
Genocide Watch and Survivors' Rights International

“Today is the Day of Killing Anuaks”

*Crimes Against Humanity, Acts of Genocide and Ongoing
Atrocities Against the Anuak People of Southwestern
Ethiopia*

A Genocide Watch and Survivors' Rights International Field Report

25 February 2004

“The Ethiopian Government knew that something wrong had happened... the truth was all known. And yet they refused it.... They should have said ‘Look, we are not in the picture, but we will go investigate. But to say that it was all baseless, when people have died...!’”

“I think that somebody somewhere conceived an idea, that the best thing is—finish with the Anuaks. How they do it, is what I can't understand. How they really came to this conclusion, at a time when we have had the experience of Rwanda, I can't understand....”

“I hope that we, all of us, the international community, can help in nipping this violence in the bud. Otherwise we will have fire in our hands.”

C. Arbitrary Arrest, Illegal Detention and Torture

VI. CONCLUSIONS.....
.....20

VII. RECOMMENDATIONS.....
.....23

VIII. APPENDIX I: List of Names of Alleged
Perpetrators.....26

I. SUMMARY

Two months after Ethiopian People's Revolutionary Defense Front (EPRDF) forces and highland Ethiopian settlers initiated a campaign of massacres, repression and mass rape deliberately targeting the indigenous Anuak minority of southwestern Ethiopia, the continued repression and the impunity afforded the perpetrators has led to a severe escalation of violence with the potential to provoke a full-scale international military confrontation if not immediately checked.

This report calls on the Ethiopian Government of Prime Minister Meles Zenawi, the United Nations Security Council, and the African Union to intervene to immediately halt escalating violence and defuse tensions provoked by recent military attacks and ongoing atrocities. The report is based on field investigations conducted for Genocide Watch and Survivors' Rights International in Pochalla, Sudan on January 16-23, 2004 and follow-up interviews in February. The report was written in major part by Mr. Keith Harmon Snow.

The report focuses on five of six Anuak districts engulfed in escalating violence since December 13, 2003: Gambella (includes Gambella town), Itang, Abobo, Dimma and Gok (includes Pinyudo town). Interviews with Anuak survivors and leaders in exile focused on documenting eyewitness and personal accounts of the scale and nature of violence. Sources have not been identified herein out of concern for their security.

This report provides substantial evidence that serious human right abuses and violations of international humanitarian law have been committed against Anuak civilians by EPRDF soldiers and "Highlander" (in Amharic "*cefarioch*") militias in southwestern Ethiopia. "Highlander(s)" hereinafter refers to Ethiopians who are neither Anuak nor Nuer, the indigenous peoples of the region, but predominantly Tigray and Amhara people resettled into Anuak territory since 1974. (A capital 'H' has been used to delineate 'Highlanders who participated in the recent violence' from other highlanders of Ethiopia.)

Conflict in Anuak districts of Ethiopia dates back to the 1980's. The current conflict was sparked by the killing of eight U.N. and Ethiopian government refugee camp officials whose van was ambushed on December 13, 2003, in the Gambella District of southwestern Ethiopia. While there is no evidence attesting to the ethnicity of the unidentified assailants, the incident provided the pretext for a major political pogrom against the Anuak minority carried out by EPRDF soldiers and Highlander militias.

As noted by an elected member of the Gambella Regional Council and a founder of the Gambella People's Democratic Congress party:

"The place where U.N. people were killed is not a place where only Anuak are living. There are Nuers, Anuaks, Opon and Komo... and they are living together... The duty of government is clear for everybody, and it is stated also in the constitution, and that is to make [an] investigation to know who killed the

U.N. people, because the incident took place away from the [Gambella] town. But the government did not make an investigation.” 1[1]

Soldiers using automatic weapons and hand grenades targeted Anuaks, summarily executing civilians, burning dwellings (sometimes with people inside), and looting property. Major massacres occurred December 13-16, 2003. Some 424 Anuak people were reportedly killed, with over 200 more wounded and some 85 people unaccounted for. Since December 2003, sporadic murders and widespread rapes have continued.

As of January 23, 2004, the Sudan Relief and Rehabilitation Committee, affiliated with the Sudan Peoples Liberation Movement/Army (SPLM/A), in Pochalla, Sudan, had reported the registration of 22,804 refugee arrivals from Ethiopia. 2[2] However, a late-January 2004 count by an international relief assessment team verified only 5,297 arrivals, finding that many Pochalla residents had registered, inflating the refugee numbers. 3[3]

Reminiscent of the *Interahamwe* civilian militia involved in the attacks against Tutsis in Rwanda, victims shot or beaten by soldiers were typically then set upon by groups of Highlanders who mutilated and dismembered bodies. Such symbolic dehumanization is an early warning sign of genocide. Highlanders used rocks, sticks, hoes, machetes, knives, axes and *pangas* (clubs) to kill people; they also worked independently of soldiers. Several witnesses described hearing Highlanders chant slogans as they hunted down and killed Anuak people.

According to the testimony of an Anuak who survived the genocidal attacks, Ethiopian soldiers said to him, “Let us kill them all. No one will find us accountable or arrest us.”4[4]

According to the testimony of nine survivors, during the killings, the Ethiopian People’s Revolutionary Defense Front forces and Highlander militias shouted, “From today forward there will be no Anuak;” “There will be no Anuak land;”and “Let today be the first and last time.” Other similar incitements to commit genocide were also made. The Ethiopian Highlanders shouted “Erase the trouble makers!” “Let’s kill them all!”5[5]

Witness #7 watched a gang of some 15 to 30 Highlanders armed with crude weapons attack and kill three Anuaks, including a student named Omot (grade 9), while repeatedly chanting:

1[1] GW/SRI interview, January 23, 2004. The EPRDF government jailed this witness from 1999-2002; He claims that upon his release following an international letter-writing campaign he was targeted by the Anuak security chief in Gambella, Omot Obang Olom, who is implicated in violence against Anuaks. He therefore fled Ethiopia.

2[2] SRRC official registration count, Pochalla, Sudan, January 23, 2004.

3[3] Electronic communication to GW/SRI from Pochalla, February 6, 2004.

4[4] GW phone interview December 16, 2003.

5[5] GW interviews with Anuak community leaders, December, 2003

“Today is the day of killing Anuaks.” 6[6]

According to the testimony of one survivor of an incident, “a mob of Ethiopian settlers or peasants fell upon them with clubs, hammers, axes, scythes, spades, and saws. Such instruments not only caused more agonizing deaths than by guns and pistols, but they were more economical, since they did not involve the waste of powder and shells... In this way they exterminated almost the whole local Anuak male population, including men of wealth and breeding, and their bodies, horribly mutilated, were left on the ground, where they were devoured by dogs and wild beasts.”7[7]

Numerous assailants have been identified, including government officials, soldiers and civilians. There are accusations that lists of targeted individuals were drawn up with the assistance of Omot Obang Olom, an Anuak government official cited by several interviewees for his involvement. (Mr. Olom reportedly fled to Addis Ababa out of fear for his safety on February 5, 2004 but he has now returned to Gambella). Massacres were reportedly ordered by the commander of the Ethiopian army in Gambella, Nagu Beyene, with the authorization of Dr. Gebrehab Barnabas, an official of the Ethiopian government. The Ethiopian Government continues to deny, downplay and mischaracterize the massacres as justifiable responses to an Anuak attack. The fact is that most of the victims have been unarmed Anuak civilians who were hunted down and murdered.

