

Appendix I: Letter to Ministry of Federal Affairs and Pastoral Development

April 18, 2018

Dr. Kebede Chane
Ministry of Federal Affairs and Pastoral Development
Addis Ababa, Ethiopia
P.O. Box 5718
Addis Ababa
Ethiopia



Dear Minister Kebede:

On behalf of Human Rights Watch, I am writing to share our preliminary findings into the treatment of prisoners and conditions in Jijiga’s Central Prison, commonly known as Jail Ogaden, in the Somali Regional State (SRS).

As you likely know, Human Rights Watch conducts objective, rigorous field investigations in more than 90 countries worldwide and produce reports on our findings to raise awareness about human rights issues and to develop and promote policy recommendations for change. Human Rights Watch is committed to producing material that is comprehensively documented and verified and we want to ensure that our report properly reflects the view, policies and practices of the government of Ethiopia.

We hope you or your staff will respond to the questions below so that your views are accurately reflected in our reporting. In order for us to take your answers into account in our forthcoming report, we would appreciate a written response by **May 9, 2018**.

Our research is based on over 80 interviews with former detainees, members of the judiciary, regional and local government officials, and members of the security forces, including the Somali Region's Liyu police. Our findings cover events between 2011-2018. Interviews with former detainees were conducted on an individual basis inside of Ethiopia and outside, and interviewees were identified through a range of channels.

Our research found government security officials carrying out torture and mistreatment of the vast majority of detainees alongside serious due process concerns. The Liyu police were responsible for many of the abuses we have documented since 2013. Overcrowding is a serious problem, there is an almost complete lack of health care and food is not only inadequate but access to it is restricted as a punishment. Detainees have no access to family members or anyone else, and releases are at the whim of the SRS's president's office and prison guards. Videos from regional government assessments of prison guard performance back up these assertions with prison guards describing patterns of torture, rape, and impunity that are consistent with victims' testimonies.

Detainees have little to no recourse and extremely limited options to complain about their treatment because the vast majority of detainees are never brought to court.

Human Rights Watch would appreciate your response to the concerns described above and to the following questions in order to reflect your views in our reporting:

1. What role does the federal government play in the oversight of regional prisons? What proclamations apply to these oversight obligations?
2. On what dates have members of your ministry visited Jail Ogaden since 2011 and what was the outcome of those visits?
3. What steps have been taken to address allegations of serious abuses such as torture and arbitrary detention in Jail Ogaden?
4. Other than the Ethiopian Human Rights Commission, what other groups and entities have access to monitor detention facilities in the Somali Region and how often are they granted access?
5. What is the legal basis for the establishment of the SRS's Liyu police and what is their legal mandate?
6. There are well-documented patterns of torture and abuse from many places of detention in Ethiopia and is not limited to Jail Ogaden. What specific actions have

been taken against those implicated in these abuses? How is it communicated to prison guards and other officials that torture is not a permissible interrogation technique?

We would appreciate receiving your response to this letter by **May 9, 2018** to ensure that it can be reflected in our final report. Kindly send your response to: Alternatively, we would greatly appreciate the opportunity to meet with you in person to discuss these questions.

Yours Sincerely,

A handwritten signature in purple ink, appearing to read 'MAUSI SEGUN', with a horizontal line underneath.

Mausi Segun (Ms.)
Executive Director
Africa Division

Cc:

Ministry of Justice, Ethiopian Human Rights Commission.

Appendix II: Letter to Ethiopian Human Rights Commission

April 18, 2018

Dr Addisu Gebregziabher,
Chairperson of the Ethiopian Human Rights Commission
P.O. Box: 1165
Addis Ababa,
Ethiopia



Dear Dr Addisu,

On behalf of Human Rights Watch, I am writing to share our preliminary findings into the treatment of prisoners and conditions in Jijiga's Central Prison, commonly known as Jail Ogaden, in the Somali Regional State (SRS).

