

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

### <https://www.hrw.org/report/2018/07/04/we-are-dead/torture-and-other-human-rights-abuses-jail-ogaden-somali-regional>

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Torture and other Human Rights Abuses in Jail Ogaden, Somali Regional State, Ethiopia

Satellite image of Jail Ogaden, Jijiga, Ethiopia, recorded on May 27, 2016. CNES 2018 - Airbus DS 2018; Source Google Earth

In the heart of the eastern city of Jijiga, just five minutes from the University, lies one of the most notorious detention centers in Ethiopia. Jail Ogaden, officially known as Jijiga Central Prison, is home to thousands of prisoners, who are brutalized and neglected. Many have never been charged or convicted of any crime.

In the Somali region of Ethiopia, it seems like everyone knows someone who was locked up in the dreaded Jail Ogaden, but no one wants to speak about the horrors there. Audrey Wabwire speaks to Felix Horne about the new Human Rights Watch report on Jail Ogaden, and about what it takes to restore hope to many who have silently suffered in the Somali region and across Ethiopia. [#13](#);

Former prisoners described a horrific reality of constant abuse and torture, with no access to adequate medical care, family, lawyers, or even, at times, food. Officials stripped naked and beat prisoners and forced them to perform humiliating acts in front of the entire prison population, as punishment and to instill shame and fear. In overcrowded cells, head prisoners, called *kabbas*, beat and harassed prisoners at night during interrogations, passing notes on to prison leaders who then chose some for further punishment. The purpose of the torture and humiliation was to coerce prisoners to confess to membership in the Ogaden National Liberation Front (ONLF), a banned opposition group.

This report, based on almost 100 interviews, including 70 former prisoners of Jail Ogaden, documents torture and other serious abuses, including rape, long term arbitrary detention, and horrific detention conditions in Jail Ogaden in Ethiopia's Somali Regional State (Somali Region) between 2011 and early 2018. Interviewees also included government officials and members of Somali Region security forces.

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Many of the former prisoners interviewed said they saw people dying in their cells after being tortured by officials. Female former prisoners told of rape. Prison guards and the notorious Liyu police [special police in Amharic], brutalized prisoners, at the behest of regional authorities. The prison is subject to almost no meaningful scrutiny or oversight.

The cycle of torture, humiliating treatment, overcrowding, inadequate food, sleep deprivation, and lack of health care in Jail Ogaden is consistent with the governments long-standing collective punishment of people who are perceived to support the ONLF. Human Rights Watch has previously documented how the Ethiopian army committed crimes against humanity and war crimes during counter insurgency operations against the ONLF in 2007 and 2008, including extrajudicial executions, torture and rape.

Rather than meaningfully investigate the crimes at that time, the Ethiopian government established the Liyu police who have committed a range of serious abuses in Somali Region since 2008. The Liyu police report to the Somali Region president, Abdi Mohamoud Omar, known as Abdi Illey.

In Jail Ogaden, disease is rampant, basic water and sanitation needs are systematically ignored, while prisoners report deaths in detention following the outbreak of infectious disease. Some former prisoners told Human Rights Watch that corpses sometimes remained in prisoners cells for several days.

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Female prisoners gave birth in their cells without access to skilled birth attendants, often in grossly unhygienic conditions. The plight of children, some allegedly born in Jail Ogaden from rape by prison guards, is especially tragic. Former prisoners said that lactating mothers received no extra food, and that children received no education. Since 2013, prisoners have reportedly not been permitted any visitors, or to receive food or other goods from relatives.

Release of prisoners is often ad hoc and the length of prisoners sentences, when they have one, may have little bearing on when they are actually released.

Former prisoners said that senior Somali politicians including Abdi Illey and Somali Region head of security and head of the Liyu police Abdirahman Labagole appeared regularly at the prison to speak to the prison population. Many of the worst abusers have been the prison heads of Jail Ogaden. Not only do some of these officials appear to have ordered torture, rape and denial of food, but in some cases, former prisoners alleged that they were personally involved in committing rape and acts of torture.

In 2011, Somali Region officials carried out an 11-day evaluation of prison guard performance which corroborated many of patterns of abuse former prisoners described to Human Rights Watch. The evaluation was filmed at the request of Abdi Illey, and then shared with Human Rights Watch several years later when an advisor to Abdi Illey left Ethiopia. On film, guards detail torturing, raping, and extorting money from prisoners, and describe how various senior officials at Jail Ogaden directed them to engage in torture and rape.

The Ethiopian Human Rights Commission (EHRC), a federal government body mandated to carry out investigations into allegations of human rights abuse, has inspected Jail Ogaden on many occasions since 2011, but there are no publicly available reports on those visits. It is not clear what actions, if any, were taken to hold anyone accountable for abuses uncovered during those inspections. Many former prisoners told Human Rights Watch that they had been prepped by prison officials on what to say and what not to say to the Commission. The most visibly injured, along with children and pregnant women, were reportedly held in secret rooms or moved out of the prison ahead of Commission visits. Those who spoke openly to Commission officials were brutally beaten, sometimes to death, in the days after the visits. The EHRC did not respond to our letter requesting information about their work to address abuses in Jail Ogaden.

Ethiopia's federal system gives considerable autonomy to its regions, including the Somali Region, to carry out many governance functions. Regional detention facilities in Somali Region have little federal oversight and the regional government has neither the will nor capacity to monitor detention conditions.

Very few of the former prisoners we interviewed said they had ever been to court or been charged with any crime. Even when prisoners did appear in court, most did not have access to defense lawyers, could not present an adequate defense, and were confronted with courts that lack independence and are reluctant to challenge government abuses. This all leaves prisoners in Jail Ogaden with virtually no channels for redress.

Torture and impunity for torture are well-entrenched problems throughout Ethiopia. Human Rights Watch regularly receives reports of abusive interrogations countrywide using techniques such as severe beatings and water and genital torture, similar to what Jail Ogaden's former prisoners describe. As far as Human Rights Watch is aware, there have been no reported instances of the federal government holding anyone accountable for torture, and prisoners complaints of torture in detention are routinely ignored by the courts.

The Ethiopian governments response to requests for investigation into alleged rights abuses is to state that the Ethiopian Human Rights Commission (EHRC) can carry out such investigations, but EHRC investigations have generally not met the most basic standards of impartiality. There is little transparency around its work. The government has repeatedly rejected calls for independent international investigations into abuses and has ignored repeated requests from the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and eight other UN Special Rapporteurs to visit Ethiopia.

Ethiopia's new prime minister, Dr. Abiy Ahmed, took office in April 2018. Since then, he has pledged to implement progressive reforms and his government has closed Maekelawi detention center in Addis Ababa, a site notorious for torture and abuse of prisoners. He also acknowledged that torture exists in Ethiopia in a June speech to parliament, a rare admission for an Ethiopian prime minister.

Thus far, however, the new prime minister has not stated how his government will tackle the larger problem of impunity for torture. While many former prisoners would welcome the closure of Jail Ogaden, such a move would not address the abusive nature of the regions security forces, the impunity of those who engage in serious abuses, or the weak rule of law in Somali Region.

Ethiopia should comply with the provisions of its own constitution and fulfill its core obligations under international human rights law in particular the absolute prohibition on torture and cruel, inhuman, and degrading treatment by systematically addressing persistent allegations of torture and illegal detention. Ethiopia's new prime minister and senior officials, including in the federal police and the military, should urgently and publicly condemn abuse of prisoners in Jail Ogaden and other prisons in Ethiopia, to send an unequivocal public message that mistreatment of prisoners will not be tolerated and back up such announcements with disciplinary action and prosecutions of officials who engage in such practices.

In the face of numerous and horrific allegations, Dr Abiy Ahmed and parliament should establish a federal Commission of Experts (COE) for Somali Region. The Commission should investigate abuse at Jail Ogaden and recommend specific officials, regardless of rank, to face criminal charges for the mistreatment of prisoners. This should include specific investigations into senior Somali Region officials such as President Abdi Illey and current head of Liyu police Abdurahman Labagole.

Furthermore, authorities should allow access to Jail Ogaden and all other detention centers throughout the country to independent Ethiopian and international monitors, including human rights and humanitarian organizations, members of the diplomatic community, African Union human rights mechanisms, and UN mechanisms such as the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Working Group on Arbitrary Detention.

Prime Minister Abiy should also take immediate steps to substantially reform the Liyu police and hold senior members of the Liyu police and Somali Region government to account for serious human rights violations, including torture in Jail Ogaden.

This report documents patterns of serious, widespread human rights violations in Jijiga Central Prison, commonly called Jail Ogaden, which occurred between 2011 and early 2018. It is based on research conducted in Ethiopia and nine other countries in Africa, Europe and North America, primarily in 2017 and 2018. Over the course of investigating various allegations of abuse in Ethiopia's Somali Region over the last 10 years, numerous individuals described to Human Rights Watch being detained in various places of detention, but in particular, Jail Ogaden.

Human Rights Watch researchers interviewed 98 people, including 70 former Jail Ogaden prisoners. Thirty-two of the former prisoners were women. Interviewees also included family members of prisoners, regional government officials, and former Liyu police and other security and intelligence officials. All were interviewed individually in person, via telephone, or other secure communication methods. Those interviewed had a wide range of backgrounds, ages, gender, political and clan affiliations, and were from diverse geographical locations in Somali Region, to provide as broad a perspective as possible. Ten of the former prisoners interviewed, including two women, said they were under the age of 18 at the time of their detention. Age verification in Ethiopia's Somali region is difficult. Many individuals we interviewed were not aware of their precise age and most rural residents, who make up the bulk of prisoners, do not have any birth or identity documents.

Human Rights Watch conducted some research for this report inside Ethiopia, but most victims of abuses were interviewed outside the country, where they were able to speak more openly about their experiences. The government frequently attempts to identify victims of and witnesses to human rights violations who provide information to the media or human rights groups. The authorities have harassed and detained individuals for providing information or meeting with international human rights investigators, journalists, and others. This often makes it impossible to assure the safety and confidentiality of victims of human rights violations interviewed inside the country.

The risks of reprisals are particularly significant in Somali Region, where Human Rights Watch has documented numerous cases of specific threats, harassment or arrests of family members of Ethiopian Somali diaspora who are active on social media, have participated in diaspora protests, or otherwise expressed criticism of the regional government. In at least one case, our research indicates that state agents killed family members of an Ethiopian in the diaspora who spoke out. Human Rights Watch documented such threats and intimidation against family members living in Somali Region whose relatives reside in eight of the nine countries where we conducted research. Consequently, in the footnotes to this report, all interviewees unless otherwise noted have been assigned numbers and in the report, interviewees have been assigned pseudonyms. Locations of interviews and key identifying information have been withheld to reduce likelihood of reprisals. All interviewees in Sections III-VI, unless otherwise noted, are former prisoners.

Human Rights Watch identified interviewees through various methods including torture survivor groups, community-based organizations and other former prisoners. Fifteen translators helped to interpret from Somali or Afan Oromo into English where necessary. No one interviewed for this report was offered any form of compensation. All interviewees were informed of the purpose of the interview and its voluntary nature, including their right to stop the interview at any point, and gave informed consent to be interviewed.

Human Rights Watch also consulted court documents, medical reports, photos, videos and other relevant material, including academic articles, reports from nongovernmental organizations, and information collected by other credible experts and independent human rights investigators that could corroborate details or patterns of abuse described in the report.

Human Rights Watch also corroborated patterns of abuse from 2011 by reviewing 25 hours of video from an 11-day evaluation of Jail Ogaden prison guard performance. Senior Somali Region officials conducted the evaluation and Somali Region president Abdi Illey requested the sessions to be filmed. Years later, an advisor to Abdi Illey provided a copy of the video to Human Rights Watch and others working on abuses in Somali Region. Human Rights Watch took various steps to authenticate the video.

Throughout the research, Human Rights Watch took various precautions to verify the credibility of interviewees' statements. Unless otherwise specified, all the patterns of abuses described in this report was based on at least two, and usually many more than two, independent sources including both interviews and secondary material.

This report does not purport to establish an exhaustive list of alleged perpetrators. Named individuals had clear command responsibility and control over prison guards during the time of serious abuses or personally carried out abuse according to more than two interviewees. Former prisoners we spoke to identified many other perpetrators who are not named in the report, but some of those allegations could not be fully corroborated because of the limited amount of interviews conducted, further underscoring the need for an independent investigation into abuses at Jail Ogaden.

This report is not an exhaustive account of all of the human rights abuses associated with Jail Ogaden. The Ethiopian governments restrictions on access for independent investigators and hostility toward human rights research make it difficult to corroborate details of some incidents that have been described to Human Rights Watch, and we have not included those allegations here. While restrictions are countrywide, they are particularly draconian in Somali Region. Humanitarian actors, diplomats, and journalists are all restricted from traveling to many parts of Somali Region. There is also a serious lack of credible information published on the most basic aspects of Somali Region governance, justice, and human rights and a lack of transparency around Somali Region laws and government institutions.

The report covers abuses over a lengthy period. This is in part because of the lack of detailed information publicly available about Liyu police abuses in Somali Region since 2011. Also, during this period, based on interviews with victims, the patterns of abuse have not changed, and no one that we are aware of has been held to account for these abuses. The beginning of this period also coincides approximately with when the Liyu police took over functional control of the prison.

Human Rights Watch wrote to the government of Ethiopia and the Ethiopian Human Rights Commission in April 2018 to share the findings of this report and to request input. We also requested information regarding steps that the government may have taken to conduct investigations or discipline security forces responsible for abuses in Jail Ogaden. We requested a meeting to discuss these concerns. Copies of the letters were sent to the Ethiopian Embassy in Washington DC. In June, we followed up with the Embassy by email and telephone. We did not receive any response at time of writing. The letters are included in the appendices to this report. We welcome dialogue on these and other human rights issues with the government of Ethiopia and with the leadership of Somali Regional State.

Torture remains a serious and very underreported problem across Ethiopia. Human Rights Watch receives regular reports of torture in places of detention country-wide.<sup>[1]</sup> This includes police stations, prisons, military camps, and various unmarked places of detention.<sup>[2]</sup> Other NGOs and various media outlets have also reported on torture over many years.<sup>[3]</sup> Torture is pervasive across Ethiopia's security and intelligence institutions, but some of the most brutal torture occurs at the hands of the Ethiopian military and, since 2010 in Somali Region, at the hands of the Liyu police.

While patterns vary country-wide, Ethiopian officials often rely on torture to extract confessions, typically regarding a prisoners connection to one of the groups that the government have designated as terrorist organizations, to gain information, or merely as punishment.<sup>[4]</sup>

The governments response to regular allegations of torture is denial and to suggest that they are politically motivated.<sup>[5]</sup> The Ethiopian Human Rights Commission does not meaningfully investigate the many torture allegations, nor do any of the other oversight mechanisms, including the courts. Ethiopia has not responded to repeated requests from the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for an invitation to visit the country.<sup>[6]</sup> Human rights groups and international organizations such as the International Committee of the Red Cross (ICRC) continue to be denied access to federal detention centers, including military camps, and to places of detention in Somali Region.<sup>[7]</sup>

Ethiopia is party to various international and regional treaties that confer legal obligations regarding the treatment of prisoners and the conduct of security personnel.<sup>[8]</sup> Article 424 of Ethiopia's Criminal Code states that any public servant who threatens or treats a person under their custody in an improper or brutal manner, or in a manner which is incompatible with human dignity or his office, especially by the use of blows, cruelty or physical or mental torture is punishable with simple imprisonment or fine, or in serious cases, with rigorous imprisonment not exceeding ten years and fine.<sup>[9]</sup> Those who direct the use of improper methods are punishable with rigorous imprisonment not exceeding fifteen years and fine.<sup>[10]</sup>

Human Rights Watch is not aware of any cases where individuals were charged under this clause for committing or being responsible for, acts of torture. In 2010 the United Nations Committee against Torture raised concerns that the existing definition of improper methods in the 2004 Criminal Code was more limited in scope than the definition of torture under the Convention against Torture and urged revisions in the code.<sup>[11]</sup> At time of writing, there had been no such revisions.

