

ETHIOPIA

Date of admission to UN: 13 November 1945.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: Ethiopia has not submitted a core document for use by the treaty bodies.

Economic, Social and Cultural Rights

Acceded: 11 June 1993.

Ethiopia's initial report was due 30 June 1995.

Civil and Political Rights

Acceded: 11 June 1993.

Ethiopia's initial report was due 10 September 1994.

Racial Discrimination

Acceded: 23 June 1976.

Ethiopia's seventh through 11th period reports (covering the period 1989-1997) have not been submitted; the 11th periodic report was due 23 July 1997.

Discrimination against Women

Signed: 8 July 1980; ratified: 10 September 1981.

Ethiopia's fourth and fifth periodic reports were due 22 April 1994 and 1998 respectively.

Reservations and Declarations: Paragraph 1 of article 29.

Torture

Acceded: 14 March 1994.

Ethiopia's initial report was due 12 April 1995.

Rights of the Child

Acceded: 14 May 1991.

Ethiopia's third periodic report (CRC/C/70/Add.7) has been submitted and is pending consideration at the Committee's September/October 2001 session.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on:

(E/CN.4/1998/44, paras. 4, 6, 7, 14, 16, 19, 21, Annex III; E/CN.4/1998/44/Add.1, Opinion No. 12/1997)

The report notes that information was transmitted to the government but no details were provided. An urgent appeal on behalf of 15 persons was also sent.

Opinion No. 19/1997 concerned two individuals. The first person was a teacher and the facts presented to the WG included that: he was arrested in April 1996 on order of the administrative authority of the region of Oromia; the arrest was apparently linked to accusations that he and 13 other local people were involved in a politically motivated killing; in June 1996 he was transferred to Gimbi

prison; no warrant nor any other decision by a public authority was shown to uphold the arrest; no formal charge had been brought against him and he was being kept incommunicado; this was the fourth time that he had been imprisoned since 1992; and the arrest may have been politically motivated because of his ethnic origin (Oromo) and because of his sympathizing with and supporting the Oromo Liberation Front (OLF) between 1991 and 1992 when the OLF was in the transitional government. The WG concluded that the arrest was essentially of a political nature.

The second case involved a farmer. The facts presented to the WG included that: he was arrested in April 1996 at his home in Oromia; he was transferred to Gimbi prison in June and, in April 1997, moved to Karchale prison (Addis Ababa), where he was still detained; no warrant nor any other decision by a public authority was shown to uphold the arrest; no formal charge had been brought against him; the family failed to obtain *habeas corpus* as the authorities claimed that he was a political prisoner; and the arrest may have been politically motivated because of his ethnic origin (Oromo) and because of his involvement in the OLF. The WG stated that there was no doubt about the political character of the detention since it was precisely due to his being considered by the Ethiopian authorities as a political prisoner that he was refused *habeas corpus* by the authorities.

The WG decided that the detention of these two individuals was arbitrary.

Opinion No. 12/1997 concerned one individual who had reportedly been detained since 1992 without charge or trial. It was alleged that the person was one of approximately 1,700 former officials who were accused of having participated in genocide, war crimes or crimes against humanity between 1974 and 1991 under the government of Lieutenant-Colonel Mengistu Haile-Mariam and who have not been formally charged, nor brought before a tribunal or given the opportunity to challenge their detention. Information indicated, *inter alia*, that: the new government had undertaken the task of prosecuting the accused; the Special Prosecutor's Office (SPO) planned to try detainees in three categories — first, "the policy and decision makers", second, "the field commanders, both military and civilian", and third, "the actual perpetrators" of murder, torture and other crimes; and the case reportedly fell within the last category since the person was an official of a local urban-dweller's association (kebele). Information also indicated that: only persons falling within the first category had thus far been charged and brought to trial; hundreds of detainees were released by court orders in 1993, as a result of *habeas corpus* applications or decisions of the SPO with respect to time limits legally imposed on such types of detentions; and, in late 1993, the appeal division of the Supreme Court barred further *habeas corpus* applications and ruled that, in light of the special circumstances and the seriousness of the crimes involved, the SPO detainees were to remain incarcerated without any specific time limit until they were charged.