South Africa:
sanctuary at a price

Oromia Support Group Report 49

June 2013

Oromia Support Group

60 Westminster Rd, Malvern
Worcs, WR14 4ES, UK
Tel: +44 (0)1684 573722
Email osg@talktalk.net

This report is compiled from information obtained from Oromo and Ogadeni refugees in South Africa in October and November 2012.

The Oromia Support Group is a non-political organisation which attempts to raise awareness of human rights violations in Ethiopia. OSG has now reported 4498 extra-judicial killings and 1010 disappearances of civilians in Ethiopia. Hundreds of thousands have been placed in illegal detention, where torture is routine and rape is commonplace.

Report 49 is published in association with the Oromo Relief Association UK:
c/o Peace News
5 Caledonian Rd
London N1 9DY

ORA Office Coordinator:
Leencaa Aba-Gero
Telephone: 07852 105846
Email: aweytu@yahoo.co.uk

Front cover:
Homes in Mbalenhle township, Mpumalanga province
Tuckshop, Alexandra township, Guateng province
Central Johannesburg from the west

South Africa: sanctuary at a price

Summary

Fifty-eight Oromo and two Ogadeni refugees from Ethiopia were interviewed in Johannesburg, Alexandra township and Randfontein, in Guateng province, and in Kinross and Evander, Mpumalanga province, in October and November 2012. The refugees reported serious abuse in Ethiopia and hazardous journeys to South Africa.

The 60 interviewees corroborated previous reports of extraordinarily high rates of torture in places of detention in Ethiopia. 26 (43%) had been tortured - 58% of the men and 26% of the women. Of the 38 who had been detained, 68% reported being tortured. All had been severely beaten. 76% of detained men and 54% of detained women were tortured.

Reported conditions of detention in Ethiopia were atrocious. Torture was routinely practised in military camps, prisons, police stations and unofficial places of detention. Methods included arm-tying (falantis), severe enough to cause nerve damage; flaying of the soles of the feet (bastinado); mock execution; whipping; immersion of the head in water and other forms of asphyxiation; walking and running on gravel, barefoot or on knees; suspension by the wrists or ankles; stress positions; sleep deprivation by flooding cells; drenching and other exposure to cold; electrocution; suspension of weights from genitalia; and castration.

Previous reports of high mortality rates among detainees in military camps, especially Hamaresa in E. Hararge, were corroborated by former detainees. In addition to the many who were killed or died in detention, the interviewees reported 91 killings of family and friends. These included 21 summary executions, some of which were public. Interviewees also reported 18 disappearances, ten of close relatives.

Only two of 13 women former detainees were raped in custody, considerably less than the 50% in previous reports, but this probably reflects the small size of the sampled population. Another interviewee was raped in her home by a government official and then in Kakuma camp, Kenya, by an Ethiopian security agent. Three interviewees reported rape of others in Ethiopia, including the multiple gang-rape of a 14 year-old in the Ogaden, who was strangled to death after ten days by the soldiers who raped her.

Although almost all of the abuses were justified by state actors on the basis of victims' involvement with the Oromo Liberation Front, only half of the interviewees had ever had any personal or family association with the organisation. Only three were themselves involved after the OLF left government in 1992.

Travellers to South Africa were at risk of abuse, including rape, by people-smugglers. Several deaths were witnessed during dangerous and harsh journeys lasting up to 12 months, during which migrants were often short of food and water. Detention in unsanitary, severely overcrowded conditions, especially in Zambia, Tanzania and Malawi, for up to five months, was experienced by 18 interviewees (21 episodes). Deportation and attempted deportation was reported by four.

Making a living in South Africa, although legal, is difficult and dangerous. The majority of interviewees work or have worked in township tuckshops, which are frequently subject to

armed robbery and xenophobic attacks. At least five Oromo died in tuckshop attacks in 2012 alone. On average, each tuckshop is robbed every 5-6 months. Several organised racist attacks against tuckshops were reported and xenophobic threats, direct and via distributed leaflets, were recorded.

Violence and robbery on the street is common. One young woman was raped on her way to work one Sunday morning, in central Johannesburg, a few days before interview.

The South African government appears unenthusiastic in tackling xenophobic violence and, at best, ambivalent in honouring its responsibilities to refugees, according to international law and its own constitution. It has failed to address the ubiquitous high level of violence. Xenophobia is fuelled by local leaders and politicians in order to bolster their popularity and power.

The refugee determination process is thoroughly corrupted and meaningless. Refugee status is virtually sold as a commodity.

Whereas refugees are able to make a living in South Africa better than elsewhere on the continent, this is at a price. The violence which is characteristic of everyday life in the country is particularly likely to impact on the poor and the immigrant.

A vibrant civil society stands in bright contrast to the ANC government and is a hopeful sign that prosperity and tolerance may eventually prevail in South Africa.

Acknowledgements

Especial thanks are due to Mohammed Omar Yunis and the other businessmen who sponsored the project. Fehmi, Mahbub and the Community Secretary, Muktar, were particularly diligent in ensuring my stay in Mayfair was pleasant and comfortable. Muktar gave invaluable assistance with translation. Many others among the Oromo community, unfortunately too many to name, made me welcome and contributed to my welfare.

The refugees and asylum-seekers to whom I spoke, especially the 60 who endured lengthy and penetrating interviews, provided the substance of this report and to them I am very grateful. They revisited often painful periods in their lives for the sake of providing me with information, without any prospect of benefit for themselves.

The government and NGO officials to whom I spoke were gracious, welcoming and generous with their time and information.

My deep gratitude is deserved by two men who took responsibility for ensuring the research project was a success, taking me to meet refugees and see life in the townships, answering my many questions during and after the trip and frequently acting as translators. Johar Mohammed Ali and Abdulrahman Jibro are outstanding humanitarians who have made great contributions to the welfare of Oromo and other refugees in South Africa. It is a pleasure to know them and to have worked with them. I wish Johar and Abdulrahman every success in their continuing endeavours.

Contents

Page

Summary 1

Acknowledgements 2

Introduction

Reasons for leaving 5
Exodus from Ethiopia 6
Destinations 7

Methodology

Project and author 8
Timetable 8
Interviews 9
Interviewees 11

Reported abuses in Ethiopia

Reasons for flight: persecution versus economic insecurity . . 11
Table 2. Summary of abuses reported by interviewees . . . 12
Detention: reasons 16
Detention: prevalence, place and monitoring by ICRC . . . 17
Detention: multiple episodes, duration, transfers 18
Detention of relatives of interviewees 19
Torture and rape in detention: an overview 20
Torture: introduction 22
Torture methods 22
Torture of others 28
Rape 28
Prison conditions 29
Payment and conditions to discharge 31
Escape from detention 33
Killings, executions, deaths in detention 34
Disappearances 37
Abuses against children and pregnant women 38
Hostage detentions 38
Harassment: chronic and relentless 39
Abandoned and scattered families 41
Abuse of students 42
Coercion to join OPDO and persecution of legal opposition . . 43
Abuses in neighbouring countries 44
Notorious incidents (Hamaresa, Bedeno, Mi'esso, Ambo) . . 45
Abuses committed by the OLF 47

Journeys to South Africa 49

Table 4. Summary of journeys to South Africa 50
Kenya: a long stay for some 55
Boat journeys 56
Overland journeys 56
Agents, cost, duration and co-travellers 56
Troubled journeys - hardship, rape, death, bribes & generosity of strangers 57
Detention, deaths and deportation 59

South Africa after apartheid 62
Country of sanctuary 63
Feeling the strain 64
Zimbabwe Documentation Project 64
Shift in government policy 2010 - 2011 64
Xenophobic attacks in 2008 65
Causes of xenophobic violence in South Africa 66
Impunity 68
Xenophobic violence before and after 2008 68
Present prospects 70

Life in South Africa as an asylum-seeker or refugee
Numbers and time in South Africa 71
Distribution 71
Alexandra, Randfontein and Mbalenhle 72
Oromo Community in Johannesburg 74
Employment 74
Accommodation and living expenses 75
Table 5. Summary of experiences in South Africa . . . 76
School 80
Discrimination and hostility: health services 80
Banking 81
Employment and trading rights 81
Police 82
Street crime 82
Violence against tuckshops 83
Tuckshop attacks reported by interviewees 84
Organised xenophobic violence 85
Ethiopian government terrorism 87
Development of civil society in response to xenophobia . . . 89
Local NGOs 89
Resignation - turning to religion 90

Asylum and refugee determination process
Introduction - responsibilities, overload and future plans . . 91
Registration and determination process 92
Renewal of asylum-seeker permits and refugee status documents . 94
Decisions 95
Detention and deportations 97
Lindela Immigration Detention Centre 98
Corruption: the price of asylum 99
Payments 100
Cost of refugee status 102
Payments for extensions to permits 103
Lost and hidden files 104
Fines and arrests 105
Prevalence of corruption, false documents 105
UNHCR 105

Abbreviations 106

Conclusion and Recommendation to Oromo Community . . . 107

Introduction

The purpose of this report is to inform readers of the reasons given by Oromo and Ogadeni refugees for leaving Ethiopia and to record experiences of their journeys and their lives in South Africa.

First-hand reports of abuses in Ethiopia are material to the work of human rights and refugee organisations and of fundamental relevance to powers and organisations that nourish the government which is responsible for those abuses.

Information given directly by victims of human rights violations in Ethiopia should be the cornerstone of asylum decision-making in countries all over the world where Oromo and others from Ethiopia seek sanctuary.

In addition, the experiences of asylum-seekers in South Africa point to deficiencies and corruption in the refugee determination process and a failure of government to address the high prevalence of violence, especially xenophobic violence, in South African society.

Reasons for leaving

The main drivers of migration are insecurity and inability to maintain a standard of living adequate for health and well-being; each factor being evidence of failure of governments to honour the 1948 Universal Declaration of Human Rights adopted by the UN.

The distinction is deemed important by policy-makers. Refugees fleeing from persecution are protected under international law. Economic migrants are not. Oppressive governments which stimulate civilian flight, and xenophobic media and political parties in host countries, emphasise economic reasons for the exodus. 'Economic migrant' is now a derogatory term, despite the majority of such migrants being driven less by greed than avoidance of life-threatening penury.

According to research among migrants in Yemen in 2012,[1] the majority of refugees from Ethiopia are fleeing from economic insecurity, not persecution.

However, almost without exception, refugees from Ethiopia who were interviewed in Kenya in 2010 and in Djibouti and Somaliland in 2011 had fled from persecution.[2] Less than half of 1417 asylum-seekers and refugees interviewed recently in South Africa listed economic factors as their sole reason for flight.[3] The overwhelming majority of Oromo and Ogadeni people in South Africa are there having fled from abuse.

[1] Desperate choices: conditions, risks & protection failures affecting Ethiopian migrants in Yemen. Regional Mixed Migration Secretariat and Danish Refugee Council. October 2012. www.regionalmms.org/fileadmin/content/featured%20articles/RMMSbooklet.pdf

[2] Human Rights Abuses in Ethiopia. Reports from refugees in Kenya, September 2010. Oromia Support Group Report 46, Malvern UK. December 2010. www.oromo.org/osg/pr46_1.html and www.oromo.org/osg/pr46_2.html (without original pagination);
Persecuted in Ethiopia: Hunted in Hargeisa. Oromia Support Group Report 47, Malvern UK. 20 February 2012. www.oromo.org/osg/pr47.pdf;
Djibouti: destitution and fear for refugees from Ethiopia. Oromia Support Group Report 48, Malvern UK. 2 May 2012. www.oromo.org/OSG/pr_48.pdf

[3] Roni Amit 2012. No way in: Barriers to Access, Service and Administrative Justice at South Africa's Refugee Reception Offices. African Centre for Migration & Society, University of Witwatersrand, Johannesburg,

The difference between the populations interviewed in Yemen and those interviewed by myself and others in Kenya, Djibouti, Somaliland and South Africa may be due to the different demographics of the interviewees. Most of the interviewees in Yemen were young men, who are more likely to take risks for economic reasons.

Amnesty International wrote in 1997 that in Africa 'the immediate cause of flight is almost always the danger of human rights abuse'.[4] This still appears to be the case for refugees from Ethiopia fleeing to other African countries and to developed countries in the west and north.

Oromo refugees in Minnesota and asylum-seekers in the UK report a high incidence of abuse in Ethiopia, including a higher incidence of torture than is recorded by other refugees.[5]

Exodus from Ethiopia

At present, there are more Oromo and others from Ethiopia living outside of the country than at any other time in modern history. Estimates of the Oromo diaspora in North America and Europe, now mostly naturalised or recognised as refugees, are around 100,000 men, women and children.

There are tens, possibly hundreds, of thousands of undocumented Ethiopian migrants in Sudan, Yemen, Saudi Arabia, Puntland and Somalia, according to researchers, journalists, human rights defenders and returning migrants and refugees.

Figures released by UNHCR depend in some countries on official host government registration of asylum-seekers and refugee status determination. Hostile attitudes to refugees and asylum-seekers from Ethiopia, as witnessed by this author in Djibouti and Somaliland,[6] place obstacles in the path of efficient registration and status determination.

Nonetheless, according to UNHCR at the end of 2011, Ethiopia was the 22nd largest producer of refugees in the world. There were 70,586 recognised Ethiopian refugees in December 2011; a figure comparable to the 72,347 from Iran.

The number of Ethiopian asylum-seekers, waiting for refugee status determination at the end of 2011, was 38,755. Only two countries were responsible for more; Colombia (42,569) and Congo (52,119). Afghanistan was the source of fewer asylum-seekers than Ethiopia (37,801) although the origin of many more recognised refugees.[7]

In all, 43,700 out of a total of 1.34 million refugees in eight African countries and Yemen were from Ethiopia. Another 41,200 from Ethiopia were among 0.27 million known to be seeking asylum in these countries (see Table 1).

September 2012. 1417 were interviewed at Refugee Reception Offices between November 2011 and March 2012.

[4] Amnesty International. Refuge! Africa. In search of safety: The forcibly displaced and human rights in Africa. Index AFR 01/05/97. London. June 1997.

[5] Trevor Trueman 2009 'Reasons for Refusal: An Audit of 200 refusals of Ethiopian Asylum-Seekers in England.' Journal of Immigration, Asylum and Nationality Law, 23:3, 281-308. pp.285-6;
Jaranson *et al*. 2004 'Somali and Oromo refugees: correlates of torture and trauma history.' American Journal of Public Health. 94:4, 591-598. April 2004.

[6] OSG Reports 47 and 48. *Op. cit.*

[7] UNHCR Global Trends. Geneva. 18 June 2012.

Destinations

UNHCR figures (Table 1) show that at the end of 2011 most registered refugees from Ethiopia were in Kenya (21,900) with smaller numbers (3-5,000) in South Sudan, Yemen, Sudan and South Africa. There were also 2,000 in Somalia, 1,100 in Uganda and 600 recorded in each of Djibouti and Egypt.[8]

Most registered asylum-seekers from Ethiopia were recorded in Kenya (13,300) and South Africa (10,700). Almost 5,000 were in Yemen and nearly 6,000 in Somalia. There were 3,300 in Sudan, 1,000 or more in both Uganda and Djibouti and 800 in Egypt.

For four years, South Africa has had more asylum applications than any other country in the world. Only a minority of applicants from Ethiopia are successful and only a small proportion of recognised refugees are resettled to third countries. Under 870 out of 57,900 refugees in South Africa were resettled by UNHCR in 2011.[9]

Table 1. Refugees and asylum-seekers from Ethiopia among totals in host countries.[10]

Host Country		From Ethiopia	Total
Djibouti	- Refugees	600	20,310
	- Asylum-seekers	1,300	1,930
Egypt	- Refugees	600	94,900
	- Asylum-seekers	800	18,930
Kenya	- Refugees	21,900	566,590
	- Asylum-seekers	13,300	35,330
Somalia*	- Refugees	2,000	2,050
	- Asylum-seekers	5,900	5,980
South Africa	- Refugees	3,400	57,900
	- Asylum-seekers	†10,700	171,700
Sudan	- Refugees	4,400	139,400
	- Asylum-seekers	3,300	6,940
South Sudan	- Refugees	5,000	105,000
	- Asylum-seekers	?	90
Uganda	- Refugees	1,100	139,450
	- Asylum-seekers	1,000	23,540
Yemen	- Refugees	4,700	214,700
	- Asylum-seekers	4,900	5,900
Total	**- Refugees**	**43,700**	**1,340,300**
	- Asylum-seekers	**41,200**	**270,340**

* UNHCR did not distinguish Somaliland or Puntland from the rest of Somalia.
†UNHCR Global Trends 2009 (not available in Global Report 2010 or 2011).

[8] UNHCR Global Report 2011. Geneva. June 2012.
[9] *Ibid.*
[10] *Ibid.*

Methodology

Project and author

I was invited and sponsored by Oromo refugees who had established successful businesses in South Africa to visit Oromo communities in Guateng and Mpumalanga provinces between 25 October and 8 November 2012.

This report is the 49th from the Oromia Support Group (OSG), of which I have been chair since it began in 1994. For the first ten years, the reports, then termed Press Releases, consisted of information on human rights abuses obtained from within Ethiopia or from refugees in surrounding countries.

It is no longer possible to obtain information from within Ethiopia, due to the risk involved for human rights defenders there. Since 2010, OSG reports have focussed on abuses reported at interview by victims and their close relatives among refugee populations in Kenya,[11] Somaliland,[12] and Djibouti.[13]

These reports (including this current report) have been published with the assistance of the Oromo Relief Association, which obtained funding for the previous trips to Kenya, Somaliland and Djibouti.

Timetable

25.10.12	Arrival, informal meeting with nine Oromo community members.
26.10.12	Meeting with three Oromo community members; attempts to arrange appointments.
27.10.12	Two interviews at Oromo Community office, Mayfair, Johannesburg.
28.10.12	Five interviews, Mayfair; addressed community meeting of 400.
29.10.12	Seven interviews, Mayfair.
30.10.12	Nine interviews, Mayfair.
31.10.12	Two interviews, Mayfair; meeting with Oromo in Alexandra township, three interviews.
1.11.12	Eight interviews, Mayfair.
2.11.12	Meeting with Arvind Gupta, Senior Regional Protection Officer, UNHCR, Pretoria; three interviews, Mayfair.
3.11.12	Journey to Mpumalanga; meeting with Oromo businessmen and women; tour around Mbalenhle township and towns of Secunda, Evander and Kinross; three interviews at hotel, Evander.
4.11.12	Five interviews at Oromo Community Centre, Kinross; return to Johannesburg; meeting with five members of Oromo community, including two former translators for asylum-seekers at Department of Home Affairs.
5.11.12	Three interviews, Mayfair; four interviews, Randfontein.

[11] OSG Report 46. *Op. cit*; T. Trueman (2010). Ethiopia exports more than coffee: Oromo refugees, fear and destitution in Kenya. Oromo Relief Association UK and Oromia Support Group. London, December 2010. www.oromo.org/Ethiopia/exports/more/than/coffee.pdf
[12] OSG Report 47. *Op. cit.*
[13] OSG Report 48. *Op. cit.*

6.11.12 Meeting with four directors and assistant directors in Asylum-Seeker Management, Department of Home Affairs, Pretoria - Ms Antoinette Pretorius (Director of Business Operation Support), David Nkoana, Mandla Madumisa (Director of Repatriation and Assessment) and Nokuthula Sibanyoni (Assistant Director of Information Management).
Meeting with David Côté, Lawyers for Human Rights, Pretoria.
Meeting with Oromo Community leaders and businessmen, Mayfair.

7.11.12 Meeting with ten members of Ogaden Community, Mayfair, two interviews.
Meeting with Jesuit Refugee Service, Johannesburg.
Meeting with seven Oromo Community leaders and committee members.

8.11.12 Three interviews at Oromo Community Centre, Mayfair.
Meeting with Gwadamirai Majange, Communications Officer, CoRMSA (Consortium for Refugees and Migrants in South Africa).
Meeting at Amnesty International, Johannesburg, with Tracy Doig (South Africa Campaigner, International Secretariat) and Mashudu Mfomanda (Refugee and Migrant Research Officer).
One interview in a western suburb of Johannesburg.

Interviews

Sixty interviews were conducted. They lasted from 30 to 80 minutes and averaged over one hour. Interviewees in Mayfair were selected by the secretary of the Oromo Community in Johannesburg and other members of the executive committee. Community leaders in Mpumalanga, Alexandra and Randfontein selected interviewees in those places.

Community representatives were encouraged to select at least as many women as men, and individuals who had been in South Africa for different lengths of time and from different areas in Oromia. Severity of abuses in Ethiopia was not a criterion for selection.

Community meeting in Mayfair on 28 October, attended by 400.

Interviewees were informed that interviews were to be published and that pseudonyms should be used if there would be adverse interest in their relatives in Ethiopia, after publication. Photographs were taken of almost all interviewees, although some were taken in such a way as to be non-identifiable.

Interviewees were informed that I was not able to act as an advocate in their asylum case. After gathering basic demographic data, I asked for information about their life in Ethiopia, and for clarification and detail where appropriate. They were then asked about their journey and their life in South Africa, including their experience of the refugee registration and status determination procedure.

Four male translators were used for most interviews, including the majority of 27 interviews with women. Three women were fluent in English and seen without an interpreter. Two women from the Ogaden, in Ethiopia's Somali Region, were interviewed with a female

translator. The husband of one of three women interviewed in Evander, Mpumalanga, translated for each of them. Four of the 33 male interviewees were fluent English speakers and needed no translator.

45 were interviewed in Johannesburg; 15 women (two from the Ogaden) and 30 men.
8 were interviewed in Mpumalanga; 7 women and 1 man.
4 were interviewed in Randfontein; 3 women and 1 man.
3 were interviewed in Alexandra; 2 women and 1 man.

The age of the interviewees ranged from 23 to 62 (males 21-62; females 22-56); the average age was 34. The female interviewees were slightly younger, averaging 31 compared to the male average of 36.

Except for two women from the Ogaden, all interviewees were Oromo. Most were from Hararge; 18 from West Hararge and 16 from East Hararge.

Others were mainly from central or eastern parts of Oromia Region; 8 from Arsi, 5 from Bale and 5 from Showa (2 East, 2 South and one West Showa). There were only 4 from Jimma and one from Illubabor, in the southwest of Oromia, and only one from Addis Ababa. There were none from Wallega, in the west, or Borana, in the south of Oromia Region.

Oromo Community Centre, Mayfair, where most of the interviews were carried out.

Reported abuses in Ethiopia

This section is more detailed than in previous reports because the 60 interviews could not be included as an appendix to the report, due to their volume. They will shortly be reproduced on the website of the Oromia Support Group in as much detail as possible which is consistent with the security of interviewees and their families. Excerpts from four abbreviated histories are inserted into this section of the report. Table 2 is a summary of the abuses reported by interviewees. Figures in parentheses below refer to the interview number.

Reasons for flight: persecution versus economic insecurity

Almost all interviewees gave a history of persecution in Ethiopia. Only two were in South Africa for purely economic reasons. A 56 year-old widow (47) came with her son from Machara, W. Hararge, in 2009. (He was killed by armed robbers in June 2012.) The other (28) was 16 when she came as an employee of the Ethiopian ambassador in 1995 and had since extended her education and been employed in other diplomatic missions.

Halima Ahmed (47) came with her son, Seifudin, in 2009 for economic reasons. He was shot dead in a tuck-shop robbery in June 2012.

Another four interviewees gave mixed histories, involving persecution as well as economic insecurity. A 33 year-old (36), whose family members had been detained and harassed, left Ethiopia in 1999 to avoid conscription in the war with Eritrea. He was induced to return to Ethiopia in 2008 but was detained and lost his $35,000 investment in a tractor to the government. He sold a property in Adama to fund his return to South Africa in 2009.

A 55 year-old mill owner (16) left Hararge in 2004, three years after his brother was extra-judicially executed and five years before one of his sons died after being beaten by soldiers. Being forced to hand over or dismantle his mill was the precipitating factor for his move.

One 22 year-old from Jimma (21) was at school when his father died in prison in 1998. His brother and uncle were detained and four siblings fled to Yemen and Saudi Arabia, yet he managed to work in Addis Ababa and, illegally, in Moyale for four years before a brother paid for him to go to South Africa in 2006.

'Sayye', a 21 year-old from Galamso, W. Hararge (31), was a high school student when he left in 2010. He was severely beaten at the time of his father's arrest in 2001 and witnessed a friend being shot dead in the student demonstrations in 2004. Unable to cope on the family farm, he said he was finally driven away by poverty and the inability to further his education.

There were many examples of economic insecurity resulting from government actions, which did not cause flight. These individuals, usually with a history of detention, torture or rape, only fled when they experienced or were threatened with another episode of detention and abuse.

Table 2. Summary of abuses reported by interviewees

Interviewee	Age	Sex	Area	Detention	Comments
1. Biftu	33	F	W.Hararge	1997-few d 2001-14 m	Father detained several times and killed in detention. Tortured in second detention - walking on knees on gravel.
2. Naima	30	F	E.Showa	2001-few d 2002-4d + 3d	Detained as high school student. Friend raped and tortured. Twice detained as college student, whipped, given electric shocks, mock execution.
3. Aisha	36	F	Jimma		Husband died 20d after 3rd detention in 1993. She was raped at home by kebele chairman. In 1994, raped by Ethiopian government security man in Kakuma camp, Kenya.
4. Kitabe	23	F	Arsi		In 2004, beaten with family, all goods and money looted, brother disappeared. Fled after threats to produce disappeared brother in 2009.
5. Hussein	62	M	S.Showa	1990s-many	Detained for 1-7d, beaten and questioned, up to 20 times in one year. Fled 1998.
6. Bati	53	M	Bale	1992-2003 ten times	Detained 10 times for 2-4m at Malka Wakana military camp. Forced to stand in cold, fast-running river until collapsed. 'Hostage' detention of father. Friend shot dead in 2003.
7. Nefisa	35	F	W.Hararge		Husband detained for 18m, 2001-2, 'beaten almost to death.' Bribe for release to save life.
8. Beyan	41	M	Arsi	1992-few d	Brother shot dead in 1992. Another brother detained and tortured.
9. Jamila	26	F	Arsi		Open wound on thigh from beating at arrest. Escaped on way to detention. Brother (member of legal opposition party) detained same time, before 2005 election, and disappeared.
10. Misira	28	F	E.Hararge		Fiancé fled 2004. She fled before 2005 election, after other madrassa students beaten and shot at during demonstration. Left her 2 children with relatives.
11. Abdijabar	46	M	E.Hararge	1992-6m 1994-12m	Father killed. Many tortured - elbows tightly bound behind back. Others killed in Bedeno massacre in 1994 which government tried to blame on OLF. 200 arrested. Regularly beaten and whipped to unconsciousness. Forced to walk on feet and knees on gravel. Others had soles beaten. Brother and cousin shot dead during detention. Sought by soldiers in 2000.
12. Hanna	34	F	E.Hararge	1993-many	Questioned and beaten (back injury) at police station 1-2 times each week for whole year. Husband detained 4-5 times for 2w to 2m in 2000. Tortured and died after 12m detention in 2002. She was interrogated 4-5 times in 2002. Her 3 children and sister held in under-ground cells 1m in 2004 after Hanna evaded capture.
13. Tahir	26	M	Jimma	2002-2m	Father detained 1992-6, mentally ill, died 1997. Mother detained 1992. Farm and store looted. Tahir often threatened. Beaten and questioned 3 times between 2002 and 2010.
14. Ahmadin	32	M	W.Hararge	2001-5m 2002-5m 2003-5m	Severe overcrowding. Soles beaten. Walked barefoot on gravel. Cell flooded to knee deep at night. Pistol in mouth. Regular house searches and reported 3 times per week to kebele. Family harassment and searches continued. Brother detained.

15. Abdul	39	M	E.Hararge	1992-14m 1996-20m	Severe overcrowding. Soles beaten. Hung by hands/feet. 4-5 died each month. Hamaresa-severe overcrowding, '4-5 died each day', bodies compressed into graves and bulldozed. Suffocation during beating. In 2002, brother and friend shot dead; wife beaten, miscarried and died in prison.
16. Eesuma	55	M	E.Hararge		Brother killed 2001. Sons beaten; one died, one mentally ill.
17. Fatiya	32	F	W.Hararge		Father killed and brother disappeared in prison in 2004.
18. Abdurahman	37	M	E.Hararge	1993-2y+ 2001-18m	1-5 taken out each night at Hamaresa military camp and killed. Corroborated use of bulldozer to dispose of bodies. At Kalatamba camp, Harar, bodies thrown out for hyenas to eat. Many died of disease at Hurso camp. Torture included suspension by wrists, rifle in mouth, beating of soles, suspension of weights from testicles and castration. During first detention in the camps and second in Dire Dawa prison and camp, he was subjected to immersion of his head in water. Electric shocks in Dire Dawa. Escaped.
19. Ahmado	32	M	W.Hararge	1999-2d 2004-1m 2009-7m	Four neighbours and friends killed in 1995, another in 1999. Brother also detained and beaten. Shop confiscated. Shot in thigh. Uncle's family also detained. Left children in Ethiopia. Wife in Djibouti.
20. Abdulmalik	46	M	E.Hararge	1992-2000 (3) 2w, 2m, 3y	Elbows tied behind back. Wife harassed, house searched, goods and animals confiscated. Signed document on release.
21. Kalid	22	M	Jimma		Father died in prison 1998. Brother and uncle detained. Siblings in Saudi Arabia and Yemen.
22. Mariam	27	F	Arsi		Uncle detained 5 times, 1992-2001; then for 7yrs after explosives planted at shop. Mentally ill. Aunt, brother and cousin among other relatives detained.
23. Guma	27	M	Illubabor		Father detained 4m 1992, shot dead at home. Brother beaten, mentally ill after head injury. Harassed, threatened with killing of him and rape of wife because refused to join OPDO.
24. Abbas	37	M	S.Showa	1992-18m 2008-20m	Severe overcrowding in Bilate camp. Female singer shot dead. Typhoid and cholera rife. Pistol in mouth. Elbows tied tightly behind. Fled to Djibouti but forced out in 2003. Witnessed atrocities in Mogadishu. Refouled with 6 others from Hargeisa in 2008. Threatened with execution. Ogadeni prisoner shot dead in Harar camp. Questioned by USA in Addis Ababa when held with detainees from Kenya, Pakistan and Europe.
25. Abdella	37	M	W.Hararge	2006-6m 2009-3m	Detained for celebrating European New Year. 3 students severely injured. Whipped with electric cable, beaten with truncheons, elbows tied tightly behind. Signed on release, reported twice a week. 2nd detention worse - drenched with cold water, elbows tied, kicked in mouth. Released when promised to produce brother.
26. Waday	33	M	W.Hararge		Father detained in his stead and shop looted 2004. Elbows tied, water-boarded (father).
27. Fami	22	F	W.Hararge		Family persecuted and scattered abroad.
28. Fozia	33	F	W.Hararge		Asked to spy on refugee population in South Africa. Dismissed from work in embassy.
29. Muftuha	39	F	E.Hararge	2001-2w	Detained and also held briefly for questioning twice. Left two children in Ethiopia.