Following early trends, mass rape continues in the region, perpetrated by EPRDF soldiers and Highlanders, often at gunpoint. Anuak schools were reportedly emptied of schoolgirls who were gang-raped in nearby huts or in the bush. 8[8]

In one case, eyewitnesses heard assailants express their intent to forcibly impregnate an Anuak girl to produce non-Anuak children. In the absence of Anuak males (killed or displaced), the vulnerability of women and girls has been grossly exploited. Reports from non-Anuak officials in Gambella indicate an average of up to seven rapes per day. 9[9]

Confronted with the daily specter of arbitrary arrest, torture, summary executions, and an open climate of impunity, members of the Anuak community have taken both defensive and offensive military actions. According to one interviewee, Anuak men who resisted attacks by soldiers in Pinyudo town on December 13 or 14 were able to overcome their attackers and capture automatic weapons. However, such resistance was mostly absent.

6[6] GW/SRI interview, witness #7 of Gambella, January 21, 2004, Pochalla, Sudan. The phrase used in the Amharic language was: “*Jare ye Anywakos kan nou memotu.*”

7[7] GW phone interview December 17, 2003.

8[8] GW/SRI interview, witness #2 of Gambella, January 20, 2004, Pochalla, Sudan.

9[9] GW/SRI interview, based on telephone conversation in early February with non-Anuak police official in Gambella.

Recent reports indicate that pitched battles occurred in Dimma District when Anuak men retaliated for the unprovoked but brutal torture and killing of a member of the Anuak community by EPRDF soldiers who openly taunted Anuaks about the murder. Retaliatory attacks and counter attacks from January 28 to February 3 reportedly claimed the lives of scores of EPRDF soldiers in Dimma. After January 30, EPRDF reinforcements reportedly arrived in Dimma with troops, artillery and tanks, and massacred non-combatant Dinka and Nuer refugees from the nearby Sudanese refugee camp; with many Sudanese refugees reportedly wounded. The massacre of noncombatant Sudanese refugees by the EPRDF not only violates international law protecting the rights of refugees, but further adds to the potential threats to international peace and security.

First person reports from Gambella region describe Anuak prisoners subjected to forced labor under armed guard by EPRDF captors. Significant numbers of Anuaks remain unaccounted for; “disappearances” of Anuak leaders have become frequent.

GW/SRI has received unverified reports that the federal government of Ethiopia has dispatched security and intelligence operatives to neighboring countries to assassinate exiled Anuak leaders including, for example, Mr. Okello Akway Ochalla, the President of Gambella, and Mr. Abulla Obang Agwa, founder of the Gambella People’s Democratic Congress.

GW/SRI has also received eyewitness accounts of eleven uniformed EPRDF soldiers working under cover of night on February 1, 2004 (3:15 am), to exhume bodies from a mass grave in the Jabjab neighborhood of Gambella town. EPRDF soldiers were reportedly working with masks and gloves to dig up corpses for incineration in order to destroy evidence of the December massacres. The eyewitness also claimed that soldiers arrested and tortured innocent civilians living near the site, who as of February 5, 2004, remained in detention.

On 24 February 2004, reports from Gambella indicate that Omot Obang Olom, Chief of Security for the Gambella region, ordered Anuak police officers to surrender their weapons. Highlanders attacked two Anuaks with machetes and they complained to the police, who intervened to protect them. Mr. Olom then ordered the surrender of weapons by Anuak police officers.

This disarmament of Anuak police is an ominous sign, because a similar disarmament of Anuak police in Gambella also preceded the genocidal massacres of December 13 – 16, 2003. It removes an important line of Anuak self-defense against depredations by Highlander militias. Anuak civilians are reportedly now again trying to leave Gambella, despite EPRDF roadblocks.

II. BACKGROUND

A. A Geopolitical History of Ethiopia and the Anuak Since 1974

Colonel Mengistu Haile Mariam headed the junta that in 1974 overthrew the government of Emperor Haile Selassie in a bloody coup. Known as the "Derg" or "Dergue," or the "Committee," the Derg proclaimed a revolutionary agenda for the country. What followed is widely described as a campaign of terror. The Ethiopian People's Revolutionary Democratic Front (EPRDF), a coalition of regional and ethnic rebel groups, overthrew the Derg in 1991. In the EPRDF force, the (Anuak) Gambella People's Liberation Movement (GPLM) and the Tigray People's Liberation Front (TPLF) fought side-by-side.

The TPLF eventually assumed control of the central government, which is dominated by Tigrayan Ethiopians, in 1991. According to eyewitness testimony by an Anuak survivor, in the course of the 'liberation' of Gambella, non-Anuak TPLF forces devastated the Gambella region. The witness described the intentional TPLF bombing of the school he was attending at the time in Gambella, and the subsequent death of some 2,400 students who were locked inside. Although the TPLF claim at the time was that the Derg bombed the school, according to the witness, the incident has never been investigated. 10[10]

From 1998-2000, Ethiopia was locked in a disastrous war with Eritrea which was granted independence from Ethiopia after a referendum in 1993. The human rights situation in both countries remains abysmal—near-total denial of freedom of expression, executive manipulation of the judiciary, arbitrary detentions, abusive security forces, and torture. The Ethiopian government is widely criticized for extrajudicial killings, arbitrary arrests, jailing opposition figures, and denials of basic freedoms. The media and journalists have come under increasing restrictions. On January 20, 2004, the government banned the country's sole independent journalists' association after disagreements about the impending (2004) introduction of a repressive press law. 11[11] International human rights bodies have reported ongoing patterns of impunity among federal and state security forces accused of using excessive lethal force against unarmed civilians. 12[12] Human rights defenders have also come under attack. 13[13]

The agriculturalist Anuak minority (also known as Anywaa or Anywak) number over 100,000 people in Ethiopia and Sudan. Anuaks are the predominant landholders in the Gambella region of southwest Ethiopia. Anuaks have a long history of sharing the land with the pastoralist Nuer people, even though their relationship has been intermittently problematic. Nuers were not involved in the December massacres, although they were

10[10] GW/SRI interview, February 5, 2004, USA.

11[11] UN Integrated Regional Information Networks, January 20, 2004.

12[12] See e.g.: Ethiopia: Lessons in Repression, Human Rights Watch, Vol. 15, No. 2(A), January 2003.

13[13] Ethiopia: Targeting Human Rights Defenders, Human Rights Watch, May 2001.

blamed by the Ethiopian government, and have been sporadically targeted by the EPRDF since. Ethiopians of other ethnicities, known as ‘highlanders’ because they originate from the central highlands of Ethiopia, are predominantly from the Tigray and Amhara ethnic groups. They have increasingly encroached on Anuak lands since the Derg government instituted forced resettlement programs into Anuak areas.

There have been numerous reports of discrimination and violence against Anuaks by regional and central (highlander) authorities since 1980. While other groups were allowed to retain weapons after the overthrow of the Derg regime in 1991, Anuaks were disarmed by the EPRDF. Even Anuak police were disarmed.

“The Anuak police were disarmed when [Anuak] people were being disarmed. There has been a very prolonged strategy to disarm the Anuaks because they knew that if they [Anuaks] were not disarmed then [EPRDF] scheming would not come true.” 14[14]

Anuak territory was divided during the colonial delineation of the international border between Sudan and Ethiopia. When Sudan became independent in 1956, the British, who had effectively governed Anuak territory from Gambella, ceded the district to Ethiopia, leaving the Anuak people divided between Sudan and Ethiopia.

Numerous sources report that there have been regular massacres of Anuak since 1980. Cultural Survival has reported on discrimination against the Anuaks in six reports published in the *Cultural Survival Quarterly* beginning in 1981 (see e.g.: Issue 5.3, 1981; Issue 8.2, 1984; Issue 10.3, 1986; Issue 11.4, 1987; Issue 12.4, 1988; and “Oil Development In Ethiopia: A Threat to the Anuak of Gambella,” Issue 25.3, 2001).

