

“military-to-military” relationship with Eritrea would provide “a lot of benefits” but that the American government had not yet decided to proceed. One stumbling block to a closer relationship was the continued incarceration of the two U.S. embassy employees.

In mid-October 2002, the State Department issued a press statement demanding release of the two employees or a fair and open trial for them. Referring to the detention of government critics and journalists, the shut-down of the private press, and restrictions on religious affiliation, the statement also called on the Eritrean government to “return to the basic values of democracy and human rights, as it has repeatedly committed itself to do.” Eritrea labeled the statement “unacceptable” and accused the CIA of unlawfully having attempted “to change the government” during the war with Ethiopia by conspiring with “some senior [Eritrean government] officials,” presumably those arrested in 2001.

ETHIOPIA

HUMAN RIGHTS DEVELOPMENTS

Human rights conditions in Ethiopia did not perceptibly improve in 2002. In southern Ethiopia they significantly worsened: Police shot into groups of civilians and conducted mass arrests. Arbitrary arrests, however, were not confined to the south. Those who were arrested were subjected to prison conditions that did not meet international standards and some prisoners, particularly in Oromiya regional state, were tortured. Courts rarely intervened to stop human rights abuses, parliament not at all. The print media was allowed to publish but was frequently harassed. The ruling coalition Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF) led by Prime Minister Meles Zenawi maintained a firm grip over the federal and state governments. Local elections were subject to intimidation and fraud. The EPRDF also continued to exert control over the judiciary.

Police violence in Tepi and Awassa, in the Southern Nations, Nationalities, and Peoples (SNNP) regional state, resulted in the deaths of more than one hundred civilians and the arrest of hundreds. In Tepi, members of two minority ethnic groups, the Sheko and Majenger, clashed in March with local officials and police over political rights. Some civilians were reported to have been armed with machetes. At least eighteen civilians and one local official died. In the following days, more than one hundred were killed and villages razed on the order of local authorities, leaving some 5,800 homeless. Nearly one thousand civilians were arrested after the disturbance, and 269 remained in detention when a diplomatic delegation visited in June.

In the city of Awassa on May 24, soldiers using machine guns mounted on armored cars shot into a crowd of farmers protesting a change in the administrative status of the city. The government acknowledged seventeen deaths but inde-

pendent reports said that twenty-five civilians were killed and twenty-six injured.

Police also shot at crowds of unarmed students in March and April in Oromiya, Ethiopia's most populous state. State officials acknowledged that five high school students were killed and over a dozen wounded when police shot into groups protesting government educational and economic policies. The Oromiya state parliament justified the police tactics by asserting that the police had no funds to purchase non-lethal crowd control equipment.

Police subsequently arrested several hundred students, teachers, and others whom it accused of being members or sympathizers of the Oromo Liberation Front (OLF), an armed movement that the government claimed had instigated the student protests. In June, over three hundred people were incarcerated in Dembi Dolo, including some seventy school children. Some of those detained there and in Ambo town, about 130 kilometers west of Addis Ababa (the capital), were tortured. Most of the prisoners were released on bail two months after their arrests. The government suspended teachers and civil servants from their jobs.

The government failed to bring police accused of killing civilians to justice in the above-mentioned incidents, or similar previous incidents, including the killing of forty students during a strike at Addis Ababa University in April 2001. The federal government arrested ten officials in August 2002 for their involvement in the Awassa or Tepi violence. It was not clear, however, whether those arrested were accused of using excessive force to put down the protests or of having encouraged civilians to demonstrate in the first place.

Human rights violations continued to be particularly egregious in Oromiya. Since the government banned the OLF a decade before, thousands of alleged OLF members or sympathizers had been arrested, and this trend continued in 2002. (Oromos constitute the largest single ethnic group in Ethiopia, some 40 percent of the population.) As of March more than 1,700 such prisoners were reportedly held at the Ghimbi central prison, half of them arrested recently and the rest having been there for five to ten years, some without charge. Hundreds more were detained in prisons and police jails across Oromiya state. Prisoners who were released or escaped from incarceration reported severe torture while imprisoned. The Oromiya state minister for capacity building, who fled the country in May, denounced the state government for indiscriminately accusing the Oromo people of supporting the OLF.