30. Omar	37	M	E.Hararge		2004: House searched, severe beating. Mother taken and disappeared.
31. Sayye	21	M	W.Hara rge		Father remains in detention since 2001. Sayye severely beaten (scars) at time of arrest. Friend shot dead in student demonstration 2004. 7 students detained, 8 others disappeared.
32. Adam	38	M	W.Hararge	2007-3m	Severely beaten (scars). Whipped with hippopotamus hide whip.
33. Hamid	33	M	W.Hararge	1998-1y 1995-2005 (6)	Father and 3 others shot dead in 1992. Paralysed for one month after elbows tied tightly behind back. Signed document on release. Held 6 times at police station for 2w from 1995.
34. Ibrahim	25	M	Addis Ababa	2006-3w 2009-1d 2010-2d 2012-10d	Father detained 1992-6 and since 2010. Ibrahim first detained as student - cell flooded to prevent sleep, standing overnight with wrists chained to wall, chained in squatting position in tiny cell overnight, beaten with truncheons. Threats and coercion to join OPDO. Frequently questioned at police station. Sacked from ministry job. In 2012, kept naked in solitary confinement, wrists chained behind knees.
35. Ali N	38	M	E.Hararge	1997-5m 1999-2m	Elbows tied tightly behind - brief paralysis. Mock execution. 7 friends executed in camp. Not tortured in 1999. Wife delivered full term stillbirth when beaten at his arrest.
36. Ahmed	33	M	W.Hararge	2008-2w	Uncle detained 1994-2004, in place of father. Home searched several times per year. Fled in 1999 to avoid conscription during war with Eritrea. Returned to Ethiopia 2008. Tractor confiscated and forced to sell house.
37. Wardi	27	F	W.Hararge		Husband forced to flee 2003. Harassed and threatened. Many killed after local OLF activity. Forced to leave one of two children in Hararge.
38. Ali M	40	M	E.Hararge	1993-18m 1994-3m	Severe overcrowding. Suspended by elbows tied tightly behind. Soles beaten. Objects forced into mouth. 2nd detention in crowded underground cell. Freed in OLF attack.
39. Abdukarim	38	M	Bale	1992-6m 1993-2y 2004-5d	Shot in thigh at arrest. Wound poked with stick during interrogation. Severe overcrowding. Two taken out from detention and killed. Escaped when OLF attacked truck during transfer.
40. Reyana	31	F	W.Hararge	2007 (2) 2007-9 (many)	Held twice overnight and questioned many other times when husband among 40 detained. Many tortured. She knew 2 of the 19 killed and left on mountainside for hyenas. Husband's cousin also shot dead at kebele office. Held overnight many times after husband fled.
41. Karima	35	F	E. Hararge	1996-7 (2+) 3d, 15d	(Mother and children detained during Derg.) Father and 11 other villagers executed in 1996. Similar number executed in next village. Husband detained 1996 for 16m. Frequent questioning and house searches at night. Detained at least twice and raped at least once.
42. Nujuma	20	F	E.Hararge	2009-1m	Father taken and disappeared 2002. Shop and contents taken. Mother detained 2003 and disappeared 2005. All siblings detained 2009. She escaped.
43. Sabia	38	F	E.Hararge	1992-5m	Brother and brother-in-law shot dead. She was held for 2m alone in small cell and tortured (badly beaten with rifle butts). Questioned about dead husband (OLF fighter). Left child.
44. Kabulla	40	F	W.Hararge	1992-3 (3) 3d, 4d, 2w	Frequent questioning. 2 infant nephews killed when soldiers burnt down their house. Severely beaten in 3 detentions, raped by 7 soldiers in 3rd. Signed document on release.

45. Johar	22	M	E.Hararge	2012-5d	Forced labour for OLF. Detained, beaten and forced to lead soldiers to OLF depot. Escaped.
46. Isha	30	F	W.Hararge		Taken as child to Kenya during Derg but father harassed by police in Nairobi.
47. Halima A	56	F	W.Hararge		Widow who emigrated for economic reasons. One son killed in South Africa.
48. Abdulkadir A	32	M	Bale	2000-5d	Father disappeared in detention 1995. He and mother beaten, whipped with cable. Shackled in stress position in cold, given electric shocks. Signed document on release.
49. Ismail	42	M	Arsi	1994-2m	Savings of 200,000 Birr taken. Suspended by feet. Soles beaten. Head immersed in water. Weights suspended from testicles. Isolated. Shown dead bodies at night. Mock execution. Signed document on release, movement restricted and reported weekly to army. Pregnant wife detained and threatened. Traced to Kenya and survived *refoulement* attempt in 2005.
50. Hafiz	40	M	Jimma		Chased by soldiers when village attacked, 2 killed and several houses burnt down 1997.
51. Shagitu	25	F	Arsi		Brother, a candidate, detained after pre-election demonstration in 2005; detained 2w after election and disappeared. Another candidate shot dead. Education and employment blocked.
52. Zabiba	27	F	E.Showa	2002 (2) 2m, 1m	Grade 7 student, arrested after boyfriend ran away. Held alone, beaten with truncheons, elbows tied tightly behind back. Second detention in underground cell .
53. Bontu	23	F	Arsi	2009 (2) 1w, 1m	Grade 9 student, 1w after demonstration because language of instruction was Amharic. Whipped with hippopotamus hide whip.
54. Abdulkadir H	34	M	Arsi	1997-20m	Salary reduced when refused to join OPDO. Beaten and chained in stress position, electrocuted. Reported to office three times a day after release. More coercion and threats.
55. Ardo A M	32	F	Ogaden	2007-17m	Sister's 1st + 2nd husbands shot dead. Father and brother shot dead in 2005. Mother and sister -in-law shot dead and husband disappeared in 2006. Arrested with 14 others, 2007, marched 12d. A 14yr-old girl gang-raped every night by soldiers, strangled to death when too weak to keep walking. 2 men also strangled to death on journey. 17m alone in cell in which could only sit. Hands tied for long periods. Beaten to unconsciousness at night every 3w. Escaped.
56. Fatuma	25	F	Ogaden		Many tortured and killed. 2 young men in her village killed. Her 2 cousins killed in Fiiq in 2010. Women taken by soldiers and raped. Children of rich families taken for ransom.
57. Mosisa	28	M	W.Showa	2002-2m 2004-3m	Detained with Jagama Badhane. Jagama and another student killed 2005. Many arrested, some still held. In 2nd detention, forced to walk on gravel, soles beaten, forced to dig graves and told would be shot in them. Also held for few days questioning on two occasions.
58. Kemal	32	M	Bale	2010-3m	Two brothers shot dead 1992. Survived attempted killing with boiling water, age 12. Starved in camp - one bowl of rice per week. Warned to teach only 'revolutionary democracy.'
59. Mohammed	26	M	Bale		Prevented from attending 2nd year at Mekele university, Tigray. Government bombing at rally blamed on legal Oromo opposition. Pursued with brother after 2010 election.
60. Ardo M	23	F	E.Hararge	2011-4w	Father detained many times, disappeared 2001. Discrimination in education and job. Move--ment restricted, employment banned. Detained, beaten, kicked and whipped with cable.

Five reported having their goods, money, business licences, animals and property taken from their homes and farms, in most cases several years before they left (3, 4, 13, 23, 41). Another's family home was burnt to the ground when he was an infant (34). Two others (44, 50) reported the deliberate razing to the ground of villagers' homes. Three (31, 37, 43) struggled for years without family breadwinners after their fathers and husband had been killed, detained or made to disappear. Another three (19, 42, 49) reported family businesses being destroyed, with confiscation of sales goods, closure of shops and freezing of assets. Goods for resale were confiscated (15) or left to rot while owners were detained (14). One interviewee (26) reported the detention of his father and the looting of his clothes shop immediately after he fled from Machara, W. Hararge.

In six, their education, employment and career prospects were thwarted because of perceived connections of them or their family with the OLF (14, 60), refusal to join the government Oromo party, the OPDO (23, 34, 54), or family involvement with legal political opposition in the 2005 election (51).

Detention: reasons

Of the 60 interviewees, 38 had been detained in Ethiopia. All but two had been detained ostensibly because of perceived involvement of themselves or members of their families with the OLF. The two exceptions were a 32 year-old woman (55) who was detained and tortured in the Ogaden on suspicion of supporting the Ogaden National Liberation Front (ONLF), and a 33 year-old man (36) who was detained for persisting in his claim for return of property, confiscated after his return to Ethiopia in 2008.

However, only half of the former detainees had in fact any personal or family association with the OLF and in most this was before the organisation was forced to leave the transitional government and was banned in 1992. Only three remained involved after 1992, although 7-9 had supported the OLF when it was in government. Another four had close relatives in the OLF after 1992, with 5-7 involved only from 1991-1992.

An OLF member (24), who was detained many times by government authorities, was also held in an American-run detention facility in Addis Ababa in late 2008, where he reported prisoners from Europe, Pakistan, Kenya and other countries, were being held.

One long-distance lorry driver (5) and a store owner (35) were unjustly accused of providing supplies to the OLF. A 39 year-old woman (29) was detained on suspicion of OLF involvement merely because she had returned to Harar in 2001 after eight years in Saudi Arabia.

Six were arrested when secondary school students, and another two when at Addis Ababa university (see Abuse of students, p.42).

Two graduates, one from the university (34 - later detentions) and one from Holata Technical College (54), were detained because they refused to join the government Oromo party, the OPDO. A 19 year-old woman from Arsi (9) absconded after being arrested with her brother before the 2005 election. He had been actively supporting a legal Oromo opposition party and disappeared in detention.

Three other interviewees were arrested for spurious or accidental association with the OLF. A 30 year-old farmer and trader in West Hararge, Abdella (25), was arrested after a gathering of local Oromo Students Union members celebrated European New Year at the start of 2006. The celebration was disrupted by soldiers who claimed it was celebrating 'the OLF calendar' and several students were injured. Abdella's brother took three of the most severely injured to Galamso hospital. He evaded capture but Abdella was detained and tortured for six months.

A 33 year-old store-owner (32) was arrested in Machara in 2007 after a social gathering of friends and neighbours was misconstrued as an OLF cell meeting. He and a guest were detained for over one year and tortured.

A 22 year-old grade 9 student from East Hararge (45) was detained and beaten for five days in March 2012 after he and his cousin were forced by OLF fighters to act as porters for two days in a remote area near Gobelle.

Detention: prevalence, place and monitoring by ICRC

Other surveys of, mainly Oromo, refugees and asylum-seekers from Ethiopia in the UK,[14] Kenya,[15] Djibouti and Somaliland,[16] have shown a history of detention, respectively, in 79% (199/251), 71% (41/58) and 53% (23/43). The history of detention given by 63% (38/60) of interviewees in South Africa is within this range.

Most episodes of detention, excluding brief periods of questioning at police stations and kebele offices, were in military camps. Thirty were reported by 21 interviewees. In addition, one interviewee (6) was detained for 2-4 months on 10 occasions in Malka Wakana military camp near Adaba, Bale, between 1992 and 2003.

Abdulrahman (18), 37, Awaday, E. Hararge

He was a shop-owner and market trader, who supported the OLF in 1991-2, when legal. In early 1993, he was detained for three months in Hamaresa military camp, nine months in underground cells in Harar military camp at Kalatamba, and then Hurso military camp until 1995.

At Hamaresa, every night, 1-5 were taken out and 'unknown numbers were killed.' A bulldozer was used to dig graves. Many were eaten by hyenas before they were interred. Every night for the first month and then less often, his head was immersed in a barrel of water. Interrogators put a pistol or Kalashnikov in his mouth, saying 'Now, we are going to shoot you. One, two, three . . .' All the time he was asked 'Where are the documents? Where are the OLF hiding? Who supplies them? Who supports them? Give us names.'

In Harar, the soles of his feet were beaten for 1-2 hours at a time. Other prisoners had water containers hung from their testicles or were castrated, with instruments for castrating oxen. 'Bodies were thrown out for hyenas to eat.'

Soldiers would relax with prisoners and say they were former OLF fighters, to coax admissions of involvement from them. If admissions were forth-coming, they led to more torture or execution. 'But if you kept quiet, they suspected you as well.'

At Hurso, detainees were divided up, tortured according to their former activity and given

[14] Trueman 2009. *Op. cit.* Table 1. p.286.
[15] OSG Report 46. *Op. cit.*
[16] OSG Reports 47 and 48. *Op. cit.*

political re-education, 'to remove OLF mentality'. Those who refused were taken to the Shakatam part of the camp and executed. More died of torture and disease than were killed: 'maybe 10,000 deaths'. Many were transferred to Zeway prison, to avoid contact with ICRC.

One month after release, Abdulrahman was recalled to Hurso. He fled to Djibouti, but fearing refoulement in 2001, he returned to Dire Dawa, hoping to remain unnoticed. He was detained in Dire Dawa central prison for 18 months, accused of meeting the OLF in Djibouti. Between once every day and once every fortnight, he was tortured with electric shocks applied to his wet body for 10-15 minutes, on and off for 1-2 hours. During these sessions, he was beaten and again subjected to immersion of his head in a barrel of water.

He gave up hope after being transferred to Sebategna military camp, where he was blindfolded and beaten every night.

Believing he would be killed anyway, after one month he broke out with five others.

Seven periods of detention were in recognised prisons and fifteen in police stations. Unofficial places of detention included the site of the old agricultural college in Agarfa, Bale (39), a mountain-side secret underground cell on Gara Jaba, a three hour walk from Dire Dawa, E. Hararge (38), and the old ammunition factory at Ambo, W. Showa (57).

Only five interviewees mentioned ICRC in detention. A five month detention at Boko military camp, E. Hararge, in 1997, was documented by the organisation (35). A 32 year-old trader (19) received treatment from ICRC to a gunshot wound in his left thigh at Mi'esso military camp in 2009.

The farmer (6) who was detained ten times at Malka Wakana military camp from 1992 to 2003 said detainees were moved into the forest for two days whenever outside officials visited the camp. These were presumably ICRC investigators.

Another trader (18) reported detainees being moved from Hurso military camp to Zeway prison, S. Showa, in 1995, to avoid contact with ICRC. An OLF activist (24), detained for 18 months in Bilate military camp from 1992, reported that he and many others were taken to the bush overnight during ICRC visits to the camp, although he was eventually registered with them. ICRC issued blankets, buckets and cups but many of these were taken by TPLF soldiers.

Detention: multiple episodes, duration, transfers

Four interviewees reported ten or more episodes of detention - for interrogation at a police station more than 50 times in one year (12); at least 20 times from 2007-2009 (40); for 1-7 days up to 20 times in one year (5); and ten times for 2-4 months at a military camp (6).

A farmer and store-owner from West Hararge (33) was detained seven times, for a year from 1998 at Gadulo and Machara police stations, and six times from 1999 to 2005 for 2-3 weeks at Gadulo police station.

One interviewee reported four episodes of detention and six reported three episodes. Twelve were detained twice and thirteen were detained for one period only.

Most periods of detention were for less than six months, although three were for 2-3 years and eleven were for 12-20 months. Eight were for 5-6 months and eleven for 2-3 months, not including the ten episodes of 2-4 months reported by a single interviewee (6).

Transfer between detention facilities was reported by three interviewees. Abdul-rahman (18 - see insert) was detained for three months at Hamaresa military camp in early 1993, nine months in underground cells in Kalatamba military camp in Harar and then at Hurso military camp until 1995. He was detained again in 2001 and held for 18 months at Dire Dawa central prison before being transferred to Sebategna military camp in Dire Dawa.

A trader (19) from Mi'esso, W. Hararge, spent seven months in Mi'esso military camp and Chiro in 2009, and a farmer and store-owner (33) spent six months in Gadulo police station in 1998 before he was taken to Machara police station for another six months.

Detention of relatives of interviewees

Thirty three relatives of interviewees had been detained - 9 brothers, 3 sisters, 4 fathers, 2 mothers, 4 husbands, 3 wives, 4 uncles, 2 aunts and 2 cousins. Other unspecified arrests of relatives were also reported, as were the detention of many friends, boyfriends, neighbours and one fellow student.

Many relatives were repeatedly detained. The uncle of Mariam (22), a shopkeeper in Shashemane, Arsi, was detained at least five times before explosives were planted by security men in his shop and he was detained in Zeway prison for seven years. He was mentally ill on release in 2008 and died within one year.

A brother of 'Ahmadin' (14), a trader in West Hararge, was detained for a month in the police station after his truck was searched and a single tablet found.

The 15 year-old sister of a singer from Deder, East Hararge (12), was detained with the interviewee's three young children for a month in underground cells in Harar, because she had evaded arrest herself.

Ismail (49), 42, Asasa, Arsii

Ismail, a trader in clothes and coffee, was detained for two months in 1994, in Malka Wakana military camp, 15-20 km from Asasa. His bank account, containing 200,000 Birr, was frozen. He was tortured nearly every night for 30-60 minutes until he lost consciousness. He was suspended full length, upside down, while his soles were beaten; his head was immersed in a barrel of dirty water until he fainted, and; a bottle of water was suspended from his testicles. Then he was taken to an isolation cell for 2-3 hours before being returned to a cell with four other detainees.

If the prisoners talked about their ordeals, they were punished more severely. Nonetheless, it was apparent from their appearance before and after they were taken out from the cell that his cell mates had been treated similarly.

About 8-10 nights in the second month, he was taken to a mountainside and shown 4-5 bodies lying in a pit, by torchlight. Some were freshly killed and some were several days old. He was asked if he recognised the dead men, was told their names and warned he would be killed like them if he did not cooperate. A gun was placed to his temple and fired near his ear, resulting in loss of hearing.

Ismail signed a document on release, acknowledging he would take responsibility if there was local OLF activity and would be killed. He had to report on OLF activity to the zonal commander in Asasa once a week, and was not allowed to move from the town. He

was unable to trade effectively.

In January 1999, the OLF attacked Asasa and killed an OPDO commander. Ismail ran to Nairobi. His wife, pregnant with their third child, was detained at the military camp for two months and threatened.

He believes that through her, he was traced to Kenya, where he escaped an attempted abduction by Ethiopian government agents.

The wife of a 42 year-old trader from Arsi (49) was pregnant with their third child when she was arrested in 1999 after he had fled.

Two detained fathers of interviewees and a fellow student of another were still in detention at the time of interview, two in Kaliti prison near Addis Ababa.

One of the two interviewees from the Ogaden (56), a 25 year-old from Baabili, Nogob district, said it was 'impossible to count' those detained there. When local prisons are full, detainees are taken to Jigjiga military camp, she said. 'When they see a family which is financially stable, they take one of the children as an ONLF suspect, so they can demand money. This happens when soldiers have not been paid for a while.'

Torture and rape in detention: overview

Of 60 interviewees, 26 (43%) were tortured; 7 out of 27 (26%) women and 19 out of 33 (58%) men. Considering only the 38 former detainees, 68% were tortured; 54% of the 13 women and 76% of the 25 men. Similar rates of torture were found among refugees in the UK, Kenya, Djibouti and Somaliland (Table 3).

Table 3. Prevalence of torture among refugees from Ethiopia in the UK,[17] Kenya,[18] Djibouti and Somaliland,[19] and South Africa.

Cases	UK	Kenya	Djibouti/Somaliland	South Africa
Number tortured out of total	134/251	27/58	21/43	26/60
% tortured	**53**	**47**	**49**	**43**
Men tortured	-	20/27	17/24	19/33
% tortured	-	**74**	**71**	**58**
Women tortured	-	7/31	4/19	7/27
% tortured	-	**23**	**21**	**26**
No. tortured out of total detained	134/199	27/41	21/23	26/38
% tortured	**67**	**66**	**91**	**68**
Men	-	20/25	17/17	19/25
% tortured	-	**80**	**100**	**76**
Women	-	7/16	4/6	7/13
% tortured	-	**44**	**67**	**54**

[17] Trueman 2009. *Op.cit.* Table 1. p.286.
[18] OSG Report 46. *Op.cit.*
[19] OSG Reports 47 and 48. *Op.cit.*

During 30 episodes of detention in military camps, interviewees reported being tortured in at least 22. Severe beating was reported during at least another four episodes and one woman (44) was gang-raped during her third detention in Machara military camp. Not included in these 30 episodes is the farmer (6) who was held in Malka Wakana camp ten times between 1993 and 2003. He was regularly beaten and kicked but was tortured only once.

Seven episodes of detention in recognised prisons were associated with torture in five, including one in Maikelawi Central Investigation Department in Addis Ababa, notorious for torturing political prisoners.

Fifteen periods of detention in police stations included at least five in which detainees were tortured and three during which they were severely beaten. In addition to these 15 episodes, a 62 year-old lorry driver (5) reported being held for questioning for 1-7 days, during which he was beaten, up to 20 times in one year. Also, a 34 year-old widow from Deder, E.Hararge (12), reported being beaten during questioning at a police station once or twice each week for the whole of 1993, in which she suffered permanent injury to her back.

Only two (15%) of the 13 women former detainees interviewed in South Africa had been raped in detention. This lower incidence of rape might reflect the use of male translators, but the reports of rape outside of places of detention, at home by a government official, by an Ethiopian security man in Kenya, and by South Africans in Johannesburg (see below), would appear to indicate this is not the case. Interviews in Djibouti and Somaliland, where higher rates were recorded, were translated by men. In view of the consistency of reports from refugees elsewhere,[20] a more likely explanation is sampling error due to the low number of women former detainees interviewed in South Africa.

Shagitu (51), 25, Shashemane, S. Showa

Shagitu was a student at Kofale High School. Her older brother, Karbato, then 35, married and father of a 6-7 year-old child, was director of Kuyara High School and paid for Shagitu's education. There were demonstrations by students before the 2005 elections. Karbato was blamed for these and detained with three Oromo language teachers for three months. He and one of the other teachers were independent candidates in the May 2005 elections.

The other teacher and candidate, Tesfaye, was shot dead in Arsi Negele. After this killing, two weeks after the election, soldiers took Karbato from his home. He disappeared in detention.

Kuyara High School students demonstrated when they were not allowed to take their School Leaving Certificate exams and again when they were not allowed their certificates. Their demands were met but Shagitu's continued education was blocked. She tried to enrol in a college in Adola, Borana, but was not given clearance from Shashemane.

Although she was initially prevented by the local kebele chief from attending a private college back in Kuyara, she was eventually allowed when he was replaced. However, Shagitu continued to be harassed and intimidated, and was blocked from employment 'because of my brother's politics.' She went to Nairobi in 2009.

[20] Trevor Trueman (2011) 'Abuse in Ethiopia and asylum in the UK: Oromo experience.' Malvern UK. 8 September 2011. http://www.oromo.org/Report_re_Oromo_Sept_11.pdf, pp.33-35.

There was a higher incidence of rape in the UK series and among interviewees in Kenya, Djibouti and Somaliland. Out of 69 women former detainees reviewed in the UK,[21] 33 (48%) were raped in detention or at the time of their arrest. Nine (56%) of 16 former detainees interviewed in Kenya had been raped,[22] and at least four (67%) of the six former detainees interviewed in Djibouti and Somaliland were raped in detention.[23]

Torture: introduction

Torture of political detainees and anyone perceived to oppose complete EPRDF control of the resources, economy and people of Ethiopia is so widespread that surveys of refugees report far higher rates of torture than other published accounts from refugees. In a survey of more than 500 Oromo refugees in Minnesota, 69% of men and 37% of women had been tortured, considerably more than the 5-35% of other refugee populations. [24]

Out of 101 predominantly Oromo refugees from Ethiopia in Kenya, Djibouti and Somaliland, including 64 former detainees, 48 (48%) had been tortured - 75% of the former detainees.[25] Annual reports on Ethiopia by Human Rights Watch, Amnesty International and the US State Department have consistently reported widespread torture.

Torture is used to punish and discourage dissent and to enforce obedience and passivity among the population. It is also for interrogation, to extract confessions and information.

Allegations of torture are not investigated or punished. One of the interviewees in South Africa (34) was among 18 Addis Ababa university students detained and tortured in Maikelawi Central Investigation Department in 2006. The students took the authorities to court after they were released but were told by the judge that their 18 testimonies were 'insufficient evidence'.

A blanket of secrecy about torture is enforced. Detainees are warned to avoid talking about it, and threatened with worse treatment if they do (see insert, Ismail, 49, pp.19-20). These threats continue after release from detention.

Torture methods

Some interviewees would not talk about their mistreatment in detention. One (24) said he could not recall his 15 days in Eastern Command military camp, Harar, in 2008, 'without losing myself,' despite being able to describe torture in other places where he had been detained. The prevalence of different torture methods in this section is therefore likely to be an underestimate.

Beating and kicking of detainees was routine and often involved wooden batons, plastic truncheons or rifle butts. For example, Abdella (25), a 37 year-old farmer and trader from West Hararge, lost front teeth when kicked in the mouth with military boots at the regional police station in Dire Dawa in 2009.

[21] Trueman 2009. *Op.cit.* Table 1. p.286.
[22] OSG Report 46. *Op.cit.*
[23] OSG Report 47. *Op.cit.*
[24] Jaranson *et al*. (2004) 'Somali and Oromo refugees: correlates of torture and trauma history.' American Journal of Public Health. 94:4, 591-598. April 2004.
[25] OSG Reports 46 and 48. *Op. cit.*

Only when beating was particularly sustained, caused significant injuries or involved being whipped with electric cable or whips made from hippopotamus hide was such treatment classified as torture. Also included as torture was the sustained abuse of a high school student (14) in 2001, when prison officers at Chiro military camp, W. Hararge, stood on his prone body. Another inclusion was the deliberate poking and prodding with a stick of an open bullet wound in the thigh of a Hawi Band dancer and singer (39) when he was taken to the 12th Division military camp, Robe, Bale, in 1992.

Mistreatment was sometimes difficult to classify. For example, during the three-month detention of a teacher from Bale (58) in Goba military camp in 2010, he was fed only once a week with a small bowl of rice, threatened with being shot and beaten regularly. Quite arbitrarily, this was not classified as torture.

Arm-tying: falantis

As reported previously,[26] a commonly used method of torture, especially in the 1990s in Hararge province, was the tying of arms above the elbows behind the back ('falantis') for up to 24 hours. This was done so tightly that blood supply to nerves and sometimes other tissues was compromised. Ischaemia occasionally resulted in gangrene, necessitating amputation, but more often caused paralysis of hands and forearms, requiring lifelong assistance for feeding and personal hygiene.

It was not surprising that ten interviewees were tortured in this way. In most cases, the technique was used in military camps in Hararge between 1992 and 2000. It was also used in the police station in Gadulo, W. Hararge, in 1998 (33). One particularly vicious variant was being suspended by the elbows while they were tied behind (38).

There were three reports of more recent use of

Ardo Abdulla Mohammed (55), 32, Malaiko village, Nogob district, Ogaden

Ardo's family grew maize and reared cattle and camels. Her sister's first husband was shot dead on a road in the 1990s and her second husband was shot dead in his home in Guris village, in 2004. In 2005, Ardo's father, in his 60s, and her brother, Ziad, 26, were shot dead when watering their camels at a well in Malaiko.

The family moved to a bigger village, Garbo. Early one morning in 2006, soldiers came to search the village. Her mother, in her 40s, was shot dead in her kitchen. Ardo's 29 year-old sister-in-law, was shot dead when she came out of the house. That night, soldiers came to Ardo's house and took away her 34 year-old husband, blindfolded and hands-tied. He disappeared.

In September 2007, soldiers came to her home when she was sleeping. They took her away, leaving her children, 4 and 9, and her sister's children, 7 and 10, with a brother. She was taken on a 12 day journey by foot to Gode city. There were 120 soldiers, 13 male prisoners and a 14 year-old girl from Ardo's village.

Daytime, Ardo's hands were tied in front. At night, her hands were tied behind, around a tree. Every night, she was severely beaten around her head, abdomen and back. They

[26] OSG Report 48. *Op. cit.* p.18

used rifle butts and kicked her with heavy military boots when she had fallen to the ground. She had blood in her urine for nearly one year. Her left scapula was fractured and she still has scars from being stabbed in her neck. Ardo was four months pregnant and miscarried during the trek.

Two men were strangled to death by the soldiers on the ninth day. The 14 year-old, Rukia Mahmud Sirad, was gang-raped by different groups of soldiers every night. Sometimes this stopped by mid-night but on other nights Ardo heard Rukia's screams throughout the night. After ten days, Rukia was so badly injured that she could barely walk, 'so they strangled her to death.'

In a military camp in Gode, Ardo was kept on her own for 17 months in a cell which was so small that she could only sit. She was unable to lie down or stand. For much of the time, her hands were tied together.

She was taken out at night once every three weeks to be interrogated about her own and her family's involvement with the ONLF. Each time, she was beaten to unconsciousness before being dragged back to her cell. She bled from her nose and ears [possibly indicating a fractured skull].

In February 2009, after one toilet trip and being refused permission to pray, the guard forgot to lock the door when she was taken back to her cell. She slipped out and climbed a wooden fence. Guards began firing and one was killed by accident.

After three days, drinking from streams, she arrived very weak at a village where she stayed two days, being revived with milk and water. With 16 others, she walked for nearly a month, hiding on the way, until they reached Baadera, near Baidoa on the Somali border. From there, she took a truck to Kismayo, where she stayed for one year and found her twice-widowed sister.

arm-tying. In 2002, it was used on a 16 year-old girl for 30 minutes at a time in Adama prison, E. Showa (52). Abdella (25) was subject to this method of torture overnight in Machara military camp, W. Hararge, in 2006, and again, while being repeatedly drenched with cold water, in the Sabian regional police station in Dire Dawa, E. Hararge, in 2009.

One former detainee (33) was paralysed for a month after this torture and took six years to fully recover. One whose arms were tied for 24 hours (35) was paralysed for six hours.

Bastinado

Another popular method of torture in Ethiopia, as it is in other parts of Africa and the Middle East, is 'bastinado', the flaying of soles of the feet while the subject is suspended upside-down either with hands tied behind knees or, less commonly, full length.

A Bedeno trader (15), held as an 18 year-old in mountainside cells in Girawa military camp, was subjected to bastinado, while suspended upside-down with legs and arms tied together around a metal pole between two pillars of a purpose-built apparatus. His soles were flayed while he was interrogated for 2-3 hours. Then he was left suspended for another hour or so, and questioned again.

A clothes and coffee trader from Asasa (49), was suspended full length, upside-down while his soles were beaten, in Malka Wakana camp in 1994.

The technique often causes temporary loss of tissue. A cereal farmer from near Dire Dawa (38), held in Gara Mulata military camp, E. Hararge, in 1993, said that when the soles of his feet 'came off like slippers' his body was beaten instead. The effects are often prolonged, with discomfort on walking. 'Ahmadin' (14) complained he still cannot walk in thin shoes without pain since his soles were beaten with truncheons in 2001.

Like arm-tying, bastinado appears to have been performed less often since the 1990s. It was used between 1992 and 1994 according to six interviewees, in military camps in Hararge (three reports from Girawa and one each from Hamaresa, Kalatamba (Harar) and Gara

Mulata) and used on one interviewee in Malka Wakana military camp, near Asasa, Arsi. It was also used in Chiro military camp (W. Hararge) in 2001 (14) and in Guder, W. Showa, at a military camp and/or police station in 2004 (57).

Mock execution

Mock execution was reported by five interviewees, detained in military camps - Bilate 1992/3 (24), Hamaresa 1993 (18), Malka Wakana 1994 (49), Boko 1997 (35) and Chiro 2001 (14). In three, a pistol or Kalashnikov was placed in the mouth. In two, a gun was held to the temple and fired over the head or by the ear, causing temporary deafness. A friend of Tahir (14), a teenager when detained, told him he was questioned while threatened with four pistols - one in each ear, one in his mouth and one in his anus. Two of the abbreviated accounts inserted into this section, Abdulrahman (18) and Ismail (49), were tortured in this way.

In addition to these cases, others were threatened with being shot (e.g.58), sometimes after being made to dig their own graves (57) and sometimes when shown dead bodies of other detainees. A 17 year-old from Shashemane (24), was detained in Bilate military camp in 1992, when a singer, Magartu, aged about 20, was shot dead. Detainees were gathered to see her body as a warning not to try to escape, before being ordered to bury her. In his second month of detention in Malka Wakana military camp in 1994, Ismail (49) was taken 8-10 times to see dead bodies lying in a pit before mock execution (see insert, pp.19-20).

Whipping

The use of electric cable to whip detainees in Ethiopia has been commonly reported.[27] Three interviewees described this. A young Bale farmer (48) and his mother were whipped with cable and sticks when arrested in 2000, before they were taken to Adaba prison. Others were whipped with cable at military camps in Machara in 2006 (25) and Harar in 2011 (60).

