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FOR IMMEDIATE RELEASE
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REPUBLICANS STANDING UP FOR HUMAN RIGHTS IN ETHIOPIA

CHRISTOPHER SMITH RE-INTRODUCES
The Ethiopia Freedom, Democracy, and Human Rights
Advancement Act of 2007 (H.R. 2228)

A PRELIMINARY ANALYSIS OF THE NEW BILL

DOUBLE BARRELS BLAZING AGAINST HUMAN RIGHTS ABUSERS:
DEMOCRATS AND REPUBLICANS JOIN TOGETHER
TO SUPPORT HUMAN RIGHTS IN ETHIOPIA

THANK YOU, CHRISTOPHER SMITH!

Broad Bipartisan Support for Human Rights in Ethiopia Finally a Reality: Republicans Take an Unwavering Stand on Human Rights in Ethiopia

On May 9, 2007, Republican Congressman Christopher Smith introduced H.R. 2228 ("Ethiopia Freedom, Democracy, and Human Rights Advancement Act of 2007") in the House of Representatives. H.R. 2228 effectively replaces H.R. 5680, which was prevented from getting to the House floor by then-Speaker Dennis Hastert.

Introduction of H.R. 2228 by Cong. Smith is significant because it demonstrates the extraordinary importance of human rights in Ethiopia not only for the Democrats in congress but also for Republican members of the House. Such extraordinary bi-partisan interest and support for human rights is a rare event in the U.S. Congress.

We are especially thankful to Congressman Chris Smith for his dedication, commitment and unwavering support for human rights in Ethiopia. We are very pleased and honored to have Cong. Smith and other Republicans standing up with us on the issue of human rights in Ethiopia. **Ethiopians are truly fortunate to have two human rights titans advocating on their behalf in the U.S. Congress.**

H.R. 2228 Replaces H.R. 5680

H.R. 2228 basically replaces H.R. 5680 in all of its essential provisions. There are very few substantive changes in the new bill that were not included in the earlier version of H.R. 5680.

Comparison of H.R. 2003 and H.R. 2228

The most important aspect of H.R. 2003 (“Ethiopia Democracy and Accountability Act of 2007”) and H.R. 2228 is that both bills are firmly anchored in H.R.5680. The two bills share the same statement of policy and findings, although in H.R. 2003 additional findings reflecting the investigative results of the Inquiry commission is incorporated to document the massive violations of human rights by the ruling regime. Both bills share the same provisions in terms of support for human rights and democratization in Ethiopia. Both bills rely on the same sanctions mechanisms to ensure support for human rights, democracy and economic development in Ethiopia.

One major new provision in H.R. 2228 is the requirement of compensation for persons whose properties were confiscated by government action in Ethiopia. Accordingly, “all capital assets of United States citizens and of entities not less than 50 percent beneficially owned by United States citizens that have been nationalized, expropriated, or otherwise seized by the Ethiopian government before the date of the enactment of this Act in contravention of international law are returned or a mutually agreed upon restitution agreement is performed.”

Another major difference has to do with the appropriations set for implementation of the bill. H.R. 2003 provides \$20 million for each of the fiscal years 2008 and 2009, while H.R. 2228 provides \$10 million for the same period.

Accountability, Accountability, Accountability!

Both H.R. 2003 and H.R. 2228 will ensure regime accountability for human rights abuses by demanding the immediate and unconditional release of all political prisoners and prisoners of conscience in Ethiopia. Both bills would produce accountability for the excessive use of force by regime security forces that resulted in hundreds of deaths and thousands of injuries in the post - 2005 elections. Both bills send a clear message to the ruling regime that excessive use of force against peaceful citizens, lack of respect for human rights, rampant conditions of beatings and physical and mental abuse, mistreatment of detainees and opposition supporters, poor prison conditions and arbitrary arrests and detentions are condemned by the U.S. Congress.

NEXT STEPS

Introduction of these two bills offers great strategic advantages in our congressional advocacy efforts. We can use each bill in our grassroots advocacy efforts with individual House members of the Democratic and Republican parties. This is particularly important

in demonstrating the fact that human rights in Ethiopia has wide and solid support among members of both parties.