The Ethiopian Criminal Procedure Code, in the process of revision, contains new responsibilities around interrogations but Human Rights Watch has not seen the final version.<sup>[12]</sup>

The Federal Police Commission Establishment Proclamation of 2011 also prohibits the use of any inhumane or degrading treatment or act by federal police officials, although it does not apply to security personnel at regional prisons.<sup>[13]</sup> Human Rights Watch was unable to ascertain whether a similar prohibition is included in regional proclamations.

Ethiopia's Somali Regional State (Somali Region or SRS) is one of the poorest and most underdeveloped regions in Ethiopia, suffering from a lack of basic infrastructure, weak governance structures and institutions, and endemic food insecurity.<sup>[14]</sup> Its approximately five million people are mostly ethnic Somalis who are either pastoralists or agro-pastoralists.<sup>[15]</sup> A historical mistrust of what ethnic Somalis often describe as *habesha* or Ethiopian "highlander"-dominated culture has contributed to an ambivalent affiliation with Ethiopian national identity. In many ways, the regions ethnic Somali population is culturally and economically intertwined with neighboring Somalia and Djibouti.

Somali Region is of strategic importance to the Ethiopian federal government in part because of its rich resources, in particular oil and natural gas, and because of its strategic transportation corridors to the sea.<sup>[16]</sup> Important trade routes through Somali Region are critical not only for import of much-needed goods but also for export of Ethiopian goods, critical for Ethiopia's foreign currency shortage.<sup>[17]</sup>

The Ethiopian governments security interests in Somali Region are to contain armed insurgents, secure the border between Somalia and Ethiopia from infiltration of armed groups that could prove a threat to Ethiopia, notably the armed Islamist group, Al-Shabab, and influence events in Somalia in line with its interests.<sup>[18]</sup>

In Somali Region there is virtually no independent media or civil society. There is very little judicial independence on politically-motivated cases, and citizens have no recourse for the many human rights abuses.<sup>[19]</sup> Both international and Ethiopian domestic media have extremely limited avenues for reporting on events in Somali Region amid difficult access restrictions.<sup>[20]</sup> Even within the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) government, the Somali Regions ruling party, the Ethiopian Somali Peoples Democratic Party (ESPDP) has a marginal role and is not one of the four ruling coalition members.<sup>[21]</sup> There are no legally registered opposition parties in Somali Region that are strong enough to meaningfully contest elections.<sup>[22]</sup>

In 1991, when the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) came to power following the ousting of the Derg, it implemented ethnic federalism, which gave meaningful autonomy to many of Ethiopia's ethnic groups, including ethnic Somalis.<sup>[23]</sup> In the first regional elections, the Ogaden National Liberation Front (ONLF), despite having limited political experience, won 60 percent of regional parliamentary seats.<sup>[24]</sup>

Relations with Ethiopias ruling coalition soured over the next several years, however.[25]

In 1994, ONLF-EPRDF tensions came to a head when Somali Region parliament attempted to hold a referendum on self-determination.[26] The federal government promptly arrested the regional president and his deputy and most senior members of the regional administration were fired.[27] Having been effectively removed from government, the ONLF began an armed insurgency against the Ethiopian state inside of Somali Region.

In April 2007, the intensity of the conflict in Somali Region increased when the ONLF attacked the Obole oil site, capturing and killing more than 70 Chinese and Ethiopian oil workers as well as scores of Ethiopian soldiers.[28] In May 2007, the ONLF was believed to be responsible for a grenade attack on then regional president, Abdullahi Hassan, in the capital, Jijiga, that killed five people and injured dozens, including Abdullahi.[29] Shortly thereafter the Ethiopian government commenced a large-scale counteroffensive to suppress the ONLF, and brought large numbers of military troops into the region.[30] Between 2007-2009, the Ethiopian military embarked on a brutal counterinsurgency campaign, forcibly displacing entire villages, and publicly executing individuals accused of supporting the ONLF. Rape of women was widely reported.[31] Many individuals were imprisoned without charge in military camps or makeshift detention centers.[32]

The collective punishment of the civilian population was a cornerstone of the strategy of the Ethiopian Defence Forces (EDF) during these years.[33] Human Rights Watch concluded that both the ONLF and the EDF committed war crimes and that the EDF was responsible for crimes against humanity.[34] The government has never taken steps to allow for an independent investigation of these abuses.

In 2009, the Liyu police emerged in Somali Region, a brutal special police force that reports directly to the president of Somali Region.[35] Comprised of ethnic Somalis, many of them from the Ogaden clan, the Liyu police slowly replaced the EDF in their battle against the ONLF inside Somali Region.[36] This shifted the conflict away from what many Ethiopian Somalis framed as an Ethiopia versus Somali conflict, one with long standing historical dimensions, into a conflict between different actors from within the same Ethiopian Somali clan. The Liyu police employed various recruitment strategies, including recruitment from prisons. In some cases, refusing recruitment into the Liyu police could be seen synonymous with sympathy for the rebels, which warranted imprisonment or worse.[37] Families and communities became divided, with some members supporting ONLF and others supporting the Liyu police. The EDF initially gave military training to the Liyu police, and the EDF retained oversight of their operations in the early years with Liyu police autonomy increasing over time.[38]

The Liyu police continued the EDF strategy of collective punishment of civilians who may support the ONLF and committed the same kinds of horrific abuses.[39] Human Rights Watch has received consistent reports since 2009 of very serious crimes allegedly committed by Liyu police, including deliberate massacres of people in villages, extrajudicial killings, torture, rape, and property destruction.[40] These alleged abuses have been focused in the areas where the ONLF are popular or were engaged in attacks on military targets. Targets of abuse have included relatives of ONLF members, or those the Liyu police perceive to have provided food, water, shelter or information to the ONLF.

While the ONLF still exists as an armed group, the frequency of attacks by ONLF has decreased greatly in recent years.[41]

Liyu police have also been more active outside of Ethiopias Somali Region, including inside both Somalia and Ethiopias Oromia region. In late 2017 over one million people were displaced from their homes along the border between Somali Region and Oromia, after a wave of attacks that communities attributed to the Liyu police.[42] In the meantime, sources inside Somali Region described to Human Rights Watch increased recruitment of Liyu police, including children, in the last six months.[43]

Food insecurity in Somali Region is a serious and recurrent problem. During the decade long conflict with ONLF, security forces restricted access to grazing land and water points, confiscated household assets including livestock and camels, and looted property of those they perceive to support the ONLF.[44]

Human Rights Watch also receives reports of food aid, often distributed through government channels, being restricted for communities or families that are perceived to support the ONLF or who are perceived not to support Abdi Illey.[45]

Several former regional government officials described to Human Rights Watch how an effective humanitarian response is crippled by a sizeable percentage of Somali Region sectoral budgets[46] being funneled to Somali Regions security budget, most of which goes to the Liyu police. Mohamed, 28, who worked in a financial capacity in one of the bureaus that routinely had money moved into the regional security budget said:

During the height of the EDF abuses in 2007-2008, the regional head of security was Abdi Mohamoud Omar [commonly known as Abdi Illey]. In July 2010, he became the president of Somali Region. Five individuals involved with Somali region security forces, including two former Liyu police members, told Human Rights Watch of the command responsibility he has over the Liyu police, describing how he regularly communicates with Liyu police regiments on various operational matters. One said that no operation is carried out without his knowledge and his support.[48] According to one widely-credited report, Abdi Illey maintains a close relationship with the EDFs Eastern Command Post in Harar who are generally understood to retain oversight over Abdi Illey and security affairs in Somali Region.[49]

Criticism of the regional authorities, particularly of Abdi Illey, is not tolerated, either inside or outside of Somali Region. Family members of Ethiopian Somali diaspora have been targeted in Somali Region and have been arbitrarily detained, harassed, and had their property confiscated after their relatives in diaspora attended protests or were critical of Abdi Illey in social media posts. Human Rights Watch has documented these reprisals from diaspora in Australia, United States, Kenya, Somalia, and throughout Europe.[50]

Jijiga Central Prison, commonly known as Jail Ogaden or Jail Ogadeni [*Jeel Ogaden* in Somali] is in Jijiga, the capital of Somali Region and is Somali Regions main functioning regional prison. Estimates of prison population varied widely across time, but it is estimated there was an average of several thousand prisoners at any particular time between 2011-2017.[51] Within Somali Region, there are many other places of detention in local (*kebele*), district (*woreda*) and zonal police stations, EDF military camps, and Liyu police detention facilities.[52]

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Jail Ogaden, located near Jijiga University, was built in 2001. The prison expanded in 2011, following the escape of some prisoners partially due to pervasive corruption involving prison guards.[53] At present the prison has an inner and outer wall and the majority of prisoners are held inside the inner wall in one of 23 cells. Meetings of the prison population are held in an open area in the middle, covered with a tarp. Civil servants and high-ranking prisoners, including at least three former Jail Ogaden prison heads, are housed in more spacious rooms in between the inner and outer walls. Men and women are segregated in different parts of the prison. Both male and female guards watch over the womens section.[54]

There are eight guard towers around the inner and outer walls. At the base of these guard towers are rooms, some of which are below ground level, where high profile prisoners are kept, sometimes in solitary confinement. These rooms are also sometimes used to hide prisoners from visiting Ethiopian Human Rights Commission (EHRC) officials.[55] Many prisoners reported being tortured in the area between the walls at night. Rooms 3 and 8 were the punishment rooms where the most intensive interrogations take place.[56]

Detention and abuse in Jail Ogaden is a key part of the strategy of collectively punishing and rehabilitating individuals the government believes are sympathetic to the ONLF to reduce their support for ONLF and to be more supportive of the government.[57] The need to support the government and to stop supporting the ONLF is frequently relayed by security officials in the prison-wide group meetings, *kabba*-led interrogations, and various individual interrogations. Beatings and punishment are seen as part of the rehabilitation process. Interviewees routinely described this kind of rehabilitation as the function of Jail Ogaden: It is not a normal jail. You are there to be punished and rehabilitated for supporting the ONLF. It doesnt matter if you do not [support], they want to make sure no one supports them ever again.[58]

One prison guard discussed the ineffectiveness of that approach:

Jail Ogaden is managed by *aslubta* [prison guards or custodial corps] and the Liyu police. As time has gone on, the Liyu police have taken on more and more responsibility in the prison. The role of the EDF has declined in parallel with their declined role in Somali Region more broadly, but they still use the prison occasionally.

Since 2012, the head of Jail Ogaden has typically been a member of the Liyu police and both Liyu police and the *aslubta* that work in the prison report to them. The head of Jail Ogaden reports to the Somali Region prison commissioner. While the Somali Region prison commissioner is responsible for all places of detention in Somali Region, in practice they are heavily involved in the day to day affairs of Jail Ogaden.[60] The regional commissioner reports to the Regional head of security, who at present is also the head of Liyu police.[61] Since 2011, those positions have been held by General Abdirahman Abdillahi Burale, commonly known as Abdirahman Labagole. He reports to the president of Somali Region, who since 2010, has been Abdi Illey.

Each prison cell has a head prisoner, called a *kabba*, and vice-*kabbas*. They are sometimes former Liyu police or *aslubta* who previously worked at Jail Ogaden.[62] The structure has evolved over time, but in general the *kabba* is responsible for handing out minor punishments, is responsible for group interrogations at night and sharing interrogation findings with prison guards, and in keeping discipline in the cell, including mediating arguments and determining where people sleep.[63]

The vast majority of Ethiopian Somalis in Jail Ogaden are from the Ogaden subclan, who also make up the bulk of the ONLF. Some of the prisoners are criminals, some are ONLF fighters, while many are civilians who are accused of supporting ONLF with food, water, shelter, or information.[64]

There are also some Oromo prisoners in Jail Ogaden, particularly those who reside in Somali Region. In addition, many Oromos, including asylum seekers, who are arrested in Somaliland and forcibly returned to Ethiopia are often held in Jail Ogaden.[65] These forced returns increased dramatically in mid-2017 as conflict along the Oromia-Somali Region border escalated.[66]

Almost all of the 70 former prisoners interviewed by Human Rights Watch described being tortured in Jail Ogaden and many showed Human Rights Watch physical scars from what they endured in detention. Almost all also reported seeing people being beaten and humiliated in front of large groups of people.

Former prisoners said that prison guards removed people from their cells during the night and later returned them injured, bleeding, shaking, and/or crying. In some instances, former prisoners said that prisoners died in the cells and they attributed these deaths to injuries sustained during interrogations.[68] One Oromo man described how, in my room, somebody would die every night. Some would die because of hunger. Some people would die because of the beatings. Sometimes the bodies would lie in our cells for multiple days.[69]

The Convention against Torture (CAT), to which Ethiopia is a party, defines torture as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official. Under CAT, torture can include acts carried out for a broad range of purposes, including interrogation, intimidation and punishment.[70]

Former prisoners described a brutal daily schedule of physical and psychological abuse and degradation and a weakened physical state from overcrowding, sleep deprivation, inadequate food, poor sanitation, and absence of health care.

There were three settings in which officers and *kabbas* (head prisoners) meted out physical brutality:

**Individual torture:** Most frequent during a prisoners early days of detention, prisoners were taken to individual rooms or outside areas and interrogated while being beaten and often tortured by prison officials.

**Prison-wide meetings:** All prisoners described large group meetings happening on a regular basis, usually in the mornings, where prison officials or regional government officials would speak. Former prisoners said that after 2011, these group meetings occurred with more frequency. The meetings, which usually lasted for several hours, usually had one of two purposes:

Abdullahi D., a 28-year-old man and former prisoner, told Human Rights Watch:

Ayan A., a 40-year-old woman and former prisoner, described the types of punishments that were common at these meetings:

Sometimes pro-government and anti-ONLF entertainment took place during these meetings. One man said: On Saturdays sometimes we had music, but if people didn't clap loud to show they like the message they would be taken away for punishment.<sup>[73]</sup>

**Evening Small Group Interrogations:** Most prisoners described smaller group interrogations inside rooms in the evenings where prisoners were divided into groups and interrogated by other members of the group or by the *kabbas*.

Sometimes these interrogations would involve one prisoner in front of the room who was interrogated by the other prisoners in the room. Other times the room was divided into smaller groups, usually in fives, but sometimes as many as 15 prisoners. An individual prisoner would be made to stand to be interrogated by other members of the group. The goal was to get the individual to confess to playing some role in support of the ONLF and to show remorse. The *kabba* or prison guard would supervise, taking notes, occasionally hitting with sticks both the person who was being interrogated and others in the cell who were not participating or who fell asleep.<sup>[74]</sup> Notes of the interrogation would be shared with prison guards. In some cases, if the information was seen as particularly revealing, that individual would be taken away by the *aslubta* or Liyu police in the morning or the following evening for more individual interrogation.<sup>[75]</sup> Responsibility for managing these interrogations fell on the *kabbas* but in some rooms prison guards or Liyu police would participate.<sup>[76]</sup> According to our research, in the mens rooms this would happen most nights, particularly since 2013. In the womens rooms, it was less frequent.

Ali H., a 32-year-old man and former prisoner, described:

#### The 2011 Gemgema Evaluation of Prison Guards

In 2011, senior regional government officials carried out a 14-day *gemgema* [group evaluation] of prison guards [*aslubta*]. The president of the Somali region Abdi Illey was travelling internationally at the time and asked one of his presidential advisors Abdullahi Hussein to have the session filmed so he could watch it upon his return. In 2012, Abdullahi Hussein fled Ethiopia to Sweden and brought with him 25 hours of film from this assessment and dozens of hours of other films from other meetings and events around Somali Region. Human Rights Watch has reviewed the footage.

On the video, prison guards spoke openly about being involved in serious human rights violations, including torture and rape. Many described then-regional prison commissioner Abdi Bede directing them to carry out these acts and being involved in the pervasive problem of prison guards raping women in the prison. Among the many individuals who were named for their involvement in the abuse was the then head of Jail Ogaden, Mohamed Sheikh Ahmed [commonly known as Aweys]. Prison guards described inadequate training, corruption, and death of numerous inmates from torture and mistreatment.

Senior government officials leading the evaluation included head of Liyu police Abdirahman Labagole, regional vice president Abdullahi Yusuf Werar [commonly known as Abdullahi Ethiopia] and regional prison commissioner, Abdi Bede Osman.