Interviewees have not previously been prompted to describe the use of whips made of hippopotamus hide. Such whips were used on detainees in Girawa military camp in 1994 (11), Machara police station in 2007 (32) and in Dodola prison, Arsi, in 2009 (53).

Immersion - near drowning; asphyxiation

Unlike water-boarding, the favoured technique of water torture in Ethiopia involves risk of drowning. The subject's head is pushed down into water, usually foul water in a barrel, until she or he believes they will drown. Sometimes, a dirty rag is stuffed into the mouth. Loss of consciousness is often reported.

Immersion was reported on three occasions. Abdurahman (18) experienced this twice; in 1993 at Hamaresa military camp, and in 2001 in Dire Dawa central prison. Ismail (49) was subject to this at Malka Wakana military camp in 1994 (see inserts).

Two other forms of asphyxiation were reported. When in his early twenties, a Bedeno trader (15) was beaten and tortured in Hamaresa military camp from 1996 to 1998. He said it was 'unimaginable' but managed to describe detainees being beaten while plastic or other

[27] Trueman 2011. *Op. cit.* pp.30-31. All of the torture methods described in this section are in this report.

material was placed over their heads to prevent them breathing. A young farmer (38) detained in Gara Mulata military camp, E. Hararge, in 1993 and 1994, described how, among other methods of torture, rubber balls, 'the size of oranges' were crammed into his mouth.

Kneeling and barefoot on gravel

Although reported since the early 1990s, this method appears to have become more popular since its widespread use on detained students in 2004.[28]

Abdijabar, a 46 year-old from Bedeno, E. Hararge (11), already had a weak right arm and flail right lower leg due to an un-united fracture sustained during detention under the Derg regime. Nonetheless, he was forced to walk on his knees on gravel 18 times during his one year detention in Girawa military camp in 1994.

High school student, 'Ahmadin' (14), was made to walk barefoot on gravel, despite also being subject to bastinado, during torture sessions two or three times a week for the first 2-3 months of his detention at Chiro military camp in 2001. Mosisa (57) was also a high school student, in Ambo, W. Showa, when he was detained at military camps and the police station in Guder in 2004. He was made to run on gravel, while being beaten with batons, also after having his soles flayed (bastinado).

Mosisa (57), was a grade 12 student at Ambo High School, detained several times. He was made to run barefoot on gravel after his soles were flayed, and was forced to dig his own grave. He saw two friends shot dead outside the school on 9 November 2005.

Suspension, chaining, stress positions

In addition to bastinado, the Bedeno trader (15) was suspended about twice each month by his feet or hands while his whole body was struck with sticks, leaving extensive scarring on his legs. He said 'they required extra information when high-ranking officers came'. Others were subjected to prolonged periods in painful positions. 'Ibrahim', a 25 year-old Addis Ababa university graduate (34), when detained with other students in Maikelawi CID in 2006, was made to stand 12 hours overnight with his wrists chained to a wall. For another night, he was locked into a tiny cell, unable to move, squatting with his hands chained behind his knees.

In February 2012, he was kept naked in solitary confinement for ten days in Arada sub-city police station in Addis Ababa. His hands were chained together behind his knees and released only for eating and toilet.

In 2000, a farmer in Bale (48) was detained for five days in Adaba prison and interrogated about his father, who had disappeared in detention five years previously. As well as being

[28] OSG Press Release 40. May 2004. www.oromo.org/osg/pr40.htm

beaten and electrocuted, for 2-3 hours each day, he was taken to a very cold room, shackled and chained with his hands behind his back and his legs partly flexed, so he could not stand straight.

A government mechanic (54) was detained at the former Derg army training camp at Didheesa for 20 months in 1997, when he was 19 years old. He was beaten and chained in a crouching position for 2-3 hours, at least 15 times, mostly in the first 5-6 months.

For his first three months at Machara military camp in 2006, Abdella (25) was made to lie with his hands tied behind his back overnight after being badly tortured.

In 2007, Ardo Abdulla Mohammed (55 - see insert, pp.23-24) was held on her own, with her hands tied in a tiny cell in Gode military camp, Somali Region, for 17 months before escaping. The cell was so small that she was unable to lie down or stand; she could only sit.

Cold and water

Five interviewees were exposed to cold and water in various ways. Two were prevented from sleeping when their cell was flooded with water overnight. 'Ibrahim's (34) solitary cell in Maikelawi CID in 2006 was flooded one night. 'Ahmadin' (14) was kept in a crowded cell with 60 others in Chiro military camp in 2001, which was flooded in knee-deep cold water on five occasions during his five months there.

During one of his ten 2-4 month detentions in Malka Wakana military camp between 1992 and 2003, 'Bati' (6) was taken at night and forced to stand with other detainees in the icy cold, fast-running river at Malka Wakana for over 20 minutes. He 'lost control of himself' in the water and collapsed unconscious when allowed out.

During Abdella's (25) second detention, at Dire Dawa regional police station in 2009, part of the 24 hour torture process, to which he was submitted three times in the first week, was being repeatedly drenched with buckets of cold water, while his arms were tied tightly behind his back (falantis).

Part of the torture process of a young Bale farmer (48) in Adaba prison in 2000, was exposure to severe cold while he was shackled in a stress position (see above).

Electrocution

Electric shock has been part of the EPRDF torture arsenal since 1992. Although far from routine, it's use is widespread. Three interviewees reported it. Abdulrahman (18) was tortured with electric shocks applied to his wet body, between once every day and once every fortnight, for 18 months in Dire Dawa central prison from 2001.

The Bale farmer (48) in Adaba prison in 2000, reported that on three of his five days of interrogation, his left shin was prodded with a live electrode for ten minutes on and off for three hours. He was questioned about his disappeared father's activities between the shocks.

During each of the 15 or more torture sessions in Didheesa of Abdulkadir (54) in 1997, a live electrode was placed on his low back two or three times for 10-15 minutes (see insert, opposite).

Genital torture

Another commonly reported method of torture, especially in the 1990s, was the suspension of weights from male genitalia and, less commonly, castration. A bottle of water was hung from the testicles of Ismail (49) during some of his nightly torture sessions in Malka Wakana military camp for two months in 1994. During his time of detention and torture in Kalatamba military camp, Harar, in 1993, Abdulrahman (18) saw prisoners after they had water containers hung from their testicles and others who had been castrated, using instruments for castrating oxen. See inserts, pp.17-20.

Torture of others

Nine interviewees gave accounts of torture and significant mistreatment of specified individuals, including three fathers, two husbands, two brothers and one mother. The other was a fellow prisoner. Abdulrahman (18) specifically remembered Mohammed Oromo, a 50 year-old trader from Dire Dawa, who was eventually shot dead after being tortured in Kalatamba military camp, Harar in 1993. He had been hung by his wrists, beaten, subjected to repeated immersion of his head in water and being beaten on the soles of his feet before he was killed.

Abdulkadir (54), a government mechanic, refused to join the OPDO. His salary was reduced and he was detained 20 months. At least 15 times, he was chained in a crouching position for 2-3 hrs. A live electrode was applied to his back 2-3 times for 10-15 minutes each session.

Torture used on relatives included arm-tying (falantis), 'water boarding' and a Muslim being kept in a room with pigs for four months in Bishari prison, Metu, Illubabor. Hanna's (12) husband was detained in Deder prison 4-5 times in 12 months, from 2000 to 2001. He was tortured during each episode of detention. Methods of torture included being forced to walk on his knees on gravel, beating the soles of his feet when suspended upside down and hanging a heavy water container from his testicles. In 2002, he was detained again and died after twelve months in prison.

Other severe assaults were reported. The mother of a Bale farmer was badly beaten with sticks and whipped with electric cable at her home in 2000. The 9 year-old brother of 'Guma' (23) received a severe head injury when he was beaten at the time of his father's murder by soldiers in 1992 and has since been mentally impaired.

Rape

One of two women who were frequently held for short periods was raped. The 35 year-old wife (41) of a detained East Hararge businessman was interrogated many times and was raped at least once during episodes of detention lasting 3-15 days. The other, 'Reyana' (40), paid kebele officials so she would not be mistreated, when held overnight at the kebele office on at least 20 occasions from 2007 to 2009 and questioned about her husband.

Kabulla (44). See adjacent text.

One other woman who was raped in detention. Kabulla (44) was 19 when she returned, newly married, to Machara after fleeing from attacks against refugees in Djibouti in 1991. After her husband went missing, she was detained three times at Machara military camp. On the third occasion, in mid-1993, after two weeks of severe daily beatings and interrogation, she was taken from her cell by seven soldiers. They told her she was being released, but all seven then raped her. She was released two days later.

Another interviewee was raped at her home in Ethiopia and again in Kenya. 'Aisha' (3) was 17 when her husband died after three periods of detention in 1993. The chairman of the kebele, Haile-Selassie, a Tigrean, came to her home twice, ostensibly looking for weapons, documents and money. He took 15,000 Birr and her husband's business licence. During the first visit, he raped Aisha; during the second, he beat her. She fled to Kenya when her mother informed her that he was again on his way to her home in April 1994. In 1998, when she was living in Kakuma camp, she was raped by a Tigrean security agent.

Accounts of rape of other women were given by three interviewees. A friend of 'Naima' (2), at Adama High School, was detained with about 50 other students in 2001. She was raped, beaten and tortured with electric shocks. Fatuma (56) said that in the Ogaden 'If a soldier wants to take a woman, even married mothers, they just take her. I saw a mother of five, Fayissa, aged about 30, taken like that in 2007. If her husband complains, he is killed.'

The barbarity of Ethiopian troops in the Ogaden was graphically described by Ardo Abdulla Mohammed (55 - see insert, pp.23-24). A 14 year-old girl, Rukia Mahmud Sirad, was repeatedly gang-raped by soldiers every night until she could no longer walk. After ten days, she was strangled to death.

Prison conditions

Descriptions of conditions in Hamaresa military camp are given on p.45.

Solitary confinement etc.

Four interviewees were held in solitary confinement. Ibrahim (34) described his three week detention in Maikelawi CID, Addis Ababa, in 2006. In between nights of torture, he was kept in solitary confinement in a dark, wet, underground cell with a bare concrete floor. In February 2012, he was taken to Arada sub-city police station for his second term of detention there, during which he was held chained and naked for ten days in solitary confinement.

A 19 year-old widow (43) left her two-month old baby with her mother when she began five months of detention and torture at Kombolcha military camp, E. Hararge. She spent the first two months in solitary confinement in a tiny cell. A grade 7 school student (52) was held in solitary confinement in Adama prison for two months in 2002 and then in an underground cell for a second period of detention, lasting one month, later that year. Ardo Abdulla Mohammed's (55) 17 months in cramped solitary confinement has already been described (see insert, pp.23-24).

Overcrowding

Six former detainees described severe overcrowding in detention. 'Ahmadin' (14) was held with 11 other high school students in Micheta police station for two weeks in 2001. There was no toilet and they were not allowed out. The students were forced to relieve themselves in a corner of the cell.

They were transferred to the military camp at Chiro (Asebe Teferi) where they spent the next five months. For the first week, there were over 100 prisoners in a 5x5 metre cell and they sat like rows of oarsmen in a boat, legs flexed up against their chests, either side of the man in front. After one week, there were 60 in the cell but they still had to turn in unison at night, due to lack of space.

He was again detained in Chiro, for nearly six months in 2003. Conditions were not quite so crowded although he was held with many other students and long-term prisoners in a room of 120. One prisoner used to sometimes tie his legs together so he would not upset others when he stretched out at night and cause a fight - which would attract prison guards and another beating.

An 18 year-old Bedeno trader (15) was detained in mountainside cells in Girawa for 14 months in 1992. Two hundred detainees were held in a room less than 20 metres square.

Overcrowding was also described in Bilate military camp, SNNPR, in 1992 (24), Gara Mulata and Kombolcha military camps, E. Hararge, in 1993 (38, 43), an underground mountainside cell in Gara Jaba, near Dire Dawa in 1994 (also 38) and Machara police station in 2007 (32).

Ibrahim (34) was detained in solitary confinement in Maikelawi CID for 21 days in 2006 with other Oromo Students Union members at Addis Ababa university. His cell was flooded one night to prevent sleep. Another night, he was forced to stand for 12 hrs with his arms raised, chained by the wrists to a wall. He spend a night in a tiny cell, squatting with his hands chained behind his knees. Later, he was sacked for refusing to join the OPDO.

During his 3rd detention, for 10 days at a police station in Addis Ababa in 2012, he was beaten with truncheons and held naked in solitary confinement with his hands chained behind his knees. He was warned he would spend the rest of his life in Kaliti prison if did not stop 'supporting the OLF' - merely because of his history of belonging to the Oromo Students Union and for refusing to join the OPDO.

Bilate and Hurso military camps

In 1992, there were 2500 OLF members and supporters in Bilate military camp, SNNPR, divided into sections according to their activity (political, military etc.) and rank. Treatment varied according to section. Some, like one young OLF activist (24), were kept behind locked doors day and night. Some were let out once each day, others twice. The young OLF supporter was kept in a store room with about 500 others.

There was severe overcrowding and the detainees slept on a bare cement floor. Later, he was taken out and forced to clear vegetation from around the buildings. ICRC blankets which had

not been commandeered by soldiers became lice-infested and were washed in hot springs. Typhoid and cholera were rife.

Similar conditions were reported in Hurso military camp, E. Hararge, in 1994. Abdulrahman (18) reported that Oromo from throughout Oromia Region were there and were also separated according to their former activity - fighters, members, supporters, cadres, leaders, singers. Their torture varied accordingly.

Detainees were given political re-education, 'to remove OLF mentality' and issued with certificates if they showed compliance. Those who did not cooperate were selected out and removed to the Shakatam area of the camp, where they were shot.

Abdulrahman said that more died of torture and disease at Hurso than were executed: he estimated 'maybe 10,000 deaths' while he was there.

Release for hospital treatment and school examination

Two of the 38 former detainees were temporarily released from detention. A 19 year-old widow (43) was transferred to hospital for one month in early 1993 because of injuries sustained to her back and elsewhere, when beaten with rifle butts every second day for five months in Kombolcha military camp. She was returned to detention for another three months before being released.

When 'Ahmadin' (14) was detained for a third time in 2003, it was ten days before his grade 10 examinations. Despite being beaten and tortured severely during previous episodes of detention, he was taken back to Machara High School for ten consecutive days to sit his exams, before spending the next five months in Chiro military camp.

Payment and conditions to discharge

Release from prisons, police stations and military camps was frequently conditional and often a matter for negotiation and payment. There exists a grey area between bribery and payment of a bond to secure release.

Bontu (53) was detained twice after protesting at being taught in Amharic at high school. She was whipped in her second detention. Her father paid 1800 and 3000 Birr for her release.

Village and town elders or relatives negotiated the release of four interviewees (11, 15, 35, 44) on seven occasions, acting as guarantors and in at least one case paying an unstated amount of money. Two others reported that an uncle in the OPDO (1) and a Tigrean brother-in-law (14) negotiated and guaranteed their release. Local elders near Harar refused to act as guarantors for 'Ardo Mohammed' (60) in 2011, because of her disappeared father's history of supporting the OLF; her mother guaranteed her release, but there were other conditions (see below).

A 17 year-old school student (52) was released from two periods of detention in

Adama prison in 2002 after her father paid an unspecified amount. The parents of a 20 year-old high school student (53) paid 1800 Birr for her to be released from Adaba police station in 2009. Seven months later, when she had been held for another month, she asked a policeman to send for her father and was released after he paid another 3000 Birr.

Two were released after promising to produce relatives. In 2009, Abdella (25), fearing he would not survive any more torture at Dire Dawa regional police station, agreed to produce his younger brother within 15 days. His brother had fled when Abdella was first arrested in 2006.

'Ardo Mohammed'(60, see adjacent insert and previous page) whose mother guaranteed her release in 2011, was released only after promising to produce her father within one month, under threat of being detained again or killed. He had disappeared in custody in 2001.[29]

Ardo Mohammed (60). See adjacent text.

Three were forced to report regularly to kebele offices after release, one (39), two (25) and three (14) times per week. Another (49) had to go to the Zonal Commander every week and also had to report on any OLF activity nearby. Government mechanic, Abdulkadir (54), was transferred to the main referral garage in Addis Ababa on discharge and made to report to the garage office three times each day.

Restriction on movement and association were imposed on several. Two (2, 49) were ordered not to talk about their torture with cell-mates while in detention, on pain of more severe torture or death. A 20 year-old female college student (2) was told she would be detained again if she spoke to anyone after her release about her mistreatment in detention. The movement of three (25, 39, 49) outside their town or kebele was forbidden. One (25) was told not to visit neighbours and to report on any visits he received from them. Another (49) was prevented from trading outside of Asasa town.

After the war with Eritrea began in 1998, the recently released husband of one interviewee (41) and all the other men in their village near Gara Mulata in East Hararge were made to report to the kebele office twice each week. Whenever they left the village, they had to explain where and why they were going, and were interrogated on return.

Nine former detainees were made to sign documents on their release in which they acknowledged their lives would be forfeit if there was any local OLF activity and/or they were found to be involved with the OLF in the future. Six (15, 20, 25, 44, 48, 49) agreed, one (44) in front of elders and other witnesses, to be killed if there was local OLF activity. Two signed that they would be hanged (44) or otherwise executed (25) in public. The husband of Karima (41) was told 'every day' after his release that he would be killed if there was any OLF action nearby.

Six (14, 15, 20, 25, 33, 39) agreed to die if they were found to be involved again with the OLF. The whole family of 'Ahmadin' (14) were made to sign on his release. 'Hamid' (33)

[29] Such paradoxical requests are not uncommon. See p.38, in Disappearances.

added there was much more on the document he signed but he was not given time to read it. The father of an escaped former detainee (12) had to sign acknowledging that his daughter would be shot dead if found to be involved again, before he was allowed to take her three children and young sister from Harar prison, where they had been held underground for one month.

'Ibrahim' (34, see insert, p.30) was released in 2012 only after signing that he would be detained in Kaliti prison for the 'rest of his life' if he did not stop 'supporting the OLF', because he had been a member of the Oromo Students Union as an undergraduate and had refused to join the OPDO.

Finally, a Bale teacher (58) was warned on release from Goba military camp in 2010 that he would be shot if he taught 'pure democracy' instead of 'revolutionary democracy.'

Escape from detention

Seven of the 38 former detainees escaped from detention and another young woman (9), after being beaten and wounded, escaped from custody on her way to detention when allowed to go into the bush to pass urine.

One young singer (1) befriended a Tigrean soldier after being tortured in detention: he allowed her out of Goba prison to go into the town on an errand. Abdulrahman (18) and five other detainees broke out of Sebategna military camp in Dire Dawa in 2002.

In 1994, a farmer (38) from Dire Dawa area was released from a mountainside underground cell in Gara Jaba with 20 others, when OLF fighters attacked the compound. A Hawi band member (39) was among six men in a truck being taken from a military office in Goro, Bale, in 2004, when it was attacked by the OLF and he was able to run away. A 22 year-old E. Hararge secondary school student (45) and his cousin were taken from detention in March 2012 to guide a party of soldiers to an OLF depot when they were ambushed by the OLF and allowed to run away with their hands tied behind them.

Nujuma (42). See adjacent text.

Nujuma (42) was a 17 year-old school student when she escaped from Deder military camp. While the guard slept, she slipped through an unlocked door and scaled a fence. She ran 10 km to Qobbo where she caught a bus to Adama. Ardo Abdulla Mohammed (55) escaped because her sleeping guard had also forgot to lock the door after her visit to the toilet.

Although not an escape from custody, a report by 'Reyana' (40), a villager from Mi'esso, W. Hararge, illustrates the possibility of effective resistance to the security apparatus. After being detained and tortured during the murderous campaign against Mi'esso farmers in 2007 (see p.46) her husband hid in a nearby village. Despite being under surveillance and being frequently interrogated, she managed to deliver food to him under a fence for at least three months before he was able to flee.

The eleven episodes of negotiated release of six interviewees (see above section on conditions of discharge) involved payment in at least five releases of three detainees. Although there were no clandestine releases following bribery among the accounts in South Africa, such cases are common,[30]

Killings, executions, deaths in detention

The interviewees reported 91 individual deaths at the hands of the present Ethiopian government. Many other reported deaths in large scale killings and in places of detention are not included in this total.

28 of the reported killings occurred during the slaughter of OLF suspects within two years of the organisation's withdrawal from the transitional government and being made illegal in 1992. Reports were received of another 28 deaths from 1995 to 2000, 21 from 2001 to 2005, and 14 from 2006 onward.

Eight brothers, eight fathers, two husbands, one mother, one wife and one son of interviewees were killed. Ten second-degree relatives, such as cousins, nieces, nephews and in-laws, were killed. Sixty friends, neighbours and co-detainees were put to death by government forces.

Hamid (33), a farmer and store-owner from Gadulo, W. Hararge, was tortured for six months and detained 7 times from 1998-2005. In 1992, his father was among 4 men taken from Gadulo and shot dead on a hillside 20km away.

Many killings in 1992 and 1993 were summary executions. Government soldiers came to the home of a Bale family in 1992 (58). The parents had already fled, but the soldiers shot dead two brothers, aged 15 and 25, and left the interviewee, then 12 years-old, for dead after pouring boiling water over him.

Four farmers were taken from Gadulo town, W. Hararge, including the father of 'Hamid' (33), in 1992. They were taken to a hillside 20 km away and shot dead. The brother and brother-in-law of Sabia (43) were accused of 'feeding the OLF', just two months after the OLF was banned, and shot dead on their farms in East Hararge.

Most of the relatives, friends and neighbours who were shot or beaten to death were killed for 'helping the OLF' although many of the accusations were spurious, such as the killing of Adam's (15) younger brother in Bedeno in 2002. Soldiers accused traders buying goods from his store of supplying the OLF and began beating them. When 22 year-old Ibrahim protested, he was shot dead. A local doctor was also killed.

[30] Trueman 2011. *Op. cit.* pp.28-29.

Karima (41). Her whole family had been detained by the Derg. They returned from a refugee camp in Hargeisa to their farm in E. Hararge in1990. In 1996, soldiers took everything, including cows and camels. Her family were lined up with their hands tied behind their backs, and their father was shot dead in front of them.

A farmer from Asebot, W. Hararge, 27 year-old Jemal Mohammed Musa, was apprehended in 2007 when looking for his detained cousin (see 40). He was shot dead when he attempted to run away from Asebot kebele office.

Reprisal killings included a young farmer and a young student in Koye Sejja village, Jimma, in 1997. They were shot after the OLF attacked a military convoy as it entered the village (50). A villager in West Hararge (37) named two of 'many killed' in Haro Adi and Haro Reesa villages in reprisal after fighting between local militia and the OLF in 2003.

Tesfaye, an Arsi teacher and an independent candidate in the 2005 elections, was shot dead two weeks after the election (51).

Three killings at demonstrations were reported. Mohammed Adam Lula, a 23 year-old Galamso High School student was killed in the widespread Oromo student demonstrations of early 2004 (31). Two previously published killings of Ambo High School students, Jagama Badhane and Kabada Badhassa, in November 2005, were witnessed by Mosisa (57), a fellow student.[31]

Public executions

Adessa Mohammed, 50, was a grade 12 school teacher in Chalanko and lived in Deder. He had been a facilitator and spokesman for the OLF in 1991-2. In early 2001, there was a disturbance in Goromiti, a village area about 10-12 km away from Deder. Security forces took Adessa from his home in Deder at night and drove him to Goromiti. Next morning he was publicly executed as a warning to protestors. 'This is the last of the OLF' the soldiers said.[32]

Other summary executions took place in front of families at the victim's home. Soldiers came to the house of a recently released farmer and merchant in Kemise, Illubabor in 1992. When he came to the door, he was shot dead.[33] Karima's (41) family in Rakko Barzala village, E. Hararge, were made to watch soldiers kill their father in 1996 (see insert, above). Eleven others in their village were shot dead, and a 'similar number' in the next village.

Corpses of victims are also commonly used for intimidation. Detainees at Bilate camp in 1992-3 were taken to see the body of Magartu, a 20 year-old woman singer who had been shot dead, as a warning to them not to try to escape (24). Ismail (49) was repeatedly taken to pits containing fresh and decomposing bodies of executed detainees at Malka Wakana military camp, before being subject to mock execution in 1994.

[31] OSG Report 42, August 2008, pp.24-25.
[32] This is not attributed to the interviewee who reported the incident for security reasons.
[33] *Ibid.*

Deaths in detention

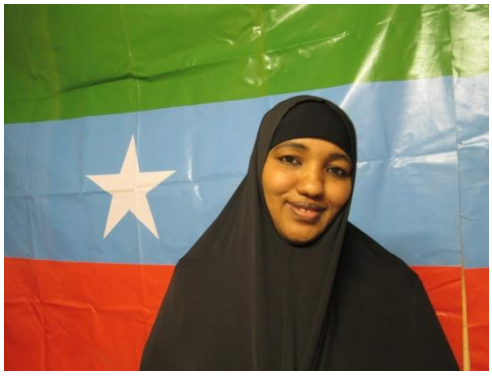
Abdijabar (11) was detained and tortured in 1992 and 1994. Four of his relatives and friends died in the 1992 detention. His 26 yr - old brother and 32 yr-old cousin were shot dead during the 1994 detention.

Ten interviewees reported killings in detention. A trader from Dire Dawa was shot dead after severe torture at Kalatamba military camp in Harar in 1993 (18). Between 1993 and 1995, Hawi band member, Abdukarim (39), witnessed two fellow detainees at the old agricultural college in Agarfa, being taken out at night, when they were killed.

Abdijabar's (11) younger brother and cousin were taken from their cells in Girawa, interrogated and shot dead in 1994. 'Ali' (35), a store-owner from Boko, E. Hararge, reported that seven of his friends from Fadis district were taken from Bisidimo military camp one night in 1997 and shot dead. Kalid's (21) father died after seven months in Jimma prison in 1998. Adam's (15) wife was six months pregnant when she was beaten and detained with their three children in Bedeno police station in 2002. She miscarried and died in detention. Hanna's (12) husband died after 12 months in Deder prison in 2003. Fatiya's (17) father was killed in detention in Galamso in 2004. Galadi, from the Ogaden, was taken from his cell in Eastern Command military camp in Harar in 2008 and shot dead (24).

The death toll given above does not include the 4-5 per month who died of torture and neglect in mountainside cells - 'Iyasu's prison' - during Adam's (15) 14 months there in 1992-3, or the 'four or five each day - up to seven' who died in Hamaresa military camp while he was there for 20 months, in 1996-8. From 1-5 were taken out from Hamaresa every night and shot dead, according to Abdulrahman (18), who was there for three months in 1993. His account of killings and deaths in Hurso camp are given above (p.31).

Ogaden



Fatuma (56). See adjacent text.

Only two interviewees were from the Ogaden. They were from villages in the Nogob area and both witnessed many killings. Ardo Abdulla Mohammed (55) reported the deaths of six relatives and three others, including a 14 year-old victim of multiple gang rape (see insert, pp.23-24).

Fatuma (56) said soldiers were torturing and killing people 'all the time' in her village, Baabili. She reported the killing of two fellow high school students, in their early twenties, in 2004. The body of one, Hayi, was returned after he had been visiting an outlying village on holiday. As commonly occurred, villagers were asked 'Who knows this boy?' Anyone who admitted to knowing a victim would be labelled as an ONLF supporter and was likely to be killed, she said.

Fatuma also reported that two of her cousins were killed near Fiiq in 2010, after they had gone in search of one of their camels.

Thus, 13 of the 91 individual killings were reported by two interviewees from the Ogaden, among a total of 60 interviews.

Disappearances

Disappearances were reported by ten interviewees. Four reported the disappearance of brothers. Three fathers, two mothers and one husband were also made to disappear. At least eight students disappeared after demonstrations at Galamso High School in 2004, according to one student (31).

A 20 year-old (42) from Deder, E. Hararge, was arrested with all her remaining siblings in 2009. Her family had been repeatedly threatened after one of her brothers ran off in 2000, allegedly to join the OLF. Her father was taken away one night in 2002 and disappeared. Her mother was taken to Kara Makala military camp in 2003 and disappeared after two years detention there.

Fatiya (17). See adjacent text.

Fatiya's (17) brother Ahmed Mohammed, 23, was detained and made to disappear shortly after their father was killed in prison in Galamso in 2004.

Soldiers came to the home of 'Omar' (30), a cereal farmer near Kombolcha, E. Hararge, in 2004, demanding to be shown weapons, despite his lack of association with the OLF. After a severe beating, they took away his mother, who was then disappeared.

'Jamila' (9) and her brother were arrested in Asasa in the run-up to the 2005 elections. He was actively supporting one of the Oromo opposition parties.[34] Hamda Ahmed, about 30 years old, disappeared in detention.

An independent candidate in the 2005 elections, the director of Kuyara High School, Shashemane, 35 year-old Karbato Wakayo, was arrested two weeks after the election and disappeared in detention, according to his sister (51).

Soldiers took Muktar Ahmed Mohammed, the 34 year-old husband of Ardo Abdulla Mohammed (55) from Garbo village, Ogaden, in 2006. Being led away with his hands tied was the last she saw of him before his disappearance.

A Bale farmer (48) and his mother were beaten and interrogated in 2000 about his father, who had disappeared in detention in Dodola military camp in 1995.

When soldiers came to the Asasa home of Kitabe (4) in 2004, she was 15 years old. They beat her elderly father and her brothers and sisters, ransacked the home and stole all movable goods and money. They led one brother away and he was made to disappear. Soldiers

[34] Probably the OFDM, as the other Oromo opposition party, ONC, was mainly active in Showa.

Kitabe (4) was beaten unconscious and sustained injuries to her left arm when soldiers took her brother in 2004 and he disappeared. She fled when threatened and told to produce him, five years later.

returned to the home in 2009 and threatened 'If you don't produce your brother, we'll take measures against you.'

Being interrogated and told to produce relatives who had disappeared in custody has been reported previously,[35] and was also reported by a young woman from East Hararge (60), whose father disappeared in 2001. She was released from detention in 2011 on condition that she bring him to the authorities. Whether this an indication of incompetence or poor record keeping, despite the sophisticated electronic database of opposition suspects,[36] or if it is a deliberate, cynical means of terrorising family members is not known.

Abuses against children and pregnant women

The wife of an East Hararge store owner (35) was badly beaten at the time of his arrest in 1999 and delivered a dead baby. A Bedeno trader (15) reported that his wife was six months pregnant when she was beaten and taken with their three children to prison in 2002. She miscarried and bled to death in detention.

Two infants, Obsa and Roba Jamal, were killed when their home in Mahara was burnt down in reprisal for local OLF activity in 1993 (44). When the family protested about being denied the traditional three days of mourning, they were all arrested and accused of burning the house down themselves.

'Kemal' (58) was 12 and one of his two brothers was 15, when his brothers were shot dead in their home and he was left for dead with severe burns, having been deliberately scalded with boiling water by soldiers, in 1992.

Rukia Mahmud Sirad was 14 years old when she was repeatedly gang-raped and killed in 2007, when being taken from Garbo village to Gode, Ogaden (55 - see insert, pp.23-24).

Kemal (58) was scalded with boiling water, thrown over him by soldiers in 1992. He was left for dead. His two brothers, aged 15 and 25 were shot and killed. He received traditional treatment locally for one year.

Hostage detentions

It is common practice in Ethiopia for relatives to be arrested in the absence of the wanted person.[37] This was reported by five refugees.

[35] Five interviewees in Kenya were questioned about disappeared relatives, of whom at least two had disappeared in detention. See Trueman 2011. *Op. cit.* p.39.
[36] Trueman 2011. *Op. cit.* Section 46.
[37] *Ibid.* Paragraph 18.iii., p.24.

