



Ogaden Human Rights Committee



Date: June 26th 2008

Ref: OHRC/PCG1/0608

OGADEN: THE DIRE HUMAN RIGHTS AND HUMANITARIAN SITUATION AND THE ROLE OF THE UNITED NATIONS

RECOMMENDATIONS AND APPEALS

Although prestigious international and national human rights organizations, have issued several reports about well-documented human rights violations in the Ogaden and elsewhere in Ethiopia by the current Ethiopian government, the international community has remained tight-lipped about those violations for the last sixteen years. Nevertheless, the Ogaden Human Rights Committee has not given up hope of the international community's help to force Ethiopia to honour its commitments to internationally accepted human rights principles. Hence, the OHRC requests and recommends the following:

TO: THE INTERNATIONAL COMMUNITY, DONOR COUNTRIES, UNITED NATIONS, ETHIOPIAN GOVERNMENT AND OGADEN NATIONAL LIBERATION FRONT:

- United Nations Security Council designates a safe heaven for the civilian population fleeing from Ethiopian armed forces' onslaught and atrocities.
- United Nations High Commission for Refugees provides necessary shelter protection and maintenance to the Somali refugees from the Ogaden in the neighboring countries.
- The United Nations appoint a Special Rapporteur on Human Rights in the Ogaden.
- United Nations Security Council form an independent inquiry commission to investigate recent massacres and atrocities in the Ogaden.
- The international donor community help the Somali people in the Ogaden generously and directly through international NGOs in order to assure the reach of the food and medical aid to the victims of the famine.
- The international donor countries and World Food Programme put in place an effective and verifiable monitoring mechanism to assure the reach of the emergency aid to its intended beneficiaries in the Ogaden.

- The Ethiopian government and the Ogaden National Liberation Front, declare immediate, comprehensive and unconditional cease-fire in the Ogaden in order to aid famine and war victims in the Ogaden.
- The international community exert more pressure on the Ethiopian government to allow ICRC and MSF to operate freely in the Ogaden as well as respecting ICRC's mandate and the Geneva Conventions regarding to the civilian population.
- The Ethiopian government allow all humanitarian and relief organizations to operate in the Ogaden without restrictions, regardless of nationality or religion as well as national and international human rights organizations and international press.
- The Ethiopian government should be held responsible for infamous mass killings; disappearances, rape, arbitrary arrests, torture and other cruel, inhuman and degrading treatment and perpetrators of those atrocities should be brought before the International Criminal Court.
- United Nations Security Council freeze all foreign bank accounts belonging to Prime Minister Meles Zenawi and his entourage.
- United Nations Security Council impose visa and travel restrictions on Ethiopian government officials.
- The international community intervene to stop the forcible repatriation of Somalis from the Ogaden to Ethiopia.
- The international community refrain from aiding and supporting the Ethiopian government as long as it violates human rights and fundamental freedoms of the Somali people in the Ogaden and elsewhere in Ethiopia.
- The Ethiopian government and Ogaden National Liberation Front give ICRC free access to all detainees in their custodies.
- The Ogaden Human Rights Committee asks for all political prisoners in Ethiopia to be immediately and unconditionally released or charged with recognized criminal offences, and given fair trials; and be given unrestricted and regular access to their family members and to representatives of the International Committee of the Red Cross.

BACKGROUND

The Somali people in the Ogaden have never accepted the Ethiopian occupation of their country. Therefore, the national resistance against the foreign occupation has never ceased for more than a century. But its intensity varied from time to time,

according to local, regional and international circumstances. And the situation became tenser when the present regime entirely destroyed the traditional local structures and clan systems and disrupted all the sources of income of the local population of which more than 75% are rural people who herd only livestock.

All Successive Ethiopian governments' military campaigns to quell the insurgence in the Ogaden had caused enormous human suffering including the current government's military campaign, which is going on vigorously as this writing.

In the past Ethiopian governments transferred thousands of Ethiopian settlers into the Ogaden in an attempt to change the demographic nature of the region, eliminate the Somali national identity and to transform the Ogaden into a region of Ethiopia, in which indigenous Somalis will be an insignificant minority.

When the transformation and assimilation policies failed the Ethiopian governments adopted a policy of intimidation and physical elimination, which resulted in enormous human suffering which has no parallel in the world.

Razing entire towns to the ground, extrajudicial killings, mass arrests, enforced disappearances, rape of women, confiscating private property, dusk to dawn curfew and martial law were and are the order of the day.