Interviews with Anuaks consistently reveal that Anuak have been treated like third class citizens, denied basic educational opportunities afforded to other ethnicities, and have been increasingly excluded and displaced from positions in government and civil society over the past decade. As one witness testified: “There is an unwritten law of discrimination against Anuaks.” 15[15]

The Gambella People’s Democratic Congress party was organized in 1999 in opposition to the ruling EPRDF, primarily to challenge consistent violations of the human rights of Anuaks. The GPDC immediately won a majority of seats in the government of Gambella State. 16[16]

Arrests of Anuak men became increasingly prevalent over a year ago, and some 44 Anuak leaders have been held in jail in Addis Ababa for over a year without trial, while more than 200 were held in jails in Gambella by December 2003.

14[14] GW/SRI interview, January 22, 2004, Pochalla, Sudan.

15[15] GW/SRI interview, witness #16, January 23, 2004, Pochalla, Sudan.

16[16] Interview with Abella Obang Agwa, founder of the GPDC, January 23, 2004, Pochalla, Sudan.

Witness #16 from Gambella reported that more than 50 Anuaks were killed in a massacre in Itang District on July 12, 2002, and that Anuaks were blamed and imprisoned for the killings. 17[17]

Answering inquiries about the violence in the Gambella region, the Ethiopian Government on December 17, 2003 issued a statement that discounted the numbers of dead and blamed the violence on groups that oppose the central Ethiopian (EPRDF) government:

"The conflict in Gambella town last weekend was triggered by members of the Oromo Liberation Front (OLF) supported by the Eritrean People's Liberation Front (EPLF) and al Itihad al Islamiya," Minister of State for Federal Affairs Gebrehab Barnabas said in a statement. 18[18]

The OLF has denied any involvement in the attacks and has asserted its support for the Anuak people in keeping with their mutual history of increasing repression and human rights violations by the EPRDF government.

B. Anuaks and the Sudan People's Liberation Movement/Army (SPLM/A)

The relationship between the Sudan People's Liberation Movement/Army (SPLM/A) and the Anuak minority is complicated by geographic, ethnic and political factors, leading many Anuaks to question the security of Anuak refugees and the position of the SPLM/A with respect to the Ethiopian government's persecution of Anuaks.

The SPLM/A is partially comprised of Anuaks. Additionally, some 85,000 Sudanese refugees, mainly Nuer and Dinka, remain in the Gambella region, where they have fled from the war in Sudan that began circa 1981. Some of the Sudanese Anuaks that sought refuge in Ethiopia have begun to return to Sudan due to the recent violence.

While a 'peace process' has been underway between the Khartoum government and the Sudan People's Liberation Movement/Army leadership, Africa Confidential recently reported that officials say privately that any "final agreement" will never be implemented due to the scramble for southern oil fields. The peace agreement may prove to be a division of the spoils of oil revenues between Sudanese Government and SPLM/A elites. 19[19]

17[17] GW/SRI interview, witness #16 from Gambella, January 23, 2004, Pochalla, Sudan.

18[18] Reuters, "Ethiopia accuses rebels of inciting killing," December 17, 2003. The group *al Itihad al Islamiya* was in 2003 listed as a terrorist group by the United States government.

19[19] "East Africa: Peace From Above," Africa Confidential, Vol. 45, No. 1, January 9, 2004.

Numerous Anuak refugees expressed concern for the security of refugees in SPLM/A territory, given the complicated relationships between the SPLM/A and the EPRDF government, and the potential for the SPLM/A to support EPRDF government interests in resolving the Anuak problem through, for example, forced repatriation. 20[20]

C. Natural Resources and Multinational Corporations in Ethiopia

Multinational corporations have set their sights on the natural resources of the Gambella region. Central Ethiopian authorities thus have powerful economic incentives to seek control of these resources. Petroleum (oil & gas), water, tungsten, platinum and gold are the principal resources in the Gambella region that are of interest to international financial and extraction corporations.

The Anuak situation has grown markedly worse since oil was discovered under Anuak lands by the Gambella Petroleum Corp, a subsidiary of Pinewood Resources Ltd. of Canada, which signed a concession agreement with the Ethiopian government in 2001. In May 2001, however, Pinewood announced that it had relinquished all rights to the Gambella oil concession and Pinewood says it has pulled out of Ethiopia. The concessions may have been sold.

On June 13, 2003, Malaysia's state-owned petroleum corporation, Petronas, announced the signing of an exclusive 25-year oil exploration and production sharing agreement with the EPRDF Government to exploit the Ogaden Basin and the "Gambella Block"—a 15,356 sq km concession. 21[21] On February 17, 2004, the Ethiopian Minister of Mines announced that the Malaysian company will launch a natural gas exploration project in the Gambella region. GW/SRI has received reports that the China National Petroleum Corporation may have also signed contracts with the EPRDF for a stake in Gambella's oil.

Petronas and the China National Petroleum Corporation are currently operating in Sudan, where, according to a report by Human Rights Watch, the two Asian oil giants have allegedly provided cover for their respective governments to ship arms and military equipment to Sudan in exchange for oil concessions granted by Khartoum. 22[22]

D. The United States and Ethiopia

Ethiopia is considered an essential partner of the U.S. in its war on terrorism. Eritrea is also cooperating with the U.S. Annual U.S. military aid to Ethiopia is minimal, but training programs are significant. In 2003, the U.S. Army's 10th Mountain Division (special operations forces) completed a three-month program to train an Ethiopian army

20[20] GW/SRI interviews, Pochalla, Sudan, January 20-23, 2004.

21[21] Addis Tribune, June 6, 2003.

22[22] See: Sudan, Oil and Human Rights, Human Rights Watch, September 2003; and Sudan: Global Trade, Local Impact, Human Rights Watch, Vol. 10, No. 4(A), August 1998: n83.

division in anti-terrorism and counter-terrorism tactics. Operations are coordinated through the Combined Joint Task Forces base in Djibouti. 23[23]

In January 2004, special operations soldiers from the 3rd U.S. Infantry Regiment replaced the 10th Mountain Division forces at a new base established in Hurso, in rural Ethiopia, to be used for launching local joint missions with the Ethiopian military. Soldiers will continue to operate missions out of Hurso for several months from a new forward base named "Camp United." 24[24]

From 1995-2000, the U.S. provided some \$1,835,000 in International Military and Education Training (IMET) deliveries. Some 115 Ethiopian military were trained under the IMET program from 1991-2001. Approximately 4,000 Ethiopian soldiers have participated in IMET since 1950. 25[25]

In August 2003, the U.S. committed \$28 million for international trade enhancements. 26[26]

In 2003, USAID, working with Africare and Catholic Relief Services, was providing disaster relief to "combat famine in the drought-stricken Gambella region of Ethiopia." 27[27]

The U.S. State Department was informed about unfolding violence in the Gambella region as early as December 16, 2003, through communications to Secretary of State Colin Powell, the Overseas Citizens Division, the U.S. Embassy in Ethiopia, and other U.S. State Department agencies. On February 20, 2003, the United States State Department publicly called for transparent and independent investigations of the massacres in southwestern Ethiopia, and it has also privately protested the massacres to the Ethiopian government.

As of February 8, 2004, the U.S. Department of State Consular Information Sheet provided the following travel warning:

"Interethnic clashes are prevalent in the western-most tip of the Gambella Region in west Ethiopia. A flare-up of interethnic conflict from December 13-17, 2003, has claimed many lives."

III. THE DECEMBER 2003 MASSACRES

23[23] U.S. Gov. Press Release 39/03, July 9, 2003.

24[24] "Old Guard Establishes Base in Ethiopia," Army News Service, February 2, 2004.

25[25] Foreign Military Sales, Foreign Military Sales Deliveries (etc.) 2001.

26[26] U.S. Gov. Press Release No. 54/03, October 9, 2003.

27[27] Africare News Release, March 19, 2003.