The government continued to crack down on teachers who criticized changes in education policy and supported the banned Ethiopian Teachers' Association (ETA). Dr. Taye Wolde Semayat, president of ETA, was released in May 2002 after an appeals court reduced his sentence to less time than he had already served. He had been placed in a fetid cell and shackled while in solitary confinement during part of his six-year incarceration (Taye had been convicted of plotting to overthrow the government, though independent observers believed the charges were fabricated). ETA continued to work to protect teachers' rights despite the fact that the government had created a puppet organization with the same name, seized the original organization's funds, and sealed parts of its offices. Seven teachers who supported ETA were arrested in May in Sendafa and held for two months on trumped-up charges, and more than forty teachers who attended a February ETA

conference on education for all and teaching about HIV/AIDS were arrested and held for two weeks when they returned home. Between August and October authorities refused permission for and police interrupted and dispersed ETA meetings. Government officials threatened teachers with dismissal or withholding of salary if they failed to disassociate themselves from ETA.

Prison conditions were harsh in the provinces and in Addis Ababa. Medical care was rudimentary and rationed to a handful of prisoners per day. Prisoners with AIDS reportedly received no treatment, and former prisoners reported having witnessed deaths of prisoners with serious diseases such as tuberculosis. Prisoners were denied access to bathing facilities, mattresses, and blankets. Some released in 2002 told of being detained in such crowded confinement that they had had to take turns sleeping. Food was meager but adequate. Prisoners who had family living nearby were normally allowed to receive food from family members. In May the International Committee of the Red Cross reported it had access to 4,800 security detainees in 150 places of detention.

The judiciary remained unable or unwilling to stop human rights violations. In May, the federal minister for capacity building acknowledged that the justice system was generally backward and incapable of enforcing constitutional guarantees. Often judges refused to release prisoners on bail even when the police or prosecutor had no proper grounds for their detention. Instead, hearings were adjourned for two weeks at a time to allow police to investigate. Occasionally, a court would order the release of a prisoner only for the prisoner to be rearrested and jailed within a day or two outside that court's geographical jurisdiction. For example, police arrested an Addis Ababa businesswoman, Dinkinesh Deressa Kitila, in early June on accusations she had transported OLF documents in her car. She appeared in court several times over two months before the local court ordered her released for lack of evidence. Two days after her release on bail, she was rearrested in another district. As of October, she remained imprisoned.

Prisoners held for non-bailable offenses were incarcerated for years while their cases were investigated. In 2001, parliament enacted legislation to prevent anyone accused of corruption from being released on bail. The law was immediately applied to the former Defense Minister Siye Abraha, who was also Prime Minister Meles' chief political adversary. The former minister and several alleged co-conspirators had not been brought to trial by October 2002, well over a year after their arrests. In July the presiding court ordered the prosecution to revise its charges, assuring further delay. Businesspeople arrested in 2001 on corruption charges also continued to languish in jail without trial.

The largest single group of long-term prisoners were members of the previous government, the Derg, accused of genocide, crimes against humanity, and other serious offenses. Several dozen former Derg officials were brought to trial in 2002, about a third of whom were acquitted. Hundreds more who had been in prison for a decade or more still awaited trial, but the Federal High Court claimed to be able to complete their trials by September 2003.

In some cases, the police and courts began to enforce laws protecting women and children more seriously than in the past, in particular by making greater efforts to arrest men who raped children and, when convictions were secured, by imposing

prison sentences on some rapists. In Addis Ababa two policewomen were assigned to each district. However, women's groups claimed that police often did not investigate reports of adult rape, while prosecutors took over a year to bring charges and then only for infractions with the lowest possible penalty. Outside the major cities, customary law continued to govern intra-family relations including inheritance.

The private print media was allowed to operate but was periodically harassed. The prime minister called the newspapers organs of illegal political parties and the minister of information accused them of practicing hate politics. In July, the former editor of a weekly newspaper was sentenced to two years of imprisonment for defamation and disseminating false information. Early in 2002, the government released another journalist on U.S.\$2,000 bail after ten months of incarceration. He had been accused of inciting violence after he had written articles about mismanagement at a government-owned tannery and about a former general's prediction of the government's imminent overthrow. Other journalists were also briefly detained and then released on bail for articles they had written. In March, one was fined U.S.\$1,400 for a 1997 article quoting a speech given in the United States in which the American speaker asserted that the present Ethiopian government was as bad as the Derg. In each case, the government invoked a Derg-era press law making defamation, the publication of false information, and incitement criminal offenses. The government was drafting a new press law and code of ethics, but advocates for an independent press feared it would be even more restrictive and intrusive than existing law.

