

The government did not contest the facts as reported to the WG but did state that the SPO, which is mandated to investigate and prosecute cases of gross and systematic human rights violations during the campaign of mass extermination, was in the process of finalizing the investigations and preparing to charge the suspects under detention, including the person named in the case considered by the WG. The government pointed out that the individual was being detained by court order in connection with suspected involvement in the killing of 14 teenagers in Addis Ababa during the "Red Terror" campaign of 1977–1978 when many innocent lives were lost. The government affirmed it was conscious of its international and national commitment to fair, impartial and speedy trials and stated that every effort was being made to accelerate the process of bringing charges against all detained officials of the former regime suspected of involvement in genocide, war crimes and/or crimes against humanity.

The WG stated that even though many of the detainees may indeed have been responsible for serious human rights violations or may have personally committed serious crimes, their prolonged detention without trial is not justified. On the basis that the person named had already been detained since 1992 without charge or trial and had not been given the opportunity to challenge the legality of the detention, the WG decided that the detention was arbitrary.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 13, 24, 25, 30, 37, 50, 175–179)

In the section dealing with the question of compensation for disappearances, the report notes that in Ethiopia: the right to sue, the conditions under which compensation is to be made, and the right to and extent of the compensation, are all governed by the provisions of the Civil Code; under the Ethiopian Penal Code if an offence has caused considerable damage to injured persons or those having rights from them, a claim of damages by way of compensation may be made; two years must have elapsed before a court may, upon the provision of sufficient evidence, officially declare a person absent; if it is reliably determined that the absentee is dead, the court may deliver a judgement declaring the death of the absentee; in matters related to a declaration or presumption of death, any individual may initiate proceedings; and the method of exhumation is used to determine the identity of persons who have disappeared, for example, in the trial of the officials of the former government.

The Working Group (WG) noted that five newly reported cases of disappearance were sent to the government and two cases were retransmitted on the basis of new information from the sources. The majority of the 105 cases of disappearance reported to the WG occurred between 1991 and 1996 under the Transitional Government, and concerned members of the Oromo ethnic group suspected of participation in the Oromo Liberation Front (OLF). Other cases concerned members of the Ogaden

National Liberation Front (a political party) who disappeared in Region Five in eastern Ethiopia, also known as the Ogaden. Cases of disappearance were reported which occurred in Ogaden between 1974 and 1992, after the military government took power, and concerned mainly high-ranking officials of Emperor Haile Selassie's government, members of the Oromo ethnic group — in particular those believed to be involved with the OLF — or persons accused of involvement with opposition political groups, including the Ethiopian Socialist Movement. The report refers to one case, which occurred in 1996, concerning an Ethiopian refugee in Djibouti who was said to have been arrested at a refugee camp in Djibouti by members of the Djibouti police and handed over to the Ethiopian authorities.

The newly reported cases allegedly occurred between 1991 and 1996; four of them concerned members of the Oromo ethnic group, including two students, a judge, and one person of unknown profession. The fifth case concerned a merchant who reportedly disappeared in Hararge.

The government provided information on one individual case, citing information produced by the family stating that the person concerned was in Addis Ababa receiving medical attention.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1998/68, paras. 12, 13; 14, 16, 17, 32, 33, 39; E/CN.4/1998/68/Add.1, paras. 164–171)

The Special Rapporteur (SR) referred to information indicating that extrajudicial, summary or arbitrary executions, as well as other human rights violations, occurred on a regular basis in secret detention centres, of which the government reportedly denies the existence.

Communications to the government involved, *inter alia*: detainees reportedly held in 23 secret detention centres in Deder district, mainly on the suspicion of supporting the Oromo Liberation Front (OLF); approximately 300 persons held at Harrar prison, most of them farmers, after reports had been received expressing fear for their lives or physical and mental integrity and information detailing killings during detention that had already taken place; deaths in custody as a consequence of injuries resulting from torture; and a killing by armed men belonging to the Ethiopian People's Revolutionary Democratic Front (EPRDF) in Kolli village, Anfilo district, western Wollega and, reports that those responsible were taken by villagers to the town police station, where they were immediately released.

The government denied that there were secret detention centres in Deder district, stating that the only places of detention are one prison, one police station, and one sub-police station in Kobo town. In response to some of the individual cases the government stated: the person named had answered the mobilization call made by the OLF and no adverse action was taken against him by the government; a warrant of arrest was issued against the