainees at Harqelo Police Station had limited access to family members. The conditions were also inhumane due to the congestion and the lack of proper beddings. One of the former detainees Hussein Gelmo told Amnesty International that:

“At Harqelo police station, we were held in a congested hall with small children and old people. We were sleeping on a mat on the ground. We were allowed 15 minutes in the morning and 15 minutes in the evening for using the toilet and washing up. Otherwise, we were kept in the cell the whole day. We were unable to speak with family members, though we were getting food from them. In the small room, the number of detainees varied, based on new admissions or discharges, between 80 and 100”¹²²

Boru told Amnesty International that:

“We were around 400 hundred people, including children, in Harqelo police station during my first arrest.”¹²³ [...]

120 Amnesty International telephone interview with Boru Halalkie, Harqelo, 24 November 2019; Amnesty International telephone interview with Hussein Gelmo, Harqelo 16 November 2019; Amnesty International telephone interview with Felma Jaleta, Harqelo, 26 November 2019.

121 Amnesty International telephone interview with Bontu Chala (name has been changed to ensure the interviewee’s anonymity), Harqelo, 26 November 2019.

122 Amnesty International telephone interview with Hussein Gelmo, Harqelo, 16 November 2019.

123 Amnesty International telephone interview with Boru Halalkie, Harqelo, 24 November 2019.

B. Prisons

[Addis Standard, News: Lawyer for Suspects Detained in Wake of Assassinations Says His Clients Kept Isolated, In Cold, Dark Room, 3 July 2019](#)

[...] Henok Aklilu, the lawyer representing four suspects detained in connection with the June 21 killing of high level regional and federal officials, told Addis Standard that his clients are detained in “inhuman” condition inside the Addis Abeba Police Commission compound in Piassa which hosts a prison quarter.

[...] At the hearing yesterday, “the police have told the court that there were some problems which were now sorted and that I was free to visit my clients. I went to see them immediately after and I found out that the conditions in which they were kept under was inhuman and appalling,” Henok told Addis Standard. “They are kept isolated in 2 X 2 prison cell, which is cold and dark; they are only allowed toilets visits once every 24 hours,” he said, adding, the suspects were also not allowed visits by family members and friends since their detention more than a week ago. [...]

C. Pre-trial detention facilities

[Amnesty International, Urgent Action: Eleven People Detained Without Charge, 4 April 2018](#)

[...] Ethiopian security forces arrested and detained 11 people including a lawyer, journalists, bloggers, opposition members and academics on 25 March. The 11 were arrested while attending a private ceremony in Addis Ababa. They have not been charged with any offence or brought to court.

[...] The 11 were first taken to a police station in Lebu area, but were transferred to Nifas Silk Lafto Sub-City Community Policing Service Department during the night. None of them has been taken to court or formally been charged. They told their families and friends that they are being detained in overcrowded small rooms (5m x 8m) with hundreds of people. [...]

D. Police custody

[Committee to Protect Journalists \(CPJ\), Ethiopian authorities detain journalists, media workers on incitement allegations, 14 August 2020](#)

[...] On August 5 and 6, 2020, security personnel in Ethiopia arrested three current and one former employee of the privately-owned Amhara Satellite Radio And Television (ASRAT), according to an August 10 statement from the media outlet on Facebook and the four individuals' lawyer, Henok Aklilu, who spoke with CPJ via phone. Journalists Belay Manaye and Mulugeta Anberbir, cameraperson Misgana Kefelegn, and former employee Yonatan Mulugeta are being held on allegations that they incited violence but have not been formally charged, according to the sources.

[...] During the journalists and media workers' court appearance on August 7, Belay, who suffers from asthma, raised concerns that the four were detained in crowded conditions at the Addis Ababa Police Commission, known as Sostegna, risking infection of COVID-19, according to Henok and ASRAT's statement. The court granted police 13 more days for further investigation; the defendants' next scheduled appearance is on August 19, according to Henok. Meanwhile, ASRAT released a statement via Facebook on August 13 indicating additional concern about COVID-19, as the detainees, it said, have been moved to a cramped cell with other people.

5. Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement

A. Detention facilities in general

[Association for Human Rights in Ethiopia, Arbitrary Detention of Activists Signals Prevailing Rights Violations, 21 October 2018](#)

[...] On October 16, 2018, Ethiopian police arrested and held in custody Henok Aklilu, a young attorney and known human rights defender, and his friend activist Michael Melak.

[...] The court has granted a seven day remand but the two were released on October 20, 2018. Michael Melak and Henok Aklilu were denied visits by friends and family and reported being subjected to mistreatment. [...]

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening.

[...] Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time.

[...] The law generally provides visitor access for prisoners. Authorities, however, denied some indicted defendants visits with their lawyers or with representatives of their political parties. In some cases police did not allow pretrial detainees access to visitors, including family members and legal counsel. Prison regulations stipulate that lawyers representing persons charged with terrorism offenses may visit only one client per day, and only on Wednesdays and Fridays. Authorities denied family members' access to persons charged with terrorist activity.

Officials permitted religious observance by prisoners, but this varied by prison and even by section within a prison. There were allegations authorities denied detainees adequate locations in which to pray.

[...] D. Arbitrary Arrest or Detention

[...] Arrest Procedures and Treatment of Detainees

[...] There were reports that while some detainees were in pretrial detention, authorities allowed them little or no contact with legal counsel, did not provide full information on their health status, and did not allow family visits. There were reports officials sequestered prisoners for weeks at a time and placed civilians under house arrest for undisclosed periods.

The constitution requires authorities under an SOE [State of Emergency] to announce the names of detainees within one month of their arrest. Authorities generally published the names of those detained under the SOE but not always within the 30-day period. Civilians were not always able to locate the rosters of names of those imprisoned. [...]

[Amnesty International, Ethiopia: Release journalists arrested on unsubstantiated terrorism charges, 4 October 2019](#)

[...] Five Ethiopian journalists arrested one month ago and arraigned in court on 3 October on charges of "incitement to terrorism" must be released immediately and unconditionally, after the police failed to produce any shred of evidence for their alleged crimes, Amnesty International said today.

"It is shocking that after a whole month of arbitrarily detaining the journalists incommunicado, all the Ethiopian police could produce in court was a file containing a letter they sent to the National Intelligence and Security Services asking for assistance in investigating the matter. [...]"

[Ethiopian Monitor, Eritrea Urged to Release 28 Prisoners of Conscience, 17 September 2019](#)

[...] The Eritrean government must release the 11 politicians and 17 journalists who were arrested in 2001 after criticizing President Isaias Afwerki's rule, and have never been seen or heard from since, Amnesty International said today.

[...] None of the 28 have been seen or heard from since nor have any of them been formally charged with any offence, according to amnesty.

[...] The launch of Amnesty International's 18-day campaign coincides with the first anniversary of the arrest of the country's former finance minister, Berhane Abrehe.

He was arrested on 17 September 2018 after he published a book calling on citizens to peacefully campaign for democracy in the country. He has neither been seen nor heard from since.

Like many other prisoners of conscience, amnesty claimed Berhane is thought to be held at a secret location with absolutely no access to the outside world.

His family has not been informed of his whereabouts or health status since he was arrested. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours. According to media reports, police also did not allow family members and friends to visit the suspects. Police called detainees for nightly interrogations where they were forced to stand for long periods of time. The Ethiopian Human Rights Council (HRCO) voiced concern over the arrests of members of NaMA, the Oromo Federalist Congress (OFC), the Ethiopian Citizens’ Party for Social Justice (EZEMA), journalists, and civilians.

On July 6 and 7, media reported police detained a group of suspects and kept them in cold, dark cells with very limited access to toilets.

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening.

[...] Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time.

[...] The law generally provides visitor access for prisoners. Authorities, however, denied some detained and indicted defendants visits with their lawyers or with representatives of their political parties. In some cases, police did not allow pretrial detainees access to visitors, including family members. Prison regulations across the country stipulate that lawyers representing persons charged with terrorism offenses may visit only one client per day, and only on Wednesdays and Fridays. Authorities denied family members’ access to persons charged with terrorist activity.

[...] Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

[...] Any public servant who goes on strike, who urges others to go on strike, or who fails to carry out his or her duties in a proper manner, to the prejudice of state, public, or private interest, is subject to imprisonment that involves forced labor.

[...] b. Prohibition of Forced or Compulsory Labor

[...] The government sometimes deployed prisoners to work outside the prisons for private businesses, a practice the ILO stated could constitute compulsory labor. [...]

[Committee to Protect Journalists, Ethiopian journalist Yayeew Shimelis detained following COVID-19 report, 1 April 2020](#)

[...] On March 27, federal police arrested Yayeew at a relative’s home in the town of Legetafo, according to media reports and two of the journalist’s friends, who spoke to CPJ on condition of anonymity, citing fear that they may face retaliation affecting their employment.

[...] One of Yayeew’s friends said that the journalist has not been allowed visitors since March 29, which authorities said was because of fears of spreading the virus. [...]

[OCHA, Humanitarian Bulletin: Ethiopia, Issue #7 06–19 April 2020, 19 April 2020](#)

[...] State of Emergency declared amidst rising number of confirmed cases

On 8 April, Ethiopia declared a nationwide State of Emergency (SoE) for five months in order to intensify efforts to control the spread of COVID-19 pandemic. Details of the SoE, later announced by the Council of Ministers, prohibits amongst others any public gathering of more than four people, with social distancing rule enforced, bans visits to prisons (except for legal representation), and the closure of all border activities (except cargo and freight transport). [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.3 Detention conditions

[...] Former detainees at Harqelo, Finchawa, Tolay and Sanqale spoke of dire detention conditions, including lack of sufficient food, beddings, and recreational activities.

[...] The detainees at Harqelo Police Station had limited access to family members. The conditions were also inhumane due to the congestion and the lack of proper beddings. One of the former detainees Hussein Gelmo told Amnesty International that:

“At Harqelo police station, we were held in a congested hall with small children and old people. We were sleeping on a mat on the ground. We were allowed 15 minutes in the morning and 15 minutes in the evening for using the toilet and washing up. Otherwise, we were kept in the cell the whole day. We were unable to speak with family members, though we were getting food from them. In the small room, the number of detainees varied, based on new admissions or discharges, between 80 and 100”¹²²

[...] Former detainees in Sanqale told Amnesty International that Oromia police locked detainees all day in prison halls built from iron sheets, except for brief periods in the mornings and evenings when they could take toilet breaks.

[...] Guta Birhanu, who stayed in detention at Sanqale for three months said:

“In Sanqale, we were kept indoors for much of the day, except for 10 minutes in the morning and evening to use the rest rooms. The police did not allow any visitors. Yet the distance between Sanqale and Negele, which is 700 kms, is also challenging for our family members to come and visit us. We were getting three buns a day, for breakfast, lunch and dinner. There was a time when we did not get food for days.”¹²⁵

[...] The detainees at Sanqale complained to the police officials through delegates selected from the detainees and staged a hunger strike about the quality of the food and other detention conditions including lack of access to families, and shortage of water, sanitation and hygiene facilities.¹²⁷ However, the response from the Oromia police officials was physical punishment.¹²⁸

[...] When detainees from the distant Guji zones of Oromia were released from Sanqale, they were not be provided with transport back home. The police just told them to vacate the mass detention camp. Guji zones of Oromia are located at least 600km from Sanqale.

“On 10 October Oromia police ordered us to vacate the College and most of the people did not have the money for transport to East Guji. We didn’t have phones to call our families and raise money. We had to call influencers [people who have many followers on social media] who raised around 90,000 Birr to cover the cost of transport for those released from Sanqale,” said Burusa Gofe.¹³⁰ [...]

122 Amnesty International telephone interview with Hussein Gelmo, Harqelo, 16 November 2019.

125 Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019.

[...] 127 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019; Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019.

128 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019.

[...] 130 Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019

[Amnesty International, Ethiopia: Account for all people arrested after Hachalu Hundesa’s killing, 18 July 2020](#)

[...] The authorities in Ethiopia must immediately reveal the whereabouts of dozens of politicians and journalists who were arrested alongside other people following widespread protests and violence on 29 June, Amnesty International said today.

The killing of Hachalu Hundesa, a popular outspoken Oromo singer, sparked protests, some of which degenerated into intercommunal violence, which together with a police crackdown left at least 177 dead and hundreds wounded.

In Addis Ababa and Oromia region, the police arrested at least 5,000 people, many of whom are in incommunicado detention with their whereabouts unknown. Those arrested include leading opposition politicians like Jawar Mohammed from the Oromo Federalist Congress (OFC), leaders of the Oromo Liberation Front (OLF), Eskinder Nega of Balderas for True Democracy party, and journalists.

[...] Another OLF leader, Abdi Regassa, arrested in February, remains unaccounted for, according to his lawyer, because the police have been moving him from one place of detention to another, such that neither his family nor his lawyers know his whereabouts.

[...] Two journalists, one an editor of OMN, Melesse Diribsa together with a technician at the media house, Misha Chiri, and a Kenyan journalist, Yassin Juma, were arrested on 2 July and arraigned in court on 4 July. They are due back in court on 18 July but have been denied family and consular visits respectively. [...]

[Committee to Protect Journalists \(CPJ\), Ethiopian authorities arrest Addis Standard editor Medihane Ekubamichael, 13 November 2020](#)

[...] Following his re-arrest on November 10, police prevented Medihane's lawyer and his wife from seeing him in detention at the Addis Ababa Police Commission, Tsedale [publication's editor-in-chief] told CPJ. Yesterday, Medihane's wife and his lawyer were allowed to speak to him briefly, but the conversations were not private, according to Tsedale. [...]

[Reuters, Reuters cameraman detained in Ethiopia has seen no evidence against him, lawyer says, 30 December 2020](#)

[...] Reuters cameraman Kumerra Gemechu has been held in solitary confinement for nearly a week without charge or being given any evidence of wrongdoing, his lawyer said.

[...] Kumerra was arrested at his home in the Ethiopian capital Addis Ababa last Thursday and is being held until at least Jan. 8 pending a police investigation. [...]

B. Prisons

[Human Rights Watch, World Report 2019: Events of 2018 – Ethiopia, 17 January 2019](#)

[...] Abuses in Somali Region

[...] In Jail Ogden, a regional detention facility administered in part by Liyu police, prisoners were tortured, with no access to adequate medical care, family, lawyers, or even, at times, food. After the July publication of a Human Rights Watch report, many prisoners were released from Jail Ogaden. The prison was closed in August. [...]

[Addis Standard, News: Lawyer for Suspects Detained in Wake of Assassinations Says His Clients Kept Isolated, In Cold, Dark Room, 3 July 2019](#)

[...] Henok Aklilu, the lawyer representing four suspects detained in connection with the June 21 killing of high level regional and federal officials, told Addis Standard that his clients are detained in "inhuman" condition inside the Addis Abeba Police Commission compound in Piassa which hosts a prison quarter.

[...] "They are kept isolated in 2 X 2 prison cell, which is cold and dark; they are only allowed toilets visits once every 24 hours," he said, adding, the suspects were also not allowed visits by family members and friends since their detention more than a week ago. [...]

[Ethiopian Monitor, Prison Commission Blocks Personal, Legal Visits Over Coronavirus Fear, 20 March 2020](#)

[...] The Ethiopian government has halted personal and legal visits to prisoners in a bid to prevent the spread of COVID-19 into prisons.

It is "imperative we take such decision" and keep away people coming to prisons that are vulnerable to outbreaks, said Jemmal Abasso, Federal Prison Commission Commissioner, during a presser on Thursday.

The blanket ban will stay for at least fifteen days, prison officials said.

Accordingly, apart from families, religious figures and lawyers will stay away from the correctional facilities in the nation. [...]

C. Pre-trial detention facilities

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Arrest Procedures and Treatment of Detainees

[...] There were reports that authorities allowed some detainees in pretrial detention little or no contact with legal counsel, did not provide full information on their health status, and did not allow family visits. There were reports officials sequestered prisoners for weeks at a time and placed civilians under house arrest for undisclosed periods. [...]

D. Police custody

[Amnesty International, Urgent Action: University Lecturer Must Be Released, 20 September 2019](#)

[...] Firew Bekele, a Marketing lecturer at Rift Valley University, was arrested by Federal police on 17 August 2019 outside his home. Before searching his home, the police read him a court order that stated he was suspected of writing and publishing a book entitled “Yetetlefe Tigil” (the Hijacked Struggle), which criticises politicians, security officials, business people and other individuals for having allegedly hijacked Ethiopia’s current political transition.

[...] Firew Bekele’s access to his lawyer has been hindered under ATP regulations, and his wife, parents and siblings were all denied access as he was being charged with terrorism. [...]

[Amnesty International, Ethiopia: Police must account for missing Oromo opposition leader, 3 March 2020](#)

[...] The police must account for the whereabouts of Abdi Regassa - a senior member of the opposition political party Oromo Liberation Front (OLF) – who remains missing after security officers in Addis Ababa broke into his home and arrested him alongside eight other party members on 29 February.

The other eight party members were released later the same day, but Abdi Regassa was not. He may have been subjected to enforced disappearance and is at risk of torture or other ill-treatment. The police have denied they are still holding him according to his lawyer and family members.

“Abdi Regassa’s family and lawyers have spent the last couple of days frantically searching police stations and detention centres across Addis Ababa in an attempt to locate him,” said Seif Magango, Amnesty International’s Deputy Director for East Africa, the Horn and the Great Lakes.

“The police deny that they have him yet he was last seen in their custody and there is no evidence that he has been released. This is understandably causing his family considerable anxiety and distress.”

[...] In the early hours of 29 February, security officers stormed a guest house in the southern part of Addis Ababa where five senior members of the OLF and four supporters were staying. All nine were arrested and taken to the local police station.

The OLF members were then split into two groups; the first group of six were moved to the Addis Ababa Police Commission and eventually released within 24 hours of arrest.

The second group of three, comprising Abdi Regassa and Mikael Gobena, both members of OLF’s Executive Committee, and Kenessa Ayana, a member of OLF’s Central Committee, were taken to an unmarked unofficial detention compound around the 6 Kilo area in Addis Ababa. While Mikael Gobena and Kenessa Ayana were released within 24 hours of arrest, the police continued to detain Abdi Regassa, the two told Amnesty International. [...]

E. Other

[Human Rights Watch, Mass Arrests, ‘Brainwashing’ Threaten Ethiopia’s Reform Agenda, 20 October 2018](#)

[...] This week, the Ethiopian government released over 1,000 youth from “rehabilitation camps” following a month-long detention. They were among some 3,000 youth from the capital, Addis Ababa, whom the federal police commissioner, Zeynu Jemal, said had been arrested in September. Most were arrested at bars, shisha cafes, and khat dens. The police chief said the arrests were to address “rising criminality and disturbance” in the city, but smoking shisha (a flavored tobacco) and chewing khat (a mild stimulant) are not criminal offenses in Ethiopia.

[...] On October 16, the police commissioner said with a straight face that the youth would be released because “brainwashing” was complete. It is an apt term to describe a longstanding detention practice in Ethiopia, used most recently during the 2017 state of emergency. The authorities take people arrested to military camps, indoctrinate them in government policies and perspectives, and often force them to do strenuous physical exercise. The detainees are not charged with a crime.

These camps have no legal basis, and their recent use signals a worrying return to a period when the security forces frequently carried out arbitrary arrests. Given Prime Minister Abiy Ahmed’s many speeches about the importance of the rule of law, many Ethiopians hoped these repressive tactics were a relic of the past. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.2 Arbitrary arrest and detention

[...] The Command post detained thousands of people, not only from East and West Guji zones, but also from all the other zones of Oromia, at Tolay Military Camp (hereinafter Tolay) and Sanqale Police College (hereinafter Sanqale) – informal detention places – where the detainees had no access to lawyers, courts, families or the outside community.⁸⁶ [...]

86 Amnesty International interviews with former detainees at Tolay and Sanqale, from 16 November to 27 December 2019

6. Unhygienic conditions

A. Detention facilities in general

[Addis Standard, Detention Memoir: Eleven Detainees, Eleven Days. What Really Happened, 9 April 2018](#)

[...] Have you ever lived in a square meter room? I did, but not in a literal way. It happened in Nifas-silk police detention center in the last 11 days. Forty people have been sleeping, eating and even urinating in a 32 square meters' room. A person has been sleeping in less than a square meter. Of these 40 people, the renowned politician Andualem Aragie as well as journalists Eskinder Nega and Temesgen Desalegn were included.

[...] That night, when we were sent to three of the detention rooms at the Nifas-silk sub-city police detention center, the rooms were too congested to add a single person. I was with blogger Zelalem Workagegnehu, who was released from prison two months ago, in the first room. We bribed the room's 'capo' and he managed to find the two of us a place in between sleeping guys so we can rest our body without movement – like a statue.

[...] In the detention center, there are only three rooms and they are all filled beyond their capacity. Previously, I was told, the rooms were a bit relaxed than this. They are now overfilled with prisoners of the SOE [State of Emergency]. Almost half of the inmates are held by the Command Post. The 32 square-meters' room (they call it '3rd room') used to have a maximum of 27 people in normal days. The room has only one square meter window. It is filthy and hot. The other two are relatively big rooms with two windows each but contained more than their capacity. During the night, inmates are locked in the rooms and have to use a barrel in need of urinating. [...]

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care.

[...] During the SOE [State of Emergency] the government operated detention centers in six zones—Addis Ababa, Hawassa, Dire Dawa, Nekemte, Bahir Dar, and Semera. [...] Although conditions varied, problems of gross overcrowding and inadequate food, water, sanitation, and medical care were common at sites holding SOE detainees.

Physical Conditions: [...] Prisoners had only limited access to potable water. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours.

On July 6 and 7, media reported police detained a group of suspects and kept them in cold, dark cells with very limited access to toilets.

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening.

[...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care.

[...] Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.3 Detention conditions

[...] The detention conditions in Sanqale were particularly harsh due to a shortage of food, severe punishments and harsh interrogation sessions. Former detainees in Sanqale told Amnesty International that Oromia police locked detainees all day in prison halls built from iron sheets, except for brief periods in the mornings and evenings when they could take toilet breaks. [...] Besides, the detainees were only allowed one shower a month.

[...] The detainees at Sanqale complained to the police officials through delegates selected from the detainees and staged a hunger strike about the quality of the food and other detention conditions including lack of access to families, and shortage of water, sanitation and hygiene facilities.¹²⁷ [...]

127 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019; Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019

B. Prisons

[Addis Standard, News: Lawyer for Suspects Detained in Wake of Assassinations Says His Clients Kept Isolated, In Cold, Dark Room, 3 July 2019](#)

[...] Henok Aklilu, the lawyer representing four suspects detained in connection with the June 21 killing of high level regional and federal officials, told Addis Standard that his clients are detained in “inhuman” condition inside the Addis Abeba Police Commission compound in Piassa which hosts a prison quarter.

[...] At the hearing yesterday, “the police have told the court that there were some problems which were now sorted and that I was free to visit my clients. I went to see them immediately after and I found out that the conditions in which they were kept under was inhuman and appalling,” Henok told Addis Standard. “They are kept isolated in 2 X 2 prison cell, which is cold and dark; they are only allowed toilets visits once every 24 hours,” he said, adding, the suspects were also not allowed visits by family members and friends since their detention more than a week ago. [...]

[Radio Dabanga, Sudanese youth detained in Ethiopia for unauthorised border crossing, 29 November 2019](#)

[...] Four young men from eastern Sudan’s El Gedaref who were detained in Ethiopia a month ago for crossing the border without permission, are being held in poor humanitarian conditions.

[...] The Ethiopian authorities put them in a prison near the Ethiopian town of El Matamma without a trial. They suffer from a shortage of food and are not allowed to take baths. [...]

C. Pre-trial detention facilities

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. Pretrial detention often occurred in police station detention facilities, where conditions varied widely and where reports stated there was poor hygiene and police abuse of detainees. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. Pretrial detention often occurred in police station detention facilities, where conditions varied widely and where reports stated there was poor hygiene and police abuse of detainees. [...]

[Addis Standard, News: Police Accuses Asrat Media Journalists, Camera Crew Of Inciting Communal Violence Through Broadcast, 7 August 2020](#)

[...] Police brought four members of Asrat Media to Federal First Instance Court Arada Branch where they were granted 13 more days to remand & investigate the four.

[...] On their part the four accused members of Asrat Media complained that they were not tested for coronavirus when they were placed in detention and that they were held together with other people who are also not tested for the virus. The cell they are held at is also located to a bathroom and is unclean, which is exacerbating journalist Belay Manaye’s previous sinus problem. [...]

7. Restrictions to medical care

A. Detention facilities in general

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care.

[...] During the SOE [State of Emergency] the government operated detention centers in six zones—Addis Ababa, Hawassa, Dire Dawa, Nekemte, Bahir Dar, and Semera. [...] Although conditions varied, problems of gross overcrowding and inadequate food, water, sanitation, and medical care were common at sites holding SOE detainees.

Physical Conditions: [...] Medical attention following physical abuse was insufficient in some cases.

The government budgeted approximately nine birr (\$0.32) per prisoner per day for food, water, and health care, although this amount varied across the country. According to the World Bank, the country's per capita GDP was \$1.50 per day. [...] Medical care was unreliable in federal prisons and almost nonexistent in regional ones. Prisoners had only limited access to potable water. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. Many prisoners had serious health problems but received little or no treatment. There were reports prison officials denied some prisoners access to needed medical care.

Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] One of the NaMA leaders, 18 September 2019

[...] Treatment in detention [...]

Some people were a little sick and couldn't get proper medical treatment. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening.

[...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care.

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[...] The government budgeted approximately nine birr (\$0.31) per prisoner per day for food, water, and health care, although this amount varied across the country. [...] Medical care was unreliable in federal prisons and almost nonexistent in regional ones. [...] Many prisoners had serious health problems but received little or no treatment. There were reports prison officials denied some prisoners access to needed medical care.

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B. Prisons

[Human Rights Watch, World Report 2019: Events of 2018 – Ethiopia, 17 January 2019](#)

[...] Abuses in Somali Region

In Jail Ogden, a regional detention facility administered in part by Liyu police, prisoners were tortured, with no access to adequate medical care, family, lawyers, or even, at times, food. After the July publication of a Human Rights Watch report, many prisoners were released from Jail Ogaden. The prison was closed in August. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.4 Torture and ill-treatment

[...] Momina was detained in Finchawa police station for a month before the police transferred her to Sanqale along with others. She suffered a miscarriage which she attributes to the torture she suffered in Finchawa and the bad detention condition in Sanqale, where she was later transferred.¹³⁸ She also told Amnesty International that she did not get any medical treatment in Sanqale after she had suffered the miscarriage.¹³⁹ [...]

138 Amnesty International interview with Momina Roba, Hawassa, 27 December 2019.

139 Amnesty International interview with Momina Roba, Hawassa, 27 December 2019.

C. Pre-trial detention facilities

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. [...]

8. Irregular or contaminated food and water

A. Detention facilities in general

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. Pretrial detention often occurred in police station detention facilities, where conditions varied widely and where reports stated there was poor hygiene and police abuse of detainees.

During the SOE [State of Emergency] the government operated detention centers in six zones—Addis Ababa, Hawassa, Dire Dawa, Nekemte, Bahir Dar, and Semera.[...] Although conditions varied, problems of gross overcrowding and inadequate food, water, sanitation, and medical care were common at sites holding SOE detainees.

[...] The government budgeted approximately nine birr (\$0.32) per prisoner per day for food, water, and health care, although this amount varied across the country. According to the World Bank, the country's per capita GDP was \$1.50 per day. Many prisoners supplemented this support with daily food deliveries from family members or by purchasing food from local vendors. Reports noted officials prevented some prisoners from receiving food from their families, and some families did not know of their relatives' locations. [...] Prisoners had only limited access to potable water. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Ambo University lecturers, 19 September 2019

[...] Detention [...]

How know about Sankalle if no-one can visit? Not allowed for people to visit. But different individuals from media; activists; they always claim that. Those who are released from the detention centres give testimonies and information on this and what is happening in these detention centres. Yesterday, I met 2 guys who had been released from prison. They said there was no food to eat, beating, psychological pressure. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening.

[...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. [...] The government budgeted approximately nine birr (\$0.31) per prisoner per day for food, water, and health care, although this amount varied across the country. According to the World Bank, the country's per capita GDP was 12 birr per day (\$0.41). Many prisoners supplemented this support with daily food deliveries from family members or by purchasing food from local vendors. Reports noted officials prevented some prisoners from receiving food from their families, and some families did not know of their relatives' locations. [...] Prisoners had only limited access to potable water. Water shortages caused unhygienic conditions, and most prisons lacked appropriate sanitary facilities. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.3 Detention conditions

[...] Former detainees at Harqelo, Finchawa, Tolay and Sanqale spoke of dire detention conditions, including lack of sufficient food, beddings, and recreational activities. [...] The shortage of food was such a serious problem in Harqelo Police Station that some of the police officers discreetly asked the residents to bring food for the detainees. Since most of the detainees were from distant kebeles, their family members were not able to regularly bring food to them.¹²¹ In Sanqale, Oromia police were living on three buns a day each.

[...] Genet Qoricho, who was a regular visitor to the police station in Harqelo town, told Amnesty International that:

"In Harqelo police station there was serious shortage of food for the prisoners. Two weeks ago, one of the police officers sent me a message asking me to collect food or money from the residents and supply food for the prisoners. He told me the prisoners might die of hunger soon, so I collected contributions from the town community and took some food to the police station."¹²⁴

The detention conditions in Sanqale were particularly harsh due to a shortage of food, severe punishments and harsh interrogation sessions. [...] There were serious shortages of food and water. The police provide them with- only three buns to eat a day. There was a time when the police did not provide food to the detainees for three consecutive days. Some detainees collapsed due to hunger during that time. [...]

Guta Birhanu, who stayed in detention at Sanqale for three months said:

"In Sanqale, we were kept indoors for much of the day, except for 10 minutes in the morning and evening to use the rest rooms. The police did not allow any visitors. Yet the distance between Sanqale and Negele, which is 700 kms, is also challenging for our family members to come and visit us. We were getting three buns a day, for breakfast, lunch and dinner. There was a time when we did not get food for days."¹²⁵

Momina Roba, who was in Sanqale for three months told Amnesty International that:

"In Sanqale, there wasn't enough food. We were getting only one bread bun for breakfast, one for lunch, and one for dinner."¹²⁶

The detainees at Sanqale complained to the police officials through delegates selected from the detainees and staged a hunger strike about the quality of the food and other detention conditions including lack of access to families, and shortage of water, sanitation and hygiene facilities.¹²⁷ However, the response from the Oromia police officials was physical punishment.¹²⁸ [...]

121 Amnesty International telephone interview with Bontu Chala (name has been changed to ensure the interviewee's anonymity), Harqello, 26 November 2019

[...] 124 Amnesty International interview with Genet Qoricho, Hawassa, 26 December 2019.