As often happens, the two bills will be reconciled in the subcommittee deliberation process and transmitted to House Committee on Foreign Affairs. For instance, whether funding for the bill will be \$10 or \$20 million is likely to be decided once members of the two parties agree on an appropriate funding level. **THE MOST IMPORTANT FACT FOR ALL ETHIOPIANS WHO SUPPORT HUMAN RIGHTS IN ETHIOPIA IS THAT BOTH DEMOCRATS AND REPUBLICANS FULLY SUPPORT FREEDOM, HUMAN RIGHTS, DEMOCRACY AND ACCOUNTABILITY IN ETHIOPIA. THIS IS AN EVENT OF EXTRAORDINARY HISTORICAL SIGNIFICANCE.**

Ethiopian American grassroots legislative advocates should seize the opportunity to engage members of both the Democratic and Republican parties at a much higher level. In so doing, we must 1) be aware of the need for increased sophistication in the use legislative advocacy strategies and tactics, 2) learn from past mistakes and avoid the pitfalls of improvised and haphazard grassroots advocacy, 3) harness available material, technical and human resources to produce specific results that maximize passage of an Ethiopia human rights bill, and 4) develop effective mechanisms to work with congressional members and staff from both parties.

WE SHOULD THANK CONGRESSMAN SMITH

We should thank Congressman Smith for his sustained and unflagging support of human rights in Ethiopia. The Coalition for H.R. 2003 is profoundly thankful to Congressman Smith for his tireless efforts and support for freedom, democracy and human rights in Ethiopia.

Express your thanks and appreciation to Cong. Smith!

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H.R.2228

**Ethiopia Freedom, Democracy, and Human Rights Advancement Act
of 2007 (Introduced in House)**

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Ethiopia Freedom, Democracy, and Human Rights Advancement Act of 2007'.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to--

- (1) support the advancement of human rights, democracy, independence of the judiciary, freedom of the press, peacekeeping, capacity building, and economic development in the Federal Democratic Republic of Ethiopia;
- (2) collaborate with Ethiopia in the Global War on Terror;
- (3) seek the unconditional release of all political prisoners and prisoners of conscience in Ethiopia;
- (4) foster stability, democracy, and economic development in the region; and
- (5) strengthen United States-Ethiopian relations based on the policy objectives specified in paragraphs (1) through (4).

SEC. 3. FINDINGS.

Congress finds the following:

- (1) The people of Ethiopia have suffered for decades due to military conflicts, natural disasters, poverty and diseases, regional instability, and the brutal dictatorship of the military junta under Mengistu Haile Mariam. Hundreds of thousands of civilians were brutally murdered by the Mengistu regime, including women and children. Many more sacrificed their lives fighting for freedom, respect for human rights, and to bring an end to the brutal dictatorship of the Mengistu regime. Members of that murderous regime are currently living in Europe, the United States, and Africa.
- (2) In May 1991, the brutal dictatorship of the Mengistu regime came to an abrupt end when the Ethiopian People's Revolutionary Democratic Front (EPRDF) defeated the Mengistu army. In July 1991, the EPRDF and a coalition of other political groups established a transitional government in Ethiopia. A number of liberation movements joined the transitional government in a spirit of a new start and the building of a democratic Ethiopia. These groups included the Oromo Liberation Front (OLF), the Ogaden National Liberation Front (ONLF), and many others.
- (3) Since the ouster of the Mengistu regime in 1991, the EPRDF-led government instituted a multiparty system and organized

three regional and national elections and a number of local elections. The 1995 and 2000 elections were largely boycotted and judged to be neither free nor fair. Some opposition groups participated in the 2000 elections, giving such groups 12 seats in the 546-seat parliament.

(4) The May 2005 pre-election period and the conduct of the elections in Ethiopia were seen by observers to be transparent, competitive, and relatively free and fair, although there were a number of problems reported. More than 90 percent of registered voters participated and dozens of political parties took part in the elections. Moreover, some international groups observed the elections, unprecedented access to the mass media was given to the opposition, and there were televised debates between the government and the opposition. Some political parties and armed political groups boycotted the 2005 elections. However, trained local groups were barred from observing the elections.