Two others were detained in relation to OLF suspects.

Ahmed (36) said his uncle was arrested in 1994 and held for ten years 'instead of my father' who had joined the OLF. 'Bati' (6) was frequently detained at Malka Wakana camp for short periods but when he was absent from home, his father was arrested in his stead. The detention in underground cells of Hanna's (12) three children and young sister was because of her avoiding arrest herself in 2005.

The father of high school student 'Waday' (26) was detained for five months in Galamso prison and tortured in 2004, because Wdaay's brother had run away to avoid detention. Another former detainee at Malka Wakana (49) fled when sought, after local OLF activity in 1999. His wife, pregnant with their third child, was detained in his place for two months at the military camp, interrogated and threatened.

A grade 7 student (52) was put in solitary confinement in Adama prison for two months in 2002 and questioned about her boyfriend. This was not a hostage detention because he was known to have fled some time previously. Nonetheless, she was held again for one month after being released for four weeks. She was tortured during both periods of detention. Another related situation was that of an interviewee (25) who was released on condition he produced his wanted brother.

Harassment: chronic and relentless

In addition to accounts of multiple episodes of detention (p.19), twelve interviewees spoke of being interrogated several times a week, month or year and having their homes searched and ransacked at similar intervals, often at night. There were numerous examples of relentless and persistent persecution of individuals and families, of which only four are summarised below.

'Ahmadin' (14) was arrested as a 21 year-old in 2001 and released after six months of torture, under stringent conditions. Every two weeks, security forces searched his house, lifting all the mats. In 2002, he was again taken to Chiro military camp for five months, beaten and subject to forced labour.

Ahmadin (14).

Back at school in 2003, he was arrested ten days before his grade 10 (School Leaving Certificate) exams. Although allowed to take them under guard, not surprisingly he failed. He remained in the camp for nearly six months, emptying toilet buckets. After release, he stayed at home and worked in the family business.

Security forces demanded to know where he was if he was absent from the house for a week. His family were harassed and their home searched regularly. 'Every bag of flour or sugar' was slashed during these searches.

Ahmadin's brother was a trader, collecting goods (sugar, confectionery, flour, cigarettes etc.) from Addis Ababa. His truck was also searched regularly and thoroughly. If he mislaid a single receipt, he was liable to have the entire contents of his 3.5 ton Isuzu confiscated. On

one occasion, a single tablet was found on his lorry. He was detained for a month at the police station, while perishable goods were allowed to rot in the truck.

Ahmadin maintains monthly telephone contact from South Africa since he fled in 2005. His family report that this harassment continues.

Karima's (41, see insert, p.35) family were farmers near Gara Mulata and had been detained together and separately under the Derg. Her father was shot dead at their home and all their goods were taken in 1996. She married a businessman, who was detained from March 1996 until June 1997.

She was accused of giving him her father's 'OLF money.' 'Every day they used to question me' she said. She was detained twice and raped at least once. Her house was searched 'countless times' usually late at night after she had gone to bed, especially when the OLF had been active locally.

After release, her husband was warned daily. Once the war with Eritrea began, he and the other villagers were made to report to the kebele office twice a week and questioned about their movements. After he fled in 2001, the harassment of Karima intensified, until she too fled in 2003.

Sabia (43) met and married her husband in Djibouti where they were refugees from the Derg. They left in 1991 when the 'lola able' - knife war - was launched against Oromo refugees by Issa Somalis. After the OLF withdrawal from government in 1992, her husband was killed in fighting with government troops around Dire Dawa. She was pregnant and returned to her family village.

Sabia (43).

Many were killed in August 1992, including her brother and brother-in-law. She was among many arrested. While her two month-old baby was with her mother, she was tortured, beaten and confined on her own at Kombolcha military camp for five months.

Sabia was transferred to hospital for a month before another three months at the camp in a crowded cell. After four years with her aunt and child in Dire Dawa, she went to Saudi Arabia where she worked as a domestic servant for five years, while her child stayed with her mother.

Back at her village in 2002, she was watched closely by government informers and moved back and forth between there and Dire Dawa for nearly one year. When warned she was about to be arrested in 2003, she again left her daughter with her mother and left for Kenya and then South Africa.

'Ardo Mohammed's (60, see pp.31 and 32) father was detained for most of the years between 1992 and 2001, when he disappeared in detention. She was discriminated against at school

and prevented from going to university. She trained as a nurse but was not allowed to work as a health worker in her own village. Because she was the only family breadwinner, she accepted a post in a distant village in East Hararge. After one year she was falsely accused of supplying medicines to the OLF and dismissed.

Ardo was not allowed to work even as a street trader. She was made to sign at the kebele office every week and prevented from returning to her own village for a year. When she was allowed back home, she was not allowed to work, was closely watched and had to seek permission to move out of the village, even if accompanying her mother or siblings to hospital.

In 2011, Ardo was detained for a month in the police station and Harar military camp, where she was beaten, kicked and whipped with electric cable. She was taken back to the village police station but local elders would not agree to act as guarantors to her release. Her mother did so, but Ardo's release was conditional on her agreement to bring back her disappeared father within a month or be detained or killed herself.

Abandoned and scattered families

Government persecution blights the lives of families of OLF suspects. Not all interviewees mentioned the effects of their persecution on their families, including some who presumably left families behind when they fled. Nonetheless, 18 refugees reported families being fractured by persecution.

A 27 year-old graduate (23) was forced to leave his wife in Addis Ababa in 2010. His own family had been scattered after his father was killed, with three sisters now in the USA, another in Dubai and a brother in Sudan. Fami's (27) 'family was destroyed by the EPRDF' she said. Her father fled to South Africa when she was very young and her mother, a Somali, had fled back to Mogadishu, so she was reared by an aunt.

Seven men reported leaving families behind. A 32 year-old trader from West Hararge (19) left his wife and family in 1995 when he escaped to Somalia. He returned in 1998 but after several episodes of detention, she fled to Djibouti and he finally fled to South Africa in 2009, leaving their children with her family. In 2002, a Bedeno trader (15) left his imprisoned wife and three children. His wife died in prison and his children are now with her sister. 'Bati' (6) left his four children, aged 6-13, with his father in 2003.

A Bale farmer (48) left his wife and five children, aged 6-13, in 2005. A trader from Arsi (49) left his two children and his pregnant wife in 1999, when forced to flee. 'Omar' (30) abandoned his wife and two children, aged one and two years, to the care of his father in 2004. A Machara businessman (32) ran, leaving his wife and four children aged 4-12, in 2007. His wife joined him in South Africa in 2010, but their children remain with his parents.

Nine women were forced to abandon children. In 1994, when she was an 18 year-old widow, 'Aisha' (3), fleeing from rape and interrogation, left her baby son with her mother in Agaro. 'Muftuha' (29), a widow from Harar, left her four and five year-old boys with her mother in 2003. A 27 year-old (37) was herself brought up without a father and abandoned by her fleeing husband in 2003. She left her 10 year-old with her family but was able to take her 11 year-old with her, to join her husband in South Africa in 2008. 'Naima' (2) and her husband fled separately in 2004, leaving their five year-old with her mother in Adama.

Sabia (43, see p.40) left her daughter with her mother in 2003. 'Misira's (10) husband had left Dire Dawa in 2004 and she was forced to leave in 2005, abandoning their one and two year-old daughters with his family. 'Reyana' (40), whose husband was forced to leave Asebot, W. Hararge, in 2007, was herself forced by harassment and detention to leave her four children with relatives in 2009.

After fleeing Harar in 2004, Hanna (12) was reunited with her three children in Hargeisa in 2007, but increasing hostility against refugees there forced her in 2010 to seek refuge in Nairobi and then South Africa. Two of her children remain with a friend in Hargeisa, although the eldest, now 13, has since joined her in South Africa.

When Ardo Abdulla Mohammed (55, see insert, pp.23-24) was led away by soldiers from her village in the Ogaden in 2007, she was made to leave her two children, 4 and 9, and her sister's children, 7 and 10, with one of her brothers. She and her sister had already lost their husbands by disappearance and killing.

Abuse of students

Oromo students at high schools and universities, and their teachers, are particularly prone to persecution on suspicion of sympathy with the OLF.

'Naima' (2), the top girl of her year and Oromo student representative in Adama High School, was arrested in 2001, presumably because she had been organising students to help the poorer ones among them. She said whenever students spoke in Oromo, they were watched and 'infiltrated'. Government informers were sent to mix with them. About 50 of her friends were also beaten and arrested. Another was raped.

Naima (2). See adjacent text.

'Ahmadin' (14) was a grade 9 student at Machara when he was arrested with 11 other members of the Oromo Students Union at his high school in 2001. A 16 year-old grade 7 girl (52) was taken from Aratenya school in Adama, E. Showa, in 2002, held in solitary confinement for two months and tortured in Adama prison.

A 16 year-old (13) was held with others for two months in Agaro police station in 2002 for choosing Oromo culture as their topic for a cultural presentation at school.

Demonstrating high school students in Galamso, 2004, and Ambo, 2005, were shot dead and several disappeared (31, 57).

Just before the May 2005 general election, students at 'Misira's (10) madrassa school in Dire Dawa demonstrated. They were beaten and shot at with live ammunition by security forces. Arsi high school students also demonstrated before these elections (51) and the director of Kuyara High School, a candidate, was blamed. He and three Oromo language teachers were

detained for three months (see also next section). The students demonstrated later when they were not allowed to take their School Leaving Certificate exams and again when they were not allowed their certificates. Their demands were met but the interviewee's continued education and employment were blocked.

A large gathering of students organised by the Oromo Students Union in Daro Labu, W. Hararge, was broken up and several students severely injured because they were celebrating the European New Year, the 'OLF calendar', at the beginning of 2006 (25).

In 2006, 18 Addis Ababa university students were detained and tortured in Maikelawi CID for belonging to the Oromo Students Union (34). A student at Mekele university in Tigray (59) was denied access at the beginning of the second year, because he had been delayed two weeks due to illness. Despite producing a medical certificate, he was threatened with arrest if he returned within the year.

School students in Defo, W. Hararge, were beaten, interrogated and taken away for 'political re-education' in 2009 (27). A grade 9 student in Arsi (53), was among 12 students arrested in 2009 after demonstrating against the use of Amharic, which she could not understand, as a medium of instruction in her school. She was again detained and whipped six months later.

Coercion to join OPDO and persecution of legal opposition

Abdulkadir (54), detained and tortured for not joining the OLDO. Salary reduced.

Abdulkadir (54), a government mechanic and graduate of Holata Technical College, was pressed to join the OPDO in 1997. When he refused, his salary was reduced from 430 to 280 Birr/month; a deduction made 'for government support.' When he complained, he was detained in a military camp for 20 months and tortured (see insert, p.28).

'Ibrahim's (34, see insert, p.30) father was repeatedly detained because he refused to join the government Oromo party, the OPDO, and has again been in detention for that reason since just before the May 2010 election. Ibrahim was threatened, detained overnight and sacked from his ministry job because he also refused to join the OPDO and refused to attend a political re-education course, despite offers of promotion. He was detained in 2010 and imprisoned and tortured in February 2012.

Kebele officials and soldiers came twice to the home of Addis Ababa university graduate, 'Guma' (23), twice in 2010 and searched it for an hour. He was told to join the EPRDF Youth League and warned that if he did not, he would be killed like his father and his wife would be raped. He was increasingly harassed to join the OPDO, until he fled four months later.

'Jamila' (9) and her brother were arrested in the run-up to the May 2005 election because he was campaigning for one of the legal Oromo opposition parties. She was badly beaten and he disappeared in detention. Two independent candidates in 2005 in Arsi were detained for three months before the election. Shortly after, one was killed and the other disappeared (51).

Mohammed (59), a university student from Adaba, and his brother joined a new, legally registered, Oromo party which contested the May 2010 election in Adaba, the ATBO (Adda Tokkuma Bilisummaa Oromoo - the United Oromo Liberation Front). One month before the election, Abadula Gamada (OPDO leader) addressed a crowd in a stadium in Adaba. There was a bomb explosion, in which one person was killed. The authorities blamed the ATBO and soldiers came for the student and his brother about two months after the election.

Mohammed (59) was prevented from attending 2nd year of university in Mekele, Tigray, then pursued for supporting a legal opposition party in 2010 - see adjacent text.

Abuses in neighbouring countries

Djibouti

Killings of 250-550 Oromo men, women and children in Djibouti in July 1991 have been reported previously,[38] but no first-hand account of the killings by Issa Somalis has been obtained at interview by OSG. Sabia (43) was present in Djibouti during the 'lola able' or knife war, which was precipitated by rumours of killings of Issa Somalis by Oromo around Dire Dawa in East Hararge. Kabulla (44) returned to Machara just before the violence began. Another interviewee (29), who was a teenager in Djibouti at the time, spoke only of the TPLF beginning to persecute refuges there in 1992.

Hargeisa

Refoulement of refugees from Somaliland has been continuing since 1996,[39] and is still taking place.[40] One interviewee (24), an OLF member, was removed from Hargeisa, with five men from the Ogaden, in September 2008. They were taken to Jigjiga before being moved to the Eastern Command military camp in Harar. He was unable to describe the torture there 'without losing myself', he said. One of the Ogadeni men was taken out and killed.

Kenya

'Aisha' (3) had been raped and beaten by her kebele chairman in Agaro before running to Kenya in 1994. When eking out an existence in Kakuma camp in 1998, she was beaten and raped by a Tigrean security agent, who she believed was bribing local Turkana people to attack others in the camp.

Kabulla (44) worked as a housemaid in Nairobi from 1997 to 2004, having fled from Machara. Although she registered with UNHCR, she did not get refugee status because her appointment was postponed more than 20 times. Eventually she gave up and decided to spend her savings going to South Africa.

[38] OSG Report 48. *Op.cit.* p.38.
[39] OSG Report 47. *Op.cit.* pp.40-42.
[40] Human Rights League of the Horn of Africa, Urgent Action and Appeal, 1 December 2012, Toronto, Canada. http://humanrightsleague.com/2012/12/somaliland-kidnapping-and-disappearance/

Abdulrahman (18) hid for four months in Nairobi in 2003 but did not go to UNHCR. He believed Ethiopian government agents were moving among the refugees and *refoulement* was taking place.

'Hussein' (5) left Nairobi after three months in 1998, because Ethiopian security agents were very active in Eastleigh suburb and people 'were disappearing.'

Ismail (49) believes he was traced to Kenya after the detention of his wife. Although he was granted refugee status by UNHCR, he felt unsafe. He reported escaping when 'surrounded by Ethiopian government agents' in February 2005. When he saw a car coming for him a second time in March 2005, he hid in a police station and was taken to UNHCR. Although he was offered protected accommodation in Nairobi, he decided to flee to South Africa.

Notorious incidents

Information corroborating earlier reports of atrocities in Hamaresa military camp, the Bedeno massacre and killings in Mi'esso and Ambo was obtained by interview.

Hamaresa

Abdul (15). See text below.

Two previous reports of large numbers of deaths from torture and neglect at Hamaresa military camp were given by refugees in Hargeisa in 2011. Further information was given by refugees in Mayfair, on 30 October. Much of this is repeated elsewhere in this part of the report.

Abdulrahman (18 - see insert. pp.17-18) spent three months in Hamaresa in early 1993. He said 'there was a lot of torture' and many deaths. He received bony injuries to his spine from beatings and was subject to immersion of his head in water and mock execution. Others had the soles of their feet flayed. He said that every night, between one and five detainees were taken out and killed. When individuals were called out by name at night, they said goodbye to their cell mates in case they would die from torture or by execution. Abdulrahman corroborated the use of a bulldozer to excavate holes for burying the dead at Hamaresa. He added that many were eaten by hyenas after being thrown into these pits before they were covered over. 'Unknown numbers were killed' he said.

'Abdul' (15) was detained in Hamaresa for 20 months, from 1996 to early 1998. There were 3-400 detainees there. He was held in a 5 x 5 metre room with 70-80 others. They had to turn in unison at night. Deaths were welcomed because they meant there was more space. Beating and torture were 'unimaginable', he said. Sometimes cloth or plastic was put over detainees' faces to suffocate them while they were being beaten.

He reported that four or five (up to seven) prisoners died each day. A bulldozer was used to excavate burial pits. Bodies were fitted in jigsaw fashion. The bodies were covered in soil and foliage before heavier prisoners were ordered to jump repeatedly on them to press them down. The bulldozer was sometimes used to flatten earth over the graves.

The two men interviewed in 2011 were in Hamaresa in 1998 and 1999. Each reported that prisoners were made to jump up and down on bodies in graves, to make more space for those recently killed to be fitted in. They stated that up to ten were put in one grave and bodies were sometimes eaten by hyenas. In an eleven month period, 74 out of 300 OLF fighters died in Hamaresa. One interviewee remembered six dying in one night.[41]

Contacts who had been in Somaliland before the fall of the Derg in 1991 recalled that 3000 Oromo were killed in the UNHCR refugee camp at Biyyahirka and in Hargeisa, by Somaliland rebel forces and the Ethiopian army at the end of 1990. About 20,000 Oromo were forced back to East Hararge. After this rout, Mengistu's forces executed 600 OLF and IFLO fighters at Hamaresa camp.

Bedeno massacre

EPRDF propaganda has persuaded Amhara elites that the OLF killed a large number of Amharas, Tigreans and Sudanese by throwing them off a cliff at Bedeno, E. Hararge, in 1994.

Abdijabar (11), a 46 year-old from Bedeno, told a different story, which is consistent with OLF reports of the incident. The cliff is protected by fencing, to prevent animals plunging to their deaths. Abdijabar and his contacts refuted the government version of events because the fence was intact, there were no piles of bodies and the only known deaths were at the hands of government forces. (He knew of one Oromo Sheikh who was killed by soldiers.) In addition, the OLF had left the area before the alleged massacre occurred.

Local elders accused the government of lying. Because of these complaints, residents from a radius of about 10 km were ordered to attend a public meeting in the town of Bedeno. Those who refused were shot or arrested and accused of supporting the OLF. About 2000 gathered in Bedeno. Soldiers ordered them to admit the killings were the result of the OLF, but they refused to accept the government version of events and asked for evidence. About 200 were detained in Girawa camp and tortured.

Killings in Mi'esso

'Reyana' (40) lived in the same village as 14 year-old Asha Aliyi, whose death at Mi'esso in 2007 was reported by the OLF.[42] Reyana corroborated the OLF report.

Her husband was among the more than 30 who were taken to the mountainside 'China' military camp, 15 km from Asebot. A friend of his, Mohammed Saani, was among the 19 killed, with Asha. At least 13 were severely tortured, according to the OLF report. Another interviewee (19) from Mi'esso, reported that three of his friends were killed at 'China' camp in 1995.

Reyana (40). See adjacent text.

[41] OSG Report 47. *Op. cit.* Mulata, p.70.
[42] OSG Report 43, August 2007, pp. 28-29.

Demonstrators shot dead in Ambo

Mosisa (57) was an eye-witness to the shooting of Jagama Badhane and Kabada Badhassa at the gate of Ambo High School on 9 November 2005. He was a close friend of Jagama and had been detained with him on a number of occasions.[43]

The shooting occurred at midday when students were not actively demonstrating or protesting. They were merely milling around the gate of the school on the street outside. Kabada Badhassa was not targeted but was shot dead as he held the body of Jagama in his arms. Many students were then arrested. At least one, Kaloma Mengistu, now aged 29, remains in Kaliti prison.

Abuses committed by the OLF

Detention, beating, coercion and forced labour at the hands of the OLF were reported at interview.

Biftu (1) was a teenager when she joined the OLF as a singer in 1997. After preparing a cassette at the OLF office in Mogadishu, she became frightened by the disciplining of OLF fighters and went to Hargeisa, then East Hararge and Djibouti. Because of racist abuse while struggling to work after returning to Hargeisa, she went back to Mogadishu. She was detained for four months by the OLF and beaten.

Ahmado (19). See adjacent text.

'Ahmado' (19), a Mi'esso trader was persuaded by his brother, an OLF member, to supply the organisation with food and clothing in 1992 and again in 1995. After a neighbour was killed for supplying the OLF and three of his friends were killed in 'China' camp, he went to Somalia. After three years, he returned, and resumed his activities, despite a brief episode of detention. His group was discovered and one was shot dead, so he resolved to stop helping the OLF.

In 2004 or 2005, after he was released from another short period of detention, he was taken away by OLF fighters for one night and coerced into again providing supplies. Within two weeks, he was caught, shot in his left thigh and detained in Chiro military camp for seven months, before fleeing the country.

'Johar' a grade 9 secondary school student in East Hararge (45) used to go with his cousin to visit relatives in a remote mountainous area, at Moodana, near Gobelle. When they were returning from one such trip in March 2012, they came across a group of OLF fighters on a mountain-side, carrying goods on their backs and on donkeys.

[43] OSG Report 42, August 2006, pp.24-25.

The fighters forced them to help carry the goods to their base on a mountain near Gobelle. After two days they were allowed to go, after being instructed to keep quiet about their experience. However, they were arrested on the morning after their return to their village. The security forces were already informed about their abduction.

The two young men were held at Badu police station for five days. They were interrogated and beaten, slapped and kicked for 3-6 hours each day despite their full cooperation. Higher ranking officers in the police, military and security service were called in to question them.

Johar (45), See above and adjacent text.

With their hands tied behind them, they were forced to take a group of at least 30 soldiers and two plain-clothed security men to the OLF depot. As they neared the site, the party was ambushed from both sides. The school students ran off with their hands still tied behind them.

Journeys to South Africa

Up to 20,000 migrants from Somalia and Ethiopia arrive in South Africa every year. The International Organisation for Migration reported in 2009 that agents charge an average of $2000 for often dangerous and life-threatening journeys by land or boat. Migrants are subject to harassment, beating, robbery and rape. They are often imprisoned *en route* but the people-smugglers go unpunished.[44]

Jamila (9) lived illegally and housebound in Nairobi for 3 years before promising to marry a people-smuggler. He abandoned her in Malawi when she changed her mind. She then spent a year travelling with a group of 60-70, being kept away from the others for 1-2 days each week, while the new agent raped her. See p.57.

Land routes are constantly changing as people-smugglers and security forces outwit each other. Transiting migrants are being punished more severely. Tanzania has begun detaining migrants for prolonged periods, sometimes many years, and then deporting them back to Ethiopia. IRIN, the UN news agency, reported in August 2011,[45] that tightening of border controls in South Africa resulted in turn in tighter controls on the northern border of Zimbabwe.

In August 2012, seven Oromo were among 15 migrants detained in Lusaka, Zambia, and sentenced to 15 years in prison. Another was sentenced for 18 months in March 2012, according to relatives in Johannesburg.

Routes by sea, from Somaliland, Somalia and, more commonly, Mombassa and Dar es Salaam, to northern Mozambique have been used. This usually entails a 1000 km road journey from Nampula to Maputo.

Arrivals by boat in north Mozambique increased in 2011. Movement of asylum-seekers outside the refugee camp in Nampula province was restricted and over 800 were sent back to Tanzania and detained. Some migrants were shot and killed by Mozambique security forces, when another 150 were detained and deported back to Tanzania.

One of those interviewed in this study (28) came legally to work in South Africa in 1995. All of the other 59 interviewees came by illegal means. Although one casual informant had come by plane to Mozambique, the interviewees came overland or by boat. Many experienced severe hardship and persecution during their journeys.

Almost all journeys began after a period in Kenya but some involved Somaliland, Puntland and Somalia. Information about the journeys of interviewees is summarised in Table 4.

[44] IOM spokesman, Jean-Philippe Chauzy, quoted by Ethiopian Review, 24 June 2009, http://www.ethiopianreview.com/articles/9978

[45] IRIN, Johannesburg, 2 August 2011.

Table 4. Summary of journeys to South Africa

Interviewee	Age	Sex	Kenya	Agent	Cost	Year*	Comments
1. Biftu	33	F	brief	+	$500	2002	15d, vehicle, foot. Zambia, Mozambique.
2. Naima	30	F	3w	+	?	2004	5-6w with 2 other Oromo, vehicle, foot. Tanzania, Zambia, Zimbabwe.
3. Aisha	36	F	4y	+	c$160	1998	Raped by Ethiopian agent in Kakuma after 4y in camp. Truck to Tanzania with 20 Somalis and with paid agent to Malawi. Begged place in Land Cruiser with Somalis on 15d trip via Zimbabwe. Jumped off river bridge into South Africa. 3-4w overall.
4. Kitabe	23	F	2m	+	others	2009	With groups of 8-15 Oromo who paid 5 agents on 10m journey. Vehicle and foot, hiding in bush, short of food, 2m Tanzania, 4m Malawi, 2m Zimbabwe, 2m Mozambique. Detained twice in Malawi, for 3m and 1m, paying for release. 1m in Musina, helped by Oromo.
5. Hussein	62	M	3m	-	$415	1998	Helped to Tanzania. Another Oromo paid driver $200 to Malawi. $200 for truck-top lift with others to Swaziland via Mozambique. Helped (100R) across to South Africa but detained by police for 15d. Allowed to proceed when gave contact detail of friend in Johannesburg.
6. Bati	53	M	25d	?	$2500	2003	Helped over border into Kenya. Travelled via Uganda, Rwanda, Burundi, and Tanzania, from where he went with other Oromo via Malawi, Zambia and Zimbabwe.
7. Nefisa	35	F	1y	+	$300+	2003	Husband insecure in Nairobi. With their 3 children and Muftuha (see 29) travelled legally for 1m on own passports, via Uganda, Rwanda, Burundi, Zambia and Zimbabwe. Paid for buses and visas until Zimbabwe, where they destroyed passports and agent took them on foot over river bridge to South Africa.
8. Beyan	41	M	5y	-	-	2004	1999-2004 as illegal immigrant in Kenya, harassed, beaten and often detained. Journey 6m, depending on Somali refugees. In Zambia, detained 4m, 200 in room, paid bribe in order to lie down, daily deaths in the prison. Hospital 1w due to starvation. Taken with 4-500 back to Tanzania but was refused entry. Slept in open 2w without food before allowed 15d to cross to Malawi, thence Mozambique.
9. Jamila	26	F	3y	+	-	2008	Illegal and housebound for 3y in Nairobi. Promised to marry agent if taken. Left in Malawi bush when changed her mind. Met 60-70 Ethiopians, hassled for sex by agents. Kept for 1y and raped by agent, keeping her apart from the others 1-2d/w. Arrived via Zimbabwe 2009.

* Year in which journey from Nairobi or Mogadishu began. d = day, w = week, m = month, y = year

10. Misira	28	F	1y	+	?	2006	Fiancé paid agent from South Africa. With 30 Ethiopians and Somalis by bus, and foot over borders, via Tanzania, Zambia and Zimbabwe. 'Long walk and boat trip' into Zimbabwe.
11. Abdijabar	46	M	-	+	$300	2002	After 18m in Mogadishu, paid for boat with Somalis from Kismayo to Mozambique. Overland Nampula to Maputo. Limped (flail R leg) 2d Maputo to border. Simply walked across.
12. Hanna	34	F	1m	+	'small'	2010	Helped to pay small amount to be taken with 20 Somalis on 2m journey by bus and on foot over borders, via Tanzania and Mozambique, arrived Feb 2011. Son followed 2012.
13. Tahir	26	M	brief	+	$2500	2010	2m with 40 others; bus, foot. Tanzania, Zambia and Zimbabwe. Several nights without food and nights without water. One walk lasted 2d.
14. Ahmadin	32	M	1m	+	$1800	2005	2m via Tanzania, Malawi and Mozambique, walking over borders and one large bridge.
15. Abdul	39	M	2w	+	?	2003	Detained 1w in Nairobi, belongings stolen. Mombassa - Mozambique by boat, then bus/foot.
16. Eesuma	55	M	1m	+	$1000	2004	1m, boat from Tanzania to Nampula, Mozambique, to Maputo and South Africa by road.
17. Fatiya	32	F	brief	-	-	2004	Helped by friends, 20-30 Ethiopian and Somali co-travellers, taking 3-4m.
18. Abdurahman	37	M	4m	-	-	2003	Feared Ethiopian agents in Nairobi. With about 10 others, most Somalis, took 6m without agent.
19. Ahmado	32	M	1d	-	-	2010	2w in Mombassa, boat to Dar es Salaam; after 3m in Tanzania, boat to Mozambique, where he was helped by 6-7 Oromo to reach South Africa 1m later.
20. Abdulmalik	46	M	3y	+	$600	2003	After 3y going between Nairobi and Uganda, joined 7 Somalis and 3 Oromo in 2w journey from Uganda to Tanzania, Zambia, Zimbabwe and South Africa by rail, bus and foot.
21. Kalid	22	M	brief	+	$2400	2006	Agent from Moyale, via Nairobi, Tanzania, Malawi, Mozambique, and Zimbabwe - 8m.
22. Mariam	27	F	brief	+	?	2004	With about 20 mostly southern Ethiopians, few Oromo and Amharas, via Tanzania, Zambia and Zimbabwe, taking 1m.
23. Guma	27	M	3w	-	$2000	2010	5w in self-organised party of 32 Oromo, Somali, Hadiya, Kambata and Gurage on bus and foot, spending 3-4w in Tanzania and a few days in Zambia and Zimbabwe.
24. Abbas	37	M	brief	+	?	2011	3m via Tanzania, Malawi, Mozambique and Zimbabwe, arriving January 2012.
25. Abdella	37	M	1y	-	-	2010	Helped, with 3 Oromo and 1 Amhara, one year via Tanzania, Zambia, Zimbabwe. Detained in Zambia 1m, 15 in 3x3m room, without toilet or washing, fed 1 small piece of bread/day.
26. Waday	33	M	18m	+	$500	2006	Did not go to UNHCR in Nairobi because heard most Oromo were refused. With 50 Oromo, Somalis, Hadiya, Kambata and Ogadeni, by boat Mombassa-Dar es Salaam-Mozambique. 3w walk to Maputo, 1w walk to border, bus to Johannesburg.
27. Fami	22	F	brief	+	?	2009	With 98 from Oromia and SNNPR, took 3m. All held 6w in 10x10m cell in Tanzania, agent paid for release. Attempted rape by 1 agent. One night in truck, hidden behind fish. 3w walk in Zambia. Many fell by wayside. 2 drowned in river crossing. 1 exhausted, killed by lion.