Since the current Ethiopian government came to power in 1991, hundreds of Ogadenis, including women, children, elderly people, politicians and religious scholars, have been killed, disappeared, tortured or remain under incommunicado detention without charges or trial.

The Ethiopian administration in the Ogaden treats the Somalis in the Ogaden as second class citizens in their own country, exploits the country for Ethiopian gains, and deprives the Ogaden people of their fundamental human rights, including their inalienable right to independence and self-determination.

Discrimination and segregation against Somalis, in terms of education, health care, employment and economic development is the corner stone of the current Ethiopian government's policy.

Government offices in the Ogaden have been purged of anyone whose views were judged hostile to the state, and replaced by Tigreans or those who support the government policies.

Such an overt policy of targeting one group for their political orientation, and preferring others for their pro-government views, has obviously caused widespread and deep resentment throughout the region. A particular target of this policy appears to be suspected supporters of the ONLF or other opposition parties.

For the last sixteen years the Ogaden was a country ravaged by war, haunted by drought and widespread human rights violations and in the meantime the regime gives the world a different picture of Ogaden.

The Ogaden has been a virtually closed military zone since early 1992, where bloody battles were being fought between Ethiopian armed forces and combatants of the Ogaden National Liberation Front (ONLF).

THE HUMAN RIGHTS SITUATION

As has been repeatedly documented by the Ogaden Human Rights Committee and international human rights organizations as well as international humanitarian organizations the state of human rights in the Ogaden has gone from bad to worse in the recent past. The abysmal track record of the EPRDF/TPLF regime has been recently aggravated by natural calamities-mostly man-made and senseless wars, which had primarily been caused by the ill-devised policies of the current Ethiopian government.

The Ethiopian government has acceded to several international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights, international Covenant on Civil and Political Rights, International Convention on the Elimination of All Forms of Racial Discrimination, International Convention on the S suppression and Punishment of the Crime of Apartheid, Convention on the Prevention and the Punishment of the Crime of Genocide, Convention on the Right of the Child, Convention on the Elimination of All Forms of Discrimination against Women, Convention on the Political Rights of Women, Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Slavery Convention of 1926 as amended, Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery ...etc

The Ogaden Human Rights Committee (OHRC), which monitored closely the human rights situation in the Ogaden for the last thirteen years, confirms the deterioration of the human rights situation in the region on a daily basis.

Therefore, the OHRC believes that the Ethiopian government's accession to the treaties was merely intended to mislead the international community, in order to avoid international public censure over its human rights record, and also to get more aid from donor countries, which demand the improvement of human rights situation in the Third World Countries which receive their aid.

In the Ogaden, summary executions, torture of detainees to death, gang raping of women, child molestation, arbitrary detentions without charges or trial, looting and illegal confiscation of property are commonplace, and are daily practiced by the Ethiopian army and security forces with impunity.

To illustrate the abovementioned assertions, the following are some examples with victims' accounts and testimonies:

Extrajudicial killings: In the Ogaden Ethiopian security and armed forces have been given a carte blanche and blanket impunity to kill whoever they want under

the pretext of suspected support and sympathy for the ONLF. **The Ogaden Human Rights Committee has documented so far; 2725 extrajudicial killings.**

In retaliation to Ogaden National Liberation Front's attack on a Chinese oil exploration field, in Cobolle, on 24th April 2007. The Ethiopian government forces launched a ruthless military campaign which resulted in displacing thousands of civilians, razing to the ground entire towns, villages, hamlets and nomadic settlements as well as killing many fleeing civilians and their animals.

On 26th July 2007, in **Qoriile**, an Ethiopian soldier has beaten up **Hanad Moallin Abdullah¹**, a four-year-old boy in front of his mother **Fadumo Abdi**. Then he laid him on the ground and stamped on his abdomen for a long period. **Hanad** passed away shortly.

In **Qoriile**, on July 22nd 2007, Ethiopian armed forces came with a list of names, and then arrested a number of civilians. They transferred them to their barracks, where they were subjected to extensive torture. On July 24th 2007, the Ethiopian armed forces carried out a cold-blood massacre killing the detainees in their custody, in **Babaase**. Most of the victims were hanged from acacia trees and then shot to ascertain their death. The names of the dead are: **Hassan Abdi Abdullahi, Ilmoge Badal Abdi Abdullahi, Hassan Burale Ilmi-Yare, Ali Burale Ilmi-Yare, Ahmed-Gani Guled Ali, Farah Hassan Halonfi, Mrs. Ayan Aw Ali God, Hussien Gahnug** and **Abdirashid Sheikh Mohamoud**. **Ridwan Hassan Rage** survived but in a critical condition. **Qarjaf Haji Osman** and **Ina Arab Ismail²** are missing.