During this period, President Abdi Illey filmed many of his activities around Somali Region, including the mock execution of the two detained Swedish journalists Martin Schibbye and Johan Persson, meetings, Liyu police graduations, and this evaluation. He often used these materials to promote himself and the activities of the security and development sectors.

*Gemgemas* are common across Ethiopia and involve an open-ended evaluation of the performance of a government employee or political party member by their colleagues. These evaluations can be tied to promotions, demotions or dismissals and can last many days. Human Rights Watch could not immediately ascertain if there was a specific purpose to this particular *gemgema*.

Human Rights Watch has been unable to ascertain what disciplinary actions, if any, occurred as a result of the findings brought forward during the *gemgema*. Immediately after the assessment Abdi Bede was promoted to Head of Security for the president.

Virtually all prisoners described regular beatings by prison officials, either with hands, boots, gun butts, wooden sticks, metal sticks, or plastic wires. Sometimes cold or dirty water was thrown on prisoners prior to beatings.

Beatings were carried out at all times of day and at various locations in the prison. Sometimes individuals were targeted for beatings, while other times guards and *kabbas* would beat prisoners indiscriminately. One prisoner described the frequency: they beat you at night, they beat you in the day. They beat you when you line up for the toilet, they beat you during meetings, the *kabba* beats you in your room. They beat you all the time!<sup>[78]</sup>

Halima H., a 26-year-old woman and former prisoner, told Human Rights Watch:

Several prisoners described prisoners being taken out of rooms and beaten at night under the lights to intimidate others. Abdullahi N., a 28-year-old man and former prisoner, described his experience in 2012:

The then regional head of security and vice-president of Somali Region Abdullahi Yusuf Werar [commonly known as Abdullahi Ethiopia] acknowledged torture during the recorded evaluation: My interpretation is that this was common and majority of the officers used to undertake it.<sup>[81]</sup>

Also in that video, one prison guard said:

Many prisoners spoke about the revolving door of prisoners becoming prison guards or Liyu police who then became prisoners again: they do to others what was done to them.<sup>[83]</sup> One guard described this pattern:

During the 2011 evaluation, numerous prison guards spoke of Abdi Bede and Mohamed Sheikh Ahmed (commonly known as Aweys), then head of Jail Ogaden, directing them to carry out torture.<sup>[85]</sup>

#### Torture of Prison Guards

During the 2011 group evaluation 12 prison guards said senior officials expected them to beat prisoners and that if they refused they would be beaten or arrested. A prison guard said:

Former prison guards described ranks being only given to those that carry out the torture. One man described: For instance, [name withheld] was a police commander and he was stripped of his rank, beaten up and assigned outside because he didn't beat people. We did it out of fear for our lives.

One commander in the *aslubta* described: I was detained for seven nights for not beating a prisoner. I even stopped the commissioner [Abdi Bede] from beating the police when no one else dared.

Another prison guard said: One night I declined to beat a prisoner. Aweys [Mohamed Sheikh Ahmed, head of Jail Ogaden] slapped me and I have a hearing problem on the left ear as a result.

Some women said they were taken away from the prison at night to either Gidib, (the water reservoir on the outskirts of Jijiga), houses of regional government officials or Liyu police, or other unknown locations, where they were raped.<sup>[86]</sup> Women were often raped by members of Liyu police and the women usually knew only the roles the perpetrators played at Jail Ogaden, not their names. Most of the 32 female prisoners interviewed described seeing women being taken away from their cells at night, and often, but not always, returned in the morning or later the same night. Prisoners reported that guards and Liyu police who took women away were sometimes drunk or under the influence of *khat*, a mild stimulant grown in the Ethiopian highlands and popular among Somalis.<sup>[87]</sup> Women often came back crying, with ripped clothes, and described their ordeal to the other prisoners, or implied that they had been raped.<sup>[88]</sup>

Halima H., a 26-year-old woman and former prisoner, told Human Rights Watch about women being returned from Gidib: Most nights, some women are taken out of the prison. But not all return. But if you return, you have been to Gidib and have been raped. They all tell us.<sup>[89]</sup> Three women who were taken to Gidib described being raped by either Liyu police or EDF personnel who brought them to the reservoir.<sup>[90]</sup>

Women who said they were raped in Jail Ogaden by either Liyu police or prison guards were either taken to a room located near the guards quarters or outside of their cells but within the prison complex.<sup>[91]</sup> Many women reported being raped multiple times over the course of their sentences.<sup>[92]</sup>

Senior officials facilitated rape of prisoners. One former Liyu police officer described going to Jail Ogaden to get some ladies for Abdirahman Labagole, the head of the Liyu police. He told me to bring him some ladies that were in the jail. Just any ladies. We are just free to enter and take people, there is no process for us.<sup>[93]</sup> Four former prisoners said that senior prison official Shamaahiye Sheikh Farah [commonly known as Shamaahiye] raped women.<sup>[94]</sup>

One woman said: He [Shamaahiye] raped many people from our room. He would come and before he would take them out would say I am doing this for your humanity. <sup>[95]</sup>

Another woman said: I was there when he [Shamaahiye] ordered the military [Liyu police] to rape the girls. He was saying this in front of a group of women: You are our donkeys, even God cannot save you from us. And then they took some away. I was raped by one of those [Liyu police] men several weeks later. <sup>[96]</sup>

Prison guards usually took women away from the cell one at a time and most described individual rapes, but several women spoke of incidents where several women were raped at the same time. Hodan D., a 40-year-old woman and former prisoner, said:

Both male and female prison guards spoke about the prevalence of rape in Jail Ogaden during the 2011 evaluation, with one saying, Rape was just normal.<sup>[98]</sup>

Ten of the prisoners also described being raped in their original places of detention before they got to Jail Ogaden, either by members of the EDF or Liyu police.

Amina H., 34 described the psychological impact of rape in the prison: You would hear screams all the time. When people came back to the room, you see them shaking, shivering and crying Every night I was scared because I wondered if I would be next.<sup>[99]</sup>

Male prisoners described serious physical and psychological abuse stemming from humiliation and shame when they were pressured to rape female prisoners.

Abdirahman Y., a 31-year-old man and former prisoner, said:

There are no mechanisms available to report rape, either inside the prison or more broadly in Somali Region.

Human Rights Watch interviewed six men who described having their genitals (penis and/or testicles) tied to heavy weights, water bottles, or bottles of sand when they were prisoners at Jail Ogaden. Some said this occurred in front of other inmates while others said it occurred during individual interrogations. Ten male prisoners interviewed described seeing individuals being returned to their cells exhibiting injuries apparently suffered as a result of this kind of torture.<sup>[101]</sup> One man told Human Rights Watch, Twice they tied a bottle filled with water around my testicles. I would [also] have to hold heavy containers of sand up with my two hands. For others they took a container with sand and tied it around their testicles. Sometimes this happen[ed] at public meetings as an example to [intimidate] others.<sup>[102]</sup>

Victims said they were unable to control urine, had generalized groin pain, had an inability to get an erection, and were infertile, which they attributed to the torture.<sup>[103]</sup> Human Rights Watch and Amnesty International have documented similar methods of torture in places of detention in Ethiopia, particularly in Oromia.<sup>[104]</sup>

Thirteen former prisoners described being immersed in water, either as an interrogation technique or as punishment. Former prisoners told Human Rights Watch about being held for prolonged periods in various pools of water in between the walls of Jail Ogaden. Sometimes they would be immersed up to their chest in the water, other times prison guards submerged their heads in the water until they were about to faint, then pulled them out, asked them questions and then repeated the immersion.<sup>[105]</sup> Fatuma M., a 26-year-old woman and former prisoner, described:

One young man described being kept tied in a cold pool of water between the walls all night. In the morning, his hands and feet were tied to stakes in the ground and he was held there in his underwear the entire day in the



hot sun before being returned to solitary confinement.

Ten former prisoners said that at night EDF, Liyu police, or *aslubta* took them to Gidib for interrogations.<sup>[107]</sup> There, prisoners were tied and their heads were submerged in water until they almost fainted, and then they were pulled out for questioning. Four prisoners described seeing at least six people being tied and just thrown into the reservoir to drown.<sup>[108]</sup>

Abdusalem M., a 26-year-old man and former prisoner, told Human Rights Watch:

Prisoners told Human Rights Watch that cold temperatures in Jijiga made the immersion even more excruciating.<sup>[110]</sup> Five prisoners described groups of people being taken out of their cells at night.<sup>[111]</sup> In the morning only some of those in the group would return and many of those individuals said they had been at Gidib.<sup>[112]</sup> Those that were taken out and did not return are never located.

Six former prisoners described being tied in uncomfortable positions for long periods of time, either at night or in the hot sun. Some prisoners said they had been tied in *fig* position, a common practice in detention in Ethiopia where arms and feet are tied together behind the back.<sup>[113]</sup> Some former prisoners also described having heavy objects put on their backs while in *fig*.<sup>[114]</sup>

Fatuma M., a 26-year-old woman and former prisoner, said: *Fig* is very hard on the shoulders. Everyone in my room was tied in *fig* at some point.<sup>[115]</sup>

Twelve former prisoners described witnessing individuals being stripped naked and degraded in various ways.<sup>[116]</sup> In one instance three former prisoners said that several hundred men were stripped naked, forced to hold each others genitals and then pressed tightly together in a line.<sup>[117]</sup>

Mohamed Y., a 32-year-old man and former prisoner, said:

Ali S., a 28-year-old man and former prisoner, described another incident:

Others, both men and women, were stripped naked and interrogated in front of large segments of the prison population.<sup>[120]</sup> Others were stripped naked and told to verbally abuse each other.<sup>[121]</sup>

Several inmates described being forced to roll in hot ashes.<sup>[122]</sup> One witness said he saw the practice in 2014: They [Liyu police] will make fire and when the fire is out they make people roll in it. They get burns that we see later. I saw people roll in the fire.<sup>[123]</sup>

Fatuma M, a 26-year-old woman and former prisoner, described:

Certain high-profile prisoners were held in solitary confinement, particularly during the initial days and weeks of their detention. Four individuals described being held in solitary confinement in small rooms that were inside of larger rooms, including in room 8.<sup>[125]</sup> Other former prisoners said they had been held in small holes in the ground between the walls, particularly in 2011-2012.<sup>[126]</sup>

Khalid M., a 50-year-old man and former prisoner, described being held there in 2014:

Eight former prisoners said that they were taken to rooms underneath the guard towers and held there, <sup>[128]</sup> six of whom were kept in solitary confinement there for up to three months.<sup>[129]</sup>

Ten prisoners described being held in room 8 where the most important prisoners were taken for limited periods of time for very intensive interrogation over days and weeks, often in solitary confinement.<sup>[130]</sup> One person, in solitary confinement for 15 days, described the impact of being held alone: I did not know if it was day or night, or if I was alive or dead. When I got released into the main jail, I wanted to talk to everyone.<sup>[131]</sup>

Hassan A., a 28-year-old man and former prisoner, described his seven-day experience in room 8:

Ahmed L., a 38-year-old man and former prisoner, described his three months of detention in room 8 in 2014:

Many former prisoners told Human Rights Watch about the psychological trauma they sustained as a result of witnessing torture or being ordered to inflict abuse on fellow prisoners.

Abdirahman Y., 31, described:

Former prisoners described not only their own physical experience with torture, but the psychological anguish of seeing physically injured and traumatized people returned to their rooms after being tortured, and hearing screams, hitting and crying throughout the night and sometimes during the day.<sup>[135]</sup>

Amina H., a 34-year-old woman and former prisoner, said:

Numerous prisoners also spoke of the fear of being taken to the punishment rooms, also known as room numbers 3 and 8. Ahmed S., a 40-year-old man and former prisoner, described:

Ahmed S., described the trauma associated with seeing the injuries of those who have been tortured: five or six in my room are taken at night. The worst ones are the former ONLF fighters - some don't come back, but those that do we can see their condition when they come back. It is indescribable. Many die in the following hours.<sup>[138]</sup>

Former prisoners said that serious overcrowding in Jail Ogaden meant that they were forced to take turns sleeping or being packed tightly together when they tried to sleep. One man said, When we sleep on our sides, we can't turn over without asking your neighbor to stand up so we can both turn over.<sup>[139]</sup> *Kabbas* and vice *kabbas*, at times, assigned positions and instructed prisoners how to arrange themselves given the severe space limitations.<sup>[140]</sup>

Abdirizak F., a 42-year-old man and former prisoner, told Human Rights Watch about the role of his *kabba* in assigning people to sleep:

After the assessments, we would take turns sleeping. The *kabba* and his assistants would measure length of forearm and say two people can sleep there. When one person sleeps, one would stand.<sup>[141]</sup>

A number of prisoners described how infection and disease spread quickly due to the overcrowding and the many inmates who had open untreated wounds from torture.<sup>[142]</sup> Overcrowding seemed particularly bad up until 2012. Former inmates told Human Rights Watch that there were times where there would be mass releases of prisoners if overcrowding was reaching a breaking point.<sup>[143]</sup> Male interviewees consistently reported overcrowding, while some women reported similar overcrowding and at other times they reported adequate space.<sup>[144]</sup>

Former prisoners said that access to food was woefully inadequate and many described the lack of food as exacerbating the impact of torture and mistreatment.<sup>[145]</sup> Prisoners said inadequate food made it more difficult to recover from torture, leading to the death of some prisoners.<sup>[146]</sup>

Until 2011, family members could bring food to Jail Ogaden for prisoners, but in 2011 and 2012 families reported that the food was not reaching the prisoners. In the 2011 assessment video, prison guards described eating food that was brought by family members and intended for detainees. Former prisoners said that since 2013, food from outside is no longer permitted.<sup>[147]</sup>

There were reports of people bringing food to prisoners in Jail Ogaden and ending up getting arrested.<sup>[148]</sup> One former prisoner said, Those who brought us food, they would beat them and say you are bringing food to ONLF.<sup>[149]</sup>

Most prisoners who were in Jail Ogaden after 2013 described grossly inadequate food, particularly a lack of meat or other protein sources, and all described hunger as one of the biggest challenges they faced in the prison.<sup>[150]</sup>

Former prisoners told Human Rights Watch that prison officials sometimes also withheld food from prisoners as a form of punishment.<sup>[151]</sup> Sometimes *kabbas* would play a role in the distribution of food and some prisoners reported *kabbas* preventing them from receiving food as part of routine punishments.<sup>[152]</sup>

Abdullahi D., a 28-year-old man and former prisoner, described how desperate the food situation was in year 2014 in his room:

Nine former prisoners described an incident in 2013, when Caynsane [Caynsane Sheikh Mohamed] was in charge of Jail Ogaden, when food was severely restricted for all prisoners for around one week as punishment.<sup>[154]</sup> All nine of the former prisoners described people dying during this incident.

Ahmed L., a 38-year-old man and former prisoner, said:

International standards require that prisoners be supplied with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.<sup>[156]</sup> Deprivation of food in prison can constitute cruel, inhuman and degrading treatment under international law.

While a health clinic exists on site, most former prisoners we interviewed had never visited it and many said they were unaware it existed. The few prisoners who did visit it said there were no qualified personnel on staff and only a few medicines.<sup>[157]</sup> Former prisoners said that they never received dental or mental health services in Jail Ogaden, and that they were never tested for communicable diseases such as HIV or tuberculosis.<sup>[158]</sup>

One man said that he went to the health clinic in Jail Ogaden multiple times for different ailments but always got the same medication: there is only one type of tablet-, its yellow and called capsule.<sup>[159]</sup>

Former prisoners said that some people with serious injuries, including injuries from torture, were taken to Karamarda Hospital in Jijiga.<sup>[160]</sup> In some cases, Liyu police guarded the rooms and returned with prisoners back to Jail Ogaden when they had recovered.