(5) The May 15, 2005, elections were seen by observers as questionable. The opposition accused the Government of Ethiopia of stealing the elections and called for civil disobedience, which resulted in the killing of demonstrators and detention of opposition leaders and thousands of their followers, including 11 elected members of parliament and the elected mayor of Addis Ababa.

(6) The Coalition for Unity and Democracy (CUD), the United Ethiopian Democratic Forces (UEDF), and the ruling EPRDF reached an agreement to resolve disputed election results peacefully with the help of the National Electoral Board (NEB). The NEB investigated more than 299 complaints and later agreed to hold reruns in 31 constituencies. In late August 2005, the NEB held reruns in the 31 constituencies as well as in all 23 constituencies in the Somali region, where elections had been postponed due to insecurity.

(7) Election results show that opposition parties won 170 seats in the national parliament, a significant increase from the 12 seats they won in the 2000 elections. Opposition parties also won the city council in Addis Ababa, giving them control over the capital. An estimated 150 of the 170 opposition members of parliament have taken their seats. In early May 2006, the Government of Ethiopia appointed a caretaker government in the capital. Members of parliament from the CUD walked out of parliament in protest. The CUD won the city, but the designated mayor has been in detention since November 2005.

(8) Human rights conditions deteriorated significantly after the May 15, 2005, elections in Ethiopia and overall human rights conditions in the country remain poor. The Department of State, in its 2005 Country Reports on Human Rights Practices, noted a myriad of human rights abuses by the Government of Ethiopia.

Moreover, journalists and editors of the independent press have been and continue to face harassment and prosecution for alleged violations of press laws in Ethiopia. Dozens of journalists have fled the country, and some are currently in exile fearing prosecution or harassment.

(9) In June 2005, more than 35 demonstrators were killed by Ethiopian Government security personnel and in November 2005 at least 42 protesters and 7 police officers were killed, according to reports from international human rights organizations. The violence against these victims occurred after pro-opposition groups went to the streets of the capital to protest government actions in handling the election results of May 2005. Tens of thousands of people suspected of being opposition supporters were detained over the past months; many of these detainees were released. Government security forces continue to abuse opposition leaders, supporters, and family members.

(10) An estimated 112 political leaders, human rights activists, community leaders, and journalists, including the chairman of the CUD (Hailu Shawel), the newly elected Mayor of Addis Ababa (Berhanu Nega), and the founder of the Ethiopian Human Rights Council (Professor Mesfin Wolde Mariam), were imprisoned and charged with treason and genocide. These measures were deliberately taken to stifle and criminalize opposition party activity in the country. The measures also were intended to intimidate and silence independent press and civil society, raising serious questions about the Ethiopian Government's commitment to democracy and good governance.

SEC. 4. SUPPORT FOR HUMAN RIGHTS IN ETHIOPIA.

The Secretary of State shall--

- (1) establish a mechanism to provide financial support to local and national human rights groups and other relevant civil society organizations to help strengthen human rights monitoring and regular reporting on human rights conditions in Ethiopia;
- (2) establish a program to provide legal support for political prisoners and prisoners of conscience and to assist local groups or groups from outside Ethiopia that are active in monitoring the status of political prisoners and prisoners of conscience in Ethiopia;
- (3) seek to increase the independence of the Ethiopian judiciary through facilitation of joint discussions for court personnel, officials from the Ethiopian Ministry of Justice, relevant members of the legislature, and civil society representatives on international human rights standards;
- (4) create and support a judicial monitoring process, consisting of local and international groups, to monitor judicial proceedings

throughout Ethiopia, with special focus on unwarranted government intervention in strictly judicial matters, and to investigate and report on actions to strengthen an independent judiciary;

(5) establish a program to strengthen private media in Ethiopia, provide support for training purposes, offer technical and other types of support as necessary, and expand programming by the Voice of America to Ethiopia; and

(6) establish a mechanism to--

(A) identify and extradite members of the Mengistu Haile Mariam regime and the current government who reside in the United States and who were engaged in gross human rights violations; and

(B) work with other governments to identify and extradite such persons, including Mengistu Haile Mariam.