The bodies of the victims were forbidden to be buried and were displayed in public to spread terror among the civilian population.

An elder from Qoriile who preferred not to be identified said, *“Is the Ethiopian government going to win our minds and hearts by mass killing, carpet bombing and destroying our livelihood? The longer Ethiopia denied rights to the Ogaden people the more likely they were to join a growing liberation movement for independence from Ethiopia and its inhuman rulers.”*

Ridwan Hassan Sahid,³ 17 years old girl, who survived the Qoriile massacre, told an OHRC researcher, *“Ethiopian government soldiers came with a list of names, and then took a number of villagers. They beat us indiscriminately, torched our huts and then hanged some of us from acacia trees, while others were choked with metal rods and rope one by one. When it was my turn two soldiers grabbed me and tied a rope around my neck. They pulled in different directions until I collapsed. They left me for dead but thanks god I am still alive.”*

1 See “Ogaden: Ethiopian Government Forces: Massacre, Displace and Starve Out the Civilian Population with Impunity,” Ogaden Human Rights Committee Report 2007, OHRC/AR/07, August 08, 2007

2 ibid

3 ibid

Rape and Child Molestation: Women and children are the most vulnerable groups to suffer abuse and violence in the Ogaden. The Ethiopian government uses rape as a weapon and its soldiers are under orders to abduct, torture, rape, and kill any woman who is related ONLF member or suspected of sympathising with the ONLF. The strategy of abduct, torture, rape and kill (ATRK) is applicable also to the members of Ogaden Women's Democratic Association (OWDA). Number of HIV/AIDS virus infected women and young girls after being raped by members of the Ethiopian armed forces is increasing as well as the number of pregnant women as a result of these rapes. **The number of documented rape victims is 2256.**

In **Garigo'an**, on June 16th 2006, members of Ethiopian armed forces detained **Mrs. Adar Mohamoud Adan⁴, a nomad woman aged 70**. They took her to military barracks where she has been tortured and gang-raped. After three days her body was thrown outside military barracks. She was buried by the town folk. A community elder who do not want to be named said, *"She came to visit her relatives in the area. She was not familiar with the region. Ethiopian soldiers rape our women at will. We have to defend our honour and pride by all means. We have no other option. There is no law and no government to protect us. They are not soldiers they are monsters."*

A number of women are being held in the Ethiopian military barracks throughout the Ogaden as comfort women (sex slaves) against their will. Many cases of forced marriages have been reported as well.

In regard to child abuse, many children were molested by paedophiles from the Ethiopian armed and security forces. When the parents and relatives of the sexually assaulted children protested they were detained and beaten cruelly in public.

Forced disappearances: A large number of people have disappeared after being abducted or detained by members of Ethiopian armed and security forces, while others disappeared from notorious military detention camps, or were transferred to secret detention centres in Harar, Addis Ababa, Zuway or Mekelle. The fate and whereabouts of those people remain unknown to their relatives. In many cases they are presumed dead. **The OHRC has documented 3241 cases of forced disappearances.**

Arbitrary detentions and torture: Besides political imprisonments Ethiopian armed and security forces periodically round up as many people as possible for ransom and when the extortion money is paid, the detainees are released. In the Ogaden, there is neither arrest nor interrogation without torture. Ethiopian armed and security forces systematically torture suspected ONLF members to extract information or confessions. A number of people were tortured to death. The

⁴ See "Ogaden: Ethiopian Government Forces: Massacre, Displace and Starve Out the Civilian Population with Impunity," Ogaden Human Rights Committee Report 2007, OHRC/AR/07, August 08, 2007

OHRC's researchers have examined a large number of torture survivors; some of them were disabled, while others bore scars of torture on their bodies.

Ethiopia ratified all important international human rights treaties protecting individuals from arbitrary arrest, including the ICCPR, Article 9 of which provides that:

1. *Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.*
2. *Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.*
3. *Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or, to release. It shall not be the general rule that the persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.*
4. *Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.*
5. *Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.*

However, the Ethiopian authorities held thousands of Somali Ogadenis in overcrowded and filthy military detention camps. The detainees are civilians, including women, elderly people and minors, accused of membership or sympathising with the ONLF. They are detained for years or many months without charges or trial.