125 Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019.

126 Amnesty International interview with Momina Roba, Hawassa, 27 December 2019.

127 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019; Amnesty International telephone interview with Burusa Gofe, Addis Ababa, 20 November 2019.

128 Amnesty International telephone interview with Abdurrahman Ahmed, Negele, 23 November 2019; Amnesty International telephone interview with Guta Birhanu, Negele, 20 November 2019.

B. Prisons

[Human Rights Watch, World Report 2019: Events of 2018 – Ethiopia, 17 January 2019](#)

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[...] In Jail Ogden, a regional detention facility administered in part by Liyu police, prisoners were tortured, with no access to adequate medical care, family, lawyers, or even, at times, food. After the July publication of a Human Rights Watch report, many prisoners were released from Jail Ogaden. The prison was closed in August. [...]

[Radio Dabanga, Sudanese youth detained in Ethiopia for unauthorised border crossing, 29 November 2019](#)

[...] Four young men from eastern Sudan's El Gedaref who were detained in Ethiopia a month ago for crossing the border without permission, are being held in poor humanitarian conditions.

[...] The Ethiopian authorities put them in a prison near the Ethiopian town of El Matamma without a trial. They suffer from a shortage of food and are not allowed to take baths. [...]

C. Pre-trial detention facilities

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

Prison and pretrial detention center conditions remained harsh and in some cases life threatening. [...] Problems included gross overcrowding and inadequate food, water, sanitation, and medical care. [...]

D. Police custody

[African Freedom of Expression Exchange \(AFEX\), Ethiopia's Press Freedom Dreams under Abiy Ahmed Turning into Nightmare, 16 November 2020](#)

[...] On August 9, 2020, three journalists from Asrat TV were also arrested. Journalists Belay Menaye, Mulugeta Anberbir, and Misganw Kefelgn of Asrat TV were taken into custody without any explanation from security forces. The arrest of the journalists without the provision of medicine and clothing was disclosed by Asrat TV on Facebook. [...]

9. Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures

A. Detention facilities in general

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours.

[...] On July 6 and 7, media reported police detained a group of suspects and kept them in cold, dark cells with very limited access to toilets.

[...] On August 1, Prime Minister Abiy Ahmed stated during a press briefing that his government was committed to the respect and protection of human rights and to ensuring the rule of law. He denied reports of torture as well as keeping detainees in dark cells. [...]

[Reuters, Reuters cameraman detained in Ethiopia has seen no evidence against him, lawyer says, 30 December 2020](#)

[...] Reuters cameraman Kumerra Gemechu has been held in solitary confinement for nearly a week without charge or being given any evidence of wrongdoing, his lawyer said.

[...] Kumerra was arrested at his home in the Ethiopian capital Addis Ababa last Thursday and is being held until at least Jan. 8 pending a police investigation.

Kumerra’s family said he was being held in a cold cell and was sleeping on a mattress on the floor. However, they said they were being allowed to visit Kumerra, as is his lawyer, and have brought him extra clothing, food and medication. [...]

B. Prisons

[Addis Standard, News: Lawyer for Suspects Detained in Wake of Assassinations Says His Clients Kept Isolated, In Cold, Dark Room, 3 July 2019](#)

[...] Henok Aklilu, the lawyer representing four suspects detained in connection with the June 21 killing of high level regional and federal officials, told Addis Standard that his clients are detained in “inhuman” condition inside the Addis Abeba Police Commission compound in Piassa which hosts a prison quarter.

[...] At the hearing yesterday, “the police have told the court that there were some problems which were now sorted and that I was free to visit my clients. I went to see them immediately after and I found out that the conditions in which they were kept under was inhuman and appalling,” Henok told Addis Standard. “They are kept isolated in 2 X 2 prison cell, which is cold and dark; they are only allowed toilets visits once every 24 hours,” he said, adding, the suspects were also not allowed visits by family members and friends since their detention more than a week ago. [...]

C. Police custody

[African Freedom of Expression Exchange \(AFEX\), Ethiopia’s Press Freedom Dreams under Abiy Ahmed Turning into Nightmare, 16 November 2020](#)

[...] On August 9, 2020, three journalists from Asrat TV were also arrested. Journalists Belay Menaye, Mulugeta Anberbir, and Misganw Kefelgn of Asrat TV were taken into custody without any explanation from security forces. The arrest of the journalists without the provision of medicine and clothing was disclosed by Asrat TV on Facebook. [...]

10. Number of prisoners on remand and length of pre-trial detention

A. Detention facilities in general

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Arrest Procedures and Treatment of Detainees

The constitution and law require detainees to appear before the court and face charges within 48 hours of arrest or as soon thereafter as local circumstances and communications permit. Travel time to the court is not included in this 48-hour period. With a warrant authorities may detain persons suspected of serious offenses for 14 days without charge and for additional and renewable 14-day periods during a pending investigation. The courts allowed security officials to continue investigations for more than 14 days without bringing formal charges against suspects.

Under the Anti-Terrorism Proclamation (ATP), police may request to detain persons without charge for 28-day periods, up to a maximum of four months, during an investigation. The law permits warrantless arrests for various offenses including “flagrant offenses.” These include suspects apprehended while committing an offense, attempting to commit an offense, or having just completed an offense.

[...] Pretrial Detention: Some detainees reported indefinite detention for several years without charge or trial. The percentage of the inmate population in pretrial detention and average length of time held was not available. Lengthy legal procedures, large numbers of detainees, judicial inefficiency, and staffing shortages contributed to frequent trial delays, in some cases years. SOE [State of Emergency] regulations allowed authorities to detain a person without a court order until the end of the SOE. At the conclusion of the SOE, several hundred individuals remained remanded and awaiting trial. [...]

[OCHA, Ethiopia: Humanitarian Access Situation Report, April 2019](#)

[...] Afar region

On 9 March, four national staff of an INGO were detained in Afar region while conducting a humanitarian programme, allegedly for entering the region without permission. The humanitarian community remains concerned over their wellbeing, after such a prolonged period of time. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] One of the NaMA leaders, 18 September 2019

[...] Length of detention

It depends on the specific situation. In Oromia, most were detained for a week or two some others for months. In Benishangul-Gumuz – 29 people were arrested and detained for 2 months. People detained in Addis are detained over 3 months. It depends on the area. [...]

[Human Rights Watch, Ethiopia: Free Speech at Risk Amid Covid-19, 6 May 2020](#)

[...] In the last month, the authorities have detained a lawyer, Elizabeth Kebede, and charged a journalist, Yayeew Shimelis, for comments on social media about the government’s response to the coronavirus.

[...] Addis Ababa police alleged that Yayeew spread “false news” but held him for nearly three weeks without bringing formal charges. On April 15, a federal judge granted him bail, finding that investigators lacked sufficient evidence to proceed with the investigation. Federal police investigators then intervened in the case, appealing the court’s decision and accusing Yayeew of violating the revised anti-terrorism law. On April 20, a federal judge granted Yayeew bail a second time, again finding that investigators lacked enough evidence to charge him with terrorism offenses.

Federal police finally released Yayeew on April 23. But, according to court documents Human Rights Watch reviewed, prosecutors have now formally charged him under the country’s new hate speech and disinformation law, citing as evidence postings and private messages obtained from Yayeew’s personal Facebook account by Ethiopia’s Information Network and Security Agency (INSA).

[...] On April 4, Addis Ababa police detained Kebede, a volunteer lawyer with the Ethiopian Women’s Lawyers Association (EWLA), one of the country’s leading women’s rights groups, and transferred her to the custody of Harari regional authorities. EWLA lawyers told Human Rights Watch that officials have not charged her with

any offense but accuse her of disseminating false news in Facebook posts that officials claim could “instigate violence.” [...]

B. Pre-trial detention facilities

[Amnesty International, Urgent Action: Eleven People Freed After More Than a Week in Jail, 10 April 2018](#)

[...] Eleven people including a lawyer, journalists, bloggers, opposition members and academics were released on 5 April without being charged. The 11 had been arrested by Ethiopian security forces while attending a private ceremony in Addis Ababa on 25 March.

Ethiopian journalist and former Amnesty International Prisoner of Conscience, Eskinder Nega was released on 5 April without being charged. He was released together with journalist Temesgen Dessalegn; bloggers Mahlet Fantahun, Befiqadu Hailu, Zelalem Workagegnhu and Sintayehu Chekol; opposition members Andualem Arage, Addisu Getaneh, Yidnekachewu Addis, Tefera Tesfaye and Woynshet Molla.

[...] The 11 were first taken to a police station in Lebu area, but were transferred to Nifas Silk Lafto Sub-City Community Policing Service Department during the night where they were held until their release. [...]

[Amnesty International, Urgent Action: Two Government Critics Released, 17 April 2018](#)

[...] Seyoum Teshome and Taye Dendea were released from Maekelawi prison on 16 April without being charged. The two had been arrested on 8 March and 15 March respectively.

Seyoum Teshome, a prominent blogger and professor at Ambo University and Taye Dendea, Head of Public Relations and Communications for the Oromia Justice Bureau, were released on 16 April without being charged. The two had been detained at the Maekelawi Prison since their arrests. [...]

[Amnesty International, Ethiopia: Deeper Reforms Needed: Amnesty International Submission for the UN Universal Periodic Review, 1 October 2018](#)

[...] Arbitrary arrest and detention

[...] Many individuals have been held in pre-trial detention for more than four months, which is the maximum period allowed by law. [...]

[Amnesty International, Ethiopia: Release of ‘coup’ suspects without charge follows continued abuse of anti-terrorism law, 30 October 2019](#)

[...] The release without charge of 22 government critics who were arrested and detained for months on allegations of terrorism illustrates the Ethiopian authorities’ continued abuse of the country’s anti-terror laws, Amnesty International said today.

The 22, released late on Tuesday, were among more than 200 people arrested in June after the killing of army chief Seare Mekonnen and Amhara Regional State President Ambachew Mekonnen – termed an attempted coup by the Ethiopian government. Most of those arrested have since been quietly released without being formally charged in court.

“The release of these 22 people without formal charges ever being filed against them is one consequence of the authorities’ continued misuse of the Anti-Terrorism Proclamation to arbitrarily arrest and detain government critics. For them to have been detained for four months without an iota of evidence being adduced is blatantly unjust,” said Fisseha Tekle, Amnesty International’s Ethiopia researcher. [...]

[Human Rights Watch, World Report 2020: Events of 2019 – Ethiopia, 14 January 2020](#)

[...] Freedom of Expression and Association

[...] At time of writing, 13 detainees were still held on pre-charge detention, under an obscure procedure that allows for indefinite pre-charge detention after the four months allowed under the ATP had elapsed. Twelve are members of the political opposition, seven of whom are members of the National Movement of Amhara (NAMA), an ethno-nationalist opposition party, and five are members of an Amhara activist cultural movement.

[...] On July 18, security forces arrested employees and board members of the Sidama Media Network (SMN) and shut down the station in Awassa following protests over the government’s failure to organize a referendum, according to media reports. Workers were allowed back into the office on July 23, but those arrested were detained for weeks without charge. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Pretrial Detention: Some detainees reported indefinite detention for several years without charge or trial. The percentage of the inmate population in pretrial detention and average length of time held were not available. Lengthy legal procedures, large numbers of detainees, judicial inefficiency, and staffing shortages contributed to frequent trial delays, in some cases for years. [...]

[Amnesty International, Human Rights in Africa: Review of 2019 – Ethiopia, 8 April 2020](#)

[...] Unfair trials

Hundreds of political opposition members, journalists and others who were critical of the government faced unfair trials on charges brought under the ATP law. The trials were marked by illegal and prolonged pre-trial detention, unreasonable delays and persistent complaints of torture and other ill- treatment.

[...] In February, the police arrested Colonel Gemechu Ayana, a prominent Oromo Liberation Front member, and detained him on terrorism charges for eight months, in violation of ATP provisions which allow for a maximum four months' pre-trial detention period. In December, the authorities dropped the charges and released him.

[...] Following the assassinations in June of the Amhara Regional State president and the Chief of Army in Addis Ababa, hundreds of people were arbitrarily arrested. Among those targeted were leaders of the Amhara Nationalist Movement (a political party), government officials, journalists, opposition political party leaders and members of the Addis Ababa Care Taker Committee which promotes administrative autonomy for residents of Addis Ababa. For four months, at least 10 suspects remained in pre-trial detention under terrorism charges, before their trial that commenced in November.

[...] In July, dozens of Sidama activists, were arrested on suspicion of instigating the communal violence in Sidama Zone in July. They included employees and leaders of the Sidama Media Network. They were held in detention until the end of the year without being charged in a prison in Halaba town, over 100 km from their families. [...]

C. Police custody

[Committee to Protect Journalists \(CPJ\), Ethiopian police ignore court orders to free journalists held since March, 22 May 2020](#)

[...] On March 7, police in the town of Burayu, on the outskirts of the capital Addis Ababa, arrested Dessu, a deputy director at the privately owned Oromia News Network broadcaster, Wako, who contributes to the network and also reports for the radio broadcaster Sagalee Bilisummaa Oromoo, and Ismael, a driver for the station, according to the network's chairperson, Buli Edjeta Jobir, and CPJ reporting from the time.

On March 30, a court in Burayu ordered the three employees' release after prosecutors said they could not make a case against them, according to Buli and their lawyer, Mulisa Ejetaa, both of whom spoke to CPJ in phone calls and via messaging app.

However, as of today, the three remain in detention, in violation of court orders issued in March, April, and May, while police claim to be investigating unspecified allegations against them, according to Mulisa, Buli, and an April 21 court document seen by CPJ.

[...] "The detention of Dessu Dulla, Wako Nole, and Ismael Abdulrzaq, even after prosecutors said they had no case against them, and in defiance of court orders, is an unacceptable violation of their rights of due process," CPJ's sub-Saharan Africa representative, Muthoki Mumo. "They should be released unconditionally, and those responsible for infringing their rights should be held to account."

[...] As of May 22, they were being held at a police station in Gelan, a town south of Addis Ababa, according to Buli and another source who is familiar with the case but asked not to be named for safety concerns, both of whom said the police did not disclose a reason for the transfer. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.2 Arbitrary arrest and detention

[...] The prolonged detentions without charge and without judicial oversight were in violation of both national and international human rights laws. The government did not charge the detainees of any crime during their

prolonged periods of detention, which lasted for more than five months for some of them.⁸⁷ In local police stations such as Harqelo, Negele, and Finchawa, the number of detainees was fluctuating due to new arrests and releases. At the height of the mass arrests, there were at least 400 detainees in Harqelo police station,⁸⁸ while there were 130 detainees at Finchawa Police Station.⁸⁹ [...]

87 The length of the detention and the lack of judicial oversight over their detention is also in violation of the Anti-Terrorism Proclamation No. 652/09 (ATP), which was repealed in January 2020. While the ATP provisions that allowed lengthy pre-trial detention were in violation of human rights standards, the law required the police to bring people arrested on suspicion of terrorism crimes to court within 48 hours of arrest and every 28 days after the first court appearance. The ATP also limited the length of pre-trial detention to 120 days.

88 Amnesty International interview with Hussein Gelmo, Harqelo, 16 November 2019.

89 Amnesty International interview with Bifle Garoma, Hawassa, 27 December 2019.

[Committee to Protect Journalists \(CPJ\), Ethiopian journalist Dawit Kebede detained without charge since November 30, 18 December 2020](#)

[...] On November 30, federal police arrested Dawit, managing editor of the online news outlet Awramba Times, while he was dining with friends at a restaurant in Addis Ababa, the capital, according to Dawit's U.S.-based brother Bisrat Bahta and the journalist's wife Tigest, both of whom spoke to CPJ via messaging app.

[...] He is being detained at the Addis Ababa Police Commission, also known as Sostegna, Tigest said.

[...] CPJ has also documented several incidents this year in which Ethiopian authorities have detained journalists, sometimes for months, without formally charging them and in defiance of court orders. [...]

D. Other

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.2 Arbitrary arrest and detention

[...] The Command post detained thousands of people, not only from East and West Guji zones, but also from all the other zones of Oromia, at Tolay Military Camp (hereinafter Tolay) and Sanqale Police College (hereinafter Sanqale) – informal detention places – where the detainees had no access to lawyers, courts, families or the outside community.⁸⁶ [...]

86 Amnesty International interviews with former detainees at Tolay and Sanqale, from 16 November to 27 December 2019

11. Factors that affect length of pre-trial detention

A. Detention facilities in general

[Ethiopian Gazette, Freedom of the Press in Ethiopia, 12 April 2019](#)

[...] Terrorism charges have been systematically used against journalists ever since the 2009 terrorism law took effect. The charges carry long jail sentences and allow the authorities to hold journalists without trial for extended periods. [...]

B. Pre-trial detention facilities

[Human Rights Watch, World Report 2020: Events of 2019 – Ethiopia, 14 January 2020](#)

[...] At time of writing, 13 detainees were still held on pre-charge detention, under an obscure procedure that allows for indefinite pre-charge detention after the four months allowed under the ATP had elapsed. Twelve are members of the political opposition, seven of whom are members of the National Movement of Amhara (NAMA), an ethno-nationalist opposition party, and five are members of an Amhara activist cultural movement. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. Authorities, however, detained persons arbitrarily, including activists, journalists, and opposition party members.

[...] Arrest Procedures and Treatment of Detainees

The constitution and law require detainees to appear before the court and face charges within 48 hours of arrest or as soon thereafter as local circumstances and communications permit. Travel time to the court is not included in this 48-hour period. With a warrant, authorities may detain persons suspected of serious offenses for 14 days without charge and for additional and renewable 14-day periods during a pending investigation. The courts allowed security officials to continue investigations for more than 14 days without bringing formal charges against suspects.

Under the ATP police may request to detain persons without charge for 28-day periods, up to a maximum of four months, during an investigation. The law permits warrantless arrests for various offenses including “flagrant offenses.” These include suspects apprehended while committing an offense, attempting to commit an offense, or having just completed an offense.

[...] A functioning bail system was in place. Bail was not available for persons charged with terrorism, murder, treason, or corruption. In other cases, the courts set bail between 500 and 10,000 birr (\$17 and \$346), which most citizens could not afford. The government provided public defenders for detainees unable to afford private legal counsel, but defendants received these services only when their cases went to trial and not during the critical pretrial phases. In some instances a single defense counsel represented multiple defendants in a single case. There were reports that authorities allowed some detainees in pretrial detention little or no contact with legal counsel, did not provide full information on their health status, and did not allow family visits. There were reports officials sequestered prisoners for weeks at a time and placed civilians under house arrest for undisclosed periods.

[...] Pretrial Detention: Some detainees reported indefinite detention for several years without charge or trial. The percentage of the inmate population in pretrial detention and average length of time held were not available. Lengthy legal procedures, large numbers of detainees, judicial inefficiency, and staffing shortages contributed to frequent trial delays, in some cases for years.

Detainees’ Ability to Challenge Lawfulness of Detention before a Court: The law provides persons accused of or charged with a crime the ability to appeal. During the year no cases were brought to the courts by individuals claiming unlawful detention. The criminal law does not provide compensation for unlawfully detained persons. [...]

[Amnesty International, Human Rights in Africa: Review of 2019 – Ethiopia, 8 April 2020](#)

[...] Hundreds of political opposition members, journalists and others who were critical of the government faced unfair trials on charges brought under the ATP law. The trials were marked by illegal and prolonged pre-trial detention, unreasonable delays and persistent complaints of torture and other ill- treatment. [...]

12. Effective monitoring

A. Detention facilities in general

[Human Rights Watch, Ethiopia: Submission to the Universal Periodic Review, Submitted October 2018 for the May 2019 UPR that covers 2014-2019, October 2018](#)

[...] Abuses in Somali Regional State and lack of accountability

[...] Though Ethiopia acceded to the Convention Against Torture in 1994 and incorporated provisions into its constitution, torture and impunity for torture is widespread. The Ethiopian government does not allow the International Committee of the Red Cross access to federal prisons, police stations, or regional detention center such as “Jail Ogaden.” There is therefore no comprehensive independent monitoring of any detention facilities. [...]

[Human Rights Watch, “We are Like the Dead”: Torture and other Abuses in Jail Ogaden, Somali Regional State, Ethiopia, 4 July 2018](#)

[...] Summary

[...] The Ethiopian Human Rights Commission (EHRC), a federal government body mandated to carry out investigations into allegations of human rights abuse, has inspected Jail Ogaden on many occasions since 2011, but there are no publicly available reports on those visits. It is not clear what actions, if any, were taken to hold anyone accountable for abuses uncovered during those inspections. Many former prisoners told Human Rights Watch that they had been prepped by prison officials on what to say and what not to say to the Commission. The most visibly injured, along with children and pregnant women, were reportedly held in secret rooms or moved out of the prison ahead of Commission visits. Those who spoke openly to Commission officials were brutally beaten, sometimes to death, in the days after the visits. The EHRC did not respond to our letter requesting information about their work to address abuses in Jail Ogaden.

Ethiopia’s federal system gives considerable autonomy to its regions, including the Somali Region, to carry out many governance functions. Regional detention facilities in Somali Region have little federal oversight and the regional government has neither the will nor capacity to monitor detention conditions.

[...] Furthermore, authorities should allow access to Jail Ogaden and all other detention centers throughout the country to independent Ethiopian and international monitors, including human rights and humanitarian organizations, members of the diplomatic community, African Union human rights mechanisms, and UN mechanisms such as the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Working Group on Arbitrary Detention.

[...] I. Background

[...] The government’s response to regular allegations of torture is denial and to suggest that they are politically motivated.⁵ The Ethiopian Human Rights Commission does not meaningfully investigate the many torture allegations, nor do any of the other oversight mechanisms, including the courts. Ethiopia has not responded to repeated requests from the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for an invitation to visit the country.⁶ Human rights groups and international organizations such as the International Committee of the Red Cross (ICRC) continue to be denied access to federal detention centers, including military camps, and to places of detention in Somali Region.⁷

[...] VII. Obligation to Investigate Torture

[...] Impunity and Entrenched Obstruction of Monitoring and Oversight

[...] There are few federal oversight mechanisms over regional prisons, such as Jail Ogaden, and those that exist have proven ineffective. There are some reporting requirements in the Federal Prisons Commission Establishment Proclamation and provisions for the Federal Police Commission to “have relations with Regional Prison Authorities in order to improve and enhance the administration modus operandi of prisons, the custody and treatment of prisoners, and also facilitate training opportunities to prison warden and other staff.”²²⁴

[...] VIII. Ethiopian Human Rights Commission and Jail Ogaden

The Ethiopian Human Rights Commission (EHRC) is mandated to investigate human rights violations throughout Ethiopia, but there are longstanding concerns over the independence of the EHRC, particularly around politically sensitive investigations.²³⁵

EHRC investigations have lacked transparency, with very few reports publicly available in any language.²³⁶ It is not clear to what extent reports have been produced on prison visits. What investigative reports are available

have lacked even the most basic semblance of impartiality. There is no evidence that investigators made an effort to speak to victims, and instead focused their interviews on local government officials. Such an approach cannot help but greatly undermine the credibility and accuracy of any investigation.

[...] Human Rights Watch's understanding is that the Commission does visit other places of detention in Ethiopia unannounced. [...]

5 See Government Response section of this report.

6 Amongst the Special Rapporteurs with outstanding requests for invites relevant to Somali Region are the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Working Group on arbitrary detention; the Special Rapporteur on minority issues; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the Special Rapporteur on Food. For a list of outstanding requests please see: http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH (accessed April 23, 2018).

7 Email communication with ICRC, June 4, 2018, on file with Human Rights Watch.

[...] 224 Federal Prisons Commission Establishment Proclamation, <https://chilot.files.wordpress.com/2012/10/proc-no-365->

[...] 235 As per the Proclamation that established it the objective of EHRC "shall be to educate the public be aware of human rights see to it that human rights are protected, respected and fully enforced as well as to have the necessary measure taken where they are found to have been violated." Ethiopian Human Rights Commission Establishment Proclamation, Proclamation 210/2000, <http://ehrp.org/wp-content/uploads/2014/05/ethiopian-human-rights-commission-procl.pdf> [accessed April 23, 2018].

236 For example, see the EHRC's website at: <http://www.ehrc.org.et/web/guest/home>.

[International Committee of the Red Cross, Ethiopia: Authorities enhance prison management skills, 4 December 2018](#)

[...] Deputy Commander Woubalem was one of the 33 prison managers of Oromia region who attended a five-day prison management training organized by the Oromia Region Prison Commission and the ICRC. The training was conducted in Adama city, 90 kms south of the capital, Addis Ababa, in mid-November.

"The main objective of the training was to empower participants with prison management skills and make them take the initiative to improve their own place of detention through implementing tools of project management," remarked Paul Geurts, Regional Prison System Advisor with the ICRC.

[...] Inspector General Deme Fufa is the head of Gimbi prison in West Wellega Zone of Oromia region. He spoke of the importance of treating prisoners in accordance with the law and acceptable standards in bringing about responsible citizens.

In Ethiopia, the ICRC conducts its visits to prisons both at the federal and regional level. It works to improve conditions of detention and treatment of persons detained in relation to conflict and violence but also to improve access to services in prisons and support in finding a sustainable and replicable solution to the infrastructure problems. In this light, working to enhance the capacity of prison authorities through the provision of trainings in and outside of the country, is an important part of this approach. [...]

[The Advocates for Human Rights, Ethiopia's compliance with the Convention on the Elimination of All Forms of Discrimination Against Women, 72nd Session of the Committee on the Elimination of Discrimination Against Women, 18 February–8 March 2019, January 2019](#)

[...] 17. There is no independent, transparent mechanism to monitor the status of women in detention facilities or to respond to human rights violations committed against them. The government has not published publicly available data on the number of currently detained women, reason for arrest and detention, and the average length of time they have been held in prison. Detention centers notably lack independent oversight and accountability mechanisms. [...]

[The Reporter Ethiopia, Unrelenting Abiy, 2 February 2019](#)

[...] Prime Minister Abiy Ahmed (PhD) appeared before the House of Peoples' Representatives (HPR) special session on Friday where he addressed questions raised by members of the parliament regarding the outstanding security issues, the economy as well as the current political and security condition in the country.

[...] The PM also responded to allegation of selective arrests and ethnically oriented legal action. In that he said; "there is no ethnicity that is criminal in itself. But, there are criminals in every ethnicity, and in every region."

“Following complaints of mistreatment in prison, we have reviewed our handlings. But we did not find any wrong-doings. The parliament or members of the standing committees can visit them anytime. We have been providing the necessary food and consumption items to the detainees. These prisoners are reading books, and writing anything they want. They are having regular physical exercise and are handled properly without affecting their rights,” Abiy explained to the parliament. [...]

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Independent Monitoring: The International Committee of the Red Cross (ICRC) visited prisons throughout the country during the year as part of its normal activities. During the SOE [State of Emergency] access to prisoners was limited, but once the SOE was lifted in June, the ICRC enjoyed improved access to multiple prisons. The government did not permit access to prisons by other international human rights organizations. Regional authorities allowed government and NGO representatives to meet with prisoners without third parties present. The EHRC monitored federal and regional detention centers and interviewed prison officials and prisoners in response to allegations of widespread human rights abuses. The NGO Justice for All-Prison Fellowship Ethiopia (JPA-PFE) had access to multiple prison and detention facilities around the country. [...]

[United Nations General Assembly, Report of the Working Group on the Universal Periodic Review: Ethiopia, 5 July 2019](#)

[...] 76. The delegation of Ethiopia stated that the requests to visit the country made by the Special Rapporteur on the freedom of peaceful assembly and of association, the Special Rapporteur on the promotion and protection of the right to freedom of expression and opinion, the Special Rapporteur on extreme poverty and human rights, the Special Rapporteur on the right to education and the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members had been recently accepted. A memorandum of understanding has been signed with the International Committee of the Red Cross, allowing it to have access to all prison facilities. [...]

[International Committee of the Red Cross, Ethiopia: Putting humanitarian needs first in 2019, Facts and Figures, 27 January 2020](#)

[...] Highlights of our work in Ethiopia in 2019

51,100 detainees were visited in 66 different places of detention

Provided material assistance including blankets, clothes, hygienic and educational material to 36,800 detainees [...]

[International Committee of the Red Cross, Ethiopia: ICRC engages federal prison technical staffs in prison design, 12 February 2020](#)

[...] Twenty-three technical staff from different federal prisons discussed a holistic approach to the preparation of prison design at a two-day workshop conducted in Addis Ababa on the 5th and 6th of February, 2020.

[...] "The main objective of the workshop was to create awareness among the participants on guaranteeing the building of properly functioning prison facilities with essential services based on well thought and prepared designs," said Mulat Mengiste, Water & Habitat Engineer with the ICRC.

[...] In Ethiopia, the ICRC works and makes dialogue with prison authorities so as to improve the conditions of detention and the treatment of detainees. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] Independent Monitoring: The International Committee of the Red Cross visited prisons throughout the country during the year as part of its normal activities. The government did not permit access to prisons by other international human rights organizations.

Regional authorities allowed representatives of the government and nongovernmental organizations (NGOs) to meet with prisoners without third parties present. The EHRC monitored federal and regional detention centers and interviewed prison officials and prisoners in response to allegations of widespread human rights abuses. The NGO Justice for All-Prison Fellowship Ethiopia (JPA- PFE) had access to multiple prison and detention facilities around the country.

[...] Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

[...] The government denied most NGOs access to federal prisons, police stations, and other places of detention. The government did permit the JPA-PFE to visit prisoners; this organization had an exemption enabling it to raise unlimited funds from foreign sources and to engage in human rights advocacy. Some other NGOs played a positive role in improving prisoners' chances for clemency.

Authorities limited access of human rights organizations, media, humanitarian agencies, and diplomatic missions in certain geographic areas. The government continued to lack a clear policy on NGO access to sensitive areas, leading regional government officials and military officials frequently to refer requests for NGO access to federal government authorities. Officials required journalists to register before entering sensitive areas and in some cases denied access. There were reports of regional police or local militias blocking NGO access to particular locations, in particular in locations with IDPs, for a specific period, citing security risks.

Government Human Rights Bodies: The Office of the Ombudsman has the authority to investigate complaints of administrative mismanagement by executive branch offices and officials, including investigation into prison conditions. The office reported to parliament that it received 853 complaints between July 2018 and January, of which 455 were outside its mandate. It opened investigations into 488 cases and found no administrative mismanagement in 262 of them. The remaining complaints were pending investigation for six months in January. Parliament's Legal, Justice, and Democracy Affairs Standing Committee rated the performance of the office as unsatisfactory. The EHRC conducted research on the human rights situation and investigated human rights violations in the Somali and Oromia conflicts, as well as the conflict between West Guji Zone in Oromia and the Gedeo Zone in the SNNP Region. The commission did not publicize the findings of these reports. The EHRC reported its branch office in Jijiga resumed operations in September 2018, one month after a group of youth and regional security forces attacked it during the wide-ranging violence in August 2018. [...]