Former prisoners described overcrowding and poor sanitary conditions at Jail Ogaden. One former prisoner said they had contracted lice and other parasites. <sup>[161]</sup> Access to toilets or to water for drinking or bathing was severely limited, in part due to an inadequate number of facilities given the number of prisoners. Up until 2013, former prisoners routinely described urinating inside the crowded rooms or defecating inside the rooms whenever there were outbreaks of diarrhea. Lineups for the latrines, often full, were very long, as were lineups for water.<sup>[162]</sup> Cleaning or emptying latrines, sometimes by hand, was also used as a punishment.<sup>[163]</sup>

Many former prisoners complained about the freezing cold temperatures in Jijiga. Few blankets were available, and many rooms had inadequate fresh air, ventilation and light, a problem compounded by the dire sanitation conditions inside many of the rooms.<sup>[164]</sup> Some rooms, like rooms 3 and 8 or the guard towers, had no windows or light whatsoever, so prisoners often did not know if it was day or night.<sup>[165]</sup>

Former prisoners said that diarrhea was very common.<sup>[166]</sup> Fatuma M., a 26-year-old woman and former prisoner, spoke to Human Rights Watch about what she claimed to be a diarrhea outbreak in 2013:

Abdullahi D., a 28-year-old man and former prisoner, described what he said was the same outbreak:

Twelve former prisoners described regular deaths of prisoners that they believed resulted from various health ailments that were not treated, usually following torture and other punishments. Former prisoners described individuals being taken away at night and returned hours later exhibiting signs of torture, often crying, shaking, and despondent, and then dying in their cells in the following days.<sup>[169]</sup> Former Liyu police told Human Rights Watch that some bodies are buried in unmarked graves, others in Jijiga's graveyard, while others are just dumped outside of town, where according to one officer, wild animals, such as hyenas and vultures, consume them.<sup>[170]</sup>

Former prisoners described symptoms that are consistent with progressively severe and untreated vitamin deficiencies resulting from extremely inadequate nutritional intake.

Ibrahim K., a 45-year-old Oromo man and former prisoner, described a common ailment from his experience in the prison:

Other former prisoners described conditions they called fire in the feet, which caused extreme pain, as well as swollen stomachs and feet, and blindness. Severe malnutrition can result in neuropathic pain in extremities as well as loss of critical protein stores which can cause leakage of internal fluids and severe swelling of, among others, the abdomen.<sup>[172]</sup>

Prisoners upon arrival at Jail Ogaden are searched and all belongings, including jewelry, watches, mobile phones, and money are confiscated.<sup>[173]</sup> Numerous former prison guards and Liyu police talked about dividing money and jewelry between themselves in the assessment video.<sup>[174]</sup> Not one of the 70 former prisoners Human Rights Watch interviewed said that their belongings were returned upon release.<sup>[175]</sup> While many former prisoners told Human Rights Watch that their belongings were taken at Jail Ogaden, many also said they had their belongings taken during their initial detention by police.

All of the 32 female former prisoners interviewed described witnessing women giving birth inside their prison cell. Ten female former prisoners told Human Rights Watch that they delivered babies inside their cell without the presence of skilled birth attendants and in extremely unhygienic conditions. One woman told Human Rights Watch that she was permitted to go to Karamarda hospital for delivery of her baby, while four others were taken to individual rooms within the prison to give birth. Some interviewees said that they witnessed guards taking women away when there were medical complications during the delivery, in some cases apparently to health clinics. However, most others said that many births occurred in the prison and said that they had witnessed both maternal and infant deaths during or following the delivery.

Ayan A., 40, jailed for five years in Jail Ogaden, described how she pleaded to be allowed to go to hospital to give birth, but the prison guard humiliated her and refused, and she delivered in her prison cell with only her fellow prisoners to assist her:

Ethiopia is a signatory to the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (also known as the Maputo Declaration).<sup>[178]</sup> This provides that women in detention should be held in an environment suitable to their condition and ensures their right to be treated with dignity.<sup>[179]</sup> The UN Standard Minimum Rules of the Treatment of Prisoners states that Arrangements shall be made wherever practicable for children to be born in a hospital outside the institution.<sup>[180]</sup>

Women interviewed by Human Rights Watch described dozens of children in each of the womens cells. They said that mothers with young children usually bring their children with them at the time of their arrest. In addition, they said that some women entered the prison pregnant, while others are raped and impregnated by prison guards.<sup>[181]</sup>

Former prisoners told Human Rights Watch that there is no education, no special health care, and little or no extra nutritional supplement available for children or lactating mothers.<sup>[182]</sup> One mother described during a time of much diarrhea that children were brought milk and a powdered supplement.<sup>[183]</sup>

Former prisoners said that some young children died from health complications, worsened by poor sanitation and malnutrition. For example, Fatuma O., a 30-year-old former prisoner said that her two-year-old died in prison after he was sick, had no food and was too weak to survive.<sup>[184]</sup> Nimco M., 32, also said her baby died in Jail Ogaden from lack of food, adding: Many newborns die within five to ten days. There is no extra food or water for mothers, and the children just die.<sup>[185]</sup>

Many former prisoners described children with various health ailments that are consistent with malnourishment. Among others, they described children who had trouble with their vision or who had grey hair, both of which result from malnutrition or a vitamin B12 deficiency.<sup>[186]</sup>

One mother said that prison guards beat her and verbally abused her and her child when her baby would cry.<sup>[187]</sup>

Ten of the former prisoners we interviewed were under the age of 18 at the time of their detention. They all said they were kept in the same rooms as adults and that there were no special dispensations because of their age. Under international human rights norms, juveniles should not be housed with adult prisoners.<sup>[188]</sup>

Human Rights Watch found that the majority of detainees in Jail Ogaden have never appeared in court, particularly those from rural areas. Only four of the 70 former prisoners interviewed by Human Rights Watch said that they were aware of the precise criminal charges against them, despite having spent years in Jail Ogaden.<sup>[189]</sup> Only six individuals most from Jijiga out of the 70 former prisoners interviewed said they had appeared in court during their time in detention.<sup>[190]</sup> The Ethiopian constitution includes safeguards for persons in custody. Article 19 sets out that a person taken into custody must be brought before a court within 48 hours and informed, in a language they understand, of the reasons for their arrest.<sup>[191]</sup>

Only four of the former prisoners interviewed for this report said that they had appeared in court and were aware of their sentence. The remainder either:

According to two former Somali Region judges who spoke to Human Rights Watch it was very rare for a prisoner from Jail Ogaden to be brought before court.<sup>[192]</sup> They also said that when individuals are in court, there are no defense lawyers available and defendants are rarely able to respond to evidence or in most cases to speak at all. The two former judges noted that Liyu police members, often times the very people who have been torturing the prisoners during interrogations, are present in the courtroom.<sup>[193]</sup>

Three former judges told Human Rights Watch that they were told by government or security officials who to convict and how long to sentence individuals.<sup>[194]</sup> The judges said they had no knowledge of the individuals and were not informed what they were alleged to have done. Two of the judges specifically mentioned Abdirahman Labagole calling directly from Jijiga and ordering a sentence.<sup>[195]</sup>

Judges are appointed by the chair of the Somali Region Justice Bureau, who is appointed by Somali Region parliament.

While appeal courts exist, according to one former judge it is extremely rare that appeals are heard given the lack of faith citizens have in the judiciary, the lack of appeal lawyers, and the financial cost involved. <sup>[196]</sup>

One former judge said regarding the torture of prisoners in Jail Ogaden: We know what is going on in there. We hear things and the Liyu police brag about different individuals who come through our courts. But we cannot do anything we cannot make it better, we cannot make it worse. We have no role. Its the governments prison and we are under their control.<sup>[197]</sup> One current judge complained that, judges that care about the law have been weeded out.<sup>[198]</sup>

Virtually all former prisoners interviewed described individual interrogations designed to force confessions, real or not, of membership or support of the ONLF, and to provide information about who was involved in the ONLF.<sup>[199]</sup> Mohamed Y., 32, described seeing someone being pressured to admit to supplying arms to the ONLF. Eventually he admitted to burying a helicopter full of guns in his back yard, he said. The more absurd the confession the less the punishment. We nicknamed him helicopter.<sup>[200]</sup>

Former judges described several cases where defendants complained about torture to the judge.<sup>[201]</sup> One said:

Ahmed S., 40, arrested and accused of supplying weapons to the ONLF, appeared before a zonal court in Jijiga. Liyu police had beaten him in detention and his torturer was present to explain the confession to the judge. Ahmed described:

Abdirahman S., 32, an ethnic Oromo man, told Human Rights Watch about being arrested during a protest and taken to Jail Ogaden:

Release of prisoners has little to do with the actual length of incarceration sentences, with some people not being released even after completion of the sentences they believed they had. Some former prisoners said that releases were either facilitated through bribery of prison officials or during one of the mass releases of prisoners.<sup>[205]</sup> Releases of large numbers of prisoners occurred ahead of Islamic holidays, especially Eid al-Fitr and Eid al-Adha.<sup>[206]</sup>

Former prisoners told Human Rights Watch that mass releases were often extravagant affairs and would sometimes involve senior Somali Region officials celebrating the rehabilitation of ONLF prisoners on television.<sup>[207]</sup> During releases, Abdi Illey or other senior Somali Region officials would speak to the prison population about their responsibilities upon release.<sup>[208]</sup> Numerous detainees described prisoners being released on the condition that they join the Liyu police.<sup>[209]</sup>

In February 2018, the Ethiopian government released significant numbers of political prisoners.<sup>[210]</sup> In Somali Region, the government announced they were to release up to 1500 prisoners from Jail Ogaden.<sup>[211]</sup> On Eid al-Fitr on June 15, 2018 an unknown number of prisoners were released from Jail Ogaden.<sup>[212]</sup>

Prisoners have not been permitted access to relatives and friends since 2012.<sup>[213]</sup> Many relatives of prisoners described not knowing if their relatives were alive or dead. Families seeking information have very limited options though some said that they tried through local prison guards, some of whom shared information on release dates, particularly in exchange for money.<sup>[214]</sup> Those released would often provide information to family members of deceased prisoners or deliver messages to families. Former prisoners described several incidents where punishments were handed out because information on individuals who had died had been leaked to family members.<sup>[215]</sup>

One woman described not seeing her brother for four years after he was arrested by Liyu police:

Article 21 of the Ethiopian constitution states that prisoners are entitled to have access to family members, a lawyer, and a doctor.<sup>[217]</sup>

Ethiopia is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment.<sup>[218]</sup> It is also a party to the African Charter on Human and Peoples Rights, which prohibits torture and cruel, inhuman or degrading punishment.<sup>[219]</sup> Ethiopia has also incorporated prohibitions on torture and cruel, inhuman and degrading treatment into its constitution.<sup>[220]</sup>

The African Commission on Human and Peoples Rights, charged with interpreting and evaluating state compliance with the African Charter, has elaborated the responsibilities of state parties to ensure prompt, full, and effective access to redress for victims of torture, emphasizing that access to justice and effective remedy are at the core of this responsibility.<sup>[221]</sup> It also outlines the responsibility of states to provide redress for collective harm.<sup>[222]</sup> Although Ethiopia has criminal code provisions and other laws to fulfill its international and domestic obligations, they are seldom enforced, while government oversight mechanisms are limited and lack independence.

Impunity remains a serious problem in Ethiopia. The Ethiopian government has shown little willingness to meaningfully investigate human rights abuses, let alone hold abusers to account. Many accountability mechanisms are not sufficiently independent of the government to achieve their desired goals.<sup>[223]</sup> Also challenging for these institutions is the perception of many Ethiopians that they are neither independent of the government nor capable of challenging it or holding to account. This decreases the likelihood that citizens will file complaints and increases the fear of providing these institutions with sensitive information.

The judiciary does not provide a meaningful or realistic pathway to accountability or redress, a problem that is underscored by long-standing concerns over the independence of the judiciary in politically sensitive cases.

There are few federal oversight mechanisms over regional prisons, such as Jail Ogaden, and those that exist have proven ineffective. There are some reporting requirements in the Federal Prisons Commission Establishment Proclamation and provisions for the Federal Police Commission to have relations with Regional Prison Authorities in order to improve and enhance the administration modus operandi of prisons, the custody and treatment of prisoners, and also facilitate training opportunities to prison warden and other staff. <sup>[224]</sup>

However, there is a mechanism for federal government to intervene in the affairs of a region if human rights abuses are committed in violation of the provision of the human rights stipulated in the Constitution and the law enforcement agency and the judiciary are unable to stop such violations.<sup>[225]</sup> If this is triggered by the House of Peoples Representatives (HoPR), an investigative team from HoPR can be sent to investigate and a report with accountability measures could be considered.<sup>[226]</sup> As far as Human Rights Watch is aware, this has never happened for Jail Ogaden or any of the other serious abuses committed in Somali Region.

The repressive Charities and Societies Proclamation has also contributed to the climate of impunity by significantly reducing independent human rights monitoring.<sup>[227]</sup> The Charities and Societies Proclamation (CSO Law), which prohibits nongovernmental organizations receiving more than 10 percent of their funding from foreign sources for carrying out human rights and governance work, has severely hampered the work of independent national human rights organizations.<sup>[228]</sup>

Ethiopia has repeatedly rejected calls for independent investigations at the international level, saying it can carry out such investigations itself. Over the last two years, the European Parliament, United States Congress, OHCHR, and individual states have encouraged Ethiopia to allow investigators to investigate abuses during the protest crackdown in Oromia and Amhara regions between 2015-2017.<sup>[229]</sup> The government of Ethiopia has also not responded to requests for invitations from 10 United Nations Special Rapporteurs (SR).<sup>[230]</sup> The UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment requested an

invitation in 2005, and sent reminders in 2007, 2010, 2011, 2013, and 2017.<sup>[231]</sup> The Working Group on Arbitrary Detention requested an invitation in 2005, and sent reminders in 2007, 2009, 2011, and 2015.<sup>[232]</sup> Other than the Special Rapporteur on Eritrea, Ethiopia has not let in a single Special Rapporteur since 2007.<sup>[233]</sup>

Ethiopia has also not ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which would allow visits to Ethiopia by the protocols Subcommittee on Prevention of Torture, nor has it ratified the Optional Protocol to the International Covenant on Civil and Political Rights, which allows for complaints to be filed before an independent UN committee.<sup>[234]</sup> It has also not ratified the Rome Statute, and as such is not a member of the International Criminal Court.

The Ethiopian Human Rights Commission (EHRC) is mandated to investigate human rights violations throughout Ethiopia, but there are longstanding concerns over the independence of the EHRC, particularly around politically sensitive investigations.<sup>[235]</sup>

EHRC investigations have lacked transparency, with very few reports publicly available in any language.<sup>[236]</sup> It is not clear to what extent reports have been produced on prison visits. What investigative reports are available have lacked even the most basic semblance of impartiality. There is no evidence that investigators made an effort to speak to victims, and instead focused their interviews on local government officials. Such an approach cannot help but greatly undermine the credibility and accuracy of any investigation.

Headquartered in Addis Ababa, the EHRC have numerous regional offices, including one in Jijiga. They are the only federal institution that can carry out inspections at Jail Ogaden, and no nongovernmental organizations are able to do so. Former prisoners described Commission officials visiting Jail Ogaden dozens of times since 2011, where local Jijiga-based EHRC officials visited along with EHRC officials from Addis Ababa.<sup>[237]</sup>

According to former prisoners, prison officials took various steps to ensure that Commission officials did not get an accurate picture of detention conditions. Visits were highly scripted. Former prisoners said they were notified in advance of the visit and were told what to say and what not to say. Those prisoners in the worst physical conditions were either moved out of the prison that day or were relocated to cells under the guard towers away from the Commissioners.<sup>[238]</sup> The EHRC usually spoke to prisoners in small groups, sometimes one on one, and sometimes to large groups. On several occasions, prisoners got to eat meat before or during the EHRC visits and cells were cleaned in the days before.<sup>[239]</sup>

Fatuma J., a 26-year-old woman and former prisoner, told Human Rights Watch about a group session in front of EHRC officials in 2014:

Amina H., a 34-year-old woman held in Jail Ogaden in 2013-2014 described:

It is not clear if the EHRC wrote reports after visits, and who, if anyone, they were submitted to. Nor is it clear if the Commission made any efforts to speak to prisoners who had been recently released or were in hospital due to injuries sustained at Jail Ogaden.

Individuals inside the Somali Region government have told Human Rights Watch that unannounced visits to Jail Ogaden were not permitted and the Commission was required to notify Abdi Illeys office in advance.<sup>[242]</sup> Human Rights Watch's understanding is that the Commission does visit other places of detention in Ethiopia unannounced.

