

OPINION No. 4/2004 (ETHIOPIA)

Communication addressed to the Government on 17 October 2003.

Concerning: Tadesse Taye.

The State is a party to the International Covenant on Civil and Political Rights

1. (Same text as paragraph 1 of opinion No. 20/2003.)
2. The Working Group regrets that the Government failed to provide it with information concerning the allegations of the source.
3. (Same text as paragraph 3 of opinion No. 20/2003.)
4. The Working Group regrets that the Government, despite repeated invitations to do so, did not provide it with the requested information. The Working Group believes that it is in a position to render an opinion on the facts and circumstances of the case.
5. According to the information received, Tadesse Taye, a 73-year-old businessman and resident of Addis Ababa, was arrested on 27 May 1993 at his place of business by security officers in plain clothes who did not show any arrest warrant. The reason for his arrest was reportedly his alleged membership in the organization called the Oromo Liberation Front.
6. According to the source, Mr. Taye has been detained without charge or trial since May 1993. He has been denied access to legal counsel. The family's appeal to the appropriate administrative authority has gone unanswered. All attempts by the family to obtain his release have been rejected.
7. The source adds that Mr. Taye is being held at Dessie prison, which is approximately 400 km from Addis Ababa. The remote location has made it difficult for the family to visit him and provide food and other supplies. Conditions at the prison are reportedly life threatening because of unsanitary conditions produced by gross overcrowding, inadequate food and water and lack of medicine and medical care. The poor prison conditions have exacerbated the hypertension, rheumatism and gastritis from which Mr. Taye is suffering. In addition, the source alleges that Mr. Taye has been subjected to beatings, threats against his life and other forms of degrading treatment while in prison.
8. The alleged facts, which are not contested by the Government, show that Tadesse Taye was arrested by security officers in plain clothes who did not show any arrest warrant. He has been detained without charge or trial and has been denied access to legal counsel.

9. In the light of the above, the Working Group renders the following opinion:

The deprivation of liberty of Tadesse Taye is arbitrary, being in contravention of article 9 of the Universal Declaration of Human Rights and article 9 of the International Covenant on Civil and Political Rights, and falls within category I of the categories applicable to the consideration of cases submitted to the Working Group.

10. Consequent upon the opinion rendered, the Working Group requests the Government to take the necessary steps to remedy the situation of Tadesse Taye in order to bring it into conformity with the standards and principles set forth in the Universal Declaration of Human Rights.

Adopted on 26 May 2004