



**Summary Report on Panel Discussions on Human Rights in Ethiopia -
The Urgent Need to Pass H.R. 5680**

Dr. Berhanu Alemayehu, Moderator and Rapporteur

Sponsored by the Coalition for HR 5680 – a grassroots alliance of groups, organizations and individuals who are deeply concerned about events in Ethiopia and are committed to work collectively for the passage of HR 5680.

Date/time: November 4, 2006, 2:00 – 6:00 P.M.
Place: American University Washington College of Law
Address: 4801 Massachusetts Ave, NW, Washington, DC 20016

Panelists:

1. **Professor Chuck Schaefer** – Department of History, Valparaiso University, taught at Addis Ababa University 1992-1994 as a Fulbright Scholar.
2. **Mr. Ted Dagne** – Africa specialist with the Congressional Research Service, and Professional Staff member of the House Foreign Affairs Committee, Subcommittee on Africa.
3. **Mr. Gregory Simpkins** - Specialist in African policy and Professional Staff Member of the US House Subcommittee on Africa, Global Human Rights and International Operations.
4. **Professor Alemayehu G. Mariam** – Department of Political Science, California State University, San Bernardino and defense attorney.

Summary of Professor Chuck Schaefer's Presentation:

Professor Schaefer began his talk by pointing out that in January 2006 he has accepted a volunteer position as Country Specialist for Ethiopia for Amnesty International-USA, and is currently devoting considerable time to this responsibility. He proceeded by discussing the wide ranging violations of human rights that have taken place in Ethiopia, including torture, extra judicial killings and imprisonment of political dissidents and opponents. He stated that:

- Reports of torture in Ethiopia are understated and more prevalent than what the international community is led to believe. For example, the US Department of State Country Report for 2005 has documented up to 18,000 prisoners were held in Dedessa at the height of EPRDF's onslaught against the opposition in November 2005, yet even the Ethiopian government sanctioned Inquiry Commission has stated that the number of detainees were much high. Likewise the number killed which now is held to be 193.
- Evidence provided by the recently exiled Inquiry Commission members and judges only confirms Amnesty International's allegation about the nature and scope of arbitrary killings and detentions of civilians that has taken place in the post-election period.

Professor Schaefer went on to say that Amnesty International has played a contributory role in gaining the release of prisoners of conscience, including those of Wasihun Melese and Anteneh Getnet, two leaders of the Ethiopian Teachers Association. The manner in which Amnesty International contributes is by releasing an Urgent Action as soon as the details of an arbitrary arrest come out and is verified. Thus, on September 23, 2006, Amnesty International publicized the arrest of the two ETA members and requested the Ethiopian government to release them. On October 5th the two individuals were released on bail and the next day Amnesty issued an Update commending the Ethiopian government for taking the right and legal action. Likewise, Amnesty has issued various Urgent Actions on the part Alemayehu Fantu, Yalemzewd Bekele and the more than one hundred students arrested for allegedly distributing pamphlets and calendars that has pictures of the CUD opposition leaders. Again the international pressure appears to have contributed for the government responded positively by releasing the detainees. The primary effort by Amnesty International in 2005/06 has been on behalf of the Kaliti detainees whom Amnesty asserts are prisoners of conscience. It is hoped that the EPRDF will abide by international human rights norms and release these prisoners.

Professor Schaefer told the audience that Amnesty International supports H.R. 5680 because the bill prioritizes the necessary ingredients to ensure human rights, which, in order of importance, include establishing human and civil rights organizations, the independence of the judiciary and democratization efforts as prerequisites to economic development. He stated that for countries such as Ethiopia, demarcating what the US will accept and what is unacceptable in terms of the human rights of Ethiopia's citizenry is a momentous step in begging US aid to Ethiopia to their human right record. He also said that the bill contains provisions to promote democratization and help to reconcile the EPRDF with competing political parties and groups.

Summary of Mr. Ted Dagne's Presentation:

Mr. Dagne expressed his appreciation to the organizers of the event and began his presentation on Ethiopia's current human rights situation and the role of Congress. He briefed the audience on Congressman Donald Payne's visit to Ethiopia this past August. Mr. Dagne and Congressman Payne had discussions with the prime minister and other regime officials. They met with civil society leaders and groups. They also visited opposition leaders held in Kaliti prison and had discussions with a number of them. The delegation also met with family members of the prisoners.