Despite these limitations, at times the EHRC visits had some impact. For example, prisoners were told by prison guards that head of Jail Ogaden Caynsane Sheikh Mohamed was jailed partly because of an EHRC report in August 2014.<sup>[243]</sup> Prisoners also understood that at least some of the prisoner releases and short-lived improvements in food and prison conditions were due to EHRC efforts.<sup>[244]</sup>

Bashir L., a 28-year-old man, told Human Rights Watch about an incident in 2012 where individuals selected to speak accurately described the abusive nature of the prison:

This incident was brought up by numerous former prisoners as evidence of what happened to those who spoke up. The *kabbas* and Liyu police referred to this incident afterwards in their various group meetings with prisoners.<sup>[246]</sup>

Human Rights Watch wrote to the EHRC in April 2018 to seek clarification on these issues and did not receive a response. The letter is in Appendix II.

The Convention Against Torture requires state parties to make all acts of torture punishable under criminal law.<sup>[247]</sup> The UN Committee against Torture, the expert body charged with interpreting and monitoring state compliance with the Convention, has explained that it is essential to investigate and establish the responsibility of persons in the chain of command as well as that of the direct perpetrator(s), noting that command responsibility was sometimes unaddressed in national legislation, creating potential loopholes for impunity.<sup>[248]</sup>

During the course of Human Rights Watch interviews, former prisoners identified dozens of individuals as being directly responsible for acts of torture, including several who were personally involved in torturing individual prisoners. Some of the key individuals include:

Ethiopian government, and in particular prime minister Dr. Abiy Ahmed, can take immediate steps to end the culture of impunity at Jail Ogaden and ensure accountability for the abuses documented in this report. One significant step forward would be the establishment of a federal Commission of Experts (COE) - a new investigative mechanism to examine abuses in Jail Ogaden specifically. The COE should include:

The COE could develop a process that would allow for timely processing of each case or could make initial determinations on each case as described above. The COE should then continue to monitor the cases with the goal of ensuring that all Jail Ogaden prisoners who are not currently serving a valid sentence of incarceration have been either released or charged within six months, and that decisions on all cases have been made within 12 months. If possible, consideration should be given to using federal judges to clear this backlog of cases given capacity limitations and the lack of independence of the judiciary in Somali Region.

In addition, the COE should carry out an investigation into individual prisoners' allegations of torture during their case determinations. Investigators should also use other reports on Jail Ogaden abuses including this report and EHRC investigation reports [if they are available]. They should also seek to encourage former prisoners of Jail Ogaden to come forward, report their experiences and protect them from the threat of reprisals. On the strength of these investigations, the COE should issue recommendations for criminal investigations against individual officials involved in abuse, regardless of rank. This would include individuals who carried out acts of torture, those who directed it, and those with command responsibility over prison officials involved in abuse.

The COE should explicitly and publicly recommend that individuals implicated in torture be charged under Article 424 of the Criminal Code. Convictions under this article can carry a sentence of up to ten years.

The COE should be politically independent and made up of a diverse pool of individuals with expertise in judicial processes and human rights investigations. Consideration should be given to inviting individuals from outside Ethiopia with relevant expertise. Senior Somali Region officials should be obliged to cooperate with the COE, and protections should be put in place to lessen the likelihood of the long-standing problem of reprisals by Somali Region officials against prisoners, prison guards, translators, and others who cooperate with or assist the COE. This could include unannounced follow up visits to check on conditions of individuals who spoke to the COE and taking strong, immediate and public actions against prison officials who engage in reprisals.

The COE could also develop recommendations on reform of the Somali Regions judiciary in order to ensure dramatically increased respect for rule of law, and recommendations on improving federal oversight of regional detention facilities.

Such a COE is a significant undertaking, and would need to be appropriately staffed and funded, but, if successful, could also act as a template for other investigations into serious abuses.<sup>[265]</sup>

The establishment of a federal Commission of Experts that makes credible, politically independent, and transparent recommendations for accountability would send an important message countrywide that the new prime minister is working to address impunity.

New prime minister Dr Abiy Ahmed has repeatedly spoken of his intention to undertake reforms since taking office in April 2018.<sup>[266]</sup> He acknowledged in a speech before parliament on June 18, 2018 that security force personnel engage in torture, something that previous prime ministers have not done.<sup>[267]</sup> But he has yet to address if or how his government will investigate security force abuses, including torture.

Under the government of prime minister Hailemariam Desalegn, few government actors commented on torture allegations. However, just before leaving office, Hailemariam announced that Maekelawi, an Addis-based detention facility notorious for torture,<sup>[268]</sup> would be closed. He did not acknowledge or comment on the treatment of prisoners there under his government but said that under the *Derg*, Maekelawi had been a site of torture.<sup>[269]</sup>

Government officials have made some statements in the past in response to allegations of torture, usually referring to Ethiopia's legal and constitutional standards around torture. For example, in 2011 then Justice Minister Berhanu Tsegaye dismissed reports of torture, stressing constitutional prohibitions on torture. He said:

Berhanu was later named as Ethiopia's Attorney General in April 2018.<sup>[271]</sup>

In responding to a Human Rights Watch report in 2013 which detailed torture of detainees in Maekelawi, the Ministry of Federal Affairs largely dismissed allegations of torture stating: Your deliberate neglect of facts on the ground and predetermined conclusion on your presentation strengthen your ideological bias rather than any concern on human rights situation in the Crime Investigation Sector [Maekelawi].<sup>[272]</sup>

During Ethiopia's United Nations Universal Periodic Review in May 2014 numerous NGOs, including Advocates for Human Rights, Amnesty International, and Unrepresented Nations and Peoples Organization (UNPO) raised allegations of torture and states made several recommendations to address torture.<sup>[273]</sup> Ethiopia did not accept recommendations to investigate allegations of torture by the Ethiopian military <sup>[274]</sup> nor to train personnel to investigate and prosecute all alleged cases of torture.<sup>[275]</sup>

Ethiopia was last reviewed under the Convention Against Torture, and Other Cruel Degrading or Inhumane Treatment or Punishment (CAT) in 2010. They were due to submit their next state report by Nov 19, 2014, but no report had been submitted at time of writing.<sup>[276]</sup>

At least once, the former prime minister commented on the lack of clarity around the mandate of the Liyu police in Somali region. On October 26, 2017, Hailemariam responded to a question in parliament saying:

Human Rights Watch wrote to the government of Ethiopia in April 2018 to seek clarification on these issues and did not receive a response. The letters are in Appendices I and II.

This report was written by Felix Horne, senior researcher in the Africa division of Human Rights Watch, based on research carried out by Felix Horne and Abdullahi Abdi, senior coordinator in the Africa division of Human Rights Watch. It was reviewed by Maria Burnett, associate director of the Africa division; Jo Becker, advocacy director, Children's Rights Division; Agnes Odhiambo, senior researcher, Women's Rights Division; and Diederik Lohman, director, Health and Human Rights Division. Chris Albin-Lackey, senior legal advisor, and Babatunde Olugboji, deputy program director, provided legal and program review respectively. Samatar Abdi, research assistant, Africa division, Soleyana Gebremichael, intern, Africa division provided invaluable assistance with desk research and translation.

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ACHPR

African Charter on Human and Peoples Rights

ANDM

Amhara National Democratic Movement

AU  
African Union  
CAT  
Convention Against Torture  
COE  
Commission of Experts  
EDF  
Ethiopian Defence Forces  
EHRC  
Ethiopian Human Rights Commission  
EPRDF  
Ethiopian Peoples Revolutionary Democratic Front  
ESDP  
Ethiopian Somali Peoples Democratic Party  
HOPR  
House of Peoples Representatives  
ICCP  
International Covenant on Civil and Political Rights  
ICRC  
International Committee of the Red Cross  
NEBE  
National Electoral Board of Ethiopia  
OLF  
Oromo Liberation Front  
ONLF  
Ogaden National Liberation Front  
OPDO  
Oromo Peoples Democratic Organization  
SEPDEM  
Southern Ethiopia Peoples Democratic Movement  
TPLF  
Tigrayan Peoples Liberation Front  
UN  
United Nations

[1] See Human Rights Watch, Such a Brutal Crackdown, Killings and Arrests in Response to Ethiopias Oromo Protests, June 15, 2016, <https://www.hrw.org/report/2016/06/15/such-brutal-crackdown/killings-and-arrests-response-ethiopias-oromo-protests>; and Human Rights Watch report, They Want a Confession: Torture and Ill-treatment in Ethiopias Maekelawi Police Station, October 17, 2013, <https://www.hrw.org/report/2013/10/17/they-want-confession/torture-and-ill-treatment-ethiopias-maekelawi-police-station>.

[2] Ethiopia is governed by an ethnic federalist system made up of nine predominately ethnic based regions and two chartered administrations. These regions are made up of zones, which are made up of *woredas* [districts], which are made up of *kebeles*. Different governance functions are decentralized to each lower level of government sometimes with considerable duplication of functions between different levels. There are various oversight mechanisms from federal and regional levels to lower levels of government. Despite this decentralization of government functions and power, political control still remains strongly centralized with the ruling EPRDF coalition and its affiliates winning 100 percent of parliamentary seats at federal and regional levels in the 2015 election. For more information see Habtu, Alem, "Ethnic Federalism in Ethiopia: Background, Present Conditions and Future Prospects" (2003). International Conference on African Development Archives. Paper 57. [http://scholarworks.wmich.edu/africancenter\\_icad\\_archive/57](http://scholarworks.wmich.edu/africancenter_icad_archive/57) [accessed June 27, 2018].

For more on administration and federal oversight of prisons please see Sections VII and VIII.

[3] See for example, Amnesty International, Because I am Oromo, Sweeping Repression in the Oromia Region of Ethiopia. October 10, 2014 <https://www.amnesty.org/download/Documents/4000/afr250062014en.pdf> (accessed April 23, 2018).

[4] There are five groups designated as terrorist organizations in Ethiopia, two international: Al-Shabab and Al-Qaeda, and three of them domestic: Ginbot 7 (G7), Oromo Liberation Front (OLF), and the Ogaden National Liberation Front (ONLF). If someone is an ethnic Oromo they are likely to be questioned regarding affiliation with the OLF. If one is an ethnic Somali, questioning involves accusations of support for the ONLF. And if one is from Amhara region or several other smaller ethnic groups, questioning centers on G7 membership.

[5] See Government Response section of this report.

[6] Amongst the Special Rapporteurs with outstanding requests for invites relevant to Somali Region are the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Working Group on arbitrary detention; the Special Rapporteur on minority issues; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Special Rapporteur on Food. For a list of outstanding requests please see: <http://spinternet.ohchr.org/Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH> (accessed April 23, 2018).

[7] Email communication with ICRC, June 4, 2018, on file with Human Rights Watch.

[8] These include the International Covenant on Civil and Political Rights (ICCP), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), the African Charter on Human and Peoples Rights (ACHPR), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). All of these treaties prohibit arbitrary arrest and detention and the use of torture and mistreatment. They uphold the right of detainees to be held in humane conditions, treated with dignity, and to have a fair trial and due process.

[9] The Criminal Code of the Federal Democratic Republic of Ethiopia, art. 424(1), Federal Negarit Gazeta, No. 414/2004, <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/70993/75092/F1429731028/ETH70993.pdf> (accessed April 23, 2018).

[10] The Criminal Code of the Federal Democratic Republic of Ethiopia, art. 424(2), Federal Negarit Gazeta, No. 414/2004, <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/70993/75092/F1429731028/ETH70993.pdf> (accessed April 23, 2018).

[11] Concluding Observations of the Committee against Torture: Ethiopia, Consideration of Reports submitted by State parties under Article 19 of the Convention, January 20, 2011, CAT/C/ETH//CO/1, [http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.ETH.CO.1\\_en.pdf](http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.ETH.CO.1_en.pdf) (accessed April 23, 2018).

[12] The reporter, Commercial, Criminal Procedure codes tabled for revision after six decades, December 2, 2017, <https://www.thereporterethiopia.com/article/commercial-criminal-procedure-codes-tabled-revision-after-six-decades> (accessed April 23, 2018).

[13] Ethiopian Federal Police Commission Establishment Proclamation, Federal Negarit Gazeta, No. 730/2011, November 28, 2011, art. 24(1).

[14] Somali Regional State is also called Somali Region or Region 5. It is also commonly, albeit mistakenly, referred to as the Ogaden or the Ogaden Region. The zones of Nogob (Fiig), Jarar (Dhagahbur), Shebelle (Gode), Korahe, and Doolo (Wardheer), five out of the regions 10 zones, are inhabited primarily by ethnic Ogaden people. Most of the major Somali clan families are in Somali Region. Divisions between Ogadeni and non-Ogadeni clans is an important part of the regions dynamics. Somali Darod are the largest clan family numerically - with the Darod Ogaden clan estimated to be the largest single clan, constituting perhaps 40 to 50 percent of Ethiopian Somalis. The Issaq inhabit the prized pasture land on the border with Somaliland, as well as parts of the Ogaden while the Issa live in the area north of the Hararge highlands north of Dire Dawa.

[15] According to the 2007 census the population of Somali Region was 4,439,147. A 2012 population projection estimated over 5 million people. According to the Constitution, art 103, a census is scheduled to take place every 10 years. A new census was scheduled for 2017 and then rescheduled for February 2018 but there has been no indication that the census has occurred. See The Reporter, National Census postponed, October 7, 2017, <https://www.thereporterethiopia.com/business/national-census-postponed> (accessed April 23, 2018). The government called a state of emergency starting in early February 2018, and it remained in place until it was lifted



[16] Ethiopia is landlocked, but 97 percent of its imports and most of its exports come through road and rail connections to the port of Djibouti. Both of these connections are through Somali Region. A road through Somali Region to Somaliland is also a critical trade route for *khat*, contraband, and other goods moving from the Ethiopian highlands to the Somali coast and further afield. *Khat*, also called *miraa*, is a mild stimulant grown in the Ethiopian highlands and popular amongst Somalis. It is a major cash crop and Somali Region is a major transport route of the stimulant. The recent announcement by a Dubai-based logistics company, DP World, to develop Somaliland's port of Berbera for \$442 million will likely significantly increase the amount of trade between Somaliland and Ethiopia, much of which would travel through Somali Region. Ethiopia also negotiated a 19 percent stake in this port. See <http://web.dpwworld.com/our-business/marine-terminals/middle-east-europe-africa/berbera-somaliland/> (accessed April 23, 2018). Somaliland is an autonomous state in northwestern Somalia that claimed independence in 1991 but is not recognized internationally. Ethiopia maintains very strong relations with Somaliland and has diplomatic representation in Hargeisa, the capital. Human Rights Watch receives regular reports of Ethiopians in Somaliland, in particular ethnic Oromos, being arrested and deported back to Ethiopia. This includes asylum seekers who have registered with UNHCR. For information about oil exploration, please see Jakob Grandjean Bamberger and Kristian Skovsted, Concessions and Conflicts: Mapping Oil Exploration in Somali and Ethiopia, 2016, [http://pure.diiis.dk/ws/files/576720/DIIS\\_WP\\_2016\\_2.pdf](http://pure.diiis.dk/ws/files/576720/DIIS_WP_2016_2.pdf) (accessed May 1, 2018).

[17] See footnote 3 and Africa News, Ethiopian foreign exchange shortage will last many more years: new premier, April 17, 2018,

<http://www.africanews.com/2018/04/17/ethiopian-foreign-exchange-shortage-will-last-many-more-years-new-premier/> (accessed April 30, 2018).

[18] Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018).

[19] Human Rights Watch interviews with #78, 81, 83, March, 2018, April 2018, locations withheld.

[20] Very few international journalists have reported from Somali Region, other than from Jijiga, since Liyu police arrested Swedish journalists Martin Schibbye and Johan Persson inside the region in July 2011. They were investigating the activities of Swedish oil company Lundin Oil. They had snuck into Somali Region from neighboring Somalia with ONLF fighters and were captured by Liyu police and convicted under the anti-terrorism law and sentenced to 11 years in prison. They were pardoned and released in September 2012 after nine months in detention.

