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ALL ETHIOPIA

UNITY PARTY

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Ref. No.

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Date

06/08/2010

Senator Russ Feingold, Democrat from Wisconsin  
Senator Patrick Leahy, Democrat from Vermont  
United States Senate  
Washington D.C. USA

Honourable Senators:

Subject: S. 3557, "Support for Democracy and Human Rights in Ethiopia Act of 2010".

It is with great interest and appreciation that the All Ethiopia Unity Party (AEUP) received the news that you, the honourable representatives from the States of Wisconsin and Vermont, proposed to the Senate a legislation on "Support for Democracy and Human Rights in Ethiopia, Act of 2010".

The Act is absolutely timely and beyond any shred of doubt an appropriate response to the suppression of democratic rights, including human rights and the rule of law supported by brute force by EPRDF cadres and the Government of Ethiopia.

Although the repression, intimidation, harassment and even killings have been the norm throughout the 19 years of the EPRDF's rule, it has been even worse during the eight months from October 2009 through May 2010 when national and regional elections were undertaking in Ethiopia.



These acts were committed by EPRDF cadres and government functionaries in spite of Proclamation No. 662/2009 to Provide for the Electoral Code of Conduct for Political Parties, which was initiated, negotiated and signed with the assistance of the Ethiopian Partners Group, of whom the Embassy of the United States of America in Ethiopia is at the spear head of the major players.

Based on the summary of the Act, indicated in Annex 1 attached to this letter, we have nothing but appreciation and three small comments as follows.

The Distinguished Senators would recall that during the July 1991 Conference at which EPRDF declared the right of secession for Eritrea without consulting with the Ethiopian people, the only person who denounced the declaration was the distinguished surgeon and physician, Professor Asrat Woldeyes, who was to become the future Chairman of All Ethiopia Unity Party (AEUP) and who died as a result of the harsh conditions he was subjected to in prison and more importantly as a result of the refusal of the EPRDF regime to let him go abroad to receive external medical treatment that was and is unavailable in Ethiopia as certified by a team of government physician. Furthermore, All Ethiopia Unity Party has denounced, still denounces and shall continue to denounce the Algiers agreement which is apolitical and childish. Consequently, the following two sub-articles of the Act that affect Ethiopia's national interest and security be deleted from the relevant Sections.

**One:** “(5) to seek a resolution of the ongoing dispute between the Government of <Ethiopia> and the Government of Eritrea consistent with the <Ethiopia>-Eritrea Border Commission arbitration decisions on border demarcation,…”

**Two: SEC. 4. SENSE OF CONGRESS.:**

(5) encourage the Governments of both <Ethiopia> and Eritrea to ... physically demarcate the border in accord with the <Ethiopia>-Eritrea Border Commission decision,…”



In addition, we also request that like the judiciary and the media, the National Electoral Board of Ethiopia operate independent of the Ruling Party and, for that matter, independent of any opposition party consistent with the Ethiopian Constitution Article 102, Sub-Article (1). Should the EPRDF, however, fail to implement this article as has been the case over the last 15 years of the existence of the Board, the same prohibition of funds should be applied as with the civil societies, judiciary, media and the security forces proposed in the Act. Hence, we suggest that the following sub-article be added to Section 5 as follows.

**Three:** (C) to strengthen the independence of the National Electoral Board of Ethiopia (NEBE), including developing the capacity of the NEBE at the national, regional, and local levels; subsequently change sub-article C to D; D to E; and so on.

We therefore request the distinguished Senators of Wisconsin and Vermont to reconsider and amend your proposal in light of our suggestion.

We want to assure the distinguished senators, the USA Senate and President Barack Obama's Administration of AEUP's unflinching support for your efforts to put an end, once and for all, to international terrorism.

With the partnership of all freedom loving governments and nations, Freedom and Peace shall prevail around the world!

Long live the friendship and partnership of Ethiopia and the USA.

