

# Human Rights Watch

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

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Human Rights Watch Testimony at a Hearing of the House Committee on Foreign Affairs, Subcommittee on Africa and Global Health

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Thank you Mr. Chairman, members of the committee, for providing Human Rights Watch this opportunity to voice our concerns about the dire, and deteriorating, human rights and humanitarian situation in the Horn of Africa, and particularly in regard to Somalia and the Somali region of Ethiopia.

We are at a critical moment for the Horn of Africa and its people. Over the past year we have seen an already volatile region become even more violent and unstable, with hundreds of thousands of civilians suffering massive crimes. There has been little or no response from important voices in the international community, including the United States.

These crimes are not only a serious issue from a human rights perspective, they need to be understood as part of a deepening political and security crisis across the Horn of Africa. The situation in the Horn today is complex, but what is clear is that if we are to avert a deepening regional crisis we must see an urgent and radical change of policy by some of the key regional actors-and their international supporters-in order to address the current dynamic of increasing violence, instability, and human suffering.

Human Rights Watch has been closely monitoring events in Somalia and Ethiopia, and recently published an [in-depth investigation](#) of crimes committed in Mogadishu, a city where hundreds have died and up to 400,000 people were displaced from the past six months of intense violence. Our research on the Ogaden area of Somali region, some of it as recent as this week, has uncovered a civilian population under siege and nearly driven to starvation by the various parties to the conflict.

Mr. Chairman, there are no clean hands among the hostile parties in these two conflicts. Human Rights Watch has documented [serious abuses of civilians in the Ogaden](#), including summary executions, by the forces of the rebel Ogaden National Liberation Front. We have published an in-depth investigation that describes a variety of crimes by insurgent groups in Mogadishu, including indiscriminate attacks and killings of civilians. We have also raised concerns about abuses by the forces of the Somali Transitional Federal Government, including repeated looting and obstruction of humanitarian assistance. We are enormously concerned by the Eritrean government's extreme and systematic repression of its citizens.

However today Human Rights Watch would like to focus on the conduct of the Ethiopian military, not only because the Ethiopian government's military forces have systematically committed atrocities and violated the basic laws of war, but because Ethiopia is a key ally and partner of the United States in the Horn of Africa.

The crimes committed by Ethiopian forces in the Ogaden and in Somalia are not unique, on the contrary they add to a mounting toll of abuses that have made Ethiopian security forces among the most abusive on the continent. Human Rights Watch has previously documented crimes against humanity by Ethiopian military forces in [Gambella](#), and serious abuses in [Oromia](#), [Addis Ababa](#) and other parts of Ethiopia.

We recognize that [Ethiopia](#) has legitimate and serious domestic and regional security concerns, and that all of the warring parties share responsibility for atrocities against civilians. Nevertheless, nothing justifies the severe violations we are witnessing today in the Ogaden, or the conduct of Ethiopian forces and their allies in Mogadishu.

In the Ogaden, we have documented massive crimes by the Ethiopian army, including civilians targeted intentionally; villages burned to the ground as part of a campaign of collective punishment; public executions meant to terrify onlooking villagers; rampant sexual violence used as a tool of warfare; thousands of arbitrary arrests and widespread and sometimes deadly torture and beatings in military custody; a humanitarian and trade blockade on the entire conflict area; and hundreds of thousands of people forced away from their

homes and driven to hunger and malnutrition.

The Ogaden is not Darfur. But the situation in Ogaden follows a frighteningly familiar pattern: a brutal counter insurgency operation with ethnic overtones in which government forces deliberately attacks civilians and displace large populations, coupled with severe restrictions on humanitarian assistance.

Unlike in Darfur, however, the state that is perpetrating abuses against its people in Ogaden is a key US ally and recipient of seemingly unquestioning US military, political, and financial support. Furthermore the crisis in Ogaden is linked to a US-supported military intervention by Ethiopia in Somalia that has been justified in terms of counter terrorism. Because the United States has until now supported Ethiopia so closely, there is a widespread and growing sentiment in the region that the United States also shares some of the blame for the Ethiopian military's abusive conduct. The increasing resentment produced by the silence over these atrocities risks radicalizing parts of the large Muslim population in the region and undermining the United States' stated goal of combating militant Islamist groups in the region. It is imperative for the United States to use its influence in the region to end these abuses and ensure the well-being of civilians caught in these conflicts.