[21] Although in April 2018 prime minister Dr Abiy Ahmed announced several ESPDP members would take up positions within his cabinet. It is unusual for cabinet members to be from outside the four parties in the ruling coalition. Hornaffairs, PM Abiy Ahmeds new appointees and their previous posts, April 19, 2018, <https://hornaffairs.com/2018/04/19/pm-abi-y-ahmed-appointed-25-ministers-and-top-officials/> (accessed May 14, 2018).

[22] In the 2015 election, the ruling Ethiopian Somali Peoples Democratic Party (ESPDP) won all 24 seats allocated to the Somali Region in the House of Peoples Representatives and all 273 seats in the Somali Region regional assembly.

[23] There is a lengthy history of conflict within and over the region going back over one hundred years in part because of its proximity to Somalia. What is now Somali Region has been under the control of Great Britain, Italy, and Ethiopia over the last one hundred years. See Part 1 of Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia> for more information.

[24] The Ogaden clan, and in particular rer Abdille and rer Isaak, who are sub-sub clans of the Mohamed Zubeir subclan comprised the majority of ONLF membership. Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018).

[25] See Part 1 of Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia> for more information

[26] As per their interpretation of Article 39 of the Ethiopian Constitution. Article 39 is related to self-determination and has been a controversial clause since its inception. Different interpretations of this clause have been an ongoing point of contention in successive peace talks between the government of Ethiopia and the ONLF.

Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018)

[27] See Part 1 of Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia> for more information.

[28] The Guardian, Ethnic Somali rebels kill 74 at Chinese oilfield in Ethiopia, April 25, 2007, <https://www.theguardian.com/world/2007/apr/25/ethiopia> (accessed May 14, 2018).

[29] The conflict increased as Ethiopia invaded Somalia and fighting inside Somalia reached its peak around the same time. See Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, p31, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia>.

[30] See Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, p31, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia>.

[31] Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, pp33-61, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia>.

[32] Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, pp63-74, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia>.

[33] Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, pp74, 96, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia>.

[34] For more information on the abuses during 2007-2008 specifically, please see Human Rights watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopia's Somali Region, June 12, 2008, pp110-115, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopia>.

[35] Most of Ethiopia's regional states have had special [Liyu in Amharic] police forces. In all regions they report in practice to the president of the region, but the mandate of these police forces vary widely. In some states, they are a unit of the regional police that are responsible for riot and crowd control and play a relatively small role in security affairs. In other regions, like Somali Region, they effectively act as a paramilitary unit engaged in military-like actions. There are no known laws or proclamations that specify regional special police force mandates or command responsibility. There is no apparent federal oversight.

[36] A key part of the strategy during the early years of the Liyu police was to recruit individuals from the same Ogadeni subclans that historically have supported the ONLF. Consequently, early recruitment of the Liyu police were initially from rer Abdille and rer Isaak [sub clans of Mohamed Zubeir, which is a subclan of the Ogaden]. After 2013, recruitment into Liyu police went beyond these subclans.

[37] Given lack of employment opportunities in Somali Region, some Liyu police have described to Human Rights Watch that income was a driving factor in joining. Not only do Liyu police receive a salary, but they also keep extorted money and confiscated valuables or belongings recovered during raids. Over the last two years, senior members of the Liyu police have become more involved in collecting taxes and direct involvement in businesses, both legal and illicit. Human Rights Watch interview with former Liyu police member, April 2018, location withheld.

[38] Funding of the Liyu police is opaque, although former regional government officials told Human Rights Watch that funding comes direct from the federal government while other funding is diverted from Somali Regions general budget. Human Rights Watch has found no evidence of direct foreign funding of the Liyu police. In 2012 the UK's Department for International Development (DFID) had proposed to fund the Liyu police under the Security and Justice component of a 24 million 2012-2015 Peace and Development Programme for Ethiopia's Somali Region. The Guardian wrote an article in 2013 critiquing DFID's Liyu police funding through this program. In 2015, DFID dropped the support to the Liyu police in order to maximize impact according to DFID's November 2015 Annual Summary on the project. It is a common perception in Ogadeni communities that the UK funds the Liyu police. See UK tenders to train Ethiopia paramilitaries accused of abuses, January 10, 2013, <https://www.theguardian.com/world/2013/jan/10/ethiopia-forces-human-rights-funding> (accessed May 1, 2018). See DFID's development tracker for more information on the Peace and Development Programme at <https://devtracker.dfid.gov.uk/projects/GB-1-202891>.

[39] See Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018).

[40] For example, see Ethiopia: No Justice in Somali Region Killings, Human Rights Watch news release, April 5, 2017, <https://www.hrw.org/news/2017/04/05/ethiopia-no-justice-somali-region-killings>.

and Ethiopia: Special Police Execute 10, Human Rights Watch news release, May 28, 2012, <https://www.hrw.org/news/2012/05/28/ethiopia-special-police-execute-10>.

[41] Peace talks between the ONLF and the Ethiopian government took place in 2013 and 2018. The current status of the 2018 talks and the extent to which they are ongoing are not clear. Representatives from both the federal government and Somali Region government, including Abdi Illey, were present at the most recent round February 2018. VOA News, Ethiopia Opens Three-Day Talks With Somali Rebels, February 11, 2018, <https://www.voanews.com/a/ethiopia-opens-three-day-talks-with-somali-rebels/4249097.html> (accessed May 14, 2018).

[42] In 2016 and 2017, communities in neighboring Oromia region reported frequent armed attacks on their homes by individuals from the Somali Region Liyu police. Residents reported killings, assaults, looting of property, and displacement. A complex series of attacks involving ethnic Oromo and Somali armed militias and other groups took place over the next year. Liyu police and other regional security actors forcibly removed Oromos living in Somali Region. Hundreds were killed and over one million people were internally displaced as a result of the conflict. Despite much attention on the conflict, particularly on social media and from the two regional governments, the federal government did little to halt the conflict until September 2017, by which point the vast majority of displacements had occurred. Restrictions on access have made it difficult to corroborate details. While conflict along the regional borders has reduced, most displaced households have not returned. As of time of publication, there continues to be hundreds of thousands displaced and Human Rights Watch continues to receive regular reports of killings in this area. United Nations Office for the Coordination of Humanitarian Affairs, Ethiopia Conflict Situation Displacement Situation Report, January 23, 2018, [https://reliefweb.int/sites/reliefweb.int/files/resources/ethiopia-conflict-displacement-situation-report\\_0.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/ethiopia-conflict-displacement-situation-report_0.pdf) (accessed June 24, 2018) and United Nations Security Council, Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2182 (2014): Somalia, October 19, 2015, [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2015/801](http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/801) (accessed May 2, 2018).

[43] Former Liyu police and other witnesses report that recruits have been as young as 15. There seems to be little screening in place to ensure they are the age of 18, and lack of birth registration or documentation makes it difficult to authenticate age. Human Rights Watch interviews #68, 70, 91, 98, March 2018, June 2018, locations withheld.

[44] See Collective Punishment and Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018).

[45] Human Rights Watch interviews #28, 34, 42, 60, 68, June 2017, August 2017, March 2018, locations withheld. Also see Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RVI%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018).

[46] Sectoral budgets could include budgets for Somali Region bureaus responsible for health, education, and pastoral development for example.

[47] Human Rights Watch interview with former government workers A, B, C, March 2018, April 2018, locations withheld.

[48] The Somali Regional state constitution (2001) Article 61(3)(f) stipulates that the president Leads and controls institutions, security and police forces that are established to maintain the security and enforcement of laws of the regional state." [translation from Amharic into English]. Human Rights Watch interviews #4, 5,19, 54, 76, April 2014 and March 2018, locations withheld.

[49] Tobias Hagmann, Talking Peace in the Ogaden, Rift Valley Institute, 2014, [http://www.c-r.org/downloads/RV1%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20\(1\).pdf](http://www.c-r.org/downloads/RV1%20Nairobi%20Forum%20-%20Talking%20Peace%20in%20the%20Ogaden%20(1).pdf) (accessed April 23 2018).

[50] See for example, Australia: Protests Prompt Ethiopia Reprisals, Human Rights watch new release, November 7, 2016, <https://www.hrw.org/news/2016/11/07/australia-protests-prompt-ethiopia-reprisals>. Human Rights Watch interviews with #54, 68, 69, 77, 82, 92-98, locations withheld, June 2017, August 2017, March 2018, May 2018.

[51] Most detainees based their estimates on the daily counts of prisoners. Most detainees estimated between 1500-5000 prisoners.

[52] Human Rights Watch interviews with #54,68,70, locations withheld, June 2017, March 2018.

[53] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English.

[54] Section 8(a) of the UN Minimum Standard Rules of Treatment of Prisoners requires men and women to be in separate places. Human Rights Watch interviews with #53,57, locations withheld, June 2017, August 2017.

[55] See Section VIII on Ethiopian Human Rights Commission for more details.

[56] Human Rights Watch interviews with #5,13,32,33,38,45,58,72,79, April 2014, June 2017, August 2017, March 2018, April 2018, locations withheld.

[57] Human Rights Watch report, Collective Punishment, War Crimes and Crimes against Humanity in the Ogaden area of Ethiopias Somali Region, June 12, 2008, <https://www.hrw.org/report/2008/06/12/collective-punishment/war-crimes-and-crimes-against-humanity-ogaden-area-ethiopias>.

[58] Human Rights Watch interview with #71, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2016.

[59] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #12. Time 0:10:050:11:15.

[60] The regional prison commissioner does not have oversight of Liyu police places of detention and EDF military camps. Human Rights Watch interview with former security officials #68,70, March 2018, locations withheld.

[61] Human Rights Watch interview with former security officials #54, 68,70, June 2017, March 2018, locations withheld.

[62] Human Rights Watch interviews with #57,58,62,64,67, August 2017, October 2017, locations withheld.

[63] Human Rights Watch interviews with #57, 62, 64, 67, August 2017, October 2017, locations withheld.

[64] Various former prisoners put the estimate of detainees that they believed were members of ONLF at between 10 and 33 percent.

[65] It is the closest large scale official detention center to the border with Somaliland. Human Rights Watch interviews with #1, 13, 27, 32, 37,57, December 2016, June 2017, August 2017, locations withheld.

[66] Human Rights Watch interviews with former Hargeisa community leaders, August 2017, September 2017, locations withheld. OPride, Oromo-Somali conundrum: Can Ethiopia tame the Liyu police?, September 26, 2017, <https://www.opride.com/2017/09/26/oromo-somali-conundrum-can-ethiopia-tame-liyu-police/> (accessed June 4, 2018).

[67] Human Rights Watch interview with #77, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2015.

[68] Human Rights Watch interview with #30,57,58, June 2017, August 2017, locations withheld.

[69] Human Rights Watch interview with #58, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2014.

[70] Convention against Torture, art. 1. Ratified by Ethiopia in 1994.

[71] Human Rights Watch interview with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[72] Human Rights Watch interview with #30, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2015. This is taboo in Somali culture.

[73] Human Rights Watch interview with #64, October 2017, location withheld. The interviewee was held in Jail Ogaden in 2016. During the 2011 evaluation, individuals responsible for entertainment spoke about being arrested for several days for not composing songs. They also described being beaten when the sound system did not work and described being forcefully recruited into the band.

[74] Human Rights Watch interviews with #53, 74, 77, 81, June 2017, March 2018, locations withheld. UN Standard Minimum Rules for the Treatment of Prisoners, art 28(1) forbids employment of any prisoner in a disciplinary capacity.

[75] Human Rights Watch interviews with #67, 77, 81, October 2017, March 2018, May 2018, locations withheld.

[76] Human Rights Watch interviews with #53, 74, June 2017, March 2018, locations withheld.

[77] Human Rights Watch interview with #67, October 2017, location withheld..

[78] Human Rights Watch interview with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden in 2013-2014.

[79] Human Rights Watch interview with #62, June 2017, location withheld. The interviewee was held in Jail Ogaden in 2011.

[80] Human Rights Watch interview with #5, April 2014, location withheld. The interviewee was held in Jail Ogaden from 2012-2013.

[81] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #6. Time 0:12:070:12:25, to which the prison guard responded during time 0:12:270:13:44: Yes. It was a common thing. When a prisoner denies any allegiance to a peace-rebel group, he used to be tortured. That was the reality. I exercised torture. I was ordered to do that.

[82] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #5. Time 0:37:230:44:44.

[83] Human Rights Watch interview with #77, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2015. It is not clear why so many prisoners became prison guards and vice versa.

[84] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #6. Time 0:03:280:10:20.

[85] The Jail Ogaden prison head is also referenced in many interviews as the deputy to the Regional Prison commissioner.

[86] Human Rights Watch interview with #53,65, 75, 76, June 2017, October 2017, March 2018, locations withheld. Gibib [means dam in Amharic] is a water reservoir about four kilometers northeast of Jail Ogaden on the outskirts of Jijiga.

[87] Also called *miraa*. It is a major cash crop and Somali Region is a major transport route of the simulant.

[88] Human Rights Watch interview with #61, October 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[89] Human Rights Watch interview with #62, October 2017, location withheld.

[90] For more information on abuses at Gidib reservoir please see the Water Torture subsection below. Human Rights Watch interviews with former prisoner #62, October 2017, locations withheld. Liyu police and EDF are generally identifiable because of familiarity with the uniforms and because many members of the EDF are non-Somalis.

[91] Human Rights Watch interview with #57, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2013.

[92] Human Rights Watch interviews with #45,61,61,73, June 2017, October 2017, March 2018, locations withheld.

[93] Human Rights Watch interview with former Liyu police officer #75, March 2018, location withheld.

[94] Human Rights Watch interviews with former prisoners #53, 74,75,77, June 2017, March 2018, locations withheld.

[95] Human Rights Watch interview with #74, March 2018, location withheld.

[96] Human Rights Watch interview with #75, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2017.

[97] Human Rights Watch interview with #48, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[98] Abdi Bede was the commissioner for most of the time that is understood to be covered by the 2011 evaluation.

[99] Human Rights Watch interview with #61, October 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[100] Human Rights Watch interview with #74, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2014.

[101] Human Rights Watch interviews with #45, #56, #57, #58, June 2017 and August 2017, locations withheld.

[102] Human Rights Watch interview with #58, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2014.

[103] For example, Human Rights Watch interviews with #45,56, 58, and 77, June 2017, August 2017, March 2018, locations withheld.

[104] See Such a Brutal Crackdown: Killings and Arrests in response to Ethiopias Oromo Protests, Human Rights Watch report, June 15, 2016, <https://www.hrw.org/report/2016/06/15/such-brutal-crackdown/killings-and-arrests-response-ethiopias-oromo-protests> (accessed April 23, 2018); Human Rights Watch, Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopias Oromia Region, Vol. 17, No. 7 (A), May 10, 2005, <http://www.hrw.org/reports/2005/05/09/suppressing-dissent-0> (accessed April 23, 2018); and Amnesty International, Because I am Oromo, Sweeping Repression in the Oromia Region of Ethiopia. October 10, 2014 <https://www.amnesty.org/download/Documents/4000/af250062014en.pdf> (accessed April 23, 2018).

[105] Human Rights Watch interviews with #4,12,32,44,45,52,61,62,65,73,76,77,82, December 2012, June 2017, October 2017, March 2018, May 2018, locations withheld.

[106] Human Rights Watch interview with #57, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2013.

[107] Human Rights Watch interviews with #12,61,62,64,68,74,75,76,77,82, December 2012, October 2017, March 2018, May 2018, locations withheld.

[108] Human Rights Watch interviews with #12, 62, 75, 77, December 2012, October 2017, March 2018, locations withheld.

[109] Human Rights Watch interview with #77, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2015. He described being taken there three or four times a month over the entire time he was in Jail Ogaden.

[110] Temperatures in Jijiga are much colder than many of the areas where detainees were brought from. For example, the mean temperature range during the growing season in Jijiga is 20.1 to 22.5 degrees Celsius (68.18-72.5 Fahrenheit), while the average temperature range during the growing season in Wardheer or Gode zones [where many detainees are from] is 25.1 to 27.5 degrees Celsius (77.18-81.5 Fahrenheit) [five degrees Celsius warmer]. From 2011 study: <http://www4.unfccc.int/nap/Documents/Climate%20Change%20Impacts%20Vulnerabilities%20and%20Adaptation%20Strategies%20in%20Somali%20Region.pdf> (accessed April 23, 2018). Human Rights Watch interviews with #18,30, 53, 71, April 2014, June 2017, October 2017, March 2018, locations withheld.