As you likely know, Human Rights Watch conducts objective, rigorous field investigations in more than 90 countries worldwide and produce reports on our findings to raise awareness about human rights issues and to develop and promote policy recommendations for change. Human Rights Watch is committed to producing material that is comprehensively documented and verified and we want to ensure that our report properly reflects the view, policies and practices of the government of Ethiopia and of institutional human rights bodies such as the Ethiopian Human Rights Commission (EHRC).

We hope you or your staff will respond to the questions below so that your views are accurately reflected in our reporting. In order for us to take your answers into account in our forthcoming report, we would appreciate a written response by **May 9, 2018**.

Our research is based on over 80 interviews with former detainees, members of the judiciary, regional and local government officials, and members of the security forces, including the Somali Region's Liyu police. Our findings cover events between 2011-2018.

Interviews with former detainees were conducted on an individual basis inside of Ethiopia and outside, and interviewees were identified through a range of channels.

Our research found government security officials carrying out torture and mistreatment of the vast majority of detainees alongside serious due process concerns. The Liyu police were responsible for many of the abuses we have documented since 2013. Overcrowding is a serious problem, there is an almost complete lack of health care and food is not only inadequate but access to it is restricted as a punishment. Detainees have no access to family members or anyone else, and releases are at the whim of the SRS's president's office and prison guards. Videos from regional government assessments of prison guard performance back up these assertions with prison guards describing patterns of torture, rape, and impunity that are consistent with victims' testimonies.

Detainees have little to no recourse and extremely limited options to complain about their treatment because the vast majority of detainees are never brought to court.

The Human Rights Commission has clearly carried out prison inspections on numerous occasions, but we are eager to understand your findings or understand more about what actions have been taken against officials implicated.

Our research also raised serious concern for the methodology of the Commission's inspections. Interviewees repeatedly told us that Jail Ogaden prison officials and regional government officials handpicked detainees to speak to the Commission, briefed prisoners ahead of time on what to say and what not to say and relocated prisoners who exhibited signs of physical abuse or malnourishment out of sight of Commission officials. Those that did not comply with the prison guards' orders and spoke openly were brutally beaten once your officials left. In at least two circumstances prisoners were beaten to death. This was described in detail by numerous detainees and former officials.

Human Rights Watch would appreciate your response to the concerns described above and to the following questions in order to reflect your views in our reporting:

1. There are well-documented patterns of torture and abuse from many places of detention in Ethiopia and is not limited to Jail Ogaden. How does the EHRC communicated to prison guards and other officials that torture is not a permissible interrogation technique? What steps are taken to ensure that there are not reprisals

- against prisoners that you interview in prison? Are prison officials present during these interviews?
2. How many inspections has the EHRC carried out in Jail Ogaden between 2011 and 2018? Are written reports available and if so, could you please share them? Who were the reports shared with upon completion?
 3. What actions or follow up were recommended or taken based on the findings of these reports?
 4. What steps, if any, do EHRC officials take to overcome the risks of reprisals to detainees with whom they speak during inspection visits? How did you include the testimonies of former detainees, prison guards or officials who may be free to speak more openly?
 5. To your knowledge, other than the Ethiopian Human Rights Commission, what other groups and entities are granted access to monitor Jail Ogaden and how often do they receive access?
 6. Are visits to Jail Ogaden unannounced or are your officials required to give advance notification to SRS officials? Is this practice different compared to places of detention in other parts of Ethiopia and if so, how and why?
 7. What other investigations has EHRC undertaken into Liyu police abuses in the Somali Region since 2010 and what is the outcome of those investigations? Could you please share any written reporting by EHRC (in any language in which it was produced)?
 8. What federal, regional or other government bodies have oversight of regional prisons, including Jail Ogaden?
 9. What is the current number of detainees in Jail Ogaden? How many of those detainees have been convicted? What is the maximum number of prisoners permitted in Jail Ogaden?

We would appreciate receiving your response to this letter by **May 9, 2018** to ensure that it can be reflected in our final report. Kindly send your response to: Alternatively, we would greatly appreciate the opportunity to meet with you in person to discuss these questions.

Yours Sincerely,



Mausi Segun (Ms.)
Executive Director
Africa Division

Cc:

Ministry of Justice, Ministry of Federal Affairs and Pastoral Development.