The editor of the only newspaper in Tigray state was arrested in December 2001. After a state court ordered her release and dismissed the criminal charges she closed the newspaper and fled the country. The Addis Ababa private print media had no circulation outside the capital, partly as a result of transportation problems but also partly because of intimidation by local authorities who regarded the possession of nongovernment newspapers with suspicion. The government owned the only television and all radio stations except for one FM station owned by the Tigray Peoples' Liberation Front (TPLF), the lead political party in the government coalition. Although the government periodically stated that it would permit others to enter broadcasting, implementing legislation remained stalled.

Political parties were permitted to exist but their activities were sometimes hindered, especially at local levels. In December 2001, opposition groups in the SNNP state boycotted zonal elections, claiming that their candidates had been denied access to the ballot and had been molested by government party supporters. The chairman of the South Ethiopian Peoples' Democratic Coalition (SEPDC), Beyene Petros, one of a handful of opposition members of the federal parliament, accused the National Elections Board of having assigned government officials and government party members as election judges. The chairman of the commission deemed the charge without merit and threatened to sue Beyene. In March 2002, people known to be government party functionaries disrupted a meeting of the Ethiopian Democratic Party (EDP) in Awassa at which members were protesting government acquiescence to revision of the border between Ethiopia and Eritrea. (See below.) Police present at the meeting failed to intervene.

Issues remaining from the border war Ethiopia fought with Eritrea between

1998 and 2000 continued to fester. In late August 2002, Eritrea repatriated 279 Ethiopian prisoners of war (POWs), stating that it had thereby returned all POWs, but the Ethiopian government accused Eritrea of still holding prisoners in undisclosed locations. It demanded information about seventy-three police and militia members who remained unaccounted for, and about a pilot who had been paraded through the streets of the Eritrean capital after his plane was shot down in 1998. As of October 2002, the Ethiopian government continued to hold about 1,300 Eritrean POWs despite its pledge to release them. Persons of Ethiopian descent who were deported from Eritrea continued to live under difficult circumstances in fourteen camps around the country. The Ethiopian government abruptly closed three of the camps, forcing inhabitants to leave, and announced plans to do the same with the remaining eleven.

Reliable sources reported that the Eritrean government was giving logistical support, training, and weapons to OLF guerillas attempting to infiltrate Ethiopia from Sudan, and to armed Tigrean groups opposed to the current Ethiopian government.

DEFENDING HUMAN RIGHTS

The Ethiopian Human Rights Council (EHRCO), the most prominent human rights group, issued a number of reports on human rights violations in 2002, including on the shootings and arrests in Tepi, Awassa, and Oromiya; on forced roundups of street children who were then dumped in a remote forest; and on abuses against deportees from Eritrea. Two leading members of EHRCO who had been arrested and bailed in 2001, charged with inciting university students to riot, appeared in court periodically in 2002 but a trial on the merits had not begun at this writing. The Ethiopian Women Lawyers Association, which like EHRCO had been temporarily shut down by the government in 2001, faced no overt government interference in 2002. The government continued to refuse to register the Human Rights League.

The constitution and legislation empower parliament to establish a human rights commission and ombudsman to investigate government abuses. A parliamentary committee solicited nominations to these bodies in 2002 but, as of October, neither organization had been established.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Following the end of the war with Eritrea in 2000, international donors began to provide Ethiopia with more generous aid packages. The United States, European Union, and United Nations were preparing to respond to a looming humanitarian crisis due to severe drought. Most international donors remained silent in the face of human rights violations, preferring to support Ethiopia's fragile, relative peace in a troubled region and not wishing to jeopardize Ethiopia's cooperation in fighting terrorism.

United Nations and World Bank

An independent boundary commission established as part of the December 1999 cease-fire agreement released a report with preliminary findings in April. The report generally rejected Ethiopian claims including (without mentioning it by name) the claim to the village of Badme, where the war had started. Both countries initially announced that they accepted the commission's decision, but in June the Ethiopian government defied the ruling by voluntarily resettling 210 people from central Tigray to Badme. Actual demarcation of the border in accordance with the commission's directions had not begun as of October.

