COMITE DES DROITS DE L'HOMME DE L'OGADEN CDHO

OGADEN HUMAN RIGHTS COMMITTEE OHRC

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PRESS RELEASE

ETHIOPIA: TRACKS DOWN REFUFGEES FROM THE OGADEN FOR FORCIBLE REPATRIATON

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

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

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

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

Nevertheless, in the past 11 years, many Somalis from the Ogaden were detained, tortured, their private properties confiscated and then handed over to the Ethiopian government against their will, in exchange for ammunition and other materials. Most of them were traders, residents and visitors, who were not involved in any illegal activities and have no any political affiliation whatsoever.

To illustrate the abovementioned assertions, some cases are detailed in the following pages:

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From October 01st 2007, more than 35 Somalis from the Ogaden were arrested and their properties confiscated, in Hargeisa, following raids conducted by Somaliland militia and Ethiopian Security Forces. The detainees are being held incommunicado detention. No charges had been laid formally against them and no trial date has been set.

On October 13th 2007, **Mohamed Sheikh Abdi Sh. Maxamuud**, Businessman, **Mohamed Adan Omar**, Trader, **Jawhar Sheikh Bashir**, Teacher, **Khadar Abdi Tarsan,** Trader **Mohamed Abdi Aar**, Civilian, were handed over to the Ethiopian government against their will.

To the best of the Ogaden Human Rights Committee's knowledge, they were not involved in any illegal activity. The Ogaden Human Rights Committee calls for them to be either charged with recognizable criminal offences and be given fair trials or immediately and unconditionally released. The OHRC is also concerned about their safety and well being, particularly in view of constant reports about confessions made under torture.

In Gaalkacyo, Puntland, on May 05th 2007, members of Ethiopian security forces killed **Gurey Abdullahi Tarabi** and **Khadar Hassan Tamin,** both Civilians from the Ogaden. No reason was given for their murder. Scores of civilians from the Ogaden who fled from Ethiopian atrocities are also being held in harsh conditions without charges or trial, in Bosaso prison, Puntland.

According to reliable reports received by OHRC, persecution and other acts of aggression against Somalis from the Ogaden are unabated, and are going on in Somaliland and Puntland as of this writing.

On July 31st 1996, three Somalis from the Ogaden were detained in Hargeisa, while they were visiting their relatives in the area. On 20th October 1996, they were handed over to the Ethiopian government against their will, in exchange for ammunition. (See Mass Killings, Torture and Disappearances in the Ogaden ref: OHRC/08/96, Ogaden: No Rights, No Democracy ref: OHRC/08/97, Ogaden: An Endless Human Tragedy ref: OHRC/12/98 and Ogaden: Graveyard of Rights ref: OHRC/10/99).

On April 10th 2002, a large number of Somalis from the Ogaden were rounded up and detained without charges, in Hargeisa, by Somaliland and Ethiopian security forces. Many of them were transferred to Baligubadle – a border village between the Ogaden and northwest Somalia – and were hand over to the Ethiopian government against their will, in exchange for ammunition and other materials.

On November 30th 2003, 75 Somalis from the Ogaden were arrested and their properties confiscated, in Hargeisa, following raids conducted by Somaliland militia and Ethiopian Security Forces. The detainees were humiliated and beaten up, and were held in incommunicado detention in overcrowded location. No charges had been laid formally against them and no trial date has been set. Several weeks later most of the detainees were released after they paid extortion money.

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On the other hand, retaliatory acts against Somalis from northwest Somalia increased in the Ogaden. Several civilian trucks owned by Somalis from northwest Somalia were destroyed in the Ogaden region. (See Self-declared Republic of Somaliland: Seeks recognition and favour through detentions, torture, and confiscation of property and forced repatriation of Somalis Ref: OHRC/12/03 and Self-declared Republic of Somaliland: Persecution, intimidation, detentions and torture of Somalis from the Ogaden unabated Ref: OHRC/12/03)

The Ogaden Human Rights Committee condemns acts of killing, torture, arbitrary arrest and forcible repatriation of refugees from the Ogaden from the neighbouring countries.

The Ogaden Human Rights Committee urges members of the international press who write about the plight of the refugees from the Ogaden in Somalia to withhold their real identity and make their pictures unidentifiable to the Ethiopian government, which pursues them.

RECOMMENDATIONS AND APPEALS

To: the United Nations, International Community, Ethiopia, Somaliland and Puntland:

- United Nations Security Council designate a safe heaven for the civilian population fleeing from Ethiopian armed forces' onslaught and atrocities.
- United Nations High Commission for Refugees provide necessary shelter protection and maintenance to the Somali refugees from the Ogaden in neighboring countries.
- The international community publicly censure Ethiopia, Somaliland and Puntland over their human rights record.
- The United Nations appoint a Special Rapporteur on Human Rights in the Ogaden.
- The Ethiopian government should be held responsible for infamous mass killings, disappearances, arbitrary arrests, torture and other cruel, inhuman and degrading treatment.
- The international community intervene to stop the forcible repatriation of Somalis to Ethiopia.
- The Ethiopian government, Somaliland and Puntland Administrations give ICRC and UNHCR free access to all detainees in Hargeisa, Bosaso and elsewhere.

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- The international community refrain from aiding and supporting the Ethiopian government, Somaliland and Puntland Administrations as long as they violate human rights and fundamental freedoms of the Somali people in the Ogaden and in their respective regions.

TO: INDIVIDUALS, LOCAL HUMAN RIGHTS AND HUMANITARIAN ORGANIZATIONS

The Ogaden Human Rights Committee requests individuals, local human rights and humanitarian organizations to support its efforts to promote and improve the human rights cause in the Ogaden, and recommends the following:

Please write to your Foreign Ministry:

- Asking that your government exerts pressure on Ethiopia, Somaliland and Puntland Administrations to improve their human rights record.
- Urging that all political prisoners be either immediately and unconditionally released or charged with recognized criminal offences, and given fair trials; and be given unrestricted and regular access to their family members and to, representatives of the International Committee of the Red Cross (name some or all from those in this document or in other OHRC's reports, which you can get in OHRC's web site www.ogadenrights.org).
- Expressing concern at the disappearance of a large number of suspected government opponents in the notorious military detention camps throughout the Ogaden and jails in Somaliland and asking their whereabouts (name some or all from those in this document or in other OHRC's reports, which you can get in OHRC's web site www.ogadenrights.org).
- Asking your government to support the Ogaden Human Rights Committee's efforts to appoint a UN Special Rapporteur on Human Rights as well as sending an independent fact-finding mission to the Ogaden in order to stop and prevent more human rights violations in that country.

Please copy your letter to diplomatic representatives of Ethiopia accredited to your country as well as the United Nations High Commissioner for Human Rights and the UN Independent Expert on the Situation of Human Rights in Somalia. The address is:

United Nations High Commissioner for Human Rights
Palais des Nations
1211 Geneva 10

Ogaden Human Rights Committee
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