

# ETHIOPIA

## A Process of Accountability

Between January to May 1994, EAAF led an international team on a mission in Ethiopia. The mission's purpose was to provide technical assistance to the Special Prosecutor's Office in Addis Ababa, which is bringing to trial officials of the former government headed by Colonel Mengistu. The officials are accused of committing human rights violations while they were in power. Because the trials are still in process, and EAAF has not yet presented its finding before the court, we are only able to provide information already made public. This mission was sponsored by the Carter Center of Emory University.



Hearings at the Central High Court on the crimes of the Mengistu regime, in Addis Ababa

### Background

The number and nature of human rights violations committed under the government of Col. Mengistu Haile Marian (1974-1991) constitute one of the worst records of contemporary times. According to Amnesty International,

"Hundreds of thousands have been killed in civil wars and political violence. A further million or more fled the country to escape not only hunger and bloodshed but also political persecution, military conscription and forced resettlement...Hundreds of political prisoners were executed after unfair trials, but thousands more 'disappeared' from detention and were secretly killed."<sup>1</sup>

In May 1991, the Mengistu regime was overthrown by the Ethiopian People's Revolutionary Democratic Front (EPRDF) and other armed groups. The Transitional Government that took power created a Special Prosecutor's Office (SPO) to investigate and prosecute human rights crimes from the previous regime. The country has been renamed the Federal Democratic Republic of Ethiopia, in accordance with a new constitution established in

December 1994.

The Transitional Government ended in March 1995, when general elections were held and in August 1995 a new government headed by Prime Minister Meles Zenawi of the Ethiopian People's Revolutionary Democratic Front took office. In mid-1995 elections were also held for parliament, federal council, and regional state assemblies. Most of the opposition parties boycotted these elections, claiming that the government had restricted their campaigning activities and curtailed their freedom of association and expression.

### *The Role of EAAF*

In 1993, the Carter Center contacted EAAF and asked it to provide forensic assistance to the Special Prosecutors Office in Addis Ababa. In August 1993, two EAAF members traveled to Ethiopia for two weeks on a preliminary mission sponsored by the Carter Center. The objective of this trip was to inspect several possible burial grounds, meet with the different research groups at the SPO, and plan future forensic research on cases under investigation by the SPO.

1. Amnesty International: "Ethiopia and Eritrea: Human Rights Agenda, November 1991

The second EAAF mission to Ethiopia took place between January 13 and April 26, 1994. Eight foreign consultants participated: Dr. Clyde Snow, as a representative of Physicians for Human Rights; Patricia Bernardi, Luis Fondebrider, Carlos Somigliana, Anahi Ginarte, and Mercedes Doretti as members of EAAF; Claudia Bernardi, an independent consultant; and Jose Pablo Baraybar as an independent physical anthropologist invited by EAAF.

Five local experts— Ato Abebe Debosch, technician in pathology; Dr. Tambrun Meles, pathologist; Ato Tekle Hagos, archaeologist; Ms. Kelemua Araya, archaeologist; and Ato Gibrion Meles from the Police Department— also participated in the mission.

The mission was organized by EAAF and funded primarily by the Carter Center and EAAF. Physicians for Human Rights also provided funds to cover part of Dr. Clyde Snow's expenses.

The forensic team worked on two cases: one at Hawzein, a small town in the northern region of Tigray, and one involving a mass grave inside a military intelligence compound near Kotebe, an Addis Ababa suburb.

### Hawzein: A war crime case

In Hawzein three excavations were carried out in order to determine the nature of the circumstances in which the town had been destroyed and many people killed. According to numerous witness accounts, on June 22, 1988, airplanes from the former Ethiopian Air Force bombed the town for six hours. It was Wednesday, a market day, and the town was filled with people from the surrounding region. "On a normal market day the town was packed with several thousand people, coming to trade in animals, grain, salt, coffee, and other commodities. Though Hawzein was attacked eight times in mid-1988, the residents did not consider themselves to be at serious risk from air attack, because the area was not controlled by the TPLF [Tigrayan People's Liberation Front], and most of the market-goers came from areas controlled by the government. Unlike the practice in TPLF-controlled areas [where markets took place at night], the weekly Wednesday market at Hawzein therefore continued to be held during daylight hours."<sup>2</sup>

The bombing started around 11:00 a.m. and went on until about 4:00 or 5:00 in the afternoon, almost until it got dark. MiG airplanes bombed the market area while two helicopters, armed with machine guns and rockets, circled around,

2. *Evil Days: thirty years of war and famine in Ethiopia*, Alex de Vaal, Africa Watch, HRW New York, 1991, p. 258



Hawzein: the ruins of the hotel town bombed in 1988 by the former Ethiopian Air Force.

trapping people as they tried to escape.

Survivors recalled "burning liquid" falling from the airplanes; according to Human Rights Watch, presumably napalm or phosphorus. A priest cited in a Human Rights Watch report stated: "[I]t was so dark, the smoke hung over the town as if it was night. People were crying, confused, and hysterical. There was something that fell from the sky, like rubber, but it burned your flesh."<sup>3</sup>

Another witness recalled: "...most of the people and cattle were being burned by something that seemed like rubber. It burned as it dropped off the sky, and didn't cut like metal does."

Most of the town was destroyed in the bombardment. It is extremely difficult to establish how many people died, mainly because the majority of the victims came from other regions, and their bodies were either returned to their hometowns or buried in mass graves in several locations in Hawzein. Non-governmental organizations that investigated the case estimate that between 1,300 and 2,000 women, children and in were killed by the attack.

Human remains together with ballistic and explosives fragments were recovered at the excavation sites. These were taken for further analysis to the pathology department at the Black Lion Hospital in Addis Ababa. A complete report was produced for the SPO.

In Tigray, 1988 was the most savage year in the entire history of the war. Atrocities were committed on an unprecedented scale by both army and air force.<sup>5</sup> As no rebel group or rebel facilities were located in Hawzein, and the victims were civilians, the SPO is investigating the event as a war crime case.

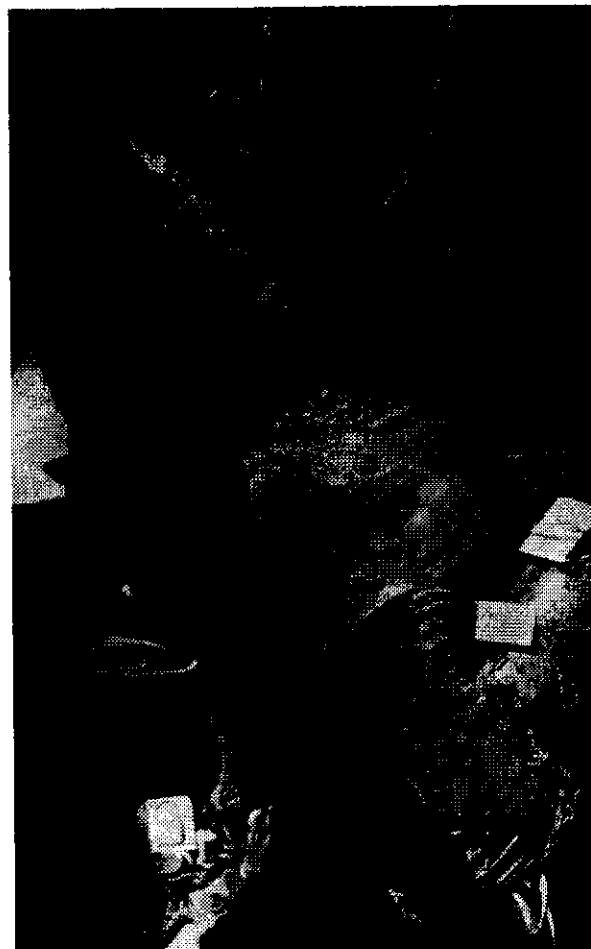
### **Kotebe: A Multiple Extra Judicial Execution**

During March 1994, EAAF conducted the exhumation of one clandestine grave in a military compound located in Kotebe, an Addis Ababa suburb. The grave was located in a small

3. *Ibid*, p.259 4. *Ibid*, 5. *Ibid*, p. 255

forest inside the compound and contained the skeletal remains of 30 individuals. All except one had synthetic green ropes around their necks. While the excavation was in progress, the SPO invited officials from the Ethiopian government, members of the local diplomatic corps, and the international and national press, as well as the high officials from the Orthodox church, to observe the findings.

