



**Convention against Torture  
and Other Cruel, Inhuman  
or Degrading Treatment  
or Punishment**

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**Committee against Torture**  
**Forty-fifth session**

**Summary record of the 958th meeting**

Held at the Palais Wilson, Geneva, on Wednesday, 3 November 2010, at 10 a.m.

*Chairperson:* Mr. Grossman

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*The meeting was called to order at 10.20 a.m.*

**Consideration of reports submitted by States parties under article 19 of the Convention** *(continued)*

*Initial report of Ethiopia* (continued) (CAT/C/ETH/1; HRI/CORE/ETH/2008)

1. *At the invitation of the Chairperson, the members of the delegation of Ethiopia took places at the Committee table.*
2. **Mr. Kebede** (Ethiopia), replying to questions about the preparation of the report (CAT/C/ETH/1), said that it had formed part of a project to prepare all overdue reports under the various human rights instruments to which Ethiopia was a party; several ad hoc bodies had been set up for that purpose. Prior to the drafting of the report, training workshops had been conducted with the assistance of the OHCHR East African Regional Office in collaboration with the Ethiopian Human Rights Commission and the Ministry of Foreign Affairs to raise all stakeholders' awareness of their roles in the reporting process. The draft had been presented at a national conference, where federal and regional government bodies and civil society organizations had made comments and suggestions that had then been incorporated in the report.
3. The Ethiopian Human Rights Commission had been established in July 2000 and was currently engaged in various activities that included providing training in human rights, protecting human rights through the investigation of complaints, advising the Government, conducting research, and monitoring places of detention and the human rights situation in general. It had made recommendations based on its monitoring of more than 35 places of detention, as a result of which some of the difficulties relating to administrative practices had been addressed through the coordinated efforts of governmental and non-governmental organizations.
4. The Anti-Terror Law had been enacted in the interest of national security and was in line with international best practices. Critics of the law were concerned that the Government might misuse it, but that concern was unfounded. If evidence of any practical problems arose, there would be room for review and improvement of the law.
5. His country was committed to promoting and protecting the rights of the child. Even though separate legislation on the rights of the child had not been introduced, Ethiopia had ratified both the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, and various government institutions had been established to implement those instruments and relevant domestic laws. Nevertheless, it would take time to overcome the challenges posed by deep-rooted traditional and cultural practices.
6. Ethiopia had received visits from several special rapporteurs under special procedures of both the United Nations and the African Union, and it would continue to cooperate with them. Requests for visits were considered on a case-by-case basis.
7. His country had zero tolerance for impunity. The Government had carried out a massive investigation that had brought to justice officials of the former military regime who had been directly involved in mass murder, torture and other serious crimes. An independent commission of inquiry had also been established to investigate the events in Gambella and the post-election violence of 2005. Following allegations by Human Rights Watch, the Government had conducted an independent investigation in Somali Regional State that had shown those allegations to be unfounded.
8. The Government had taken numerous measures to protect the rights of women and children. Regarding the case of Ms. Woineshet Zebene, the man who had raped her had been found guilty by the lower court, but that decision had been quashed by the higher court due to an error committed by the prosecutor, so the perpetrator had been released. The

Court of Cassation had upheld the decision to release him, thereby exhausting all domestic remedies. The case had been taken to the African Commission on Human and Peoples' Rights and the Government had settled the matter amicably, offering compensation in the form of a three-bedroom apartment and a job, although the victim had refused the job. Within the next four months the conduct of the prosecutor in the case would be examined by a commission, after which the case would be closed.

9. Concerning the detention of foreigners, the relevant embassy or consulate was immediately informed whenever a foreign national was detained in Ethiopia. A member of the embassy staff was allowed to visit the detainee at any time.

10. **Mr. Abebe** (Ethiopia), responding to a request for further statistical information, said that there was a substantial amount of data in Ethiopia's core document that complemented the information provided in the report. While the report was far from complete, as was stated in paragraph 3 of the report itself, substantial information had been provided to the Committee.