The U.N. Security Council extended until March 15, 2003 the mandate of the United Nations Mission to Ethiopia and Eritrea (UNMEE) to monitor the cease-fire agreement. The border remained calm but for occasional tense confrontations by local civilians and militia with UNMEE peacekeepers. In April 2002, the Ethiopian government accused the UNMEE force commander of bias after he drove foreign journalists into Badme from Eritrea, and refused to meet with him thereafter. The U.N. replaced him in October.

The U.N. Emergencies Unit reported in February that some areas, notably in eastern Tigray, were still uninhabitable due to the presence of landmines. While no demining had started in Ethiopia, two demining companies were trained, and some survey work had started. In April, after many months of prodding, Ethiopia provided detailed maps of mines its forces had laid in Eritrea to UNMEE. There was a significant decrease in deaths and injuries from landmines and unexploded ordnance from the previous year. Nevertheless, from June to August alone, twelve people were injured and four killed in eleven incidents.

Ethiopia obtained a measure of debt relief in 2002 from the World Bank and Western countries in 2002, enough to save it U.S.\$96 million in annual debt service until 2021 if fully implemented. As part of the arrangement, Ethiopia would be required to revise its tax structure, carry out privatization, cut defense spending, and reorganize the banking sector. The promised debt relief represented only about 10 percent of Ethiopia's estimated external debt burden of U.S.\$10.3 billion.

United States

Ethiopia's international standing grew during the year as its strategic location, bordering Sudan and Somalia, made it a "frontline state" in the U.S.-led "war against terrorism." The U.S. provided substantial military assistance to Ethiopia within this context. Yet the U.S. failed to press for accountability of Ethiopian security forces accused of human rights violations, including the shooting of civilian protesters. A senior state department official claimed that the U.S. wielded virtually no leverage over Ethiopia because it was dependent on the country's assistance in rooting out al-Qaeda. U.S. economic and humanitarian assistance amounted to about U.S.\$170 million, one third of which represented funds for education, health, and governance, and the remainder food and emergency aid.

European Union

The E.U. issued a statement in June condemning the violence in Tepi and Awassa and demanding an inquiry into these events. The E.U. declined to provide police assistance to the Ethiopian government to improve its ability to manage disturbances with less than lethal force because it could not guarantee Ethiopia would use such assistance responsibly (in the past, Ethiopia has misused assistance provided to the police actually to commit human rights violations, including using a British government-donated vehicle in the 1997 assassination of ETA leader Assefa Maru). The E.U. and its member states provided about €60 million (U.S.\$59.1 million) in humanitarian assistance during 2002.

KENYA

HUMAN RIGHTS DEVELOPMENTS

After twenty-four years of autocratic rule by President Daniel arap Moi, Kenya looked forward to a general (presidential and parliamentary) election scheduled for December 2002. Kenyans also awaited a new constitution, after two years of procedural wrangles. Widespread corruption and lawlessness eroded the country's social and economic fabric, as living standards hovered at their lowest level in decades, but pressure also mounted to hold officials accountable for past crimes. There were continuing concerns over police brutality, judicial wrongdoing, and attacks on freedom of expression.

In October 2001, quelling rumors that he would run for another term, President Moi agreed to step down in January 2003. However, his public promotion of Uhuru Kenyatta, son of Kenya's founding president, Jomo Kenyatta, as his hand-picked successor outraged civil society groups and opposition politicians. Kenyatta, an inexperienced legislator appointed by the president in October 2001, was viewed as beholden to Moi. This interference in the process of choosing a new leader divided the ruling Kenya African National Union (KANU), which nevertheless voted to grant Moi sweeping powers within the party upon retirement as president. Bolstering KANU's chances going into the election was its March merger with the largest opposition party, the National Development Party, but deepening divisions within the new KANU threatened to offset that advantage. In September, a coalition of opponents, the National Alliance Party of Kenya (NAK), sought to capitalize on the KANU divisions by uniting to field its own presidential candidate, Mwai Kibaki, a former vice-president who had unsuccessfully run for president twice before. The next month, NAK and a KANU faction known as the Rainbow Coalition joined forces in a "super alliance" called the National Rainbow Coalition that posed the first serious challenge to the ruling party in Kenya's history.

The Constitution of Kenya Review Commission, made up of government