

Assembly Joint Resolution

No. 12

Introduced by Assembly Member Bass

February 22, 2007

Assembly Joint Resolution No. 12—Relative to Ethiopia.

LEGISLATIVE COUNSEL'S DIGEST

AJR 12, as introduced, Bass. Ethiopia.

This measure would urge the Congress and the President of the United States to demand that the Ethiopian government immediately and unconditionally release all political prisoners and journalists and fulfill its obligations under the Universal Declaration of Human Rights, and urge the California delegation in the House of Representatives and the Senate to support and cosponsor “The Ethiopian Freedom, Democracy and Human Rights Act of 2006” in the 110th Congress.

Fiscal committee: no.

1 WHEREAS, The Universal Declaration of Human Rights, which
2 constitutes a common standard of achievement for all peoples and
3 all nations, is the source of inspiration and has been the basis for
4 the United Nations in making advances in standard setting as
5 contained in the existing international human rights instruments,
6 in particular, the International Covenant on Civil and Political
7 Rights and the African (Banjul) Charter on Human and Peoples’
8 Rights, and has been incorporated by reference in the Ethiopian
9 Constitution as the part of the supreme law of the land; and
10 WHEREAS, The Ethiopian government has repeatedly violated
11 the rights enshrined in the Universal Declaration of Human Rights
12 and the International Covenant on Economic, Social and Cultural

1 Rights and the African (Banjul) Charter on Human and Peoples’
2 Rights; and

3 WHEREAS, Human rights conditions in Ethiopia have
4 deteriorated significantly in the aftermath of the May 2005
5 parliamentary elections, and the Ethiopian government has
6 undertaken a massive crackdown on political opposition and
7 dissent, including arrests of opposition leaders, journalists, human
8 rights defenders and civic society leaders, and extrajudicial killings
9 of protesters by using excessive and deadly force; and

10 WHEREAS, Documented violations of human rights in Ethiopia
11 include widespread violation of privacy rights, warrantless searches
12 and seizures, arrests without probable cause, and severe
13 curtailments of basic human rights, including freedom of speech,
14 press, association, and assembly; and

15 WHEREAS, The massive crackdown on opposition and dissent
16 has resulted in the incarceration of, among others, Dr. Berhanu
17 Negga, mayor-elect of Addis Abeba, Hailu Shawul, chairman of
18 the coalition opposition party, Coalition for Unity and Democracy
19 (Kinijit), Yakob Hailemariam, an academic and former United
20 Nations genocide prosecutor at the Rwanda tribunal and former
21 United Nations Special Envoy in the Cameroon/Nigeria border
22 dispute; Mesfin Woldemariam, university professor and president
23 of the Ethiopian Human Rights Council, Birtukan Mideksa, one
24 of the few female judges in the country, a number of newly elected
25 parliamentarians, over 14 editors and reporters of independent and
26 privately owned newspapers; and

27 WHEREAS, The government of Ethiopia established a
28 commission of inquiry to investigate the violence that occurred in
29 the aftermath of the May 2005 parliamentary elections, and the
30 chairman and vice chairman of this commission reported in a
31 briefing to the United States House of Representatives that the
32 Ethiopian security forces had used excessive force resulting in the
33 deaths of 193 persons and serious injury to 763 others; and

34 WHEREAS, The United Nations Commissioner for Human
35 Rights has expressed deep concern over the deteriorating human
36 rights situation in Ethiopia, and other respected independent
37 international human rights organizations, including Amnesty
38 International, Human Rights Watch, and Genocide Watch, have
39 expressed equally deep concern, and called for the unconditional

1 and immediate release of all political prisoners in the country and
2 improvements in the human rights situation; and

3 WHEREAS, Ethiopian-Americans in the United States are
4 deeply concerned about human rights violations in their native
5 country and seek the immediate and unconditional release of
6 opposition leaders and all political prisoners in Ethiopia; and

7 WHEREAS, House Resolution 5680, the “Ethiopia Freedom,
8 Democracy and Human Rights Act of 2006,” which passed the
9 House International Relations Committee of the United States
10 House of Representatives on a unanimous vote, demanded the
11 immediate and unconditional release of opposition leaders and all
12 political prisoners in Ethiopia; and