[111] Human Rights Watch interviews with #12, 57, 61, 62, 64, February 2012, August 2017, October 2017, locations withheld.

[112] Human Rights Watch interviews with #12, 62, 64, February 2012, August 2017, October 2017, locations withheld.

[113] Human Rights Watch interviews with #32,48,57, 66, 68,82, June 2017, August 2017, March 2018, May 2018, locations withheld. The *fig* position is especially common in Ethiopias military camps.

[114] Human Rights Watch interviews with #48, 66, 68, June 2017, October 2018, locations withheld.

[115] Human Rights Watch interview with #57, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2013.

[116] Human Rights Watch interviews with #15, 29, 30, 32, 48, 53, 58, 62, 66, 72,80, 82, April 2014, June 2017, August 2017, March 2018, April 2018, May 2018, locations withheld.

[117] Human Rights Watch interviews with #30, 53, 58, June 2017, August 2017, location withheld.

[118] Human Rights Watch interview with #58, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2014. In the evaluation video, prison guards speak about a similar incident: There was a night when the prisoners were brought outside (of their cells), water was splashed on them and tortured, all of them. They then squeezed all the 200 men, naked, in one room.

[119] Human Rights Watch interview with #79, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2012.

[120] Human Rights Watch interviews with #30,53, 64, June 2017, March 2018, locations withheld.

[121] Human Rights Watch interviews with #30,53, 77, June 2017, March 2018, locations withheld.

[122] Human Rights Watch interviews with #53, 57, 59, June 2017, August 2017, locations withheld.

[123] Human Rights Watch interviews with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[124] Human Rights Watch interview with #57, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2013. She showed the researcher various burn marks.

[125] Human Rights Watch interviews with #32, 38, 58, 71, June 2017, August 2017, March 2018, locations withheld.

[126] Prisoners held in Jail Ogaden in 2011 and 2012 described to Human Rights Watch being told by fellow prisoners that they had been held in these holes. From 2013 onwards, prisoners held in Jail Ogaden interviewed by Human Rights Watch were not told by fellow prisoners that they were held in these holes. Likely the practice has minimized since 2012. Human Rights Watch interviews with #27,39,49, June 2017, locations withheld.

[127] Human Rights Watch interview with #48, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[128] Human Rights Watch interviews with #24,30, 41,52 53,58,59,77, April 2014, June 2017, August 2017, March 2018, locations withheld.

[129] Human Rights Watch interviews with #24,30,52,58,59,77, April 2014, June 2017, August 2017, March 2018,locations withheld.

[130] Human Rights Watch interviews with #5,13,32,33,38,45,58,71,72,79, April 2014, June 2017, August 2017, March 2018, April 2018, locations withheld.

[131] Human Rights Watch interview with #58, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2014.

[132] Human Rights Watch interview with #32, June 2017 and March 2018, location withheld. The interviewee was held in Jail Ogaden from 2010-2015.

[133] Human Rights Watch interview with #71, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2016.

[134] Human Rights Watch interview with #74, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2015-2016.

[135] Human Rights Watch interviews with #39,44,48,75, June 2017, March 2018, locations withheld.

[136] Human Rights Watch interview with #61, October 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[137] Human Rights Watch interview with #64, October 2017, location withheld. The interviewee was held in Jail Ogaden in 2016.

[138] Human Rights Watch interview with #64, October 2017, location withheld. The interviewee was held in Jail Ogaden in 2016.

[139] Human Rights Watch interview with #61, October 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[140] Human Rights Watch interview with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[141] Human Rights Watch interview with #6, April 2014, location withheld.

[142] For example, Human Rights Watch interviews with #39, 53, 77, June 2017, March 2018, locations withheld.

[143] Human Rights Watch interviews with #61,68, and 77, October 2017, March 2018, locations withheld.

[144] Human Rights Watch interviews with #23, 32, 39, 51, 56, 57, 59, 61, 63, 66, 68, April 2014, June 2017, August 2017, March 2018, locations withheld.

[145] Human Rights Watch interviews with #5,32,33,56,59,61,64,67, April 2014, June 2017, October 2017, March 2018, locations withheld.

[146] The UN Standard Minimum Rules of the Treatment of Prisoners, art 20 outlines the requirement for adequate supplies of food and water. These standards, although non-binding, have been recognized as the minimum standards acceptable to the international community through adoption by the General Assembly.

[147] Human Rights Watch interviews with #68, 77, March 2018, locations withheld.

[148] Human Rights Watch interview with brother of former prisoner #61, October 2017, location withheld.

[149] Human Rights Watch interview with #62, October 2017, location withheld. The interviewee was held in Jail Ogaden in 2011.

[150] Some detainees complained that most of the food was *injera*, a staple of the Ethiopian highland diet, but food that many Somalis, particularly those from remote rural areas, are not used to. Human Rights Watch interviews with former prisoners #32, 58, 67, 68, 71,73,75,76,77,79,82, June 2017, August 2017, March 2018, April 2018, May 2018, locations withheld.

[151] Human Rights Watch interviews with #32, 57, 67, 68, 71,73,75,76,77,79, June 2017, august 2017, March 2018, April 2018, locations withheld.

[152] Human Rights Watch interviews with #30,58,62, June 2017, August 2017, October 2017, locations withheld.

[153] Human Rights Watch interview with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[154] Human Rights Watch interviews with #32, 67, 68, 71,73,75,76,77,79, June 2017, March 2018, April 2018, locations withheld.

[155] Human Rights Watch interview with #71, March 2018, location withheld. The interviewee was held in Jail Ogaden from 2012-2016.

[156] UN Standard Minimum Rules for the Treatment of Prisoners, para. 20(1). This standard has been cited with approval by the UN Human Rights Committee when examining the minimum standards that a state must observe for those deprived of their liberty, regardless of a state partys level of development. See *Mukong v. Cameroon*, No. 458/1991, para. 9.3.

[157] Human Rights Watch interviews with #32, 53, 71, 77, June 2017, March 2018, locations withheld.

[158] The UN Standard Minimum Rules on the Treatment of Prisoners, art 22-26, outline standards for health and dental care.

[159] Human Rights Watch interview with #20, July 2014, location withheld.

[160] Human Rights Watch interviews with #4,5, 13, April 2014, December 2016, locations withheld.

[161] Human Rights Watch interview with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[162] Human Rights Watch interviews with #5, 30, 58, 61, April 2014, June 2017, August 2017, October 2017, locations withheld. The UN Standard Minimum Rules of the Treatment of Prisoners, art 12 the requirement that sanitary facilities should be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

[163] Human Rights Watch interviews with #58, 61, August 2017, October 2017, locations withheld.

[164] Human Rights Watch interviews with #18,30, 53, 71, April 2014, June 2017, October 2017, March 2018, locations withheld.

[165] Human Rights Watch interviews with #13,58,79, December 2016, August 2017, March 2018, locations withheld.

[166] Human Rights Watch interviews with #21,53, 68, June 2017, March 2018, locations withheld.

[167] He also said within one week Abdi Illey came and distributed water and some pills after news had spread through Jijiga about a cholera outbreak. Human Rights Watch interview with former prisoner #57, August 2017 and October 2017, location withheld.

[168] Human Rights Watch interview with #59, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[169] Prison guards also continuously referred to deaths from torture during the 2011 evaluation. Names on file. Human Rights Watch interviews with #27,31,53,68, June 2017, March 2018, locations withheld.

[170] Human Rights Watch interview with former Liyu police officer, #76, March 2018, location withheld. Landinfo, the Norwegian governments Country of Origin office, in its 2015 report on Jail Ogaden says that Most of those who die during their stay in prison are buried by their family outside of the prison. But those who for various reasons are not brought out are buried within the prison walls. Such burials take place near the northern part of the outer wall facing west. [https://landinfo.no/asset/3403/1/3403\\_1.pdf](https://landinfo.no/asset/3403/1/3403_1.pdf). Human Rights Watch did not find many situations where family members received bodies of loved ones, and little information that bodies were buried in those locations.

[171] Human Rights Watch interview with #13, December 2016, location withheld. The interviewee was held in Jail Ogaden from 2011-2016.

[172] Adult Malnutrition in Emergencies An Overview of Diagnosis and Treatment, Action contre la Faim France, September 2006, <https://www.accioncontraelhambre.org/sites/default/files/documents/adult-malnutrition-in-emergencies.pdf> (accessed June 24, 2018).

[173] Human Rights Watch interview #32, June 2017, location withheld.

[174] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #10. Time 0:16:48:02:29. Video #12. Time 0:21:15:02:58.

[175] Article 43 of the UN Minimum Standard Rules of Treatment of Prisoners outlines requirements around retention of prisoners property.

[176] Human Rights Watch interview with #73, March 2018, location withheld. The interviewee was held in Jail Ogaden in 2012-2014.

[177] Human Rights Watch interview with #30, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2015.

[178] Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (Maputo Protocol), adopted by the 2nd Ordinary Session of the Assembly of the Union, Maputo, CAB/LEG/66.6 (September 13, 2000); entered into force November 25, 2005. Has not yet been ratified by Ethiopia.

[179] Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, art.25.

[180] Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, art.33(5).

[181] Human Rights Watch interviews with #68,77, March 2018, locations withheld.

[182] Human Rights Watch interviews with #29, 57, 73, June 2017, August 2017, March 2018, locations withheld.

[183] Human Rights Watch interview with #30, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2019-2015.

[184] Human Rights Watch interview with #46, June 2017, location withheld. The interviewee was held in Jail Ogaden from 2009-2014.

[185] Human Rights Watch interview with #73, March 2018, location withheld. The interviewee was held in Jail Ogaden in 2012-2014.

[186] Guidelines for evaluation of the nutritional status and growth in refugee children during the domestic medical screening examination, CDC & U.S. Department of Health and Human Services, November 2013. <https://www.cdc.gov/immigrantrefugeehealth/pdf/Nutrition-and-Growth-Guidelines.pdf> (accessed June 24, 2018)

[187] Human Rights Watch interview with #30, June 2017, location withheld. The interviewee was held in Jail Ogaden in 2010-2015.

[188] The UN Standard Minimum Rules of the Treatment of Prisoners, art. 8(d) says that young prisoners should be kept separate from adult prisoners. Human Rights Watch interviews with #9, 12, 18, 29, 30,57,62,63, 75,76, April 2014, June 2017, August 2017, October 2017, March 2018, locations withheld.

[189] While Ethiopias problematic anti-terrorism law has been used to convict those only spuriously connected to banned organizations countrywide, in Somali Region it is rarely used, in part because of the lack of criminal charges in general. Individuals who are charged under the anti-terrorism law for alleged connections to ONLF are usually arrested and charged outside of Somali Region, although there are very few known cases even outside Somali Region. Individuals charged outside of Somali Region are generally those that are forcibly returned from foreign countries or those who are arrested outside of Somali Region [Addis Ababa or Dire Dawa for example]. A former judge told Human Rights Watch that the law is occasionally used to charge individuals in regional courts in Jijiga, and that those are usually individuals who have returned from Somalia and might be accused of connections to ONLF or Al-Shabab. The law permits individuals to be held up to four months in pre-charge detention, one of the longest pre-charge detention periods in the world. The law also permits the use of hearsay or indirect evidences in court without any limitation. It allows the admission of official intelligence reports without disclosing the source of the information or how it was gathered which effectively allows evidence obtained under torture to be used. Similarly, it allows for the admissibility of confessions without prohibiting the use of confessions made under torture. In addition to Human Rights Watch, the Committee against Torture and the Special Rapporteur on counter-terrorism and human rights have expressed concern that provisions of the anti-terrorism law contravene human rights standards. Human Rights Watch interview #81, March 2018, location withheld. For more information on concerns with the anti-terrorism law please see Human Rights Watch, In the Name of Security: Counterterrorism Laws Worldwide since September 11, June 29, 2012, <https://www.hrw.org/report/2012/06/29/name-security/counterterrorism-laws-worldwide-september-11> (accessed 14 May 2018).

[190] Human Rights Watch interviews with #13,16,61,64,65,79, April 2014, December 2016, October 2017, April 2018, locations withheld. In Somali Region, there are courts at *woreda* (district), zonal, and regional levels, and a council court for Jijiga. There are also appeals courts for zonal and regional levels and sharia courts for issues of divorce and estate. There have been ongoing rumors of military courts run by the Liyu police, but as of time of publication there is no evidence these courts were in place.

[191] Constitution of the Federal Democratic Republic of Ethiopia, August 21, 1995, arts. 19(1) and 19(3). Article 19(3) states, Persons arrested have the right to be brought before a court within 48 hours of their arrest. Such time shall not include the time reasonably required for the journey from the place of arrest to the court. On appearing before a court, they have the right to be given prompt and specific explanation of the reasons for their arrest due to the alleged crime committed.

[192] Human Rights Watch interviews with former judges #78, 81, March, 2018, April 2018, locations withheld.

[193] Human Rights Watch interviews with former judges #78, 81, March, 2018, April 2018, locations withheld.

[194] The Judges said that the officials making those requests were either local security officials or security officials now living in Jijiga who were originally from the areas of the detainees. Human Rights Watch interviews with former judges #78, 81, 83, March, 2018, April 2018, locations withheld.

[195] Human Rights Watch interviews with former judges #78, 81, March, 2018, April 2018, locations withheld.

[196] Human Rights Watch interview with former judge #78, April 2018, location withheld.

[197] Human Rights Watch interview with former judge #78, April 2018, location withheld.

[198] Human Rights Watch interview with judge #82, April 2018, location withheld.

[199] This is a common theme during interrogations in Ethiopias places of detention. See Human Rights Watch report, Such a Brutal Crackdown, Killings and Arrests in Response to Ethiopias Oromo Protests, June 15, 2016, <https://www.hrw.org/report/2016/06/15/such-brutal-crackdown/killings-and-arrests-response-ethiopias-oromo-protests>; and Human Rights Watch report, They Want a Confession: Torture and Ill-treatment in Ethiopias Maekelawi Police Station, October 17, 2013, <https://www.hrw.org/report/2013/10/17/they-want-confession/torture-and-ill-treatment-ethiopias-maekelawi-police-station>

[200] Human Rights Watch interview with #58, August 2017, location withheld. The interviewee was held in Jail Ogaden from 2010-2014.

[201] Human Rights Watch interviews with former judges #78, 81, March, 2018, April 2018, locations withheld.

[202] Human Rights Watch interview with former judge #78, April 2018, location withheld.

[203] Human Rights Watch interview with #64, October 2017, location withheld. The interviewee was held in Jail Ogaden from 2016.

[204] Human Rights Watch interview with #27, June 2017, location withheld. He was released in 2014 after spending three years in Jail Ogaden. In 2014, there was a mass release of Oromo prisoners from Jail Ogaden. It is not apparent why.



[205] Human Rights Watch interviews with former prisoners #57, 58, August 2017, locations withheld.

[206] Cakaara News, 600 Prisoners Released by the State to Mark Idul-Adha, September 3, 2017, <http://cakaaranews.com/index.php/wararka-separator/wararka-degaanka/6894-600-oo-maxbuus-oo-xukuumadu-cafis-u-fidisay-fadliga-ciidul-adxa.html> (accessed June 5, 2018). Cakaara News, The SRS president grants presidential pardon to more than 200 prisoners released from the Central Prison, September 13, 2014, <http://cakaaranews.com/index.php/wararka-separator/wararka-degaanka/4300-madaxwaynaha-ddsi-oo-cafis-u-fidiyay-in-ka-badan-200-oo-maxbuus-lagana-sii-daayay-xabsiga-dhexe-ee-mmj.html> (accessed June 5, 2018).

[207] Human Rights Watch interviews with #4, 24, 48, 56, 66, April 2014, June 2017, August 2017, October 2017, locations withheld.

[208] Human Rights Watch interviews with #4, 5, 24, 33, 50, 57, 66, 68, 71, 74, 79, April 2014, June 2017, August 2017, October 2017, March 2018, April 2018, locations withheld.