A crucial first step would be for the US government to publicly acknowledge the depth of the suffering, especially in the Somali region of Ethiopia--and then, immediately, take concrete steps to alleviate that misery. Doing so would comply with the United States' obligations under international law. It would also be the right thing to do, and, I'm sure of some interest to you, it would probably serve the national interest of the United States much better than the Administration's current policy. We hope this hearing will help achieve those results.

### **The Conflict in the Somali Region of Ethiopia**

In June, the Ethiopian government (the Ethiopian National Defense Forces, or ENDF) launched a major military campaign in the Ogaden, part of Ethiopia's Somali Region, a sparsely populated and remote area on Ethiopia's border with Somalia. There are 4 million Ethiopians of Somali ethnicity living in the Somali Regional State, one of the poorest in Ethiopia. The area known as the Ogaden, where the majority Ogaden clan reside, is at the heart of this area. An estimated 1.8 million live in the five zones where current military operations are ongoing.

The counter insurgency operation was aimed at eliminating the Ogaden National Liberation Front (ONLF), a rebel group that has been fighting for years for self-determination. The ongoing Ethiopian military campaign was triggered by several recent high-profile ONLF attacks in the region, including the April attack on an oil installation operated by Chinese personnel at Obole and attacks in May in Dhagahbur and Jigjiga, the regional capital, which nearly killed the Regional State President, Abdullahi Hassan. Although the Ethiopian government has frequently called for the ONLF to be placed on terrorism lists, the ONLF is widely viewed as a secular nationalist group; indeed, prior to Ethiopia's demand that US forces withdraw from the Ogaden, the US military apparently cooperated with the ONLF in efforts to monitor the region for alleged terrorist activity.

The current campaign in Somali region is also linked to Ethiopian military operations in south-central Somalia. Ethiopia has justified military action in [Somalia](#) on the grounds that it was removing a "terrorist threat," and that militant groups in Somalia were connected to the rebellion in Ogaden. One motive for Ethiopia's ouster of the Union of Islamic Courts in December 2006 may have been to cut what the Ethiopian government believed to be links between the ONLF, the ruling Islamic Courts and Eritrea, including arms and logistical supply lines from Eritrea and Somalia to the ONLF in Ethiopia's eastern region. While Ethiopia may have legitimate security concerns about Eritrea's support to Ethiopian insurgency groups, the rhetoric of counter terrorism is increasingly being used in the region to camouflage domestic or regional political and military agendas.

### **Abuses by Ethiopian Forces in Ethiopia's Somali Region**

In July, Human Rights Watch warned of serious violations occurring in the Somali region of Ethiopia. Predictably, the government of Ethiopia denied our findings. On September 7, the US Assistant Secretary of State for African Affairs, Jendayi Frazer, also dismissed our findings of abuse by the ENDF as "unsubstantiated."

Mr. Chairman, notwithstanding these statements, our ongoing investigation has only deepened our concern. Our investigators on the ground have been able to substantiate many killings by the Ethiopian forces; the burning of villages; widespread sexual violence; the arbitrary detention and torture of thousands in military custody; denial of access to wells; confiscation of livestock and hostage-taking to compel families to turn in family members suspected of ONLF involvement.. This is the situation we are finding:

In less than three months, Ethiopia's military campaign has triggered a looming humanitarian crisis.

Human Rights Watch has learned that hundreds of civilians have been killed in what appears to be a deliberate effort to mete out collective punishment against a civilian population suspected of sympathizing with the rebels. Overall, the killings probably number in the hundreds since the beginning of 2007, with a sharp escalation following the attack on the Chinese oil installation--and they continue to date. Many of the killings have been demonstration killings: the Ethiopian army gathers all of the local population, and then selects a few people suspected of having ties to the ONLF, and then kill them in front of the crowd by either shooting or strangling them.