The UN Standard Minimum Rules for treatment of prisoners requires that prisoners are given prompt access to their families, lawyers and to their own doctor, but the Ethiopian law ignores these rights completely.

According to released detainees' testimonies, detainees are maltreated, tortured and beaten routinely in all these camps during interrogations to extract confessions and information about the ONLF. Many young detainees in their teens were forcibly conscripted and transferred to Ethio-Eritrean front lines and others were forced to fight the ONLF.

On May 12th 2008, **Suldan Fowski Mohamed Ali**⁵, a prominent community elder and a peace activist was sentenced to 22 years in prison by an Ethiopian regional

⁵ See "Ogaden: Ethiopian court's sentences are mockery of justice," Ogaden Human Rights Committee press release, OHCR/PRM/0208, May 14, 2008.

court in **Jigjiga**. On the same date **Haji Ibrahim Had**, a well-known businessman and financier of an anti- ONLF clan based militia was also sentenced to 16 years in prison by the same court. The two detainees will be transferred to Zuway prison, in Amhara region.

On May 20th 2008, in **Jigjiga**, an Ethiopian court sentenced to death **Arab So'ane, Khadar Shukri, Hassan Ahmed Ali, Mukhtar Mohamed, Mohamed Yusuf, Mahad Sheikh Ibrahim, Hassan Madobe and Kamal Abdinassir**. They were accused of being members of ONLF and carrying out an attack last year which left six people dead. They rejected the charges against them and pleaded not guilty.

According to their families and relatives they were innocent civilians who were detained for their beliefs and tribal backgrounds, and the verdict of the court was illegal, injustice and politically motivated one. They were not informed the particulars of the charges and reasons for their arrest, have not had access to any evidence presented against them, and were not represented by a proper legal counsel.

Hence, they did not receive fair trial in accordance with recognized international standards. On the basis of available information about their cases, the OHRC believes that there was not credible evidence of their involvement in any illegal activity, and their trial was a travesty of justice, and considers them prisoners of conscience.

Article 2 of the Convention against Torture and other Cruel, inhuman or Degrading Treatment or Punishment states that: *"Each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture. An order from a superior officer or a public authority may not be invoked as a justification of torture."*

Common article 3 of the Geneva Conventions of 1949 prohibits torture during internal armed conflict. States are also required to bring those responsible for torture to justice and to give redress and compensation to those who have been tortured.

Article 18(1) of the Ethiopian Constitution states that: *"No person shall be subject to torture or cruel, inhuman or degrading treatment or punishment."*

The following testimonies were collected from victims of torture, who gave their testimonies on condition of anonymity. The real names of the victims have been withheld in order to protect them and their families from reprisals.

Warfa⁶, Pastoralist, "2003, I was arrested by members of Ethiopian armed forces. They took me to a military barracks in Qabridaharre. They accused me of sympathising with the ONLF. I was in detention for 10 months without trial."

"During my detention, I was tortured severely by military interrogators. My hands and legs were tied tightly with a rope and was beaten indiscriminately, as a consequence of which I have sustained severe damages and injuries. You can see scars of torture on all my body."

Wa'ays⁷, Trader, "I was arrested in July 2004 and detained at Jigjiga Police Station, and then was transferred to Garabcase military barracks. They arrested me because they accused me of being a supporter for what they called anti-peace elements. I was held incommunicado for three months. I told them that I have nothing to do with the anti-peace elements and I am not guilty of any crime whatsoever."

"I was subjected to extensive torture in the form of indiscriminate beatings with heavy sticks, iron bars, and threats of shooting me to death. They told me that I would not be released until I confessed or gave the information they wanted."

"My health deteriorated and I was suffering from external and internal injuries. No medical treatment was given to me. You can see scars covering all my body. I was released after six months of detention without trial. As you know there is no release without paying extortion money. I was released on bail and had to report to police every week. I am not still a free man."

➤ Torture Methods

Torture methods employed against detainees by the Ethiopian armed and security forces in the Ogaden are numerous, few among them are:

- ❑ An indiscriminate beating with gun butts and barrels, heavy sticks or iron bars.
- ❑ Gang raping of women and child molestation.
- ❑ Beatings on the soles of the feet, joints, ankles, shinbone and the testicles.
- ❑ Knocking detainee's head into detention walls.
- ❑ Victims are burned with cigarettes.
- ❑ Deprivation of sleep and food.
- ❑ Death threats, with charged guns pointed at the head.
- ❑ Suffocation of detainees by burying them alive, which causes death in many cases.
- ❑ Forcing detainees to drink urine or salty water.
- ❑ Suspending from the roof upside-down.