[The Reporter Ethiopia, Focusing on prevention work, 9 May 2020](#)

[...] In the era of COVID-19, the head of Delegation of the International Committee of the Red Cross (ICRC), Julien Lerisson, converses with Samuel Getachew of The Reporter on the ICRC's recent effort to help curb the devastation of the virus, on the history of the organization, how it has affected its operation and on some of the efforts in the Somali region where ICRC returned two years ago after more than a decade of absence. Excerpts:

The Reporter: The Red Cross has been in Ethiopia for eon. Share with me the highlights of its work?

Julien Lerisson: The International Committee of the Red Cross (ICRC) has been in Ethiopia for more than 40 years, focusing on protecting and assisting the most vulnerable people affected by armed conflict and violence. It mostly visited prisons, ensuring that detention conditions and treatment of detainees were in line with international standards. In that regard, it maintained a permanent bilateral and confidential dialogue with the detaining authorities before, during and after those visits.

[...] [The Reporter:] Last year, ICRC began to distribute essential supplies to the Somali region of Ethiopia. How has that been like so far?

[Julien Lerisson:] Our return to Somali Regional State in December 2018 was a very important moment for our organization. We were absent for 12 years and very happy to be back. We've engaged with the regional and local authorities and try to focus on areas where we can be impactful and make a difference. Hence, we've focused at the border of Oromia and Somali Regional State to assist the people displaced and communities affected by the conflict at the border of the two regions in 2018. [...] We are also supporting the detaining and prison authorities there, visiting detention places, discussing with Police, the Army and others. [...]

[Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020](#)

[...] On June 30, security forces in Addis Ababa arrested Oromo Federalist Congress leaders Jawar Mohammed and Bekele Gerba, and Balderas Party figures Eskinder Nega and Sintayehu Chekol for their alleged involvement in the violence. The police have since arrested over 9,000 people, including government officials, many outside of Addis Ababa in the surrounding Oromia region, where independent monitoring of hearings and investigations is more limited. [...]

[International Committee of the Red Cross, Ethiopia: Risk of wider humanitarian emergency as fighting breaks out in the north of the country, 11 November 2020](#)

[...] ICRC's work in Ethiopia

[...] We also visit places of detention under federation and regional prison and police authorities to ensure humane treatment and conditions for all detainees. Our teams also worked with 31 places of detention to

lower the risk of COVID-19 by providing 89,000 bars of soap, setting up handwashing stations and sharing information with detainees on how COVID-19 can be prevented. [...]

[International Committee of the Red Cross, Ethiopia: A dispatch from West Tigray and North Amhara, 27 November 2020](#)

[...] We traveled as a team of six people to North of Amhara and West Tigray by car, a journey that takes about three days to make. The purpose of our mission was three-fold: better understand the humanitarian needs, meet with authorities, and deliver medicines and supplies to health care facilities and ambulances, which we had heard were dealing with a high number of casualties from the clashes. The team also visited some people detained in relation to the fighting and provided them with hygiene items.

[...] People need help to restore contact with their loved ones in Tigray Region, elsewhere in Ethiopia and abroad. The needs of those detained in relation to the fighting in Tigray Region must not be forgotten, including their right to contact and receive news from their families.

However, so much is still unknown on the level of violence and subsequent suffering that people in the Tigray region have endured in just three weeks. Phone and internet remains down, which hinders our ability to independently verify reports. [...]

B. Prisons

[The Institute for International and Comparative Law in Africa \(ICLA\) and the Centre for Human Rights of the Faculty of Law of the University of Pretoria, The Law on Police Use of Force Worldwide, last updated 13 August 2019](#)

[...] In Ethiopia, most oversight mechanisms are in the form of internal disciplinary rules or regulations within the police and prison services, rather than an independent external body established for the purpose. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Wondemagegn Goshu, Addis Ababa University, 20 September 2019

[...] Torture [...]

HRC has a mandate to monitor prisons. They can do unexpected visits. This is at the federal level, what is happening at the local regional level may be different. [...]

C. Police custody

[Addis Standard, News: Prosecutors to Charge Five Suspects Accused of Bombing at Pro Abiy Ahmed Rally in Addis Abeba, 3 August 2018](#)

[...] The suspects who were brought to the federal high court first instance bench have repeatedly filed complaints of mistreatment and abuse while under police custody. They have also asked to be released on bail. The police have dismissed allegations of mistreatment and abuse and told the court that suspects are in daily contact with their families. The police also said they can present CCTV footage monitoring the prison treatments of the suspects and further told the court that if need be an independent inquiry committee can be established to look into allegations of abuses.

After listening to both sides of the argument, the court ordered an official from the prison administration to appear in court during next hearing and explain suspects' claim of mistreatment; but the court rejected the suspects' request for bail. The court also granted the police to file the charges against the five suspects within the coming 15 days and adjourned the next hearing until August 29. [...]

13. Investigations and accountability

A. Detention facilities in general

[Voice of America \(VOA\), Ethiopia Closes Infamous Prison, But Activists Await Deeper Reforms, 8 April 2018](#)

[...] Days after swearing in its new prime minister, Ethiopia has begun to make good on promised reforms. In the past week, officials have closed an infamous detention center and released 11 jailed journalists and politicians.

Former prisoners and journalists, however, say that many detainees have simply been moved to different facilities, and they question whether the symbolic closure and releases signify real change.

[...] Now that Maekelawi has closed, activists and former prisoners question whether authorities will ensure inhumane treatment doesn't persist at other facilities around the country.

Chaltu Takele was accused of belonging to the Oromo Liberation Front, a group the government considers a terrorist organization, and she spent nearly a decade in prison, including time at Maekelawi.

"I am very happy that Maekelawi is closed, for sure," Takele told VOA's Amharic service. "However, at the end of the day, it is not about the walls and the people inside, but the people who are doing these deeds and torturing people."

What counts isn't closing a particular facility, she added, but changing "the psyche of the people" who commit inhumane acts.

Emawayesh Alemu, who was also imprisoned for many years, echoed those thoughts.

"If Maekelawi is closed and another Maekelawi is opened, there is no change. If they open another facility, how can we say Maekelawi is closed?" Alemu said.

[...] Reconciliation

To move forward, Shiferaw said, the ruling coalition, the Ethiopian People's Revolutionary Democratic Front, must not only close facilities and release prisoners but also own up to its misdeeds.

"EPRDF needs to admit to and acknowledge the atrocities that happened in the detention center, just like how they admit that there has been bad governance and corruption issues. They have to admit the inhumane treatment committed in Maekelawi. They need to acknowledge it now because they will be criticized for it tomorrow — these deeds that force people to hate their own country and treat people inhumanely and isolate them," he said.

The government must also provide medical treatment and support services for prisoners now suffering from long-term health problems, Shiferaw added.

Until then, Shiferaw and other former prisoners await the release of all dissidents and restitution for those who have been subjected to unbearable pain and humiliation. [...]

[Al Jazeera, Torture, state terrorism and Ethiopia's transformation, 23 June 2018](#)

[...] In his response, the prime minister offered an honest, awe-inspiring and highly robust defence of his administration's transformational decisions. While all of Ahmed's policy statements were clear, detailed, and nuanced, it was his astonishing admission of state terrorism and torture that signalled a new dawn for the country and the continent.

[...] He then admitted that Ethiopian security forces tortured people in the past, and asked the MPs whether the country's constitution sanctions torture.

By admitting that his own party, the ruling Council of the Ethiopian People's Revolutionary Democratic Front (EPRDF), used torture and terrorist tactics to stay in power in the past, Ahmed showed that he is serious about changing the Ethiopian state for the better and further cemented his already ineffable magnetism.

[...] What does this mean for Ethiopia?

Ahmed's admission of guilt, in the name of the Ethiopian regime, is highly consequential — especially for those subjected to torture and gross human rights abuses in the hands of the very state that was supposed to protect them.

The prime minister's admission that the government has failed in its fundamental duty of care when it engaged in terrorist acts to preserve the privilege of the few is quite therapeutic for torture victims and his heartfelt apology can go a long way in healing the corrosive effects of their trauma.

For the Ethiopian society in general, Ahmed's admission that the army and security agencies were used as instruments of domination set the stage for a new era of hope and optimism.

The admission is also legally significant. Although the Ethiopian regime's consistent and widespread use of torture had always been well documented, the government has always denied such accusations. Ahmed's admission would impose a legal responsibility on the Ethiopian government to investigate those crimes and prosecute individuals responsible for the abuses.

However, Ethiopia may also need to start much broader and robust processes to reckon with its divisive and often violent past. Whatever institutional form these processes might take, the country should find a way to come to terms with its past.

Whatever the long-term historical and political significance, Ahmed's admission of state terrorism and official torture is a triumph of courage in the face of adversity. [...]

[Human Rights Watch, Task of Ethiopia's New Leader: End Torture, 30 July 2018](#)

[...] Though the reforms he [Abiy Ahmed] has introduced are promising, the prime minister has yet to tackle one of the biggest obstacles to lasting change — the lack of accountability for serious abuses, notably the widespread use of torture.

[...] Since Abiy's administration took office, the national dialogue has yet to include concrete discussions of pathways to accountability. In a speech before parliament in June, the prime minister admitted that torture in Ethiopia is comparable to "state terrorism." After government media reported cases of severe beatings and genital torture at federal detention centers, the government dismissed a few prison administration officials. These are good first steps, but given the complexity of the problem, dismissing a few staff members will not solve the culture of torture and inhumane treatment of prisoners in Ethiopia. [...]

[Africa News, Ex-boss of Ethiopia's notorious Jail Ogaden arrested, 29 September 2018](#)

[...] A former head of Ethiopia's Jail Ogaden and regional prison commissioner has been arrested by authorities, an activist in the country Somali Regional State, SRS, has reported.

Shamaahiye Sheikh Farah [commonly known as Shamaahiye], a former colonel in the controversial SRS paramilitary unit, Liyu Police, is said to have presided over some of the worst infractions in the closed facility.

[...] He is also one of six former officials implicated in gross rights abuses in the Ogaden Jail — main name Jijiga Central prisons located in the capital of SRS, Jijiga. Human Rights Watch, HRW, listed him along others as worst senior offenders in a report this year.

Authorities in the state recently announced the closure of the facility and added that it was to be turned into a museum. Former leader of the state, Abdi Mohamoud Illey is currently in federal custody facing criminal charges after he was deposed.

The new leader, Mustafa Omar, a known human rights activist has since replaced head of the Liyu police and promised wide ranging rights reforms in a state that was ruled for years under the highhandedness of Illey. [...]

[Human Rights Watch, Ethiopia: Submission to the Universal Periodic Review, Submitted October 2018 for the May 2019 UPR that covers 2014-2019, October 2018](#)

[...] Arbitrary detention and mistreatment in custody

[...] Even though in April 2018 Ethiopia closed Maekelawi detention center, known for torture and mistreatment of political prisoners, detention centers administered by regional governments, some well-known for ill treatment, rape, torture, and lack of access to medical and legal aid remain open and there no plans for investigations into past abuses.

During the 2014 UPR session, Ethiopia also supported a recommendation to "respect the right to fair trial, notably by ensuring that legal procedures are respected." Despite this, Ethiopia did not take any measure to improve the independence of the judiciary. Courts continue to implement political decisions of the executive branch and often ignore complaints of mistreatment in detention centers. There are serious due process concerns and questions about judicial independence in politically sensitive cases.

The government has not permitted the United Nation's Working Group on Arbitrary Detention to investigate allegations, despite requests from the UN body in 2005, 2007, 2009, 2011, and 2015 and "noted" all the recommendations given by states to positively engage with special mechanisms under the 2014 UPR process.

[...] Abuses in Somali Regional State and lack of accountability

[...] The new regional administration which closed the jail has not taken any measure to hold anyone accountable for the many abuses in Jail Ogaden. [...]

[Amnesty International, Ethiopia: Deeper Reforms Needed: Amnesty International Submission for the UN Universal Periodic Review, 1 October 2018](#)

[...] It also assesses the national human rights framework with regard to the Ethiopian government's lack of full cooperation with international human rights mechanisms, failure to investigate extra-judicial killings and torture and ill-treatment allegations enabled by its problematic Anti-Terrorism Proclamation, and the Ethiopian National Human Rights Commission's failure to comply with the Paris Principles.

[...] The National Human Rights Framework

Human Rights in the Domestic Legal System

[...] The last four years have exposed the Ethiopian Human Rights Commission's (EHRC) lack of capacity and independence and its failure to conform with the Paris Principles. According to the Proclamation establishing the EHRC, the Commission can investigate allegations of human rights violations in the country; however, since the last review, it has not investigated and reported on mounting allegations of human rights violations, such as extrajudicial executions, excessive and unnecessary use of force against protesters, ethnically motivated attacks, and torture and other ill-treatment in detention.

[...] Torture and other ill-treatment

[...] Allegations of torture and other ill-treatment by defendants in terrorism trials are rarely investigated.

[...] Amnesty International reviewed the EHRC reports to the Federal High Court and is concerned about apparent gaps and shortcomings in the investigative process, which raise questions about the impartiality, independence, and credibility of the investigations. The Commission's reports intentionally left out key information and repeatedly failed to reach conclusions on allegations of torture by the police. Furthermore, complainants generally bore the burden of proof for torture allegations, contrary to international human rights law and standards. The Commission's investigative processes raise questions about its capacity and credibility to conduct prompt, impartial, independent and efficient investigations. [...]

[Human Rights Watch, Ethiopia: Ensure Justice for Abuses in Jail Ogaden, 19 October 2018](#)

[...] The government of Ethiopia should commit to undertaking criminal investigations and prosecutions following many years of rights abuses in Jail Ogaden, a detention facility in eastern Ethiopia's Somali region, Human Rights Watch said today. A [video](#) released today by Human Rights Watch features victims' accounts, using footage filmed inside the prison in September.

On August 22, 2018, Somali Regional State officials formally closed Jail Ogaden and announced that it will be converted into a museum. On August 27, federal officials arrested the Somali region president, Abdi Mohamoud Omar, for "violations of human rights and inciting ethnic and religious conflict in the Somali region." He has not yet been charged. However, officials have not taken any known measures to investigate and prosecute senior members of the Liyu Police, a paramilitary regional force, and other Somali region officials who have been implicated in years of abuse in Jail Ogaden and throughout the region.

[...] Impunity for torture is not limited to the Somali Region. Reports from Human Rights Watch and other independent organizations over many years have described torture in Ethiopia's many detention facilities. Despite the prime minister's admission that torture is used, the ongoing restructuring of the federal security and intelligence apparatus, and the closure of some abusive facilities, there has been no indications that individual responsible for torture will be held to account for years of abuse. [...]

[Amnesty International, Ethiopia: Arrest of dozens of security officials a first step towards accountability, 12 November 2018](#)

[...] Following the announcement today of the arrest of at least 36 key security officials suspected to be responsible for gross human rights violations in Ethiopia, Amnesty International's Director for East Africa, the Horn and the Great Lakes, Joan Nyanyuki said:

"These arrests are an important first step towards ensuring full accountability for the abuses that have dogged the country for several decades. Many of these officials were at the helm of government agencies infamous for perpetrating gross human rights violations such as torture and the arbitrary detention of people including in secret facilities.

"We urge the government of Prime Minister Abiy to take further steps to ensure justice and accountability for all past human rights violations and abuses while at the same time ensuring all the individuals arrested receive fair trials. The authorities must also ensure victims access justice and effective remedies, including adequate reparation.

"Building on this forward momentum, the government should also seize the opportunity to expedite justice sector reform to ensure that human rights are fully respected, protected, promoted and fulfilled." [...]

[Addis Standard, Analysis: Ethiopia Crackdown on Corruption, Human Right Abuses: Everything You Need to Know, 16 November 2019](#)

[...] Gross human rights violations

In a press briefing, the Attorney General Berhanu Tsegaye said that the arrests were made following five months of investigations, which he, stressing on the complexity of the case, said has extended beyond and above ethnicity, political and religious affiliations of the accused.

Unlike his reserved details on the bombing suspects, the AG went to great length to describe the investigations into the gross human rights violations. According to him, the rights violations which are all compounded in gruesome practice of torture by the security and intelligence apparatus of the state on those Ethiopians who were particularly jailed after having been accused of terrorism offenses and opposition political party members.

Narrowing down the allegations into the practice of torture, the attorney general pointed out that its investigations have uncovered that the practice was not only limited to prison cells, but also seven illegal private detention facilities found in the capital Addis Abeba alone.

[...] Main suspects of these chilling allegations are mostly drawn from the country's top spy agency, the National Intelligence and Security Service (NISS – both for federal and regional states), and prison police. Top in this list is Yared Zerihun, former deputy head of NISS and Commissioner General of the federal police commission, the later a stint which lasted from April 19 to June 06/2018. Yared was appointed to lead the federal police by PM Abiy Ahmed during his first cabinet reshuffle in April but resigned in June citing ill health. Although he tops the list, Yared was apprehended on Thursday Nov. 15 in what the police said was a hotel room in Dukem, 30 km south of Addis Abeba while trying to escape.

The number of suspects in this category as of yet stands at 37. But the AG implied this number could grow once those on the run and those who have fled the country are apprehended. [...]

[Al Jazeera, Navigating Ethiopia's journey towards reconciliation and justice, 20 November 2018](#)

[...] Since November 9, the Ethiopian government has arrested more than 60 leading figures from the National Intelligence Service and Security (NISS) and the state-owned conglomerate Metals and Engineering Corporation (METEC). They stand accused of committing egregious human rights and participating in organised corruption.

[...] Detestable crimes

Announcing the charges against the accused, Attorney General Berhanu Tsegaye revealed gruesome details of heinous crimes committed by security forces. Tsegaye accused the top leadership of the Ethiopian intelligence of torturing political detainees suspected of holding critical views of the government, using cruel methods such as waterboarding, gang rape, electric shocks, hanging suspects on a tree and beating them, and tying suspects naked to a tree overnight.

[...] Decades of state-sponsored violence left behind an institutional culture of impunity and a collective trauma that will continue to haunt the Ethiopian body-politic. Coming to terms with this painful past requires both accountability and a peace and reconciliation process that allows for a comprehensive official investigation and a public acknowledgement of the abuses and harms done. [...]

[Human Rights Watch, Ethiopia's Torture Problem and the Court of Public Opinion, 13 December 2018](#)

[...] Ethiopia's state broadcaster EBC aired a documentary this week, detailing numerous horrendous acts of torture carried out by security services in recent years. Many Ethiopians were shocked and outraged.

[...] What has changed is that torture is now spoken about openly on state television and by the government after years of denial that torture even existed. This a refreshing change.

[...] While this may signal a new commitment to justice, the government should avoid the past practice of using these documentaries to undermine defendants' right to a fair trial by mobilizing the public to support a judiciary that was far from independent of state control. [...]

[Human Rights Watch, World Report 2019: Events of 2018 – Ethiopia, 17 January 2019](#)

[...] The government lifted restrictions on access to the internet, admitted that security forces relied on torture, committed to legal reforms of repressive laws and introduced numerous other reforms, paving the way for improved respect for human rights.

[...] Accountability for years of abuses, including torture and extrajudicial killings, and opening the space for political parties and civil society remain significant challenges for the new administration. There are indications

that the reform process may ultimately be hindered by a lack of independent institutions to carry forward changes.

[...] Impunity, Torture, and Arbitrary Detention

Government officials often dismissed allegations of torture, contrary to credible evidence. But in a July speech to parliament, Abiy admitted that the government used torture and other unlawful techniques on suspects, acknowledging that such techniques amounted to terrorism by the state.

[...] Earlier this year, Ethiopia closed Makaelawi detention center, known for torture and mistreatment of political prisoners. After media reported significant complaints of abuse from prisoners in other federal detention centers, the federal Attorney General's Office dismissed administrators of five facilities in July but they did not face criminal charges. Many detention centers run by regional administrations, some well-known for ill-treatment, rape, torture, and lack of access to medical and legal aid, remain unaffected by the reform efforts.

In July, the federal attorney general told media that there would be investigations into torture and mistreatment in detention facilities. In November, a number of high-ranking security officials were arrested due to their alleged involvement in human rights abuses in detention, according to the attorney general. They had not yet been charged at time of writing.

[...] Abuses in Somali Region

[...] Abdi Illey resigned and was arrested in August, two weeks after Liyu police and youth loyal to him attacked residents and burned property in the regional capital, Jijiga. He remains in government custody but has not been charged. Police head Abdirahman Abdillahi Burale (known as Abdirahman Labagole) resigned in August, but despite evidence of his involvement in committing human rights abuses, Abdirahman Labagole and other members of the Ethiopian army or Liyu police implicated in abuses against civilians have not faced any charges.

In Jail Ogden, a regional detention facility administered in part by Liyu police, prisoners were tortured, with no access to adequate medical care, family, lawyers, or even, at times, food. After the July publication of a Human Rights Watch report, many prisoners were released from Jail Ogaden. The prison was closed in August. [...]

[The Reporter Ethiopia, NISS lifts travel ban imposed on over 3,000 individuals, 19 January 2019](#)

[...] The NISS HQ and other facilities have never been accessible to any government officials for a long time until Prime Minister Abiy Ahmed (PhD) came to power last year. Especially, for the past two decades, NISS, which was headed by the former Director General, Getachew Assefa, has been a very secretive place.

Now, however, the new leadership has already pledge to turn the secretive institution to a more transparent and publicly trusted institution instead of a facility feared by its citizens. It has also been repeatedly accused of committing serious abuse of human rights. Currently, dozens of intelligence and security officials are detained and their trial process underway at the Federal High Court. [...]

[Freedom House, Freedom in the World 2019 – Ethiopia, 4 February 2019](#)

[...] Security forces frequently commit human rights violations including torture and extrajudicial killings, and often act with impunity. However, the new government has shown some willingness to hold police and military personnel accountable. In November, 36 senior intelligence officials were arrested for human rights abuses including torture, and awaited trial at year's end. [...]

[United Nations General Assembly, Compilation on Ethiopia: Report of the Office of the United Nations High Commissioner for Human Rights, 1 March 2019](#)

[...] B. Civil and political rights

1. Right to life, liberty and security of person²²

[...] 23. The United Nations country team stated that the Criminal Code did not contain comprehensive definition of torture in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.²⁹ In addition, no concrete measures had been taken to prevent the occurrence of torture, inhuman and degrading treatment in detention facilities.³⁰ [...]

22 For relevant recommendations, see A/HRC/27/14, paras. 155.70–155.74, 155.77, 155.79–155.83, 155.85–155.87, 155.90, 156.1, 156.4–156.5, 157.10, 158.26–158.29, 158.31 and 158.33.

29 United Nations country team submission, para. 17.

30 Ibid., para. 18.

[United Nations General Assembly, Summary of Stakeholders' submissions on Ethiopia: Report of the Office of the United Nations High Commissioner for Human Rights, 4 March 2019](#)

[...] 26. JS13 [Human Rights Council et al.] stated that the judicial response to complaints of torture and ill treatment during police or prison custody had been unacceptably inadequate and inconsistent, raising serious questions as to the independence and capacity of the judiciary. On many occasions, the judiciary had refrained from its responsibility of protecting the rights of detained accused.⁴⁷

27. AI [Amnesty International] stated that torture and other ill-treatment was a routine interrogation tool, especially for people suspected of terrorism. While the principal aim of torture was to extract "confessions", cases had been documented where torture was being used to force people to testify falsely against others suspected of terrorism. Allegations of torture and other ill-treatment by accused in terrorism trials were rarely investigated. Additionally, objections by the defence to the admissibility of forced "confessions" as evidence, had mostly been rejected and judges have received the confession as admissible evidence irrespective of how they may have been obtained.⁴⁸ [...]

47 JS13, para 48. JS14 made a recommendation (para. 51).

48 AI, p. 4. AI made recommendations (p. 6); See also HRF, paras 17-19. HRF made a recommendation (para. 27 (c)).

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Administration: In July the government fired five federal prison officials following state media reports of allegations of abuse. There were reports that prisoners mistreated by prison guards did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints.

[...] e. Denial of Fair Public Trial

[...] Civil Judicial Procedures and Remedies

The law provides citizens the right to appeal in civil court, including in cases with human rights violations. For rights violations where a government agency is the accused perpetrator, the victim initiates the process by filing a complaint at the EHRC. Parliament created the EHRC in 2000, and it continued to fund and provide oversight over the commission. The EHRC investigates and makes recommendations to the concerned government agency. Citizens did not file any human rights violations under this system, primarily due to a lack of evidence and a lack of faith in their ability to secure an impartial verdict in these types of cases. [...]

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Arbitrary Detention, Torture and Detention Conditions, 5 April 2019](#)

[...] Progress has been made toward eliminating the longstanding practice of torture in Ethiopian detention but not enough has been done to hold those responsible to account and to investigate past crimes. The government has acknowledged that torture occurred in the past, a positive step, and it has closed some abusive detention facilities.

[...] The government's response to the allegations of torture was blanket denial, and to suggest that the allegations were politically motivated. Human Rights Watch is not aware of any cases in which the government held anyone to account for involvement in torture. The courts have routinely ignored complaints about torture. The government restricted independent monitoring of detention facilities by humanitarian actors. There were no viable systems for redress for torture.

[...] Under Abiy

Abiy and other senior officials have admitted that torture had been used, and some detention centers long associated with abuse were closed, including Jail Ogaden. Maekelawi was closed on April 3 following an [earlier announcement](#). Most prisoners were released from Jail Ogaden. State run television ran documentaries describing torture methods used in Ethiopia. Some senior officials implicated in human rights abuses have been arrested, but very few security officials have been held to account for years of abuse and torture. Survivors of torture report that they are unable to access any of the psychosocial – mental health -- services they need.

[...] As some steps have been taken toward increasing the independence of the judiciary, Human Rights Watch has begun receiving reports of detainees being asked by judges about how they are treated in detention – which generally did not happen in the past.

[...] The government needs to hold people responsible for carrying out or directing acts of torture, regardless of their rank or political position, in fair, transparent trials, including those responsible for abuses in Jail Ogaden and Maekelawi [...]

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Commitments to International Human Rights Norms, 6 April 2019](#)

[...] Under Abiy

[...] There were no apparent steps taken to increase the independence of the Human Rights Commission, and no public indication that it carried out any investigations during Abiy's first year. [...]

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Democratic Institutions and Political Space, 7 April 2019](#)

[...] Steps have been taken toward increasing the independence of the judiciary, including the appointment in November of a former judge and activist, Meaza Ashenafi, as president of the Supreme Court. Human Rights Watch has received reports recently of detainees being asked by judges about how they are treated in detention – which generally did not happen in the past. [...]

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Accountability and Justice, 8 April 2019](#)

[...] Accountability and Justice

There has been insufficient progress on accountability for past atrocities. The arrests of former officials, security force personnel, and others implicated in rights violations and corruption is a positive step, although it is hard to ignore the politicized nature of such arrests. There are still many people, including some who remain in government, who should be held to account for past crimes. The government has not presented a clear roadmap for how it plans to deal with the country's abusive past.

[...] In the Somali region, both the Ethiopian army and the region's Liyu police force carried out widespread abuses against civilians for over a decade. [...] Ethiopian authorities failed to conduct any meaningful investigations into the crimes.

[...] Under Abiy

The prime minister and other senior officials have publicly acknowledged security force abuses. In Abiy's early months, there was little discussion about accountability. But in November 2018, 63 people were arrested, including former government and military officials, and business people associated with the government affiliated Metals and Engineering Corporation (METEC). The officials from the former government and the military were suspected of human rights abuses while METEC officials were accused of corruption. However, many of them have not yet been charged and while their arrests sent a strong message that such abuses will no longer be tolerated the arrests were very selective and politicized.

[...] The Attorney General's Office removed five prison officials following a documentary on state broadcaster EBC in December about torture in detention. Human Rights Watch has not been able to confirm whether they have been charged. In July, the attorney general announced there would be an investigation into torture in places of detention. Human Rights Watch has not been able to confirm whether this investigation has, in fact, moved forward.

Some senior officials in Abiy's government, including Workneh Gebeyehu, who was foreign minister until March, had senior and long-standing roles in abusive intelligence or security forces under the previous government.

According to Addis Standard, an independent news website, eight prison officials were charged in February with firing on inmates following the fire that broke out at Kilinto prison in September 2016, which killed 23 inmates.

Abdi Mohamoud Omar, commonly known as "Abdi Illey," the former president of the Somali region, who commanded the abusive Liyu police, was arrested in August and eventually charged in January. But he was charged only for his role in the violence in August, when Somali youth groups attacked non-Somali groups in Jijiga, and not for the years of serious abuses the Liyu police committed under his command.

The new president of Somali Region, Mustafa Omar, a longtime human rights activist, has since he took office repeatedly stressed the importance of accountability for past abuses committed in Somali Region. Yet officials have not taken any known measures to investigate and prosecute senior members of the Somali Region Liyu Police and other Somali region officials who have been implicated in years of abuse in Jail Ogaden and throughout the region.

The government's draft submission for its UN Human Rights Council Universal Periodic Review (UPR) states that "new legislation on police use of force and accountability" is being drafted and that it is "expected to create [a] clear, independent and effective complaint mechanism that would allow the submission of complaints concerning ill-treatment by security and law enforcement authorities."

In November, Abiy announced plans to create a truth and reconciliation commission. Parliament passed a law to create such a commission, but little is known about the approach the commission will take or how truth and reconciliation processes will dovetail with investigations and prosecutions to hold the worse abusers to account. [...]

[United Nations General Assembly, Report of the Working Group on the Universal Periodic Review: Ethiopia, 5 July 2019](#)

[...] I. Summary of the proceedings of the review process

A. Presentation by the State under review

[...] 9. [...] Secret places of detention and sites for gross human rights violations run by the security and law enforcement agencies had been identified, publicly disclosed and shut down.

[...] 10. Officials and members of security and law enforcement agencies had been charged for alleged human rights violations.

[...] B. Interactive dialogue and responses by the State under review

[...] 29. The Netherlands noted the steps taken to release political prisoners and to address the issue of torture.

[...] 41. Seychelles recognized the positive steps taken to promote human rights, including to improve detention conditions.

[...] 53. Switzerland welcomed the reforms and the closure of detention centres where torture had been used.

[...] 68. Zambia noted the closure of the Maekalawi detention centre.

[...] 98. Chile noted the efforts made to prevent torture and other cruel or degrading treatment. [...]

[Amnesty International, Ethiopia: Human Rights Commission must be reformed to correct miscarriage of justice, 17 June 2019](#)

[...] Ethiopian Human Rights Commission (EHRC) must be reformed to enable it to contribute to the country making a break with its repressive past while promoting access to justice for victims of human rights violations, Amnesty International said today, as it released a new briefing examining the investigation reports the Commission published primarily between 2016 and 2017.