13 WHEREAS, The Ethiopian government continues to repress all
14 peaceful attempts by the Ethiopian people to bring democratic
15 change by denying universally recognized liberties, including
16 freedom of speech, assembly, association, and of the press, and
17 employing repressive measures aimed at eliminating opposition
18 and dissent; now, therefore, be it

19 *Resolved by the Assembly and the Senate of the State of*
20 *California, jointly,* That the Legislature of California condemns
21 the widespread violation of human rights in Ethiopia and the use
22 of violence and deadly force to suppress political opposition and
23 dissent; and be it further

24 *Resolved,* That the California State Legislature calls on the
25 Congress and President of the United States to demand that the
26 Ethiopian government immediately and unconditionally release
27 all political prisoners and journalists and fulfill its obligations
28 under the Universal Declaration of Human Rights as incorporated
29 in its constitution, the African (Banjul) Charter on Human and
30 Peoples’ Rights and established norms of human rights, democratic
31 principles and the rule of law; and be it further

32 *Resolved,* That the government of the United States work
33 vigorously to secure as soon as possible the release of political
34 prisoners and prisoners of conscience, as well as closely monitor
35 their treatment in prison, and further demand disclosure of the total
36 number of persons detained on political charges throughout the
37 country, and ensure that all political prisoners and other defendants
38 are treated humanely while in custody in accordance with
39 international and regional standards for the treatment of prisoners,
40 such as the United Nations Standard Minimum Rules for the

1 Treatment of Prisoners, with particular regard to medical treatment,
2 family visits, and reading and writing materials; and be it further
3 *Resolved*, That the government of the United States demand
4 that the Ethiopian government forbear from interference in the
5 exercise of the rights to freedom of opinion, expression, and
6 association in Ethiopia, including the right to demonstrate
7 peacefully, the right to publish opinions freely through an
8 independent press, and the right to engage in civil society activism,
9 and put an end to the government media monopoly; and be it
10 further

11 *Resolved*, That the government of the United States work
12 through its representatives in the United Nations to establish an
13 independent international commission of inquiry to investigate the
14 broad scope of human rights abuses in Ethiopia, and to identify
15 those responsible for human rights violations; and be it further

16 *Resolved*, That the government of the United States demand
17 resumption of the process of reform and improvement of
18 democratic institutions, including a serious and international
19 examination of the results of the parliamentary elections held in
20 May 2005; and be it further

21 *Resolved*, That the Congress adopt a resolution on the human
22 rights situation in Ethiopia, aimed particularly at protecting and
23 supporting the Ethiopian human rights defenders on trial, in line
24 with the European Union Guidelines on Human Rights Defenders;
25 and be it further

26 *Resolved*, That the government of the United States encourage
27 and support the African Human Rights Commission and its member
28 states to more actively investigate and report on human rights
29 violations throughout the country and bring these to the attention
30 of the Ethiopian government and the international community for
31 remedy; and be it further

32 *Resolved*, That the government of the United States demand
33 that the Ethiopian government prosecute the individuals, officials,
34 and others who were responsible for the deaths of 193 unarmed
35 and peaceful protesters and scores of others who sustained serious
36 injuries as a result of the unlawful use of deadly force by
37 government security forces; and be it further

38 *Resolved*, That the government of United States demand that
39 the Ethiopian government implement specific measures to ensure
40 the independence of the judiciary and institute due process to

1 guarantee defendants accused of crimes the right to be tried by a
2 competent and independent court, and the rights to the presumption
3 of innocence, confrontation, and compulsory process, speedy trial,
4 and assistance of counsel; and be it further

5 *Resolved*, That the Congress pass “The Ethiopia Freedom,
6 Democracy and Human Rights Act of 2006,” which was introduced
7 as House Resolution 5680 in the 109th Congress, Second Session,
8 and passed the House International Relations Committee with a
9 unanimous vote; and be it further

10 *Resolved*, That the California delegation in the House of
11 Representatives and the Senate support and cosponsor “The
12 Ethiopia Freedom, Democracy and Human Rights Act” upon its
13 introduction in the 110th Congress and that Senators Barbara Boxer
14 and Dianne Feinstein sign on as sponsors of the bill in the Senate;
15 and be it further

16 *Resolved*, That the Chief Clerk of the Assembly transmit copies
17 of this resolution to the President and Vice President of the United
18 States, to the Speaker of the House of Representatives, to the
19 Majority Leader of the Senate, and to each Senator and
20 Representative from California in the Congress of the United
21 States.