⁶ See "Ogaden: Ethiopian Government Forces: Massacre, Displace and Starve Out the Civilian Population with Impunity," Ogaden Human Rights Committee Report 2007, OHRC/AR/07, August 08, 2007

⁷ See "Ogaden: Ethiopian Government Forces: Massacre, Displace and Starve Out the Civilian Population with Impunity," Ogaden Human Rights Committee Report 2007, OHRC/AR/07, August 08, 2007

- ❑ Denial of sanitary visits.
- ❑ Victims are left for extended periods, in prostrate position under the burning sun with their hands and legs tied together behind the back.

In the Ogaden Ethiopian armed and security forces live on extortion, looting and unlawfully confiscating private properties owned by innocent civilians. They sack also and then demolition private residences. The Ogaden Human Rights Committee has documented many cases of unlawful private property confiscation as well as demolition of large number of houses.

To the best of the Ogaden Human Rights Committee's knowledge, The Ethiopian government has done nothing to stop or prevent human rights violations in the Ogaden. On the contrary, it encourages, decorates and promotes violators to higher ranks. Since the current Ethiopian government came to power in 1991, no one has been charged for these horrendous crimes, which have been committed in the Ogaden by the Ethiopian armed and security forces.

This is the reality of the Ethiopian government's attitude towards the human rights situation in the Ogaden, which the international community should take up a tough line with the Ethiopian government to persuade it to comply with international norms of fundamental human rights and civil liberties, and force it to honour its commitments to International Treaties to which it had acceded.

The gross human rights violations and non-compliance to the international human rights treaties, demonstrate the perfidious and inhuman nature of the current Ethiopian government.

Somalis from the Ogaden region are also persecuted in Somalia (Somaliland, Puntland and TFG areas) where they are constantly imprisoned, tortured and then handed over to the Ethiopian government in exchange for ammunition, materials or simply to prove loyalty, cooperation and friendship to Ethiopia.

THE HUMANITARIAN SITUATION

The Ethiopian government's policy in the Ogaden is based on; deliberate economic strangulation, political marginalization and use of brutal military force to suppress all legitimate demands from the population including the right to self-determination.

Somalis in the Ogaden are the poorest, least educated, most unemployed, most persecuted and most jailed of Ethiopians. They are disenfranchised and downtrodden minority in the empire-state of Ethiopia.

Without their knowledge and consent, the Ethiopian government signed agreements and gave concessions to foreign oil companies to explore oil, natural gas and other minerals in the Ogaden.

As a result of the illegal and shady deals between the Ethiopian government and overseas companies such as; Chinese Zhongyuan Petroleum Exploration Bureau, Malaysian state-owned Petronas, Indian owned Gail India Limited and Gujarat State Petroleum Corporation Limited and Swedish Lundin Petroleum, the Ethiopian government forces evicted a large number of nomads from their ancestral grazing lands. Around the exploration sites the poor vegetation, which is essential for the nomads and their livestock was burned or removed⁸.

While drought, war and the Ethiopian government's poor human rights record are primary causes of human sufferings in the Ogaden, the foreign oil companies' presence has exacerbated an already unstable situation socially, economically and politically.

Somalis in the Ogaden are rich in livestock and natural resources. Never have they experienced; in the history of the Ogaden such inhuman treatment whereby thousands of children die of starvation as a result of the intentional denial of the right of the people to exploit their natural resources.

In Ethiopia, drought, famine, war and ill-conceived policies brought millions to the brink of starvation in the 1970s, 1980s, 1990s and the beginning of the new millennium.

For the last twelve years the Ogaden was a country ravaged by war and haunted by drought and man-made-famine. The Ogaden Human Rights Committee has frequently warned the massive looming famine in the Ogaden in its reports and press releases.

As a part of the Ethiopian government's policy of starving out the civilian population in the Ogaden to submission, its army has imposed an economic blockade on many towns and villages in the region. This blockade has caused an enormous human suffering. The most affected areas by the military siege are: the regions of **Dhagaxbuur, Fiiq, Qabridaharre, Wardheer, Godey, Afdheer** and some parts of **Jigjiga**, where many villages were depopulated and razed to the ground by the government troops.

The depopulation campaign is in full swing despite the concern and apprehension expressed by the international humanitarian organisations and human rights organisations. The Ogaden region is off-limits to international humanitarian and human rights organisations as well as international press. The Ethiopian government has imposed on the region a complete media blackout to cover up the atrocities, which are being committed on daily basis by its military against defenceless civilians.