Sexual and gender-based violence is widespread, and seems to be openly countenanced by the ENDF. We have spoken to several rape victims who were gang-raped to the point of unconsciousness by Ethiopian soldiers who took them from their homes and raped them either at their army bases --suggesting that the army allows such abuses--or in the bush. Some of the girls were killed after the rapes, and a few suffered such serious injuries and infections that they later died.

Ethiopian troops are destroying villages and property, confiscating livestock and forcing civilians to relocate to urban centers, in an apparent attempt to separate the civilian population from the ONLF rebels operating in remote rural areas. Villagers are threatened if they refuse to relocate.

Eyewitnesses told Human Rights Watch that Ethiopian troops burned or ordered civilians to vacate at least a dozen villages around the

towns of Dhagahbur, Qabridahare and Wardheer. In Wardheer zone, many of the residents of villages located within a 100-kilometer radius of Wardheer town were forced to relocate to other towns because of attacks on their villages, orders from the Ethiopian military or - less frequently - fighting between the Ethiopian army and the ONLF.

Witnesses described Ethiopian troops burning homes and property, including the recent harvest and other food stocks intended for the civilian population, confiscating livestock, killing herders in unauthorized areas, and, in a few cases, firing upon and killing fleeing civilians. Ethiopian security forces are also responsible for arbitrary detentions and torture of thousands, detaining students, shopkeepers, and relatives of suspected ONLF members.

Ethiopian troops have confiscated or destroyed livestock, thus jeopardizing the basic livelihood of the region's large pastoralist population. A partial trade blockade has been imposed on the region leading to serious food shortages. Almost all commercial traffic from Somaliland and out of Ogaden, the main commercial route, has been prohibited, making it virtually impossible for foodstuffs to reach the area; traffic between village and towns has been severely restricted and has become very dangerous; nomadic livestock herders have been prohibited from freely grazing their camels and other livestock and are often killed if encountered by the army; even access to water holes has been restricted or prohibited. The main purpose of these restrictions seems to be an attempt to prevent any foodstuffs from reaching the ONLF, but the restrictions are so severe that they may also be trying to force people to leave their homes.

Whatever the military strategy behind them, these abuses violate the laws of war.

International humanitarian law, or the laws of war, requires that all warring parties distinguish between military and civilians, protect civilians and their property and take all feasible steps to minimize the harm of military operations on civilians. Starvation of the civilian population as a method of warfare is also a violation of international law.

[Collective punishments](#) - or the punishment of one or more individuals for the acts of others - is also prohibited by international humanitarian law. Hostage taking, which is the holding or use of a person to compel a third party to act or refrain from acting, is also prohibited. Detaining the family member of a combatant to compel the combatant to surrender would thus be unlawful.

While the Ogaden is not Darfur yet, it is probably only a few months away from sliding over the edge into a full-blown humanitarian crisis of massive proportions. In a statement released just days ago, the United Nations' Office for the Coordination of Humanitarian Affairs warned that "Humanitarian conditions within the conflict areas have deteriorated substantially over the past several months. The nutritional status of the population will rapidly worsen within two or three months if only limited quantities of commercial food continue to be available."

As you know, the Ethiopian government expelled from the Ogaden the International Committee of the Red Cross, a rare neutral observer of the crisis left in the region. Only a few independent humanitarian organizations remain on the ground trying, with great difficulty and in the face of continuing government obstruction, to access civilians in desperate need of relief.

If we are to avert this looming humanitarian crisis, the US should use all the means at its disposal to press the Ethiopian government to immediately end its abuses, including its commercial blockade of the Ogaden and allow independent humanitarian relief to reach vulnerable civilians.

### **The Conflict in Somalia**

Mr. Chairman, there is also great cause for concern about the situation in southern and central Somalia, and in particular Mogadishu. The situation for civilians in Mogadishu has grown intolerable. In December 2006, Ethiopian forces with US support ousted the coalition of Islamic Courts from Mogadishu and other areas of south-central Somalia in a lightning offensive. Ethiopia's intervention in Somalia is closely linked to regional security concerns, including a proxy war with Eritrea and the support given to the ONLF and other Ethiopian rebel movements by groups in Somalia. The armed conflict in Mogadishu has steadily escalated since the Ethiopian-backed Somali Transitional Federal Government (TFG) established itself in Mogadishu in January 2007.