The SPO provided EAAF with a list of 30 individuals who disappeared from their cells while under custody during the Mengistu regime, and were thought to be buried in the grave. The SPO also managed to locate the families of 15 of these individuals. EAAF interviewed these families, as well as former prisoners who shared captivity

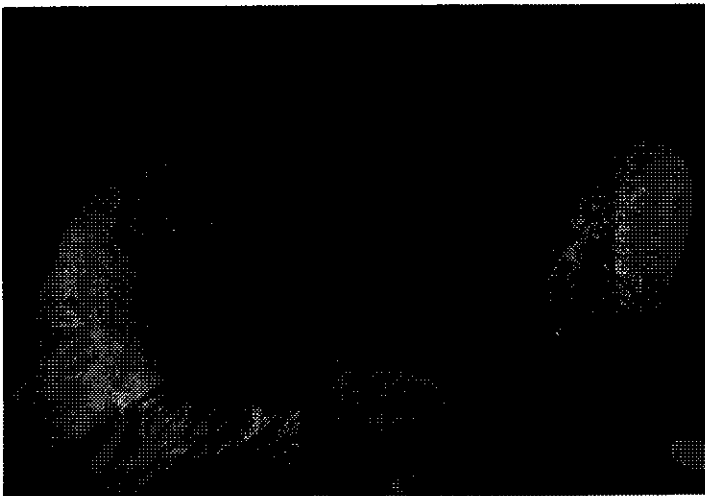


Anahi Ginarte uncovering one of the 30 victims found at the Kotebe site. All of them had green nylon ropes around their necks.

with the disappeared persons. From these interviews we obtained physical information about the people thought to be buried in the grave at Kotebe. This information was compared with the remains exhumed from the grave. In this way eight individuals were positively identified while the forensic team was still in Addis Ababa. Blood samples from presumed relatives of the victims, and tooth samples from the non-identified skeletons are currently being analyzed at the genetic laboratory of Dr. Marie Claire King, in Seattle, Washington. The purpose of this analysis is to try to establish matches between genetic material (in this case, mitochondrial DNA) from the blood samples and from the tooth samples.

### **Third mission to Ethiopia**

EAAF members returned to Ethiopia in October 1996 for a two-month mission. EAAF conducted further exhumations in the towns of Butajira and Alaba Kulito, in the South of Ethiopia. EAAF members will probably return to Ethiopia during 1997 to testify at the ongoing trials.



DNA blood samples from presumed relatives of the Kotebe victims were taken by Mr. Abebe Debosch, Pathology Dept., Black Lion Hospital, Addis Ababa.

# Where Tyrants Ruled, Thousands Cry for Justice

By DONATELLA LORCH

Special to The New York Times

ADDIS ABABA, Ethiopia — Berhanu Meshesha is now 71 and frail, and the events he describes are nearly two decades past. But he remembers every moment clearly.

The 10 armed soldiers, he said, knocked on his door at 5:30 A.M. on April 22, 1976, pulled his four sons and two nephews out of bed and dragged them off, saying they were going to a police station. The boys, ages 12 to 18, were needed for questioning about a street demonstration, the soldiers said. They promised to bring them home.

After searching in police stations and hospitals throughout Addis Ababa, Mr. Meshesha found five corpses the next day in a hospital morgue. One nephew had escaped, but the others had been shot. The soldiers would not allow him to bury them.

Mr. Meshesha, a retired colonel who served in Emperor Haile Selassie's army, was neatly dressed in a frayed suit as he recalled that day 18 years ago. He whispered that he did not even have time to say goodbye. All he has to remember his sons and nephew is a handful of faded photos.

But now, like tens of thousands of Ethiopians who were tortured or who lost loved ones under the 17-year dictatorship of Col. Mengistu Haile Mariam, he hopes that justice finally will come. In a political experiment unprecedented in Africa, Ethiopia is about to begin trials of at least 1,300 people on charges of crimes against humanity.

The trials will be watched as a possible model for similar tribunals for the massacres in Rwanda. Although the Ethiopians have received financial and legal help from the West, these public trials will be conducted in Ethiopia by Ethiopians.

"I cannot forget for one moment," Mr. Meshesha said. "Twenty years make no difference. I know exactly who the people are who dragged my sons away. I am so pleased now. Finally after so many years there will be justice."

The Government has spent two years preparing for the trials, documenting a horrifying chapter in the country's history in the process. An estimated 40,000 to 100,000 Ethiopians were killed, with the greatest concentration during the Red Terror from 1976 to 1978, a period of organized killing of anyone thought to oppose Colonel Mengistu. In Addis Ababa, corpses littered the streets every morning, most of them of youths.



Liz Gilbert/Sygma, for The New York Times

Three years after the fall of the dictator Col. Mengistu Haile Miriam, Ethiopia is about to begin trials of at least 1,300 people on charges of crimes against

humanity. One of the tens of thousands hoping that justice will finally come is Berhanu Meshesha, 71, who held photographs of four sons slain in 1976.

## Ethiopian trials are viewed as a possible model for others in Rwanda.

The new Government, run by rebels who overthrew Colonel Mengistu in 1991, has set up a special prosecutor's office and appointed 40 prosecutors to handle these trials. They have arrested 1,300 people and implicated 3,500 others, many of whom are out of the country.

Colonel Mengistu's regime was highly bureaucratized and documented its cruelties in detail. So far, 309,215 pages of written documents have been compiled, said Abreham Tsegaye, a spokesman for the prosecutor's office. The documents range from death warrants to calculations of the cost of executions. Torture sessions and bombings were filmed.

The Ethiopians have brought in Argentine forensic specialists, who have helped uncover mass graves. Two sites in particular have been studied. One is the market town of Hausien in Tigre Province, the heart of the rebel movement. It was

bombed on June 22, 1988, by the Ethiopian Air Force. While MIG jets dropped bombs, two helicopter gunships blocked escape routes. An estimated 1,800 civilians were killed.

The second is a military compound on the outskirts of Addis Ababa, where the forensic team unearthed 30 bodies with ropes around their necks.

The Ethiopians will be tried under a penal code that dates from the reign of Emperor Haile Selassie. It provides for capital punishment by hanging and includes provisions for war crimes because the Emperor had hoped to bring Italians to trial for actions committed during the Fascist Italian occupation of Ethiopia in the 1930's and 1940's.

Colonel Mengistu now lives in exile in Zimbabwe, which has not responded to a request for his extradition. [Colonel Mengistu and 21 others are to be tried in absentia among the first group of 66 people to go on trial starting Dec. 13.]

Many other officials who have been implicated are also in exile abroad, and Ethiopia has extradition treaties only with the Sudan and Djibouti. Three former Ethiopian officials who have been charged have been living in the Italian Embassy in

Addis Ababa since 1991.

But many moral and legal questions remain unresolved. Some have questioned whether a court influenced by the party in power can be fair. Other critics have objected because many of those facing trial have been in prison for years without formal charges.

Yet many Ethiopians say the trials are necessary to assuage their anger and to create a warning for any future government. In a country where deep poverty already makes life bitter, the healing process will be hard.

Dr. Abraham Asnake, a surgeon, has formed Ethiopia's first organization to help victims of torture. He and three other doctors provide free consultations, but they are able to provide little else because of a budget of only \$800 a year. The patients, who have been whipped, beaten, raped or burned, all carry both emotional and physical scars.

"Everyone is traumatized," Dr. Asnake said. "The Red Terror in Ethiopia was the killing of a generation. People are persecuted by memories. These trials are a lesson for society. Torture should never be repeated."

# Ethiopia Ready to Try Officials

WASH POST 10/28/94 P. A 33

By Jennifer Parmelee  
Special to The Washington Post

ADDIS ABABA, Ethiopia, Oct. 27—One chill dawn 17 years ago, Mahteme Solomon spotted a cluster of women along a road here, bodies shaking as they sobbed.

The women directed Solomon to a bridge, under which lay the bullet-riddled, blood-soaked bodies of 40 to 50 teenagers, wearing the jeans and Afro hairstyles that were the youthful fashion of the day.

"It was so very quiet that morning, only the sound of the women weeping," remembers Mahteme, now Ethiopia's minister of justice. "I still remember the dew glistening on their hair, the way the hyenas had done their awful work. . . ."

Such atrocities, everyday fare during the bloody "Red Terror" purges of 1976-78, will be the dominant theme of mass trials of up to 3,000 officials from the deposed dictatorship of Mengistu Haile Mariam. The first formal charges were announced today against 73 of the regime's top cadres, including the exiled Mengistu.

The trials, expected to start this year, will be the most comprehensive

examination of massive human rights abuses since Nazi war criminals were put in the dock at Nuremberg, Germany, in 1945-47.

Ethiopia's trials will be watched with special scrutiny, given current plans to try war criminals by international tribunal in Rwanda, the Balkans and Cambodia. Although brutal dictators have flourished and fallen around the world since Nuremberg, few countries have actually put perpetrators of systematic state terror on trial. Even in successful cases such as Argentina, the numbers have been small.

The Ethiopian situation is also unusual in that many suspects—including those charged this week—will be charged with genocide and "crimes against humanity," precepts of international law incorporated into Ethiopia's penal code, drawn up by a Swiss jurist in 1957. Rarely tested, these categories have been used almost exclusively against ex-Nazis.

Some suspects also will be tried on charges of using famine—particularly the 1984-85 catastrophe—and forced resettlement policies as genocidal weapons during the 30-

year civil war. This too is an apparent legal first.