⁸ "Ogaden: Overseas Oil Companies Exacerbate an Already Precarious Human Rights Situation" Ogaden Human Rights Press
Release ref: OHRC/PRO/0407, 29th April 2007

The Ethiopian government's scorched earth policy in the Ogaden was in place since early 1992 when the ONLF has called for referendum on self-determination and independence for the Ogaden. But Ajazeera/Arabic/English exclusive and extensive coverage on the appalling humanitarian situation in the region of April 2008, New York Times' article of June 18th 2007, Human Rights Watch's statement and report⁹ on the human rights violation in the Ogaden, on July 04th 2007 and on June 12th 2008 respectively, and other international media outlet limited coverages put the spotlight on the **slow genocide**, which is going on in the Ogaden without the knowledge of the international community.

For the last sixteen years, the rainy seasons failed or there was not enough rainfall in the Ogaden. Water is scarce and dear. Whenever there is scarcity of water, the people move with their animals beside water holes, ponds and water reservoirs. Many water reservoirs and tankers owned by individuals were confiscated by the armed forces. The owners of these reservoirs and tankers were denied the use of their water and property for their families and thirsty animals.

The Ogaden region is witnessing a severe famine which requires a large scale emergency food aid from the donor countries and humanitarian organisations. The prolonged drought caused a mass starvation and breakout of epidemics related to malnutrition and bad sanitation. The people are running out of food and their animals are getting weaker by the day as well.

The worst hit areas are **Dhagaxbuur, Fiiq, Godey, wardheer and Qorraxay** regions, where the pastoralists have lost many of their herds to drought and their livelihood is getting more uncertain. No food aid is reaching to those affected areas¹⁰.

The Ethiopian government's military onslaught, its commercial blockade and the global food crisis exacerbated an already precarious humanitarian situation in the region.

The prices of foodstuff and other basic necessities in the region have soared to an unbelievable level where no one can afford to buy basic food. The prices of staple food have increased more than 400% since the Ethiopian military blockade which started last year.

Article 54 -Protection of objects indispensable to the survival of the civilian population -of the protocols additional to the Geneva Conventions of 12 August 1949 states that ***"Starvation of civilians as a method of warfare is prohibited. It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and***

⁹ <http://hrw.org/reports/2008/ethiopia0608/ethiopia0608webwcover.pdf>

¹⁰ See „Ogaden: Terror, Extrajudicial Killings and Mass Arrests,, Ogaden Human Rights Press Release ref: OHRC/PRO3/0607,

11th June 2007

supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motives."

In May 1996, the Organisation of African Unity (OAU) called on African States not to cut off water supplies to civilians as a tactic in their wars.

However, contrary to protocols additional to the Geneva Conventions of 12 August 1949, the Ethiopian armed forces indiscriminately mined areas where civilians frequent, particularly around water wells and caravan routes, which lead to neighbouring countries, in order to stop trade movements and starve out the civilian population. It also uses water and international food aid as a weapon to starve out the civilian population in the areas which it designates as ONLF support bases.

In the past, international donor community has helped the victims of the drought generously. But as is usual with Ethiopian government, the aid donated by the international community to the victims of the drought through the Ethiopian Relief and Rehabilitation Commission (ERRC), renamed as the Disaster Prevention and preparedness Commission (DPPC), which is in effect run by the Tigray Relief Society (TRS), never reached its intended beneficiaries in the Ogaden, because the Ethiopian government has misused it by diverting it to the army.

According to reliable reports received by the OHRC, emergency aid consignments, which were handed over for distribution to the Disaster Prevention and preparedness Commission (DPPC) by the World Food Programme (WFP) were not reached famine victims in the region.

The international emergency food aid was stocked in Ethiopian military barracks. And the government is using it to feed its army and allied clan militias. This flagrant violation of the United Nation's humanitarian principles is being tolerated by the World Food Programme officials.

On June 03rd ¹¹ and 12th 2008, the Ethiopian government asked the international community for an urgent humanitarian aid to feed 4.5 million Ethiopians facing starvation mainly in southern and south-eastern Ethiopia. The Ogaden region is the worst hit area by this Ethiopian man-made famine. Ironically, this same government has announced plans to increase its military budget from \$350m to \$400m.