The most recent massacres began after the murders of eight U.N. and Ethiopian government refugee camp officials whose van had been ambushed on 13 December 2003, in the Gambella Region of southwestern Ethiopia. While there is no credible evidence attesting to the ethnicity of the unidentified assailants, this incident provided the pretext for a major pogrom of terror and repression against the Anuak minority carried out by EPRDF soldiers and Highlander militias.

Eyewitness #3, from Gambella, described how soldiers abducted a 19 year-old Anuak security guard and driver for a Gambella church, with his vehicle, and took him to the jail where they tried (but failed) to forcibly extract a (false) “confession” about how the church vehicle he drove was involved in the massacre of the U.N. personnel. 28[28]

Eyewitnesses recount an immediate mobilization of EPRDF troops on December 13, within an hour of the UN van killings. Reportedly working with lists of names of Anuak people, EPRDF soldiers and Highlander militias proceeded to murder Anuaks, mostly targeting students and the educated class.

Between noon and 2:00 pm on December 13, in the towns of Gambella and Pinyudo, soldiers surrounded neighborhoods where they targeted Anuaks. There were also incidental killings of other ethnicities (especially Nuer). A former Ambassador of Sudan, an Anuak, reported that some Anuaks in Pinyudo resisted attacks and killed their attackers:

“Almost an hour after what happened in Gambella, [EPRDF soldiers] started shooting people in Pinyudo... The local people responded, and quite a number of troops were killed... People were really angry, because this thing has been going on for a number of years. Guns are taken from them, and so on and so on, and it never improves. So this time they said, ‘this is too much. We are going to respond now.’ ” 29[29]

However, Anuak resistance was apparently confined to small groups in Pinyudo town.

The EPRDF / Highlander violence spread through the four predominantly Anuak districts of Gambella (including Gambella town), Abobo, Itang and Gok (including Pinyudo town). There were street killings reported on December 24 in the Anuak village of Bonga. 30[30]

Numerous eyewitnesses gave accounts of Anuak civilians being shot in the back while running away. 31[31]

28[28] GW/SRI interview, witness #3, January 20, 2004, Pochalla, Sudan.

29[29] GW/SRI interview, Philip Obang Ojway, January 22, 2004, Pochalla, Sudan.

30[30] GW/SRI interview, witness #3, January 20, 2004, Pochalla, Sudan.

31[31] GW/SRI interview, witness #15 of Gambella, January 22, 2004, Pochalla, Sudan.

Witness #1, from Gambella, reported that violence occurred in villages of Gambella, Pinyudo, Ilya and Akadin almost simultaneously. He also showed a scar on his arm caused by his being beaten by EPRDF soldiers, and he reported knowledge of a list of some 91 people to be targeted. The witness's daughter identified two Highlander assailants. His family was also beaten. The witness was taken to the military barracks where he found 200 Anuaks under detention, many covered with blood and some hacked with knives. When soldiers first appeared at his house they were shooting. The witness described language by the EPRDF suggesting that they knew he was an Anuak and had specifically targeted his house accordingly. "They obviously knew that my house was an Anuak house; my neighbors were highlanders."³²[32]

Several witnesses exposed scars on their bodies. Survivors reported that soldiers, followed by armed groups of Highlanders, systematically attacked Anuak homes. One witness who saw three people killed early on December 13 stated:

"It was a military tactic: the military would shoot Anuaks, then have the Highlanders come and butcher these people. Two were still alive; one was dead when the Highlanders attacked."³³[33]

Fleeing Anuaks were sometimes harbored by non-Anuaks. Hundreds of houses and huts were burned, whether occupied or empty; Gambella and Pinyudo towns saw widespread arson. Another witness stated, "They burned the entire village."

Hand grenades were thrown inside or near structures clearly occupied by women and children. ³⁴[34]

Policeman Ojulu Omot (~35) and Pastor Okwer Olatho (~45), both Anuaks, were summarily executed at close range after they jumped out of a window of a burning hut that had been torched by soldiers. The soldiers occupied strategic posts and executed occupants as they fled. Insisting that he be the first of his family to flee a burning house surrounded by soldiers, Pastor Okwer Olatho was shot by soldiers after jumping from a window, and then he was hacked to death by Highlanders.

Witness #2 gave the names of five people killed, including his son and Pastor Okwer Olatho, and he described in detail how the killings occurred on December 13 in Gambella town. ³⁵[35]

Witness #4 described numerous killings in detail, in Gambella town, including the killing of his father, who was bludgeoned on the head with a rock and then mutilated by Highlanders. The witness alleges seeing a Highlander, Ketem Alemuyu, set fire to his

³²[32] GW/SRI interview, witness #1, January 20, 2004, Pochalla, Sudan.

³³[33] GW/SRI interview, witness #15, of Gambella, January 22, 2004, Pochalla, Sudan.

³⁴[34] GW/SRI interview, witness #10 of Gambella, 01/2104, Pochalla, Sudan.

³⁵[35] GW/SRI interview, witness #2, January 20, 2004, Pochalla, Sudan.

house. He reported: a “gang of Highlanders with Temesgan Tadese was tricking people into coming out of hiding and then killing them.” 36[36]

Some witnesses describe being taken to military barracks where hundreds of other Anuaks were being held. Surviving physical assaults, witnesses reported seeing wounded Anuaks taken from these barracks, allegedly to hospital. Detainees were apparently released within one or two days, instructed to go home, and sometimes escorted by soldiers. Witnesses offered detailed accounts of abuse and intimidation by soldiers. Survivors generally described a coordinated effort by authorities to deceive and confuse Anuaks into believing the military and police were acting to protect civilians. “They arrested and released us and then killed us,” one witness testified.

Soldiers were consistently described as EPRDF personnel in clearly marked uniforms with standard equipment. Assailants were identified by name in numerous cases. However, evidence suggests that soldiers and police were not universally involved in committing atrocities, and that some (non-Anuak) soldiers and police worked to stop or mitigate the violence and defend victims. 37[37]

Several witnesses testified to seeing trucks driving over corpses on the street. 38[38]

On December 23, 2003, three Anuak farmers who were sitting down in their village were summarily killed, and seven more were injured in the village of TeatKuthy in Abobo district by the Ethiopian defense forces.

The village of Alearia was burned down and 11 Anuak people were killed.

On December 24, 2003, five educated Anuak men were killed in Dimma town by the defense forces and the Anuak fled to the bush.

One witness testified to counting over 30 bodies as he fled. Scores of injured Anuaks were seen by people arriving at hospital for treatment, or by those inquiring about missing persons. Several eyewitnesses recount seeing trucks loaded with dead bodies arrive or depart from the hospital. One witness described “hundreds of bodies” laid out and numbered. 39[39]

Many corpses were picked up or confiscated by authorities and were never seen again. Soldiers drove off, and sometimes shot, relatives who sought to retrieve or bury the dead. Survivors also buried the dead in makeshift graves when possible. 40[40]

36[36] GW/SRI interview, witness #4, of Gambella, January 21, 2004, Pochalla, Sudan.

37[37] GW/SRI interview, witness #4, of Gambella, January 21, 2004, Pochalla, Sudan.

38[38] GW/SRI interview, witness #5 of Pochalla, January 21, 2004, Pochalla, Sudan.

39[39] GW/SRI interview, witness #15, of Gambella, January 22, 2004, Pochalla, Sudan.

40[40] GW/SRI interview, witness #9, of Gambella, Jan. 21, 2004, Pochalla, Sudan.