28. Fozia	33	F	-	-	-	1995	Employed in embassies and now has permanent residence.
29. Muftuha	39	F	9d	+	$100	2003	Travelled on own passport with Nefisa and family (see 7). Paid smaller amount to agent.
30. Omar	37	M	3m	-	-	2005	With 3 Oromo and 3 Somalis, made own way, begging at Mosques, on 3m journey on buses and on foot via Tanzania, Malawi and Mozambique.
31. Sayye	21	M	1m	+	?	2011	With 30 Somalis, 14 Oromo, 2 Amhara. Held 5m in Zambian prison, 2000 in total, 140 in 10x10m cell at night, outside in hot sun in day. 1 meal/day. One died. Deported back to Tanzania, 3d without food, before hid in container on lorry to Zimbabwe.
32. Adam	38	M	2y	+	$2500	2010	1m journey with 3 others, hiding on truck, crossing borders on foot, often short of food and water, via Tanzania, Zambia and Zimbabwe.
33. Hamid	33	M	7m	+	$2500	2011	With 56 others, bus at night, in bush in day, 15d via Tanzania, Zambia, Zimbabwe. 1 piece of bread and water/day. Raft, 2 at a time, across rivers. 1 mentally ill, returned after 18m.
34. Ibrahim	25	M	5d	+	$2500	2012	3m journey at night, trucks and containers, in bush during day, borders on foot. Detained with 2 Oromo among 43 Somali and SNNPR migrants in cramped cell in Arusha 2w, fed porridge once/d. Held with 83 in Malawi 6d. Agents paid bribe for release each time. Walked all night to Dzaleka refugee camp, stayed 14d, up to 2d without food. Among 83 prevented crossing Tete bridge over Zambezi in Mozambique. Walked 7d back to Dzaleka begging for food on way. Paid another $100 to agent who paid police. 2d in Tongogara refugee camp in Zimbabwe, truck to border, climbed fence into South Africa, 1d in Musina.
35. Ali N	38	M	15d	-	$1500	2004	With wife, paid to be shown over Tanzanian border on foot. Bus to Dar es Salaam, fishing boat to Mocimboa, N. Mozambique ($50). 30d later, truck to Maputo ($150) then S. Africa.
36. Ahmed	33	M	2y	-	$600	2001	Registered with UNHCR in Nairobi but no interview in 2y. With 4 other Oromo, 2m via Uganda, Rwanda, Burundi, Lake Tanganyika, Zambia and Mozambique. Bribed police. Begged for group bus tickets from Mozambique, arrived SA January 2002.
						2009	[Back to Ethiopia, returned SA, paying bribes for illegal travel documents including family]
37. Wardi	27	F	2w	+	$2300	2008	3m journey with 1 Oromo and 8 other Ethiopians. Detained 1w Tanzania, 4 in cell, bare floor, latrine in cell, clothing stolen, up to 2d without food. Agent paid bribe for release. Hid 1m in Zimbabwe village waiting for road to open for bus to pass.
38. Ali M	40	M	6m	?	?	1996	Via Tanzania, Zambia and Zimbabwe.
39. Abdukarim	38	M	2w	-	-	2004	With 15 Somalis and 2 Oromo plus children, helping each other, for 6w, by truck and on foot, overland including Tanzania, ‘another country’ and Mozambique.

40. Reyana	31	F	brief	+	$1500	2009	Journey overland for one month.
41. Karima	35	F	2m	-	-	2003	With 6 Oromo and 7 Somalis in cattle trucks and over borders on foot. Pooled money when rounded up and paid security forces $700 to be allowed to continue journey in Tanzania.
42. Nujuma	20	F	19m	-	-	2011	Registered with UNHCR in Nairobi but no interview 19m later. Husband left due to insecurity. She travelled with her 6m baby, 2 Oromo women and 3 Kambata men, asking for help on the way. She had only 10,000 Kenyan Shillings (about $115). Detained for 1w in Mozambique, slept outdoors, short of food and sick.
43. Sabia	38	F	4m	+	$700	2004	10w journey with 3 Oromo, 6 Somalis (4 men, 5 women), truck and foot over borders, via Tanzania, Zambia, Zimbabwe, Mozambique. River crossing on small leaky boat.
44. Kabulla	40	F	6-7y	+	-	2004	Worked as housemaid in Nairobi. No status because 20+ postponed appointments with UNHCR. 5d in Uganda, worked 3m in Burundi for agent, large river boat 3d to Mozambique, using savings for food. Crossed border on foot, over barbed wire fence.
45. Johar	22	M	-	-	$400	2012	Via Jigjiga to Somaliland with qat smugglers. Paid $400 for boat from Bossaso to Tanzania/ Mozambique border. Held hostage 1m and beaten. Ransom $2400 paid by contact in South Africa. Bus with 10+ Ethiopians to border and over by motorbike, one by one.
46. Isha	30	F	10+y	+	-	2001	Father harassed by police in Nairobi. Friend of agent. With 19 Somalis on 2m journey in minibuses to Mozambique. Agent killed in car accident in Dar es Salaam. Detained 1m in Maputo til local Muslims collected enough money to get them released.
47. Halima A	56	F	2w	-	-	2009	2m journey with son, 6 Oromo and 3 other Ethiopians, bus and foot. UNHCR helped release them from 1w detention in Tanzania. In Malawi, they were returned twice to Tanzanian border. Begged driver and hid in bus to Zimbabwe.
48. Abdulkadir A	32	M	5d	+	?	2005	Cheated at Kenyan border. Left with 7 Oromo and 10 others from Ethiopia. 2m in Tanzanian bush as road blocked, got malaria. Boat for 18d from Dar-es- Salaam to Quelimane, 2800km from Maputo. Dropped 100+m offshore due to patrols, 1 drowned. Collapsed at roadside. 5d in hospital, others died. Helped to escape and begged after night outside Mosque for bus fare to Maputo. Raised $100 from contact in South Africa, arrived 5m after began journey.
49. Ismail	42	M	6y	+	$1700	2005	Sought by Ethiopian agents in Nairobi, fled despite refugee status. 2w journey on bus, truck and foot with 9 Somalis and Ethiopians via Tanzania, Malawi and Mozambique.
50. Hafiz	40	M	6w	+	$2000	2006	Returned to Ethiopia after Saudi Arabia. With 3 Oromo and 25 Somalis, 10d on bus and foot via Tanzania, Malawi, Zambia and Zimbabwe.

51. Shagitu	25	F	brief	-	-	2009	Helped by 6 Oromo on 3m journey on bus, truck and foot through Tanzania, Malawi and Zimbabwe. Injured by cargo of wood in truck. Detained at Musina for 7d, after entry.
52. Zabiba	27	F	2w	?	?	2002	With 25 on 3m journey - Tanzania, Malawi, Zimbabwe, Mozambique. Group detained 1m in Tanzania before court appearance. Had malaria. River crossing in raft, two at a time.
53. Bontu	23	F	4m	+	$1100	2010	With 1 Oromo and 2 Amharas, 3m via Tanzania (15d), Zambia and Zimbabwe. Detained 5w in Zambia with 10 Oromo and 60 others, in 5x5m cell, using corner as toilet. 1 bowl of beans each morning. Deported back to Tanzania, re-crossed at night on foot and hid in village 3d. Truck to Zimbabwe boundary but border 'very tight'. Waded river, walked all night to Harare.
54. Abdulkadir H	34	M	1m	+	?	2000	3m following groups led by agents, giving what he had. Boat from Dar es Salaam to north Mozambique, truck to Maputo, where he met and travelled with other Oromo.
55. Ardo A M	32	F	-	+	-	2010	Walked from Ogaden to Kismayo 2009. Left when al Shabaab came in 2010. After 6m working in teashop in Ifo camp, Dadaab, took bus to Mombassa and boat for 4w (due to repairs) to Mozambique. 40 others on boat helped her pay. Agent took her and 10 others on 1½d walk and 1w in van to Musina, over Zimbabwe border.
56. Fatuma	25	F	3m	+	$2000	2007	To Kenya via Somalia and Bulo Hawo. Bus through Tanzania, Malawi and Zimbabwe and on foot over border into South Africa, taking 10d from Nairobi.
57. Mosisa	28	M	1m	+	$500	2005	1m with 74 Hadiya, Somali and Oromo (21) via Tanzania, Malawi and Zimbabwe. Bus, truck and over borders on foot. Group crossed Limpopo river from Zimbabwe 2 at a time on small raft. Taking all night. Arrived January 2006.
58. Kemal	32	M	brief	+	$3000	2012	20d with 20 Oromo and 10 Somalis, by boat Tanzania to N.Mozambique. Road to Maputo.
59. Mohammed	26	M	4+m	+	$700	2011	By boat Mombassa to N.Mozambique. Destitute, detained in Nampula camp 3m til given $200 by another Oromo. Then by truck and foot to South Africa.
60. Ardo M	23	F	6m	+	$3000	2012	2m with 3 Somalis via Tanzania, Zambia and Zimbabwe. Kept in a dirty cell for 1m in Zambia, fed once per day. Paid extra $400 each to be released.

Kenya: a long stay for some

Sixteen interviewees lived for up to three months in Nairobi before making their way to South Africa. Another seven spent 4-7 months in Kenya. A woman from the Ogaden (55) worked in a restaurant in Dadaab (Ifo) camp for six months. The other short-term residents lived in Nairobi, usually the Eastleigh estate. At least one (18) left Eastleigh because he feared Ethiopian government agents among refugees there.

Waday (26) lived in Nairobi 18 months without contacting UNHCR, believing Oromo cases were being rejected. He paid $500 to join a mixed group of 50, going by boat from Mombassa, via Dar es Salaam, to Mozambique, taking under 72 hrs. They walked for 3 weeks to Maputo and one week from there to the border with South Africa.

Twelve interviewees spent one or more years in Kenya. 'Waday' (26, see insert) lived in Nairobi for 18 months without attending UNHCR, having heard in 2006 that most Oromo were being refused refugee status. Another two waited in vain for interviews with UNHCR for 19 months in 2010-2011 (42) and two years, from 1999-2001 (36). One widowed rape-survivor (44) worked as a housemaid in Nairobi for 6-7 years until she left in 2004, after more than 20 postponed appointments with UNHCR.

A 30 year-old woman (46) reported being taken to Kenya by her father during the Derg regime and being forced to leave in 2001 because her father was being harassed by Kenyan police. There were reports of refugees working illegally for five years (8) or being in fear and housebound for three years (9). Another widowed rape-survivor, 'Aisha' (3), spent four years making a living in Kakuma camp, before being forced to flee after being beaten and raped by a Tigrean security agent in the camp. An Arsi torture-survivor (49, see insert pp.19-20) lived in Nairobi for six years and had been granted refugee status. He was sought by Ethiopian security agents in 2005 and was offered secure accommodation by UNHCR, but preferred to leave for South Africa.

Somalia, Somaliland and Puntland

Two interviewees avoided Kenya completely. 'Johar' (45) went from Jigjiga into Somaliland with qat smugglers in 2012, before going to Puntland and taking a boat from Bossaso to the coast at the border of Tanzania and Mozambique. Another refugee (11) lived in Mogadishu and Kismayo for 18 months before travelling by boat to northern Mozambique in 2002.

Five reported spending time in former Somalia before making their way from Kenya to South Africa. 'Omar' (30) abandoned his family and hid for two weeks in Hargeisa in 2004 before fleeing to Kenya. After walking to Somalia from the Ogaden, Ardo Abdulla (55) witnessed the taking of Kismayo by al Shabaab during her one year there, before crossing into Kenya and going to Dadaab camp in 2010. She eventually took a bus to Mombassa and a boat from there to Mozambique.

Two men (33, 50) crossed to Yemen from Bossaso and after one year (33) and two months (50) managed to get into Saudi Arabia where they worked illegally for three and eight years,

respectively. They returned via the same route to Ethiopia and thence Nairobi in 2010 and 2006.

A young singer (12) who had been forced to abandon her three children in early 2005, initially went to Hargeisa but because of the presence of Ethiopian security forces quickly moved to Mogadishu. When Ethiopia invaded Somalia at the end of 2006, she returned to Hargeisa where she was reunited with her children. Registered with UNHCR, although receiving no assistance, she worked as a cleaner and laundress until increasing hostility from local people drove her away in 2010. She again left her children, this time with a Somali friend, and travelled via Mogadishu to Nairobi.

Boat journeys

Seven interviewees travelled by boat from Mombassa to the coast of northern Mozambique, via Dar es Salaam in Tanzania, where some broke their journey for variable periods. Two used agents to arrange this trip, paying $500 in 2006 and $700 in 2011.

Five took boats just from Dar es Salaam to northern Mozambique. Two of these used agents, paying $1000 in 2004 and $3000 in 2012 - more than those who travelled longer journeys from Mombassa.

Another two travelled by boat to Mozambique from Kismayo and Bossaso. The journey of another (36) included a boat trip down Lake Tanganyika and one (44) reported travelling by river boat from Burundi to Mozambique.

Overland journeys

Most came overland to South Africa. Some were unsure of all the countries through which they travelled. 35 named Tanzania, 29 Zimbabwe, 20 Zambia, 17 Malawi, 17 Mozambique, 5 Uganda, 4 Burundi and 3 Rwanda.

Agents, cost, duration and co-travellers

Thirteen journeys were not recorded in sufficient detail to be sure of the financial and other arrangements. At least 21 were straight-forward brokered deals with agents, for which the payments ranged from $500 in 2002 to $3000 or more in 2012. Average

Ibrahim (34, see insert p.30) went to Nairobi in June 2012. He stayed 5 days and paid 45,000 Birr (about $2,500) to an agent. The journey took over three months, with most days spent sleeping in the bush and travelling at night in trucks or airless containers, especially at check points. Border crossings were made on foot. His group of 46 took one month to cross Tanzania. They were detained in Arusha prison for two weeks, in cramped conditions, squatting in rows between each other's legs. They were not beaten but were only given a single bowl of porridge each day. They were released when their traffickers paid a bribe.

In Malawi, they were detained in similar conditions for six days, in a group of 83, until their release was again obtained by bribery. They walked all night to Dzaleka refugee camp, where they stayed for 14 days. Because they were in transit, they were not entitled to food at the camp and went without for up to 48 hours while food was obtained by their traffickers.

The group was prevented from crossing the Tete bridge over the Zambezi river in Mozambique by a police officer who would not accept a bribe.

They were forced to walk for seven days back to Dzaleka camp in Malawi, begging for food along the way. Their broker demanded another 2000 Birr from each traveller, to pay off police.

They spent two days in Tongogara refugee camp in Zimbabwe, near the border with Mozambique, before travelling by truck to the South African border, where they climbed a fence to enter the country.

They travelled by bus to Johannesburg, after a day in Musina, arriving about 1 October 2012.

payment was $1900. Ten payments which were made from 2008 onward averaged $2330. Three journeys in 2012 cost $2500, $3000 and $3400. ($400 extra was incurred in the last to secure release from prison in Zambia.)

Twelve interviewees paid for only part of their journey, either for public transport, assistance in crossing borders or making a contribution to agents' fees paid by other travellers whom they accompanied or followed. These payments averaged $365.

At least eight received financial help from friends, strangers and other travellers in Kenya or in places along the way (often Mosques or restaurants). At least four found it necessary to beg for assistance during their journey.

The woman who travelled by river boat from Burundi to Mozambique (44), had worked for three months as a housemaid for a Somali trafficking agent in Burundi. He arranged her boat trip and her savings were spent on food for the three day journey.

The shortest journeys were the 10 days taken by two interviewees. Another five journeys lasted less than three weeks. In all, 38 journeys were three months or less. Nine were significantly longer. Two were of four months duration, one of five months and two of six months. One journey, with an agent, took eight months. Another journey took ten months and two lasted for a full twelve months.

Seventeen travelled in groups of ten or less, another eight in groups of ten to twenty. Five were in groups of 21-30, five in groups of 31-50 and two in groups of 51-70. One was in a party of 74 and another in a group of 98. Fellow travellers were other Oromo (23 reports), others from Ethiopia (15 reports) and Somalis (17 reports).

Troubled journeys - hardship, rape, death, bribes and generosity of strangers

Jamila (9, see insert, p.49) was 22 when she gave a promise of marriage to a trafficking agent on condition that he took her with his group to South Africa. She changed her mind and was left by him in the bush in Malawi. She then joined a group of 60-70 Ethiopians. Jamila was frequently harassed for sex by trafficking agents and was raped by one of them. An 'African speaking broken Oromo' kept her with him for about one year, keeping her apart from the group for one or two days each week. The journey was prolonged because of the size of the group. They arrived in 2009.

Fami (27). See adjacent text.

Fami (27) was 19 when helped by family and friends in 2009 to follow older students and relatives to South Africa via Nairobi. She travelled in a party of 98 Oromo and people from the Southern Region, taking over three months. They were all arrested in Tanzania and held in a 10 by 10 metre room for six weeks before their agent paid for them to be released. One of their agents attempted to rape her on the journey. She described travelling at night for a part of the journey, hidden behind fish in a large truck. They travelled via Zambia and at one stage had to walk for three weeks.

Many of the original group did not complete the journey. Some were left behind. At least three died. Two young Kambata or Hadiya men drowned during a river crossing at the Zambian border. Another became exhausted and was killed by a lion.

A commonly reported pattern was travelling by bus, truck, container lorry or other vehicle by night and hiding in the bush during the day. Others were forced to walk long distances, for one and three weeks at a time in Mozambique and for three weeks in Zambia. Several developed malaria. Three reported perilous crossings over the Limpopo river from Zimbabwe on small rafts, taking two at a time, sometimes with the raft re-crossing the river all night to ferry a large party. Another described being taken across on a small, leaky boat.

Six interviewees spoke of severe shortages of food and water during their journeys, going several days without food, up to two weeks in one case (8). Often, especially on prolonged journeys with agents, weeks or months were spent sleeping rough, hiding in the bush, between different legs of the journey.

Abdulkadir (48). See adjacent text.

Abdulkadir (48) reported a two month delay in Tanzania, during which he caught malaria, waiting for the road to clear before diverting to Dar es Salaam and taking a boat in 2005. He survived being forced off the boat 100-150 metres from the shore of Mozambique. Another passenger drowned in the strong tidal current. Abdulkadir collapsed because of his malaria and was left by the others at the roadside.

Police found him. They prodded him and squeezed his nipples to make sure he was not feigning being ill. He was taken to Quelimane hospital where he lay for three days before having treatment. He reported that all of the12 others on the ward died, including two men from his village whom he recognised but who had travelled separately. A stranger, visiting another patient, washed his clothes and warned him he would be arrested as soon as he got better. She helped him escape from the hospital on his fifth night and took him to a Mosque. He spent the night outside and begged for help the next morning, a Friday. With donated money he took a bus for two nights and one day, for the 2800 km to Maputo.

The reported generosity of individuals often contrasted sharply with the hostility shown by others, especially state officials. For example, Isha (46) was helped by an agent whom she knew in Nairobi and paid nothing to join a party of 19 Somalis with whom she travelled for two months to South Africa. The agent was killed in a road accident in Dar es Salaam, but the group continued nonetheless. They travelled in minibuses to Mozambique and from there were helped by other Somalis. They were arrested in Maputo and held for one month while local Muslims collected enough money to pay the police to release them. They arrived in South Africa in early 2002.

Trafficking agents paid bribes to secure release of their parties from detention in Tanzania and Malawi (34, 37). Smuggled migrants were made to pay $400 each to be released after a month's detention in Zambia, in 2012 (60). Fourteen travellers pooled their resources in Tanzania to pay $700 to be allowed on their way after being rounded up by security forces and asked to show their papers (41). In 2001/2, Ahmed (36) spent $600 during his journey

with four other Oromo. Most of this was spent on bribes to police. The group begged at a Mosque in Mozambique, where Indian people paid for their bus tickets to South Africa.

Detention, deaths and deportation

No fewer than 21 episodes of detention were reported by 18 interviewees: 5 episodes of 1-6 weeks in Tanzania; 4 episodes of 1 week to 4 months in Malawi (including two weeks in Dzaleka refugee camp); 3 short episodes in South Africa (1 and 7 days at Musina and two weeks elsewhere); an episode of two days in a camp in Zimbabawe and a one week episode in Nairobi. Two were detained for a week and a month in Mozambique. A 22 year-old (45) was beaten and held hostage with his cousin for a month in northern Mozambique until 21,000R (c$2400) was paid by their contact in South Africa. Another (59) stayed for three months in a Mozambique camp until given $200 by another Oromo to continue his journey.

Hussein (5) went to Kenya in 1998, but stayed only three months because Ethiopian security men were in Eastleigh and people were disappearing. Local people helped him across the border to Tanzania, without charge. For two days he stayed with an Oromo restaurant owner in Dar es Salaam, who paid for a vehicle to take him to the Malawi border and gave him $200 for the journey.
The driver arranged the border crossing into Malawi. Hussein paid $200 for a lift on the top of a truck with other travellers through Mozambique to Swaziland. There, he stayed two days with an Indian Muslim who fed him and gave him 100R. He was allowed across the border into South Africa without problem and paid 60R for a truck to take him to Johannesburg.
After a few miles the truck was stopped by a police patrol and Hussein was detained in Nelspruit for 15 days.
He was allowed to go on after he provided the name and phone number of a friend in Johannesburg and paid 40R.

The longest and most life-threatening detentions were in Zambia; for one month, four months and two for five months. Severe overcrowding and insanitary conditions were commonly reported but were especially notable in Zambia. For example, Abdella (25) described how 15 were kept in a 3x3 metre cell, without a toilet or water for washing for a whole month in early 2011, being fed with a single small piece of bread each day.

Accounts of detention and threatened deportation were given by four interviewees. A widow (47) travelled in 2009 with her son, nine others and an agent. They travelled by bus, crossing borders on foot. They were detained for one week in Tanzania, where UNHCR helped get them released. On two occasions they were taken back to the Tanzanian border from within Malawi, but after begging the driver to help them, they hid in the bus and continued through Malawi to the border with Zimbabwe.

When she was a 21 year-old school student, Bontu (53) paid 10,000R to an agent who took her with three others on a three month journey through Tanzania, Zambia and Zimbabwe.

They were arrested and held for five weeks in Zambia. Bontu was among ten Oromo in a total of about 70 prisoners in a 5x5 metre cell. Each morning, they were given a bowl of beans.

There was no toilet. The prisoners were forced to use a corner of the cell. At the end of five weeks, her group was deported back to Tanzania, from where they crossed again on foot at night before hiding for three days in a small town.

A pickup truck then took them to the border with Zimbabwe, where they walked one night to reach Harare. The border was 'very tight'. They had to wade across a shallow part of a river to cross into South Africa, where Bontu arrived in August 2010.

Kitabe (4, see insert, p.38) left her home in Arsi in 2009. She begged in Eastleigh, Nairobi, and after two months was allowed to travel with other Oromo who had arranged an agent. She took ten months to reach South Africa, travelling with different groups of 8-15 Oromo, who paid the five agents who were involved.
She travelled by vehicle when possible if there were no police about. Otherwise, there were many detours, travelling on foot and hiding in the bush. Sometimes she would remain hidden in the bush while others went ahead with an agent, returning for her later. They were often short of food and, as she had not paid for her passage, Kitabe sometimes missed out.
She spent about two months in Tanzania, four months in Malawi, two months in Zimbabwe and two months in Mozambique. In Malawi, the group was detained twice, for three months and one month. Payment was made by the other travellers to secure their release each time.
Kitabe stayed in the border town of Musina for one month, again helped by other Oromo, before coming to Johannesburg in early 2010.

Beyan (8) lived illegally for five years in Eastleigh, Nairobi. He was harassed, beaten and often detained by the police. Dependent on the generosity of Somali refugees, he set off in 2004 on a six month journey to South Africa, via Tanzania, Zambia, Malawi and Mozambique. His group was detained for four months in Lusaka, Zambia. They were held in a room containing 200 prisoners and were so cramped for space that they were forced to stand. Beyan sometimes paid money in order to sit or lie down. People, mostly locals, died every day in the prison.

Detainees were allowed out to pray and a local Musim invited Beyan to pray with him. When Beyan collapsed one day due to starvation, this man negotiated his temporary release from detention, took him to hospital and fed him for one week. Responding to pressure from Somalis settled in Lusaka, the Zambian authorities then took the 4-500 Ethiopian and Somali immigration detainees, including Beyan, in five buses to the border with Tanzania, with a police escort. They spent two weeks sleeping on the ground and without food while their escorts argued with Tanzanian authorities about their disposal. Tanzanian officials said they should be repatriated to Ethiopia and Somalia by plane.

Sayye (31) was severely beaten in 2001but left in 2010 because of poverty and to further his education. He was detained in Zambia and deported back to Tanzania during his 8 month journey - see adjacent text.

The Zambian police started to drift back to Lusaka, losing interest in the refugees. Eventually they were persuaded to issue documents allowing them 15 days in Zambia, during which they crossed into Malawi. From there, they travelled to Mozambique and South Africa.

'Sayye' (31) was 19 when he left West Hararge in late 2010. After a month in Nairobi, he went via Tanzania to Zambia, where he was imprisoned for five months in Lusaka. He estimates there were 2000 in the prison. He and 46 others from Ethiopia and Somalia were held in a 10 by 10 metre room with local prisoners, numbering 140 in total.

They were fed one bowl of maize meal and beans per day and kept outside in the hot sun, without shelter, from 7.00 am to 5.00 pm. At night, they were crammed, in rows, squatting with the man in front between their legs. A separate section was used for those who became ill, about 80. One of their number, a 25 year-old from Arsi, died in this prison.

The 46 migrants were deported to Tanzania, where they spent three days without food before their agent arranged for them to hide in a container on a lorry bound for Zimbabwe, from where they crossed into South Africa in June 2011.

South Africa after apartheid

It's better than Ethiopia. Karima (41).

Almost twenty years since Nelson Mandela was elected president and apartheid was dismantled, South Africa's return to the fold of respectable, capitalist democracies has not been plain sailing. Development has been patchy. Violence has been rife. South Africa is one of the world's most unequal countries for income distribution and the increasingly authoritarian, governing African National Congress party is 'debilitated by careerism and violent factionalism . . . Political violence that is silently taking over the country is sadly under-reported.'[46]

Although there is a healthy and active civil society, central and local government is characterised by corruption and ineptitude. Only 13 of 343 municipalities got clean audits in 2012. The auditor general rated 72% of municipal employees as incompetent. Civilian protest 'in the face of this corruption and sheer uselessness' is met with 'apartheid era heavy-handedness that has seen activists arrested *en masse* or killed.' The police massacred 34 striking miners in August 2012.[47]

There are nine provinces in South Africa. Guateng is the location of Johannesburg, the largest city, and Pretoria, the executive and *de facto* national capital. Mpumalanga (formerly Eastern Transvaal) is the province to the east of Guateng, which borders Swaziland and Mozambique.

Along the 42 km of Highway 1, linking Johannesburg and Pretoria, inequality is glaringly obvious. Northwest of the highway is Sandton where huge corporations have their high-rise offices, including the regional headquarters of Vodaphone. On the opposite side of the road to Sandton, the site of 'the most expensive real estate on the continent', lies the township of Alexandra 'still putrid with raw sewage and angry joblessness after 18 years of freedom.' Less than two kilometres separates these two very different worlds.[48]

An affluent gated community in Randfontein contrasted with the poorest homes on the edge of Alexandra township.

[46] New Internationalist, October 2012. Oxford. p.28.
[47] *Ibid.*
[48] *Ibid* and personal observation.

The economic powerhouse of Africa has an infant mortality rate of 41 per 1000 live births, eight times that of the UK. A South African woman has a 1% lifetime risk of maternal death, 47 times the risk in the UK. Life expectancy is 52, ten years lower than it was in 1992, due to AIDS. The prevalence of HIV is 17.8%. South Africa's Human Development Index is 123rd out of 187 countries.[49]

Out of its almost 52 million population, the black majority (79%) lives on a yearly household income of 60,600 Rand ($7000). Despite increasing by 170% over the last decade, this is only one sixth of the income of white households (365,000 Rand, $42,000). Nearly 30% of the labour force is unemployed.[50]

Improved (Reconstruction and Development Programme - RDP) housing is being built in townships but nearly two million still live in shacks, according to the 2012 census. Although 85% of homes have electricity, only 52% have flush toilets.[51]

Country of sanctuary

Since its democratic transition in the 1990s, South Africa has been the destination of an increasing number of asylum-seekers and other migrants from neighbouring countries, especially Zimbabwe, and from the Horn of Africa, especially Somalia and Ethiopia. Those fleeing south from Ethiopia and Somalia aim for South Africa because it is the only country in the region where refugees and asylum seekers have freedom of movement and the right to work, rather than being confined to camps.[52]

UNHCR report that, each year since 2007, South Africa has received more asylum applicants than any other country in the world. Latest figures (for 2011) showed a decline of 64% from the previous year but still more than anywhere else - 106,904. As of January 2012, the UN reported 219,368 asylum-seekers and 57,899 refugees in South Africa.[53]

Estimates of the number of foreign-born residents vary from 1.3 million to 5 million.[54] It was estimated that 3.4% of South Africa's population in 2007 was foreign-born; 4.1% of town dwellers and 1.6% of the rural population.[55]

---

[49] *Ibid.*
[50] South Africa census. BBC News Africa, 30 October 2012.
[51] *Ibid.*
[52] IRIN, UN news agency, Johannesburg, 2 August 2011.
[53] 2013 UNHCR country operations profile - South Africa
www.unhcr.org/cgi-bin/texis/vtx/page?page=49e485aa6&submit=GO
[54] Consortium for Refugees and Migrants in South Africa (CoRMSA) estimated that the foreign-born population rose from 1.3 million in 2001 to 1.6 million in 2007, allowing for 30% under-recording (Protecting Refugees, Asylum Seekers and Immigrants in South Africa, Johannesburg, 18 June 2009. www.CoRMSA.org.za).
The UN news agency, IRIN, reported from Johannesburg on 12 March 2009 an estimate of 5 million foreign nationals in South Africa.
A report from the International Organization for Migration estimated 3 million foreign nationals. (S. Jost, K. Popp, M. Schuster, A. Ziebath 2012. The effects of xenophobia on the integration of migrants in South Africa: An NGO perspective. International Organization for Migration. August-September 2012. www.iom.int/cms/en/sites/iom/home/what-we-do/migration-policy-and-research/migration-policy-1/migration-policy-practice/issues/august-september-2012/the-effects-of-xenophobia-on-the.html)
[55] CoRMSA 2009. *Op. cit.*

In 2009, the International Organization for Migration estimated 20,000 arrived each year from Ethiopia and Somalia.[56] Somali residents reported in 2011 that 1500 came from Somalia each month.[57]

Feeling the strain

To cope with increasing demand, after the enactment of the 1998 Refugees Act in 2000, the Department of Home Affairs (DHA) opened five Refugee Reception Offices in Johannesburg, Pretoria, Cape Town, Durban and Port Elizabeth to document asylum-seekers and assess their claims. Additional 'backlog' offices and internationally sponsored 'backlog projects' ensued in 2007 and two more Refugee Reception Offices, at the northern border town of Musina and in Pretoria, were opened in 2008 and 2009, respectively.[58]

In 2009, over half of sub-Saharan Africa's 420,000 asylum applicants were registered in South Africa. The majority were from Zimbabwe but many of these were not fleeing persecution and were not refugees according to international law.[59]

Zimbabwe Documentation Project

In September 2010, the Zimbabwe Documentation Project was launched to document Zimbabweans outside the asylum process. But the project only reached 275,000 of the 1-1.5 million Zimbabweans in South Africa and awarded only 250,000 permits, leaving 88% liable for deportation when the moratorium on deportations was lifted in July 2011. Deportations actually resumed in October 2011.[60]

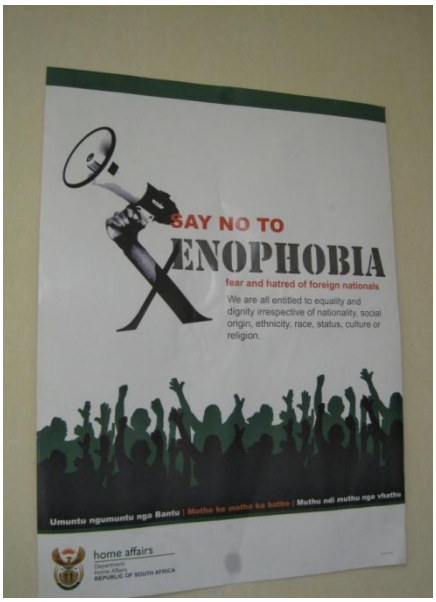
The project depended on the Zimbabwe government issuing passports and was 'characterised by bureaucratic ineptitude and dissimulation.' The refugee advocate body, the Consortium for Migrants and Asylum Seekers in South Africa (CoRMSA) feared that xenophobic violence would be encouraged when the government was seen later to target and evict Zimbabweans.[61]

Shift in government policy 2010 - 2011

CoRMSA reported that while amendments to refugee laws were under discussion in 2010, the DHA began implementing some changes. The Minister announced that asylum-seekers would be screened at the border and returned to claim asylum in the first safe country through which they had passed (copying the practice of European Union states). Despite this 'first country principle' being illegal under current South African law, there were an increasing numbers of reports in 2010 and 2011of asylum-seekers being turned away at borders on this basis, with no proper determination of their need for protection.[62]

---

[56] IOM spokesman, Jean-Philippe Chauzy, quoted by Ethiopian Review, 24 June 2009, www.ethiopianreview.com/articles/9978
[57] IRIN, UN news agency, Johannesburg, 2 August 2011.
[58] Roni Amit 2012. No way in: Barriers to Access, Service and Administrative Justice at South Africa's Refugee Reception Offices. African Centre for Migration & Society, University of Witwatersrand, Johannesburg, September 2012.
[59] CoRMSA 2011. Protecting Refugees, Asylum Seekers and Immigrants in South Africa during 2010. Johannesburg. April 2011. www.CoRMSA.org.za
[60] UNHCR Global Report 2011 (covering 2011), South Africa. www.unhcr.org/4fc880ab0.html; CoRMSA 2011. *Op. cit.*
[61] CoRMSA 2011. *Op. cit.*
[62] *Ibid.*



The official government line, as on this DHA poster, is to discourage fear and hatred of foreign nationals, who are 'entitled to equality and dignity.'