The Ogaden Human Rights Committee is warning the looming human tragedy in the Ogaden and urges the international community to act immediately in order to prevent it. It appeals also to the international community to help the Ogaden people directly through international NGOs in order to assure the reach of the food

¹¹ <http://afp.google.com/article/ALeqM5jMvcsQ9-2NTxX-ZLkkg7DmtsPcbA>

¹¹ <http://news.bbc.co.uk/2/hi/africa/7451936.stm>

¹¹ <http://english.aljazeera.net/NR/exeres/09572FAB-885F-49CB-9504-4B7BBB7B86E7.htm>

aid to the victims of the famine; otherwise the relief will end up in military barracks as usual.

On July 24th 2007, the Ethiopian government expelled the International Committee of the Red Cross (ICRC) from the Ogaden, and later hindered the work of Medecins Sans Frontieres (MSF) – Doctors without Borders, which spoke out about the Ethiopian atrocities against the civilian population¹². It is worthwhile to mention that the ICRC is allowed to operate in Tigray, Ethiopian Prime Minister’s native land.

In this regard, the Ogaden Human Rights Committee demands the unconditional and immediate return of the ICRC and MSF to the Ogaden region and calls upon the United Nations and other donor countries to put in place an effective and verifiable monitoring mechanism to assure the reach of the emergency aid to its intended beneficiaries in the Ogaden.

THE ROLE OF THE UNITED NATIONS

Since its foundation on June 13th 1995, the Ogaden Human Rights Committee (OHRC) has requested repeatedly the UN to send a fact-finding mission to the Ogaden as well as appointing a Special Rapporteur on Human Rights in the region¹³.

On August 30th 2007, UN Humanitarian Assessment mission arrived in the region. The OHRC, community elders, peace activists and members of civil society welcomed wholeheartedly, the visit of the UN mission to the region.

On September 05th 2007, U.N. aid officials and human rights investigators ended a week-long mission to the Ogaden. United Nations mission, which visited some parts of the Ogaden, was not given unfettered access to many places and was accompanied and guided by Ethiopian officials as Mr. **Abdi Mohamoud Omar** the head of the Somali Regional State Security and Justice Bureau told BBC Somali Service in an interview during the visit of the UN mission¹⁴.

Prior the arrival of the UN team in Qabridaharre the Ethiopian chief officer declared his government’s intention to punish severely anyone who tells anything bad about the government. He ordered army units to put on civilian clothes during the visit of the UN team and keep an eye on those who may disobey his orders.

12 See “Ogaden: Ethiopia expels the ICRC a Potential Credible Eyewitness” Ogaden Human Rights Press Release ref: OHRC/PRO4/0607, 25th July 2007

13 See Ogaden Human Rights Committee’s Reports and Press Releases from 1996 to 2008. www.ogadenrights.org

14 See “Ethiopia: Attempts to Render Meaningless the UN Mission’s Work in the Ogaden”, Ogaden Human Rights Press Release ref: OHRC/PRO6/0907, 19th September 2007

In fact the Ethiopian government has confused, manipulated and rendered meaningless the UN mission and in hindsight the mission was a waste of time and money for the following reasons:

- I. United Nation's fact-finding mission was not given unfettered access to many places and did not visit **Fiiq** region and **Wardheer** region where sites of mass graves and many torched towns, villages and hamlets are located. For unknown reason to the OHRC the UN mission did not visit the following crime scenes: **Toon-Ceeley, Xodayo, Lan-Jaleelo, Xero-Bilcir, Garwaan, Lix-Irdood, Samo, Masaarre, Fooljeex, Galadiid, Farmadow, Geerigo'an, Gabagabo, Dalaad , Jiica, Farmadow, Shilaabo, Madax-Maroodi, Karin-Bilcille, Gurdumi, Maraacaato, Daratoole, Laasoole, Higlalay, Labiga, Bulaale, Dawacaale, Dharkeenley, Ceelxaar, Qamuuda, Wacdi, Jinoole, Caado, Balli-Garabey Arraweelo, Xodayo, Taaloole, Dundumo-Cad, Qoriile, Babaase** and many others.
- II. The final report of the UN mission was given to the Ethiopian authorities for approval before making it public.
- III. United Nation's fact-finding mission's recommendations were treated as a dead letter, by the Ethiopian government and the United Nations.

Hence, the Ogaden Human Rights Committee asks for an international, independent, transparent and thorough investigation into the gross human rights violations as well as the appalling humanitarian situation in the Ogaden.

Due to the magnitude and scale of the oppression and violations of the basic human rights in the Ogaden, a large number of Somalis from the Ogaden region flee from their homeland to neighbouring countries, namely; war-torn Somalia Kenya and Djibouti, seeking asylum, shelter and safety.