Beginning on the 15th of December, and perhaps earlier, authorities began urging people to return to their destroyed homes. Witnesses claim that soldiers prevented people from gaining sanctuary at churches, and that officials ordered the churches emptied. 41[41]

Most of the 3,000 to 5,000 people who sought sanctuary in churches remained there for up to one week, aware that violence had not subsided and that soldiers hovered outside. Church officials were able to prevent further atrocities against civilians in some, but not all, cases. Survivors who hid in the bush recount atrocities committed against Anuaks who emerged from hiding in response to the directives of the authorities. 42[42] People fleeing sites of violence were pursued, detained, threatened with death if they continued to flee, monitored for extended periods, forcibly returned to their home areas, and frequently beaten. 43[43]

Genocide Watch obtained a list of the names of Anuaks murdered in December 2003 and after checking it with eyewitnesses, published it on 23 January 2004. (See: <http://www.genocidewatch.org/EthiopiaANUAKSMASSACREDGAMBELLAREGIONDEC13-15.htm>)

IV. ESCALATING VIOLENCE, RESISTANCE & IMPUNITY

Systematic Rape of Anuak Women

An 18 page report by the Anuak Survival Organization was the first to combine all credible reporting on rape during the Gambella genocide.

The Anuak Survival Organization documented 26 cases of rape by the Ethiopian forces against Gambella Anuak women immediately before and during the December massacres, and believes that many more incidents of rape have gone unreported. The report says that rapes were not rare and isolated acts committed by individuals, but rather were used deliberately as an instrument to terrorize the civilian population, and push people to flee their homes. Virtually all of the sexual assaults Anuak Survival Organization has documented were gang rapes involving at least three perpetrators.

The actual number of women raped in Gambella between December 17 and January 2004 was certainly much higher than twenty-six. A regional police officer recorded 138 cases of women raped in Gambella town in December 2003. There were so many cases that he was finally ordered to stop taking reports.

Due to strong social taboos, Anuak victims of rape are generally reluctant to speak about their experiences, and those who remained in Gambella throughout the conflict may not have had an opportunity to report abuses.

41[41] GW/SRI interview, witness #14 of Gambella, January 22, 2004, Pochalla, Sudan.

42[42] GW/SRI interview, witness #4 of Gambella, January 21, 2004, Pochalla, Sudan.

43[43] GW/SRI interview, witness #15, of Gambella, January 22, 2004, Pochalla, Sudan.

In the absence of Anuak men—some murdered, many driven into exile—Anuak women and girls have been subject to sexual atrocities from which there is neither protection nor recourse. Due to the isolation of women and girls in rural areas, rapes in rural areas remain substantially under-reported and undocumented.

All witnesses reported that rape was widespread. In one instance, for example, in Pinyudo, assailants threatened a 10 year-old girl with death for screaming, and they shouted (translation): “We are going to kill your men and the next generation of Anuaks will be produced by us.” 44[44]

Case of rapes are too numerous to be listed here, but a few notorious cases give a sample of the crimes committed.

On December 20, 2003 an Anuak from Gambella told Genocide Watch that “more than 23 Anuak women were raped by the Ethiopian armed forces personnel in just one week.”

On December 20, 2003, a 13 year old Anuak girl was raped in Echway village 6 km. away from Gambella city.

On December 21, 2003, three Anuak girls, age 18 and 15, and a 46 year old Anuak woman were raped in four different parts of Gambella city.

On December 21, 2003, five Anuak girls, age 12, 14, 16, 17 and 20 were raped in the village Polmolea, in Gambella district.

On December 15, 2003, a 43 year old woman from Eleya village in Gambella district was raped in front of her husband and two children by army men.

In a locally much-publicized case, a 16 year old student at Gambella High School was detained, and then raped.

Ajullu Ogula was raped and then shot dead in her home in Abobo district on Monday 22 December 2003.

An Anuak woman from Pinykiwo village was raped on 28 December 2003. Three men of the EPRDF under the pretext of checking her house for cadres, stuffed the mouth of the husband of the victim with cloth and gang raped the victim.

On January 28, EPRDF soldiers summarily executed a father for attempting to challenge the soldiers who that day raped his 10 year-old daughter.

44[44] GW/SRI interview, witness #11 of Pinyudo, January 21, 2004, Pochalla, Sudan.

On January 28, after being raped by six EPRDF soldiers in Pinyudo, a 15 year-old girl, went home and committed suicide. 45[45]

The Dimma Gold Mine Massacre

On January 29, 2004, Anuaks in Dimma responded with violence to the torture and execution by EPRDF soldiers of an Anuak gold miner. Demonstrating the climate of gross impunity, the soldiers bragged to Anuaks about the atrocity they had committed. 46[46]

Informed of the murder, armed Anuak gold miners attacked an EPRDF contingent sent from Dimma to disarm them on January 30. EPRDF forces were defeated. There are conflicting reports of the numbers of soldiers and civilians killed, with estimates of some 160 total dead.

The Anuak gold miners, armed with weapons seized from the EPRDF troops they had killed, descended on Dimma town and murdered a number of civilian highlanders. They left Dimma town and warned Anuaks to leave. Anuak women and children began to flee Dimma in fear of EPRDF retaliation and atrocities. 47[47]

An eyewitness reporting on February 2, 2004 estimated some 150-300 Anuak people arrested and detained at a military barracks in Dimma; the witness speculated that detainees were at risk of execution because they refused to talk. 48[48]

Anuaks arrested in Dimma reportedly have been tortured in attempts to extract information about the whereabouts of Anuak combatants, weapons caches, and the location of the President of Gambella, Okello Akway Ochalla (an Anuak). GW/SRI received an eyewitness account from a Sudanese Nuer refugee of EPRDF beating people at a military barracks.

On February 3, 2004, EPRDF reinforcements reportedly arrived in Dimma. They first massacred thirteen Anuak government officials serving in the administration of Dimma District, reportedly including the Dimma District Governor. Two of these officials were believed by local Anuaks to have played some role in supporting the December pogrom against the Anuaks, and hence were reluctant to seek refugee protection amidst Anuaks in Pochalla, Sudan. 49[49]

45[45] GW/SRI telephone interview, February 5, 2004.

46[46] GW/SRI telephone interview, February 5, 2004.

47[47] GW/SRI telephone interview, February 5, 2004.

48[48] Telephone interview, February 5, 2004, USA, reporting eyewitness testimony from Gambella town, of February 5.

49[49] GW/SRI telephone interview, February 5, 2004.

The EPRDF troops killed over 40 Anuaks still in Dimma town, and then went to a nearby Sudanese refugee camp, and killed non-combatant Dinka and Nuer refugees. Many other Sudanese were wounded.

Names of seventeen Anuak civilians reported killed in the Dimma massacre on February 3, 2004 are: Owar Okonge; Ochonge Abula; Aluoche; Oman Oगतwo; Badoke Obang; Omot Ojaye; Ojila Ochla; Odola Opiow; Omot Onele; Jhon Ajake; Ojine Omot; James Omot; Okok Ojulu; Opape Oware; Cham; Omot Nengore; Odonge Abela. The names of the wounded are: Otonge Okellw; Omot Oman; Donagatache Okoche; Ojulu Adonge; Ophie Owlee. 50[50]

On February 3, 2004, in Pochalla, Ethiopia (a town in the Gambella area) EPRDF soldiers who arrived to question Anuaks found only women and children. Two trucks full of EPRDF soldiers were ambushed by the Anuak GPLF as they left the town, leaving an estimated 20-40 soldiers killed. 51[51]

A teacher named Oman Thwol was reportedly tortured on February 4, 2004, by EPRDF. 52[52]

GW/SRI has received reports that EPRDF troops are ready to cross the border into Sudan to hunt down GPLF rebels, and that the Ethiopian government has sent emissaries to Khartoum and Nairobi to appeal for assistance in crushing Anuak resistance groups.

According to numerous reports coming out of the region, as of February, 2004, the southwestern Gambella region of Ethiopia—including the five predominantly Anuak districts of Gambella, Itang, Abobo, Dimma and Gok—can now be characterized as a zone of internal conflict and military occupation. Reports of violence in other areas, and against Nuer people, are also emerging. In Jikaw, for example, after the EPRDF beat a Nuer civilian without provocation, Nuer community members threatened to use arms against the EPRDF. 53[53]

In Gambella town, telephone services, normally uninterrupted, were intentionally disabled for some 48 hours on February 3, 2004. There are unverified reports that EPRDF troop strength has been increased to some 20,000 troops in the Gambella region; an additional 3,000-5,000 EPRDF soldiers reportedly occupy the Pinyudo area.