11. He respected the Committee's practice of gathering additional information from individuals and NGOs but questioned the veracity of some of that information. The Government had conducted investigations in the light of allegations by Human Rights Watch, and had found that individuals claimed to be dead were alive and villages claimed to be destroyed were intact. The resource constraints faced by NGOs and the political context in which they worked should be considered when evaluating information they published.

12. Even though there was no specific definition of torture in Ethiopian law, any court in the country would use the Committee's definition. Article 13 of the Constitution stated that in the case of any doubt, uncertainty or conflict between international standards and domestic law, the international instrument to which Ethiopia was a party would be the basis for interpreting the provisions of the Constitution.

13. All the international instruments ratified by Ethiopia formed an integral part of the legal system. The Constitution clearly outlined the respective competencies of the federal and regional governments, so there was no jurisdictional conflict in that sense. The federal and state governments did cooperate with each other, and when law and order problems became too serious for state governments to handle, they could request federal government intervention to resolve the conflict, as had been done in Gambella in 2003. An inquiry had subsequently been conducted to investigate human rights violations during that conflict, and 21 members of the defence forces had been prosecuted.

14. A state of emergency could not be declared solely by executive order; such an order must be approved by parliament. The State of Emergency Board was not a permanent body; it was only established once a state of emergency had been declared. Since the country was not currently under a state of emergency, the board was not operational. The Government's obligation to establish the board in a state of emergency was, however, enshrined in the Constitution, which also provided that during a state of emergency protection against cruel, inhuman or degrading treatment or punishment, slavery, forced labour or discrimination could not be suspended.

15. In Ogaden, part of the Somali Regional State in eastern Ethiopia, the Government was engaged in a so-called "low-intensity conflict" with the Ogaden National Liberation Front (ONLF), which had used guerrilla tactics to attack towns and police stations. There were insufficient grounds to declare a state of emergency in the area, particularly as the Government had recently signed a peace agreement with the ONLF. He failed to understand why Oromia had been mentioned in that context. It was currently one of the states with the most dynamic growth and had not suffered any human rights violations that were sufficiently severe to warrant a state of emergency.

16. Ethiopia was not engaged in a war on terror, nor was it in a situation requiring it to observe the laws of war. The acts of terrorism that occurred were handled under the anti-terrorism legislation. There were no prisoners of war in the country, and no third country nationals in custody. There was no organized militia that took orders from the federal Government. While regional states were responsible for law and order issues, all the measures they took must comply with the constitutional law. It was possible that unarmed neighbourhood associations had been established in order to combat petty crime.

17. Extraditions took place under the bilateral treaties his Government had concluded with several other States. Ethiopia had a long tradition of generosity to refugees, of whom there were currently some 120,000, most of them from Eritrea, Somalia and Sudan, as well as about 3,000 asylum-seekers. The principle of non-refoulement and the prohibition of torture were included in domestic legislation on refugees. As a result, no refugees were compelled to go to a country where they risked being subjected to torture. While foreign nationals who did not qualify for refugee status could be deported in accordance with the relevant legislation, mass expulsions were prohibited. Even during the conflict with Eritrea, all cases had been considered on an individual basis.

18. Female genital mutilation, early marriage and corporal punishment were criminalized under Ethiopian law. However, those traditional practices remained widespread and efforts to implement the relevant legislation were continuing.

19. The Government maintained excellent relations with the International Committee of the Red Cross (ICRC). During the conflict with Eritrea, it had allowed ICRC staff to visit the detention centres where Eritreans had been held prior to their deportation. While the ICRC was not permitted to visit ordinary prisons, other civil society organizations did have access to those facilities.

20. His Government had rejected four universal periodic review (UPR) recommendations relating to treaty ratifications as it required more time to consider the issues involved. The recommendations on sexual minorities, the death penalty and a standing invitation had been rejected for substantive policy reasons.

21. **Mr. Yimer** (Ethiopia) drew the Committee's attention to the fact that his Government had accepted 98 of the UPR recommendations and rejected only 32. It was impractical to expect any State to accept all the recommendations that were made.