More than 2,500 witnesses have stepped forward to give testimony. In addition, while many of the world's despots destroyed evidence of their crimes, Mengistu's government left a damning trail. Thousands of documents lay bare its reign of fear, from summary execution orders in triplicate and films of torture sessions to meticulously recorded transfers of the victims' bank deposits to the accounts of high officials.

Whatever their significance to international legal precedent, to Ethiopians the trials will be a gut-wrenching referendum on a painful past. Front and center is the Red Terror, the Mengistu regime's "counterrevolutionary" campaign in the late 1970s that claimed up to 100,000 victims, dead or missing, according to prosecutors and human rights monitors. Human Rights Watch calls it "one the most systematic uses of mass murder by the state ever witnessed in Africa."

Despite the scale of abuse, Ethiopia's agony went largely unremarked by the world. In part, the revolution's victims were casualties

# Who Carried Out 'Red Terror'

of Cold War politics, which in a bizarre 1977 shift of alliances saw the Soviets lure Mengistu from U.S. patronage into their embrace, while Soviet-backed dictator Mohamed Siad Barre of neighboring Somalia became an American client. Mengistu was overthrown in 1991 by a rebel army that now runs Ethiopia's interim government.

The trials have evoked conflicting feelings among Ethiopians, particularly along the political divide that grows ever deeper between government and opposition. Some Ethiopians—not least detainees from the Mengistu regime—wish to close the book on the past.

"What good does it do to dig up what has been done?" asked a female civil servant, requesting anonymity.

"My little brother cannot be brought back to life."

Those favoring the trials include most Western governments and human rights groups. But they tread awkward ground, weighing the rights of victims against the legal rights of the detainees: Some 1,200 suspects from the Mengistu regime have been held without charge for nearly three years.

President Meles Zenawi does not defend holding prisoners without charge. But he describes the process as the only way to ensure such atrocities do not happen again. "It's very important not only for Ethiopia but for the rest of Africa," he said in a recent interview. "The Rwandans who committed atrocities [at that nation's independence three decades ago] were never punished. If they had been, the butchers today wouldn't have felt they could get

away with it. . . . You have to deal with the past if you want a secure future."

Although Mengistu's junta seized power declaring "Without any bloodshed, let Ethiopia become first," its ruthless intentions materialized within months when 60 officials from emperor Haile Selassie's former government were summarily executed; more executions followed as Mengistu moved quietly to eliminate rivals.

Opposition mounted, mostly from the Ethiopian People's Revolutionary Party (EPRP), which though every bit as radical as Mengistu's group, sought elections and was wildly popular with the young.

But the EPRP made a fatal mistake, launching an urban guerrilla struggle against an entrenched military machine. It assassinated a dozen or so mid-level government officials, allowing Mengistu to declare all-out war on opposition.

Soon, bodies filled the streets. Thousands of teenagers were gunned down, their families forced to leave their bodies outside for days as an example to others. Public mourning was forbidden.

Omar Jeju, whose son Moheiddin was an EPRP member, recalled how torturers broke his son's hands and beat and burned his feet to raw pulp. Omar spent hours cradling his son's feet to try and ease the pain.

Only in 1991 did Omar and Rakiiya—like the families of hundreds of other "disappeared"—ascertain their eldest son had been killed: The proof was an execution order, clearly signed and stamped by a high official now jailed. "We must stand up and

testify, not just for my son but for the youth of Ethiopia," Omar said.

At Alem Mekayne Prison in Addis Ababa, many of Mengistu's former henchmen describe themselves as bit players in the process of history, and few harbor remorse.

Typical is the unrepentant line of Melaku Teferra, former Communist Party chief in the Gonder region, accused of ordering up to 2,000 executions during his 10-year tenure.

Speaking in jail, Melaku—whose name in Amharic means "angel of fear"—said the need to stamp out subversives justified "any punishment I might have ordered." Echoing the "superior orders" defense deployed at Nuremberg, he argues he worked under a 1977 executive order, Proclamation 121. This sanctioned what is roughly translated as "action with impunity" against any opponent of Mengistu's revolution.

Such historical revisionism appeals little to Tadelech Haile-Mikhael, an ex-EPRP activist now in charge of women's affairs in the interim government. Tadelech survived more than 12 years in prison, where she was tortured, and the executions of husband and brother. She believes the written order for her execution—now in court records—was stayed because she was pregnant when arrested.

"I don't care what punishment they get and I'm not saying this government does not make its own mistakes. I'm saying justice should be restored," she said. "I've lost my husband, a brother, spent the best years of my life in prison. . . . Forget the past? No, I will not. And we Ethiopians should not."

# Argentine Team Digs Up Ethiopia's Hidden Truth

## Forensic Findings to Be Used in Atrocity Trials

By Jennifer Parmelee  
Special to The Washington Post

ADDIS ABABA, Ethiopia—From an open pit in a glade where birds sing, a young woman in jeans and sneakers dusts off the bones of human skeletons and neatly packages fragments of hands and feet in paper bags.

Using scalpel and paintbrush, scissors and garden scoop, Mercedes Doretti pries bones, clothing and ceramic shards from the red earth and sorts them for later analysis in the laboratory.

The skeletons, flung face down in the pit with ropes around their necks, were men and women killed by government hit men during the 17-year regime of military dictator Mengistu Haile Mariam.

They are relics, officials say, of a reign of terror without precedent in modern Ethiopia, a turbulent era of civil war in the field and brutal repression behind the front lines.

Doretti, 35, is one of the 12-member Argentine Forensic Anthropology Team that has traveled from Kurdistan to the Balkans, using forensic techniques to provide legal proof of mass killings. Most of the team's work is funded by human rights groups.

In Ethiopia, the evidence will be used to undergird thousands of documents and the testimony of witnesses at the trials of hundreds of ex-officials held since a new government took power in mid-1991.

If the proceedings are carried out on the scale promised by the Ethiopian government, they would be the biggest war crimes trials since the Allied powers brought Nazi criminals to justice at Nuremberg, Germany, in 1945-49.

A primary focus in the Ethiopian trials will be the 1977-78 "Red Terror," when the Marxist government crushed an urban-based insurgency and killed at least 10,000, according to estimates by rights groups. Tens of thousands of other Ethiopians were imprisoned or tortured.

The Addis Ababa gravesite unearthed by Doretti and her colleagues contained 30 Red Terror victims who apparently were hanged

and dumped in a 12-foot hole. The team, sponsored by Physicians for Human Rights and the Atlanta-based Carter Center, also has collected human remains in the northern town of Hawzein, which the Ethiopian air force bombed on market day in June 1988, killing hundreds.

The sites are among scores of mass graves dug up under the three-year tenure of President Meles Zenawi, whose government is dominated by a former rebel front that ousted Mengistu.

"This grave is proof that evildoing will never remain hidden and that one day, all oppressors will come down," said an Ethiopian priest, who recited blessings over the Addis Ababa site. "We must pray that never again will this happen in Ethiopia."

"Never again" could be the motto of the forensic team, which has exhumed and examined countless victims of state terror since its inception 10 years ago at the advent of democracy in Argentina.

Born of popular angst over some 9,000 victims who "disappeared" during the Argentine military government's repression of leftists in 1976-83, the group's first assignment was to produce evidence for trials of members of the military junta charged with ordering the killings. Many of the Argentine group had relatives who were killed.

Doretti and fellow university students were trained by Clyde Snow of Norman, Okla., who pioneered the combination of anthropological excavation and forensic science that is practiced by only a few specialists today. Together, they exhumed skeletons used as evidence during the Argentine trials, at which Snow was an expert witness.

"From the standpoint of human rights, forensic anthropology started in Argentina in 1984," Snow said in a recent interview here. "It turns out we played a pretty central role in a lot of cases."

Five generals from three Argentine military juntas were convicted of mass killings—one of the few times in recent history where former government officials have been brought to justice for such atrocities.



A member of an Argentine forensic team clears dirt away from a skeleton at a mass grave near Addis Ababa. The team has found evidence of state terror or civil war atrocities in Argentina, El Salvador and Croatia.

The generals were jailed but ultimately pardoned under a general amnesty.

In El Salvador, the team discovered hundreds of buried skeletons in the remote village of El Mozote, providing proof of the massacre there that had been the biggest of El Salvador's 12-year civil war. The team's evidence was critical to last year's report by the U.N.-sponsored Truth Commission, which revealed atrocities long denied by the U.S.-backed Salvadoran military.

The group also has investigated mass graves near Vukovar, Croatia, where journalists have reported some 200 Croatians slaughtered by Serb soldiers. The suspected perpetrators are to appear before the International Court of Justice.

Forensic anthropologists resemble archaeologists as they gently coax information from remains and other evidence, like identity cards or jewelry, from the ground. Once in the laboratory, their detective work is similar to that of a coroner, except that they are typically working with old bones, not fresh corpses.

A restored skull can produce vital evidence. In Argentina, ex-military leaders maintained that the "disappeared" were killed during armed struggle. Most victims examined by the forensic team were executed by a bullet to the back of the head.