Refugees from the Ogaden who escape from the Ethiopian government's unceasing infringement on their basic human rights are being persecuted in Puntland, Somaliland and Transitional Federal Government (TFG) areas, where they are constantly imprisoned, tortured and then handed over to the Ethiopian government in exchange for ammunition, materials or simply to prove loyalty, cooperation and friendship to Ethiopia.

According to the 1951 Geneva Refugee Convention and 1967 Protocol relating to the status of refugees, it is the mandate of the United Nations High Commissioner for Refugees (UNHCR) to protect, support and assist refugees in their return or resettlement. The UNHCR prevents forcible repatriation of refugees to a country where they face persecution.

Article 14 (1) of the Universal Declaration of Human Rights (UDHR) states that:

“Everyone has the right to seek and to enjoy in other countries asylum from persecution”

Human rights instruments provide protection against refoulement. The UN Convention against Torture, in Sub-article (1 and 2) of Article 3 states that:

“1. No State Party shall expel, return (refouler) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.

2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights.”

United Nations’ Declaration on the Protection of All Persons from Enforced Disappearance provides in article 8:

“1. No State Party shall expel, return (refouler) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of enforced disappearance.

“2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the state concerned of a consistent pattern of gross, flagrant or mass violations of human rights.”

Principle 5 of the UN Principles on the Effective Prevention and Investigation of Extra-legal, arbitrary and Summary Executions states:

“No one shall be involuntarily returned or extradited to a country where there are substantial grounds for believing that he or she may become a victim of extra-legal, arbitrary or summary execution in that country.”

On the bases of the Geneva Convention of 1951, and the protocol of 1967, Somali refugees from the Ogaden have well founded ground to apply for asylum and their applications deserve due consideration.

Nevertheless, many refugees from the Ogaden who sought the protection and the help of the UNHCR in Kenya and Djibouti were turned away and denied their rights as refugees by the UNHCR official in Nairobi and Jibouti.

The rejected refugees live in fear to be caught and deported. If they are deported to Ethiopia, they will end up in prison without trial, where they will face torture,

disappearance or death, like many other individuals, who were deported from Djibouti or the war-torn Somalia before¹⁵.

Somali refugees from the Ogaden are not economic immigrants, they are genuine asylum seekers who are fleeing from ethnic cleansing, political and religious persecution waged against them by successive Ethiopian governments. Therefore, the Ogaden Human Rights Committee calls upon the United Nations High Commissioner for Refugees to recognize the Somali refugees from the Ogaden as genuine refugees and provide them the necessary shelter protection and maintenance according to its mandate under the Geneva Convention of 1951, and the protocol of 1967.

The Ogaden Human Rights Committee (OHRC)

The Ogaden Human Rights Committee (OHRC) is an independent, voluntary, non-political non-profit making organisation, founded on June 13th 1995, in Godey, Ogadenia, to monitor and promote the observance of internationally accepted human rights standards in the Ogaden. It investigates all allegations of human rights abuses, and when it is satisfied that the claim is authentic, documents it.

The Ogaden Human Rights Committee prepares reports, press releases and appeals to publicise human rights violations in the Ogaden by the Ethiopian government. It campaigns for the improvement and respect of basic human rights by educating the people and putting the spotlight on the Ethiopian human rights record in the Ogaden.

The Ogaden Human Rights Committee is supported by contributions from its members. It accepts unconditional funds from private individuals and foundations.

The Organisation is based in Godey, Ogadenia, and has branches throughout the Ogaden.

The Ogaden Human Rights Committee has associate members in Switzerland, Germany, Norway, United Kingdom, Netherlands, Denmark, Sweden, Canada, USA, Australia, Africa, and the Middle East.

For enquiries and contributions all correspondence and donations should be channelled through international co-ordination offices of the Ogaden Human Rights Committee in Europe and North America.

Ogaden Human Rights Committee

www.ogadenrights.org

E-mail: ohrc@ogadenrights.org

¹⁵ See "Ogaden: No Rights, No Democracy" Ogaden Human Rights Committee Report 1997, OHRC/08/97, August 15, 1997,

"Ogaden: An Endless Human Tragedy" Ogaden Human Rights Committee Report 1998, OHRC/12/98, April 1998 and

"Ogaden: Graveyard of Rights" Ogaden Human Rights Committee Report 1999, OHRC/10/99, August 23, 1999