Since January 2007, a coalition of insurgent groups, including the extremist Al-Shabaab militia, has waged almost daily attacks on Ethiopian and TFG forces, including several suicide attacks, and killed TFG civilian officials. The insurgency has repeatedly launched mortar attacks from densely populated neighborhoods of Mogadishu, jeopardizing civilian security, in violation of the laws of war.

In response, Ethiopian forces launched two major offensives on large areas of Mogadishu in March and April. Ethiopian troops indiscriminately bombarded insurgent strongholds with barrages of "Katyusha" rockets, mortars and artillery, making no apparent effort to distinguish between civilians and insurgent targets. While the precise number of civilian casualties is not yet known, estimates range from 400 to more than 1,300 deaths resulting from both rounds of fighting. Up to four hundred thousand people fled the city by May, and thousands more left in subsequent months due to almost daily incidents of attacks and clashes by the warring parties. International response to these events has been muted at best.

Violations by the insurgency, a loose coalition of Somali armed groups, include: the indiscriminate firing of mortar rounds into civilian areas; deployment of forces in densely populated neighborhoods; targeted killings of civilian officials of the transitional Somali government; and summary executions and mutilation of the bodies of captured combatants.

Ethiopian forces backing the Somali transitional government violated the laws of war by widely and indiscriminately bombarding highly populated areas of Mogadishu with rockets, mortars and artillery. Its troops on several occasions specifically targeted hospitals and looted them of desperately needed medical equipment. Human Rights Watch also documented cases of Ethiopian forces deliberately shooting and summarily executing civilians.

Somali transitional government forces played a secondary role to the Ethiopian military, but failed to provide effective warnings to civilians in combat zones, looted property, impeded relief efforts for displaced people, and mistreated dozens of people detained in mass arrests.

Tens of thousands of displaced people are living in desperate circumstances without sufficient food, water, shelter or medical supplies, easy prey to extortion and abuse by the warring parties.

Ethiopian and Somali Transitional Government claims that the armed opposition was defeated in April have been undermined in subsequent months by the almost daily incidents of violence, many of which do untold damage to civilians.

### **The Counterproductive Role of the United States**

The [United States](#) has significant leverage over Ethiopia in the form of foreign aid and political influence. It is viewed regionally as the Ethiopian government's main backer and implicitly-if not directly-responsible for the Ethiopian government's conduct. Therefore, US support for Ethiopia's abusive counter insurgency efforts in the Horn of Africa threatens to make the United States complicit in continuing laws of war violations by the Ethiopian government.

From a practical and policy point of view, which may be of significant interest to this Committee and the US Congress, the US support for Ethiopia in its conflicts in the Somali Region and inside Somalia is ineffective and [counterproductive](#). It is now clearly understood that a counterinsurgency cannot be won from the barrel of a gun alone.

The current US-backed Ethiopian approach will lead to a mountain of civilian deaths and a litany of abuses. The policy risks precipitating exactly the sort of human-rights disaster in Somalia as the one rightly condemned in Darfur. This approach will only strengthen the hand of the extremist minority in Somalia. The ENDF's tactics could lead to the escalation and spread of the conflicts of the region and may well help to radicalize the region's large and young Muslim population.

The Administration should rethink a policy which is encouraging serious abuses, and come up with one which prioritizes the protection of civilians. Washington should start by issuing a clear call to all sides in these conflicts, including Ethiopia, to observe and uphold the rules of war and human-rights standards.

### **Recommendations:**

The onset of the rainy season in late September is likely to temporarily suspend military operations. That could provide a reprieve during which diplomatic efforts might be promising. The Administration should abandon its current policy of what amounts to "silent diplomacy" on human rights issues, which has yielded no tangible dividends. Instead the Administration should:

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Crimes Against Humanity and Ethnic Cleansing in Ethiopias Western Tigray Zone

Unlawful Detention and Abuse in Unauthorized Places of Detention in Uganda

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