In 2011, the Department began reversing the trend of expanding the administrative capacity for asylum-seekers and refugees by initiating a series of office closures. The Crown Mines office in Johannesburg closed on 31 May, forcing Johannesburg applicants to travel to Pretoria for asylum applications and renewals. The office in Port Elizabeth shut on 30 November 2011 and the Refugee Reception Office in Cape Town closed on 28 June 2012.[63]

As well as forcing asylum applicants to travel long distances to make applications and renew documents, there were other consequences. According to the Communications Officer of CoRMSA, Gwadamirai Majange, the closure of the refugee office in Johannesburg resulted in more overcrowding at the office in Pretoria and the loss of some files. There was an increase in corrupt practices as a result.

A shift in policy was reported by NGOs, refugee representatives and academics in August 2011. South African authorities were no longer 'willing to accept the entire continent's refuge burden' and were denying entry to refugees on the basis of the 'first country principle.' The UN news agency, IRIN, reported that a knock-on effect was seen in countries through which migrants passed *en route* to South Africa. Zimbabwe tightened its northern border controls and Mozambique started restricting movement of asylum-seekers, detaining them and deporting them back to Tanzania.[64]

Xenophobic attacks in 2008

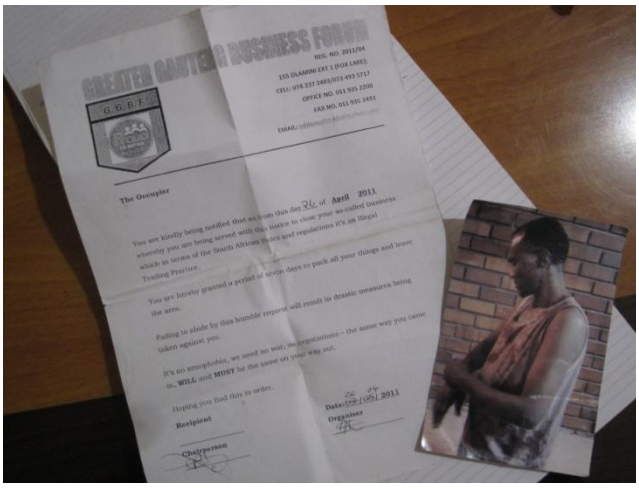
In the attacks on immigrants and their businesses and properties in a two week period in May 2008, the death toll is usually reported to have been 62, comprising 41 non-nationals and 21 South Africans. This is likely to have been an underestimate, as at least some of those who went missing are presumably dead (for example, the husband of Isha - interviewee 46). At least 670 were severely wounded; dozens of women were raped; 100,000 - 150,000 people were internally displaced and millions of Rands' worth of property was looted, destroyed or seized by local residents.[65]

The violence subsided when the army and police moved foreigners out of the townships in which they were being attacked and into camps, where some stayed for up to a year or more. The government then encouraged them to move back to the neighbourhoods from which they came, threatening to evict some forcibly from the shelter of the camps.

[63] Amit 2012. *Op. cit.*
[64] IRIN, UN news agency, Johannesburg, 2 August 2011.
[65] J.P. Misago, L.B. Landau, T. Monson 2009. International Organization for Migration. Towards Tolerance, Law, and Dignity: Addressing Violence against Foreign Nationals in South Africa. (Research conducted by the Forced Migration Studies Programme at the University of the Witwatersrand [since renamed African Centre for Migration & Society], funded by the UK Department for International Development.) IOM Regional Office for Southern Africa, Arcadia, February 2009.
IRIN, UN news agency, Johannesburg, 12 March 2009.
CoRMSA 2009. *Op. cit.*

Very few felt able to return, because they were threatened by perpetrators of the violence who were still at large and their property remained in the hands of hostile local people. Almost all moved to different neighbourhoods, where the violence had been less apparent. According to a 2012 report from the International Organization for Migration,[66] some were forced to drop charges against perpetrators as a condition for their return to the community.

The 2008 violence was unusual only in its intensity, rapid escalation and spread from an attack on a foreign-owned tuckshop in Alexandra on 11 May. Xenophobic violence on a similar scale, but less concentrated in time and space, occurred before 2008 and has continued to happen since.



Beyan (8) has abandoned 5 tuckshops after xenophobic threats and attacks. He is shown in a blood-soaked vest after an attack on his shop in Delmas in February 2011. The flier from 'Greater Guateng Business Forum' was delivered to his shop in Randfontein in April 2011. It warns of 'drastic measures' being taken against him if he does not pack up and leave within seven days.

According to Arvind Gupta, UNHCR's Regional Protection Officer in Pretoria, xenophobic violence waxes and wanes on a 3-4 year cycle. There were more killings in 2012 than in 2008 but these were scattered and sporadic and did not attract much media attention.

Causes of xenophobic violence in South Africa

Reports from the refugee and migrant advocacy body, CoRMSA,[67] and two reports from the International Organization for Migration (IOM)[68] include analysis of the background and immediate causes of the attacks in 2008 in considerable depth.

There is no evidence to support assertions that poor border control, changes in national political leadership or rising food and commodity prices were significant factors, although these may have contributed to tension in townships. Rather, the violence reflected 'deep tensions and dysfunctions in contemporary South African society and politics.'

Restrictions to legal immigration and the branding of those whom the asylum system had failed as 'illegal' immigrants were government failures which contributed to the demonization of foreigners and emphasised the 'us and them' belief structure. 'However, it is the micro-politics of township life that turn these divides into resources and translates them into violence' wrote IOM in 2009.

The absence of conflict resolution mechanisms and a 'culture of impunity with regard to public violence in general and xenophobic violence in particular' were important elements.

[66] Jost *et al* 2012. *Op. cit.*
[67] CoRMSA 2009 and 2011. *Op. cit.*
[68] Misago *et al* 2009. *Op. cit.* and Jost *et al* 2012. *Op. cit.*

The acceptance of xenophobic attitudes and the dehumanisation of foreigners in public life were also particularly important.

High ranking politicians have aired barely concealed xenophobic beliefs. DHA former Director-General, Billy Masetlha, was quoted by IOM 'Approximately 90% of foreign persons . . . with fraudulent documents . . . are involved in other crimes as well.' Former Home Affairs Minister, Mangosuthu Buthelezi, said in 1997 'South Africa is faced with another threat, and that is the SADC ideology of free movement of people, free trade and freedom to choose where you live or work. Free movement of persons spells disaster for our country.'

CoRMSA received a number of reports that local political leaders promised to rid their areas of non-nationals, when electioneering in 2009.

The police exhibit xenophobic bias. A 2006 survey showed 87% of police believed most undocumented migrants in Johannesburg were criminals and nearly 80% believed all foreigners, regardless of status, cause a lot of crime. The stereotypic labelling as 'illegal immigrants' of those who remained undocumented because of administrative delays contributed to this belief among the population.

CoRMSA noted that government officials' visible 'ambivalence regarding the violence and its victims has helped entrench public convictions that non-citizens are not equal before the law.' The government's 'late and indecisive response to earlier attacks' and threats of eviction, 'effectively endorsed perpetrators' intentions of ridding their communities of outsiders'.

Despite visible warning signs of which police were aware, the government did not intervene to prevent the violence. 'Such failures are not surprising given that more or less extreme cases of xenophobic violence had occurred across the country in the preceding years with little response from police, politicians, or Chapter Nine institutions like the SAHRC [South African Human Rights Commission].'

IOM noted that non-nationals are now the 'functional equivalent' of black South Africans under apartheid. A racist culture - with privilege being dependent on identity - has been inherited from the Boers and the apartheid era. Endemic violence, economic inequality and prejudiced beliefs about foreigners - that they took jobs, subsidised housing and women from South Africans and took no part in service delivery protests - were grist to the mill of xenophobic hostility.

But it was the perversion of these elements by local community leaders and politicians, to further their own economic and political interests within townships, which was responsible for the events of May 2008.

The government took credit for defusing the violence by mobilising the army and police. But local officials and security forces did not protect the immigrants; they conducted them away while their property was seized or destroyed. Police stood by and sometimes joined in the looting. They were either complicit in the violence or reluctant or impotent to intervene because their status was dependent on local power brokers who instigated and drove the attacks.

What ended the violence was not primarily the presence of the army. In many cases, it was merely that the targeted population had been driven away and their property taken or destroyed. There was nothing left to attack.

CoRMSA wrote 'One of the most important barriers to effective disaster response in May was the lack of government leadership. Coordination and communication were among the most important issues and those managed least effectively. Indeed, there was little or no effective national coordination of responses from government and civil society.'

Alexandra township, where an attack on a foreign tuckshop sparked the May 2008 attacks.

The government's approach in the initial phase of the emergency was to concentrate on immigration control, which led to the arrest and deportation of some victims. The later reintegration programmes ignored protection needs and the complexity of the relationships between foreign businesspeople and township politics.

Impunity

CoRMSA and IOM blamed actual and perceived impunity for xenophobic violence for perpetuating the attacks. CoRMSA wrote 'Non-nationals have been repeatedly attacked and killed in South Africa over many years with few being held accountable for these hate crimes.'

In most incidents before and during 2008, no or few arrests were made. Even when perpetrators were detained, they were released without charge and in some cases with the assistance of local or provincial authorities. Charges against most of the suspects in May 2008 were dropped by the National Prosecuting Authority because of 'lack of evidence' or 'the interpreter could not be found'. Although there were 70 guilty verdicts after the May 2008 incidents, not one was for rape or murder. Many instigators of the attacks are 'still free and on the streets'.

In 2009 and 2010, CoRMSA noted continuing impunity for xenophobic violence.

Xenophobic violence before and after 2008

The scenes of hate that played out against foreign nationals in 2008 were 'extraordinary' in their 'intensity and scale', but not in their manner, as xenophobic violence has become a constant bed-fellow of post-apartheid South Africa, the [IOM 2009] *report said.*

IRIN, Johannesburg, 12 March 2009

The IOM report noted earlier major xenophobic incidents, one in 1994 and 20 between 1998 and April 2008. In August 2006, 20-30 Somalis were killed in Cape Town. In 2007, over 100 Somali businesses were looted in Motherwell township, Port Elizabeth, by a mob intent on 'ethnic cleansing'.

IOM quoted a Motherwell resident:
'The approach of the Somalis to come and just settle in our midst is a wrong one. Somalis should remain in their country; they shouldn't come here to multiply and increase our population, and in future, we shall suffer. The more they come to South Africa to do business, the more the locals will continue killing them.'

CoRMSA wrote in 2009 'Violence against non-nationals has been a long-standing and increasingly prominent feature of post-Apartheid South Africa' and warned that because of the government's failure to address the factors that led to the violence, it was likely to occur again.

The Consortium listed 28 xenophobic incidents between August 2008 and May 2009, with 31 more deaths of Somali traders.

In their later report,[69] CoRMSA commended the police for establishing an early warning system for xenophobic violence but noted continuing incidents. The organisation listed 82 xenophobic events between June 2009 and November 2010, which included at least 20 deaths, over 40 serious injuries and at least 200 foreign-owned shops looted. Although there were no large scale displacements, except in De Doorns (where 2500 Zimbabweans were displaced in November 2009) more than 1000 were displaced in smaller incidents around the country. Guateng and Western Cape were the most affected provinces.

Again, local power brokers and politicians were responsible for promoting the violence and there were no attempts by government to prevent it. Once again, officials argued that the violence was simply the result of crime. Once again, security responses were late and reactive and there was impunity and lack of accountability. Little effort was made to address the community leadership and failures of local governance which led to the violence.

Reconstruction and Development Programme (RDP) housing, Alexandra. False claims of homes being taken by immigrants were made in 2011.

However, CoRMSA was itself responsible for pre-emptive conflict resolution. Gwadamirai Majange explained that between August and October 2011, fliers were distributed in Alexandra township claiming that 'Non-nationals are getting our houses', the new RDP houses with running water and electricity, built to re-house slum dwellers. There is a long waiting list for these properties, on the eastern edge of Alexandra. The unsubstantiated claims were based on ignorance and a conflict resolution team, organised by CoRMSA, helped to dispel the rumours and prevent their escalation into violence.

Shortly after mid-2012, about 200 foreigners were displaced in xenophobic violence in Botshabelo township, Bloemfontein. CoRMSA worked with local newspapers and sent a trained conflict resolution leader, who helped to restore calm.

[69] CoRMSA 2011. *Op. cit.*

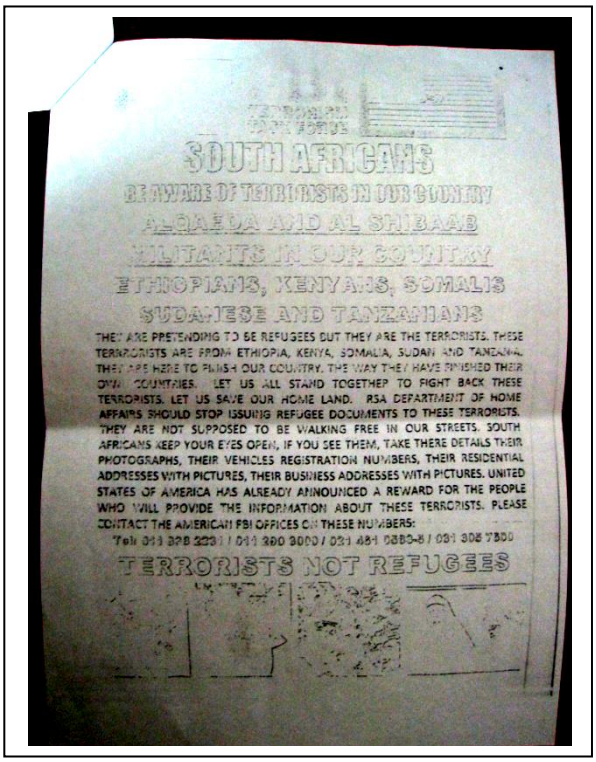
Not all recent incidents were prevented. Publicity from the Johannesburg office of Amnesty International reported 'numerous incidents' of attacks on homes and properties of refuges and asylum-seekers from May to July 2012, causing displacement, in seven provinces, including Guateng, Mpumalanga and Limpopo.

Present prospects

The 2012 IOM report warns that the government's present and proposed policies are likely to worsen the situation.[70] 'Restrictive immigration policies feed sentiments that migrants are not welcome in the country' stated the report.

The government's ongoing immigration review is a cause of concern as it shifts focus from a human rights perspective to that of security. A discussion document published in March 2012 includes 'quite drastic measures' - encampment, denial of the rights to work and education - which will make integration of migrants even more difficult.

The South African Human Rights Commission has signally failed to improve protection for refugees and asylum-seekers. For example, the CoRMSA newsletter in September 2012 reported that the Commission was asked to investigate notices circulated in Mayfair which were likely to incite violence against foreigners, as it is mandated to do. It merely referred the matter to the DHA, which is not capable and not mandated to make such investigations.



TERRORISM TASK FORCE
SOUTH AFRICANS
BEWARE OF THE TERRORISTS IN OUR COUNTRY
AL QAEDA AND AL SHIBAAB MILITANTS IN OUR COUNTRY
ETHIPIANS, KENYANS, SOMALIS
SUDANESE AND TANZANIANS

They are pretending to be refugees but they are the terrorists. These terrorists are from Ethiopia, Kenya, Somalia, Sudan and Tanzania. They are here to finish our country, the way they have finished their own counties. Let us all stand together to fight back these terrorists. Let us save our home land. RSA Department of Home Affairs should stop issuing refugee documents to these terrorists. They are not supposed to be walking free in our streets. South Africans keep your eyes open. If you see them, take there details, their photographs, their vehicles registration numbers, their residential addresses with pictures, their business addresses with pictures. United States of America has already announced a reward for the people who will provide the information about these terrorists. Please contact the American FBI offices on these numbers:

Tel 011 328 3331/ 011 300 3000/ 031 484 0383-6/ 031 308 7300

TERRORISTS ARE NOT REFUGEES

One side of a leaflet distributed in Mayfair in July 2012. The other side is reproduced on p.86.

[70] Jost *et al* 2012. *Op. cit.*

Life in South Africa as an asylum-seeker or refugee

Short of legality but doing well. Businessman, Kinross.

Numbers and time in South Africa

According to Oromo refugees, there are about 30,000 Oromo among the 100,000 or so people from Ethiopia currently living in South Africa. They estimated that about twice that number, some 200,000, have come from Somalia. The majority of Oromo residents (60-75%) are men; from 20-25% are women; and less than 20% (perhaps as few as 5%) are children. Almost all have arrived in the last 15 years. According to one long term resident, only about 80 Oromo were in South Africa when he arrived in 1997.

Among the 60 interviewees, the majority arrived in two periods. 29 came in 2002-2006 (with a peak of 11 in 2004). 24 arrived in 2009-2012 (peaking at 8 in 2010). One or two arrived in each of 1995, 1996, 1998, 2000, 2007 and 2008.

The largest group of Ethiopian immigrants were said by Oromo contacts to be from Gambella Region and Southern Nations, Nationalities and Peoples Region. Some claim these are mainly economic migrants who have been driven away by poverty and drought since 2010. However, mass killings, regarded as genocidal by Genocide Watch,[71] and forced evictions of farmers in ruthless land-grabs,[72] have affected these regions.

Alexandra township

No contact was made with Amhara or 'Ethiopian' communities, which were thought by Oromo contacts to be smaller than their own. Members of the Ogaden community estimated that they numbered about 7000, including women and children, in South Africa.

Distribution

About 30% of Oromo refugees in South Africa live in Guateng Province; mostly in Johannesburg, Randfontein and surrounding townships, and Alexandra, a large township between Johannesburg and Pretoria. There is a concentration of Oromo (and Ogadeni) in the suburb of Mayfair, five km west of the central business district in Johannesburg. Many with refugee status and established businesses, including those with clothing shops in Jeppe Street in central Johannesburg, live here.

A growing number of Oromo in Guateng province live in Randfontein (30 km west of Johannesburg) and its nearby townships, including Azaadville, Kagiso and Rietvallei. Smaller numbers live in townships in East Rand (the area between Johannesburg and Springs,

[71] Genocide Watch and Survival Rights International report. 16 February 2004, www.genocidewatch.org, and Genocide Alert, issued 14 April 2004 by genocidewatch@aol.com

[72] Land grabs in Ethiopia leave tribes hungry on World Food Day. Survival International. London. 15 October 2012. www.survivalinternational.org/news/8751

about 40 km to the east) and Soweto, southwest of Johannesburg. Oromo refuges and asylum-seekers have drifted from Alexandra to Randfontein since the xenophobic violence of May 2008, which erupted first in Alexandra, and moreso since the killing there of a young Oromo tuckshop owner, Seifudin Abdulla, in June 2012.

Roughly one third of Oromo in South Africa live in Mpumalanga Province, about 110km to the east of Johannesburg. The township of Mbalenhle (pronounced Mbalente by my contacts), where many have businesses, is surrounded by three towns - Kinross, Secunda and Evander - where many of the better-off refugees live. Springs and Delmas are other towns with associated townships, which hosts a few Oromo, 1-2 and 40 km, respectively, north of the road to Mbalenhle.

Most of the remainder of South African Oromo live in Durban (650 km away), Cape Town (1600 km south) and Port Elizabeth (800 km away).

Around 3000 of the 7000 Ogadeni are in Guateng province, mostly in Johannesburg and Pretoria. Most of the others live in Cape Town or Eastern Cape province.

Alexandra, Randfontein and Mbalenhle

Poorer Oromo refugees and those without refugee status are more likely to live in townships like Alexandra and Mbalenhle. Those with businesses in the townships tend to employ others in their tuckshops ('spaza' shops; small general stores, selling food and essential household goods). It was my impression that employers are more likely to have refugee status, but this was not a hard and fast rule.

Alexandra occupies an area of about 10 by 10 km, with newer government housing furthest from the highway and older and poorer homes, business premises and shops, in the valley between. Most owners of shops in Alexandra live in Johannesburg.

SASOL petro-chemical works and power station, Mpumalanga.

The overall population of Alexandra and Soweto was said to be greater than the 350,000 in Mbalenhle. Only about 20 Oromo live in Soweto. At least 150 Oromo live in Randfontein, including about 60 single men and 20 with wives and children. Between 25 and 30 own tuckshops, most in townships but some in Randfontein itself. There is an Oromo restaurant in the town, which includes a pool table and acts as a community centre. New arrivals from other areas are swelling the numbers in and around Randfontein.

I spent half a day in Mbalenhle on 3 November. Several thousand South Africans work in the gold and coal mines which surround it and in the nearby power station and SASOL petro-chemical works, making petrol from coal. Ethiopian and Somali refugees are prevented by hostility from the local population from working in the mines or for SASOL. Mbalenhle is approximately 10 km square and is divided into 26 councils or stations. A relatively affluent housing area, including modern bungalows, is smaller than the poorer councils with older, makeshift dwellings.

A fairly affluent area of Kinross.

Most of the Oromo who own or rent houses live in Kinross, 17 km away, or in other nearby conurbations - Secunda, Evander and Trikat, pleasant middle class suburbs, at least in part. Others live in the town and township at Delmas.

The larger, north, part of Kinross consists of poorer housing, with a mixture of newer brick-built accommodation and older shanties, among which are about 15 Oromo-run tuckshops. Because Indians lived in Kinross during the apartheid era, there are Mosques, pre-school madrassas and a private Islamic school as well as state schools. It is therefore a popular place for Oromo refugees, and at least two large premises in one shopping mall in Kinross belong to Oromo.

The majority of Kinross inhabitants are Asian or white but an increasing number, possibly 20%, are now black. Rents were said to be higher here than in Johannesburg - 5000R/month for a house. House prices were also said to be maybe 20% higher. The largest of the towns surrounding Mbalenhle is Secunda. It boasts a golf course and US-style shopping malls.

At least 200 single Oromo men and families trade in over 100 retail outlets in Mbalenhle and there are at least as many Kambata, Hadiya and Amhara taders in the township. There are now few Somali traders, perhaps 6-7 tuckshops. One informant said that they used to be the majority of traders in Mbalenhle before 2010. He said most Oromo shops were bought from Somalis, who then moved into Johannesburg, Eastern and Western Cape or were resettled in Europe or the USA. Another claimed that the largest number of outlets, since 2010, were run by Kambata and Hadiya people from the south of Ethiopia, following a period of Oromo majority.

Traders' employees, especially single men who do not rent or own property, sleep in the tuckshops and supermarkets in Alexandra, Mbalenhle and the townships around Randfontein. Employers are more likely to rent houses in nearby towns but some sleep in their tuckshops. Premises owned and run by immigrants included small shacks, former shipping containers and small supermarkets/wholesale outlets.

South African hairdresser in Mbumalenhle.

A few small tuckshops, alcohol outlets and hairdressers in townships are run by South Africans. The majority of tuckshops, convenience stores and supermarkets are run by immigrants from Ethiopia. Others are run by immigrants from Mozambique, Malawi, Nigeria, India, Bangladesh, Pakistan (especially phone and electrical goods) and elsewhere.

Oromo Community in Johannesburg

The Oromo Community has a committee and an office in Mayfair, with accommodation upstairs and a restaurant on street level. The building is owned by a longstanding Oromo resident and businessman. The community organisation should pay rent but rarely does.

Local Oromo businessmen have built a Mosque in the street next to the office. Between 20 and 30 rent sleeping space in the office building.

The community holds public meetings at least twice each year. Over 400 came to the meeting which I attended on 28 October. Less than ten in the audience were women.

Mosque, built by Oromo businessmen in Mayfair, Johannesburg.

Employment

Several longer term residents with refugee status had substantial businesses in Johannesburg and elsewhere, many selling clothing and textiles in shops in large complexes which they owned with other refugees. There was good cooperation between them and Somali refugee businesspeople.

Five or six Oromo businessmen are sufficiently well established to travel to and from China to arrange imports and some own several stores and houses, mostly in Mayfair.

Among the 60 interviewees, 30 worked or had worked in tuckshops. Ten worked in clothes or curtain shops in Johannesburg, mostly in large central shops, but one sold clothes in a kiosk in his apartment building. Another had been laid off from her job in a clothes shop because of poor trade and one young woman stopped working in a clothes outlet after being raped when walking to work a few days before interview.

One woman acted as a security guard in a shop and three were shop assistants or worked in small supermarkets. Two made deliveries in small vehicles. One woman ran a small tea and snack kiosk and another started a small restaurant business with the help of the Jesuit Refugee Service. Two were irregularly employed; another worked occasionally as a housemaid.

Three interviewees sold goods on the street or from house-to-house and two family breadwinners were described by themselves or their partners merely as ‘businessmen’.

A woman worked briefly as a cook but stopped after her she was attacked and robbed of her first month’s wages on her way home. Nine were unemployed after being robbed when running tuckshops. Three others were unemployed: one was a woman in her fifties who was dependent on her son’s friends after he was shot dead in his tuckshop and one had not been in South Africa long enough to find a job. Another had a small business working from the Ethiopian embassy until forced out by the ambassador and his deputy.

Average earnings were said to be 3000R[73]/month or less. Household income of interviewees tended to be in the lower part of the range and varied considerably. One single man lived in the tuckshop where he worked, earning only 700R/m. A couple who both worked in clothes and curtain shops had a combined income of 5000R/m. The average household income of 19 interviewees who were regularly employed was 2210R/m and most were from 2000 to 3000.

Earnings, accommodation expenses, experiences with the asylum process and other significant events for interviewees in South Africa are summarised in Table 5.

Accommodation and living expenses

Ten of the interviewees were completely dependent on friends and relatives for their accommodation and living expenses, having not worked or having abandoned work after incidents of violence and robbery.

The pleasant, leafy suburb of Mayfair where some of the more affluent Oromo businessmen live.

Another ten were partly dependent on friends or others. The 35 year-old widow with three children who was helped to set up her small restaurant by the Jesuit Refugee Service was also assisted by her local Indian Muslim community who helped by paying her rent. Others were helped by friends to pay their children's school fees. Several remarked how difficult it was to make ends meet, with or without help.

Some families lived in a single rented room for as little as 1000R/m but most who paid 2000R/m or less for accommodation were either single people sharing rooms or properties or were families in shared accommodation.

The Oromo Community office in Mayfair offers accommodation for single men at 30R per night or 2000R/m for a room which sleeps four or so. Two interviewees lived there, one of them dependent on others for his rent.

Forty-one interviewees paid an average of 1980R/m on accommodation, including five who paid rent for sleeping in tuckshops where they worked. In addition, four unaccompanied men slept rent-free in tuckshops (one in a small supermarket), ten were wholly dependent on friends, and one successful businessman paid 4500R/m for a house for his extended family. Accommodation details were unknown in the remaining four.

[73] 100 Rand = $11.5 (January 2013)

Table 5. Summary of experiences in South Africa

Interviewee	Age	Sex	Year*	Status†	Bribes#	Comments
1. Biftu	33	F	2002	+	?	Divorced, husband denied access to children for 3y, refuses to pay maintenance and prevents her resettlement with them. Pays 6000R/m to trade in shop. Shares house with 2 women and her 2 children, paying 2000 of 4000R/m rent. All spare money goes on food, school and goods for shop.
2. Naima	30	F	2004	+	3000	Sold on street 4y. House burgled 2004 but police took goods from thieves, then detained Naima and husband 5d. Robbed and thrown off train 2004. Gave up shop after 3y because 10 robberies and delayed police response. Husband now works at other's shop for 2500R/m. Rent small room including 2 children, 2000R/m. Friends pay one child's school fees. Husband paid no bribe and was told he'd been rejected status at appeal but appeal decision upheld and hidden in file awaiting bribe.
3. Aisha	36	F	1998	+	3000	Initial rejection until paid, as Somali. Treated for TB and HIV (rape victim). Earns 1500R/m as security guard in shop. Pays 750R/m for share of room with another woman. Recognised Tigrean security agent who raped her in Kakuma camp, when shopping in Mayfair in 2012.
4. Kitabe	23	F	2010	+	0	Status after 2m, no bribe. Husband earns 2000R/m in clothes shop, lives with young baby in small room 1000R/m. Difficult to survive on husband's income.
5. Hussein	62	M	1998	+	0	Status in 2003, no bribe. Sells goods on pavement or house-to-house, for 100-500R/d. Pays 200-300R/m rent, sharing house with 6-10 others.
6. Bati	53	M	2003	-	0	Rejected status 2006. Renews asylum-seeker status every 1-2 m with help of Lawyers for Human Rights. Lives without rent in community office, Mayfair. Unemployed, relies on help.
7. Nefisa	35	F	2003	-	0	No status 'because I don't have money.' Renews asylum-seeker certificate every 3m. Abandoned by husband, now dead. Supports 3 children, aged 11-14. Slept on street 4m in 2004. Now supported by JRS - food, school clothes and fees. Indian Muslim community help her with rent. JRS provided loan for small restaurant, slowly being paid back.
8. Beyan	41	M	2004	-	0	Interviewed and rejected 2006. Pays 2-3000R for asylum-seeker renewal every 1-2m. Son arrived, refused status, fined 3000R for missing deadline for renewal. Three shops in Mpumalanga robbed, beaten twice. Threats drove him from Randfontein. Now unemployed, depends on friends.
9. Jamila	26	F	2009	-	0	Had 2 monthly asylum-seeker renewals without payment until August 2012 when file 'lost', asked for 3000R for new paper. Pays 1000R/m for room with husband, who earns 2000R/m in clothes shop. Needs help from friends to survive. Worried that miscarriage due to rape on journey to SA.