The movement of Anuaks is being forcibly restricted. People are confined to their homes at night and monitored. Anuaks are coerced during daylight hours to proceed with life as if all is normal. However, the Anuak population exists in perpetual fear, afraid of accessing medical services, attending schools, visiting restaurants, etc. An EPRDF helicopter has allegedly been deployed since February 3 for security operations and for

50[50] GW/SRI electronic communication, February 6, 2004.

51[51] Telephone interview, February 5, 2004.

52[52] GW/SRI electronic communication, February 6, 2004.

53[53] GW/SRI telephone interview, February 5, 2004.

air assaults against Anuaks. EPRDF have reportedly blocked all roads to Pochalla, Sudan, to prevent the flight of refugees. Nonetheless, Anuak civilians, especially from Dimma, are still making their way through the bush to Pochalla, Sudan.

Hundreds—perhaps as many as 500—Anuaks arrested since December 13 remain in prison, or are unaccounted for. One of the most egregious cases is that of the illegal arrest, detention and torture of Othow Akway Ochalla, the brother of exiled President of Gambella, Okello Akway Ochalla. Mr. Ochalla was last seen on January 27, 2004, by an eyewitness who visited him in prison and reported that Mr. Ochalla had been tortured: his body and head were swollen, he was coughing blood, and he believed that he would not survive. Further requests to visit Mr. Ochalla have been denied, and it is believed by many that he has died. 54[54]

Family members of surviving prisoners have been allowed visitations, but many people have not been seen since they were arrested. During daylight hours, Anuak prisoners are subject to forced labor under armed guard, and are reportedly forced to cut trees and rebuild dwellings incinerated or otherwise destroyed during the December pogrom. 55[55]

54[54] GW/SRI interview on February 9, 2004; interviewee spoke to an eyewitness on January 29, January 30, and February 3, 2004.

55[55] GW/SRI telephone interview, February 5, 2004.

V. INTERNATIONAL LEGAL STANDARDS

Ethiopia is a State-Party to the Geneva Conventions, the Genocide Convention, the International Covenant on Civil and Political Rights, the Torture Convention and the African Charter on Human and Peoples' Rights, and has signed, but not yet ratified the Rome Statute of the International Criminal Court. It is, therefore, legally bound by the following international legal obligations.

A. CRIMES AGAINST HUMANITY

Crimes Against Humanity have been crimes under customary international law since at least 1945. Article 7 of the *Statute of the International Criminal Court* codifies them as follows:

1. For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

(a) Murder; (b) Extermination; (c) Enslavement; (d) Deportation or forcible transfer of population; (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; (f) Torture; (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (i) Enforced disappearances of persons; (j) The crime of apartheid; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health....

Crimes committed in violation of customary international law cannot be perpetrated against a civilian population, regardless of whether the State has ratified a particular convention or treaty. According to a current codification of customary international law (articulated in Article 7 of the Rome Statute of the ICC), numerous acts constituting "crimes against humanity" have taken place.

The following acts reportedly committed by the EPRDF and Highlanders as part of the larger widespread and systematic attack against the civilian Anuak population, constitute crimes against humanity and are punishable as violations of customary international law:

- 1) Widespread and systematic murders and executions of Anuaks
- 2) Arson and murder in order to forcibly deport the Anuak population
- 3) Mass rape of Anuak women and girls

- 4) Forced pregnancy to produce non-Anuak children
- 5) Enforced disappearances of Anuak persons
- 6) Arbitrary arrests, detention and torture of Anuak persons
- 7) Purposeful transmission of HIV/AIDS to Anuak rape victims (inhumane acts)
- 8) Intentional mutilation of Anuak persons
- 9) Other cruel or inhumane acts intentionally causing great suffering or bodily harm.

B. GENOCIDE

According to the Convention on the Prevention and Punishment of the Crime of Genocide (1948), Article II, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a. Killing members of the group;
- b. Causing serious bodily or mental harm to members of the group;
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. Imposing measures intended to prevent births within a group;
- e. Forcibly transferring children of the group to another group.

Ethiopia was one of the first signers of the Genocide Convention on December 11, 1948, and ratified it in July 1949.

The following acts committed by the EPRDF constitute acts of genocide:

- 1) The intentional killing of members of the Anuak ethnic group, targeted solely because they are Anuak, destroying a substantial part of the Anuak group.
- 2) The deliberate targeting of members of the Anuak ethnic group to cause serious bodily or mental harm.
- 3) The deliberate infliction on the Anuak group, through burning of homes and destruction of food supplies, of conditions of life calculated to bring about its physical destruction.
- 3) The systematic use of rape as a weapon against a large number of Anuak women in order to destroy the Anuak ethnic group, by:
 - a. Forcing Anuak women to bear the children of non-Anuak fathers.
 - b. Intentional infection of Anuak women with HIV/AIDS so as to cause future death.
 - c. Rapes of Anuak young girls so as to prevent them from having children in the future.

C. ARBITRARY ARREST, ILLEGAL DETENTION & TORTURE

Article 9 of the ICCPR prohibits arbitrary arrest and detention. It provides in its relevant part:

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him; and

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to a trial within a reasonable time or to release.

States parties to the ICCPR are prohibited under paragraph (1) of Article 9 to deprive persons of liberty “except on such grounds and in accordance with such procedures as are established by law.”

The African Charter on Human and People’s Rights states in Article 6:

Every individual shall have the right to liberty and to the security of his person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained.

The ICCPR states that: “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which entered into force in June 1987, defines torture as:

Any act by which severe physical or mental pain or suffering is intentionally inflicted by, at the instigation of, or with the acquiescence of someone acting in an official capacity, to obtain information or a confession, to punish, intimidate or coerce, or for any reasons based on discrimination.

There is strong evidence that Anuaks in Gambella and elsewhere in Ethiopia have been subjected to arbitrary arrest, detention, and torture.

VI. CONCLUSIONS

Two months after the massacres committed by EPRDF troops and Highlander militias in mid-December, 2003, the EPRDF government of Ethiopia continues to deny, minimize and mischaracterize violence that is occurring in southwestern Ethiopia. As documented in this report, there is abundant evidence that members of the EPRDF military forces and their allies—civilian “Highlander” militias—have perpetrated gross human rights abuses and that atrocities are continuing with complete impunity.

Perhaps the most authoritative eyewitness to the December 2003 massacres, Okello Akway Ochalla, former Gambella Regional President, said on January 1, 2004: **“The Ethiopian troops and Highlanders who organized and executed the Anuak genocide must bear full responsibility for it.”**

Despite widespread acknowledgement that the killings in Gambella constituted acts of genocide, as defined by the Genocide Convention, the killings have not stopped. Unarmed Anuak civilians continue to be deliberately killed, albeit not on a scale comparable to the genocidal massacres that took place in December 2003.

Arbitrary arrests, illegal detentions and torture (which all constitute crimes against humanity) are occurring throughout Ethiopia, as documented by international and Ethiopian human rights organizations. Arbitrary arrests and detentions of Anuak people have occurred for years prior to the recent massacres. Reports coming out of the Gambella region indicate that hundreds of people have been arbitrarily arrested and illegally detained, and that these people remain under detention, subject to torture. Many acts of torture have already been reported. Forced labor under armed guard has also been reported.

Numerous reports indicate that summary executions, mass rape, and disappearances continue to occur in contravention of international law. These killings and rapes have deliberately and systematically targeted civilians of the Anuak minority. There is strong evidence that violence against the Anuak ethnic group may be part of an intentional policy of persecution and destruction of the Anuak group, as such.