22. **Mr. Molla** (Ethiopia) said that the writ of habeas corpus was extensively incorporated in the Ethiopian legal system. The Constitution and the Criminal Procedure Code provided that persons who were arrested must be brought before a court within 48 hours of their arrest. The directives governing police procedure also stipulated that detainees must be brought before the court closest to the place of arrest, irrespective of the jurisdiction of that court. While the 48 hours did not include the journey time between the place of arrest and the nearest court, there were many courts available throughout the country, even in remote areas. Disciplinary and legal measures were taken against police officers who failed to comply with that directive. The first court before which detainees were brought decided whether they should be remanded in custody or released on bail. Detainees arrested on suspicion of involvement in offences that fell under the federal jurisdiction could also be brought before the nearest court in the first instance. In addition, it was possible to establish regional courts staffed by delegations from the federal authority concerned, and in some cases federal courts tried cases remotely, using information and communication technology.

23. The Constitution provided that the treatment of all detainees in pretrial custody and convicted prisoners must be consistent with their dignity; the domestic provisions were in line with all the relevant international instruments.

24. Efforts were under way to improve the effectiveness of the legal system and ensure prompt and cost-effective justice throughout the country, particularly by increasing cooperation between the different actors involved in the administration of justice. Any public servants, such as police officers or prison warders, who were found guilty of acts of torture were prosecuted and convicted. In a recent case, a police sergeant had been sentenced to 18 months' imprisonment.

25. Ethiopia had a bilateral mutual legal assistance agreement with Djibouti and mutual legal assistance agreements with the member States of the Intergovernmental Authority on Development (IGAD). In addition, it had extradition agreements with Djibouti, the Sudan and the other IGAD members. The security agreement Ethiopia had concluded with Yemen also included provisions on extradition and legal assistance.

26. All actors in the justice sector were entitled to training in investigation, prosecution, trials and human rights issues. The Ministry of Justice provided significant amounts of training for federal and regional police officers, prosecutors, judges and prison officers. In cooperation with foreign Governments and civil society organizations, projects had been implemented to improve awareness among judicial staff, inter alia by translating the core international human rights instruments into the local language and distributing them to staff. The Ministry had established a directorate for legal education and training.

27. The Government took cases of rape very seriously. Under the Criminal Code, the maximum punishment for convicted rapists was 25 years' imprisonment. In order to implement the relevant legal provisions effectively, "Women and Child Centres" had been set up in all regional and federal prosecutors' offices, with staff selected from among the best prosecutors and psychologists. Cases of rape and crimes against children were investigated by the police and prosecuted by those specialist teams. There was no possibility for granting pardon to convicted rapists.

28. Before it had been enacted, Charities and Societies Proclamation No. 621 of 2009 had been presented to stakeholders and civil society for consultation, and had been thoroughly discussed at a public hearing with the staff of charities and societies. The issues raised had been incorporated in the final text of the proclamation. All the charities, civil societies and NGOs that had been registered under the previous legislation had been re-registered. Over 2,500 such bodies were currently registered and operational around the country. Charities and societies were prohibited by law from receiving more than 10 per cent of their capital per annum from foreign sources to work on rights-based and policy-related questions. That provision was not in conflict with any international legal standards and had been enacted in order to prevent foreigners and foreign money from becoming involved in internal political affairs.

29. Under the Criminal Code, all forms of human trafficking were prohibited, including internal trafficking. Crimes of internal human trafficking were prosecuted at the regional and federal levels.

30. **Mr. Tilahun** (Ethiopia) said that the federal police were accountable to the Ministry of Federal Affairs and the regional state police accountable to the state authorities. The chief duties of the police were to maintain law and order and prevent and detect crime in order to maintain peace, safety and order at the federal and state levels. The police received regular training, which included human rights education and the prohibition of torture. In addition, the Ministry of Justice training institution and civil society provided further training for the police. The police had established procedures to evaluate their activities, which enabled them to take appropriate administrative measures ranging from corrective advice to punitive measures, including dismissal.