In sharing his assessment of the human rights situation in Ethiopia, Mr. Dagne stated:

- It is critical for Ethiopians to understand the role of Congress in developing policy on Ethiopia. He acknowledged that the Ethiopian community has come a long way in its effort to influence the United States Congress on issues relating to Ethiopia. The unprecedented level of engagement and organization in the Ethiopian American community in the U.S. over the past year in pushing for passage of H.R. 5680 shows extraordinary commitment and engagement by Ethiopian Americans to get involved to shape American policy in Ethiopia .
- Serious mistakes have been made in the past by some community leaders in mobilizing congressional support by engaging in unnecessary and misplaced attacks on the integrity of members. Some people in the Ethiopian community had wrongly concluded that Congressman Payne was opposed to the bill. He said threatening an elected Member of Congress is a federal crime. He observed that the grassroots efforts to pass H.R. 5680 has evolved and is engaging in effective grassroots advocacy.
- Mr. Dagne underscored Congressman Payne's concerns and commitment to human rights and democracy in Ethiopia by reading the Congressman's statement during the mark-up of the bill in April, 2006:

“The people of Ethiopia have suffered for decades from the brutal dictatorship of the Mengistu regime to abuses and use of excessive force by the current government. That is precisely the primary reason we pushed for a stronger legislation. We did not feel it was the right thing to do to provide training to a police force that has been engaged in brutal suppression of civilians. The Ethiopian police does not need funding for training purposes. Those officers engaged in the killings of civilians in June and November were sharp shooters and special forces. We felt our response should not be to reward but rather hold those people accountable for the crimes they committed. Most important, we did not see anything in the bill that will help strengthen democracy, hold people accountable, strengthen human rights institution, offer reconciliation support for those willing to participate in this process”

- Mr. Dagne further highlighted Congressman Payne's special provisions in H.R. 5680, which included, among others:
 1. Creation of a Victims Support Network for those in prison and for the families of those killed and wounded.
 2. Establishment of a mechanism to fund Indigenous Human Rights groups.
 3. Establishment of a Judicial Watch Network to monitor and report on all judicial activities.
 4. Set up of a Special Fund to support Free Media.
 5. Provision of funding for reconciliation efforts and U.S. mediation efforts in Ethiopia.
 6. Provision of funding to support and train the local/regional/national parliament.
 7. Imposition of visa restrictions against persons involved in gross violations of human rights.
 8. Calling for the immediate release of all prisoners of conscience.

9. Certification requirements to insure the Ethiopian government observes and complies with international human rights standards

Mr. Dagne also provided a historical overview of congressional involvement in Ethiopia in the areas of human rights, democracy promotion, economic development, and humanitarian assistance. He pointed out some important efforts in this regard, including efforts by

- Congressman Harry Johnston through the Carter Center in 1993 to mediate between the government of Ethiopia and the opposition.
- The Congressional Task Force on Ethiopia established in 1995 in an effort to mediate between the opposition and the government.
- Congressmen Tom Lantos, Donald Payne and others to address the Ethiopia-Eritrea border dispute. That measure was followed by a visit by Congressman Payne to Ethiopia and a fact finding visit to Badme; and
- Congressman Honda, Payne and Royce to ensure free and fair elections in 2004.

Mr. Dagne concluded his remarks by sharing a moving and emotional experience he and Congressman Payne had during one of their visits to the Black Lion Hospital. He said they saw patients and kids lying on the floor in corridors and in the emergency wards. They saw a highly professional and dedicated hospital staff and empty medicine shelves. “Why I am telling you this?” he asked rhetorically. “It’s because for millions of Ethiopians, it is not human rights or a passage of a bill that is in their minds. It is survival. For a mother, it is putting food on the table for her children.” Remember, he said, “those people killed in June and November 2005, are fathers, mothers, sisters and brothers. Who is looking after those kids who lost their parents?” He noted that some in the Ethiopian community in the U.S. collect money to hire lobbyists, and yet very little, if any, goes toward helping the people of Ethiopia. The Payne victims fund provision of the bill, he concluded, had these needy people in mind.

Summary of Mr. Gregory Simpkins presentation:

Mr. Simpkins discussion topic was “Prospects of HR 5680 in the Lame Duck Session of the 109th Congress”. He began his presentation by offering his overall assessment that an effective grassroots Ethiopian American advocacy group has evolved around H.R. 5680. He congratulated Ethiopian Americans from diverse groups and backgrounds for working together to promote issues of common interest to all Ethiopian. He noted that the Ethiopian American community has made a lasting impression on members of congress.

Mr. Simpkins said HR 5680 (previously HR 4423), has been a tremendously central rallying point for Ethiopian Americans interested in promoting human rights and democracy in Ethiopia. He noted that the bipartisan support for the bill and the sponsorship of such well known human rights advocates as Reps. Chris Smith and Donald Payne should ensure success for the bill even during a change of party leadership in Congress.

Mr. Simpkins briefly discussed the history of the bill and shared various insights and observations:

- The bill has been held up by the House leadership due to lobbying efforts by the Ethiopian government through former Majority Leader Dick Armey, and more importantly by the State Department.
- The State Department's view is that the bill comes at a time of critical negotiations on the Eritrea-Ethiopian border and the struggle in Somalia between the transitional government and Muslim fundamentalists.
- The view from the perspective of Congressional supporters of the bill is that human rights abuses in Ethiopia makes both the US and Ethiopia more vulnerable to subversion and less likely to weather fundamentalist counterattacks in response to Ethiopian military involvement in Somalia.
- Rep. Smith has raised the bill with the office of Secretary of State Rice, but has not yet received a definitive commitment to reverse her opposition.
- Mr. Simpkins urged that a renewed effort must be made in both the House and Senate and outlined a series of steps for next year and into the future, in an effort to respond effectively to human rights abuses in Ethiopia:
 1. The various Ethiopian-American organizations must work cooperatively to build on what has been achieved thus far, and this alliance should include those civil society groups and political parties on the ground in Ethiopia to be effective over the long run.
 2. There needs to be a connection made between Ethiopian prisoners of conscience and the American public. More information needs to be disseminated in the American media.
 3. State and local government resolutions in favor of the principles of HR 5680 would demonstrate the existence of wide support for the bill.
 4. Ethiopian Americans should seek support from religious, community and labor leaders to advance the cause of human rights and democracy in Ethiopia.
 5. A nationwide network of supporters (including non-Ethiopians) has been created in key states and Congressional districts and already has proven to be effective.
 6. Media champions are vital in sustaining attention and momentum for change in U.S policy, as has been the case for Darfur. Ethiopian Americans should strive to cultivate media support.