SEC. 5. SUPPORT FOR DEMOCRATIZATION IN ETHIOPIA.

(a) Strengthening Local, Regional, and National Democratic Processes-
The Secretary of State shall--

(1) provide assistance to strengthen local, regional, and national parliaments and governments in Ethiopia through training in consultation with government authorities, political parties, and civil society groups;

(2) establish a program focused on reconciliation efforts between the Government of Ethiopia and peaceful political and civil society groups, including in minority communities, in preparation for negotiation and for participation in the political process;

(3) strengthen training for political parties in Ethiopia in areas such as organization building and campaign management;

(4) provide training for civil society groups in election monitoring in Ethiopia; and

(5) facilitate ongoing communications between ruling and opposition political parties through the National Election Board (NEB) in order to address issues such as delimitation of constituencies, voter registration, political party registration, candidate registration, and related matters to enhance the credibility of the next elections in Ethiopia.

(b) Democracy Enhancement-

(1) ASSISTANCE- United States technical assistance for democracy promotion in Ethiopia shall be made available to the ruling party as well as to opposition parties in Ethiopia.

(2) RESTRICTION-

(A) IN GENERAL- Nonessential United States assistance may not be made available to the Government of Ethiopia if the Government of Ethiopia acts to obstruct United States technical assistance to advance human rights,

democracy, independence of the judiciary, freedom of the press, economic development, and economic freedom in Ethiopia.

(B) DEFINITION- In this paragraph, the term 'nonessential United States assistance' means assistance under any provision of law, other than humanitarian assistance, assistance under emergency food programs, assistance to combat HIV/AIDS, and other health care assistance.

SEC. 6. ENSURING GOVERNMENT SUPPORT FOR HUMAN RIGHTS, DEMOCRACY, AND ECONOMIC DEVELOPMENT IN ETHIOPIA.

(a) Limitation on Security Assistance; Travel Restrictions-

(1) LIMITATION ON SECURITY ASSISTANCE-

(A) IN GENERAL- Except as provided in subparagraph (B), security assistance may not be provided to Ethiopia until such time as the certification described in paragraph (3) is made in accordance with such paragraph.

(B) EXCEPTION- Subparagraph (A) shall not apply with respect to peacekeeping or counter-terrorism assistance. Peacekeeping or counter-terrorism assistance provided to Ethiopia may not be used for any other security-related purpose or to provide training to security personnel or units accused of human rights violations against civilians.

(2) TRAVEL RESTRICTIONS- Beginning on the date that is 60 days after the date of the enactment of this Act and until such time as the certification described in paragraph (3) is made in accordance with such paragraph, the President shall deny the issuance of a visa to and admission to the United States to--

(A) any official of the Government of Ethiopia who--

(i) has been involved in giving orders to use lethal force against peaceful demonstrators in Ethiopia;

or

(ii) has been accused of gross human rights violations;

(B) security personnel of the Government of Ethiopia who were involved in the June 2005 or November 2005 shootings of demonstrators; and

(C) Ethiopian civilians who were involved in the November 2005 killings of seven policemen in Ethiopia.

(3) CERTIFICATION- The certification described in this paragraph is a certification by the President to Congress that the Government of Ethiopia is making credible, quantifiable efforts to ensure that--

(A) all political prisoners and prisoners of conscience in Ethiopia have been released, their civil and political rights restored, and their property returned;

(B) prisoners held without charge or kept in detention without fair trial in violation of the Constitution of Ethiopia are released or receive a fair and speedy trial, and prisoners whose charges have been dismissed or acquitted and are still being held are released without delay;

(C) all capital assets of United States citizens and of entities not less than 50 percent beneficially owned by United States citizens that have been nationalized, expropriated, or otherwise seized by the Ethiopian government before the date of the enactment of this Act in contravention of international law are returned or a mutually agreed upon restitution agreement is performed;

(D) the Ethiopian judiciary is able to function independently and allowed to uphold the Ethiopian Constitution and international human rights standards;