* Year of arrival in South Africa † Refugee status # Rand

10. Misira	28	F	2006	?	?	Tuckshop in Springs robbed at gunpoint 4 times in 2010, family held hostage once. Family of 4 live with a widow and her 2 children, they pay all of 4000R/m - 'a struggle.'
11. Abdijabar	46	M	2002	-	0	Unable to afford bribe for status. Up to 700R for asylum-seeker renewal. Tuckshop robbed twice, now unemployed, supported by others. Family of four, 2200R/m rent, one child at school, 300R/m.
12. Hanna	34	F	2011	+	3000	Paid agent, status same day. Paying off loan. 13 yr-old joined her but children's names illegally struck from document, unable to attend school without status. Rents with three unaccompanied women, 2500R/m. Out of work one month (laid off from clothes shop).
13. Tahir	26	M	2010	-	0	Paid 2000R to register as asylum-seeker, nothing for renewals. Attacked at tuckshop 2m ago, broke wrist. Now dependent on room-mate for 2000R/m rent.
14. Ahmadin	32	M	2005	+	3000	2000 for extension. Tuckshop robbed 20 times. Earns c5000, rent 2000R/m, shares with 2 other men.
15. Abdul	39	M	2003	+	3000	1000+2000 for extensions. Tuckshop robbed 2010. 2nd wife miscarried after beating at robbery. Now works for others, rent 2000R/m, with other couple.
16. Eesuma	55	M	2004	+	150	150 to register as asylum seeker, 2000 to renew status for 4y (6m if no payment). Lives behind tuckshop with brother and son, makes 2000R/m after rent 2500R/m.
17. Fatiya	32	F	2004	-	0	Asked for 1000R for status but unable to pay. 3-400R for asylum-seeker extensions. Separated, rents small room with 2 children for 1200R/m, occasional shop work, struggles.
18. Abdurahman	37	M	2004	-	0	400R to register, 100R for 3-6m extensions of asylum-seeker paper. Refused status as Somali. Robbed as street trader several times before violence in 2008. Protected in camps 2008- 2011. Worked briefly in township shop until robbed at gunpoint. Unemployed, dependent, unsettled.
19. Ahmado	32	M	2010	-	0	Was asked for 5000R for appeal. Dependent, irregularly employed, unsettled.
20. Abdulmalik	46	M	2003	-	0	300R to register. Illegal since final rejection 2011. Sold his tuckshop for 40,000R in 2011. Now broke and reliant on friends. Lives with pregnant wife and 2 infants, pays 1500R/m.
21. Kalid	22	M	2012	-	4000	Was refused despite bribe. Advised to pay 3000R for appeal but cannot afford.
22. Mariam	27	F	2004	-	?	Claimed as Oromo, then Somali. Missed appeal as baby ill. In total, paid 4000R in bribes. Street vendor. Husband mentally ill, works in tuckshop. 2 children, rent with 2 other men, 2000R/m.
23. Guma	27	M	2010	+	1500	Slept at DHA 7d, beaten by police, bag stolen. Clothes salesman. Rents with bro-in-law, 2000R/m.
24. Abbas	37	M	2012	+	5000	As Somali (process took 3m). Lives and works in tuckshop, earning 2000R/m.
25. Abdella	37	M	2011	-	?	Pays 2000R for asylum-seeker renewal every 5m. Lives and works in tuckshop, earning 700R/m.
26. Waday	33	M	2006	+	3000	Initially refused when paid 2000R, changed name. Tuckshop looted and 45,000R investment lost in 2008 attacks. Now paid 2300R/m for work in tuckshop, out of which pays 1500R/m rent.
27. Fami	22	F	2010	+	6000	Initially 4 visits to DHA in 4m, paying 350-700R, no result. Friend, tuckshop owner, shot dead in shop 2012. Her and husband's shop attacked twice and ransacked. Now unsettled, unemployed.
28. Fozia	33	F	1995	Resident		Asked to spy on refugee population in South Africa. Dismissed from work in embassy.

29. Muftuha	39	F	2003	+	0	As Somali. Street vendor until 2007. Paid agent 40,000R to bring 2 boys and her sister in 2006. Pays madrassa 750R/m. Slept in tuckshop until attacked and looted in 2010. Now rents house 2000R/m. Daily threats to close down for 2m, awaiting advice/help from UNHCR.
30. Omar	37	M	2004	+	2500	As Somali. One day late for renewal, arrested next day, had to pay policeman 500R and DHA 1000R for 2y extension. Traded on street until wife arrived, without their 2 children, in 2009. Tuckshop attacked 2010, goods worth 100,000R taken. Oromo community helped restock. License in name of shop owner, so no recourse when evicted and goods worth 70,000R taken by landlord in September 2012. Now works in other shop for 2000R/m. Rent 2500R/m, so wife seeking work and living with their 3rd child and another family, meanwhile.
31. Sayye	21	M	2011	-	0	200R for 3m extensions of asylum seeker paper. Lived/worked in tuckshop for 2000R/m until June 2012. Tired of 'daily' robberies and attacks, moved to Mayfair, pays 30R/night at community office.
32. Adam	38	M	2010	+	6000	Paid 1000/1300/300R for extensions before got status (4yrs), but believes may be false paper. Lives with wife in tuckshop, paying 3000R/m rent. 3 robberies at gunpoint in 4m.
33. Hamid	33	M	2011	+	2000	2yr status, after 5 visits. Queued, not seen x2. Paid 1500R x2 for short extensions to asylum-seeker paper. Sleeps + works in tuckshop, pays 3000R/m rent, makes c2000R/m profit. 4 robberies in 20m.
34. Ibrahim	25	M	2012	-	400	Paid another 500R and awaits appeal. Earns 2000R/m as supermarket assistant, sleeps in shop.
35. Ali N	38	M	2004	-	<800	Paid 2-800 on 4+ occasions for extensions to asylum-seeker paper, occasionally free. Appeal rejected 2009. Rents tuckshop for 3500R/m, earns 'enough to survive,' pays 800R/y for 2 children at school and 50R/m for 3 at madrassa. 9 armed robberies in 6 yrs. He and wife beaten twice. Brother stabbed in face. One thief dressed as policeman.
36. Ahmed	33	M	2002	-	0	Offered status for 2000R in 2008 but refused offer. Pays 5-600R for 1-6m extensions to asylum-seeker paper. Tuckshop robbed x5 from 2006-2008. Returned to Ethiopia after 2008 violence, back to SA in 2009. Now rents tuckshop 1000R/m, sleeps there with brother. Two armed robberies in 3m.
37. Wardi	27	F	2008	-	0	Fined 2000R and briefly imprisoned for registering under false name. Husband also on asylum-seeker extensions, 2-300R every 6m. Single room with 2 children 2600R/m. Husband earns 3000R/m in small supermarket - robbed once as street vendor but not in current job.
38. Ali M	40	M	1996	+	0	Asylum process not corrupt in 1996. Renews status every 2y free. Witnessed *Hagere Fikir* killing of refugee, in 1997. Businessman. Rents house 4500R/m for wife, brother's widow, 5 children. Disabled, depends on mobility scooter, due to back injury in street robbery and subsequent surgery.
39. Abdukarim	38	M	2004	-	0	Only paid 200R 'to get in', attended 2x/wk for 5m, unable to be seen. Rents room with wife for 2500R/m, both work in clothes and curtain shops, earning 5000R/m total, hard to save.
40. Reyana	31	F	2009	+	3000	Renewal costs 1000R. Husband has own business. Share house, 3000R/m, with another family.
41. Karima	35	F	2003	+	5000	1500 and 2300R for renewal. Works in tuckshop with husband, rents house with five children for 2000R/m. Four armed robberies since 2008.

42. Nujuma	20	F	2011	-	0	200R to register, attended weekly for a month. 500R for asylum seeker extension. Was told appeal would fail unless she paid. Husband's tuckshop robbed at gunpoint every month. Advanced pregnancy and young baby, so moved from tuckshop to house 1500R/m.
43. Sabia	38	F	2004	+	2000	1500 for renewal. Divorced. Shares room with daughter, 1300R/m. Earns 'just enough' in tea kiosk.
44. Kabulla	40	F	2004	-	0	Final rejection 2009 as 'had no money to pay.' Unsettled, dependent on friends. Occ. housemaid.
45. Johar	22	M	2012	+	5000	Refugee status after 6 visits, but document false. Casual work, as yet not settled.
46. Isha	30	F	2002	+	2000	2000R for 4y renewal. Husband presumed dead in 2008 violence. Sells clothes on street. Depends on others. Lives with her 2 children, 4 adults and 4 other children, contributing 7-800 to 5000R/m rent.
47. Halima A	56	F	2009	+	3000	Son killed in armed robbery 2012. His friends pay 1000R/m rent, in house + 4 adults and 2 children.
48. Abdulkadir A	32	M	2006	-	1500	Told in 2009 that file lost. Fined 3000R when asylum-seeker status expired. Shop was looted in 2008 2nd shop also robbed. He and wife unemployed 1y. 18m baby. Depend on friends for 1700R/m rent.
49. Ismail	42	M	2005	-	1500	Awaits appeal. 2-300R for 6m extensions to asylum-seeker paper. Rents clothing shop for 3500R/m and house for 2500R/m, which shares with 2nd wife and infant twins.
50. Hafiz	40	M	2006	+	4000	Extensions only 6m as refused to pay. Works/sleeps in tuckshop, for 2000R/m. 3 robberies in 3yrs.
51. Shagitu	25	F	2009	+	2000	4y extension for another 2000R. Was detained for one week on entry. She and husband moved after robberies at end 2010. He works in township tuckshop, rent with 4 adults and their child, 3000R/m.
52. Zabiba	27	F	2003	-	0	500R x4 for 6m asylum-seeker paper. Ill with TB. Husband makes deliveries in small car. The couple live in a township with their 4 yr-old, rent-free with friends.
53. Bontu	23	F	2010	+	2000	Husband works in tuckshop, rents for 2800R/m , and makes deliveries in car. They live with 9m-old baby, in house with another couple in Azadville, paying 3000R/m rent.
54. Abdulkadir H	34	M	2000	-	1-200	1-200R at each visit to DHA. File 'lost' 2005, took 1y to get another permit. His tuckshop employee killed in 2008. Went to Acacia UNHCR camp for 21m, then Ebenezer Care Centre. Shares house with wife, child, 4 other adults and 2 children for 2800R/m, barely afforded from tuckshop earnings.
55. Ardo A M	32	F	2010	+	800	As Somali, 1000R for 4y renewal. Was cook but wages robbed. Unemployed, lives with friends.
56. Fatuma	25	F	2007	+	3000	As Somali, same day. DHA said Ogaden did not exist. Took 4m going to and from Port Elizabeth to renew refugee status, Commissioners visiting so 'no bribes were paid that day.'
57. Mosisa	28	M	2006	+	500	Small payment as he had ICRC certificate of detention. Earns up to 3000R/m selling clothes in kiosk in the building where he shares a flat with 2 other men, each paying 1000R/m.
58. Kemal	32	M	2012	-	0	In SA only 2m. Not applied yet as cannot afford bribe. No job, lives with friend.
59. Mohammed	26	M	2011	+	2000	Paid broker, completed form, status given without interview. Security guard and designer in curtain shop. Shares 2000R/m room with 4 other men.
60. Ardo M	23	F	2012	-	1500	Friend told her 2500R is required. Worked in clothing shop in central Johannesburg for 2000R/m and shared room with 2 other women, each paying 1500R/m. Robbed and raped on way to work 4 November. Unable to return to work or pay rent. Now unemployed and living rent-free with friends.

School

Government school fees are 5-600R/m. Private school fees may be twice this amount or more. According to CoRMSA literature, migrant children have a right to schooling in South Africa. They should be allowed to register at state schools even without showing refugee or asylum-seeker documentation for the first three months. School principals are obliged to assist parents in applying for exemption to school fees. School uniforms are not an enforceable requirement. There are no upper age limits and schools cannot deny a place because a child does not speak English or other South African languages.

CoRMSA noted in 2011,[74] however, that although access to primary education was guaranteed in the constitution, immigrant children did not have equal access to school. Small-scale studies showed a quarter of asylum-seeker children were not at school in 2009. Difficulties included limited places in no-fee schools, the enrolment application process, refusal of applications for fee exemption, and inability to pay for school fees, uniforms, transport and meals. Some schools refused applications from families whose refugee and asylum-seeker status was due for renewal during the school year.

One interviewee was told her 13 year-old son could not go to school because he was without refugee status. Hanna (12) arrived in 2011. Her son arrived in September 2012. The names of all her children had been struck (illegally) from her refugee status document when she took him to the Department for Home Affairs. He was therefore without status and too young to apply for status in his own right.

Hanna (12) and her son. See adjacent text.

One interviewee reported being told by UNHCR that she should approach the Jesuit Refugee Service for help with school fees. Another had fees paid for her children by Social Services in Pretoria.

Few details about payment for schooling were obtained from interviewees and these were not consistent. One interviewee paid 300R/m for a child to attend school. Another reportedly paid a total of 800R per year for two children. One interviewee paid 750R/m for two boys to attend a madrassa, but another reported paying a total of only 600R per year for three children at a madrassa.

Discrimination and hostility: health services

Refugees reported that nurses discriminate against refugees in public hospitals. They are overlooked in queues waiting for attention, treated roughly and openly despised. Midwives were said to refuse to issue birth certificates because they do not recognise asylum-seeker certificates. One trusted contact reported seeing a video recording on a mobile phone of midwives refusing to give pain relief to a mother at Delmas hospital in 2011. Her husband

[74] CoRMSA 2011. *Op. cit.*

challenged them, asking 'Aren't you here to help us'. They replied 'We're not here for mkwerekwere' (speakers of a foreign language).

Ogaden Community members complained that treatment from hospitals and clinics was denied to their sick people and torture victims. This was usually not blatant, but excused as being due to the doctor being busy or out of the country. However, patients were sometimes chased away without such pretence. Ogaden community members also believed their pregnant women were rushed to Caesarean Section unnecessarily.

CoRMSA reported in 2009 that public healthcare institutions' policies disadvantaged non-nationals and ran counter to South African law. Restrictions of access by immigrants to health care, including treatment for HIV/AIDS, was documented over four years by CoRMSA in June 2009 and April 2011.[75]

Banking

In May 2010, banks were directed not to accept asylum-seeker and refugee documents as proof of identification, preventing them opening new accounts and denying them access to their funds. Thus many were driven into the informal banking sector, until CoRMSA and other NGOs negotiated the lifting of this prohibition later in the year.

Employment and trading rights

Migrant workers are often employed informally, have little access to work-related benefits or rights and are excluded from trades unions.[76]

Refugees complained that trading licences are issued in a discriminatory fashion. Ordinarily, they are granted to the owners of businesses, but if the businessperson is a foreigner, the licence may be issued to the owner of the premises. This sometimes results in the business, including all its assets, being taken over by the landlord, leaving the person who built up the business with no legal redress.

Omar (30). See adjacent text.

'Omar' (30) reported that after trading on the street for five years, he rented a tuckshop in Middelburg in 2009. This was attacked, like other shops in Middelburg, in March 2010 and he lost 100,000R worth of goods. Helped by the Oromo community, he restocked the shop and returned to work in early 2011.

From August 2011, Omar's business license was in the name of the owner of the shop, to whom he paid rent. The owner evicted him in September 2012 and was awarded the entire contents of the shop, worth 70,000R, by the municipality. Omar now works for another shop-owner, in Alexandra.

[75] CoRMSA 2009 and 2011. *Op. cit.*
[76] CoRMSA 2011. *Op. cit.*

Police

Police were usually passive and sometimes complicit in the xenophobic violence of 2008. Abdulrahman (18) was given some protection in a camp north of Pretoria in May 2008, but that camp was dismantled by police who shouted at the refugees and beat them.

Oromo and Ogadeni refugees reported that calls made to the police in a foreign accent were likely to be ignored or followed by a delayed response.

Police, seeking a bribe, especially in and around Johannesburg, may detain legal immigrants for several days, unless a payment is made, while their documents are 'certified'. Amnesty International reported that bribes reflected income and expectations of the police. For example, a Bangladeshi may be expected to pay 5000R to avoid arrest and detention but a black South African may be released on payment of 300R. According to CoRMSA in 2009,[77] one in seven asylum-seekers pay bribes to be released from illegal detention.

Police often raid business premises of non-nationals and commonly ask for free soft drinks at tuckshops. They also take part in more obviously criminal activity. When Naima's (2) house was burgled in 2004, police caught the thieves but took the stolen goods themselves and imprisoned Naima and her husband for five days. One of the thieves who robbed Ali's (35) tuckshop in Randfontein, in one of six robberies over the last three years, was wearing a police uniform.

A trader in the central business district of Mbalenhle, a relatively secure location because of its proximity to the police station, reported that his premises were burgled by police in 2011.

Street crime

A refugee who arrived in 1996 (38) is partially paralysed due to a back injury which occurred during a street robbery and was made worse by surgical treatment. He is now dependent on a mobility scooter.

In September 2004, when she was seven months pregnant, 'Naima' (2) was thrown off a train in a xenophobic attack, injuring her knees and shins. Her assailants stole the goods she had been selling outside the station at Lipaafley, Kukarsdrop, and shouted 'You fucking mkwerekwere. Go away from us.'

Abdulrahman (18) was robbed several times as a street trader between his arrival in 2004 and the violence of 2008. The husband of Wardi (37) was robbed when he sold goods on the street, before she arrived in 2008.

Guma (23). See next page.

[77] CoRMSA 2009. *Op. cit.*

‘Guma’ (23) slept outside the Department of Home Affairs for seven days to obtain refugee status, after arriving in South Africa in October 2010. During that week, he was beaten by police and his bags and clothes were stolen.

A businessman in Mbalenhle saw his business-partner shot dead in 2011 when he approached his home which was being robbed. Visitors and family were being held at gunpoint inside. He said there was no chance of finding the culprits.

Ardo Abdulla (55) was robbed of her first month’s wages as a cook in a Somali restaurant on her way home in June 2012. She did not return to work.

The secretary of the Oromo Community had his smart phone stolen when walking a few blocks one evening a few months before this study. He no longer walks alone after 9 p.m.

‘Ardo Mohammed’ (60 - see insert, p.32), a 23 year-old shop assistant in central Johannesburg, arrived in March 2012. On 4 November, at 7.30 a.m., while walking to work, she was pulled to the ground from behind by her hair. Two local men, one armed with a gun, took her bag containing her month’s wages given the previous evening, her telephone and her asylum papers.

One of the men raped her while the other held the gun. She was told she would be shot if she shouted out. Her attackers told her ‘You Ethiopians and Somalis are safe [from AIDS] and so you’ll be fucked every time.’ She believes she would have been raped by the second man but they were disturbed by passers-by. She was thrown out by her landlord because her money was stolen and she was unable to pay her rent. At the time of writing, she lives with friends and has not worked since the attack. She attended a clinic on 7 November but was too late to receive anti-HIV prophylaxis and awaits future testing. A local witchdoctor reportedly advises HIV patients that sex with a Muslim girl cures the illness.

Violence against tuckshops

This tuckshop in Alexandra was robbed by five men on 27 April 2012. The trader was beaten over the head with a rifle barrel and a shot was fired close to his head.

As noted in the previous section, foreign-owned shops in townships are attacked for a combination of reasons. An extraordinary level of violence is accepted, almost without comment, in South Africa. Xenophobia is insufficiently acknowledged or addressed by political leaders. Lawlessness, poverty, impunity and poor policing contribute to a climate in which foreign businesses are targeted.

In addition to these background factors, more organised mob violence against non-national traders is instigated by local leaders and politicians to bolster their own legitimacy and power. It is this mechanism which inflamed the pogrom of May 2008 and other organised campaigns of xenophobic violence.

Hundreds of immigrants have been attacked and killed in the general run of hostility and violence in South Africa.

I was told by a Mayfair hotel-owner that about 1000 Somalis have been killed in violent incidents since 2000. He said that 75 Somali businessmen were killed on their premises in the first ten months of 2012 and that 100-150 were killed each year. Refugees said that probably 100 Oromo have been killed since they first came to South Africa in about 1996. Three were killed from August to October 2012: two in Soweto and one in East Rand township.

Alexandra tuckshop - robbed six times.

In townships, tuckshops usually operate through gaps in their grilled fronts and even larger supermarkets shut their iron grills at 8.00 p.m. and operate through small hatches. As I was driven through Alexandra, each shop we passed was commented upon: 'robbed four times'; 'robbed three times'; 'two people were shot here'; and so on.

The driver used to keep a shop in Alexandra. Following a spate of robberies by one 20 year-old, he opened a case against him with the local police. When policemen surrounded his home in one of the poorest parts of Alexandra, he shot himself and his young wife, rather than be arrested. Such is the culture of violence in township life.

Zuberye Ababiul, see adjacent text.

Zuberye Ababiul was one of 17 Oromo detained and threatened with return to Ethiopia in October 2008, after defending themselves against racist violence. They were charged with assault but released, with help from Lawyers for Human Rights. Zuberye ran a tuckshop in Cape Town and defied robbers who came to his store on 15 January 2011. He tried to pull a gun on them but was shot six times. His spine was injured, causing paralysis of both legs. He now uses a mobility scooter which was given to him by another paralysed refugee.

Tuckshop attacks reported by interviewees

Thirty of the 60 interviewees worked or had worked in tuckshops. Nine stopped doing so in response to armed robberies. Of the 21 who were still working in tuckshops when interviewed, four used to run their own businesses but had decided to become employees at other tuckshops after experiencing armed attacks. Two, who used to sleep on the premises with their families, moved to rented accommodation after armed robberies.

The 30 tuckshop workers reported 81 separate armed robberies. This figure does not include reports by two of 'daily' and 'monthly' robberies. Only four tuckshop workers did not spontaneously report armed robberies and only one explicitly said he had not been robbed, in up to eight years in a small township near Boksburg.

Eleven interviewees placed the robberies in time frames: for example, 10 times in three years, 20 times in seven years, 4 times in twenty months etc. These eleven interviewees reported 65 robberies in a total of 29 years 3 months, i.e. an average of one robbery every 5.4 months. The family of one interviewee (10) was held hostage during the fourth night-time armed robbery of his tuckshop in Springs, Mpumalanga. He and his wife were held at gunpoint with their 4 year-old twins while all their goods and money were taken.

Tuckshop, with owner Jemal, Station 18, Mbalenhle - robbed once in 2008 and twice in 2009.

In Randfontein, the leader of the community there, Moussa, reported that there were violent robberies every weekend. His own brother, Sharifa Nagare Ahmed, was shot dead in a township tuckshop robbery on 11 August 2012. Another refugee received a flesh wound from one of three bullets fired in a robbery just eight days before my visit to Randfontein on 5 November.

Interviewees reported another two tuckshop killings. The son of Halima Ahmed (47) was shot dead when his tuckshop in Alexandra was robbed in June 2012. An employee of Abdulkadir (54) was found dead outside his tuckshop in Leslie, Mpumalanga province, after being struck on the back of the head with a hammer, during the violence of May 2008.

Beatings during robberies resulted in several injuries to interviewees and their relatives, including a fractured wrist, stab wounds to the face and a miscarriage.

Organised xenophobic violence

A degree of organisation behind threats and attacks on many businesses corroborated the reports by CoRMSA and IOM of the sinister role of local business and political leaders in xenophobic attacks.

Beyan (8) came to South Africa in 2004. His first store, in Delmas, had been attacked during organised violence against many premises in February 2007 (see insert p.66). His tuckshop in Leslie was robbed and he was beaten in 2008. In February 2011, his premises in Delmas were attacked and he was again beaten. He set up in Randfontein but received a threat from the 'Greater Guateng Business Forum' on 26 April 2011, warning him to pack up his things and leave the area within seven days or 'drastic measures' would be taken against him. He gave up his last tuckshop, at a different location near Randfontein, two months before interview.

Muftuha (29). See adjacent text.

'Muftuha' (29) left her 4 and 5 year-old sons with her mother when she fled from Ethiopia in 2003. She sold rings and other goods on the street until 2006, when she paid 40,000R to a Somali agent to bring her sons and her

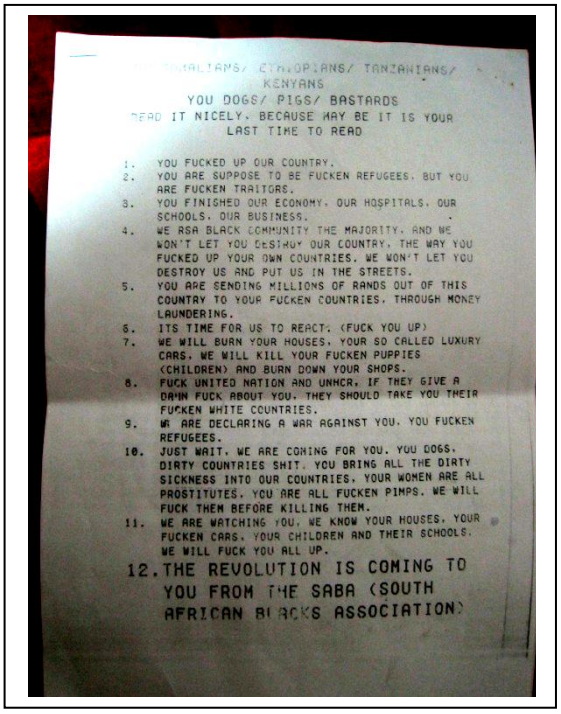
sister to South Africa. After another year of street trading, in 2007, she opened a small tuckshop in Middelburg, Mpumalanga, and slept in the back of the shop.

On 29 March 2010, when it was dark, without electricity, a large number of South Africans attacked her as she tried to leave the shop with her children. They broke her wrist and took everything from the shop. The attackers burnt tyres on the street and attacked all the shops. The police did not attend. Although they completed a report on the attack, no further action was taken.

Muftuha returned to the shop after three months but now rents a house so her family can sleep in safety. For the two months before interview, she received threats on a daily basis that she would be killed after Christmas if she continued trading. She intended to move after our interview and had asked for advice from UNHCR.

'Omar' (30) also rented a tuckshop in Middelburg which was attacked and looted on 29 March 2010. All his goods, worth 100,000R, were stolen. Perpetrators remained unpunished.

A leaflet (see inserts, p.70) which was distributed in Mayfair in July 2012 accused refugees from Ethiopia, Somalia, Sudan, Tanzania and Kenya of being terrorists and members of al Qaeda and al Shabaab. It encouraged readers to photograph their houses and cars. The reverse side of the A4 sheet (see below) purported to have been written by the South African Blacks Association. It 'declared war' against 'fucken refugees' for damaging South Africa's economy, schools, hospitals and businesses, for bringing 'all the dirty sickness'. 'We are coming for you' it read, 'We will burn down your houses . . . we will kill your fucken puppies (children) and burn down your shops.'



...ALIANS/ ETHIOPIANS/ TANZANIANS/
KENYANS
YOU DOGS/ PIGS/ BASTARDS
READ IT NICELY. BECAUSE MAY BE IT IS YOUR
LAST TIME TO READ

1. YOU FUCKED UP OUR COUNTRY.
2. YOU ARE SUPPOSE TO BE FUCKEN REFUGEES. BUT YOU ARE FUCKEN TRAITORS.
3. YOU FINISHED OUR ECONOMY. OUR HOSPITALS. OUR SCHOOLS. OUR BUSINESS.
4. WE RSA BLACK COMMUNITY THE MAJORITY. AND WE WON'T LET YOU DESTROY OUR COUNTRY. THE WAY YOU FUCKED UP YOUR OWN COUNTRIES. WE WON'T LET YOU DESTROY US AND PUT US IN THE STREETS.
5. YOU ARE SENDING MILLIONS OF RANDS OUT OF THIS COUNTRY TO YOUR FUCKEN COUNTRIES. THROUGH MONEY LAUNDERING.
6. ITS TIME FOR US TO REACT. (FUCK YOU UP)
7. WE WILL BURN YOUR HOUSES. YOUR SO CALLED LUXURY CARS. WE WILL KILL YOUR FUCKEN PUPPIES (CHILDREN) AND BURN DOWN YOUR SHOPS.
8. FUCK UNITED NATION AND UNHCR. IF THEY GIVE A DAMN FUCK ABOUT YOU. THEY SHOULD TAKE YOU THEIR FUCKEN WHITE COUNTRIES.
9. WE ARE DECLARING A WAR AGAINST YOU. YOU FUCKEN REFUGEES.
10. JUST WAIT. WE ARE COMING FOR YOU. YOU DOGS. DIRTY COUNTRIES SHIT. YOU BRING ALL THE DIRTY SICKNESS INTO OUR COUNTRIES. YOUR WOMEN ARE ALL PROSTITUTES. YOU ARE ALL FUCKEN PIMPS. WE WILL FUCK THEM BEFORE KILLING THEM.
11. WE ARE WATCHING YOU. WE KNOW YOUR HOUSES. YOUR FUCKEN CARS. YOUR CHILDREN AND THEIR SCHOOLS. WE WILL FUCK YOU ALL UP.
12. THE REVOLUTION IS COMING TO YOU FROM THE SABA (SOUTH AFRICAN BLACKS ASSOCIATION)

You Somalians/ Ethiopians/ Tanzanians/ Kenyans
YOU DOGS/ PIGS/ BASTARDS
Read it nicely, because may be it is your last time to read

1. You fucked up our country.
2. You are suppose to be fucken refugees, but you are fucken traitors.
3. You finished our economy, our hospitals, our schools, our business.
4. We as a black community the majority, and we won't let you destroy our country, the way you fucked up your own countries. We won't let you destroy us and put us in the streets.
5. You are sending millions of rands out of this country to your fucken countries, through money laundering.
6. Its time for us to react. (Fuck you up)
7. We will burn your houses, your so called luxury cars, we will kill your fucken puppies (children) and burn down your shops.
8. Fuck United Nation and UNHCR. If they give a damn fuck about you, they should take you their fucken white countries.
9. We are declaring a war against you, you fucken refugees.
10. Just wait, we are coming for you. You dogs, dirty countries shit. You bring all the dirty sickness into our countries, your women are all prostitutes. You are all fucken pimps. We will fuck them before killing them.
11. We are watching you, we know your houses, your fucken cars, your children and their schools. We will fuck you all up.
12. THE REVOLUTION IS COMING TO YOU FROM THE SABA (SOUTH AFRICAN BLACKS ASSOCIATION)

Flier distributed in Mayfair in July 2012, see above text.

In August 2012, violence in Limpopo province affected mainly Ethiopians and Somalis, causing 400 to flee while their shops were looted.

On 1 November 2012 (a Thursday), striking farm-workers looted shops including eight Oromo shops in De Doorns, Western Cape. About 280 Oromo families fled from the township to the town. Payday is Friday and looting is more likely on Thursday when people are short of money. Nevertheless, the scale of these attacks indicated a degree of organisation.

Ethiopian government terrorism

Hagere Fikir, meaning 'Love of Motherland', is the name of pro-government groups established by the Ethiopian government abroad, initially by Haile-Selassie and rejuvenated by the Derg and the EPRDF regimes. *Hagere Fikir* threatened and attacked critics of the Ethiopian government in Kenya and South Africa. It became particularly active in South Africa in 1999 and 2000, according to information sent to the Oromia Support Group and the Oromo Relief Association at the time.[78] One of the long-standing refugees in Johannesburg confirmed these reports.

A *Hagere Fikir* group was set up by the embassy in 1996 and responsible for four attacks on Oromo refugees from 1997 to 1999, in which property was destroyed and cash and valuables stolen. It was not formally established until January 1999, when the ambassador and the visiting deputy mayor of Addis Ababa opened its office in the Bertram district of Johannesburg. The embassy paid for its office and a car.

One Oromo, since resettled in the USA, was held for 24 hours at the *Hagere Fikir* office in January 1999, tied up and beaten. His apartment was ransacked and his money stolen, before he was taken from the office and thrown onto the street.

Ali Mohammed (38) witnessed the killing of Ayana Oljira Gula in September 1998.

Other Oromo refugees were beaten and killed by South Africans who were hired by the group. In December 1997, Ayana Oljira Gula was threatened at gunpoint on the street and beaten unconscious. He was accused by *Hagere Fikir* of reporting their activities to the police. In September 1998, he was shot dead in a pool hall in Johannesburg. This was witnessed by Ali Mohammed, who was interviewed during this research trip (38).

In September 1999, Fayisa Jafar Wageso was beaten unconscious and left for dead on the street, with limbs broken. In October, Belay Baqala Bayisa was beaten to death in his home. In November 1999, Antena Wayesa Guyo was shot dead on his way home from work.

Three Ethiopian journalists were beaten and given death threats in November 1999. They were warned to stop publishing a newsletter which was critical of the Ethiopian regime.

[78] OSG Press Releases 27, February-April 1999, and 30, February 2000.

Hagere Fikir and government security operatives are less of a direct threat now. However, there are still up to 100 ardent TPLF supporters in South Africa, many with successful businesses. They are said to keep a low profile and some pretend to be Eritrean. Although silent, they keep a watchful eye on other refugees and their affairs.

After the death of Ethiopian Prime Minister Meles Zenawi in August 2012, they hired two buses to transport them from Johannesburg to Pretoria for a memorial service. They paid for a police escort because of the strength of feeling against Zenawi among refugees from Ethiopia.