31. Cases of harassment of women were handled by female police officers who were specially trained in dealing with female victims. The police respected the basic rights of all

detainees, such as the right to receive visits from relatives and friends and to receive medical attention. The use of force by police officers was strictly prohibited, except for purposes of self-defence. The police were obliged to report the detention of any foreign citizen to the relevant embassy through the Ministry of Foreign Affairs. Senior police officers and prosecutors conducted weekly inspections of detention centres. While not all police activities had fully achieved their objectives, the police continued to strive to improve their performance. The authorities were aware of the need to improve the police documentation system, statistical reporting and training manuals.

32. **Mr. Teklemariam** (Ethiopia) said that the deaths of prisoners mentioned had been caused by ill-health and had not been connected with conditions in the detention centres in which they had been held. Post mortems were systematically carried out on prisoners who died in detention. Maekalawi was a police station and not a prison.

33. There were no secret detention centres in Ethiopia since no prison could accept a detainee without a court warrant. The Federal Prison Administration held full information on every prisoner held in federal and regional facilities. The system did not allow prisoners to be detained in secret.

34. A course on human rights and treatment of prisoners had been included in the training given to existing and newly-recruited prison staff. All senior and mid-level prison officers had also received the training, which had been delivered in collaboration with the Ethiopian Human Rights Commission and the OHCHR East Africa Regional Office.

35. Prisoners were able to lodge complaints concerning prison warders through the ordinary courts and cases of that kind had been brought. They could also submit suggestions by placing them in boxes that were available in each prison. An office within the Prison Administration was responsible for collating the suggestions and forwarding them to the senior officers in question, who took action where appropriate, including disciplinary action.

36. A system for monitoring and visiting prisoners was in place. Prisoners could be visited by their families, lawyers and clerics without restriction. NGOs such as the Action Professionals' Association for the People, which was primarily composed of lawyers, gave advice and support to prisoners. Similarly, representatives of Justice for All and Prison Fellowship – Ethiopia visited prison facilities. The Ethiopian Human Rights Commission and parliament, through its legal and administrative affairs standing committee, also monitored prisons. The Prison Administration took action to improve conditions based on their recommendations. A new prison was being built in Addis Ababa and disabled access was provided in all new facilities. Prison monitoring and visiting activities were publicly announced through the media.

37. **Mr. Gaye**, First Country Rapporteur, said that the State party's report contained a general description of the domestic legal framework and the international instruments that it had ratified. However, the Committee did not possess enough information on how those laws were implemented in practice. He understood that it would take time for Ethiopia to implement the Convention against Torture but he was concerned about certain information received from NGOs and the United Nations Independent Expert on minority issues which had led him to conclude that further work was required to implement the Convention in practice. Indeed, paragraph 23 of the State party's report (CAT/C/ETH/1) appeared to confirm the view that measures taken to punish torture had not significantly reduced the incidence of that crime.

38. He had been reassured to learn that, according to the Ethiopian Constitution, in the event of conflict between domestic legislation and international law, the Convention would take precedence. That being the case, it should be possible to incorporate the Convention definition of torture in domestic law.

39. He asked whether there was a conflict of competence between the federal and the regional jurisdictions and, if so, whether laws to regulate the question existed. He wished to know whether it was the responsibility of the military or the police to investigate crimes since there was extensive collaboration between the two institutions.

40. It appeared that it was possible for the police to detain an individual, albeit with the intervention of a judge, for up to 14 days without charge; that was too long, particularly since it was known that most torture or ill-treatment occurred during pretrial detention. He therefore sought more information about the guarantees in place concerning family visits and medical examinations.

41. It had been stated that deaths of detainees were not connected with conditions in the detention centres in which they had been held. He requested further information concerning causes of death since the Committee had received reports of overcrowding in prisons and ill-treatment of prisoners.

42. He sought clarification of the situation in Ogaden. Although the Committee had been informed that a state of emergency did not exist there, complaints of torture with serious physical and psychological consequences had been received from the region.

43. The role of the judiciary in cases of deportation and refoulement was not clear. It appeared that all decisions were taken by the Executive and that there was no recourse. It would be usual for an independent body to examine whether an individual would be at risk of torture in such cases.