Sincerely Yours



Yaicob Likke  
Head, AEUP Foreign Affairs



**Annex 1: S. 3557 S. 3557, “Support for Democracy and Human Rights in Ethiopia Act of 2010”.**

It is the policy of the United States—

(1) to support and encourage efforts by the people and Government of Ethiopia—

(A) to achieve a participatory multiparty democracy, an active and unhindered civil society, rule of law and accountability, judicial capacity and independence, freedom of the press, respect for human rights, and economic development; and

(B) to develop a comprehensive strategy to combat extremism and terrorism in a manner consistent with international law;

(2) to promote peace and stability, equal access to humanitarian assistance regardless of gender, ethnicity, religion, or political views, and good governance, transparency, and accountability;

(3) to seek the unconditional release of all political prisoners and prisoners of conscience in Ethiopia, and the repeal of laws that enable politically motivated arrests without due process;

(4) to prohibit funding to any unit of the Ethiopian security forces if the Secretary of State has credible information that such unit has committed a gross violation of human rights, unless the Secretary certifies to the appropriate congressional committees that the Government of Ethiopia is taking effective measures to bring the responsible members of the security forces unit to justice; and

(5) to seek a resolution of the ongoing dispute between the Government of Ethiopia and the Government of Eritrea consistent with the Ethiopia-Eritrea Border Commission arbitration decisions on border demarcation, to press the Government of Eritrea to cease all support for armed opposition groups in Ethiopia and the region, and to urge both Governments to contribute constructively to stability throughout the Horn of Africa, especially in Somalia.

**SEC. 4. SENSE OF CONGRESS.**

It is the sense of Congress that the United States Government should—

(1) build on successful diplomatic efforts that contributed to the October 2007 release of political prisoners in Addis Ababa, and press the Ethiopian government to release Birtukan Mideksa, as well as other political prisoners;

(2) urge the Government of Ethiopia to repeal or at a minimum amend the Civil Society Proclamation, the Anti-Terrorism Proclamation, and the Mass Media and Freedom of Information Proclamation in order to genuinely protect the constitutional rights and freedoms of all Ethiopian citizens;

(3) press the Government of <Ethiopia> to allow human rights and humanitarian groups, as well as the media, to have unfettered access to areas of concern throughout the country;

(4) encourage and assist the United Nations and other independent organizations and the media to investigate credible reports of gross violations of human rights or international humanitarian law in the Somali region of <Ethiopia>, to publish any information of serious abuse, and send consistent messages to the Government of <Ethiopia> that the continuation of such violations or impunity in this region, or <Ethiopia> more generally, has consequences for relations between the United States and <Ethiopia>; and

(5) encourage the Governments of both <Ethiopia> and Eritrea to immediately take steps to lessen tensions, physically demarcate the border in accord with the <Ethiopia>-Eritrea Border Commission decision, and promote normalization of relations between the two countries.

## **SEC. 5. RESTRICTIONS ON ASSISTANCE.**

(a) Conditions.—

(1) PROHIBITION OF FUNDS.—Notwithstanding any other provision of law, assistance may not be provided to the Government of <Ethiopia> unless the Secretary of State certifies annually that the Government of <Ethiopia> has taken demonstrable steps—

- (A) to ensure the autonomy and fundamental freedoms of civil society organizations to pursue work on civic education, democratization, good governance, accountability, human rights, and conflict resolution, without excessive government intervention or intimidation;
- (B) to respect the rights of and permit non-violent political parties to operate free from intimidation and harassment, including releasing opposition political leaders currently imprisoned;
- (C) to strengthen the independence of its judiciary, including developing the capacity of the judiciary at the national, regional, and local levels;
- (D) to allow Voice of America and other independent media to operate and broadcast without interference in <Ethiopia>;
- (E) to promote respect for human rights and accountability within its security forces, including undertaking credible investigations into any allegations of abuse and ensuring appropriate punishment; and
- (F) to ensure that humanitarian and development entities, including those of the United Nations, have unfettered access to all regions of the country without prejudice to the political views of recipients.

(2) **WAIVER.**—The prohibition included in paragraph (1) shall not apply if the Secretary of State certifies in writing to Congress that waiving such a prohibition is in the national security interest of the United States.

(b) **Exceptions.**—The prohibitions in paragraph (1) shall not apply to—  
(1) health and HIV/AIDS assistance;  
(3) humanitarian assistance; or  
(4) emergency food aid.

(c) **Report.**—Not later than 120 days after exercising a waiver pursuant to subsection (a)(2), and every 90 days thereafter, the Secretary of State shall submit a report to the appropriate congressional committees assessing progress made by the Government of **Ethiopia** in the areas set forth in subparagraphs (A) through (F) of subsection (a)(2).

## **SEC. 6. DEFINITIONS.**

In this Act the term “appropriate congressional committees” means—

- (1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and
- (2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.