(E) the investigation of the killing of civilian protesters by Ethiopian security forces is credible, transparent, and those involved in the unlawful killing are punished;

(F) family members, legal counsel, and others have unfettered access to visit detainees in Ethiopian prisons;

(G) print and broadcast media in Ethiopia are able to operate free from undue interference, and laws restricting media freedom, including sections of the Ethiopian Federal Criminal Code, are revised;

(H) licensing of independent radio and television in Ethiopia is open and transparent;

(I) access in Ethiopia is provided to the Internet and the ability of citizens to freely send and receive electronic mail and otherwise obtain information is guaranteed;

(J) the National Election Board (NEB) includes representatives of political parties with seats in the Ethiopian Parliament and guarantees independence for the NEB in its decision-making;

(K) representatives of international human rights organizations engaged in human rights monitoring work in Ethiopia are admitted to Ethiopia without undue restriction; and

(L) Ethiopian human rights organizations are able to operate in an environment free of harassment, intimidation, and persecution.

(4) WAIVER-

(A) IN GENERAL- The President may waive the application of paragraph (1) or (2) on a case-by-case basis if the President determines that--

- (i) to the maximum extent practicable, the Government of Ethiopia has met the requirement of paragraph (3)(A); and
- (ii) such a waiver is in the national interests of the United States.

(B) NOTIFICATION- Prior to granting a waiver under the authority of subparagraph (A), the President shall transmit to Congress a notification that includes the reasons for the waiver.

(b) Treatment of Political Prisoners and Prisoners of Conscience-

(1) IN GENERAL- The President, the Secretary of State, and other relevant officials of the Government of the United States shall call upon the Government of Ethiopia to immediately release all political prisoners and prisoners of conscience, especially prisoners held without charge.

(2) TORTURE VICTIM RELIEF- While it is the responsibility of the Government of Ethiopia to compensate the victims of unlawful imprisonment and torture and their families for their suffering and losses, the President shall provide assistance for the rehabilitation of victims of torture in Ethiopia at centers established for such purposes pursuant to section 130 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152).

(c) Sense of Congress- It is the sense of Congress that the Government of the United States should--

- (1) encourage the Government of Ethiopia to enter into discussions with the Oromo Liberation Front to bring them into full participation in the political and economic affairs of Ethiopia, including their legalization as a political party; and
- (2) provide such assistance as is warranted and necessary to help achieve the goal described in paragraph (1).

SEC. 7. SUPPORT FOR ECONOMIC DEVELOPMENT IN ETHIOPIA.

(a) Economic Policy Assistance- Utilizing training and other technical assistance programs offered by the Department of the Treasury, the Office of the United States Trade Representative, and the Department of Justice, the President shall assist the Government of Ethiopia in developing policies that will address key economic obstacles, including in such areas as budgeting, taxation, debt management, bank supervision, anti-money laundering, and land title security that inhibit private sector development and limit participation in donor programs such as the United States Millennium Challenge Account.

(b) Financing for United States-Ethiopian Commercial Ventures- Pursuant to the Government of Ethiopia's acceptance of the reforms in subsection (a), the President shall make available adequate financing for United States and Ethiopian private commercial ventures, including programs of the United States Agency for International Development, the Small Business Administration (including the Export Express and Export Working Capital programs), the Overseas Private Investment Corporation (including the Small Business Center and the Small and Medium Enterprise and Structural Finance programs), and the Export-Import Bank of the United States (including the Short-Term Africa Pilot Program).

(c) Resource Policy Assistance- The President, acting through the Administrator of the United States Agency for International Development, shall provide assistance for sustainable development of Ethiopia's Nile and Awash River resources, including assistance to help Ethiopia with the technology necessary for the construction of irrigation systems and hydroelectric power that might prevent future famine.

SEC. 8. REPORT.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of this Act, including a description of a comprehensive plan to address the security, human rights, democratization, and economic freedom concerns that potentially threaten the stability of Ethiopia.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) In General- There are authorized to be appropriated to carry out **this Act \$10,000,000 for each of the fiscal years 2008 and 2009.**

(b) Availability- Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.