Amnesty International found that the EHRC operated outside established human rights frameworks and standards when investigating allegations of violations, casting doubts on its methods and findings, an injustice to countless victims of human rights violations that denied them access to effective remedies.

[...] Amnesty International reviewed seven publicly available reports of the EHRC and found glaring gaps in the methods used to investigate and report allegations of human rights violations and abuses. The reports examined were two human rights situation reports on protests in Oromia and Amhara regional states submitted to parliament; four investigation reports into allegations of torture and other ill-treatment in detention demanded by the Federal High Court; and a submission to the UN Human Rights Council on prison conditions in the country.

Amnesty International found that rather than thoroughly investigate and expose alleged abuses by the security forces, the EHRC was quick to blame other actors, including opposition parties and parliament, even victims of human rights violations.

[...] "Brazen bias against victims and a dismissive stance towards their complaints means that the EHRC's reports on protestor killings and prison conditions squandered opportunities to make things right for the victims, and everyone else in the country," said Joan Nyanyuki.

[...] In 2017, Ethiopia's Federal High Court ordered the EHRC to investigate numerous allegations of torture and other ill-treatment in prisons. The EHRC's investigators reported seeing scars and other marks on the complainants' bodies but did not establish whether they were from the alleged torture and other ill-treatment. They recommended that the police should have provided forensic evidence instead of seeking the opinion of an independent medical expert. Even after visiting the sites of alleged torture and other ill-treatment, the EHRC did not collect any medical reports or other evidence.

"It is disheartening to read the reports and see that no effort was made to include the collection of medical or forensic evidence as part of the investigations, and that no explanation for this oversight is provided. One

report even questioned the credibility of complainants because they did not provide medical evidence of their torture and other ill-treatment,” said Joan Nyanyuki.

[...] Time for reform

“The authorities must now follow through on their commitment to reform the EHRC making it an independent and impartial institution that is up to the task of supporting and contributing to Ethiopia’s ongoing human rights reforms,” said Joan Nyanyuki.

Amnesty International recommends that the EHRC be overhauled into an institution that will foster respect for human rights. The House of Peoples’ Representatives should revise the proclamation establishing the EHRC to ensure a transparent, inclusive and non-partisan appointment process for the Chief Commissioner, Deputy and other Commissioners, and strengthen provisions on enforcement of its recommendations. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Horn of Africa researcher, 10 September 2019, Skype interview

How would you describe the progress made under Abiy?

[...] Security sector reforms - Have you any information on arrests in relation to accountability for torture and corruption? Amnesty previously cited ‘over 60 high level government officials’ arrested on charges of torture and corruption by the end of 2018.

Has there been progress on this?

We don’t believe there has been much movement on these. [Human Rights Watch (HRW)] attended some of the trials in Somali region in relation to the jail there. There high-level personnel and the Liyu police have been taken to court and for human rights abuses. But no, I don’t have a good sense of numbers. Abdi Iley – former head of the Somali region – is also on trial, but only for his responsibility in a very specific set of incidents, and not for the grave abuses of the decade in which he was in power.

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] There were reports prisoners mistreated by prison guards did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints.

[...] The EHRC monitored federal and regional detention centers and interviewed prison officials and prisoners in response to allegations of widespread human rights abuses. The NGO Justice for All-Prison Fellowship Ethiopia (JPA- PFE) had access to multiple prison and detention facilities around the country.

[...] Civil Judicial Procedures and Remedies

The law provides citizens the right to appeal in civil court, including in cases with human rights violations. For rights violations where a government agency is the accused perpetrator, the victim initiates the process by filing a complaint at the EHRC. Parliament created the EHRC in 2000, and it continued to fund and provide oversight of the commission. The EHRC investigates and makes recommendations to the concerned government agency. Citizens did not file any human rights violations under this system, primarily due to a lack of evidence and a lack of faith in their ability to secure an impartial verdict in these types of cases.

On July 2, parliament approved the appointment of Daniel Bekele as commissioner of the EHRC. Bekele publicly called for “meaningful reform” of the EHRC and signaled his independence by criticizing the government’s continued use of the ATP.

[...] Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

[...] The government denied most NGOs access to federal prisons, police stations, and other places of detention. The government did permit the JPA-PFE to visit prisoners; this organization had an exemption enabling it to raise unlimited funds from foreign sources and to engage in human rights advocacy. Some other NGOs played a positive role in improving prisoners’ chances for clemency.

Authorities limited access of human rights organizations, media, humanitarian agencies, and diplomatic missions in certain geographic areas. The government continued to lack a clear policy on NGO access to sensitive areas, leading regional government officials and military officials frequently to refer requests for NGO access to federal government authorities. Officials required journalists to register before entering sensitive

areas and in some cases denied access. There were reports of regional police or local militias blocking NGO access to particular locations, in particular in locations with IDPs, for a specific period, citing security risks.

Government Human Rights Bodies: The Office of the Ombudsman has the authority to investigate complaints of administrative mismanagement by executive branch offices and officials, including investigation into prison conditions. The office reported to parliament that it received 853 complaints between July 2018 and January, of which 455 were outside its mandate. It opened investigations into 488 cases and found no administrative mismanagement in 262 of them. The remaining complaints were pending investigation for six months in January. Parliament's Legal, Justice, and Democracy Affairs Standing Committee rated the performance of the office as unsatisfactory. The EHRC conducted research on the human rights situation and investigated human rights violations in the Somali and Oromia conflicts, as well as the conflict between West Guji Zone in Oromia and the Gedeo Zone in the SNNP Region. The commission did not publicize the findings of these reports. The EHRC reported its branch office in Jijiga resumed operations in September 2018, one month after a group of youth and regional security forces attacked it during the wide-ranging violence in August 2018. [...]

[UN General Assembly, Human Rights Council, Forty-fourth session, 15 June–3 July 2020, Visit to Ethiopia, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 29 April 2020](#)

[...] III. Legal standards guiding freedom of expression in Ethiopia

[...] 10. During its last universal periodic review, in 2019, Ethiopia acknowledged in its national report (A/HRC/WG.6/33/ETH/1) many of its own violations – including “a systemic violation” of the right to be free from torture and cruel or degrading treatment by the security and law enforcement agencies, the use of torture in prisons, notably in the Ma’ekelawi detention centre where suspects were “kept in inhuman conditions”, the jailing of journalists and of members and leaders of the opposition, and the legal restrictions placed on civil society organizations working in the area of human rights.

[...] C. Promoting independent journalism and access to information

[...] The release of imprisoned journalists, the acknowledgement of systematic torture by law enforcement agencies and the promise to amend laws that authorized arbitrary and mass arrest all display the State's commitment to protecting freedom of expression. [...]

[Bertelsmann Stiftung, BTI 2020 Country Report: Ethiopia, 29 April 2020](#)

[...] The government lifted the state of emergency in June 2018 and released thousands of political prisoners from detention, committed to reforms of repressive laws, lifted restrictions on freedom of expression, and took steps to bring about the end of torture in detention.

[...] 3. Rule of law

[...] There are signs that, since Abiy's election, this impunity and corruption may be addressed. In November 2018, a number of high-ranking security officials were arrested due to their alleged involvement in human rights abuses in detention, according to the attorney general.

[...] In July 2018, Prime Minister Abiy admitted that the government used torture and other unlawful techniques on suspects and that such techniques amounted to terrorism by the state. The Federal Attorney General announced that there would be investigations into torture in detention centers. Makaelawi Detention Center, where torture of political prisoners was known to take place, was closed. Administrators of five other detention centers where prisoners were abused were dismissed. High-level officials were arrested for their involvement in torture.

[...] Prime Minister Abiy Ahmed admitted in parliament that systematic torture had been used by the security forces. [...]

[Amnesty International, Ethiopia: Account for all people arrested after Hachalu Hundesa's killing, 18 July 2020](#)

[...] Eskinder Nega, a prominent journalist who is now the Chairman of the Balderas for True Democracy party and his deputy Sintayehu Chekol were also arrested on 30 June in Addis Ababa.

[...] Eskinder Nega complained to the court of having been beaten during arrest and detention. The court ordered investigations into the allegations, but according to his lawyer, the police have not done so. The court re-issued the orders. [...]

B. Prisons

Human Rights Watch, “We are Like the Dead”: Torture and other Abuses in Jail Ogaden, Somali Regional State, Ethiopia, 4 July 2018

[...] Summary

[...] Torture and impunity for torture are well-entrenched problems throughout Ethiopia. Human Rights Watch regularly receives reports of abusive interrogations countrywide using techniques such as severe beatings and water and genital torture, similar to what Jail Ogaden’s former prisoners describe. As far as Human Rights Watch is aware, there have been no reported instances of the federal government holding anyone accountable for torture, and prisoners’ complaints of torture in detention are routinely ignored by the courts.

The Ethiopian government’s response to requests for investigation into alleged rights abuses is to state that the Ethiopian Human Rights Commission (EHRC) can carry out such investigations, but EHRC investigations have generally not met the most basic standards of impartiality. There is little transparency around its work. The government has repeatedly rejected calls for independent international investigations into abuses and has ignored repeated requests from the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and eight other UN Special Rapporteurs to visit Ethiopia.

[...] VII. Obligation to Investigate Torture

[...] Impunity and Entrenched Obstruction of Monitoring and Oversight

[...] Many accountability mechanisms are not sufficiently independent of the government to achieve their desired goals.²²³ Also challenging for these institutions is the perception of many Ethiopians that they are neither independent of the government nor capable of challenging it or holding to account. This decreases the likelihood that citizens will file complaints and increases the fear of providing these institutions with sensitive information.

The judiciary does not provide a meaningful or realistic pathway to accountability or redress, a problem that is underscored by long-standing concerns over the independence of the judiciary in politically sensitive cases.

[...] There are few federal oversight mechanisms over regional prisons, such as Jail Ogaden, and those that exist have proven ineffective. There are some reporting requirements in the Federal Prisons Commission Establishment Proclamation and provisions for the Federal Police Commission to “have relations with Regional Prison Authorities in order to improve and enhance the administration modus operandi of prisons, the custody and treatment of prisoners, and also facilitate training opportunities to prison warden and other staff.”²²⁴

However, there is a mechanism for federal government to intervene in the affairs of a region if human rights abuses are committed “in violation of the provision of the human rights stipulated in the Constitution” and the “law enforcement agency and the judiciary” are unable to stop such violations.²²⁵ If this is triggered by the House of Peoples Representatives (HoPR), an investigative team from HoPR can be sent to investigate and a report with accountability measures could be considered.²²⁶ As far as Human Rights Watch is aware, this has never happened for Jail Ogaden or any of the other serious abuses committed in Somali Region.

[...] IX. The Case for a Federal Commission of Experts

Ethiopia’s government, and in particular prime minister Dr. Abiy Ahmed, can take immediate steps to end the culture of impunity at Jail Ogaden and ensure accountability for the abuses documented in this report. One significant step forward would be the establishment of a federal Commission of Experts (COE) - a new investigative mechanism to examine abuses in Jail Ogaden specifically.

[...] X. Government Response to Torture Allegations

New prime minister Dr Abiy Ahmed has repeatedly spoken of his intention to undertake reforms since taking office in April 2018.²⁶⁶ He acknowledged in a speech before parliament on June 18, 2018 that security force personnel engage in torture, something that previous prime ministers have not done.²⁶⁷ But he has yet to address if or how his government will investigate security force abuses, including torture. [...]

223 This includes, for example, the Ethiopian Human Rights Commission and the Institute of the Ombudsman.

224 Federal Prisons Commission Establishment Proclamation, <https://chilot.files.wordpress.com/2012/10/proc-no-365-2003-federal-prisons-commission-establishment.pdf> (accessed May 14, 2018). This also includes the requirement for regional prisons to send the Federal Prisons Commission periodic reports and statistics as regards the general condition of prisoners.

225 System for the Intervention of the Federal Government in the Regions Proclamation No. 359/2003, art. 7, <https://chilot.me/2011/08/system-for-the-intervention-of-the-federal-government-in-the-regions-proclamation-no-3592003/> (accessed April 23, 2018).

226 System for the Intervention of the Federal Government in the Regions Proclamation No. 359/2003, art. 9(2), <https://chilot.me/2011/08/system-for-the-intervention-of-the-federal-government-in-the-regions-proclamation-no-3592003/> (accessed April 23, 2018).

[...] 267 Al-Jazeera, "Torture, state terrorism, and Ethiopia's transformation," June 23, 2018, <https://www.aljazeera.com/indepth/opinion/abiy-ahmed-transforming-ethiopia-face-adversity-180622112645741.html> (accessed June 25, 2018).

[Addis Standard, News: Ethiopia Charges Eight Former Prison Officials in Connection With Deadly Qilinto Prison Fire, 19 February 2019](#)

[...] The federal attorney general's office has filed charges on eight former prison officials in connection with the September 2016 deadly fire at Qilinto federal maximum security prison located in the southern outskirt of the capital Addis Abeba.

According to the charges, the eight former prison officials are accused of firing on inmates following the fire that broke out at prisoners' quarter in the morning of Saturday September 03/2016. By the government's own admission, 23 inmates were killed, many of whom burned by the fire.

[...] The charges further accuse the eight suspects of severely torturing survivors of the fire when more than 400 prisoners were transferred to Shewa Robit federal prison after the fire. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Wondemagegn Goshu, Addis Ababa University, 20 September 2019

[...] Torture [...]

Torture in prison administrations is something I know nothing of, in fact, the prison guards who used to commit torture within the old regime's prisons have since stopped, some have even been charged.

[...]

14. Redress

A. Detention facilities in general

[Voice of America \(VOA\), Ethiopian Lost His Legs in Prison, Rebuilds Life as Free Man, 13 July 2018](#)

[...] Kefyalew, now in his early 30s, serves as an extreme symbol of the suffering inflicted in Ethiopian prisons. His release and that of other detainees comes as part of a wave of reforms — and, for some, rising hopes — in the Horn of Africa country.

[...] Kefyalew and several friends were walking to an Addis bus station on Sept. 14, 2007, when police opened fire, he said in a phone interview. One shot tore into his left knee; another grazed his right ankle.

"It could have been easily treated," he said of that wound.

At the Federal Police Hospital, Kefyalew was told his left leg was so damaged that part of it would be amputated, he said. But when he awoke from surgery, his right foot was missing.

[...] A month after the shooting, Kefyalew was transferred to the capital's notorious Maekelawi detention center and given a mattress on the floor of a crowded cellblock.

[...] Struggles continue

Though Kefyalew no longer is imprisoned, his struggles go on.

Nerve damage radiates pain through his left thigh. His prosthetic legs, made for someone else, don't fit properly and irritate tissue. He hopes to get medical treatment for various ailments, funded in part through modest donations from an online fundraising campaign.

[...] Amnesty International's Tekle contends Kefyalew and other detainees deserve redress. "Compensation is important for victims" of torture, he said. "Most of them still suffer psychologically and they need the current government in power to take responsibility."

HRW's Ethiopia researcher, Felix Horne, told VOA, "I think it would be an important step to acknowledge the suffering that these torture victims have undergone for many years."

He recommended that the government provide services to address "the physical and emotional scars" of detainees' treatment.

Horne also observed that "there's just no treatment available." Political sensitivities might prevent existing organizations from assisting former detainees, he said. [...]

[Reuters, As forgiveness sweeps Ethiopia, some wonder about justice, 14 August 2018](#)

[...] Abiy acknowledges that many prisoners suffered abuses, which he has denounced as acts of "state terrorism".

He has not, however, announced plans to investigate abuses committed by the security forces or set up a process for victims to seek redress. But he has preached forgiveness.

[...] PAST CRIMES

Due process for victims will require overhauling the institutions that failed Ethiopians in the past, some argue.

"A lot of work needs to be done because the judiciary has been disgraced," said lawyer Wondimu Ebsa, who represented hundreds of prisoners and opposition leaders in trials he decried as a mockery of justice.

Many of his clients have been freed but they are struggling.

"They don't have money for food, they can't get work," he said. "So many of them are living in worse conditions than they were in prison."

Ethiopia's constitution requires the state to compensate torture victims, he said, because the government failed to protect them from harm. [...]

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Detainees' Ability to Challenge Lawfulness of Detention before a Court: The law requires officials to inform detainees of the nature of their arrest within a specific period time, which varies based on the severity of the allegation. It also provides persons accused of or charged with a crime the ability to appeal. During the year no cases were brought to the courts by individuals claiming unlawful detention. There were reports of hundreds of arbitrary arrests and detentions related to the SOE. The criminal law does not provide compensation for unlawfully detained persons. [...]

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Arbitrary Detention, Torture and Detention Conditions, 5 April 2019](#)

[...] Progress has been made toward eliminating the longstanding practice of torture in Ethiopian detention but not enough has been done to hold those responsible to account and to investigate past crimes. The government has acknowledged that torture occurred in the past, a positive step, and it has closed some abusive detention facilities.

[...] The government's response to the allegations of torture was blanket denial, and to suggest that the allegations were politically motivated. Human Rights Watch is not aware of any cases in which the government held anyone to account for involvement in torture. The courts have routinely ignored complaints about torture. The government restricted independent monitoring of detention facilities by humanitarian actors. There were no viable systems for redress for torture.

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Detainees' Ability to Challenge Lawfulness of Detention before a Court: The law provides persons accused of or charged with a crime the ability to appeal. During the year no cases were brought to the courts by individuals claiming unlawful detention. The criminal law does not provide compensation for unlawfully detained persons. [...]

[Amnesty International, OPED: Justice, not repression, will break Ethiopia's waves of violence, 9 November 2020](#)

[...] While the Commission is mandated to document past conflicts and human rights violations to identify their causes, the law does not define its relationship to judicial investigations and prosecutions. There is a real risk that victims and survivors will not access justice and reparations, including the right to truth, accountability, compensation, rehabilitation or recognition. [...]

B. Prisons

[Human Rights Watch, "We are Like the Dead": Torture and other Abuses in Jail Ogaden, Somali Regional State, Ethiopia, 4 July 2018](#)

[...] Summary

[...] Very few of the former prisoners we interviewed said they had ever been to court or been charged with any crime. Even when prisoners did appear in court, most did not have access to defense lawyers, could not present an adequate defense, and were confronted with courts that lack independence and are reluctant to challenge government abuses. This all leaves prisoners in Jail Ogaden with virtually no channels for redress. [...]

15. Impunity for state human rights abuses

A. Detention facilities in general

[Addis Standard, Oped: Torture and Ethiopia's Culture of Impunity, 26 June 2018](#)

[...] Over the last few months Ethiopia's new prime minister, Dr. Abiy Ahmed, has announced a series of reforms leading to a powerful wave of hope countrywide. The release of political prisoners and the many reforms already under way are significant and have been a long time coming.

But so far, paving the path to justice for the many of victims of abuse is a glaring omission from the new prime minister's commitments. His recent acknowledgement in a speech to parliament that Ethiopian security forces torture people is an important step forward. It is the first time an Ethiopian prime minister has publicly admitted that the torture is taking place in such a transparent way and the first time Dr. Abiy has commented on the pervasive problem of security force abuse. But much more needs to be done to tackle the government's culture of impunity.

[...] Ethiopia's Human Rights Commission, long accused by many observers of lacking independence from government, visits places of detention, but their reports are never released publicly.

Absent domestic accountability, the government has ensured that there is little international scrutiny, continuing to deny international humanitarian groups access to federal detention sites including military camps, and refusing entry to UN experts to investigate torture or extrajudicial killings. With little hope for accountability, Ethiopia's many torture victims have nowhere to turn.

[...] Closing detention facilities and ensuring improved training in human rights for security officials may be necessary but is insufficient to address Ethiopia's torture problem. Ultimately, the culture of impunity should end. [...]

[Human Rights Watch, Ethiopia: Submission to the Universal Periodic Review, Submitted October 2018 for the May 2019 UPR that covers 2014-2019, October 2018](#)

[...] While the new prime minister's reform efforts are ongoing, the institutional and legal impediments for sustained political space, lack of accountability and impunity for torture and extrajudicial killings remain troubling.

[...] There has been no accountability for forces involved in torture in different detention centers including the infamous Maekelawi in the capital, and the notorious detention center Jail Ogaden in Somali regional state. Members of the defense force involved in abuses of civilians remain in their posts with impunity.

[...] Arbitrary detention and mistreatment in custody

[...] Even though in April 2018 Ethiopia closed Maekelawi detention center, known for torture and mistreatment of political prisoners, detention centers administered by regional governments, some well-known for ill treatment, rape, torture, and lack of access to medical and legal aid remain open and there no plans for investigations into past abuses.

[...] Though Ethiopia acceded to the Convention Against Torture in 1994 and incorporated provisions into its constitution, torture and impunity for torture is widespread. [...]

[Human Rights Watch, Moving on From Ethiopia's Torturous Past, 2 July 2019](#)

[...] But under Prime Minister Abiy Ahmed, Ethiopia seems to be moving away from its culture of widespread torture. Abiy openly acknowledged that people were being tortured, and he has said his administration would have zero tolerance for torture in detention. After the torture issue was discussed on state media, more victims came forward to speak publicly about the abuses they endured. Some judges have begun asking defendants how they have been treated in detention. Some detention centers, like the notorious Maekelawi police station and Jail Ogaden, have been closed. And while Human Rights Watch still receives some reports of torture in detention centers, the frequency is much, much less than before.

This is all very positive, but as many Ethiopians look toward the future, many of those who bear the trauma of past abuses have told Human Rights Watch about their struggles as they try to move on. Many torture survivors described stigma, the lack of psychosocial services to help them heal, and the lack of justice and accountability as they see their torturers walk free in their communities. They continue to be traumatized, both physically and psychologically, by what they have endured and feel they have been forgotten in the euphoria of the changes and the debates about Ethiopia's future.

[...] The lack of justice or accountability for torture is another ongoing problem. In the last year, there have been some arrests of those involved in torture, although the selective and politicized nature of the arrests and the lack of victim involvement in the judicial proceedings limits their effectiveness for healing. Many of the arrests have been of senior officials who oversaw torture. These arrests have been important steps toward accountability and are perhaps a pragmatic approach given the number of people implicated in abuse. But many of those directly involved in abuse continue to walk free, potentially limiting many victim's sense of justice.

As one former Jail Ogaden prisoner I met last month in Jijiga told me: "The president of the region [Abdi Illey] and some of those responsible are in jail. This is good, but just yesterday I saw two of the people who used to beat me regularly walking past me on the street. We recognized each other. They should be in jail too."

Beyond the arrests of some high-level officials, there has been little progress on accountability for past abuses, torture or otherwise. A reconciliation commission has been set up, but it has an unclear mandate, has only met twice, and few observers see this as a meaningful attempt to heal from past trauma. Of the 40 odd commission members, some have told Human Rights Watch they had no idea they had been appointed until they saw it in the media, and only one has any background in peace and reconciliation. Most of the members are politicians, religious figures, and scholars—and not representative of the diversity of ethnicities in Ethiopia. None of the torture survivors that Human Rights Watch has spoken to since it was formed were even aware of the commission's existence. [...]

[Advocacy 4 Oromia, OSG Australia Statement on the brutal killing of Gammachu Garomsa, 29 September 2019](#)

[...] Oromia Support Group Australia extremely shocked about the brutal killing of innocent Oromo young boy Gammachu Garomsa, (the local member of Oromo Youth Movement (Qerro), on 19th September 2019 at a place called Malka Qiltu in Ayira District, West Region of Oromia.

[...] No one denies that the government authorities, (the armed and security forces) either ordered the killing or were at least aware of it.

Irritably, no accountability for grave violations of human rights committed in Oromia. The Ethiopian government authorities have failed to accept the hundreds of unlawful killings, thousands of cases by detainees and torture documented. [...]

[Human Rights Watch, World Report 2020: Events of 2019 – Ethiopia, 14 January 2020](#)

[...] Beyond the arrests of some high-level officials in November 2018, there has been little progress on accountability for past abuses. A national reconciliation commission was set up in December 2018 but it has an unclear mandate. In Ethiopia's Somali region, some of those who ran the region's notorious Jail Ogaden, where torture, rape and death were common, have been sentenced for abuses committed under their command; public information on these trials was lacking. [...]

[Amnesty International, OPED: Justice, not repression, will break Ethiopia's waves of violence, 9 November 2020](#)

[...] Prosecutions of some former police and intelligence officers in 2018 for acts of torture and ill-treatment committed before 2018 while welcome were selective, limited in scope as some officials who committed violations never faced trial. The trials of some of those prosecuted lacked adequate criminal procedure protections as guaranteed by international human rights law. This has left countless victims of past and present human rights violations waiting in limbo.

[...] While the Commission is mandated to document past conflicts and human rights violations to identify their causes, the law does not define its relationship to judicial investigations and prosecutions. There is a real risk that victims and survivors will not access justice and reparations, including the right to truth, accountability, compensation, rehabilitation or recognition. [...]

B. Prisons

[Human Rights Watch, "We are Like the Dead": Torture and other Abuses in Jail Ogaden, Somali Regional State, Ethiopia, 4 July 2018](#)

[...] Summary

[...] Torture and impunity for torture are well-entrenched problems throughout Ethiopia. Human Rights Watch regularly receives reports of abusive interrogations countrywide using techniques such as severe beatings and water and genital torture, similar to what Jail Ogaden's former prisoners describe. As far as Human Rights Watch is aware, there have been no reported instances of the federal government holding anyone accountable for torture, and prisoners' complaints of torture in detention are routinely ignored by the courts.

[...] Ethiopia's new prime minister, Dr. Abiy Ahmed, took office in April 2018. Since then, he has pledged to implement progressive reforms and his government has closed Maekelawi detention center in Addis Ababa, a site notorious for torture and abuse of prisoners. He also acknowledged that torture exists in Ethiopia in a June speech to parliament, a rare admission for an Ethiopian prime minister.

Thus far, however, the new prime minister has not stated how his government will tackle the larger problem of impunity for torture. While many former prisoners would welcome the closure of Jail Ogaden, such a move would not address the abusive nature of the region's security forces, the impunity of those who engage in serious abuses, or the weak rule of law in Somali Region.

[...] VII. Obligation to Investigate Torture

[...] Impunity and Entrenched Obstruction of Monitoring and Oversight

Impunity remains a serious problem in Ethiopia. The Ethiopian government has shown little willingness to meaningfully investigate human rights abuses, let alone hold abusers to account.

[...] The repressive Charities and Societies Proclamation has also contributed to the climate of impunity by significantly reducing independent human rights monitoring.²²⁷ The Charities and Societies Proclamation (CSO Law), which prohibits nongovernmental organizations receiving more than 10 percent of their funding from foreign sources for carrying out human rights and governance work, has severely hampered the work of independent national human rights organizations.²²⁸

Ethiopia has repeatedly rejected calls for independent investigations at the international level, saying it can carry out such investigations itself. Over the last two years, the European Parliament, United States' Congress, OHCHR, and individual states have encouraged Ethiopia to allow investigators to investigate abuses during the protest crackdown in Oromia and Amhara regions between 2015-2017.²²⁹ The government of Ethiopia has also not responded to requests for invitations from 10 United Nations Special Rapporteurs (SR).²³⁰ The UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment requested an invitation in 2005, and sent reminders in 2007, 2010, 2011, 2013, and 2017.²³¹ The Working Group on Arbitrary Detention requested an invitation in 2005, and sent reminders in 2007, 2009, 2011, and 2015.²³² Other than the Special Rapporteur on Eritrea, Ethiopia has not let in a single Special Rapporteur since 2007.²³³ Ethiopia has also not ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which would allow visits to Ethiopia by the protocol's Subcommittee on Prevention of Torture, nor has it ratified the Optional Protocol to the International Covenant on Civil and Political Rights, which allows for complaints to be filed before an independent UN committee.²³⁴ It has also not ratified the Rome Statute, and as such is not a member of the International Criminal Court. [...]

227 The International Center for Not-for-Profit Law, "Civic Freedom Monitor: Ethiopia," January 27, 2018, <http://www.icnl.org/research/monitor/ethiopia.html> (accessed April 23, 2018).

228 The International Center for Not-for-Profit Law, "Civic Freedom Monitor: Ethiopia," January 27, 2018, <http://www.icnl.org/research/monitor/ethiopia.html> (accessed April 23, 2018).

229 Human Rights Watch report, "Such a Brutal Crackdown, Killings and Arrests in Response to Ethiopia's Oromo Protests," June 15, 2016, <https://www.hrw.org/report/2016/06/15/such-brutal-crackdown/killings-and-arrests-response-ethiopiasoromo-protests>. Reuters, "Ethiopia must allow rights observers after killings: U. N. rights boss", August 10, 2016, <https://www.reuters.com/article/us-ethiopia-violence-un-idUSKCN10L1SY> (accessed April 23, 2018). Resolution on the Human Rights Situation in the Federal Democratic Republic of Ethiopia - ACHPR/Res. 356(LIX) 2016, November 4, 2016, <http://www.achpr.org/sessions/59th/resolutions/356/> (accessed April 23, 2018). European Parliament resolution on the situation in Ethiopia (2016/2520(RSP)), January 21, 2016, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0023+0+DOC+XML+V0//EN&language=EN> (accessed April 23, 2018). US Congress, House resolution 128 supporting respect for human rights and inclusive governance in Ethiopia, April 10, 2018, <https://www.congress.gov/bill/115th-congress/house-resolution/128> (accessed April 23, 2018).

230 For a list of outstanding requests please see:

http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH

231 For a list of outstanding requests please see:

http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH

232 For a list of outstanding requests please see:

http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH

233 For a list of outstanding requests please see:

http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH

[The Institute for International and Comparative Law in Africa \(ICLA\) and the Centre for Human Rights of the Faculty of Law of the University of Pretoria, The Law on Police Use of Force Worldwide, last updated 13 August 2019](#)

[...] The judicial system in Ethiopia has proved largely unwilling to prosecute police and prison officers for excessive, discriminatory, or abusive use of force. This issue has been highlighted by the UN Human Rights Committee and the Committee against Torture. [...]

[Freedom House, Freedom in the World 2020 – Ethiopia, 4 March 2020](#)

[...] Security forces frequently commit human rights violations including torture and extrajudicial killings, often with impunity. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours.

[...] On August 1, Prime Minister Abiy Ahmed stated during a press briefing that his government was committed to the respect and protection of human rights and to ensuring the rule of law. He denied reports of torture as well as keeping detainees in dark cells.

In April 2018 the government announced the closure of Maekelawi, the federal crime investigation and detention center in Addis Ababa and the site of many reports of prisoner abuse in previous years. Prison officials transferred the detainees in the center to another facility. Parliament’s Legal, Justice, and Democracy Affairs Standing Committee visited the site in December 2018 and confirmed that the government had shuttered the center. In September 2018 the current administration of the Somali regional state closed Jijiga Central Prison (Jail Ogaden) known for its brutal torture of inmates. On May 26, Somali regional security officials arrested the former head of Jail Ogaden, Hassan Ismail Ibrahim, also known as Hassan Dhere, in neighboring Somalia.