Teeth and bones can provide clues for identification. Their hard structures preserve a victim's DNA, the genetic code that can be traced to the blood samples of living relatives.

If that fails, the team might match photographs of a missing person with an unearthed skull, photographing it at the same angle and distance. This technique was used to identify Nazi concentration camp doctor Josef Mengele when his skeleton was dug up in Brazil in 1985.

"Superimposing a photo is generally not conclusive. It's just another clue," said Luis Fondevbrider, another founding member of the group. "But you try to match the physical evidence with what you know."

"A document can be forged, a witness can be torn apart on the stand, but we bring scientific evidence that gives the sense that these things really happened," Snow said. "In a court, this kind of evidence adds immensely to the credibility of the case."

In Ethiopia, he said, "we all know bad things happened on a terrible scale, but we can't examine and identify every skeleton out there."

"What forensic science can do is act like a spotlight, singling out cases that are typical," he added.

Creating a historical record for a country like Ethiopia or Argentina is another aim, "so that the revisionists

cannot come along 15 or 20 years later and say this never happened," Snow said. "Hopefully, laying these things out in daylight will have a chilling effect on others tempted to commit such crimes in the future."

Finally, there is a sense of "closure" for the families of the victims. "If a son or daughter has simply 'disappeared,' it's unfinished. Their lives have been paralyzed," Doretti explained.

"Of course, it's always terribly painful to tell the family that they are dead. You are cutting down their hope that their child is still living."

"But at the same time, it is also great relief that, after so many years, they can finally bury their loved ones. In a way, it is the end of their anguish."



## Ethiopia

## Red Terror relived

ADDIS ABABA

**T**IGISTE lights a candle each morning under a photograph of her son, killed at the age of 13 in the terrible campaign of violence known as the Red Terror that bloodied Ethiopia in the late 1970s. She prays for his soul—and for vengeance on the man who shot him in the street in Addis Ababa as he innocently ran after a protest march. Now, more than three years after the toppling of the dictator responsible for the Red Terror, Mengistu Haile Mariam, the prayers for punishment may be answered.

Some 1,200 men, and a handful of women, are currently in prison pending charges of committing terrible brutalities during the Mengistu regime. Though many countries, from Argentina to Uganda, have sought justice for the crimes carried out by members of fallen dictatorships, none has approached the scale of the Ethiopian trials due to begin soon: they could well be the biggest war-crimes trials since the allies put Nazi warlords in the dock at Nuremberg.

A bitter and bloody slice of Ethiopian history will be exposed. Most of those currently detained were officials in Mr Mengistu's Soviet-backed regime. They are accused by the new government of crimes ranging from the use of starvation as a strategic weapon to summary executions, mostly during the Red Terror of 1976-78. Between 40,000 and 100,000 people, most of them young, were killed. Tens of thousands more were jailed and tortured.

Mr Mengistu himself named his "counter-revolutionary" campaign the Red Terror, and launched it by smashing two bottles of dark red fluid in a public square. He vowed that the blood of those opposed to his revolution—the pretext for the campaign was the assassination of several government officials—would spill.

Spill it did. Each morning Ethiopians found fresh corpses in the streets, many of them children. Each night military music was broadcast on state television as reporters celebrated the killings as a triumph over "counter-revolutionary elements". Families of victims were ordered to leave the corpses in the streets for days as a warning to others; party officials demanded payment for the bullets used in killings. Public mourning was banned.

## INTERNATIONAL

The Economist, July 30, 1994

In cowed silence—or in silent complicity—Ethiopians watched the horrors take place. The world outside seemed indifferent. Mr Mengistu's Soviet patronage left the West with little leverage. Human-rights groups admit today they did little to monitor or publicise the horrors.

Today, however, Ethiopians have been able to go through a public mourning for a past many did not want to remember, but could not forget. Not long after the rebel leaders—who now form the government—toppled Mr Mengistu in 1991, there was a rush of funerals for the dead. Once the rebels formed a government, the digging for remains began. Scores of mass graves were unearthed. "I have never seen anything on this scale," says Mercedes Doretti, a member of an Argentine forensic squad that has worked in Central America and ex-Yugoslavia to exhume the remains of victims of government atrocities. "It is frightening... We hope bringing this to light will make sure it never happens again."

"Never again" is the chief justification that the new government of President Meles Zenawi gives for its zealous pursuit of the perpetrators of past crimes. The government denies that this is a victors' trial: an independent Special Prosecutor's Office has been set up; the judiciary is independent. It is indignant at any suggestion that more international credibility might have been won by inviting the United Nations to oversee the process. Ethiopians are proud of organising the trials themselves. Girma Wakjira, the chief prosecutor, recently fired two foreign specialists for purportedly divulging privileged information to America's Central Intelligence Agency.

The prosecution has been greatly helped by the fact that the crimes were documented with chilling efficiency: torture sessions

were recorded on videotape, executions and detentions were neatly filed in triplicate. Many documents bear the clearly written signatures of former top officials now in prison. These have helped to have one suspect, the notorious "Butcher of Gondar", a Mengistu henchman, extradited from Djibouti. Indeed, such is the weight of evidence—there are 3,000 damning documents—that the investigations have taken an age. Human-rights groups, worried about the long detention of prisoners without charges, are urging Mr Meles to speed things up. Prosecutors promise they will be ready to start filing charges in September.

The trials inevitably prompt moral and legal questions. Can justice be done in a court run, in effect, by the victors? Should human-rights crimes be treated under international or domestic law? Can junior underlings be held responsible for carrying out crimes on the orders of their superiors? Amnesty International is vigorously lobbying against the use of the death penalty, which is included in Ethiopia's penal code.

These are delicate questions, and the government's opponents have seized on any ambiguity to try to damage its credibility. Anti-government newspapers, many run by former Mengistu supporters, have attacked the investigations—doubtless out of fear of what may be exposed. Even some of the victims' families say they will refuse to give evidence.

Handled well, however, the trials could be a way for Ethiopians, in the words of one victim, to "exorcise the beast within us". Says Abdul Mohammed, a development consultant who lost his father, two brothers and an uncle to the Red Terror: "This is a struggle for the soul of Ethiopian history."

# Ethiopian Ex-Rulers Go on Trial

ADDIS ABABA, Ethiopia, Dec. 13 (AP) — Some of the leaders of the former Marxist Government of Ethiopia were brought to court today to face charges of genocide and crimes against humanity on the opening day of a long-awaited trial.

Forty-six defendants were brought handcuffed to the courtroom from prison. Twenty of the original 73 defendants, including former President Mengistu Haile Mariam, are in exile or in hiding and are being tried in their absence. Seven others have died in prison or elsewhere, officials said.

The 66 living defendants face the death penalty.

Conservative estimates say 150,000 people were killed in the campaign of persecution that followed Mr. Mengistu's seizure of power from Emperor Haile Selassie in 1974. That figure does not count the estimated 100,000 who died in forced relocation programs or 1 million who died in ensuing famines.

The charges seek to tie the defendants to the disappearance, torture and killing of 1,823 identified victims.

Mr. Mengistu, who fled to Zimbabwe when rebels overthrew his Government in 1991, acknowledged Monday there were killings under his

rule, but disputed estimates that 150,000 were murdered.

"To say the numbers are 100,000 or 150,000, this is absolute lies," said Mr. Mengistu, contacted by telephone at his villa near Harare, Zimbabwe's capital.

"In this kind of social revolution and fundamental change there was a contradiction and there was a clash that cannot be avoided," he said. He called his Government a popular revolt on behalf of peasants against aristocrats and landlords.

In today's opening session, defendants were identified and each member of the trial's three-judge panel took turns reading the charges. It is expected to take two more days to complete the reading of the 209 charges.

The defendants have denied any guilt and accused prosecutors of manufacturing evidence of mass killings. Prosecutors say that up to 3,000 military underlings and civilians could face charges linked to the systematic killing of Ethiopians during the Mengistu reign.

## Ethiopia unearths grisly evidence

1,200 are to be tried in Africa's first human rights trials, writes Lucy Hannan

A TEAM of Argentinian forensic experts exhuming mass graves on a wooded mountainside six miles outside Addis Ababa in preparation for Ethiopian human rights trials has announced "spectacular results".

Behind a former security complex where four graves were discovered, diplomats and government officials stood in silence while an Orthodox bishop blessed the dead. Skulls and skeletons with rope round their necks lay sprawled in the graves.

They were victims of Colonel Mengistu Haile Mariam's former communist regime, overthrown in May 1991. More than 60,000 people are believed to have been summarily executed during the 17-year dictatorship.

No cause of death has yet been established forensically, but many Ethiopians feel the remains tell enough of the story. Families of the "disappeared" say they were allowed to provide food for prisoners until told by guards to stop coming; nothing was ever returned to them and this was tantamount to an acknowledgement of death by the authorities.

Mercedes Doreth, a spokeswoman for the Argentinian team, said 12 skeletons had been exhumed so far and work would continue.