44. A number of his original questions remained unanswered. He wished to know whether officials and border guards responsible for carrying out expulsions or refoulement received training. He also wished to be informed of cases where extradition had been granted and cases where it had been refused and on what basis those decisions had been taken. In addition, he had asked about the rules of evidence in Ethiopia's Criminal Code.

45. It appeared that Ethiopia would be prepared to extradite persons on political rather than criminal grounds, which was contrary to the practice of many countries. According to the State party's report, extradition was subject to bilateral agreements. He wished to know whether the Convention had ever been used as a basis for a decision concerning extradition. Lastly, were there any special measures relating to judicial investigations carried out under the auspices of the Convention?

46. **Ms. Belmir**, Second Country Rapporteur, said the delegation had stated that criticism of its anti-terrorism laws was without foundation yet it appeared that suspects were detained for long periods and on the basis of secret evidence or confessions. Ethiopia maintained that it operated a zero-tolerance policy concerning impunity, yet many delegations appearing before the Committee had admitted that cases of impunity had occurred in their countries. She would have expected the State party to provide detailed information in response to the numerous allegations made against it in that regard.

47. She recalled that she had asked a question concerning the conflict between local and federal jurisdictions and between religious and ordinary jurisdictions. She sought further information concerning the state of emergency declared in two regions in the State party.

48. She had been pleased to learn that many of the recommendations contained in the report of the Working Group on the UPR concerning Ethiopia (A/HRC/13/17) had been accepted. However, there was some contradiction between paragraph 97 of the report (points 15, 16 and 18), where the State party supported the recommendations to cooperate fully with the special procedures and to respond positively to visits by mandate holders, amid paragraph 99, where it did not support extending an invitation to all United Nations special procedures mandate holders. Furthermore, in point 20 of paragraph 99, it did not support the recommendation to "take effective measures, in line with the Committee on the

Rights of the Child, to protect all children from torture, cruel and degrading treatment, particularly from members of the military”.

49. Notwithstanding her remarks, she believed that dialogue with the State party had been positive and that it should be continued in a harmonious manner.

50. **Mr. Mariño Menéndez** said that a report by the NGO African Rights Monitor, issued in November 2010, referred to the activities of a government-backed militia called the “Liyu police”. He sought the comments of the delegation on the existence of such militias.

51. Some aspects of the State party’s Anti-Terror Law gave cause for concern. Article 23 of the law did not preclude the use of confessions obtained under torture in the courts, while article 16 authorized the Director-General of the Federal Police to delegate certain powers to unspecified persons of his choosing.

52. Although paragraph 53 of the State party’s report confirmed that detainees had the right to consult a lawyer and to receive visits from family members, it was not clear whether they were allowed to consult lawyers immediately upon being detained.

53. There were questions concerning respect for human rights in Ogaden, a region in which armed conflict had taken place. According to Human Rights Watch, in 2007 and 2008 members of the security forces had been involved in extrajudicial killings, mass detentions, sexual violence and torture, sometimes in the presence of their commanding officers.

54. He was concerned that article 31 of Ethiopia’s Anti-Terror Law did not guarantee the human rights of civilians detained during time of war since a ruling on their status as non-combatants or terrorists could be made by a military court.

55. **Mr. Bruni** said that, according to the delegation, visits by representatives of the ICRC to detention centres were not normally permitted. Yet paragraph 21 of the report stated that visits by interested NGOs, religious leaders and international organizations such as the ICRC were allowed, and paragraph 56 stated that the Ethiopian Human Rights Commission, parliamentary groups, international organizations such as the ICRC and interested NGOs were allowed to inspect prisons and detention centres. The paragraph added that recommendations by those institutions were communicated to appropriate organs for remedial action. He asked the delegation to clarify the inconsistency.

56. Both the report and the delegation had mentioned various institutions that monitored conditions of detention. As some NGOs claimed that torture was regularly used in federal prisons, police stations and military training camps, he would appreciate more specific information about recent inspections, including the types of facilities visited, the findings and recommendations, and follow-up arrangements.