[...] Administration: In July 2018 the government fired five federal prison officials following state media reports of allegations of abuse. There were reports prisoners mistreated by prison guards did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints. [...]

16. Death penalty, especially after unfair trials

A. Detention facilities in general

As detailed by Hands Off Cain Ethiopia is de facto abolitionist:

[Hands Off Cain, Ethiopia, 2020](#)

In 2017, Ethiopia became de facto abolitionist, after 10 consecutive year without executions. The last execution took place on 6 August 2007, when Tsehay Woldelesassie, an army major, was executed for murdering Kinfe Gebremedhin, the head of the intelligence and security services in 2001. Before that, the last known execution was carried out in 1998. In 2017, no death sentence was recorded and at the end of the year there were at least 10 people on death row." Limited information has been found on the awarding of the death penalty.

[Hands Off Cain, In 2017, Ethiopia Became De Facto Abolitionist, After 10 Consecutive Year Without Executions, 8 January 2020](#)

In 2017, Ethiopia became *de facto* abolitionist, after 10 consecutive year without executions. The last execution took place on 6 August 2007, when Tsehay Woldelesassie, an army major, was executed for murdering Kinfe Gebremedhin, the head of the intelligence and security services in 2001. Before that, the last known execution was carried out in 1998.

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Aggravated murder and crimes against the State or humanity are still capital crimes. The Penal Code of 1957 prescribes the death penalty "in cases of exceptional gravity" for genocide, crimes against humanity (Art. 281); war crimes against the civilian population (Art. 282); crimes against the wounded, sick or shipwrecked persons (Art. 283); war crimes against prisoners and interned persons (Art. 284); pillage, piracy and looting (Art. 285).

On 9 May 2005, Ethiopia introduced an Amended Penal Code under which a person who deliberately infected someone with HIV/AIDS by rape would face a maximum penalty of death. On 15 August 2017, the House of Representatives voted to abolish the death penalty for all crimes in Ethiopia by 279 votes for to 276 votes against in a free vote. Prime Minister Azmera Sirak personally urged Representatives to ban the barbaric practice in an impassioned speech, however many in the Ethiopian National Liberal Party voted against the measure - it only passing with the votes of the socially liberal Ginbot7. It is expected the bill will pass the House of Federation and receive Presidential assent within the coming days without controversy.

In 2017, there were currently **68** prisoners sentenced to such in the country, according to www.reddit.com/r/Globa

A previous attempt to end the death penalty in 2008 passed through the House of Representatives, but was later ruled invalid - as under public pressure many Representatives claimed they had voted against the death penalty in error. Indeed, even in 2016 the death penalty maintains strong public support - with 64% of respondents in a recent poll showing their support for the practice.

The death penalty on women

Under the Criminal Code of the Federal Democratic Republic of Ethiopia, arts 119-120, a pregnant woman's death sentence is suspended during her pregnancy, and upon live birth, the sentence of death may be commuted to life imprisonment and a nursing mother may have her sentence commuted to life imprisonment *United Nations*

On 6 May 2014, Ethiopia was reviewed under the Universal Periodic Review of the UN Human Rights Council. The Government rejected recommendations to adopt a de jure moratorium on executions with a view to abolishing the death penalty, and sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. On 19 December 2016, Ethiopia voted against the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly, as in 2014, 2012, 2010 and 2007. However, on 20 December 2008, Ethiopia voted in favor.

On 29 September 2017, Ethiopia voted against the Resolution on the death penalty (L6/17) at the 36° session of the UN Council on Human Rights.

On 17 December 2018, Ethiopia voted against the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly.

[Borkena, Ethiopian court sentenced a human trafficker to death, 14 February 2020](#)

A Higher court in East Harar, South-Eastern part of Ethiopia, sentenced a suspected human trafficker, who is said to be responsible for the death of five women, to death.

The suspect identified as Abdulkarim Tahir has “caused the death of five women in the course of illegal human trafficking,” said the court.

According to state media – Ethiopian Broadcasting Corporation (EBC) – Abdulkarim cajoled five young ladies of Gursum district of East Hararge zone, Dayferes kebele to entrap them in illegal human trafficking.

Five of the eight young ladies whom he managed to convince that they would make it to Saudi Arabia drowned in a boat accident in an unspecified location.

He reportedly received three thousand Ethiopian birr from each of them, and he took them from their places during night time to avoid suspicion.

It was, however, unspecified in EBC’s election the convict is to appeal the courts’ decision or not. [...]

[UN General Assembly, Human Rights Council, Forty-fourth session, 15 June–3 July 2020, Visit to Ethiopia, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 29 April 2020](#)

[...] Moreover, the Special Rapporteur is concerned at the harsh punishment provided in the law, which allows for a minimum of 15 years and up to life in prison or even the death penalty. [...]

17. Access to legal representation

A. Detention facilities in general

USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019

[...] C. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

[...] Prison and Detention Center Conditions

[...] Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials.

[...] The law generally provides visitor access for prisoners. Authorities, however, denied some indicted defendants visits with their lawyers or with representatives of their political parties. In some cases police did not allow pretrial detainees access to visitors, including family members and legal counsel. Prison regulations stipulate that lawyers representing persons charged with terrorism offenses may visit only one client per day, and only on Wednesdays and Fridays.

[...] D. Arbitrary Arrest or Detention

[...] Arrest Procedures and Treatment of Detainees

[...] The government provided public defenders for detainees unable to afford private legal counsel, but defendants received these services only when their cases went to court and not during the critical pretrial phases. In some cases a single defense counsel represented multiple defendants in a single case. There were reports that while some detainees were in pretrial detention, authorities allowed them little or no contact with legal counsel, did not provide full information on their health status, and did not allow family visits. There were reports officials sequestered prisoners for weeks at a time and placed civilians under house arrest for undisclosed periods. [...]

USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020

[...] Prison and Detention Center Conditions

[...] There were reports prisoners mistreated by prison guards did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints.

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[...] Arrest Procedures and Treatment of Detainees

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[...] e. Denial of Fair Public Trial

The law provides for an independent judiciary. Although the civil courts operated with a large degree of independence, criminal courts remained weak, overburdened, and subject to political influence.

Trial Procedures

Under the constitution accused persons have the right to a fair, public trial without undue delay, a presumption of innocence, legal counsel of their choice, appeal, the right not to self-incriminate, the right to present witnesses and evidence in their defense, and cross-examine prosecution witnesses. The law requires translation services provided in a language that defendants understand. The federal courts have staff working as interpreters for major local languages and are required to hire interpreters for defendants that speak other languages.

Detainees did not always enjoy all these rights, and as a result, defense attorneys were sometimes unprepared to provide an adequate defense. The courts did not always presume a defendant's innocence, allow defendants to communicate with an attorney of their choice, provide timely public defense, or provide access to government-held evidence. Defendants were often unaware of the specific charges against them until the

commencement of their trials. There were unverified reports of authorities subjecting detainees to abuse while in detention to obtain information or confessions.

The federal Public Defender's Office provided legal counsel to indigent defendants, but the scope and quality of service were inadequate due to a shortage of attorneys. A public defender often handles more than 100 cases and may represent multiple defendants in a single case. Numerous free legal aid clinics, primarily based at universities, provided legal services. In certain areas of the country, the law allows volunteers, such as law students and professors, to represent clients in court on a pro bono basis. There was no bar association or other standardized criminal defense representation.

The constitution recognizes both religious and traditional courts. Many citizens residing in rural areas had little access to formal judicial systems and relied on traditional mechanisms for resolving conflicts. By law all parties to a dispute must agree to use a traditional or religious court before such a court may hear a case, and either party may appeal to a regular court at any time. Sharia (Islamic law) courts may hear religious and family cases involving Muslims if both parties agree to use the sharia court before the formal legal process begins. Sharia courts received some funding from the government. These sharia courts adjudicated a majority of cases in the predominantly Muslim Somali and Afar Regions. Other traditional systems of justice, such as councils of elders, functioned predominantly in rural areas. Some women believed they lacked access to free and fair hearings in the traditional court system because local custom excluded them from participation in councils of elders and due to persistent gender discrimination. [...]

[Committee to Protect Journalists \(CPJ\), Ethiopian authorities arrest Addis Standard editor Medihane Ekubamichael, 13 November 2020](#)

[...] Police held Medihane until November 9, when he was presented before a court without a lawyer present, and authorities were granted permission to hold him for two weeks pending an investigation, according to those reports.

[...] Following his re-arrest on November 10, police prevented Medihane's lawyer and his wife from seeing him in detention at the Addis Ababa Police Commission, Tsedale [publication's editor-in-chief] told CPJ. Yesterday, Medihane's wife and his lawyer were allowed to speak to him briefly, but the conversations were not private, according to Tsedale. [...]

[Reporters Without Borders \(RSF\), At least six Ethiopian journalists arrested in past six days, 13 November 2020](#)

[...] The Ethiopian Human Rights Commission says the other four journalists were arrested on the night of 10 November. They are Haftu Gebreegziabher, Tsegaye Hadush and Abreha Hagos of the Ethiopian Press Agency (EPA) and Udi Mussa, a journalist with Oromia Media Network (OMN), a TV channel that was banned under the previous government and whose founder has been jailed for the past several months. None of these four journalists had been allowed access to a lawyer when this press release was published. [...]

B. Prisons

[Human Rights Watch, World Report 2019: Events of 2018 – Ethiopia, 17 January 2019](#)

[...] Abuses in Somali Region

[...] In Jail Ogden, a regional detention facility administered in part by Liyu police, prisoners were tortured, with no access to adequate medical care, family, lawyers, or even, at times, food. After the July publication of a Human Rights Watch report, many prisoners were released from Jail Ogaden. The prison was closed in August. [...]

[Addis Standard, News: Lawyer for Suspects Detained in Wake of Assassinations Says His Clients Kept Isolated, In Cold, Dark Room, 3 July 2019](#)

[...] Henok Aklilu, the lawyer representing four suspects detained in connection with the June 21 killing of high level regional and federal officials, told Addis Standard that his clients are detained in "inhuman" condition inside the Addis Abeba Police Commission compound in Piassa which hosts a prison quarter.

[...] The next day on June 28, Henok Aklilu has filed a complaint at the federal first instance court Arada branch, where the six suspects appeared and were arraigned for 28 days, that the police have refused to give him access to his clients. The judges approved the complaints and asked the police to provide answers in a hearing adjourned for yesterday, July 02.

[...] At the hearing yesterday, “the police have told the court that there were some problems which were now sorted and that I was free to visit my clients. I went to see them immediately after and I found out that the conditions in which they were kept under was inhuman and appalling,” Henok told Addis Standard. [...]

[Ethiopian Monitor, Prison Commission Blocks Personal, Legal Visits Over Coronavirus Fear, 20 March 2020](#)

[...] The Ethiopian government has halted personal and legal visits to prisoners in a bid to prevent the spread of COVID-19 into prisons.

It is “imperative we take such decision” and keep away people coming to prisons that are vulnerable to outbreaks, said Jemmal Abasso, Federal Prison Commission Commissioner, during a presser on Thursday.

The blanket ban will stay for at least fifteen days, prison officials said.

Accordingly, apart from families, religious figures and lawyers will stay away from the correctional facilities in the nation. [...]

C. Pre-trial detention facilities

[Amnesty International, Urgent Action: Politicians and Journalists Detained, 14 April 2020](#)

[...] On 7 March, politicians Batir Filae, Gada Gabisa, Bilisuma Ararsa and Oromo News Network (ONN) journalists Desu Dula and Wago Nole were arrested near Burayu, central Ethiopia, immediately after visiting Abdi Regassa, former Oromo Liberation Front (OLF) leader. A police officer stopped their car as they were returning from their visit, alleging that they had taken photos when they visited Abdi Regassa. When the police stopped them, the driver stopped the car abruptly, causing another car to hit them. The police charged and detained all five for causing the accident. In a court hearing on 31 March, the charge was dropped. However, all five remain in detention. All except Gada Gabisa have been denied access to their lawyer. [...]

D. Police custody

[Amnesty International, Urgent Action: University Lecturer Must Be Released, 20 September 2019](#)

[...] Firew Bekele, a Marketing lecturer at Rift Valley University, was arrested by Federal police on 17 August 2019 outside his home. Before searching his home, the police read him a court order that stated he was suspected of writing and publishing a book entitled “Yetetlefe Tigil” (the Hijacked Struggle), which criticises politicians, security officials, business people and other individuals for having allegedly hijacked Ethiopia’s current political transition. Amnesty International has found nothing in the book that refers to violence or incites it in any way. Firew Bekele agreed to having assisted the author with the book’s publication, but he vehemently denies having written the book. The book has been banned from stores, but it continues to be privately distributed around the country. During the search, the police found Firew Bekele was in possession of a copy of the book.

Following his arrest, Firew Bekele was first brought before the first instance court on 20 August and charged with incitement to terrorism under the current Anti-Terrorism Proclamation (ATP). His hearing was twice postponed and was then remanded to police custody for 28 days on 27 August, as instructed under the ATP. Firew Bekele’s access to his lawyer has been hindered under ATP regulations, and his wife, parents and siblings were all denied access as he was being charged with terrorism. [...]

E. Other

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.2 Arbitrary arrest and detention

[...] The Command post detained thousands of people, not only from East and West Guji zones, but also from all the other zones of Oromia, at Tolay Military Camp (hereinafter Tolay) and Sanqale Police College (hereinafter Sanqale) – informal detention places – where the detainees had no access to lawyers, courts, families or the outside community.⁸⁶ [...]

86 Amnesty International interviews with former detainees at Tolay and Sanqale, from 16 November to 27 December 2019

18. Separation of and situation for women detainees

(1) Physical or psychological torture, inhuman or degrading treatment of detained women

A. Detention facilities in general

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

55. The Committee notes that thousands of political prisoners, including women, have been released and that arbitrary detention is prohibited under the Constitution and by law. It is concerned, however, about the prevalence of gender-based violence against women in detention, in particular rape, and reports that in some cases torture, ill-treatment and rape have been committed against women by government security forces in places of detention.

[...] 56. The Committee recommends that the State party:

(a) Promptly investigate all alleged cases of ill-treatment, torture, rape and violence involving women in detention, including by government security forces, and ensure that women in detention, including political prisoners and prisoners of conscience, have access to due process and legal counsel; [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] One of the NaMA leaders, 18 September 2019

[...] Treatment in detention [...]

The wife of General Asaminew was arrested and detained whilst three months pregnant (due to lengthy interrogations, she was sick and suffered abortion and related psychological crisis). [...]

B. Other

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] The killings and detention of OLF supporters since December 2018 is similar to 1992-3 when thousands were killed and scores of thousands detained and tortured. The current silence about killings and other abuses is eerily reminiscent of that time, when foreign powers propped up the regime of Meles Zenawi and ignored widespread atrocities. This report is a summary of information received by OSG since June 2019.

[...] SOUTHERN OROMIA

[...] When government soldiers opened fire on 27 July and scattered men, women and children in Soda Garmama kebele, Melka Soda district, W Guji, they took about 20 women to Melka Soda military camp and raped them. Three were reported on 5 August to be in a critical condition:

Ms Dureti Haile

Ms Elemo Dhadacha

Ms Alima Jima [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

[...] Military camp and reasons for detention [...]

There are 5 pregnant women in the [military] camp now. The prisoners are forced to live in cramped conditions, with only a single piece of bread and a cup of tea per day. When they go for food they are harassed, sometimes they have to do press ups. When the prisoners try to rebel, the guards use tear gas. Last week there was a clash between prisoners and police in Sankele and more that 150 were injured including women. [...]

(2) Deaths in custody of detained women

A. Detention facilities in general

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] The killings and detention of OLF supporters since December 2018 is similar to 1992-3 when thousands were killed and scores of thousands detained and tortured. The current silence about killings and other abuses is eerily reminiscent of that time, when foreign powers propped up the regime of Meles Zenawi and ignored widespread atrocities. This report is a summary of information received by OSG since June 2019.

[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

Killings

[...] The deaths of three women in Senkele Police Training Camp were reported on 5 August: Ms Kamaru Isa and Ms Badri, from Ashufa kebele, Qondala district, W Wollega, died on 24 July because they were denied food and water. [...]

(3) Size of cells, overcrowding [less than 3m² of personal space] for detained women

A. Prisons

[UNODC, International partners support authorities in Ethiopia to prevent transmission of COVID-19 in places of detention, 8 May 2020](#)

[...] In Ethiopia, while there have been no confirmed COVID-19 cases in prisons, the uncertainty of the extent and impact of the virus has created anxiety and fear among prisoners, including increased feelings of isolation.

[...] The Commissioner General of the Federal Prison Commission, Mr. Abasso, thanked the Government of Sweden, UNODC, OHCHR, UNICEF, UN Women and ICRC for the provision of much-needed medical supplies.

He added that out of a prisoner population of over 110,000, the number of prisoners released from March 2020 was close to 40,000 prisoners and they were made up of those imprisoned for minor offences or approaching their release, elderly prisoners, including women detainees with children and expectant mothers'.

[...]

(4) Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement for detained women

A. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

[Original article written in Italian. In full only available through paid membership. TekDeep has translated the article into English, which can be viewed here: [Tek Deeps, In Ethiopia, prison is the hell of mothers and their children, 28 December 2020](#). No background or 'About us' information could be found on Tek Deeps. Instead underneath the article it states "We just want readers to access information more quickly and easily with other multilingual content, instead of information only available in a certain language"]

[...] A woman in prison is not just a woman locked up, she is often a woman locked up with her children. Or she is a woman locked up with stranded children, if they are over five years old, no relatives to be with and live on the street. [...] the inmates of the Adwa prison in Ethiopia and their children are among the people who suffer most from a violation of rights.

[...] Above all, the absence of external care. [...] To date, among other things, any type of communication, including telephone, has been interrupted with the Tigray and therefore with the prison. The federal

government armed forces do not want the world to know about the violence they are inflicting on Tigrinians. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Senior representative of the Oromo Federalist Congress (OFC), 17 September 2019

[...] Location of camps

The OLF, who are being held in military training camps or police stations, come from across Oromia. The one I mentioned is the biggest but there are other smaller ones across Oromia. This one, there are more than 300 ladies unable to communicate with their families. They cannot be visited, and they are not being taken to court. They get some training and indoctrination. Government officials are saying they are being held for training purposes [...]

(5) Unhygienic conditions for detained women

A. Detention facilities in general

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

[...] 56. The Committee recommends that the State party:

[...] (b) Ensure that women in detention have adequate access to health care, nutrition and hygiene and that women and men are separated in all detention facilities; [...]

B. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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[...] In September, the bishop of Adigrat sounded the alarm to buy clean tanks and purified water. Diarrhea, intestinal and skin diseases are the major factors of death in prison. The water is contaminated, children get sick all the time. With the presence of Covid then, the bishop denounces, the situation is more worrying than usual. There is, he writes, the need for clean water and sanitary disinfection facilities. For now it is unheard.

[...] The women also wash helping each other with the cans. The bathroom, like everything else, is dilapidated. In no corner are the rules of hygiene respected.

[...] During the rainy season the temperatures drop to ten degrees in the evening, the dormitory is a bare room without mattresses where the cold collects; mattresses, they say, carry germs and kill beds, they sleep on wooden boards or cotton blankets. [...]

(6) Restrictions to medical care for detained women

A. Detention facilities in general

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

[...] 56. The Committee recommends that the State party:

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[...] A woman in prison is not just a woman locked up, she is often a woman locked up with her children. Or she is a woman locked up with stranded children, if they are over five years old, no relatives to be with and live on the street. [...] the inmates of the Adwa prison in Ethiopia and their children are among the people who suffer most from a violation of rights.

[...] In September, the bishop of Adigrat sounded the alarm to buy clean tanks and purified water. Diarrhea, intestinal and skin diseases are the major factors of death in prison. The water is contaminated, children get sick all the time. With the presence of Covid then, the bishop denounces, the situation is more worrying than usual. There is, he writes, the need for clean water and sanitary disinfection facilities. For now it is unheard.

[...] There is Azieb, who is 19 and eight months pregnant. He has to serve a year and eight months for stealing a cellphone; she will give birth here, helped by the other inmates.

Georgis Z. Michael, on the other hand, was convicted of microcredit, had asked for a loan from a bank to open a business and was unable to pay it off. He will have to spend the next two years in prison, together with his five-year-old daughter Desinet. Desinet has heart problems but receives no treatment, she has never gone to school nor will she go there as long as her mother is locked up.

[...] The HIV rate is high throughout the rural area of Adwa, there are no checks or blood tests in prison. All, inside, are undernourished. [...]

(7) Irregular or contaminated food and water for detained women

A. Detention facilities in general

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

[...] 56. The Committee recommends that the State party:

[...] (b) Ensure that women in detention have adequate access to health care, nutrition and hygiene and that women and men are separated in all detention facilities; [...]

B. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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[...] All, inside, are undernourished. Feeding consists of one serving of injera (a soft bread made of teff flour that does not need to be stored in the cold) and a bowl of shiro (a chili and chickpea sauce) per day. The same thing every day, endlessly. [...]

C. Other

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

[...] Military camp and reasons for detention [...]

There are 5 pregnant women in the [military] camp now. The prisoners are forced to live in cramped conditions, with only a single piece of bread and a cup of tea per day. When they go for food they are harassed, sometimes they have to do press ups. When the prisoners try to rebel, the guards use tear gas. Last week there was a clash between prisoners and police in Sankale and more that 150 were injured including women. [...]

(8) Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures for detained women

A. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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the street. [...] the inmates of the Adwa prison in Ethiopia and their children are among the people who suffer most from a violation of rights.

[...] During the rainy season the temperatures drop to ten degrees in the evening, the dormitory is a bare room without mattresses where the cold collects; mattresses, they say, carry germs and kill beds, they sleep on wooden boards or cotton blankets. [...]

(9) Number of women on remand and length of pre-trial detention for detained women

A. Detention facilities in general

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] The killings and detention of OLF supporters since December 2018 is similar to 1992-3 when thousands were killed and scores of thousands detained and tortured. The current silence about killings and other abuses is eerily reminiscent of that time, when foreign powers propped up the regime of Meles Zenawi and ignored widespread atrocities. This report is a summary of information received by OSG since June 2019.

[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

[...] Arbitrary arrest and detention

[...] Lelise Mekonnen (left) was first detained in the 3rd Police Station, Addis Ababa, on 10 June (OSG Report 50, p.8). Following application by her father, the district court released her on bail on 17 June. She was arrested on leaving the 3rd Police Station and immediately taken to the 2nd Police Station. [...] Her case had not been submitted to court by the time of reporting on 2 July.

[...] WESTERN OROMIA

[...] Arbitrary arrest and detention

[...] On 26 September, it was reported that ten women from Ganji district, W Wollega, had been kept in the district military camp for over three months since their arrest, without charge or court appearance. [...]

(10) Access to legal representation for detained women

A. Detention facilities in general

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

[...] 56. The Committee recommends that the State party:

(a) Promptly investigate all alleged cases of ill-treatment, torture, rape and violence involving women in detention, including by government security forces, and ensure that women in detention, including political prisoners and prisoners of conscience, have access to due process and legal counsel; [...]

(11) Other, including separation of detained women

A. Detention facilities in general

[United Nations Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ethiopia, 14 March 2019](#)

[...] Women in detention

55. The Committee notes that thousands of political prisoners, including women, have been released and that arbitrary detention is prohibited under the Constitution and by law. [...]. It is also concerned that: [...] (b) in some detention centres, women and men are held together; and (c) there are no publicly available data on the number of women in detention.

56. The Committee recommends that the State party:

[...] (b) Ensure that women in detention have adequate access to health care, nutrition and hygiene and that women and men are separated in all detention facilities;

(c) Grant the Ethiopian Human Rights Commission full and effective access to detention facilities to monitor the detention conditions of women. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] Prison officials generally separated male and female prisoners, although mixing occurred at some facilities.

[...]

19. Situation of detained children

(1) Physical or psychological torture, inhuman or degrading treatment of detained children

A. Police custody

[Advocacy 4 Oromia, OSG Australia Statement on the brutal killing of Gammachu Garomsa, 29 September 2019](#)

[...] Oromia Support Group Australia extremely shocked about the brutal killing of innocent Oromo young boy Gammachu Garomsa, (the local member of Oromo Youth Movement (Qerro), on 19th September 2019 at a place called Malka Qiltu in Ayira District, West Region of Oromia.

After he was taken away from his friend's place by dozen of fully armed government forces and being under arrest without resistance. He was cruelly tortured, naked and beaten while his both arms harshly tied behind. The cold-blooded killings and the savage action taken by the armed forces on the Gammachu sheer brutality of it has brought tragedy to his people and loved one.

Various media clips and fact reports showed he was shot twice in his head and his dead body was ruthlessly slashed with a bayonet knife. It was an act of inhumane and excessive brutality when the defenseless young boy ran away in search of rescuing his life. [...]

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] After he was accused of being an insurgent, prisoner Gammachu Garomsa was reportedly beaten to death by Ethiopian security forces and his body thrown into the bush at Yubdo Kebele in Oromia.

The district government said he was shot dead as he attempted to escape, though a photo of him sitting with his hands tied around his back and surrounded by Oromia regional police carrying sticks found its way onto social media. [...]

(2) Deaths in custody of detained children

A. Police custody

[Advocacy 4 Oromia, OSG Australia Statement on the brutal killing of Gammachu Garomsa, 29 September 2019](#)

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[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

[...] For example, the government military force has committed extrajudicial killings on three Oromos, Dhadacha Miessa (Senior), Abdulahi Golu, 15 and Karte Kutura, 10th grade student in Eastern Guji in Gara Dolo District, Raro community in Sep 2019, taking them from prison in the night. [...]

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] After he was accused of being an insurgent, prisoner Gammachu Garomsa was reportedly beaten to death by Ethiopian security forces and his body thrown into the bush at Yubdo Kebele in Oromia. The district government said he was shot dead as he attempted to escape, though a photo of him sitting with his hands tied around his back and surrounded by Oromia regional police carrying sticks found its way onto social media. [...]

(3) Size of cells, overcrowding [less than 3m² of personal space] for detained children

A. Detention facilities in general

UNODC, International partners support authorities in Ethiopia to prevent transmission of COVID-19 in places of detention, 8 May 2020

[...] In Ethiopia, while there have been no confirmed COVID-19 cases in prisons, the uncertainty of the extent and impact of the virus has created anxiety and fear among prisoners, including increased feelings of isolation. [...] The Commissioner General of the Federal Prison Commission, Mr. Abasso, thanked the Government of Sweden, UNODC, OHCHR, UNICEF, UN Women and ICRC for the provision of much-needed medical supplies. He added that out of a prisoner population of over 110,000, the number of prisoners released from March 2020 was close to 40,000 prisoners and they were made up of those imprisoned for minor offences or approaching their release, elderly prisoners, including women detainees with children and expectant mothers'. [...]

United Nations Ethiopia, Socio-Economic Impact of Covid-19 in Ethiopia, May 2020

[...] 5.2 Children and Adolescents

[...] Children in institutions (orphanages, detention/remand homes and so on) are at risk of exposure of the direct and indirect effects of COVID-19 because they often have compromised psychosocial, physical and mental health issues, live in crowded or unhygienic conditions, and are more vulnerable to abuse and neglect. [...] In addition, there are children in prison facilities, including mothers imprisoned with their children. While efforts are taking place at federal and regional levels to review/consider release of prisoners with a comprehensive plan to ensure their safety/wellbeing on release, it will be crucial to prioritise children including those in the remand home. For those who may not be safely released with a comprehensive plan, it is important that those who remain in institutions are provided with the same level of health care and other services. [...]

(4) Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement for detained children

A. Prisons

Their Voice, "Children under five live in prison with their mothers and get no education or activities", 19 October 2018

[...] Children in my country, Ethiopia, face countless different challenges. Unfortunately, we are not aware of some of these.

It was not until I was given an assignment at law school to conduct research on prisoners' rights, and I went to a local prison to do so, that I faced the terrible reality that children under five years old lived in the prison premises with their inmate mothers.

During my visit to a local prison, I witnessed female inmates openly talking about the reasons which got them incarcerated. The children were always around as their mothers discussed their crimes.

[...] My fellow volunteers and I then asked the administrator of the prison if these children were receiving any nursing, education or any sort of recreational activities as children in the outside world would receive. The answer was no.

[...] With the continuous visits we made to the prison, we also came to the realisation that inside the prison there are juvenile offenders as young as 10 years old. These youngsters also didn't have enough care and support. [...]

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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[...] A woman in prison is not just a woman locked up, she is often a woman locked up with her children. Or she is a woman locked up with stranded children, if they are over five years old, no relatives to be with and live on the street. [...] the inmates of the Adwa prison in Ethiopia and their children are among the people who suffer most from a violation of rights.

[...] Everything is missing inside the Adwa Women's Prison. Above all, the absence of external care. [...] To date, among other things, any type of communication, including telephone, has been interrupted with the Tigray and therefore with the prison. The federal government armed forces do not want the world to know about the violence they are inflicting on Tigrinians. [...]

B. Other

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] In September 2018 Addis Ababa city police detained 1,204 youths whom they suspected had a connection with the violence that occurred following the return of the OLF in Burayu. Police detained the youths at the Tolay Military training camp and provided them with a month of "re-education." On October 18, police released 1,174 detainees. By year's end the government did not report the status of the remaining 30 youth that police detained. [...]

[Freedom House, Freedom in the World 2019 – Ethiopia, 4 February 2019](#)

[...] F2 0-4 pts

Does due process prevail in civil and criminal matters? 0/4

[...] Despite some positive developments in 2018, arbitrary arrest and detention remains common. During one weekend in September, nearly 3,000 people were arrested in a sweep purportedly meant to address rising crime in Addis Ababa, with many detained for activities that are not criminal offenses in Ethiopia, such as smoking shisha. Although many of those arrested were promptly released, some 1,200 youths detained for their alleged participation in September protests against ethnic violence were sent to a military facility for a month, for "rehabilitation." [...]

(5) Unhygienic conditions for detained children

A. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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[...] There is no electricity or running water except on Saturdays, the tap in the courtyard only sends water that day: it is a holiday, children and mothers collect supplies in ten-liter plastic cans.

In September, the bishop of Adigrat sounded the alarm to buy clean tanks and purified water. Diarrhea, intestinal and skin diseases are the major factors of death in prison. The water is contaminated, children get sick all the time. With the presence of Covid then, the bishop denounces, the situation is more worrying than usual. There is, he writes, the need for clean water and sanitary disinfection facilities. For now it is unheard. Saturday is also the day of washing, clothes and bodies. The children end up in rusty metal basins, and play with the flow of water that miraculously falls that day.

The women also wash helping each other with the cans. The bathroom, like everything else, is dilapidated. In no corner are the rules of hygiene respected.