"On most of them we can see the neck with rope round, most have clothes, and they were found under a layer of stones and ashes. This is very strong evidence for the special prosecutor's office."

The trials for crimes against humanity, scheduled to begin in May, are the first of their kind in Africa. 1,200 people await prosecution, charged with gross human rights violations.

Many are former officials and party members detained without trial since the fall of the Mengistu regime. International donors funding the government-run special prosecutor's office are anxious that the trials meet international standards. "These trials are as important as the Nazi war crime trials," said one diplomat. "They should be seen as an international event."

A list of the 10 most wanted top officials includes Col Mengistu himself and an extradition request has been sent to Zimbabwe, where he lives in exile. President Robert Mugabe of Zimbabwe has denied receiving the document. Extradition requests for others have gone to Kenya, Djibouti and the United States.

More than \$500,000 has been donated to the special prosecutor's office, mainly by the United States, Sweden, Denmark and Norway. Legal experts and computer consultants have been brought in to bolster a government still struggling to establish democracy and the rule of law. But there is concern that no parallel effort has been made to improve the public defence system. More than 100,000 files are being fed into computers to provide evidence.

In the provinces, a team of 400 Ethiopians scour council records for identification of culprits. According to the special prosecutor's office, there is no shortage of documented evidence.

Todd Howland, US legal consultants, says there are hundreds of sites similar to the one exhumed near Addis Ababa — but "the ones chosen best tie in with documented evidence". The prosecution is also bringing charges related to the manipulation of famine relief, forced resettlement programmes, and the death of the former emperor, Haile Selassie.

Graves have also been exhumed in Tigray — heartland of the new government and the former rebel Tigrayan People's Liberation Front — in an attempt to prove that civilians were used as military targets.

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## Argentine forensic experts exhume remains of massacred citizens

(ENA) — The remains of 12 persons allegedly massacred by the Derg regime were dug out yesterday from a site in Kotebe, eastern part of Addis.

The exhumation of the bodies was carried out by an Argentine forensic anthropology team led by Mrs. Mercedes Doreth.

Mrs. Doreth said laboratory tests

would be carried out to establish the gender and age of the victims as well as the circumstances of their death. She said the data would be submitted to the Special Prosecutor's Office.

The leader of the forensic experts told foreign and local journalists at the site of the excavation that a recently unearthed remains of people killed in Hawzien, Tigray

Region, by the Derg regime, were being examined.

The excavation activities in Kotebe were inspected yesterday by Ato Girma Wakjira, Minister in Charge of the Special Prosecutor's Office.

ministers, ambassadors and religious leaders.

His Beatitude Abune Baslios, special assistant to the Patriarch, led a brief prayer in memory of the massacred civilians and said: 'The cries of innocent citizens slain by the former regime have won God's ears.'

Established in 1984, the 12-member Argentine forensic anthropology team has carried out similar activities in various countries of Latin America and other continents.



Mrs. Mercedes Doreth ...



Remains of the victims slain by the Derg.

## AN AFRICAN NUREMBERG

*Their former rulers are on trial for the torture and murder of thousands—  
but many Ethiopians are more concerned about the present.*

BY JOHN RYLE



*At eleven o'clock, the justice began to read the charges; the recitation took him until the afternoon of the following day.*

**I**N Addis Ababa, on December 13th of last year, a blue bus with curtained windows, escorted by a motorcycle outrider and a pair of glinting all-terrain vehicles, brought forty-four prisoners—middle-aged men in suits and handcuffs—from an overcrowded prison called World's End to an improvised courtroom on the northern heights of the city. A few years earlier, the men on the bus had been all-powerful; their name, the Derg, the embodiment of dread. The Derg (an archaic word meaning "conclave" or "committee") was the military group that, under various names, ruled Ethiopia from September, 1974, when it deposed Emperor Haile Selassie, until its defeat, in May, 1991, by a rebel army from the northern Ethiopian province of Tigray.

Over those seventeen years, while famine and civil war devastated the country, Ethiopia was transformed from a feudal empire into a Communist dictatorship, which the Derg, with Soviet backing, ran with a ruthlessness unsurpassed in Africa, even in the violent history of Ethiopia itself. Mengistu Haile Mariam, the chairman of the Derg, or-

dered the imprisonment, torture, and murder of thousands of opponents of his regime, and brutal counter-insurgency operations in rural areas caused the deaths of at least a hundred thousand others. In the famine of 1984, as Ethiopians died by the thousands in the countryside, Mengistu hosted a lavish celebration of the Derg's tenth anniversary in Addis Ababa, hiding the emergency from the world. And when international relief agencies revealed the extent of the famine he used relief supplies as a weapon, diverting food away from needy rebel areas and selling the country's grain reserves to buy Soviet arms. In international human-rights circles, the trial of the Derg, which had been three years in preparation, was being spoken of as an African Nuremberg.

The men who emerged blinking from the bus had been young officers when they took power, now they were gray-haired, and two of them walked with canes. The first man out was Fikre-Selassie Weg-Deres, forty-nine, short, with eyes of flint—a captain in the Imperial Air Force who became the Derg's Prime Minister. Handcuffed to

him was Fisseha Desta, fifty-three, the former Vice-President, an upright bemused-looking man wearing tinted glasses. Following them shuffled the fifty-nine-year-old Colonel Teka Tulu the former Chief of Internal Security—overweight, clearly unwell, glowering over a full beard.

Among the other prisoners, onlookers in the crowd outside the courtroom noted the unsmiling face of Legesse Asfaw, known as the Butcher of Tigray. Sergeant Legesse had been the mastermind of the Derg's war against the Tigrayan guerrillas. His response to the guerrillas' Maoist vision of their relationship to the peasantry—"like a fish through water"—had been to destroy the rural economy of Tigray Province bombing village after village on market days. "To kill the fish, you have to drain the water," he had said. Following Legesse came Melaku Tefera, the equally infamous Butcher of Gondar. Now forty-two, Melaku had been the youngest member of the Derg—barely in his twenties when they assumed power. A stocky figure wearing a gray military anorak, which contrasted with the suits of his colleagues, Melaku was bristling with suppressed rage. There were spectators in the court who alleged that they had been tortured by Melaku personally. One woman had traveled three hundred miles—from Gondar, the province that Melaku had governed—for the satisfaction of seeing him in the dock.

But the spectators were not to have the satisfaction of seeing Mengistu Haile Mariam in court. In 1991, just a week before the rebels' victory, he had abandoned his followers to their fate and fled to Zimbabwe, where his uncle was Ambassador. The Zimbabwean government has never responded to requests for his extradition. On the eve of the trial, Mengistu broke a silence imposed on him by the Zimbabwean government and denounced the proceedings on the BBC World Service. Speaking by telephone from his home in Gun Hill, a suburb of Harare, he said that the new Ethiopian government was composed of mercenaries, that the charges were lies and that the trials were merely the vengeance of the victors in a war that had been fought to preserve the unity of the country, a war that the forces of unity—his forces—had lost.

Among Ethiopians the issue of national unity is currently the focus of passionate debate. The Ethiopian empire, a multi-ethnic polity incorporating a great diversity of language groups, was dominated for more than a century by the Amhara, a highland people who are traditional rivals of the Tigrayans. Amharic is the language of government, and Amharas, by and large, run the bureaucracy. But in the aftermath of the Derg's collapse their special position has come under threat, as the new government has trimmed the bureaucracy, reformed land laws, and introduced a new constitution giving each major ethnic group control over its own region. At the same time the country has shrunk: the northern province of Eritrea became independent in May, 1993. For the Amhara elite, the double shock of the ascendancy of the Tigrayans and the loss of Eritrea has had a disorienting effect. It is as though Soviet Communism had been overthrown not by Russians but by Ukrainians, and the Ukrainians had taken power in Moscow.

THE courtroom where the trial of the Derg began—and where, after three long adjournments, the court will reconvene later this month—is an unremarkable wood-paneled circular hall in the Ministry of Central Planning. At 10 A.M. on the first day, while the prisoners waited outside, thirty-three defense lawyers, three red-gowned prosecutors, a hundred or so relatives of defendants and victims, a couple of dozen reporters and observers, an interpreter, and twenty khaki-clad guards filed into the courtroom and stood for the entrance of the Court President, Justice Dessalegn Alemu Kibret. Then the prisoners, their handcuffs removed, were ushered in through a rear entrance and instructed, one by one, to stand as their names were called. Above their heads on the ceiling, undisturbed since the heyday of their regime, was a bronze plaque with a hammer and sickle and a map of Ethiopia encircled by a quotation from Mengistu, redolent of Leninist hubris: "We Will Subdue Not Only Reactionaries but Nature Itself." At eleven o'clock, Justice Dessalegn banged his gavel, opened a red-leather-bound book of charges, and began to read; the recitation of the charges was suspended at two that after-

noon and was not concluded until the afternoon of the following day.