As testimonies in this report indicate, extremely serious bodily and mental harm has been inflicted through targeted sexual violence against Anuak women and girls. According to the acts and statements of perpetrators, as recounted by witnesses, sexual crimes have been committed with the intent to destroy the Anuak group. Through gang rapes specifically targeting Anuak females, attackers enunciated their intent to destroy the Anuak as a group, and characterized sexual violence as a means to achieve that destruction.

An independent inquiry is required to establish whether the actions described in this report were ordered, encouraged or condoned by the Ethiopian government, and whether there was intent to destroy, in whole or in part, a substantial number of people of the Anuak ethnic group. If there was such intent, these massacres should be prosecuted under Ethiopian and international law as acts of genocide. Other serious crimes against humanity have also been committed by the Ethiopian Government against the Anuak ethnic group. There is also evidence that crimes against humanity have been committed by the Ethiopian Government against other ethnic groups, particularly Sudanese Nuer and Dinka refugees in the Gambella region.

A thorough independent investigation into these atrocities is a priority. The inquiry must begin immediately because of reports that EPRDF military forces are exhuming mass graves and destroying evidence of their atrocities in the Gambella region.

With 20,000 Ethiopian troops poised on the Sudanese border, ready to cross into Sudan to hunt down Anuak supporters of the Gambella Peoples' Liberation Force, the situation

already has international dimensions and should be placed on the agenda of the United Nations Security Council because it is a threat to international peace and security.

The specter of genocide still hovers over the Anuak land. Ethiopian troops are allied with highlander militias. These groups are still murdering and raping unarmed Anuak civilians, including young children.

The government forces responsible for these genocidal acts cloak their intentions as “anti-terrorist” or “counter-insurgency” operations. Whatever the pretext, Anuak civilians living in the Gambella region face the threat of being murdered, “disappeared”, tortured, raped, or subjected to other forms of cruel, inhuman or degrading treatment.

People are not allowed to photograph or otherwise record evidence, either because they are denied access to the areas where most of the killings are occurring, or because they are afraid to carry the images out for publication. It has become increasingly difficult and dangerous for local government and human rights workers to investigate reports of massacres and to publish them. Nevertheless, eyewitness testimony from hundreds of refugees interviewed for this report has established a consistent and systematic pattern.

The vast majority of the killings in the Gambella region have been carried out by Ethiopian government troops. Those who kill do so with impunity.

On 24 February 2004, reports from Gambella indicate that Omot Obang Olom, Chief of Security for the Gambella region, ordered Anuak police officers to surrender their weapons. Highlanders attacked two Anuaks with machetes and they complained to the police, who intervened to protect them. Mr. Olom then ordered the surrender of weapons by Anuak police officers.

This disarmament of Anuak police is an ominous sign, because a similar disarmament of Anuak police in Gambella also preceded the genocidal massacres of December 13 – 16, 2003. It removes an important line of Anuak self-defense against depredations by Highlander militias. Anuak civilians are reportedly now again trying to leave Gambella, despite EPRDF roadblocks.

Foreign governments know what is happening in Gambella, yet few attempts have been made on the international level to stop the killings. This attitude of apparent indifference on the part of the international community is enabling the perpetrators to continue violating human rights with little fear of censure. Warnings by Genocide Watch, Human Rights Watch, Amnesty International, and the Ethiopian Human Rights Council have not been heeded and the human rights situation continues to worsen.

The killings in Gambella are not inevitable. The Anuak people have the right to live in peace, free from fear. The international press, governments, and non-governmental organizations must not allow the international community to turn its back on another African genocide. The crisis in Gambella is not over; the violence has not ended.

VII. RECOMMENDATIONS

A. To Prime Minister Meles Zenawi and the Government of Ethiopia:

- Issue and enforce clear orders to all EPRDF forces to respect the rule of law and stop all killings, rapes, illegal arrests, torture and intimidation of civilians.
- Suspend and investigate members of the EPRDF forces and government officials suspected of involvement in civilian massacres, rapes and other violations of Ethiopian and international law, and arrest and prosecute individuals who committed crimes.
- Publicly condemn all violence being committed in southwestern Ethiopia, and express a commitment to cooperate with an independent international investigation.
- Order Ethiopian military and other government agencies to disclose all information in their possession to an independent international commission of inquiry, including evidence about the U.N. van killings and subsequent atrocities in the region.
- Ensure the rights of autonomy and self-government guaranteed by the Ethiopian Constitution to the peoples of the Gambella region.
- Guarantee the protection of refugees and international relief workers in Ethiopia.
- Permit the International Committee of the Red Cross (ICRC) to inspect all detention and jail facilities, and to conduct private interviews with any prisoners or others detained in connection with the conflict.
- Allow unimpeded access by humanitarian organizations, human rights monitors, and independent journalists.

B. To the Government of the United States and U.S. Ambassador to Ethiopia Aurelia E. Brazeal:

- Vigorously and publicly denounce killings and other atrocities against civilians in Ethiopia by the EPRDF and militias, and by all other armed parties.
- Suspend tactical support, field assistance and arms shipments to Ethiopia until the Ethiopian Government takes steps to hold those implicated in the massacres accountable, and takes steps toward preventing future outbreaks of such violence.

C. To the United Nations Security Council:

- Recommend that the Secretary General offer his good offices in mediating ethnic conflict in Ethiopia, and particularly in the Gambella region.
- Impose and enforce an embargo on the trade and transfer of all arms and other war materiel from any person, company, or country to the Ethiopian government or any rebels operating inside Ethiopia, until they comply with international human rights and international humanitarian law, as determined by the Security Council.
- Condemn all atrocities being committed in Ethiopia, and take action to support an impartial investigation by an independent commission of experts.

D. To all Members of the United Nations, the European Union, and the African Union:

- Publicly denounce killings and other atrocities against civilians in Ethiopia by the members of the EPRDF, Highlander militias, and other parties and release all information available regarding these atrocities.
- The U.N. Commission on Human Rights and the Economic and Social Council should appoint and empower a U.N. Special *Rapporteur* tasked with investigating alleged acts of genocide and crimes against humanity committed in Ethiopia.
- Investigate and make public any information confirming or refuting reports that Ethiopian government security and intelligence operatives are targeting Anuak dissidents in exile. Take action to ensure the security of Anuak dissidents and leaders in exile.
- Provide assistance to the populations suffering the effects of violence in Ethiopia, including the immediate and long-term problems associated with sexual violence against women and girls, the problem of newly orphaned children, and the destruction of livelihoods and personal property.
- Economically and politically assist in reconstruction of villages, schools, and other structures destroyed in the Gambella region, through the establishment of a special fund for education and development.

E. To the World Bank, IMF, African Development Bank, and Export-Import Bank:

- Refrain from lending to or funding the government of Ethiopia, including forgiveness of debts, pending an investigation and prosecution of EPDRF forces and public officials who committed, ordered or were responsible for the Gambella massacres.

F. To the Gambella People's Liberation Force (GPLF), Oromo Liberation Front (OLF), Eritrean People's Liberation Front (EPLF) and other rebel forces operating, or planning to operate, in the region:

- Publicly condemn all violence being committed in southwestern Ethiopia, and cooperate with an independent international investigation of the killings on 13 December 2003 of occupants of the U.N. vehicle and subsequent violence.
- Ensure the protection of civilians in conflict areas, including competing ethnic or religious groups, women, and children.
- Allow unimpeded access by humanitarian organizations, human rights monitors, and independent journalists to all areas of Ethiopia, Sudan, and Eritrea.
- Cooperate with efforts of human rights monitors to investigate and publicize abuses of human rights and humanitarian law occurring in the Gambella region.
- Refrain from recruiting children under the age of eighteen (18) for military purposes.
- Respect international law in dealing with combatants and treatment of prisoners.