[...] During the rainy season the temperatures drop to ten degrees in the evening, the dormitory is a bare room without mattresses where the cold collects; mattresses, they say, carry germs and kill beds, they sleep on wooden boards or cotton blankets. [...]

(6) Restrictions to medical care for detained children

A. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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[...] Georgis Z. Michael, on the other hand, was convicted of microcredit, had asked for a loan from a bank to open a business and was unable to pay it off. He will have to spend the next two years in prison, together with his five-year-old daughter Desinet. Desinet has heart problems but receives no treatment, she has never gone to school nor will she go there as long as her mother is locked up.

[...] The HIV rate is high throughout the rural area of Adwa, there are no checks or blood tests in prison. All, inside, are undernourished. [...]

B. Police custody

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Detained and indoctrinated

[...] In another apparent repeat of tactics employed by the government during the period of protests, Ijara and other victims at Senkelle, some of whom are disabled, have faced an ordeal. They said prisoners were physically and verbally abused, under fed, and denied adequate medical treatment. For example, a 14-year-old boy, Obsa Zewde, who was shot in his leg with a semi-automatic rifle, was denied treatment and so had his limb amputated. [...]

(7) Irregular or contaminated food and water for children

A. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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(8) Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures for detained children

A. Prisons

[L'Espresso, In Etiopia il carcere è l'inferno delle madri e dei loro bambini, 28 December 2020](#)

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[...] During the rainy season the temperatures drop to ten degrees in the evening, the dormitory is a bare room without mattresses where the cold collects; mattresses, they say, carry germs and kill beds, they sleep on wooden boards or cotton blankets. [...]

(9) Access to legal representation for detained children

A. Police custody

[African Arguments, Ethiopia: The challenge to the TPLF...from Tigray's own grassroots, 21 May 2019](#)

[...] In early-April, the regional administration – led by the Tigray People's Liberation Front (TPLF) – held a meeting with the protesters. At that gathering, TPLF politburo member Getachew Reda reassured the young residents. A couple of weeks later, however, authorities arrested around 60 youths who had participated in the meeting, including Nebiyu.

[...] After nine days in custody, the detainees appeared before court without legal support. Their cases were adjourned for a month. They returned to court again last week when the judges granted the police more time to investigate. Yesterday, some youths were finally granted bail. [...]

(10) Other, including separation of child detainees

A. Detention facilities in general

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] Authorities sometimes incarcerated juveniles with adults. [...]

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Detained and indoctrinated

In the past six months alone, at least 5,000 Oromo from all over the region—but mainly from the four Wellega zones, both Guji zones, Borena Zone, Burayu town, and some from Oromia Special Zone in Amhara—were detained in Senkelle Police College near Ambo, according to Ijara and other former detainees who did not wish to be identified. Ages ranged from thirteen to 76, these victims told Ethiopia Insight. Students, farmers, civil servants, drivers, religious leaders, Abbaa Gadaas (Oromo elders), traders, and others are among those held at Senkelle, a police training camp used as a detention and indoctrination facility, they said. [...]

B. Prisons

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.3 Detention conditions

[...] Police detained children in the same prison halls as adults at Harqelo Police Station. [...]

20. Discrimination including freedom to practice religion, special needs including treatment of disabled prisoners

A. Detention facilities in general

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] Officials permitted religious observance by prisoners, but this varied by prison and even by section within a prison. There were allegations authorities denied detainees adequate locations in which to pray. [...]

21. Situation in detention for Oromos

(1) Physical or psychological torture, inhuman or degrading treatment of detained Oromos

A. Detention facilities in general

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Garoma B. Wakessa, Director General, Human Rights League of the Horn of Africa (HRLHA), 16 September 2019

[...] At this moment we know over 20,000 Oromos are in concentration camps and police station in different zones of Oromia Regional state. These were mostly men and young people pregnant women, family members and couples. These people are still suffering in Sankale in Ambo town and Tolay located in western part of Oromia near to Tulu Bolo town and other concentration camps. [...]

[...] Legal expert and active critic, 18 September 2019

[...] Detention – treatment and mistreatment in the context of Abiy and his commitment to the end of use of torture.

Abiy promised to change the previous modus operandi but the government lacks commitment in really implementing the rules. One of Abiy's main failures is maintaining law and order across the whole of Ethiopia. I do not agree with torture and do not think it is happening in custody.

Inhumane treatment may happen in police stations, but no torture takes place in Oromia. [...]

[France 24, Ethiopia's Abiy faces outcry over crackdown on rebels, 29 February 2020](#)

[...] The killing is one of an array of abuses that residents, opposition politicians and rights groups accuse soldiers of committing in and around Nekemte, a market town in Oromia, as part of a crackdown on rebels that has intensified this year.

Community leaders contend ordinary civilians are bearing the brunt of the operations, which include mass detentions, an internet blackout and restrictions on political activity.

[...] Asfaw Kebede, a 60-year-old community leader, told AFP he grew alarmed last year at the jailing without charge of young men in Kumsa Moroda Palace, a one-time tourist attraction that residents said had been turned into a makeshift detention facility.

When Asfaw started bringing the men food, soldiers locked him up too, holding him in a dark cell for six weeks with roughly 100 other detainees.

[...] The palace teemed with snakes and mice, and when they entered the cells inmates who scrambled to get away were beaten with batons, he said. [...]

B. Police custody

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] EASTERN OROMIA REGION

[...] Arbitrary arrest and detention

It was reported on 5 August that OLA commander for SE Zone, Mogolbus Dina, was arrested 7 months previously when he attended a negotiation meeting with Oromo elders in Dhera kebele, Goba district, Bale zone, with 18 of his troops. They were surrounded by heavily armed government soldiers. Three of them were reported to have been taken to an unknown place. The other 16 are held in Goba police station, where they are reported to be 'facing torture and harassment'.

[...] WESTERN OROMIA

Killings

[...] Gemechu Garomsa (left) was taken from his home in Yubdo district, W Wollega, at 5.00 a.m. on 19 August. He was severely beaten and taken to Ayera District Police Station, where beatings continued until he was taken back to Yubdo by ambulance. He was beaten to death and his body thrown in the bush at Melka Qiltu,

Yubdo district. Photographs of his mutilated and beaten body were received with the report on 23 September but not published.

[...] Arbitrary arrest and detention

[...] In Dochii, Kollii Carphaa sub-district, Qondala district, Wollega, where three young men were killed on 21 November (see above), the following farmers were reported by Gadado on 30 November to have been tortured and to have no access to treatment for their injuries: [...]

[...] SOUTHERN OROMIA

[...] Arbitrary arrest and detention

[...] Also reported by Gadado, 30 November, was an Oromo Radio report that day of the detention of the following 93 people among a total of 111 being held in Harqalo 'police detention centre' in Guji zone, being mistreated because they are suspected OLF supporters [...]

C. Other

[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

[...] After PM Dr. Abiy Ahmed took office on 2 April 2018, the new administration released prisoners of conscience, closed notorious detention places, including Maikelawi prison where torture was prevalent, and embarked on legal reforms. The new PM also invited all political parties operating in exile come home and operate peacefully.

However, as soon as the protest was over in 2018, in connection with the unrest during the protests in Oromia (2014 to 2018) the government incarcerated thousands of protesters from Oromia for three months. The government of Oromia Regional State explained the prisons as if the people were taken to training camps not as prisoners but trainees. This was the immediate act after the protest came to an end in 2018 which has been taken by the government contrary to the peace promise of the new PM. In their three months of being in concentration camps in Tolay and Senkele, several young men and women complained that no training has been delivered; instead the police committed inhumane acts against them such as beatings and harassments.

[...] Over 20 thousand detained persons, especially family members (for example; a mother with four children and couples) from Boran and Gujii (Southern Oromia), and four zones of Wallaga (Western Oromia) had confined at Senkele Camps, suffered severe beatings, lack of meals and water, and poor sanitation for several months- the interviewed prisoners from Senkele camp had disclosed to the HRLHA. [...]

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] The killings and detention of OLF supporters since December 2018 is similar to 1992-3 when thousands were killed and scores of thousands detained and tortured. The current silence about killings and other abuses is eerily reminiscent of that time, when foreign powers propped up the regime of Meles Zenawi and ignored widespread atrocities. This report is a summary of information received by OSG since June 2019.

[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

Killings

[...] Ms Samira Adem was tortured, beaten and killed in Senkele military camp on 25 July. She had been abducted from Dembi Dollo town in W Wollega, 'some months' previously. [...]

[...] EASTERN OROMIA REGION

Killings

[...] Kurkure Kabato was detained at the same time as his daughter Jamile Kurkure was detained in Shashemane, S Showa, in 2017. [...] Kurkure, was taken to Tolay military camp, where he was mistreated and died three months before the report on 2 July.

[...] WESTERN OROMIA

[...] Arbitrary arrest and detention

[...] OMN cameraman Jaladin Abdulqadir (left) was taken to the district military camp by government soldiers when visiting his parents in Begi town, W Wollega, on 14 June. After being tortured there for two months he was transferred to Begi District Police Station, where he remained at the time of reporting on 23 September.

[...] SOUTHERN OROMIA

[...] When government soldiers opened fire on 27 July and scattered men, women and children in Soda Garmama kebele, Melka Soda district, W Guji, they took about 20 women to Melka Soda military camp and raped them. Three were reported on 5 August to be in a critical condition:

Ms Dureti Haile

Ms Elemo Dhadacha

Ms Alima Jima [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Garoma B. Wakessa, Director General, Human Rights League of the Horn of Africa (HRLHA), 16 September 2019

[...] At this moment we know over 20,000 Oromos are in concentration camps and police station in different zones of Oromia Regional state. These were mostly men and young people pregnant women, family members and couples. These people are still suffering in Sankele in Ambo town and Tolay located in western part of Oromia near to Tulu Bolo town and other concentration camps. [...]

[...] Detention [...]

There are 5,000 prisoners in Sankele camp in Ambo. The concentration camp is a military training camp. I know this number because I visited the people in the prison. This is a small number. There are a lot of people arrested and put into concentration camps, sometimes they are kept in the police stations. A lot of people who have been arrested are OLF. People have been disappeared in the past 27 years beginning 1992 were kept in Tigray regional state, there is no way to confirm this, but they are Oromos and others.

2 weeks ago, I went to visit prisoners in Sankele, Ambo. However, the officials claim there are no prisoners in the camp. They claim in the concentration camps and they are training the people, but they will not say what they are training them for.

I confirmed from one prisoner I met with him in hospital told me there are 4,001 people mostly women, and family members in Sankele Concentration camp.

There are 8 mothers, and each have their 5 children. These people came from west Wollega, more are from Gujii, southern Oromia. The government will say no one is in prison but they will say they are in training. [...]

Source of the 20,000 number

I spoke to people who were there. I got this from the prisoner. There are 4,001 prisoners in Ambo Sankele only. I went there two weeks ago. I was not allowed to go there. I was told there are no prisoners here. They are in training camp.

A man who was arrested with me in 1996 and now rearrested and whom I met him in hospital told me there are 4,001 prisoners in Senkele concentration camp. As he told me, there are 80 couples – husband and wife. There are around 8 women with multiple children. These people came from Wollega, which is in the west, and there is a clash between them and the military. Some are from the south and west of Guji. [...]

Location of the camps

Yes, I can share that.

There are also thousands of people missing. I have asked the Govt. to let the families know what has happened.

Prisons or Police Training Camps used as prison in Oromia:

1. Police Station #3 - located at Addis Ababa near Maikelawi, North of the City Council of Addis Ababa
2. Kaliti Prison - Located at the South part of the City
3. Kilinto Prison - Located at the South part of the city
4. Tolay Training camp (used also as prison) - located at Western part of Oromia Jimma Road (near Tulu Bole Town)
5. Ziway Training Camp (used also as Prison) - located at southern part of Oromia (Shahemene Road) Sankele Training Camp (used also as prison) - located south of Ambo Town

Who is reportedly detaining people [in the training camps]?

Central Govt. police. Special Oromo Forces, with help of central Govt.

Reason state detaining OLF supporters when de-proscribed

As I see it, OLF has the majority of supporters in Oromia and if it was allowed to operate fully, then this government has no place. I guess majority of Oromos support the OLF. There will be no ODP/OPDO if they are

allowed to OLF operate tomorrow. And if they lose the forthcoming election, they – the Oromos who are part of EPDRF will be accountable for what they've done in the last 27 years against Oromos.

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] After he was accused of being an insurgent, prisoner Gammachu Garomsa was reportedly beaten to death by Ethiopian security forces and his body thrown into the bush at Yubdo Kebele in Oromia.

The district government said he was shot dead as he attempted to escape, though a photo of him sitting with his hands tied around his back and surrounded by Oromia regional police carrying sticks found its way onto social media.

Ijara Taddese, in his mid-twenties and a father of one, said he was assaulted with sticks and wires after being taken to a detention camp in Dembi Dollo in western Oromia. "Three soldiers forced me to lie on the ground with my back and two of them stepped on my hands and the other poured water on my mouth and nose from a full jerry can that holds 20 liters," he told *Ethiopia Insight*. "That almost killed me."

Such horror stories are familiar from Oromia over at least the last three decades after dissent was *de facto* criminalized and opponents of Meles Zenawi and Hailemariam Desalegn's governments were routinely jailed as alleged members of the then-banned Oromo Liberation Front (OLF). Under reformist Prime Minister Abiy Ahmed, the OLF was invited home from Eritrea to partake in a liberated Ethiopia, and the jails were emptied—or so the standard narrative goes.

In fact, for many Oromo, the struggle did not end and the abuses did not stop: both Ijara and Gamachu's ordeals occurred just a few months ago, in September. Ijara, an employee of Oromia Credit and Saving Association who said he was arrested twice under Abiy's predecessor, was released on September 23.

The government Human Rights Commission told Voice of America (VOA) that the killing of Gammachu in Ayira Woreda of Western Wellega Zone was a human rights abuse.

[...] Detained and indoctrinated

In the past six months alone, at least 5,000 Oromo from all over the region—but mainly from the four Wellega zones, both Guji zones, Borena Zone, Burayu town, and some from Oromia Special Zone in Amhara—were detained in Senkelle Police College near Ambo, according to Ijara and other former detainees who did not wish to be identified. Ages ranged from thirteen to 76, these victims told Ethiopia Insight. Students, farmers, civil servants, drivers, religious leaders, Abbaa Gadaas (Oromo elders), traders, and others are among those held at Senkelle, a police training camp used as a detention and indoctrination facility, they said.

[...] In another apparent repeat of tactics employed by the government during the period of protests, Ijara and other victims at Senkelle, some of whom are disabled, have faced an ordeal. They said prisoners were physically and verbally abused, under fed, and denied adequate medical treatment. For example, a 14-year-old boy, Obsa Zewde, who was shot in his leg with a semi-automatic rifle, was denied treatment and so had his limb amputated. Detainees said they are forced to do onerous exercises and beaten. [...]

(2) Deaths in custody of detained Oromos

A. Other

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] The killings and detention of OLF supporters since December 2018 is similar to 1992-3 when thousands were killed and scores of thousands detained and tortured. The current silence about killings and other abuses is eerily reminiscent of that time, when foreign powers propped up the regime of Meles Zenawi and ignored widespread atrocities. This report is a summary of information received by OSG since June 2019.

[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

Killings

[...] The deaths of three women in Senkele Police Training Camp were reported on 5 August: Ms Kamaru Isa and Ms Badri, from Ashufa kebele, Qondala district, W Wollega, died on 24 July because they were denied food and water.

Ms Samira Adem was tortured, beaten and killed in Senkele military camp on 25 July. She had been abducted from Dembi Dollo town in W Wollega, 'some months' previously.

[...] EASTERN OROMIA REGION

Killings

[...] Kurkure Kabato was detained at the same time as his daughter Jamile Kurkure was detained in Shashemane, S Showa, in 2017. [...] Kurkure, was taken to Tolay military camp, where he was mistreated and died three months before the report on 2 July.

[...] WESTERN OROMIA

Killings

[...] Yohannis Endalew Etefa (left) was taken from his home in Maru kebele, Guliso district, W Wollega, on 12 August. He was taken to Dilla-Gogola Police Station, from where government soldiers removed him two days later and shot him on the street. His body was thrown in front of the Tesfa Petrol Station in Guliso town (reported 23 September).

[...] Tariku Abera, a father of one, was taken from his home in Guliso district, W Wollega at 5.30 a.m. on 15 August and removed to Guliso military camp. He disappeared and is believed to have been killed because body parts belonging to four people were found by Tariku's brother in the bush surrounding the military camp. Because the bodies had been partly eaten by hyenas, they were not identifiable (reported 23 September).

[...] Gemechu Garomsa (left) was taken from his home in Yubdo district, W Wollega, at 5.00 a.m. on 19 August. He was severely beaten and taken to Ayera District Police Station, where beatings continued until he was taken back to Yubdo by ambulance. He was beaten to death and his body thrown in the bush at Melka Qiltu, Yubdo district. Photographs of his mutilated and beaten body were received with the report on 23 September but not published. [...]

(3) Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement for detained Oromos

A. Detention facilities in general

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

[...] Arbitrary arrest and detention

[...] 150 of the 6000 Oromo civilian detainees, from all over Oromia Region, who had been held since June in Senkele camp, W Showa, were transferred to an unknown place on 28 August, according to information received on 23 September.

[...] *Gadado* reported on 30 November that three of the 39 detainees reported in the Third Police Station on 26 September, Sadik Kalifa, Chala Usmael and Abshiru Kedir, remained in detention and were rumoured to have been transferred secretly to another location.

[...] Ketinboni Bulicha (right) celebrated Irreecha in October by wearing Oromo flags on his clothes. He was taken from his home in the Burayu area of Finfinnee and was reported on 30 November (*Gadado*) to have disappeared in custody.

[...] AMHARA REGION

[...] On the same day, 17 November, Ahmed Mohamed (right), an Oromo student from Meeson, Hararge, was taken by uniformed men from his dormitory at Debre Markos University, Gojjam, and disappeared in custody.

[...] WESTERN OROMIA

[...] Arbitrary arrest and detention

[...] Dereje Wondemu (left), a bajaj driver in Ghimbi town, W Wollega, was taken late evening on 17 June as a suspected OLF supporter. He has disappeared in detention (reported 2 July). [...]

[The New Humanitarian, In Ethiopia, a musician's death and a transition in trouble, 7 August 2020](#)

[...] High-profile opposition voices, including the influential Oromo nationalist and media baron Jawar Mohammed, are among those behind bars. Jawar is being held in solitary confinement, according to Tuli Bayissa, who is part of a consortium of lawyers defending detainees. [...]

B. Other

[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

[...] Over 20 thousand detained persons, especially family members (for example; a mother with four children and couples) from Boran and Gujii (Southern Oromia), and four zones of Wallaga (Western Oromia) had confined at Senkele Camps, suffered severe beatings, lack of meals and water, and poor sanitation for several months- the interviewed prisoners from Senkele camp had disclosed to the HRLHA.

The interviewees also told the HRLHA that all the detainees have been kept incommunicado in camps for months and no one has been taken to court and stayed days, many of them for several weeks or months. [...]

(4) Unhygienic conditions for detained Oromos

A. Detention facilities in general

[France 24, Ethiopia's Abiy faces outcry over crackdown on rebels, 29 February 2020](#)

[...] The killing is one of an array of abuses that residents, opposition politicians and rights groups accuse soldiers of committing in and around Nekemte, a market town in Oromia, as part of a crackdown on rebels that has intensified this year.

Community leaders contend ordinary civilians are bearing the brunt of the operations, which include mass detentions, an internet blackout and restrictions on political activity.

[...] Asfaw Kebede, a 60-year-old community leader, told AFP he grew alarmed last year at the jailing without charge of young men in Kumsa Moroda Palace, a one-time tourist attraction that residents said had been turned into a makeshift detention facility.

When Asfaw started bringing the men food, soldiers locked him up too, holding him in a dark cell for six weeks with roughly 100 other detainees.

The palace teemed with snakes and mice, and when they entered the cells inmates who scrambled to get away were beaten with batons, he said. [...]

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Detained and indoctrinated

In the past six months alone, at least 5,000 Oromo from all over the region—but mainly from the four Wellega zones, both Guji zones, Borena Zone, Burayu town, and some from Oromia Special Zone in Amhara—were detained in Senkelle Police College near Ambo, according to Ijara and other former detainees who did not wish to be identified.

[...] In another apparent repeat of tactics employed by the government during the period of protests, Ijara and other victims at Senkelle, some of whom are disabled, have faced an ordeal. [...] Women were not provided with sanitation materials and at least one, Darim Gayo, is said to have had a miscarriage. [...]

B. Other

[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

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to be identified. Ages ranged from thirteen to 76, these victims told Ethiopia Insight. Students, farmers, civil servants, drivers, religious leaders, Abbaa Gadaas (Oromo elders), traders, and others are among those held at Senkelle, a police training camp used as a detention and indoctrination facility, they said.

[...] In another apparent repeat of tactics employed by the government during the period of protests, Ijara and other victims at Senkelle, some of whom are disabled, have faced an ordeal. They said prisoners were physically and verbally abused, under fed, and denied adequate medical treatment. For example, a 14-year-old boy, Obsa Zewde, who was shot in his leg with a semi-automatic rifle, was denied treatment and so had his limb amputated. Detainees said they are forced to do onerous exercises and beaten. Women were not provided with sanitation materials and at least one, Darim Gayo, is said to have had a miscarriage.

[...] Thousands of Oromo dissidents are said to have been held in Kumsa Moroda Palace Museum in Nekemte, which is 200 kilometers west of Ambo. With bitter irony, the museum is now known among Oromo for its similarity with Maekelawi, the notorious Addis Ababa investigation center that authorities turned into a museum last year, declaring an end to abuses. According to multiple locals and activists who spoke to Ethiopia Insight and other media, over 3,000 people were detained in the museum for months without trial. Many were kept in underground rooms, Ijara said.

[...] Colonel Gamachu Ayana, an OLF Central Committee member, who returned from exile in September 2018 had charges pressed then dropped for organizing assassinations of officials and was then accused of terrorism along with 19 others. He was freed on December 24, after spending eleven months in 'sostenga' Addis Ababa police station, which is close to Maekelawi, and Kilinto prison. Fikadu Ayana, a representative in Western Wellega of the Oromo Federalist Congress (OFC), which is led by Merera Gudina and recently joined by activist Jawar Mohammed, was released on December 19, after being arrested for about six months. Fikadu told VOA that he spent four months in Kumsa Moroda before a transfer to Nekemte police station. He said he was charged with links to "Abbaa Torbee" but after two months found not guilty and released.

Rights and wrongs

Human Rights Commissioner Daniel Bekele said the watchdog was monitoring detentions. "Parts of western Wellega is an area of an active military operation and we are following up reports of extended detentions in police stations and other unofficial places of detention such as military bases without due process of law," he told Ethiopia Insight. "We understand that the military has handed over several detainees to the police but the authorities have not yet completed investigations and pressed charges, resulting in quite extended detentions without a legal due process"

[...] The OLF, a registered party that plans to compete in upcoming national and regional elections, complains about continuing state repression and being unable to engage in political activity in areas under Command Post rule. Executive Committee member Mikael Boran told Ethiopia Insight on January 13 that since July last year, more than 10,000 members were arrested and, for example, 42 of those detained in "dark rooms" in Kumsa Moroda Palace Museum, with over 600 imprisoned in Gimbi at military camps. He said that over 140 OLF officials, members, and supporters are held in Kaliti and Kilinto prisons and Addis Ababa's 'sostegna' police station. Around 350 OLF members were arrested this week, mostly in Oromia towns near Addis Ababa, Mikael said today. [...]

(5) Restrictions to medical care for detained Oromos

A. Detention facilities in general

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] WESTERN OROMIA

[...] Arbitrary arrest and detention

[...] In Dochii, Kollii Carphaa sub-district, Qondala district, Wollega, where three young men were killed on 21 November (see above), the following farmers were reported by *Gadado* on 30 November to have been tortured and to have no access to treatment for their injuries: [...]

[France 24, Ethiopia's Abiy faces outcry over crackdown on rebels, 29 February 2020](#)

[...] The killing is one of an array of abuses that residents, opposition politicians and rights groups accuse soldiers of committing in and around Nekemte, a market town in Oromia, as part of a crackdown on rebels that has intensified this year.

Community leaders contend ordinary civilians are bearing the brunt of the operations, which include mass detentions, an internet blackout and restrictions on political activity.

[...] Asfaw Kebede, a 60-year-old community leader, told AFP he grew alarmed last year at the jailing without charge of young men in Kumsa Moroda Palace, a one-time tourist attraction that residents said had been turned into a makeshift detention facility.

When Asfaw started bringing the men food, soldiers locked him up too, holding him in a dark cell for six weeks with roughly 100 other detainees.

All the men were deprived of proper food and medical care, Asfaw said. [...]

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Detained and indoctrinated

In the past six months alone, at least 5,000 Oromo from all over the region—but mainly from the four Wellega zones, both Guji zones, Borena Zone, Burayu town, and some from Oromia Special Zone in Amhara—were detained in Senkelle Police College near Ambo, according to Ijara and other former detainees who did not wish to be identified.

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[\(6\) Irregular or contaminated food and water for Oromos](#)

[A. Detention facilities in general](#)

[France 24, Ethiopia's Abiy faces outcry over crackdown on rebels, 29 February 2020](#)

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[B. Other](#)

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[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

Killings

[...] The deaths of three women in Senkele Police Training Camp were reported on 5 August: Ms Kamaru Isa and Ms Badri, from Ashufa kebele, Qondala district, W Wollega, died on 24 July because they were denied food and water. [...]

(7) Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures for detained Oromos

A. Detention facilities in general

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B. Police custody

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[...] FINFINNEE/ADDIS ABABA AND CENTRAL OROMIA

[...] Arbitrary arrest and detention

[...] Lelise Mekonnen (left) was first detained in the 3rd Police Station, Addis Ababa, on 10 June (OSG Report 50, p.8). Following application by her father, the district court released her on bail on 17 June. She was arrested on leaving the 3rd Police Station and immediately taken to the 2nd Police Station. Her father told BBC Afan Oromo that she was being forced to stand at night and was prevented from sleeping. [...]

(8) Number of Oromos on remand and length of pre-trial detention for detained Oromos

A. Police custody

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[...] WESTERN OROMIA

[...] Arbitrary arrest and detention

[...] On 26 September, it was reported that ten women from Ganji district, W Wollega, had been kept in the district military camp for over three months since their arrest, without charge or court appearance. [...]

B. Other

[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

[...] Over 20 thousand detained persons, especially family members (for example; a mother with four children and couples) from Boran and Gujii (Southern Oromia), and four zones of Wallaga (Western Oromia) had confined at Senkele Camps, suffered severe beatings, lack of meals and water, and poor sanitation for several months- the interviewed prisoners from Senkele camp had disclosed to the HRLHA.

The interviewees also told the HRLHA that all the detainees have been kept incommunicado in camps for months and no one has been taken to court and stayed days, many of them for several weeks or months. The detainees are often re-arrested at different detention centers or police stations after they had been released. For example, Oromo prisoners who were released from Senkele on September 2, 2019 have been rearrested in Gidami West Wallaga by police upon their arrival at their home place from Senkele (Ambo town). Similarly, those who have been released from Senkele and rearrested in Ada'a Barga, West Showa Zone of Oromia and still languishing in Ada'a Barga police station are: Fayisa Abarra, Dasse Bayisa, Boja Kabbaba, Badhassa Mekonin, Warku Dabusha, Lema Belacho, Belachew Birru and others. [...]

(9) Factors that affect length of pre-trial detention for detained Oromos

A. Pre-trial detention facilities

[The New Humanitarian, In Ethiopia, a musician's death and a transition in trouble, 7 August 2020](#)

[...] Thousands of people have been arrested in the past few weeks, most of them young Oromo imprisoned for having taken part in protests. "The government has resorted to the practice of pre-trial detention while collecting evidence to justify arrests," Amnesty International's Ethiopia researcher, Fisseha Tekle, told TNH. [...]

B. Other

[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

[...] Denying the constitutional rights of the citizens enshrined in the Ethiopian Constitution of 1995 Article 19 (3), Rights of Persons Arrested, Persons arrested have the right to be brought before a court within 48 hours of their arrest all people incarcerated in Senkele and Tolay military camps were not taken to court. Legal requirements limiting the period of detention without charge and requiring judicial oversight of detentions are routinely ignored. [...]

(10) Other, including forced rehabilitation

[Amnesty International, Ethiopia: Authorities crack down on opposition supporters with mass arrests, 27 January 2020](#)

[...] Amnesty International has confirmed that at least 75 supporters of the Oromo Liberation Front (OLF) were arrested over the weekend from various places in different parts of Oromia Regional State, as Ethiopian authorities intensify the crackdown on dissenting political views ahead of the general elections.

[...] The weekend arrests are the latest in a long line of mass arrests of opposition activists. The Ethiopian police and military have been rounding up people for “rehabilitation training” since February 2019. After spending time in various military and police detention centres, most were released between September and November 2019. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Horn of Africa researcher, 10 September 2019, Skype interview

[...] Treatment post April 2018 – we saw you had been tweeting about Maekelawi prison yesterday. Do you have information on the profile(s) and numbers of people released? There were a reported 13,000 prisoners being pardoned. Any update on this?

It was an investigation detention centre. Didn't spend years there. It was mainly Oromo there, low profile and now one knew about them or at least not outside Oromia but most were moved quickly. I didn't get a good sense of numbers. Facility used and then moved to prison in Addis. Mainly individuals from Oromia held here (Somali in jail Ogaden). [...]

[...] Legal expert and active critic, 18 September 2019

[...] Detentions in Oromia and allegations of 'rehab centre'

I don't have details on this. However, rehabilitation centre in ETH generally means putting the arrested persons in military-style camps to be trained and indoctrinated – in constitutional issues and/ or party issues. They are there for a few weeks for training. There are no psychologists, social workers and other professionals etc. [...]

22. Situation in detention for OLF members and perceived OLF members

See also information contained under previous section [21. Situation in detention for Oromos](#).

(1) Physical or psychological torture, inhuman or degrading treatment of detained OLF members and perceived OLF members

A. Detention facilities in general

[Oromo Press, via twitter feed, 27 December 2019](#)

[...] #Oromo Colonel Gamachu Ayana was released 11 months after imprisonment and torture and solitary confinement in dark room in Ethiopia gulag. Compare Gemechu's picture before and after torture below: #Oromia #Ethiopia

[...] Gemechu was imprisoned for standing for Oromo rights and he was jailed based on fabricated charges and false witnesses. The PM, head of security, and Lemma Megersa were knowledgeable and responsible for the arrest and torture of Gemechu Ayana in solitary confinement.

[...] After being released, Gemechu testified that more than 9000 elite Oromo men, women & children remain incarcerated without due process based on fabricated charges and false witnesses. They're imprisoned mainly for imputed or real affiliation with lawful opposition OLF #Ethiopia [...]