7. Celebrity supporters have driven the Darfur crisis and the Ethiopian famine crisis. Such support should be considered by Ethiopians to build support for human rights in Ethiopia.

Summary of Prof. Alemayehu Gebre Mariam's Presentation:

Professor Alemayehu's presentation was aimed at developing a common understanding of the core issues of human rights in the Ethiopian American community. He suggested that Ethiopian in the Diaspora can not be effective advocates of human rights in Ethiopia unless they share a common understanding of core human rights values.

- Prof. Alemayehu explained that international human rights laws are part of the Ethiopian constitution under Article 10. He said Article 15 of the Ethiopian Constitution guarantees every person the right to life which can be taken away only for a “serious Crime”. The "extrajudicial killings" or politically motivated killings of the 193 peaceful demonstrators in June/November, 2005, or the thousands of others massacred in Gambella, Oromia, Sidama and Somali regions were not for “serious crimes” recognized by law; rather those killings were political motivated to destroy opponents of the government. Such extrajudicial killings are a gross violation of human rights.
- Articles 16 and 17 of the Ethiopian Constitution guarantee the right of security of the person. Yet Zenawi arrests innocent people off the streets or busts down the doors of private homes to snatch citizens because he does not feel they are loyal to him. When Zenawi's regime jailed upwards of 60,000 people after the May, 2005 elections, and imprisoned opposition leaders, journalists, leaders of civil society and human rights defenders, he committed gross violations of human rights under the Ethiopian Constitution and international law.
- Zenawi's regime routinely practices torture and abuse against its opponents, but torture, beatings, systematic abuse, cruel, inhuman and degrading treatment or punishment of dissidents and opponents violate Article 18 of the Ethiopian Constitution.
- Zenawi's regime flagrantly violates the people's right to freedom of association and assembly by forming political parties, civic association and organizations. Dissident groups and organizations are harassed and abused; and denied permits to hold public gatherings, or subjected to burdensome registration and licensing requirements merely to hold peaceful meetings. Zenawi's regime continued to flagrantly violate Articles 30 and 31 of the Ethiopian constitution.

In response to a comment and question addressed to the first panel by Annette Scheckler, a senior adviser to the Ethiopian Government, that there was a contradiction between the call for an independent judiciary and a call for release of the political prisoners, Prof. Alemayehu expressed his amazement how the “kangaroo court” trying the Kality political prisoners could be considered an independent judiciary. He said it is impossible to have an independent judiciary when the judges are handpicked to deliver a pre-determined result. He said the trial was a charade staged for the international community. He pointed out that the charges against the Kality defendants were silly

and would have been thrown out of court a long time ago in a real court of justice. He used the example of one of the charges against the defendants -- the charge of “outrage against the constitution” -- to show that such vague and hazy allegations are used to prosecute anyone the government does not like.

He commented that Meles Zenawi's boastful comment to Congressman Smith that Zenawi has a large dossier on the opposition and he could arrest them at any time as an act of supreme arrogance and demonstration of his contempt for the rule of law. He said charging a person for a crime is a prosecutorial function and a decision that is made after careful evaluation of the evidence, and not a decision by the prime minister. Zenawi' statement shows that the whole trial of the Kaliti defendant's is a political, and not a criminal trial.

Prof. Alemayehu said it was laughable that the prosecution should charge the defendants and ask the court for numerous continuances to go out and collect evidence. He said the government prosecutors were running around the country fabricating evidence against the Kaliti defendants and coaching witnesses to lie on the stand. He said he'd have welcomed the opportunity to cross-examine those liars on the stand, but added that such a thing could happen only in a real judicial system as opposed to the current “kangaroo show trial”.

Prof. Alemayehu concluded his presentations by pointing out that American law allows victims of torture and human rights violations to seek civil damages in American courts. He looks forward to the day when American justice can grab those violators of human rights and hold them accountable. The substance of Prof. Alemayehu's presentation was as impressive as his style of delivery. Unlike his colleagues who presented from the head table, Professor Alemayehu worked the audience like a jury panel listening to closing arguments.

In closing, there was a question and answer session and the audience was very engaging. As many in the audience remarked, the panel provided not just a discussion on human rights situation in Ethiopia. It also provided a lesson in civics, good governance, civility, and democracy.

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