57. The Ethiopian Human Rights Commission had inspected various places of detention in 2008 and submitted a detailed report to the authorities. It had concluded that the conditions of detention were deplorable and should be improved as a matter of urgency. He asked what practical steps had been taken in the intervening two years to improve conditions of detention. The report had referred, in particular, to overcrowding. He enquired about the current occupancy rates of places of detention.

58. **Ms. Kleopas** reminded the delegation that at the previous meeting she had mentioned the names of three people who had allegedly been tortured. She would appreciate a response to the issues raised.

59. According to the delegation, certain persons had been punished for acts of torture or ill-treatment. For instance, a public official had been sentenced to 18 months’ imprisonment, but it was unclear whether he had been found guilty of torture. She enquired

about the penalty for torture under the Criminal Code and pointed out that article 4 of the Convention required States parties to make such offences punishable by appropriate penalties which took into account their grave nature. The offence of torture should also, of course, be defined in the Criminal Code so that no conflict of jurisdiction arose when charges were brought against an alleged offender.

60. Referring to a recommendation made in 2009 by the Committee on the Elimination of Racial Discrimination (CERD/C/ETH/CO/7-16), she asked what specific measures had been taken to eradicate harmful traditional practices affecting women.

61. **Ms. Sveaass** thanked the delegation for its comprehensive replies to many of the questions raised.

62. She was pleased to hear about the monitoring visit to 35 places of detention undertaken by the Ethiopian Human Rights Commission. As the full report was in the Amharic language, she asked for more detailed information on its findings and recommendations, especially with regard to torture and ill-treatment. The Committee carefully assessed the information it received from many different sources and meticulously checked any serious allegations.

63. The State party's core document (HRI/CORE/ETH/2008) was comprehensive and contained many useful statistics, such as the figures concerning death in custody. According to the State party, all the deaths had been due to health problems. However, there was a striking difference between the number of deaths in different prisons, especially when compared with the total number of prisoners. In one prison, for instance, there had been 33 deaths within a six-month period in 2007–2008 and no figures whatsoever for previous years.

64. In 2004 a prisoner with a disability, Alamayehu Gerba, had complained of torture and ill-treatment in Addis Ababa prison. He had been killed shortly afterwards, allegedly when trying to escape, although he had been unable to walk without crutches. She asked whether such allegations of torture and ill-treatment were fully investigated and whether the perpetrators were punished as required by the Convention.

65. The Committee had been informed about a large number of enforced disappearances. She was aware that there were clear-cut legal provisions prohibiting such disappearances, but she wished to know more about the investigations conducted and their findings in specific cases.

66. **Ms. Gaer** reiterated her enquiry as to whether the State party would be prepared to receive a visit from the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

67. She asked whether exculpatory legislation providing, inter alia, for reduced sentences was applied to abductions or forms of sexual violence such as marital rape.

68. **The Chairperson** asked the delegation whether the State party planned to incorporate article 1 of the Convention in its legislation.

69. He requested information about persons who had been sentenced to capital punishment. How many had been executed in recent years and how many were currently on death row? He also wished to know whether anyone had been convicted of torture during the period covered by the report and whether the victim or victims had received compensation. Lastly, he asked how many persons had been convicted of rape.

70. **Mr. Yimer** (Ethiopia) said that the delegation was unable to reply at once to the many detailed questions raised.

71. A number of special procedure mandate holders had asked to visit Ethiopia, and there was no reason to give precedence to the Special Rapporteur on torture. No decision had yet been taken by the authorities.

72. **Mr. Abebe** (Ethiopia) said that the Committee should have gathered from the report and replies that his delegation was not claiming that everything was perfect in the State party. On the contrary, it agreed that there were a number of challenges to be addressed, including the prevalence of certain attitudes among law enforcement officials and investigators. However, Ethiopia had to contend with significant shortcomings in terms of human resources and capacity. Moreover, terror against ordinary citizens had been institutionalized by previous regimes and action to remedy the damage done was a major project.