[Human Rights Watch, World Report 2020: Events of 2019 – Ethiopia, 14 January 2020](#)

[...] Arbitrary Detention, Impunity for Past Abuses

[...] While there have been fewer reports of arbitrary arrests overall, there have been ongoing reports of abusive arrests of alleged Oromo Liberation Front (OLF) members and their alleged sympathizers in areas of Oromia where there has been fighting between suspected members of the previously banned OLF and the military. [...]

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Detained and indoctrinated

[...] Thousands of Oromo dissidents are said to have been held in Kumsa Moroda Palace Museum in Nekemte, which is 200 kilometers west of Ambo. With bitter irony, the museum is now known among Oromo for its similarity with Maekelawi, the notorious Addis Ababa investigation center that authorities turned into a museum last year, declaring an end to abuses. According to multiple locals and activists who spoke to Ethiopia Insight and other media, over 3,000 people were detained in the museum for months without trial. Many were kept in underground rooms, Ijara said. [...]

B. Police custody

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

[...] Military camp and reasons for detention

The problem arose at a police station, the police simply arrested OLF members with no questioning or charge, the police say it is not them that arrest them but the intelligence sector or the military arrest them [...] Police harass then mentally and physically. [...]

[Amnesty International, Ethiopia: Vendor killed, musician injured after police attack opposition supporters in Oromia, 17 February 2020](#)

[...] Police in Ethiopia launched an attack on opposition party supporters in the Oromia Region on Saturday, killing one person and arresting and injuring scores more.

Just hours after the date for Ethiopia's parliamentary elections was announced, the Oromia Liyu police raided the inauguration of an Oromia Liberation Front (OLF) office in Welenchiti, firing live bullets and tear gas, killing one OLF supporter who was a clothes vendor.

[...] Later that day, police arrested around 30 guests at a hotel launch party in Burayu and drove them to a sports stadium where they were beaten and humiliated for hours.

[...] The second attack by the Liyu Police took place later the same day at the launch of a new hotel in Burayu. Police descended on the guests as the party was winding down, bundled about 30 of them into a police van and drove them to the Burayu Stadium.

Here detainees were beaten again, forced to do laps around the stadium on their knees and roll on the ground late into the night.

Hawi Haile Yesus Keneni, a female musician, was among those seriously beaten up in Burayu, sustaining injuries that require surgery. She told Amnesty International that members of the Oromia Liyu Police in green uniforms beat her on the head, hands and other parts of her body. [...]

(2) Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement for detained OLF members and perceived OLF members

A. Detention facilities in general

[Ethiopia Insight, Two steps forward, one step back for Oromia?, 7 June 2019](#)

[...] "We didn't open offices in Borana, Guji, Wallo, and Kellem Wallaga because of security reasons. Most of our members were arrested in different parts of Oromia, including Finfinnee," he [Lammi Begna, an OLF political officer] said in an interview, using the Oromo name for the federal and Oromia capital. "Many youths are still arrested and their whereabouts are unknown, but we suspect that they may be in different military camps." [...]

[Amnesty International, Ethiopia: Police must account for missing Oromo opposition leader, 3 March 2020](#)

[...] The police must account for the whereabouts of Abdi Regassa - a senior member of the opposition political party Oromo Liberation Front (OLF) - who remains missing after security officers in Addis Ababa broke into his home and arrested him alongside eight other party members on 29 February.

The other eight party members were released later the same day, but Abdi Regassa was not. He may have been subjected to enforced disappearance and is at risk of torture or other ill-treatment. The police have denied they are still holding him according to his lawyer and family members. [...]

[Unrepresented Nations & Peoples Organization \(UNPO\), Oromo: UNPO Calls for Due Process for Detained Political Leaders; UNPO Presidency Member, 14 July 2020](#)

[...] Senior members of the Oromo Liberation Front (OLF) political party - a UNPO member - have been detained by security forces in Ethiopia.

[...] These arrests follow a similar round of arrests and disappearances of OLF politicians earlier in the year, which led to the international community demanding that Ethiopia account for their whereabouts.

[...] To-date, the whereabouts of most of these detainees are unknown and as far as can be assessed they have had no access to a lawyer, nor any ability to communicate with the outside world. [...]

[Amnesty International, Ethiopia: Account for all people arrested after Hachalu Hundesa's killing, 18 July 2020](#)

[...] In Addis Ababa and Oromia region, the police arrested at least 5,000 people, many of whom are in incommunicado detention with their whereabouts unknown. Those arrested include leading opposition politicians like Jawar Mohammed from the Oromo Federalist Congress (OFC), leaders of the Oromo Liberation Front (OLF), Eskinder Nega of Balderas for True Democracy party, and journalists.

[...] Another OLF leader, Abdi Regassa, arrested in February, remains unaccounted for, according to his lawyer, because the police have been moving him from one place of detention to another, such that neither his family nor his lawyers know his whereabouts. [...]

[Egypt Today, Outrage in Ethiopia after police kill 'at least' NINE protesters, violations against Oromo continue, 21 August 2020](#)

[...] Furthermore, lawyers are unable to establish the whereabouts of key officials of the Oromo Liberation Front (OLF) including Michael Boran, Shigut Geleta, Lemi Benya, Kenessa Ayana, and Colonel Gemechu Ayana, who were arrested on various dates since Hachalu Hundesa's death.

Another OLF leader, Abdi Regassa, arrested in February, remains unaccounted for, according to his lawyer, because the police have been moving him from one place of detention to another, such that neither his family nor his lawyers know his whereabouts. [...]

[Human Rights League of the Horn of Africa, Written statement to United Nations General Assembly: Ethiopia: Reformist Government fails to bring in changes, abusive culture of impunity persists, 23 September 2020](#)

[...] Harassment of Opposition members and Political Dissent

[...] The Human Rights League of the Horn of Africa (HRLHA) and the other international human rights organizations such as Human Rights Watch and Amnesty International have documented the arbitrary detentions, mass arrests, torture and ill-treatments by the security in Ethiopia. Thousands of supporters, members and top officials of opposition parties have been extra judicially arrested and are now languishing in various known, and secret, detention centers for several months without charge. The more notable national parties namely the Oromo Liberation Front (OLF), the Oromo Federalist Congress (OFC) and the National Movement of Amhara (NAMA) are the main targets of harassment.

For instance, dozens of senior officials of the OLF were arbitrarily arrested and the whereabouts of some of them is yet unknown. Some senior members of the party including Kayo Fufa, Dandi Gabroshe, Efreem Geleta, Mo'a Abdisa, Tariku Abdisa, Bayana Ruda (Professor), Aliyi Yusuf, Abdi Ragassa, Batire File, Gada Gabisa, Blisumma Ararsa, Olika Chali have been in detention for the last eight months and charged under the repealed AntiTerrorism Proclamation No.652/2009, which is still in effect. The fate of Abdi Ragassa, a member of the Executive Committee of OLF, is unknown since his arrest on February 29, 2020⁴ though eight other officials arrested with him were released a few days later. Similarly, Aman File and Gada Gabisa, members of the Central Committee of the Organization, were also arbitrarily arrested on March 7, 2020 and their whereabouts remain undisclosed by the government. [...]

4 AI, 'Ethiopia: Police Must Account for Missing Oromo Opposition Leader' (March 03, 2020) <https://www.amnesty.org/en/latest/news/2020/03/ethiopia-police-must-account-for-missing-oromoopposition-leader/>.

(3) Unhygienic conditions for detained OLF members and perceived OLF members

A. Other

[Africa News, Ethiopia's returnee OLF rebels on hunger strike, 14 March 2019](#)

[...] Former Ethiopian rebels currently being rehabilitated at a camp have started a hunger strike protesting poor living conditions.

"We are treated inhumanly and no one cares about us, most of our comrades are now ill due to lack of hygiene and absence of food," one of the ex-rebels told the BBC Afaan Oromoo Service.

An estimated 1,000 fighters under the banner of the Oromo Liberation Front, OLF, are currently kept at the Tolay camp located in south-western Ethiopia. [...]

(4) Restrictions to medical care for detained OLF members and perceived OLF members

A. Police custody

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

[...] Military camp and reasons for detention

The problem arose at a police station, the police simply arrested OLF members with no questioning or charge, the police say it is not them that arrest them but the intelligence sector or the military arrest them. During their detention in the police station, they have no[t] enough and proper access to food, water and medical service [...]

B. Other

[The Human Rights League of the Horn of Africa \(HRLHA\), The HRLHA Dispatch: The Humanitarian and Human Rights Crises in Ethiopia Demands that the World Respond, 10 November 2019](#)

[...] A senior Civics teacher at Ambo High School and Political Science and International Relations graduate Mr. Ashebir Oncho was a prisoner of conscience who suffered prison terms from 1991 up to 2018 and freed on pardon by PM Abiy Ahmed in 2018 has been rearrested at Senkele from June 12, 2019 to Sep 14, 2019 for three months.

[...] However, the PM did not live up to his words and many Oromos and from other nations people were taken to different concentration camps after the promising PM speech. Mr Ashebir Oncho became one of them and was detained at Senkele for another three months (from June 12, 2019 to Sep 14, 2019) where he has suffered from several diseases which he had received during his multiple arrests from the bad prison conditions and developed over five different diseases including diabetes, blood pressure, kidney problem and so on. [...]

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

[...] Military camp and reasons for detention

The problem arose at a police station, the police simply arrested OLF members with no questioning or charge, the police say it is not them that arrest them but the intelligence sector or the military arrest them. During their detention in the police station, they have no[t] enough and proper access to food, water and medical service. The members will be transferred to military camps kept there for a long period. The prisoners are left in the hands of the military, again they do not have access to food, water and medical care in the military camps [...]

(5) Irregular or contaminated food and water for detained OLF members and perceived OLF members

A. Other

[Africa News, Ethiopia's returnee OLF rebels on hunger strike, 14 March 2019](#)

[...] Former Ethiopian rebels currently being rehabilitated at a camp have started a hunger strike protesting poor living conditions.

"We are treated inhumanly and no one cares about us, most of our comrades are now ill due to lack of hygiene and absence of food," one of the ex-rebels told the BBC Afaan Oromoo Service.

An estimated 1,000 fighters under the banner of the Oromo Liberation Front, OLF, are currently kept at the Tolay camp located in south-western Ethiopia. [...]

(6) Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures for detained OLF members and perceived OLF members

A. Detention facilities in general

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Thousands of Oromo dissidents are said to have been held in Kumsa Moroda Palace Museum in Nekemte, which is 200 kilometers west of Ambo. With bitter irony, the museum is now known among Oromo for its similarity with Maekelawi, the notorious Addis Ababa investigation center that authorities turned into a museum last year, declaring an end to abuses. According to multiple locals and activists who spoke to Ethiopia Insight and other media, over 3,000 people were detained in the museum for months without trial. Many were kept in underground rooms, Ijara said.

[...] The OLF, a registered party that plans to compete in upcoming national and regional elections, complains about continuing state repression and being unable to engage in political activity in areas under Command Post rule. Executive Committee member Mikael Boran told Ethiopia Insight on January 13 that since July last year, more than 10,000 members were arrested and, for example, 42 of those detained in “dark rooms” in Kumsa Moroda Palace Museum, with over 600 imprisoned in Gimbi at military camps. He said that over 140 OLF officials, members, and supporters are held in Kaliti and Kilinto prisons and Addis Ababa’s ‘sostegna’ police station. Around 350 OLF members were arrested this week, mostly in Oromia towns near Addis Ababa, Mikael said today. [...]

(7) Number of OLF detainees on remand and length of pre-trial detention for detained OLF members

A. Detention facilities in general

[Ethiopia Insight, Amid blackout, western Oromia plunges deeper into chaos and confusion, 14 February 2020](#)

[...] Thousands of Oromo dissidents are said to have been held in Kumsa Moroda Palace Museum in Nekemte, which is 200 kilometers west of Ambo. With bitter irony, the museum is now known among Oromo for its similarity with Maekelawi, the notorious Addis Ababa investigation center that authorities turned into a museum last year, declaring an end to abuses. According to multiple locals and activists who spoke to Ethiopia Insight and other media, over 3,000 people were detained in the museum for months without trial.

[...] Colonel Gamachu Ayana, an OLF Central Committee member, who returned from exile in September 2018 had charges pressed then dropped for organizing assassinations of officials and was then accused of terrorism along with 19 others. He was freed on December 24, after spending eleven months in ‘sostenga’ Addis Ababa police station, which is close to Maekelawi, and Kilinto prison. Fikadu Ayana, a representative in Western Wellega of the Oromo Federalist Congress (OFC), which is led by Merera Gudina and recently joined by activist Jawar Mohammed, was released on December 19, after being arrested for about six months. Fikadu told VOA that he spent four months in Kumsa Moroda before a transfer to Nekemte police station. He said he was charged with links to “Abbaa Torbee” but after two months found not guilty and released.

Rights and wrongs

Human Rights Commissioner Daniel Bekele said the watchdog was monitoring detentions. “Parts of western Wellega is an area of an active military operation and we are following up reports of extended detentions in police stations and other unofficial places of detention such as military bases without due process of law,” he told Ethiopia Insight. “We understand that the military has handed over several detainees to the police but the authorities have not yet completed investigations and pressed charges, resulting in quite extended detentions without a legal due process.” [...]

[International Business Times, Political Arrests Follow Protests That Killed 166 In Ethiopia, 6 July 2020](#)

[...] Five senior members of an opposition party representing Ethiopia's largest ethnic group, the Oromo, have been detained in a wave of political arrests following protests last week which left at least 166 dead.

[...] The opposition politicians from the Oromo Liberation Front (OLF) were seized by security forces in Addis Ababa, party chairman Dawud Ibsa told AFP.

[...] But the OLF's Dawud said some senior members of his party had been arrested numerous times since then and held for extended periods -- several months in some cases -- without ever seeing a courtroom, a tactic common under previous Ethiopian leaders. [...]

B. Pre-trial detention facilities

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] Ambo University lecturers, 19 September 2019

[...] Detention [...]

There is no due process of law still. You can look at the intelligence head of the OLF. He has been detained 10 months and still not being taken before the court. There are many others like this [...]

[Amnesty International, Human Rights in Africa: Review of 2019 – Ethiopia, 8 April 2020](#)

[...] Unfair trials

[...] In February, the police arrested Colonel Gemechu Ayana, a prominent Oromo Liberation Front member, and detained him on terrorism charges for eight months, in violation of ATP provisions which allow for a maximum four months' pre-trial detention period. In December, the authorities dropped the charges and released him. [...]

C. Police custody

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

[...] Military camp and reasons for detention

The problem arose at a police station, the police simply arrested OLF members with no questioning or charge, the police say it is not them that arrest them but the intelligence sector or the military arrest them [...]

D. Other

[UK Home Office, Report of a Home Office Fact-Finding Mission Ethiopia: The political situation, conducted 16 September 2019 to 20 September 2019, published 10 February 2020](#)

[...] Annex D: Notes from sources

[...] OLF officers, 19 September 2019

Overview of the current political climate

[...] Things haven't gone well in the last 6-7 months in the so-called promised reform process. In Oromia where we are based, [it] is getting complicated as the government backslide over its promises, what was promised to us is not what is happening. Almost 20,000 OLF members were arrested and put into Sankele and Tolay military camps and other concentration camps where they are forced to stay one to 4 months without any court charge. [...]

[...] Military camp and reasons for detention

The problem arose at a police station, the police simply arrested OLF members with no questioning or charge, the police say it is not them that arrest them but the intelligence sector or the military arrest them. During their detention in the police station, they have no[t] enough and proper access to food, water and medical service. The members will be transferred to military camps kept there for a long period. The prisoners are left in the hands of the military, again they do not have access to food, water and medical care in the military camps. [...]

(8) Access to legal representation for detained OLF members and perceived OLF members

A. Detention facilities in general

[Amnesty International, Ethiopia: Police must account for missing Oromo opposition leader, 3 March 2020](#)

[...] The police must account for the whereabouts of Abdi Regassa - a senior member of the opposition political party Oromo Liberation Front (OLF) – who remains missing after security officers in Addis Ababa broke into his home and arrested him alongside eight other party members on 29 February.

The other eight party members were released later the same day, but Abdi Regassa was not. He may have been subjected to enforced disappearance and is at risk of torture or other ill-treatment. The police have denied they are still holding him according to his lawyer and family members. [...]

[Unrepresented Nations & Peoples Organization \(UNPO\), Oromo: UNPO Calls for Due Process for Detained Political Leaders; UNPO Presidency Member, 14 July 2020](#)

[...] Senior members of the Oromo Liberation Front (OLF) political party - a UNPO member - have been detained by security forces in Ethiopia.

[...] These arrests follow a similar round of arrests and disappearances of OLF politicians earlier in the year, which led to the international community demanding that Ethiopia account for their whereabouts.

[...] To-date, the whereabouts of most of these detainees are unknown and as far as can be assessed they have had no access to a lawyer, nor any ability to communicate with the outside world. [...]

[Egypt Today, Outrage in Ethiopia after police kill 'at least' NINE protesters, violations against Oromo continue, 21 August 2020](#)

[...] Furthermore, lawyers are unable to establish the whereabouts of key officials of the Oromo Liberation Front (OLF) including Michael Boran, Shigut Geleta, Lemi Benya, Kenessa Ayana, and Colonel Gemechu Ayana, who were arrested on various dates since Hachalu Hundesa's death.

Another OLF leader, Abdi Regassa, arrested in February, remains unaccounted for, according to his lawyer, because the police have been moving him from one place of detention to another, such that neither his family nor his lawyers know his whereabouts. [...]

23. Situation in detention for perceived government opponents

See also information contained under previous section [22. Situation in detention for OLF members and perceived OLF members.](#)

(1) Physical or psychological torture, inhuman or degrading treatment of detained perceived government opponents

A. Detention facilities in general

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. [...] Police called detainees for nightly interrogations where they were forced to stand for long periods of time. The Ethiopian Human Rights Council (HRCO) voiced concern over the arrests of members of NaMA, the Oromo Federalist Congress (OFC), the Ethiopian Citizens' Party for Social Justice (EZEMA), journalists, and civilians. [...]

B. Other

[Oromia Support Group Australia, Human Rights Abuses in Ethiopia: return to 1992, Report 51, December 2019](#)

[...] WESTERN OROMIA

Killings

[...] Even OPDO/EPRDF members Tesfaye Tolosa and Fekede Adisu were detained and tortured by military forces in Babo Gambel. [...]

(2) Size of cells, overcrowding [less than 3m2 of personal space] for detained perceived government opponents

A. Detention facilities in general

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in "inhuman" conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours. [...]

[Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020](#)

[...] Detainees have been kept at different sites where they face increased risks of contracting Covid-19 in detention. Relatives, lawyers, and those released said that several security guards and detainees, including Dejene Tafa, a senior Oromo Federalist Congress member, and Yassin reportedly tested positive for the virus that causes Covid-19.

At a time when international and global health experts are urging governments to reduce overcrowding in jails to tackle Covid-19, practices that lengthen the pre-trial period, are particularly problematic and ignore Ethiopia's own commitments, Human Rights Watch said. [...]

(3) Solitary confinement, social isolation, incommunicado detention, constraints to out of cell activities and freedom of movement for detained perceived government opponents

A. Detention facilities in general

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

[...] Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time. [...]

[Human Rights Watch, Ethiopia Cracks Down Following Popular Singer's Killing, 1 July 2018](#)

[...] The government's response took another worrying turn when authorities arrested political opposition leaders Jawar Mohammed and Bekele Gerba of the Oromo Federalist Congress party, late Tuesday morning after a reported standoff with security forces over Hundessa's funeral site. Jawar and Bekele were initially held incommunicado, but are now known to be held in Sostegna police station in Addis Ababa. While their families have now been allowed to bring them food and medicine, it is unclear if they have access to a lawyer. Bekele's son and daughter were also arrested, and their whereabouts remain unknown. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. [...] According to media reports, police also did not allow family members and friends to visit the suspects.

[...] Prison and Detention Center Conditions

[...] Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time.

[...] The law generally provides visitor access for prisoners. Authorities, however, denied some detained and indicted defendants visits with their lawyers or with representatives of their political parties. [...]

[Amnesty International, Ethiopia: Account for all people arrested after Hachalu Hundesa's killing, 18 July 2020](#)

[...] In Addis Ababa and Oromia region, the police arrested at least 5,000 people, many of whom are in incommunicado detention with their whereabouts unknown. Those arrested include leading opposition politicians like Jawar Mohammed from the Oromo Federalist Congress (OFC), leaders of the Oromo Liberation Front (OLF), Eskinder Nega of Balderas for True Democracy party, and journalists. [...]

[Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020](#)

[...] Ethiopian authorities have been detaining dozens of opposition members and journalists for prolonged periods and often without charge since late June 2020, raising serious rights concerns.

A month after one of the most violent spates of unrest in the country's recent history, police and prosecutors need to publicly account for all detainees' whereabouts, comply promptly and fully with court bail orders, and ensure easy and regular access to lawyers and relatives for those not released.

[...] The authorities detained government critics across the political spectrum, including Lammi Begna of the Oromo Liberation Front, whose whereabouts remained unknown for several weeks; Lidetu Ayalew, founding member of the Ethiopian Democratic Party; and officials from the former ruling Tigrayan People's Liberation Front, such as Tewelde Gebre Tsadikan and Beriha Tsigie.

[...] Oromia police authorities withheld the whereabouts of several Oromo Liberation Front members from their lawyers and relatives for over a month and denied access to both even after lawyers discovered where they were held, Human Rights Watch found. Refusal to disclose the whereabouts or fate of someone in detention constitutes an enforced disappearance, a serious violation of human rights, a crime under international law, and prohibited in all circumstances.

[...] Preventing detainees from communicating with families or promptly consulting with a lawyer may place the detainees at greater risk of abuse in detention and undermines their right to a fair trial, Human Rights Watch said.

Human Rights Watch reached out to the office of the federal attorney general for a response to allegations that detainees had not been allowed communicate with lawyers and family. The office responded

acknowledging that communications between suspects detained at temporary police detention centers, such as schools, and their family and lawyers and suspects arrested had been limited at first. But they claimed that detainees held at police stations did not face the same problem. This is not consistent with the facts that Human Rights Watch has determined in many cases.

[...] Chaltu's lawyers and relatives said that federal authorities ignored a July 28 court bail order and transferred her to Oromia police custody. For over a week, regional police denied her access to lawyers and family, including her baby. [...]

[Human Rights League of the Horn of Africa, Written statement to United Nations General Assembly: Ethiopia: Reformist Government fails to bring in changes, abusive culture of impunity persists, 23 September 2020](#)

[...] Harassment of Opposition members and Political Dissent

[...] The Human Rights League of the Horn of Africa (HRLHA) and the other international human rights organizations such as Human Rights Watch and Amnesty International have documented the arbitrary detentions, mass arrests, torture and ill-treatments by the security in Ethiopia. Thousands of supporters, members and top officials of opposition parties have been extra judicially arrested and are now languishing in various known, and secret, detention centers for several months without charge. The more notable national parties namely the Oromo Liberation Front (OLF), the Oromo Federalist Congress (OFC) and the National Movement of Amhara (NAMA) are the main targets of harassment.

For instance, dozens of senior officials of the OLF were arbitrarily arrested and the whereabouts of some of them is yet unknown. Some senior members of the party including Kayo Fufa, Dandi Gabroshe, Efreem Geleta, Mo'a Abdisa, Tariku Abdisa, Bayana Ruda (Professor), Aliyi Yusuf, Abdi Ragassa, Batire File, Gada Gabisa, Blisumma Ararsa, Olika Chali have been in detention for the last eight months and charged under the repealed AntiTerrorism Proclamation No.652/2009, which is still in effect. The fate of Abdi Ragassa, a member of the Executive Committee of OLF, is unknown since his arrest on February 29, 2020⁴ though eight other officials arrested with him were released a few days later. Similarly, Aman File and Gada Gabisa, members of the Central Committee of the Organization, were also arbitrarily arrested on March 7, 2020 and their whereabouts remain undisclosed by the government. [...]

4 Al, 'Ethiopia: Police Must Account for Missing Oromo Opposition Leader' (March 03, 2020) <https://www.amnesty.org/en/latest/news/2020/03/ethiopia-police-must-account-for-missing-oromooopposition-leader/>.

B. Other

[Human Rights Watch, Ethiopia: Abiy's First Year as Prime Minister, Review of Arbitrary Detention, Torture and Detention Conditions, 5 April 2019](#)

[...] Under Abiy

[...] While there have been fewer reports of arbitrary arrests, there have been a number of arrests in areas of Oromia where there have been conflicts between suspected OLF members and the military. In September, 3,000 youth were detained around Addis Ababa. Some of them ended up in "rehabilitation camps" although conditions in the camps were reportedly not as harsh as detainees have previously endured. There have been some reports of politically motivated arrests in other parts of Ethiopia, but far fewer than in the past. [...]

[Amnesty International, Beyond Law Enforcement Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia, 29 May 2020](#)

[...] 5. Violence by security forces

[...] 5.6 Mass Detention and Political Training in Sanqale and Tolay

[...] Thousands of detainees were transported from various locations and forced to undergo "political rehabilitation training", which some believed was aimed at indoctrinating them with the political ideology of the ruling political party. In addition, during the rehabilitation training, the trainers forced the detainees to incriminate themselves. Witnesses say that over 1,000 detainees were brought to Tolay Military Camp and kept in training for more than two months. Some detainees were transported further on from Tolay to Sanqale Police Training College due to their perceived resistance to the training or refusal to self-incriminate.

[...] At Tolay, the detainees were put in training that lasted two months. The interviewees told Amnesty International that the training had multiple modules focusing on constitutionalism, federalism, rule of law, rehabilitation and the history of the Oromo people's struggle. The former detainees at Tolay said that the sessions seemed designed to force a political ideology on the detainees.¹⁵⁶

[...] The detainees were also required to confess to supporting the OLA during the small-group sessions of the rehabilitation training.

[...] Self-incrimination in this instance included admission of guilt or wrongdoing which included supporting the OLF or criticizing the ruling party. [...]

156 Amnesty International interview with Bifle Garoma, Hawassa, 27 December 2019; Amnesty International telephone interview with Bona Gada, Harqelo, 21 November 2019.

(4) Unhygienic conditions for detained perceived government opponents

A. Detention facilities in general

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in "inhuman" conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours.

[...] On July 6 and 7, media reported police detained a group of suspects and kept them in cold, dark cells with very limited access to toilets. [...]

[Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020](#)

[...] Detainees have been kept at different sites where they face increased risks of contracting Covid-19 in detention. Relatives, lawyers, and those released said that several security guards and detainees, including Dejene Tafa, a senior Oromo Federalist Congress member, and Yassin reportedly tested positive for the virus that causes Covid-19.

At a time when international and global health experts are urging governments to reduce overcrowding in jails to tackle Covid-19, practices that lengthen the pre-trial period, are particularly problematic and ignore Ethiopia's own commitments, Human Rights Watch said. [...]

(5) Restrictions to medical care for detained perceived government opponents

A. Detention facilities in general

[USDOS, 2018 Country Reports on Human Rights Practices: Ethiopia, 13 March 2019](#)

[...] Prison and Detention Center Conditions

[...] Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time. [...]

[USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020](#)

[...] Prison and Detention Center Conditions

[...] Visitors to political prisoners and other sources reported political prisoners often faced significantly different treatment compared with other prisoners. Allegations included lack of access to proper medication or medical treatment, lack of access to books or television, and denial of exercise time. [...]

(6) Deprivation of normal sensory stimulation, such as sound, light, sense of time, isolation, manipulation of brightness of the cell, abuse of physiological needs, restriction of sleep, motor activities, denial of privacy and forced nakedness, exposure to extreme temperatures for detained perceived government opponents

A. Detention facilities in general

USDOS, 2019 Country Reports on Human Rights Practices: Ethiopia, 11 March 2020

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

[...] In the wake of the June 22 killings in Bahir Dar and Addis Ababa, police reportedly arrested more than 300 activists, politicians, and journalists. Media reported that police detained suspects in “inhuman” conditions inside the Addis Ababa Police Commission compound in Piassa, where they were kept in crowded, cold, and dark cells and only allowed to use the toilet once every 24 hours.

[...] On July 6 and 7, media reported police detained a group of suspects and kept them in cold, dark cells with very limited access to toilets. [...]

(7) Number of perceived government opponents on remand and length of pre-trial detention for detained perceived government opponents

A. Detention facilities in general

The Danish Immigration Service, Country Report: Ethiopia - Political situation and treatment of opposition, September 2018

[...] Appendix A: meeting notes

[...] National researcher [...]

Addis Ababa, 23 May 2018 [...]

[...] Liberation of political prisoners

[...] Nevertheless, people still claim that there are individuals who are forgotten behind bars. These are obscure politicians/opposition members who have been in jails for more than a decade. It may be that the government may not have deliberately left them in prison. They may just have been forgotten.

[...] U.S. Embassy

Addis Ababa, 18 May 2018

[...] Liberation of political prisoners

[...] 81. Regardless of the announced political reforms, the newly nominated Prime Minister had yet not delivered on the promises made regarding deliverance of all political prisoners and opposition leaders detained with or without a trial in prison. [...]

Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020

[...] Defense lawyers expressed concern that courts granted repeated remand requests, even though investigators lacked new evidence. After Jawar, Bekele, Eskinder, Sintayehu, and Aster Seyoum spent a month in detention, the attorney general opened a preliminary inquiry in their case, a process which allows the prosecutor to proceed with a case before a decision to proceed to a full trial is taken, and can continue to keep accused in custody on remand. [...]

Egypt Today, Outrage in Ethiopia after police kill 'at least' NINE protesters, violations against Oromo continue, 21 August 2020

[...] Health officials has said clashes between Ethiopian security forces and protesters demanding the release of opposition figures have killed at least nine people in the Oromia region, Addis Ababa.

Jawar Mohammed, founder of the Oromia Media Network (OMN) and a member of the OFC, was arrested on 30 June alongside Deputy Chairman Bekele Gerba.

Bekele Gerba was arrested with his son, daughter and a nephew, who the court ordered to be released.

[...] The two were initially held at Addis Ababa Police Commission premises, where they were last seen by their lawyers on 10 July, then found at an underground cell at an unofficial detention location near the Federal Police headquarters in Mexico Square on 14 July. Other OFC detainees were moved to a school in Addis Ababa. OFC leaders like Dejene Tafa are yet to be presented in court or charged with any crime. [...]

B. Prisons

[The Reporter Ethiopia, AEUP accuses the South of detaining its supporters arbitrarily, 9 March 2019](#)

[...] The All Ethiopian Union Party (AEUP) has stated that its members and supporters are being subjected to arbitrary killings, gross human right violations and detentions in Gofa Zone of the Southern regional state.