There were more than a hundred members of the Derg in 1974, but when the judge called out their names less than half were present. Some had defected before the Derg fell; some had escaped abroad; two had died in prison; one had committed suicide. But the majority of the absentees—more than thirty—were victims of the Derg itself: they had been murdered by Mengistu's bodyguards during his rise to supremacy, or executed by firing squad in one of the periodic purges that followed coup attempts. For most of their careers, the greatest threat to the members of the Derg had been one another. Still, those present included eight of the regime's top twelve—the Standing Committee of the Derg.

The forty-four Derg members on trial are accused of the murders of the Emperor, of the Patriarch of the Ethiopian Orthodox Church, and of fifty-nine ministers of the imperial court. They are further accused of killing, often by torture, nearly two thousand supposed members of rival revolutionary groups or supporters of the Emperor, mostly during a campaign of urban counter-insurgency which was christened, with conscious reference to both France and Russia, the Red Terror. Under the Napoleonic-style Ethiopian penal code, which incorporates the United Nations Genocide Convention of 1948, the Derg members are also charged with genocide and crimes against humanity, for which they could receive the death penalty.

On the face of it, the genocide charge seems odd. The Derg was undoubtedly responsible for terrible crimes, but it was not, in any ordinary sense, guilty of genocide: it did not—at least not during the Red Terror—kill people on the ground of race or creed. In the idiosyncratic provisions of the Ethiopian penal code, however, genocide has acquired a wider meaning, encompassing not just ethnic and religious groups but also political ones. Still, in case these charges don't stick the Ethiopian Special Prosecutor has added alternative charges of aggravated homicide, unlawful detention, and abuse of power.

The trial is only the first stage of a much greater legal undertaking. In addition to the members of the Derg, at least fifteen hundred other government officials and senior military personnel are in custody awaiting indictment for war crimes and murder. In a nation without a tradition of democracy or an independent judiciary, the trials raise tricky legal and political issues. The Nuremberg analogy is only partly accurate. Like Nuremberg, the trials in Ethiopia represent the justice of the victors. (This was Goering's defense, and it was to be the Derg's as well.) But unlike the Nuremberg trials and international tribunals under the jurisdiction of the United Nations which are currently being prepared for Rwanda and the former Yugoslavia, the trial of the Derg is being held in the courts of the country where the offenses took place: the Derg will be judged in Ethiopia, by Ethiopian judges and under Ethiopian law. Most important, unlike the Rwandan and Yugoslavian tribunals, which are mired in United Nations bureaucracy, the trials in Ethiopia are, albeit after several years' delay, actually under way.

Incoming governments in other conflict-riven African nations (South Africa is the prime example) have taken a different road—the one taken by Latin-American states in their transitions to democracy during the nineteen-eighties. This involves truth commissions and amnesties rather than large-scale prosecutions. Such procedures, it is argued, are a more effective means of national reconciliation; a retributive approach risks jeopardizing newfound peace. In this view, the important thing is to create a true record of events for posterity. But in Ethiopia the new rulers maintain—perhaps disingenuously, since they themselves have been accused of human-rights violations—that mass trials are the only way to end the culture of impunity which previous regimes exploited. In an interview earlier this year in Addis Ababa, the new Ethiopian Prime Minister, Meles Zenawi, told me, "We are not motivated by a desire for vengeance. The absence of a rule of law was the reason we had these tragic events. We had to come to terms with the events



of those years. The only legitimate way was a trial."

SITTING next to me on the press bench in the court was a genial, elegant man in his early sixties, Teshome Gabre-Mariam Bokan. He had been Attorney General in the mid-sixties under Haile Selassie and a political prisoner for eight years under the Derg. "When I see the defendants," he told reporters, "my feeling is joy—joy that I am alive to see this, to see them confronted with the things they did. And sadness, at the thought of the millions of Ethiopians who did not live to see this day."

Teshome's career, which spans three regimes, is an illustration of the exceptional changes that Ethiopia, including its legal profession, has seen in a single generation. "You have to remember that we were a feudal society until a few decades ago," he pointed out. "We didn't have human rights. What we had was the divine right of kings."

A belated attempt by Haile Selassie to modernize Ethiopia's feudal system was one factor that led to the military takeover of 1974. Political ferment among students and young Army officers throughout the country provoked a coup in which the Emperor was deposed and his entire government put under arrest. The first of the counts against the Derg to be read in court concerned a mass execution that wiped out with one blow all the chief dignitaries of the ancien régime. Teshome described being arrested with them and incarcerated in the cellar of Menelik's Palace, a rambling collection of Ottoman-style wood and Italianate stone buildings, which was used after the revolution as the Derg's headquarters. Above the cellar was a throne room, and there the Derg deliberated on its prisoners' fate. In a small, tin-roofed pavilion nearby, the Emperor, old and sick, was held incommunicado. On the evening of November 23rd, guards came to the cellar and called out the names of fifty-six prisoners—ministers, the feudal dignitaries of the court, admirals, generals, and their bodyguards. Teshome and the other prisoners watched through the open cellar door as the group was driven away from the palace. Later they learned that the ministers, with three others who had been held elsewhere—nity-nine in all—had been taken to the central

prison, the same prison where the Derg members are now held. There, soldiers lined them up against a floodlit wall—the outer wall of an electrocution chamber installed by the Emperor—and raked them with machine-gun fire. They were buried the next day in a trench. "Their names mean nothing to you," Teshome said, "but I knew them all."

The fifth of the Derg's crimes to be detailed in the charges was the death of the Emperor himself. "His Imperial Majesty, Haile Selassie, King of Kings, Conquering Lion of the Tribe of Judah," the judge began, "was murdered in a cruel and disgraceful manner, suffocated in his bedchamber." There was an intake of breath in the courtroom. The interpreter, in his glass booth, stopped and coughed. Ethiopians have known for some years that the Emperor did not die a natural death—the man who killed him is rumored to be alive in Kenya (or, in other versions, Djibouti) or to have been put to death by Mengistu. But this was the first time the manner of his death had been officially announced.

A recess followed, and when it ended Teshome gazed at Fikre-Selassie and the others as they were ushered back into the courtroom. "Murder the Emperor!" he said. "A man of *eighty-three!* What was the point? They have no honor. They are baboons, children."

While the murders of the Emperor and his inner circle drew the most attention, the majority of the Derg's early victims were not ministers or other officials or members of the royal family but students who supported, or were suspected of supporting, one of the rival revolutionary movements—the Ethiopian People's Revolutionary Party (E.P.R.P.), a soi-disant socialist-vanguard party, which attracted many of the country's young intellectuals. The Ethiopian revolution was one that consumed its children: in the chaotic early days, as the military consolidated its power, the E.P.R.P.'s campus utopianism mutated into urban terrorism; the Derg's response was the Red Terror, promulgated by Mengistu in a speech delivered in the heart of Addis Ababa. A histrionic speaker, Mengistu smashed vials of blood-red liquid on the ground to represent the death of imperialists and counter-revolutionaries. Even before the proclamation, young people were being detained, tortured, and killed by officials

of the *kebeles*—precinct organization established by the Derg to be their eyes and ears among the people. It was a time when inhabitants of Addis Ababa and other towns came to fear the worst: if the children did not come home at night, they were likely to turn up dead on the street in the morning, with a sign nailed to them saying "I Was an Anarchist."

In court, the defendants were clearly unrepentant. Fikre-Selassie, the former Prime Minister, in a long statement he had prepared, only part of which he was allowed to read to the court, argued that the measures taken in the Derg's name had been justified by the threat to civil order; that the charge of genocide was absurd; that the court was not independent and had not followed proper legal procedure. The present government, he argued, was illegitimate. If it wanted justice, there should be an independent international tribunal. At one point, Fikre-Selassie asserted that, under the code of procedure, he should have been charged within fifteen days of his arrest; Teshome, sitting next to me, muttered, "I don't remember him saying that when they put me in prison. It was he who *annulled* the procedural code."

In the case of many of the crimes committed under the Derg, however, the Special Prosecutor has what amounts to a written confession: in its paranoid fervor, the Derg expected *kebele* leaders to torture and kill; in its bureaucratic zeal, it required them to complete, in duplicate, a questionnaire that detailed contributions they had made to the revolution. The correct way to complete the questionnaire, for a cadre desirous of advancing his career—in an application for a Star of Lenin, say—was to list the names of suspected counter-revolutionaries he had eliminated. Thus, it seems, many signed what may turn out to be their own death warrants. The documentary evidence now in the possession of the Special Prosecutor's Office runs to more than three hundred thousand documents. The vast pile of evidence is a reminder of an earlier phase in the history of human-rights abuse: a time before governments learned to keep death squads unofficial, before they mastered the technique of the off-the-record death.