73. With regard to the Ogaden region, Ethiopia had rejected one State's UPR recommendation for an international inquiry because the Government felt that the situation did not require such an investigation. However, it had allowed the United Nations Humanitarian Coordinator in Ethiopia and a human rights officer from OHCHR to visit the region and to submit their findings to the Government. He wondered what sources and grounds the Committee was invoking in support of its claim that there was a state of emergency in the region and a profound sense of insecurity.

74. The Constitution provided for the application of sharia law to personal status and family-related issues, but it clearly stated that customary and sharia law were subject to human rights requirements. For example, if Muslim women felt that their rights would not be fully protected in a sharia court, they could opt instead for a civil court. If a woman opted for a sharia court, she was required to submit a written statement acknowledging its jurisdiction.

75. Ethiopia had rejected UPR recommendation concerning measures to protect children from torture and ill-treatment because it contained the unsubstantiated phrase "particularly from members of the military". The State concerned had alleged that the military were involved in the recruitment of child soldiers. Ethiopia had requested evidence of the allegation and had received none.

76. **Mr. Yimer** (Ethiopia) said that his delegation undertook to answer all questions raised by the Committee in writing as soon as possible.

77. The First Country Rapporteur had referred to a report by the Independent Expert on minority issues (A/HRC/4/9/Add.3). Ms. McDougall had raised the issue of federalism, which she termed "ethnically-based federalism". Ethiopians objected to attempts by outsiders to define them in terms that did not correspond to the Constitution. According to article 39, a nation, nationality or people, for the purpose of the Constitution, was a group of people who had or shared a common culture or similar customs, mutual intelligibility of language, belief in a common identity or related identities, and a common psychological make-up, and who inhabited an identifiable, predominantly contiguous territory. Many other countries were organized along similar lines. The term ethnic federalism was resented in Ethiopia as a condescending and paternalistic term used by outsiders. After spending just one week in the country, the Special Rapporteur had had the audacity to state that the Ethiopian federal system was creating problems for minorities. A sovereign State could not accept such arrogance. The Government felt that Ethiopia was being treated in such a manner simply because it was a poor African developing country.

78. NGOs such as Human Rights Watch also behaved as though they had a monopoly on the truth. A country was placed in the dock and was required to prove its innocence. Human Rights Watch had produced 11 reports on Ethiopia in the past decade but none on Somalia, Eritrea, Djibouti or the Sudan. The fact that it had issued only three or four reports on the previous regime implied that Ethiopians had been better off under the military

dictatorship. The Committee referred to certain NGOs as “respectable”. He did not share that view because the information they provided was not credible, for instance the recent allegation by Human Rights Watch that funds provided by donors had been misused by the Government for political purposes. The donors had recently met in Addis Ababa and publicly announced their disagreement with the allegation.

79. The Anti-Terror Law had been copied almost word for word from Western legislation. No single statute had ever given rise to such elaborate consultations between the Prime Minister himself and stakeholders.

80. Human Rights Watch had specialized in “Ethiopia-bashing” for some time. It had stated its intention to submit a written response to the findings of the Government’s field investigation in the Ogaden, but the document had focused instead on the people who had conducted the investigation. Human Rights Watch claimed that they were not credible because they worked for the Government.

81. His delegation respected the Committee and the dialogue had proved highly instructive. It would assist the Ethiopian authorities in preparing their next periodic report. He lamented, however, the lack of balance created by Human Rights Watch and other NGOs which had made up their minds about Ethiopia in advance.

82. **The Chairperson** said that the Committee looked forward to receiving the delegation’s written answers to its questions, since they would assist it in drafting its concluding observations on the State party’s initial report.

83. The purpose of the dialogue was to draw States parties’ attention to issues that the members of the Committee felt were most important. He assured the delegation that all 10 Committee members were independent experts whose only goal was to ensure that all States parties complied with the obligations they had freely assumed under the Convention. The Committee received information from a wide variety of sources and the members analysed it carefully in the light of their expertise.

*The meeting rose at 1 p.m.*