[...] Subsequently, the party stated that as of September, 2018; 70 of its members have been detained arbitrarily in a prison located in the woreda. The detainees were in jail for about a month without appearing in front of court; apart from this, the detained were also in Sawla prison through a letter coming out from the justice of the woreda without getting a proper charge.

[...] Finally, the party extended its call to the government to take an immediate action to free its members who have been detained in the past six months without being charged. [...]

C. Pre-trial detention facilities

[Human Rights Watch, World Report 2020: Events of 2019 – Ethiopia, 14 January 2020](#)

[...] At time of writing, 13 detainees were still held on pre-charge detention, under an obscure procedure that allows for indefinite pre-charge detention after the four months allowed under the ATP had elapsed. Twelve are members of the political opposition, seven of whom are members of the National Movement of Amhara (NAMA), an ethno-nationalist opposition party, and five are members of an Amhara activist cultural movement. [...]

[Amnesty International, Human Rights in Africa: Review of 2019 – Ethiopia, 8 April 2020](#)

[...] Unfair trials

Hundreds of political opposition members, journalists and others who were critical of the government faced unfair trials on charges brought under the ATP law. The trials were marked by illegal and prolonged pre-trial detention, unreasonable delays and persistent complaints of torture and other ill- treatment.

[...] In February, the police arrested Colonel Gemechu Ayana, a prominent Oromo Liberation Front member, and detained him on terrorism charges for eight months, in violation of ATP provisions which allow for a maximum four months' pre-trial detention period. In December, the authorities dropped the charges and released him.

[...] Following the assassinations in June of the Amhara Regional State president and the Chief of Army in Addis Ababa, hundreds of people were arbitrarily arrested. Among those targeted were leaders of the Amhara Nationalist Movement (a political party), government officials, journalists, opposition political party leaders and members of the Addis Ababa Care Taker Committee which promotes administrative autonomy for residents of Addis Ababa. For four months, at least 10 suspects remained in pre-trial detention under terrorism charges, before their trial that commenced in November. [...]

(8) Factors that affect length of pre-trial detention for detained perceived government opponents

A. Detention facilities in general

[Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020](#)

[...] Ethiopian authorities have been detaining dozens of opposition members and journalists for prolonged periods and often without charge since late June 2020, raising serious rights concerns.

A month after one of the most violent spates of unrest in the country's recent history, police and prosecutors need to publicly account for all detainees' whereabouts, comply promptly and fully with court bail orders, and ensure easy and regular access to lawyers and relatives for those not released.

“The actions of Ethiopia’s investigative authorities raise concerns that they have not moved on from past practices of arresting first, and investigating later,” said Laetitia Bader, Horn of Africa director at Human Rights Watch. “The authorities should promptly bring credible charges based on clear facts and evidence against the detainees or ensure their release.”

[...] Though credible and thorough investigations into complex abuses and events take time, Human Rights Watch believes that in several cases police authorities sought to stretch or ignore legal requirements to prolong suspects detentions beyond what was justified by law. For example, they repeatedly appealed or seemed to ignore bail orders, requested more time to investigate, or transferred suspects between police authorities, some with overlapping jurisdictions, without informing relatives or counsel.

In response to Human Rights Watch inquiries, the office of the federal attorney general said that criminal investigations could move between various authorities depending on the location or nature of the crime, but did not comment on how this may affect the time a person spends in custody.

Chaltu’s lawyers and relatives said that federal authorities ignored a July 28 court bail order and transferred her to Oromia police custody. For over a week, regional police denied her access to lawyers and family, including her baby. Chaltu was eventually taken before Sululta district court in Oromia, where regional investigators accused her of the same offenses cited by federal authorities. Chaltu was finally released on August 11.

Under Ethiopian criminal law, courts can consider appeals against bail orders, and the federal attorney general’s office told Human Rights Watch that a detainee could stay in detention during that appeal. However, Human Rights Watch was told of cases in which police investigators also ignored court decisions denying appeals.

Federal and Addis Ababa police investigators appealed a federal court bail order to release Berihu, Tewelde, and three other detained Tigrayan People’s Liberation Front officials on July 30. Police then ignored a higher court decision rejecting the appeal and transferred them to a detention site at a primary school. Relatives and lawyers said that federal authorities still have them in custody, without a court order, and are seeking to open a new investigation based on the same accusations and evidence.

On August 5, federal police similarly ignored a bail order to release journalists Melesse and Yassin. On August 11, federal police transferred Yassin to Addis Ababa police custody where they accused him of the same allegations.

Defense lawyers expressed concern that courts granted repeated remand requests, even though investigators lacked new evidence. After Jawar, Bekele, Eskinder, Sintayehu, and Aster Seyoum spent a month in detention, the attorney general opened a preliminary inquiry in their case, a process which allows the prosecutor to proceed with a case before a decision to proceed to a full trial is taken, and can continue to keep accused in custody on remand. [...]

[Human Rights League of the Horn of Africa, Written statement to United Nations General Assembly: Ethiopia: Reformist Government fails to bring in changes, abusive culture of impunity persists, 23 September 2020](#)

[...] Harassment of Opposition members and Political Dissent

[...] The Human Rights League of the Horn of Africa (HRLHA) and the other international human rights organizations such as Human Rights Watch and Amnesty International have documented the arbitrary detentions, mass arrests, torture and ill-treatments by the security in Ethiopia. Thousands of supporters, members and top officials of opposition parties have been extra judicially arrested and are now languishing in various known, and secret, detention centers for several months without charge. The more notable national parties namely the Oromo Liberation Front (OLF), the Oromo Federalist Congress (OFC) and the National Movement of Amhara (NAMA) are the main targets of harassment. [...]

B. Pre-trial detention facilities

[Human Rights Watch, World Report 2020: Events of 2019 – Ethiopia, 14 January 2020](#)

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(9) Access to legal representation for detained perceived government opponents

A. Detention facilities in general

[Human Rights Watch, Ethiopia: Opposition Figures Held Without Charge, 15 August 2020](#)

[...] Ethiopian authorities have been detaining dozens of opposition members and journalists for prolonged periods and often without charge since late June 2020, raising serious rights concerns.

A month after one of the most violent spates of unrest in the country's recent history, police and prosecutors need to publicly account for all detainees' whereabouts, comply promptly and fully with court bail orders, and ensure easy and regular access to lawyers and relatives for those not released.

[...] Oromia police authorities withheld the whereabouts of several Oromo Liberation Front members from their lawyers and relatives for over a month and denied access to both even after lawyers discovered where they were held, Human Rights Watch found. Refusal to disclose the whereabouts or fate of someone in detention constitutes an enforced disappearance, a serious violation of human rights, a crime under international law, and prohibited in all circumstances.

As of August 14, lawyers still could not meet with Lammi or another party official, Dawit Abdeta. Lawyers representing Chaltu Takele, a political activist arrested in early July, said they met with her for the first-time in federal court around July 20, weeks after her arrest.

Preventing detainees from communicating with families or promptly consulting with a lawyer may place the detainees at greater risk of abuse in detention and undermines their right to a fair trial, Human Rights Watch said.

Human Rights Watch reached out to the office of the federal attorney general for a response to allegations that detainees had not been allowed communicate with lawyers and family. The office responded acknowledging that communications between suspects detained at temporary police detention centers, such as schools, and their family and lawyers and suspects arrested had been limited at first. But they claimed that detainees held at police stations did not face the same problem. This is not consistent with the facts that Human Rights Watch has determined in many cases.

Though credible and thorough investigations into complex abuses and events take time, Human Rights Watch believes that in several cases police authorities sought to stretch or ignore legal requirements to prolong suspects detentions beyond what was justified by law. For example, they repeatedly appealed or seemed to ignore bail orders, requested more time to investigate, or transferred suspects between police authorities, some with overlapping jurisdictions, without informing relatives or counsel. [...]

[Egypt Today, Outrage in Ethiopia after police kill 'at least' NINE protesters, violations against Oromo continue, 21 August 2020](#)

[...] Health officials has said clashes between Ethiopian security forces and protesters demanding the release of opposition figures have killed at least nine people in the Oromia region, Addis Ababa.

Jawar Mohammed, founder of the Oromia Media Network (OMN) and a member of the OFC, was arrested on 30 June alongside Deputy Chairman Bekele Gerba.

Bekele Gerba was arrested with his son, daughter and a nephew, who the court ordered to be released.

[...] The two were initially held at Addis Ababa Police Commission premises, where they were last seen by their lawyers on 10 July, then found at an underground cell at an unofficial detention location near the Federal Police headquarters in Mexico Square on 14 July. Other OFC detainees were moved to a school in Addis Ababa.

[...]

Legal notes

The ambit of Article 3

There is a distinction between torture, inhuman treatment, and degrading treatment. "Torture" is "deliberate inhuman treatment causing very serious and cruel suffering." *Ireland v United Kingdom* (1978) 2 EHRR 25 at [168] <http://www.bailii.org/eu/cases/ECHR/1978/1.html>

Torture must also be inflicted for a purpose, such as, *inter alia*, obtaining information, inflicting punishment or intimidating: *Ilhan v Turkey* (2002) 34 EHRR 36 at [85] <http://www.bailii.org/eu/cases/ECHR/2000/354.html>

"Inhuman treatment" does not need to be intended to cause suffering, *Ireland v United Kingdom* *supra*, and there is no requirement that the suffering be inflicted for a purpose; in this regard see *Denizci v Cyprus* (23 May 2001, unreported) at [383]-[384] <http://www.bailii.org/eu/cases/ECHR/2001/351.html>.

Nonetheless, ill-treatment must attain a minimum level of severity to fall within Article 3. The Court defined "inhuman treatment" and "degrading treatment" in *Kudla v Poland* (2000) 35 EHRR 198: <http://www.bailii.org/eu/cases/ECHR/2000/512.html>

"91. However, ill-treatment must attain a minimum level of severity if it is to fall within the scope of Article 3. The assessment of this minimum is, in the nature of things, relative; it depends on all the circumstances of the case, such as the nature and context of the treatment, the manner and method of its execution, its duration, its physical or mental effects and, in some instances, the sex, age and state of health of the victim (see, for example, the Raninen v. Finland judgment of 16 December 1997, Reports of Judgments and Decisions 1997-VIII, pp. 2821-22, § 55).

92. The Court has considered treatment to be "inhuman" because, inter alia, it was premeditated, was applied for hours at a stretch and caused either actual bodily injury or intense physical or mental suffering. It has deemed treatment to be "degrading" because it was such as to arouse in the victims feelings of fear, anguish and inferiority capable of humiliating and debasing them. On the other hand, the Court has consistently stressed that the suffering and humiliation involved must in any event go beyond that inevitable element of suffering or humiliation connected with a given form of legitimate treatment or punishment (see, mutatis mutandis, the Tyrer v. the United Kingdom judgment of 25 April 1978, Series A no. 26, p. 15, § 30; the Soering v. the United Kingdom judgment of 7 July 1989, Series A no. 161, p. 39, § 100; and V. v. the United Kingdom cited above, § 71).

Prison conditions generally

In evaluating whether prison conditions violate Article 3, the key principles are set out in *Kudla v Poland*, *supra*:

"91. However, ill-treatment must attain a minimum level of severity if it is to fall within the scope of Article 3. The assessment of this minimum is, in the nature of things, relative; it depends on all the circumstances of the case, such as the nature and context of the treatment, the manner and method of its execution, its duration, its physical or mental effects and, in some instances, the sex, age and state of health of the victim (see, for

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93. Measures depriving a person of his liberty may often involve such an element. Yet it cannot be said that the execution of detention on remand in itself raises an issue under Article 3 of the Convention. Nor can that Article be interpreted as laying down a general obligation to release a detainee on health grounds or to place him in a civil hospital to enable him to obtain a particular kind of medical treatment.

94. Nevertheless, under this provision the State must ensure that a person is detained in conditions which are compatible with respect for his human dignity, that the manner and method of the execution of the measure do not subject him to distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention and that, given the practical demands of imprisonment, his health and well-being are adequately secured by, among other things, providing him with the requisite medical assistance (see, *mutatis mutandis*, the *Aerts v. Belgium* judgment of 30 July 1998, Reports 1998-V, p. 1966, §§ 64 et seq.)."

See also *Kalashnikov v Russia* (2003) 36 EHRR

34 <http://www.bailii.org/eu/cases/ECHR/2002/596.html> a paradigm case of prison conditions which did violate Article 3.

As to when prison overcrowding will breach Article 3, the leading case is *Mursic v Croatia* (2017) 65 EHRR 165, which holds that there is a strong (but not irrebuttable) presumption of an Article 3 breach if a prisoner has less than three square metres of personal space:

<http://www.bailii.org/eu/cases/ECHR/2016/927.html>

136. In the light of the considerations set out above, the Court confirms the standard predominant in its case-law of 3 sq. m of floor surface per detainee in multi-occupancy accommodation as the relevant minimum standard under Article 3 of the Convention.

137. When the personal space available to a detainee falls below 3 sq. m of floor surface in multi-occupancy accommodation in prisons, the lack of personal space is considered so severe that a strong presumption of a violation of Article 3 arises. The burden of proof is on the respondent Government which could, however, rebut that presumption by demonstrating that there were factors capable of adequately compensating for the scarce allocation of personal space (see paragraphs 126-128 above).

138. The strong presumption of a violation of Article 3 will normally be capable of being rebutted only if the following factors are cumulatively met:

(1) the reductions in the required minimum personal space of 3 sq. m are short, occasional and minor (see paragraph 130 above);

(2) such reductions are accompanied by sufficient freedom of movement outside the cell and adequate out-of-cell activities (see paragraph 133 above);

(3) the applicant is confined in what is, when viewed generally, an appropriate detention facility, and there are no other aggravating aspects of the conditions of his or her detention (see paragraph 134 above).

139. In cases where a prison cell - measuring in the range of 3 to 4 sq. m of personal space per inmate - is at issue the space factor remains a weighty factor in the Court's assessment of the adequacy of conditions of detention. In such instances a violation of Article 3 will be found if the space factor is coupled with other aspects of inappropriate physical conditions of detention related to, in particular, access to outdoor exercise, natural light or air, availability of ventilation, adequacy of room temperature, the possibility of using the toilet in private, and compliance with basic sanitary and hygienic requirements (see paragraph 106 above).

*140. The Court also stresses that in cases where a detainee disposed of more than 4 sq. m of personal space in multi-occupancy accommodation in prison and where therefore no issue with regard to the question of personal space arises, other aspects of physical conditions of detention referred to above (see paragraphs 48, 53, 55, 59 and 63-64 above) remain relevant for the Court's assessment of adequacy of an applicant's conditions of detention under Article 3 of the Convention (see, for example, *Story and Others v. Malta*, nos. 56854/13, 57005/13 and 57043/13, §§ 112-113, 29 October 2015).*

141. Lastly, the Court would emphasise the importance of the CPT's preventive role in monitoring conditions of detention and of the standards which it develops in that connection. The Court reiterates that when deciding cases concerning conditions of detention it remains attentive to those standards and to the Contracting States' observance of them (see paragraph 113 above).

Prison conditions for sick and disabled people

Many Article 3 cases involve inadequate medical care for mentally and/or physically ill people.

See *Keenan v United Kingdom* (2001) 33 EHRR

913: <http://www.bailii.org/eu/cases/ECHR/2001/242.html>

"111. It is relevant in the context of the present application to recall also that the authorities are under an obligation to protect the health of persons deprived of liberty (see *Hurtado v. Switzerland*, judgment of 28 January 1994, Series A no. 280-A, opinion of the Commission, pp. 15-16, § 79). The lack of appropriate medical care may amount to treatment contrary to Article 3 (see *İlhan v. Turkey* [GC], no. 22277/93, § 87, ECHR 2000-VII). In particular, the assessment of whether the treatment or punishment concerned is incompatible with the standards of Article 3 has, in the case of mentally ill persons, to take into consideration their vulnerability and their inability, in some cases, to complain coherently or at all about how they are being affected by any particular treatment (see, for example, *Herczegfalvy*, cited above, pp. 25-26, § 82, and *Aerts v. Belgium*, judgment of 30 July 1998, *Reports* 1998-V, p. 1966, § 66)."

Khudobin v Russia (2009) 48 EHRR 22 <http://www.bailii.org/eu/cases/ECHR/2006/898.html> is an example of a case where, at [96], the feelings of insecurity caused by lack of adequate medical care, combined with the applicant's physical sufferings, were found to breach Article 3.

See also *Price v United Kingdom* (2002) 34 EHRR

53 <http://www.bailii.org/eu/cases/ECHR/2001/458.html> in which the imprisonment of a severely disabled woman for four days was held to have violated Article 3, and *McGlinchey v United Kingdom* (2003) 37 EHRR 41 <http://www.bailii.org/eu/cases/ECHR/2003/211.html> where inadequate care for an imprisoned heroin addict in withdrawal was held to have violated Article 3.

Solitary confinement / segregation

In terms of segregation / solitary confinement, a key Strasbourg case is *Ilascu and others v Moldova and Russia* (2005) 40 EHRR 46 <http://www.bailii.org/eu/cases/ECHR/2004/318.html> in which the Court held:

"432. Prohibition of contacts with other prisoners for security, disciplinary or protective reasons does not in itself amount to inhuman treatment or punishment. On the other hand, complete sensory isolation, coupled with total social isolation can destroy the personality and constitutes a form of inhuman treatment which cannot be justified by the requirements of security or any other reason (see, among other authorities, Messina v. Italy (dec.), no. 25498/94, ECHR 1999-V).

433. Moreover, when assessing conditions of detention, account has to be taken of the cumulative effects of these conditions and of specific allegations made by the applicant (see Dougoz v. Greece, no. 40907/98, § 46, ECHR 2001-II)."

On the facts of *Ilascu* an Article 3 breach was found. That was a particularly harsh case of solitary confinement for eight years which also included deprivation of food and medical treatment as a punishment.

Another key case is *Babar Ahmad v United Kingdom* (2013) 56 EHRR 1 <http://www.bailii.org/eu/cases/ECHR/2012/609.html> which summarises the principles helpfully:

1. *The circumstances in which the solitary confinement of prisoners will violate Article 3 are now well-established in the Court's case-law.*
2. *Complete sensory isolation, coupled with total social isolation, can destroy the personality and constitutes a form of inhuman treatment which cannot be justified by the requirements of security or any other reason (Van der Ven v. the Netherlands, no. 50901/99, § 51, ECHR 2003 II).*
3. *Other forms of solitary confinement which fall short of complete sensory isolation may also violate Article 3. Solitary confinement is one of the most serious measures which can be imposed within a prison (A.B. v. Russia, cited above, § 104) and, as the Committee for the Prevention of Torture has stated, all forms of solitary confinement without appropriate mental and physical stimulation are likely, in the long term, to have damaging effects, resulting in deterioration of mental faculties and social abilities (see Iorgov v. Bulgaria, no. 40653/98, § 83, 11 March 2004) Indeed, as the Committee's most recent report makes clear, the damaging effect of solitary confinement can be immediate and increases the longer the measure lasts and the more indeterminate it is (see the Committee's 21st General Report, summarised at paragraph 116 above).*

4. *At the same time, however, the Court has found that the prohibition of contact with other prisoners for security, disciplinary or protective reasons does not in itself amount to inhuman treatment or punishment (see Messina v. Italy (no. 2) (dec.), no. 25498/94, ECHR 1999-V, quoted with approval by the Grand Chamber in Ramirez Sanchez v. France, cited above, § 12; Öcalan v. Turkey [GC], no. 46221/99, § 191, ECHR 2005-IV). In many States Parties to the Convention more stringent security measures, which are intended to prevent the risk of escape, attack or disturbance of the prison community, exist for dangerous prisoners (see, Ramirez Sanchez v. France [GC], no. 59450/00, § 138, ECHR 2006-IX; and, as recent examples, Alboreo v. France, no. 51019/08, § 110, 20 October 2011 [not yet final] and Madonia v. Italy (dec.), no. 1273/06, 22 September 2009).*
5. *Thus, whilst prolonged removal from association with others is undesirable, whether such a measure falls within the ambit of Article 3 of the Convention depends on the particular conditions, the stringency of the measure, its duration, the objective pursued and its effects on the person concerned (see Rohde v. Denmark, no. 69332/01, § 93, 21 July 2005).*
6. *In applying these criteria, the Court has never laid down precise rules governing the operation of solitary confinement. For example, it has never specified a period of time, beyond which solitary confinement will attain the minimum level of severity required for Article 3 (see Madonia, cited above). The Court has, however, emphasised that solitary confinement, even in cases entailing relative isolation, cannot be imposed on a prisoner indefinitely (see Ramirez Sanchez, cited above, §§ 136 and 145, where the applicant was held in solitary confinement for eight years and two months).*
7. *Equally, although it is not for the Court to specify which security measures may be applied to prisoners, it has been particularly attentive to restrictions which apply to prisoners who are not dangerous or disorderly (see, for example, A.B. v. Russia, cited above, § 105 and Csüllög v. Hungary, no. 30042/08, § 36, 7 June 2011); to restrictions which cannot be reasonably related to the purported objective of isolation (see Csüllög, cited above, § 34,); and to restrictions which remain in place after the applicant has been assessed as no longer posing a security risk (see, for example, Khider v. France, no. 39364/05, §§ 118 and 119, 9 July 2009).*
8. *Finally, in order to avoid any risk of arbitrariness resulting from a decision to place a prisoner in solitary confinement, the decision must be accompanied by procedural safeguards guaranteeing the prisoner's welfare and the proportionality of the measure. First, solitary confinement measures should be ordered only exceptionally and after every precaution has been taken, as specified in paragraph 53.1 of the European Prison Rules. Second, the decision imposing solitary confinement must be based on genuine grounds both ab initio as well as when its duration is extended. Third, the authorities' decisions should make it possible to establish that they have carried out an assessment of the situation that takes into account the prisoner's circumstances, situation and behaviour and must provide substantive reasons in their support. The statement of reasons should be increasingly detailed and compelling as time goes by. Fourth, a system of regular monitoring of the prisoner's physical and mental condition should also be put in place in order to ensure that the solitary confinement measures remain appropriate in the circumstances (Onoufriou, cited above, § 70). Lastly, it is essential that a prisoner should be able to have an independent judicial authority review the merits of and reasons for a prolonged measure of solitary confinement (Ramirez Sanchez v. France, cited above, § 145 above; A.B. v. Russia, cited above, § 111).*

Domestically, no breach was found in *Shahid v Scottish Ministers* [2013] UKSC 38 at [30]-[37] <http://www.bailii.org/uk/cases/UKSC/2015/58.html>

Physical abuse

Rape by a state agent has been found to constitute torture (*Aydin v Turkey* (1997) 25 EHRR 251 <http://www.bailii.org/eu/cases/ECHR/1997/75.html>) as has force feeding of a prisoner (*Nevmerzhitsky v Ukraine* (unreported, 25 April 2005) <http://www.bailii.org/eu/cases/ECHR/2005/929.html>).

As to when physical abuse will amount to inhuman treatment, the Court reviewed the authorities in *VC v Slovakia* (unreported, 8 November 2011) [https://hudoc.echr.coe.int/eng#{"itemid":\["001-107364"\]}](https://hudoc.echr.coe.int/eng#{)

*"102. Treatment of a person by State agents has been considered to raise an issue under Article 3 when it resulted in bodily harm of a certain degree of severity, such as an injury to a person's leg which caused necrosis and subsequently led to the leg having to be amputated, a gunshot wound to a person's knee, a double fracture of the jaw and facial contusions or an injury to a person's face which required stitches, with three of the person's teeth being knocked out (see *Sambor v. Poland*, no. 15579/05, § 36, 1 February 2011; *Necdet Bulut v. Turkey*, no. 77092/01, § 24, 20 November 2007; *Rehbock v. Slovenia*, no. 29462/95, §§ 76-77, ECHR 2000-XII; and *Mrozowski v. Poland*, no. 9258/04, § 28, 12 May 2009). The Court has further considered the treatment of a person to be capable of raising an issue under Article 3 when, inter alia, it was such as to drive the victim to act against his or her will or conscience (see, for example, *Keenan v. the United Kingdom*, no. 27229/95, § 110, ECHR 2001-III)."*

Prison conditions and international protection

The test is whether *"substantial grounds have been shown for believing that the person concerned, if extradited, faces a real risk of being subjected to torture or to inhuman or degrading treatment or punishment in the [country of return],"* *Soering v United Kingdom* (1989) 11 EHRR 439 <http://www.bailii.org/eu/cases/ECHR/1989/14.html> at [91]. The Court has held that *"[i]t is in principle for the applicant to adduce evidence capable of proving that there are substantial grounds for believing that, if the measure complained of were to be implemented, he would be exposed to a real risk of being subjected to treatment contrary to Article 3... Where such evidence is adduced, it is for the Government to dispel any doubts about it,"* *Saadi v Italy* (2009) 49 EHRR 30 <http://www.bailii.org/eu/cases/ECHR/2008/179.html>

Sometimes assurances are sought from the requesting state. In that regard, see *Othman v United Kingdom* (2012) 55 EHRR 1 <http://www.bailii.org/eu/cases/ECHR/2012/56.html> where the Court gave guidance about this:

1. *Fourth, the Court accepts that, as the materials provided by the applicant and the third party interveners show, there is widespread concern within the international community as to the practice of seeking assurances to allow for the deportation of those considered to be a threat to national security (see paragraphs 141- 145 above and *Ismoilov and Others*, cited above, §§ 96-100). However, it not for this Court to rule upon the propriety of seeking assurances, or to assess the long term consequences of doing so; its only task is to examine whether the assurances obtained in a particular case are sufficient to remove any real risk of ill-treatment. Before turning to the facts of the applicant's case, it is therefore convenient to set out the approach the Court has taken to assurances in Article 3 expulsion cases.*
2. *In any examination of whether an applicant faces a real risk of ill-treatment in the country to which he is to be removed, the Court will consider both the general human rights situation in that country and the particular characteristics of the applicant. In a case where assurances*

have been provided by the receiving State, those assurances constitute a further relevant factor which the Court will consider. However, assurances are not in themselves sufficient to ensure adequate protection against the risk of ill-treatment. There is an obligation to examine whether assurances provide, in their practical application, a sufficient guarantee that the applicant will be protected against the risk of ill-treatment. The weight to be given to assurances from the receiving State depends, in each case, on the circumstances prevailing at the material time (see *Saadi*, cited above, § 148).

3. In assessing the practical application of assurances and determining what weight is to be given to them, the preliminary question is whether the general human rights situation in the receiving State excludes accepting any assurances whatsoever. However, it will only be in rare cases that the general situation in a country will mean that no weight at all can be given to assurances (see, for instance, *Gaforov v. Russia*, no. 25404/09, § 138, 21 October 2010; *Sultanov v. Russia*, no. 15303/09, § 73, 4 November 2010; *Yuldashev v. Russia*, no. 1248/09, § 85, 8 July 2010; *Ismoilov and Others*, cited above, §127).
4. More usually, the Court will assess first, the quality of assurances given and, second, whether, in light of the receiving State's practices they can be relied upon. In doing so, the Court will have regard, *inter alia*, to the following factors:

(i) whether the terms of the assurances have been disclosed to the Court (*Ryabikin v. Russia*, no. 8320/04, § 119, 19 June 2008; *Muminov v. Russia*, no. 42502/06, § 97, 11 December 2008; see also *Pelit v. Azerbaijan*, cited above);

(ii) whether the assurances are specific or are general and vague (*Saadi*, cited above; *Klein v. Russia*, no. 24268/08, § 55, 1 April 2010; *Khaydarov v. Russia*, no. 21055/09, § 111, 20 May 2010);

(iii) who has given the assurances and whether that person can bind the receiving State (*Shamayev and Others v. Georgia and Russia*, no. 36378/02, § 344, ECHR 2005-III; *Kordian v. Turkey* (dec.), no. 6575/06, 4 July 2006; *Abu Salem v. Portugal* (dec.), no. 26844/04, 9 May 2006; cf. *Ben Khemais v. Italy*, no. 246/07, § 59, ECHR 2009-... (extracts); *Garayev v. Azerbaijan*, no. 53688/08, § 74, 10 June 2010; *Baysakov and Others v. Ukraine*, no. 54131/08, § 51, 18 February 2010; *Soldatenko v. Ukraine*, no. 2440/07, § 73, 23 October 2008);

(iv) if the assurances have been issued by the central government of the receiving State, whether local authorities can be expected to abide by them (*Chahal*, cited above, §§ 105-107);

(v) whether the assurances concerns treatment which is legal or illegal in the receiving State (*Cipriani v. Italy* (dec.), no. 221142/07, 30 March 2010; *Youb Saoudi v. Spain* (dec.), no. 22871/06, 18 September 2006; *Ismaili v. Germany*, no. 58128/00, 15 March 2001; *Nivette v. France* (dec.), no. 44190/98, ECHR 2001 VII; *Einhorn v. France* (dec.), no. 71555/01, ECHR 2001-XI; see also *Suresh and Lai Sing*, both cited above)

(vi) whether they have been given by a Contracting State (*Chentiev and Ibragimov v. Slovakia* (dec.), nos. 21022/08 and 51946/08, 14 September 2010; *Gasayev v. Spain* (dec.), no. 48514/06, 17 February 2009);

(vii) the length and strength of bilateral relations between the sending and receiving States, including the receiving State's record in abiding by similar assurances (*Babar Ahmad and*

Others, cited above, §§ 107 and 108; Al-Moayad v. Germany (dec.), no. 35865/03, § 68, 20 February 2007);

(viii) whether compliance with the assurances can be objectively verified through diplomatic or other monitoring mechanisms, including providing unfettered access to the applicant's lawyers (Chentiev and Ibragimov and Gasayev, both cited above; cf. Ben Khemais, § 61 and Ryabikin, § 119, both cited above; Kolesnik v. Russia, no. 26876/08, § 73, 17 June 2010; see also Agiza, Alzery and Pelit, cited above);

(ix) whether there is an effective system of protection against torture in the receiving State, including whether it is willing to cooperate with international monitoring mechanisms (including international human rights NGOs), and whether it is willing to investigate allegations of torture and to punish those responsible (Ben Khemais, §§ 59 and 60; Soldatenko, § 73, both cited above; Koktysh v. Ukraine, no. 43707/07, § 63, 10 December 2009);

(x) whether the applicant has previously been ill-treated in the receiving State (Koktysh, § 64, cited above); and

(xi) whether the reliability of the assurances has been examined by the domestic courts of the sending/Contracting State (Gasayev; Babar Ahmad and Others, § 106; Al-Moayad, §§ 66-69).

International protection cases often require the Tribunal to assess prison conditions in the country of return. In the case of some countries the Upper Tribunal has accepted in a Country Guidance determination that the conditions of detention and imprisonment generally breach Article 3; see *VB (draft evaders and prison conditions) Ukraine* CG [2017] UKUT 79 (IAC) <http://www.bailii.org/uk/cases/UKUT/IAC/2017/79.html> for a recent example.