IN the part of the court reserved for relatives of victims sat an old man wearing an embroidered skullcap and

immaculate white leather slippers. He was a Muslim grain trader from the highland region of Gurage, named Hajji Omar Jeju. During recesses, while the lawyers and the rest of us queued for coffee, Hajji Omar would take a jug of water to wash his feet and hands, then lay his prayer mat out on the lawn and face toward the north to pray. He stayed throughout the first day and returned the next, studying the accused through horn-rimmed spectacles and listening attentively to the list of charges. He was waiting to hear the name of his son. During the Red Terror, he told me, the two of them had been taken together by *kebele* officials to Menelik's Palace. There he had been forced to watch—a specialty of the Derg's interrogators—while the boy, an E.P.R.P. activist, was tortured, his fingernails pulled out with pliers, the soles of his feet beaten until he could not walk. At night, Hajji Omar had cradled his son in his arms to ease his pain. After several nights of this, the boy had been taken away by security police; his father never saw him again.

I asked Hajji Omar if he knew any of the defendants.

"I know all of them," he said. "When I was trying to find out what had happened to my son, I went to see Teka Tulu. I went to see Fisseha Desta. Then I tried to see Fikre-Selassie and Legesse Asfaw. And Debella Dinsa, because I knew he had interrogated him. But I failed. I was threatened with death if I pursued the matter. But I know which of them signed his death warrant."

On the second day of the trial, in the morning, Hajji Omar began to weep silently. We knew then that his son's name—Muhidin—had been spoken.

Hajji Omar had found out who signed his son's death warrant through the work of the Anti-Red Terror Committee, an organization of victims and relatives of victims that was established immediately after the fall of the Derg. He introduced me to the chairman of the committee—Astateke Chaka, a man about the age his son would have been. Like everyone in the court—like everyone in Ethiopia—Astateke had his story. His elder brother had vanished one day at the height of the Red Terror. The family found out what happened only by going to every hospital in the city until they found his body. He had been stabbed to death by *kebele* mili-

tiamen. "We had to pay three hundred birr"—about fifty dollars—"to get the body back," Astateke said. "That was normal. If someone was shot, the militiamen would say the money was to pay for the bullet. We were lucky to find him. Usually, the bodies were just thrown away."

Soon after the recovery of the body, Astateke's father was arrested and tortured. Then his mother. Astateke was ten years old. "We knew who killed my brother," he said. "They would sit and drink and boast about what they did. And at the women's meeting in the *kebele* cadres insulted my mother, saying, 'Why do you wear black? Your son was a dog.' My mother became angry and insulted them back. So they put her in torture. During the torture the scar from the operation she had when she gave birth to me burst open. But they weren't ready for her to die, so they brought her to the hospital, and we found her there. During that time, we had nothing to eat. People were afraid to visit us."

"Under the Derg, no one said anything about such things," Astateke went on. "People still don't like to talk about it. No one was allowed to mourn."

**O**UTSIDE the courtroom, Addis Ababa appeared unchanged from the days of the Derg: an untidy town of tin roofs spilling down steep river valleys that are divided by ridges topped by a scattering of high-rises, palaces, and municipal buildings. Returning for the first time in three years, I was struck initially by the freedoms that the new government has introduced—a flowering of political parties and of the private press (newspapers, often violently critical of the government, were on sale at every road junction), and open discussion of the affairs of the country. Nevertheless, I found in Addis Ababa precious little trust in the new regime, and surprisingly little public enthusiasm for the trials.

The rebel coalition that controls the new government and is responsible for bringing the Derg to justice—the Ethiopian People's Revolutionary Democratic Front (E.P.R.D.F.)—has a broad and growing range of critics. Spokesmen for opposition parties argue that the new rulers are merely paying lip service to human rights, and that the trials are a diversion, a ploy to win approval from Western donor countries—particularly the United States. (The United States,

in fact, was instrumental in finessing the new government's entry into Addis Ababa; the coalition had deftly abandoned Marxism for free-market capitalism, making it an acceptable political client.) Western human-rights organizations have welcomed the initiation of legal proceedings, but a recent report from Amnesty International concluded that "the important message of the trials . . . will be undermined unless decisive action is taken to stop human rights violations perpetrated by those in power now." Those violations have included detaining hundreds of opponents without charges, "disappearing" dozens of others, and torturing some prisoners. It does not help that the chairman of the main Amhara opposition party was sentenced to five years in jail in 1994 on a dubious conviction for plotting armed rebellion.

But for most Ethiopians, the trials and the related question of civil liberties are subsumed in a larger issue, the issue that Mengistu raised in his defense of the Derg: national unity, which in Ethiopia, the most culturally diverse nation in Africa, is inextricably enmeshed with the ethnic question.

The core of the new government is the Tigrayan People's Liberation Front, the leading rebel group and one of the main targets of the Derg's rural counter-insurgency campaigns. Today, Tigrayan sentries, with wild hair and tiny double



cicatrices on their temples, discreetly patrol the streets of Addis Ababa. Tensions between Tigrayans and Amharas that began with the Tigrayan victory and have been exacerbated by the secession of Eritrea are crystallized in the new constitution, which divides what remains of Ethiopia into self-governing regions based on language and ethnicity, each with the right of secession. As an attempt to recognize the reality of ethnic difference and establish equitable relations between the various groups it is a radical and ambitious step, one that other African countries have balked at. But the Amharas, widely distributed as they are, fear ethnic cleansing. "Look at Rwanda," an Amhara intellectual said to me. "Look at Yugoslavia. Look at what happens when you lift the lid on all this. Ethnic politics is irresponsible. It's anthropological adventurism. The E.P.R.D.F. are dismembering the country."

Andreas Eshete, another Amhara intellectual, suggests that beneath the passionate nationalism so many of his countrymen express—epitomized by the recurrent image of dismemberment—there is a kind of mourning for the terrible losses of the Derg years. "Most of the people who go on about the loss of Eritrea have never been there. It's really a kind of separation anxiety, a dream they have of the body politic being whole and inviolate. Everyone lost something in

the war. This is the way people bring their feelings to the surface: it's not Eritrea they are mourning, it's themselves. Eritrea stands for your mother, your husband, your son."

For politicians, though, the issue is one of power and legitimacy. The leading opposition figure in Ethiopia now is Dr. Beyene Petros, who heads an umbrella group to which many of the opposition parties belong. "There are two opinions about the trials," Dr. Beyene told me. "An extreme one is that this government has no legal or moral right to put these people on trial. Those who hold this view accuse it of atrocities comparable to those of the Derg. Myself, I hate the self-righteous attitude of the E.P.R.D.F. guys—as though they were performing some miracle. And I don't think the fact that they are bringing the Derg to court clears them. But our position is that the trials should go ahead; and the trials should get to the abuses of the Tigrayan People's Liberation Front itself, past and present."

Tafari Wossen, a journalist I've known since the days of the Derg, who now edits an English-language news review in Addis Ababa, said, "We learned a terrible thing in Mengistu's time. We learned non-compromise. In 1974, people who could have taken up arms submitted themselves to the Derg. The Emperor himself did so. They had no idea of the catastrophe that was to come. The Derg taught us: don't wait for justice—not with any government. That's what is behind the intransigence of the opposition."

**PRIME MINISTER MELES ZENAWI**, Ethiopia's fourth head of state since the First World War, is an intense, ascetic man, whose style is a contrast with the Soviet-inspired personality cult of his predecessor. Not even his name is his own: Meles is a *nom de guerre*, adopted in honor of another T.P.L.F. fighter, killed in the early stages of the guerrilla war.

Meles's task is daunting: a country almost destroyed by war, constantly prone to famine, and flanked by neighbors—Sudan and Somalia—that are in a state of near anarchy. His view of the ethnic question in Ethiopia is a mirror image of the opposition's. He maintains that without reform the country will fall apart. "Things are at a crucial stage," he told me. "If the reforms founder, we will have

a very inflammable mixture of ethnic and religious problems in this country. We are trying to preempt what has happened to Yugoslavia, what happened to Liberia, what happened to Somalia, and what may yet happen to many other African countries, including some of our immediate neighbors. Every African country is a potential failed state. And we are in a race to get out of this league."

I asked Meles why people who had experienced the oppression of the Derg should still be so opposed to the E.P.R.D.F.

"Politics in this country was essentially armed politics," he said. "So victories and defeats were total, or were perceived to be so. Today, the transformations we are undertaking are so fundamental that it wouldn't be surprising if there was significant polarization. The Derg is finished, but we are saying nobody is above the law. That includes people at the highest level of authority."

What about Mengistu? I asked.

"It's important that we get Mengistu," the Prime Minister said. "But even if we don't, the fundamental message will still be conveyed."

It is not easy for a foreigner to learn at first hand what the majority of the population of Ethiopia—remote and unlettered—really thinks about the trials of the Derg. In Addis Ababa, public feeling about the trials is conditioned by opposition to the government. Outside the capital, the lack of visible public interest may owe more to the indifference that comes of long suffering: if you are a peasant farmer in Ethiopia, the accountability of government officials is a distant issue, less pressing than the coming of the rain. For many Ethiopians,





moreover, the question of justice is less pressing than the proper observance of the rituals of mourning. As Astateke Chaka, of the Anti-Red Terror Committee, pointed out, "Having names is not the same as having the bodies, having bodies is not the same as having a burial. Muslims and Christians died together in the Red Terror: their bones are all mixed up. It would be better to put them in a museum."