[209] Human Rights Watch interviews with #5, 20, 24, 57, 71, April 2014, June 2017, locations withheld. This was particularly common before 2012.

[210] Human Rights Watch, Does Ethiopia's New State of Emergency Dash Hopes for Reform, February 21, 2018, <https://www.hrw.org/news/2018/02/21/does-ethiopia-s-new-state-emergency-dash-hopes-reform>.

[211] Cakaara News, President Abdi Mohamud Omar Grants Presidential Pardon to More Than 1,500 Rehabilitated Prisoners February 21, 2018, <http://cakaaranews.com/index.php/wararka-separator/wararka-degaanka/7402-mw-cmc-oo-cafis-ufidiyay-in-kabadan-1500-oo-maxaabiis-ladhaqanceliyay-ah.html> (accessed June 5, 2018) and Xinhua, Ethiopia's Somali state pardons 1,500 detainees, February 22, 2018, [http://www.xinhuanet.com/english/2018-02/22/c\\_136991780.htm](http://www.xinhuanet.com/english/2018-02/22/c_136991780.htm) (accessed April 23, 2018).

[212] Eid al-Fitr is an important Islamic holiday that marks the end of Ramadan. Facebook live, Abdi Mohamoud Omar, June 15, 2018, <https://www.facebook.com/100004289385774/videos/1029111203908516/> (accessed June 24, 2018).

[213] Human Rights Watch interviews with #24, 26, 32, 46, 58, 61, April 2014, June 2017, August 2017, October 2017, locations withheld.

[214] Human Rights Watch interviews with brother of #61 and 72, October 2017, March 2018, locations withheld.

[215] Human Rights Watch interviews with #53, 57, 72, June 2017, August 2017, March 2018, locations withheld.

[216] Human Rights Watch interview with sister of #71, March 2018, location withheld.

[217] Constitution of the Federal Democratic Republic of Ethiopia, August 21, 1995, art. 21.

[218] Ethiopia acceded to the Convention Against Torture on March 14, 1994. United Nations Treaty Collection, "Status of Treaties," [http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtidsg\\_no=IV-9&c...](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtidsg_no=IV-9&c...) (accessed May 5, 2018).

[219] African Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force Oct. 21, 1986, <http://www.achpr.org/instruments/achpr/>, Art. 5. Ethiopia ratified the African Charter in 1998.

[220] Constitution of the Federal Democratic Republic of Ethiopia, 1995, University of Pennsylvania African Studies Center, "Ethiopian Constitution," <http://www.wipo.int/edocs/lexdocs/laws/en/et/et007.en.pdf> (accessed May 5, 2018), art. 16 ("Everyone has the right to protection against bodily harm.") and art. 18(1) ("Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment.).

[221] General Comment No. 4 on the African Charter on Human and Peoples Rights: The Right to Redress for Victims of Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment (Article 5), <http://www.achpr.org/instruments/general-comment-right-to-redress/> (accessed May 16, 2018).

[222] General Comment No. 4 on the African Charter on Human and Peoples Rights: The Right to Redress for Victims of Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment (Article 5), <http://www.achpr.org/instruments/general-comment-right-to-redress/> (accessed May 16, 2018).

[223] This includes, for example, the Ethiopian Human Rights Commission and the Institute of the Ombudsman.

[224] Federal Prisons Commission Establishment Proclamation, <https://chilot.files.wordpress.com/2012/10/proc-no-365-2003-federal-prisons-commission-establishment.pdf> (accessed May 14, 2018). This also includes the requirement for regional prisons to send the Federal Prisons Commission periodic reports and statistics as regards the general condition of prisoners.

[225] System for the Intervention of the Federal Government in the Regions Proclamation No. 359/2003, art. 7, <https://chilot.me/2011/08/system-for-the-intervention-of-the-federal-government-in-the-regions-proclamation-no-3592003/> (accessed April 23, 2018).

[226] System for the Intervention of the Federal Government in the Regions Proclamation No. 359/2003, art. 9(2), <https://chilot.me/2011/08/system-for-the-intervention-of-the-federal-government-in-the-regions-proclamation-no-3592003/> (accessed April 23, 2018).

[227] The International Center for Not-for-Profit Law, Civic Freedom Monitor: Ethiopia, January 27, 2018, <http://www.icnl.org/research/monitor/ethiopia.html> (accessed April 23, 2018).

[228] The International Center for Not-for-Profit Law, Civic Freedom Monitor: Ethiopia, January 27, 2018, <http://www.icnl.org/research/monitor/ethiopia.html> (accessed April 23, 2018).

[229] Human Rights Watch report, Such a Brutal Crackdown, Killings and Arrests in Response to Ethiopia's Oromo Protests, June 15, 2016, <https://www.hrw.org/report/2016/06/15/such-brutal-crackdown/killings-and-arrests-response-ethiopia-s-oromo-protests>. Reuters, Ethiopia must allow rights observers after killings: U. N. rights boss, August 10, 2016, <https://www.reuters.com/article/us-ethiopia-violence-un-idUSKCN10L1SY> (accessed April 23, 2018). Resolution on the Human Rights Situation in the Federal Democratic Republic of Ethiopia - ACHPR/Res. 356(LIX) 2016, November 4, 2016, <http://www.achpr.org/sessions/59th/resolutions/356/> (accessed April 23, 2018). European Parliament resolution on the situation in Ethiopia (2016/2520(RSP)), January 21, 2016, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0023+0+DOC+XML+V0//EN&language=EN> (accessed April 23, 2018). US Congress, House resolution 128 supporting respect for human rights and inclusive governance in Ethiopia, April 10, 2018, <https://www.congress.gov/bills/115th-congress/house-resolution/128> (accessed April 23, 2018).

[230] For a list of outstanding requests please see: [http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH)

[231] For a list of outstanding requests please see: [http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH)

[232] For a list of outstanding requests please see: [http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH)

[233] For a list of outstanding requests please see: [http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=ETH)

[234] To see ratification status of treaties please see: <http://indicators.ohchr.org/>.

[235] As per the Proclamation that established it the objective of EHRC shall be to educate the public be aware of human rights see to it that human rights are protected, respected and fully enforced as well as to have the necessary measure taken where they are found to have been violated. Ethiopian Human Rights Commission Establishment Proclamation, Proclamation 210/2000, <http://ehrp.org/wp-content/uploads/2014/05/ethiopian-human-rights-commission-procl.pdf> [accessed April 23, 2018].

[236] For example, see the EHRCS website at: <http://www.ehrc.org.et/web/guest/home>.

[237] Human Rights Watch interviews with #53, 68, 72, 80, June 2017, March 2018, April 2018, locations withheld.

[238] Detainees report being taken to nearby Garbassa military camp, to *khat* farms, or just into the countryside.

[239] Human Rights watch interviews with #61, 66, 68, October 2017, March 2018, locations withheld.

[240] Human Rights Watch interview with #66, October 2017 and May 2018, location withheld. The interviewee was held in Jail Ogaden from 2013-2015.

[241] Human Rights Watch interview with #61, October 2017, location withheld. The interviewee was held in Jail Ogaden from 2013-2014.

[242] Human Rights Watch interviews with former government officials, #68, 92, March 2018, locations withheld.

[243] Human Rights Watch interview with #68, March 2018, location withheld.

[244] This is alluded to in <https://biblio.ugent.be/publication/5855951/file/5876631.pdf> section 5.2 albeit in 2011.

[245] Human Rights Watch interview with #72, March 2018, April 2018, location withheld.

[246] Human Rights Watch interviews with #24, 68, 72, 79, April 2014, March 2018, locations withheld.

[247] Convention Against Torture, Art. 4.

[248] Committee against Torture, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment General Comment No. 2, CAT/C/GC/2, January 24, 2008.

[249] Can also be spelled as Abdi Mohamud Omar or Cabdi Maxamuud Cumar.

[250] The Somali Regional state constitution (2001) article 61(3)(f) stipulates that the president Leads and controls institutions, security and police forces that are established to maintain the security and enforcement of laws of the regional state." [translation from Amharic into English].

[251] Human Rights Watch interviews #4, 5, 19, 54, 76, April 2014 and March 2018, locations withheld. For more information see President Abdi Mohamoud Omar and Reprisals for Expressions of Dissent subsection of Background section of this report.

- [252] Can also be spelled at Abdirahman Abdullahi Burale, Cabdiraxmaan Cabdillaahi Buraale, or Cabdiraxmaan Cabdullaahi Buraale.
- [253] For example, Human Rights Watch No justice in Somali Region Killings, April 5, 2017, <https://www.hrw.org/news/2017/04/05/ethiopia-no-justice-somali-region-killings> and Human Rights Watch, Special Police Execute 10, May 28, 2012, <https://www.hrw.org/news/2017/04/05/ethiopia-no-justice-somali-region-killings>.
- [254] Can also be spelled as Aynsane Sheikh Mohamed or Caynsane Sheekh Maxamad. Sheikh can also be spelled Sheekh, Sheek, or Shiiq.
- [255] Human Rights Watch interviews #66, 67, 75, October 2017, March 2018, May 2018, locations withheld.
- [256] For more information see Inadequate Food subsection of Inhumane Prison Conditions section of this report.
- [257] Can also be spelled Cabdi Bade Cismaan or Cabdi Bede Cismaan.
- [258] Human Rights Watch interviews with former prisoners #10, 11, 20, 24, 62, 67, 78, 79, April 2012, April 2014, July 2014, October 2017, April 2018, locations withheld. See also Beatings subsection of Section III: Torture and cruel, inhuman or degrading treatment.
- [259] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #5. Time 0:00:010:03:14. Video #5. Time 0:47:360:51:30. Video #7. Time 0:25:450:27:43. Video #19. Time 0:07:480:09:10. Video #19. Time 0:13:360:17:33. Video #19. Time 0:17:280:19:00. See also Beatings subsection of Section III: Torture and cruel, inhuman or degrading treatment.
- [260] Can also be spelled Shamaaxiye Sheekh Faarax. Sheikh can also be spelled Sheekh, Sheek, or Shiiq.
- [261] Human Rights Watch interviews with former prisoners #53, 74,75,77, June 2017, March 2018, locations withheld. For more information see Female Prisoners subsection of Rape and Other Sexual violence section.
- [262] Can also be spelled Maxamad Sheekh Axmad. Sheikh can also be spelled Sheekh, Sheek, or Shiiq.
- [263] Human Rights Watch interviews #24, 53, 62, April 2014, June 2017, October 2017, locations withheld. Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English. Video #5. Time 0:28:410:31:30. Video #5. Time 0:44:440:45:44. Video #5. Time 0:59:221:01:28. Video #6. Time 0:02:440:03:23. Video #12. Time 0:30:280:33:10. See also Beatings subsection of Section III: Torture and cruel, inhuman or degrading treatment.
- [264] Video of 2011 evaluation of Jail Ogaden prison guards, on file with Human Rights Watch, translated from Somali into English, testimony of Mohamed Sheikh Ahmed, Video #10, Time 0:30:160:59:50.
- [265] Alternatively, such a Commission could look more broadly at abuses carried out by the Liyu police throughout Somali Region since 2008 and inside Oromia since 2015. The abuses in Jail Ogaden would be one component of that investigation. This would be an even larger endeavor but would ensure that any reform of Somali Region Liyu police being considered would be done in a manner that respects human rights, holds perpetrators to account, and ensures that abusive officials are not part of any new police force. It would also help inform any country-wide actions to be made to clarify legal mandates or possible federal oversight mechanisms of regional Liyu police forces.
- [266] See Africa News, "Ethiopia PM pledges to reform security sector and revisit repressive laws, May 15, 2018, <http://www.africanews.com/2018/04/15/ethiopia-pm-pledges-to-reform-security-sector-and-revisit-repressive-laws/> (accessed June 5, 2018) and African Arguments, Wax & Gold: The tightrope challenges facing Ethiopias Abiy Ahmed, March 28, 2018, <http://africanarguments.org/2018/03/28/wax-gold-the-tightrope-challenges-facing-ethiopia-abi-ahmed/> (accessed June 5, 2018).
- [267] Al-Jazeera, Torture, state terrorism, and Ethiopias transformation, June 23, 2018, <https://www.aljazeera.com/indepth/opinion/abi-ahmed-transforming-ethiopia-face-adversity-180622112645741.html> (accessed June 25, 2018).
- [268] Report and response available at <https://www.hrw.org/report/2013/10/17/they-want-confession/torture-and-ill-treatment-ethiopias-maekelawi-police-station#b80fff> (accessed June 25, 2018).
- [269] Maekelawi was formally closed on April 8, 2018. Desalegn also said that the site would be turned into a museum. Fana Television, Ethiopia to drop charges, free imprisoned politicians, January 3, 2018, <http://www.fanabc.com/english/index.php/news/item/10977-decision-made-to-acquit-charges-free-politicians-from-prison> (accessed June 1, 2018). VOA News, Ethiopia Closes Infamous Prison, But Activists Await Deeper Reform, April 8, 2018, <https://www.voanews.com/a/ethiopia-closes-prison-activists-await-deeper-reforms/4337475.html> (accessed June 1, 2018). The *Derg* ruled Ethiopia from 1974 to 1991, immediately before the current government came to power. During their rule, at least 150,000 students, academics and political opponents were killed. For more information, please see Africa Watch, Evil Days: 30 Years of War and Famine, September 1991, <https://www.hrw.org/sites/default/files/reports/Ethiopia919.pdf> (accessed June 28, 2018).
- [270] Waltainfo TV Interview with State Minister for the Ministry of Justice, Berhanu Tsegaye (Amharic) - <https://www.youtube.com/watch?feature=share&v=cG4gpL5JTI&app=desktop> (accessed May 25 2018 ).
- [271] Hornaffairs, PM Abiy Ahmed s new appointees and their previous posts, April 19, 2018, <https://hornaffairs.com/2018/04/19/pm-abi-ahmed-appointed-25-ministers-and-top-officials/> (accessed June 1, 2018).
- [272] Letter from Dr Shiferaw Teklemariam in response to Human Rights Watchs Letter on Maekelawi. In Annex IV of Human Rights Watch report "They Want a Confession": Torture and Ill-Treatment in Ethiopias Maekelawi Police Station, October 17, 2013, <https://www.hrw.org/report/2013/10/17/they-want-confession/torture-and-ill-treatment-ethiopias-maekelawi-police-station#b80fff>
- [273] See <https://www.upr-info.org/en/review/Ethiopia/Session-19---April-2014> for all documents related to Ethiopias 2014 UPR.
- [274] Recommendation 158.29 from Costa Rica was to Take urgent measures to investigate the numerous reports of torture and extrajudicial executions committed by the Ethiopian National Defence Forces. See [https://www.upr-info.org/database/index.php?limit=0&f\\_SUR=57&f\\_SMR=All&order=&orderDir=ASC&orderP=true&f\\_Issue=All&searchReco=&resultMax=300&response=&action\\_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=Rec](https://www.upr-info.org/database/index.php?limit=0&f_SUR=57&f_SMR=All&order=&orderDir=ASC&orderP=true&f_Issue=All&searchReco=&resultMax=300&response=&action_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=Rec) for list of recommendations made to Ethiopia.
- [275] Recommendation 158.30 from Austria was to Improve conditions in detention facilities by training personnel to investigate and prosecute all alleged cases of torture and ratify OPCAT. See [https://www.upr-info.org/database/index.php?limit=0&f\\_SUR=57&f\\_SMR=All&order=&orderDir=ASC&orderP=true&f\\_Issue=All&searchReco=&resultMax=300&response=&action\\_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=Rec](https://www.upr-info.org/database/index.php?limit=0&f_SUR=57&f_SMR=All&order=&orderDir=ASC&orderP=true&f_Issue=All&searchReco=&resultMax=300&response=&action_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=Rec) for list of recommendations made to Ethiopia.
- [276] See [http://tinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx](http://tinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx) for current reporting status on Ethiopia.
- [277] Ethiopian Reporter, November 1st 2017, <https://www.ethiopianreporter.com/article/2328> (Translated from Amharic) (Accessed May 15th 2018).

Senior Officials Implicated in Nonstop Regimen of Abuse

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