G. To the SPLM/A and the SRRC:

- Ensure the security and well being of all refugees (returning and new arrivals) in territory under SPLM/A control.

- Publicly condemn abuses against civilians and adhere to human rights and humanitarian law standards in any territories where you operate, and in the Gambella region.
- Investigate allegations of human rights and humanitarian law abuses by SPLM/A forces; cooperate with efforts of human rights monitors to investigate and publicize abuses of human rights and humanitarian law.
- Ensure the protection of civilians in conflict zones, particularly members of minority ethnic groups, women, and children.
- Allow unimpeded access to conflict areas and refugee populations by humanitarian organizations, human rights monitors, and journalists.
- Permit the I.C.R.C. to conduct inspections of all detention and jail facilities, and to conduct private interviews with any prisoners or others detained in connection with conflicts involving the SPLM/A.
- Immediately demobilize all child soldiers under the age of eighteen (18) and cooperate with appropriate agencies in their efforts to reunite the children with their families.

H. To Multinational Corporations operating in extractive industries in Ethiopia:

- Make public any pending or existing exploration contracts, memorandums and agreements.
- Suspend all exploration, development, extraction and related contracting or subcontracting in the Gambella region and neighboring areas, until the Ethiopian government has instituted human rights and environmental protections for the people of the region.
- Plan to prevent the negative side-effects (e.g. displaced persons, warfare, repression and environmental devastation) that so often have accompanied the operations of mining and extraction industries in Africa.

APPENDIX I: LIST OF NAMES OF ALLEGED PERPETRATORS

According to Genocide Watch sources, the massacres on 13 -16 December 2003 were ordered by the commander of the Ethiopian army in Gambella, Nagu Beyene, with the authorization of Dr. Gebrhab Barnabas, an official of the Ethiopian government. The accusation has also been made that lists of targeted individuals were drawn up with the assistance of Omot Obang Olom, who is himself Anuak, but holds an official position.

The following list was compiled during interviews in Pochalla, Sudan from January 16 to 23, 2004. Eyewitnesses, relatives and others provided names. In the first sixteen cases below, the names of alleged perpetrators were provided on a list written out in the Ethiopian Amharic character set as well as in English; the list was provided by GW/SRI witness #2.

1. Tadesse H/Selasie
2. Tadesse Guta
3. Lewedu
4. Hadgu
5. Ayalew
6. Anbesie
7. Desalegu
8. Derege Haile
9. Temesgen
10. Befkadu
11. Tadesse
12. Duballe Tesema
13. Tesema Abebe
14. Worku Alemu
15. Anoke Debebe
16. Muleta

The following alleged perpetrators are listed with the interviewee/eyewitness who provided them:

17. Tadesse (policeman) – killed Pastor Okwer Olatho (reported by eyewitness #2)
18. Abashe (Highlander) (reported by eyewitness #2)
19. Temesgan Tadesse (reported by eyewitness #4)
20. Ketem Alemuyu (reported by eyewitness #4)
21. Chambele -- Military Sergeant (reported by eyewitness #11 involved in gang-rape)
22. Temesgen Baharu (Highlander merchant) (reported by eyewitness #8)
23. Tesegaye Berre – Military commander – (reported by witness #14 to have come to the Catholic Church in Gambella and worked with Omot Obang to try to get people to leave.)

The last two allegedly intimidated Anuaks prior to December 13, 2003:

24. Wad Cirse (sp?) (has one eye clouded) (reported by eyewitness #4).
25. Derege Tadese (policeman; sergeant) (reported by eyewitness #4).

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- [1] GW/SRI interview, January 23, 2004. The EPRDF government jailed this witness from 1999-2002; He claims that upon his release following an international letter-writing campaign he was targeted by the Anuak security chief in Gambella, Omot Obang Olom, who is implicated in violence against Anuaks. He therefore fled Ethiopia.
- [2] SRRC official registration count, Pochalla, Sudan, January 23, 2004.
- [3] Electronic communication to GW/SRI from Pochalla, February 6, 2004.
- [4] GW phone interview December 16, 2003.
- [5] GW interviews with Anuak community leaders, December, 2003
- [6] GW/SRI interview, witness #7 of Gambella, January 21, 2004, Pochalla, Sudan. The phrase used in the Amharic language was: "*Jare ye Anywakos kan nou memotu.*"
- [7] GW phone interview December 17, 2003.
- [8] GW/SRI interview, witness #2 of Gambella, January 20, 2004, Pochalla, Sudan.
- [9] GW/SRI interview, based on telephone conversation in early February with non-Anuak police official in Gambella.
- [10] GW/SRI interview, February 5, 2004, USA.
- [11] UN Integrated Regional Information Networks, January 20, 2004.
- [12] See e.g.: Ethiopia: Lessons in Repression, Human Rights Watch, Vol. 15, No. 2(A), January 2003.
- [13] Ethiopia: Targeting Human Rights Defenders, Human Rights Watch, May 2001.
- [14] GW/SRI interview, January 22, 2004, Pochalla, Sudan.
- [15] GW/SRI interview, witness #16, January 23, 2004, Pochalla, Sudan.
- [16] Interview with Abella Obang Agwa, founder of the GPDC, January 23, 2004, Pochalla, Sudan.
- [17] GW/SRI interview, witness #16 from Gambella, January 23, 2004, Pochalla, Sudan.
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- [27] Africare News Release, March 19, 2003.
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- [29] GW/SRI interview, Philip Obang Ojway, January 22, 2004, Pochalla, Sudan.
- [30] GW/SRI interview, witness #3, January 20, 2004, Pochalla, Sudan.
- [31] GW/SRI interview, witness #15 of Gambella, January 22, 2004, Pochalla, Sudan.
- [32] GW/SRI interview, witness #1, January 20, 2004, Pochalla, Sudan.
- [33] GW/SRI interview, witness #15, of Gambella, January 22, 2004, Pochalla, Sudan.
- [34] GW/SRI interview, witness #10 of Gambella, 01/2104, Pochalla, Sudan.
- [35] GW/SRI interview, witness #2, January 20, 2004, Pochalla, Sudan.
- [36] GW/SRI interview, witness #4 , of Gambella, January 21, 2004, Pochalla, Sudan.
- [37] GW/SRI interview, witness #4, of Gambella, January 21, 2004, Pochalla, Sudan.
- [38] GW/SRI interview, witness #5 of Pochalla, January 21, 2004, Pochalla, Sudan.
- [39] GW/SRI interview, witness #15, of Gambella, January 22, 2004, Pochalla, Sudan.
- [40] GW/SRI interview, witness #9, of Gambella, Jan. 21, 2004, Pochalla, Sudan.
- [41] GW/SRI interview, witness #14 of Gambella, January 22, 2004, Pochalla, Sudan.
- [42] GW/SRI interview, witness #4 of Gambella, January 21, 2004, Pochalla, Sudan.
- [43] GW/SRI interview, witness #15, of Gambella, January 22, 2004, Pochalla, Sudan.
- [44] GW/SRI interview, witness #11 of Pinyudo, January 21, 2004, Pochalla, Sudan.
- [45] GW/SRI telephone interview, February 5, 2004.
- [46] GW/SRI telephone interview, February 5, 2004.
- [47] GW/SRI telephone interview, February 5, 2004.
- [48] Telephone interview, February 5, 2004, USA, reporting eyewitness testimony from Gambella town, of February 5.
- [49] GW/SRI telephone interview, February 5, 2004.
- [50] GW/SRI electronic communication, February 6, 2004.
- [51] Telephone interview, February 5, 2004.
- [52] GW/SRI electronic communication, February 6, 2004.
- [53] GW/SRI telephone interview, February 5, 2004.
- [54] GW/SRI interview on February 9, 2004; interviewee spoke to an eyewitness on January 29, January 30, and February 3, 2004.
- [55] GW/SRI telephone interview, February 5, 2004.