I asked him if he had heard of Tuol Sleng, the museum in a former Khmer Rouge torture center in Cambodia. "Yes," he said. "And we have somewhere like that. It is called the Bermuda. They used to torture people there. It was like the Bermuda Triangle—no one ever came out. I'd like to make the Bermuda into a museum."

As the judge came to the end of the charges, the Bermuda came up again. It took me back, with a shock, to my first visit to Ethiopia, eleven years ago. Though Teshome said, as we listened to the roll call of the dead, that the names would mean nothing to me, there was one exception. Count No. 186 concerned the first Ethiopian who had invited me to his home—Dr. Mengesha Gebrehiwot, a debonair ex-Minister and former dean of the University of Addis Ababa. Dismissed after the Derg takeover, Dr. Mengesha, with his famously beautiful wife, Almaz Teklu, opened a travel agency called Wonderland, near Meskal Square. It was part of their work to deal with the few foreigners who came to Ethiopia at that time, but such contact with outsiders laid them open to the baleful attention of security men.

When the judge read out Mengesha's name, I felt a stab of guilt. Since 1984, I had not tried to make contact with him or with Almaz. I had passed Wonderland once, in the late nineteen-eighties, and seen that it was boarded up. Now he was dead. The charge detailed his detention, with twelve others, "in the Central and so-called Bermuda investigation departments, under conditions where there was no food or medicine, and not enough air, nor sufficient place to sleep—these conditions calculated to result in their death, having arbitrarily designated them as anti-revolution, anti-people, and subversive members of the E.P.R.P., E.P.L.F., T.P.L.F."

Such were the terms exhumed by the Special Prosecutor from the documents

of the former regime: "feudal remnants," "reactionaries," "anarchists," and—a bizarre oxymoron—"anti-people elements." These were the categories to which brothers, husbands, daughters, sons, friends, and acquaintances had been reduced by the Derg's hand-me-down totalitarianism. They recurred hypnotically in charge after charge, the judge rattling them off at the unrelenting pace of a tobacco auctioneer, determined to get to the end of the red book of charges before the end of the day. The court translator—there was only one—had long since abandoned any hope of keeping up with him. Phrases floated in the sunlit air like particles of dust: "taken in the darkness of the night," "murdered in his bedchamber," "thrown on the fields of Desse," "subjected to torture," "in the Bermuda." There was a touch of found poetry in the translation: several times the translator referred, serendipitously, to "the Red *Error*."

By the time we got to Dr. Mengesha, some of the defendants were dozing, even as the crimes committed in their name were held up to the light. Teka Tulu, obese and said to be diabetic, had been asleep for some time. No one woke him.

After the reading of the charges ended, I tried to find out more about the fate of Dr. Mengesha. It turned out that Almaz was still living in the city and had just reopened Wonderland—this time as a hairdressing salon. When I called on her there, she showed the strain of the years since I had seen her last. After Mengesha's arrest, she told me, security men came to ask about their eldest son, then just fourteen; a foreigner who was a friend of the family got him out of the country by pretending he was the son of his maid. For the next seven years, Almaz had no contact with her son. And for those seven years she did not know for certain whether Mengesha was dead or alive, whether the food she took to the jail was given to him or taken by the guards. She found out only after the E.P.R.D.F. takeover that he had died in detention, less than two years after his arrest.

"I found out from the television," she said. "I was watching with my youngest son. There were people arguing. I thought it was a play, a soap opera. Then I heard Mengesha's name. They were talking about the Bermuda, interrogating a man who had tortured

people there. Another man who had been a prisoner, a man with only one eye, was describing how Mengesha died, how they cut his leg while they were torturing him and it became infected with gangrene. I suddenly realized what they were talking about. It was a shock—it was horrible. I had to take my son out of the room."

One day during the trial, Almaz told me, she had gone to the court to see the Derg in the dock. "I don't want to go again," she said. "The way they talk . . . They have no sense of sorrow. They have no regret at all. They think they did a great job. How can you forgive people like that?"

After a number of inquiries, I was directed to the site of the Bermuda by a former detainee, one of the few who had survived there. He was not willing to be named, nor would he accompany me beyond the gate. To go inside the building, I had to be escorted by a police major from the Department of Internal Affairs. The Bermuda was a nondescript villa near a church in a suburb at the southern edge of the city. A house with no number, it was occupied now by demobilized soldiers, who were barely aware of its previous function. The only thing that distinguished it from its neighbors was a concrete bunker beneath the garden. It looked like a fall-out shelter but might have been a septic tank. It was half full of water, and there were dark stains on the walls. "That's where they kept the prisoners," the ex-detainee told me later. "*Not enough air, nor sufficient place to sleep.*" The man from the Department of Internal Affairs had said, "I don't like coming here."

"Are you sure this was the place?" I asked the ex-detainee afterward.

"There are many Bermudas," he replied. "The whole city was a Bermuda."

**W**ORLD'S END, where so many of the Derg's victims were held, and where they are now prisoners themselves, is a two-story octagonal building—a prison within a prison, overlooked by the silvered dome of a church. Guards with machine guns patrol the roof; an iron gate opens on a small courtyard. Here, after each day's hearing, the accused Derg members would return. The day I visited, it was a scene of intense activity. In the courtyard and on a first-floor walkway, several hundred

prisoners were sitting or moving about. Some were praying; some were playing poker; some were playing table tennis; some were just walking back and forth. A handful of the senior officers were playing Risk, a board game whose aim is world conquest. All the Derg members in government custody were here, as were many others who had been detained after the E.P.R.D.F. takeover. Some, I discovered to my surprise, had been there before—under the Derg. One of them, a slight man in a nylon jacket, told me, “I was here for four years. I was tortured here. The person who did it is over there”—he pointed at another inmate—“but please don’t ask him about it. It could make things difficult between us.”

Legesse Asfaw and Melaku Tefera, the most notorious of the jailed Derg leaders, were unwilling to talk, but I spoke at length, unescorted, with Mengistu’s second-in-command, Fikre-Selassie Weg-Deres, and with Fisseha Desta, Mengistu’s Vice-President, No. 3 in the regime.

Fikre-Selassie repeated, with didactic precision, the story of the Derg’s coming to power—the injustice of the feudal regime, the violence of the student movement, the fight for power in the Army, the threats from guerrilla forces. “Drastic measures were taken,” he said. “This created so many enemies.”

I asked him why the Derg had not come to an agreement with the rebel forces, such as the T.P.L.F.

“They were for secession,” he said. “We were not in a position to accept. It was the will of the people.”

I asked if he thought that Mengistu had done the right thing in running away.

“It was not in the interest of the people,” Fikre-Selassie said. About the illegitimacy of the current government he was adamant: “These people—the Tigrayans—are an ethnic minority. They should not be ruling. They are not competent to try us.”

I sought out Fisseha Desta. Fisseha had been the only Tigrayan on the Standing Committee of the Derg, and that position had become increasingly awkward as the Tigrayan rebel army approached Addis Ababa. Some had expected him to be the one to broker a deal with the rebels. In talking to Ethiopian journalists about Fisseha, I had

caught a note of mingled contempt and pity. One of them recalled meeting him in the sauna at the Hilton Hotel: “He would talk about the government as if he weren’t part of it, though he was Mengistu’s right-hand man at the time.”

I found Fisseha sitting outside the cell he shared with half a dozen other prisoners. There were smears of blood on the wall from squashed bedbugs. He offered a significantly more self-critical account than Fikre-Selassie’s of the Derg’s time in power. “It’s true that absolute power corrupts,” Fisseha said. “The Derg should have gone sooner—but not this way.”

I asked if he had ever thought of resigning or defecting.

“It was hard to resign,” he said, with a half smile. “Mengistu was somewhat uncompromising on such issues. And my presence in the government helped protect Tigrayans in Addis Ababa.

“Mengistu betrayed us,” Fisseha concluded. “He should have come to terms with the rebels or stayed to die. But instead he is drinking beer in Gun Hill.”

THE trial of the Derg reconvened in May, for a single day, to hear the Special Prosecutor rebut the defendants’ objections to the charges: he argued that precedents for such a trial were well established internationally. Then it was adjourned again, until this month. After the best part of a year, the legal skirmishes are over; there is a vast amount of documentary and forensic evidence to consider, and there are many witnesses to be heard—some of whom have waited twenty years to tell their stories. There will no doubt be more recesses and adjournments, more challenges to the legitimacy of the court. The trials—if they continue—will go on for years. Perhaps this slow process is one way that Ethiopians can draw the sting of the past. The Derg members are condemned, in effect, to years and years in limbo—condemned, in fact, to some of the same dull uncertainty, the same endless fear without resolution, that their countrymen endured for so long. In the end they will almost certainly face the death penalty, unless Meles Zenawi grants them clemency. Outside the prison, their legacy of suffering, loss, poverty, and distrust endures. As Tafari Wossen said, “People used to fear the Derg. Now they fear the future.” ♦