A long term Oromo resident with extensive contacts told me that Oromo meetings are monitored and even streamed live into the embassy. Photographs of activists, videos and lists of names are circulated among its staff. The Ethiopian Development Forum (infiltrated by the OLF) is set up to encourage people to return and invest in land and businesses in Ethiopia. Individuals attending its functions are selected to act as spies on the community.

Fozia (28), see adjacent text.

Fozia (28),who had worked at the Ethiopian embassy reported being asked to spy on visitors to the embassy and relay their private conversations while they were waiting in the foyer.

One of the corrupt translators at the Department of Home Affairs (see p.105), a Tigrean named Belay, is a member of the Ethiopian Development Forum. He is often seen at the embassy.

When Oromo import traders apply for passports at the embassy they are questioned. Some report being told that they have been monitored and are 'known to be politically neutral'.

One Oromo suspected that a petrol bomb attack, which destroyed his home and all of his belongings on 16 May 2012, was the responsibility of Ethiopian government agents. Just over two weeks previously (29 April), he had given a traditional elder's blessing to a large Oromo gathering and had included political comments in his speech.

Aisha (3), see adjacent text.

In July 2012, while she was shopping in Mayfair, 'Aisha' (3) was accosted by the Tigrean security agent who had raped her in Kakuma camp in Kenya in 1998.

'So, you're still alive' he said. She had developed AIDS and TB, either due to being raped by him or from a previous rape, by the Tigrean chairman of her kebele in Ethiopia, in 1993.

Development of civil society in response to xenophobia

In the area of Mbalenhle, following the xenophobic violence of 2008, Oromo, Amhara, Kambata and Hadiya traders were represented by an Oromo businessman in discussions with local South African leaders. Somali traders were also represented and the forum met regularly, at least up to July 2012.

Oromo and other businessmen regularly met local leaders in Mbalenhle and worked with the Community Police Forum. Charitable donations by the businessmen and monitoring of police work defused xenophobic tension.

On Mandela Day (18 July) the traders raised 70-75,000R and used this to obtain goods for distribution to local needy and poor, who were selected by local councillors. They also developed a working relationship with the local Community Police Forum, meeting 3-4 times each year and funding some equipment, such as reflective jackets, for them.

At Kriel, about 35 km north of Mbalenhle, the 15 or so Oromo and about 50 Amhara traders were told by police to move away in February 2012. Robberies were common and traders accused police of planting drugs when their premises were raided. Negotiations with the Police Commissioner were held and contributions made to the Kriel Community Police Forum. Patrols by the forum were stepped up with help from refugees and a log was kept of police patrols, with threats of legal action for police negligence. Since this carrot and stick strategy, there have been no further problems.

Local NGOs

The Jesuit Refugee Service, JRS, awards small business grants to encourage independence among refugees. Applicants are sent on business training courses, English proficiency courses and workshops which are run by partner agencies. There are hundreds of beneficiaries in each of its education, health and livelihood programmes. JRS sometimes helps the poorest refugee families with fees and other expenses for government schools and hospital fees.

The organisation also advocates for refugees and asylum-seekers with government and organises workshops with community groups and government departments. JRS arranges events on World Refugee Day and Africa Day (anniversary of founding of OAU in 1963, held around 25 May). It also organises meetings to diffuse hostility between refugees and host communities and has an office in Limpopo province which offers emergency assistance for food, burial and school expenses, to refugees from Zimbabwe.

Lawyers for Human Rights began in 1979 in response to apartheid legislation and transformed to a voter education body at the end of apartheid in 1994. It has now 38 lawyers working on five projects in Johannesburg, Pretoria, Musina and Durban. These include local housing, land claims and forced evictions; rights of farm-workers; environmental issues and a strategic litigations unit. The largest project, however, concerns refugees and immigration.

Their work includes advocacy, especially in cases with which may set precedents in case law and government policy, and monitoring of immigration detention in Lindela Immigration Detention Centre, police stations, airports and prisons. They represent asylum-seekers at appeals and instigate Judicial Reviews.

CoRMSA, the Consortium for Refugees and Migrants in South Africa, is a coalition of 22 organisations which work on behalf of refugees, asylum-seekers and migrants. These include Lawyers for Human Rights, Amnesty International, JRS, the University of Witwatersrand African Centre for Migrants & Society, Law Clinics at the Universities of Witwatersrand and Cape Town and the Southern Africa Centre for Survivors of Torture. It advocates for the interests of immigrants at the highest levels and has influence with government departments.

CoRMSA helped reverse the decision by the Financial Intelligence Centre in May 2010 to deny access to bank accounts by not accepting documents carried by registered asylum-seekers and refugees as identification. The organisation helped to establish the Protection Working Group in 2010. This is a body which incorporates police, ministries, civil society and international agencies in collaboration to combat and prevent xenophobic violence and is a major achievement of CoRMSA.

The organisation takes the principled position that 'building a just and transformed South Africa' will only be possible if there are policies and laws which protect migrants and refugees. It trains leaders in conflict resolution and uses them with effect to prevent xenophobic violence.

Gwadamirai Majange, Communications Officer at CoRMSA, said on 8 November that there was only minimal involvement of the Oromo and Ethiopian communities with civil society in South Africa and emphasised the need for more. Although individual Oromo refugees enjoy a good relationship with the Somali Association of South Africa (SASA) and other government and non-government organisations, there was no formal representation by Oromo Community or other Oromo organisations. CoRMSA hopes to establish a text hotline for reporting corruption at the Refugee Reception Offices of the Department of Home Affairs.

Resignation - turning to religion

After the enthusiastic reception, at least by some, of the breakaway Jijirama faction of the OLF in 2008 and then its subsequent failure to deliver significant change, several informants remarked that many refugees, including the majority of those with successful businesses, became disillusioned with the political struggle and had turned to religion in its stead. This applied to Christians as well as Muslims.

Attention to regular daily prayers and attendance of the Mosque in Mayfair and visits to Mosques on Fridays were much more apparent than among Muslim refugees I had visited previously in Kenya, Djibouti and Somaliland. According to refugees in South Africa, more traditional Islam is being followed in Somalia and in parts of Kenya, including Eastleigh district in Nairobi, than ten years ago.

Asylum and refugee determination process

If you don't pay; you get nothing. Nujuma (42).

This system has consistently failed to carry out its legal mandate and regularly acts outside of the law, with dire consequences for those asylum seekers who face a threat to life or liberty if returned to their home country. The failure to provide protection violates the fundamental tenet of refugee law, suggesting an asylum system that exists in name only.

Roni Amit, African Centre for Migration & Society.[79]

Introduction - responsibilities, overload and future plans

South Africa has ratified the 1951 UN Convention and the 1967 Protocol Relating to the Status of Refugees. It has also signed the OAU Refugee Convention of 1969, which broadens the definition of refugees to include those fleeing from general instability and conflict.

Yet, like Britain and other countries in Europe, South Africa attempts to dodge its international responsibilities by claiming that more than 90% of its asylum applicants are economic migrants. In fact however, less than 50% reported economic factors as their sole reason for flight in 2012. Most were unaware of the possibility of claiming asylum before their arrival - the mythic 'pull factor' invented and beloved by politicians.[80]

Nonetheless, there is no need to use the asylum process for all arrivals in South Africa. The bulk of immigrants from Zimbabwe - more than half the load on South Africa's asylum system - could have been treated fairly in other ways, which was the purpose of the Zimbabwe Documentation Project (p.64). But this being 'soft on immigration' was electorally unpopular and the numbers going through the congested asylum system were again swollen by Zimbabwean applicants after the end of the project in 2011.

In other countries which experience large numbers of asylum claimants, it has proved administratively effective to make group decisions for some. Thus, Somali asylum-seekers, who are the largest group of applicants in Kenya, do not have to go through a status determination process in order to be designated as refugees. However, no such process has been deemed politically acceptable in South Africa, for any group.

Rather than reducing the load on the asylum system in these ways, the government is considering more hostile measures. Discussion documents and ANC proposals have suggested removal of all decision-making to Refugee Reception Offices on South Africa's borders, placing asylum applicants in camps near those borders and denying their rights to work and attend school. CoRMSA, Lawyers for Human Rights, UNHCR, Amnesty International, and the African Centre for Migration & Society at Witwatersrand University are lobbying strongly against these proposals.

Combined with the closure of central Refugee Reception Offices, failures to alleviate the pressure on the asylum process have led to impossible demands being placed on the refugee status determination procedure of the Department of Home Affairs. CoRMSA noted in 2009

[79] Amit 2012. *Op. cit.*
[80] *Ibid.*

that the backlog of asylum claimants was 89,000 at the beginning of 2008 and 227,000 one year later.[81]

The result has been a hopelessly inefficient, unfair system which is rotten to the core with corruption.

Registration and determination process

On arrival at the border, immigrants should be issued with a (Section 23) permit to stay in the country for 14 days, during which they must apply for asylum. However, the majority cross illegally, often after experiencing severe abuse on their journey, and over one third are not given transit permits despite indicating a need for protection.[82] They are thus undocumented and at risk of *refoulement*.

Abdulkarim (39) went twice a week for 5 months to DHA, paying no bribes except 200R 'to get in.' He had difficulty being seen. 'Nobody asked me my problem - nothing.' His claim was rejected.

One of my interviewees, Shagitu (51), was detained in a camp on the border in 2009. When she and her group appeared in court one week later, they had to 'beg not to be deported.'

It is theoretically possible to claim asylum within one week, but this usually happens only if an applicant is willing to camp outside the Department of Home Affairs office and pay a bribe. Amit reported in 2012 that nearly two thirds of applicants did not receive asylum-seeker registration papers the first time they came to a Refugee Reception Office. They often came many times before getting access and an average of three visits was necessary in order to get a single issue resolved.[83]

Applicants queue outside the DHA offices in Pretoria from early morning on the relevant day for their area of origin - Monday for Zimbabwe and other countries in southern Africa, Tuesday for Somalia, Wednesday for Ethiopia, Thursday for central Africa and Friday for Asia. My informants were unsure about Saturdays, except that it was dangerous to be seen on that day because files were likely to be lost and subsequent applications would be detected by computerised fingerprint analysis. A manager would have to review the case, which might involve weeks of waiting and a large bribe.

Once inside the reception area, the applicant is registered and biometric measurements and fingerprints are entered on a national system. The applicant is issued with an eligibility form by a Refugee Reception Officer (RRO). This should be completed in English by the RRO from information provided by the applicant, via the interpreter. The form then goes to a Refugee Status Determination Officer (RSDO) who interviews the applicant and decides the case. Rarely, this will all occur on the same day. Usually, the applicant is given an appointment to return to collect the decision one month later. If the RSDO is then absent, the applicant is told to return again after another month.

[81] CoRMSA 2009. *Op. cit.*
[82] Amit 2012. *Op. cit.*
[83] *Ibid.*

RSDOs are expected to handle 10-15 cases per day, including interview, accessing country of origin information and making a decision. Their careers depend on maintaining this pattern, despite it reducing interview time to an average of 17 minutes. Half of determination interviews are under 15 minutes.[84]

'Aisha' (3, see p.88) is receiving free hospital treatment for TB and HIV after being raped in Ethiopia and Kenya. She would like to leave South Africa and friends of hers in Canada are willing to sponsor her going there. However, she reports that UNHCR told her they were too busy to see her and she should return the following week.
As an added complication, she is registered as a Somali. She is frightened to return to the Department of Home Affairs to correct this. 'If they found out about me, they would tear up my refugee paper and I would not be able to get my treatment' she said.

Many applicants are confused with the process, receive inadequate explanation, are unaware of refugee determination criteria and that the information on the form is used to determine their claim. They do not know that information is treated confidentially, potentially inhibiting full disclosure, and other claimants are within earshot during interviews. Three quarters report that what is written in their determination decision did not adequately reflect the information they gave at interview. Over half do not know how to appeal their claims.[85]

Some interpreters are supplied by the Refugee Ministry Centre, a private company. There are insufficient foreign language experts available from academic institutions, and members of local communities are often employed. As well as potential breakdown of confidentiality, this leads to bias, inaccuracy and fraudulent practices, depending on the political and ethnic bias of individual translators. 'The quality of the interpreter services sheds doubt on the administrative fairness of the application process' according to Amit's research.[86] Corrupt practices frequently involve translators (see below).

If refugee status is not granted, it may be refused or the application may be deemed to be 'manifestly unfounded'. The latter decision means that refugee law is not the appropriate legal structure for deciding whether an immigrant should be allowed to stay.

If status is refused, an appeal may be lodged with the Refugee Appeal Board within 30 days. This is an independent body. Legal assistance and translation services are available for appeals, according to the Department for Home Affairs. If the 30 day limit is exceeded, which it often is because of delays in collating necessary documents, the appellant may request a certificate of condonation, allowing them more time to present their case.

Zabiba (52) arrived in 2003 but is without refugee status, having paid 500R four times for 6 month extensions to her asylum-seeker permit.

CoRMSA reported in 2011 that problems included 'inability to lodge appeals, loss of appeal requests, and being turned away on arrival for appeal hearings.'

[84] Amit 2012. *Op. cit.*
[85] *Ibid.*
[86] *Ibid.*

A huge backlog of appeals exists because of poor quality status determination and, in 2011, the Appeal Board had stopped making new appointments.[87]

Finally, dismissed appeals may be subject to Judicial Review. Once an asylum applicant has exhausted these legal instruments, that applicant is liable for deportation.

Isha (46) came in 2002, paid 2000R and gained refugee status. Another 2000R was paid for a 4 year extension.

Claims which are deemed 'manifestly unfounded' are automatically referred for review to the Standing Committee for Refugee Affairs within 14 days. Refused applicants do not appear in person before this committee but may make written representations. Two weeks is too short according to some - causing more problems and delays.

Asylum-seekers and refugees are allowed to work. A certificate of registration as an asylum-seeker acts as a work permit.

In theory, after five years of refugee status, indefinite leave to remain may be granted by a standing committee and a permanent residence permit and South African ID may be obtained. However, very few refugees have managed to obtain South African citizenship through this route. Successful businesspeople may be granted citizenship if their assets are several million Rand and they have a number of employees. Marrying a South African - although not the simple two year route to citizenship that it used to be - is another option.

Several refugees complained of difficulties in adding newborn children and spouses to their documents. The Director of Business Operation Support in Asylum Seeker Management at the Department of Home Affairs reported that improvements in this system were imminent, as were other improvements following increased consultations with the public in the run-up to the next General Election.

Renewal of asylum-seeker permits and refugee status documents

While awaiting initial and appeal decisions, asylum applicants are given certificates, valid for up to six months, that they have applied for refugee status. Documents of refugee status also need renewing. The term used to be two years but is now four.

Lawyers for Human Rights and CoRMSA state that refugee documents should be renewed by any Refugee Reception Office but refugees report being instructed to return to the office which gave the original decision, sometimes involving expensive, long and time-consuming journeys. One interviewee (56) who is based in Johannesburg took four months obtaining her renewal from Port Elizabeth in 2011.

[87] CoRMSA 2011. *Op. cit.*

Bati (6) registered in 2003 and was rejected refugee status in 2006. His asylum-seeker permit is renewed every 1-2 months without payment, while he awaits his appeal. He is supported by Lawyers for Human Rights.

Closure of RROs mean that this 'same office rule' is no longer enforceable, but the closures force more refugees to travel long distances for renewals, limiting where they can live and work. Because renewals are not obtained the same day, there is a risk of *refoulement* of those without renewed documents.[88]

When asylum-seeker and refugee documents are lost or time-expired, their owners are at risk of illegal and arbitrary fines being imposed by police. If they do not pay, undocumented individuals are again at risk of *refoulement*.[89] Because of difficulties getting to offices and the long queues waiting to be seen, permits regularly expire. CoRMSA reported that this happens to 15% of asylum-seekers. They are often arrested on their way home after queuing unsuccessfully all day. They are regularly detained for long periods or deported.[90] Amit wrote in 2012 that 25% of asylum-seekers were arrested because of problems with their documents and that more than a quarter paid to avoid arrest or to get out of detention.[91]

Decisions

Even compared to the low benchmark of shoddy decision-making in the UK,[92] the standard of refugee status-determination in South Africa is appalling. Witnessed documents show peremptory and superficial analysis with little or no understanding of conditions in Ethiopia and no detailed or investigative questioning.

According to members of the Ogaden Community in Johannesburg, Refugee Status Determination Officers are even ignorant of the existence of the Ogaden, the Somali Region in Ethiopia. Many Ogadeni and Oromo applicants find it easier to claim as Somalis.

Refugees estimate that 60% of Ogadeni claimants and 80% of Oromo asylum-seekers are refused refugee status, despite the human rights record of the Ethiopian government in these regions. Before 2005, the refusal rate was said to have been even higher. At a public meeting of 400 Oromo on 28 October, the majority (over 270) had been in South Africa for five years or more. Barely 100 had refugee status and only two had permanent residency.

This unrealistic assessment is not limited to status determination of applicants from Ethiopia. CoRMSA reported a 90% refusal rate overall among the 76,000 decisions made in 2008.[93] Amit wrote that UNHCR and other asylum procedures had recognition rates of 30% or more but South Africa's recognition rate was 6% in 2009/10 and 5% in 2010/11. The rates for individual countries were also revealing. UNHCR reported recognition rates for asylum-

[88] Amit 2012. *Op. cit.*
[89] *Ibid.*
[90] CoRMSA 2009. *Op. cit.*
[91] Amit 2012. *Op. cit.*
[92] Trueman 2009. *Op. cit.*
[93] CoRMSA 2009. *Op. cit.*

seekers from DRC and Ethiopia were 61% and 56% respectively. In South Africa, these were 15% and 20%. For Zimbabweans, the rate was a mere 1%.[94]

Cases sent to UNHCR for security considerations or referral for resettlement have to be reassessed completely because of the unreliability of the DHA determination process.

Specific criticisms of decisions made in South Africa included improper interpretation of persecution, social group and well-founded fear; poor assessment of credibility standards, burden and standard of proof; incorrect application of the flight from conditions of instability and the manifestly unfounded standard; shoddy paperwork and numerous inaccuracies in copying and pasting of refusals; inaccurate assessment of country conditions; failure to provide reasons for decisions and 'apply the mind'; and incorrect deployment of refugee law. Not one of the 240 decisions reviewed by Amit 'complied with the standard of administrative fairness. This means that flawed rejection letters are the rule rather than the exception.'[95]

CoRMSA wrote in 2011 that DHA's efforts to combat corruption and improve efficiency had severely affected the quality of decision-making.[96] The organisation concluded that Refugee Status Determination Officers were given a strong incentive to refuse even strong claims because positive determinations required time to supply proper evidence and all positive decisions were scrutinised to reduce corruption. A review of over 300 decisions revealed 'substantial errors of law' and 'decisions which do not meet standards of reasonableness.'

Nefisa (7) came in 2003. She does not have refugee status 'because I don't have money' she says.

The decision-making process is not merely bad. It is underlined by an anti-asylum-seeker philosophy and deliberate policy. CoRMSA write that 'gaps' in the system resulted in claims by economic migrants, in order to legalise their position. 'This has lead to the perception in DHA that most asylum-seekers are economic migrants for whom full status determination interviews are not necessary.'[97]

Amit's conclusions are a damning indictment:
South Africa's asylum system exists only to refuse access to the country and makes no attempt to realise the goal of refugee protection. Accordingly, it is an asylum system in name only, while in reality it functions solely as an instrument of immigration control. The mass production of rejection letters creates an almost automatic process of deportation through refoulement – *the internationally and domestically prohibited act of returning asylum seekers to the dangers from which they fled.*
. . . the problems in the asylum system go deeper than just a lack of capacity and may reflect the development of an institutionalised, anti-asylum seeker orientation within the DHA.

[94] Amit 2012. *Op. cit.*
[95] *Ibid.*
[96] CoRMSA 2011. *Op. cit.*
[97] CoRMSA 2011. *Op. cit.*

By merging the asylum system and immigration control, which were deliberately separated under different Acts, the DHA 'has created a bureaucracy that transgresses not only international law but also the very domestic laws that constitute it.' [98]

Without reason or logic behind asylum decision-making, it is not surprising that corruption in the process is endemic and rife.

Detention and Deportations

The detention and deportation of foreigners in South Africa is commonplace and includes practices which are against South African and international law. There is arbitrary detention, and there is detention and *refoulement* of genuine asylum-seekers, without their claims for asylum being given even the scantest attention.[99]

Deportations to Zimbabwe and Congo are especially common, and comprise the bulk of the 50,000 who are detained every year at Lindela Immigration Detention Centre in Krugersdorp, 30 km west of Johannesburg. Significant numbers of asylum-seekers from Ethiopia are also sent back. Because deportation is an expensive process, it may be preceded by 6-7 months detention.

Tahir arrived late 2010. Despite paying 2000R he was rejected refugee status.

Contacts within the Oromo community reported that at least six were deported to Ethiopia in 2011. Lawyers for Human Rights reported that 19 asylum-seekers from Ethiopia were held for four months at Lindela before being released by the Supreme Court of Appeal to apply for asylum in 2011. In 2012, seven were asked to sign agreeing to being repatriated. Two were so fed up with the poor conditions at Lindela that they agreed to go back to Ethiopia.

Many immigrants do not even reach Lindela but are held in detention near the border. Courts have imposed large fines and long sentences in criminal detention facilities on these individuals who are guilty only of administrative offences. CoRMSA reported that detainees in Polokwane and Musina police stations were being held in prolonged detention in the hope they would drop charges made against corrupt or abusive officials.

The consortium also wrote in 2011 that, after a court order, deportations from the Soutpansberg Military Grounds, near Musina, were halted. It was ordered closed in May 2009. But asylum-seekers, including children and pregnant women, were still being held there by police, in atrocious conditions declared unlawful by the High Court, until taken to the Refugee Reception Office at Musina to claim asylum.

[98] Amit 2012. *Op. cit.*
[99] CoRMSA 2009 and 2011. *Op. cit.*; Lawyers for Human Rights 2012. Monitoring Immigration Detention in South Africa, Pretoria, September 2012.

The processes leading to deportation were 'often outside the law'. There is no independent monitoring of detention facilities and staff are not held accountable for violations of law and rights of detainees.

Lawyers for Human Rights (LHR) criticised the DHA for showing little regard to court decisions on the illegal detention of asylum-seekers and refugees. DHA consistently tried to defend its actions, at taxpayers' expense, ignoring precedents set in the 95% of legal battles which it lost. In late 2012, the Guateng High Court even threatened the Director General of Home Affairs, Mkuseli Apleni, with a heavy fine and a three-month prison sentence for flouting court orders.

Mariam (22) is still without refugee status after 8 years despite bribes totalling 4000R.

LHR wrote that there was no improvement in the justice to detainees during the moratorium on deportations to Zimbabwe from April 2009 to September 2011, despite the large drop in numbers deported in this period.

A campaign group reported to LHR that 86 children, aged 2-17, were sent back to Zimbabwe between October and December 2011. In the first four months of 2012, 19,000 were returned to Zimbabwe. Although this was lower than the average of 17,000 per month before April 2009, LHR believed it likely that pressure on the system would build again, exacerbating problems at Lindela.

Lindela Immigration Detention Centre ('Repatriation Facility')

The conditions in the privatised and largely unregulated Lindela Repatriation Facility have long attracted criticism by migrant and human rights advocates. Being now run by the private security company, Bosasa Ltd, diverts criticism of abuses at the centre away from the Department of Home Affairs and makes monitoring of the facility and establishing accountability for abuses problematic. There were riots at Lindela in March and June 2012.

In 2011, CoRMSA reported that police denied the rights of detainees, preventing them accessing their documents and DHA records. Xenophobia, violence and corruption were 'significant features of the arrest process.'

The centre holds an average of 1000 adults but this can increase to 7000. Vulnerable and child detainees are held elsewhere in unsanitary, disease ridden conditions with inadequate basic and medical facilities, according to Lawyers for Human Rights. Conditions at Lindela, once notorious for overcrowding, are now somewhat better according to CoRMSA.

Detention of foreigners after they have lodged asylum applications is prohibited under South Africa's Refugees Act. But in a survey conducted by Witwatersrand University, cut short by the Department of Home Affairs, over one third of detainees in Lindela were asylum-seekers. Many others were held unlawfully, not advised of their rights, and denied the opportunity to claim asylum.

Nearly 40% of the University's interviewees tried to explain their fears of returning to their countries but over half were ignored by officials at Lindela.

Although detention beyond 30 days without court order and detention of non-nationals beyond 120 days are both unlawful, both these conditions are commonly breached at Lindela. Lodging appeals against refusal of asylum requests can take over a year, during which detainees remain in the centre.

Abdulmalik (20) arrived in 2003, paid only 300R and has been rejected refugee status, including at appeal.

In 2009, CoRMSA reported that 'in response to pressures against extended detentions and detentions without warrants' detainees were being released and immediately re-arrested at the gates of Lindela and issued with new warrants and arrival dates.

In addition to unlawful, prolonged detention without judicial review, and *refoulement*, CoRMSA reported routine violence, disciplining with tear gas, corruption and bribery, insufficient food, lack of reading and writing materials, lack of access to telephones, denial of medical care, and an almost complete lack of access to legal protection.

Lawyers for Human Rights wrote of detainees being beaten to make them sign documents in which they agreed to be deported.

'In the rare cases where detainees at Lindela have access to legal representation, it is not uncommon for DHA to ignore correspondence, deport asylum seekers pending court hearings, and even disregard court orders.' This was evident in the treatment of a group of victims of the xenophobic attacks in May 2008.

Lawyers for Human Rights, the African Centre for Migration & Society (formerly the Forced Migration Studies Programme), Medécins Sans Frontières and UNHCR have been denied access to Lindela. The African Centre for Migration & Society was initially allowed access to interview detainees (as reported by CoRMSA) but not inside the detention centre. Access to detainees was withdrawn halfway through the study.

The only organisation with access to Lindela is the South African Human Rights Commission, which has been criticised by NGOs for failing to prevent abuses at Lindela. It has not reported on its visit to Lindela in early 2012 and has issued no public report since 2000.

Corruption: the price of asylum

Bribery appeared to be accepted as a fact of life for refugees and asylum-seekers in South Africa. When I asked an audience of about 400 Oromo, how many had been asked for a bribe related to their asylum applications, I was met with derisive laughter. They all had. It was deemed to be a silly question.

Interviewees were unanimous in their confirmation of pervasive, deep-rooted and predatory corruption at all stages of the asylum process. At least five (7, 11, 17, 58, 60) stated they simply could not 'afford' to pay for refugee status. It was also commonly reported that the length of an extension to a document attesting to asylum-seeker or refugee status depended on how much was paid.

Corruption is worsening and creeping higher up the political hierarchy, according to Oromo and NGO officials I met. The practice has worsened since the closure of the Johannesburg Refugee Reception Office in 2010. One refugee reported not having to pay anything to obtain refugee status as late as January 2008. 'Officials may have asked to be given a cold drink, but there was no business at the present level, then' he said.

An opinion expressed by Home Affairs officials and at least one NGO officer was that Ethiopian refugees had made the situation worse by accepting the need to pay bribes instead of refusing to comply. However, as noted below, those who refuse pay a heavy price.

I spoke at length to a longstanding refugee and elder, with whom I have been in correspondence for over 15 years. He worked for three years, up to July 2012, as a translator for the Refugee Ministry Centre, a private company providing translators to the Department of Home Affairs. I also spoke to a trusted colleague who worked for the same company for two months up to August 2012.

They reported that the Refugee Ministry Centre used to be clean but became corrupt. They were able to describe in considerable detail the layers of corrupt practices at the Refugee Reception Office in Pretoria which explained and corroborated accounts given by the 60 interviewees.

Payments

The breakdown of the bribery process is as follows. Police charge 50-100R for an applicant's position in the queue to be respected. Another 50-100R goes to the security guard on the gate in order to pass. Once in the reception hall, Refugee Reception Officers (RROs) see applicants and issue application forms.

Interviewees confirmed having to pay in order to get into the Refugee Reception Office. After arriving in 2004, Abdukarim (39) went twice a week for five months. He was unable to make an appointment to be seen. 'Nobody asked me my problem - nothing' he said. He paid 200R 'to get in' but spent no more and his asylum claim was rejected.

Kalid (21) was rejected refugee status in 2012 after paying 4000R. He was advised to pay 3000R at his appeal but is unable to afford it.

'Guma' (23) slept outside the office for one week, paid 1500R and got refugee status.

Nujuma (42) went every week for one month, paid 200R to register her claim, but was rejected. Several others reported paying small amounts to register as asylum-seekers - 150, 200, 300 and 400R.

Interpreters and brokers, with connections to RROs, organise who is seen and for how much, after being contacted by refugees, their relatives, 'transporters'[100] or other brokers. Those without money and contacts are ignored by RROs. When it is clear that they will not be seen that day, they are told to return the following week.

Although the RRO is meant to complete application forms with the applicant and interpreter, often the interpreter does so. The substance of the claim matters little and altering ethnic status is common. The RRO then presents the completed form to a Refugee Status Determination Officer (RSDO).

Adam (32) came in 2010. He paid 300, 1000 and 1300R for extensions to his asylum-seeker permit and then obtained refugee status after paying 6000R. However, he believes this document may be false.

Oromo complain that people from the Southern Nations, Nationalities and Peoples Region ('the Hosana') and individuals from Gambella Region claim refugee status by pretending to be Oromo. Some Oromo and many Ogadeni from the Somali Region of Ethiopia claim as Somalis. In the flawed process, true ethnicity has become almost irrelevant.

According to some informants, applicants from some areas pay different amounts. Oromo and others from Ethiopia are expected to pay at high rates because many of them have friends or relatives with modest businesses in South Africa.

Some complained that Ethiopian immigrants were more likely than Somalis to be forced to pay bribes. At least seven of the interviewees claimed as Somalis. Payment was likely to be at normal rates, however, if the RSDO knew that the claim to be a Somali was false.

1500/2000R is usually paid to the interpreter and RSO. However, unless the RSDO is also paid, the application is likely to be rejected. To satisfy all three - interpreter, RRO and RSDO - 4500/5000R is now the expected payment.

Interviewees said:
If you don't pay, you'll be rejected . . . They asked for 3500R but accepted 3000 (2);
I was rejected because I don't have money (7);
They reject if you don't pay (14);
If you don't pay, you get nothing (42).

Several, such as Abdijabar (11), said they were simply unable to afford refugee status, as though it was a commodity to be bought. Fatiya (17) was asked for 1000R for refugee status in 2004 but could not pay, and remains an asylum-seeker. 'Ahmado' (19) was asked for 5000R for his appeal but was unable to afford it, so has remained without status since 2010.

[100] Transporters take applicants to and from the Refugee Reception Office for a small fee. Being familiar with the procedures and personnel, they often act as brokers in the bribery process.

Ahmed (36) paid nothing to register in 2002 but does not have refugee status. He pays 5-600R for 1-6 month extensions to his asylum-seeker permit. In 2008, he was offered refugee status for 2000R but refused to pay.

Kalid (21) was rejected after paying 4000R at his determination interview, but was unable to pay 3000R for his appeal when it was suggested to him. After six years in South Africa, Ahmed (36) was offered status for 2000R in 2008, but did not pay. Nujuma (42) was told she would not be successful at appeal unless she paid.

Kabulla (44) received her final rejection in October 2009 because she 'had no money to pay.' After being in South Africa two months, 'Kemal' (58) has not yet applied for asylum because he does not have 'enough money'. Ardo (60) was refused status in 2012 because the 1500R she paid was 'not enough'. Hanna (12) achieved refugee status in one day after paying 3000R in 2011. She is still paying off the loan she took out to pay for this, and was later disappointed to find that her three children's names had been crossed off her claim.

Mariam (22) has paid 4000R in bribes overall since 2004, but in small amounts, here and there. She is without refugee status.

Cost of refugee status

Out of 60 interviewees, one was a permanent resident in South Africa, another had not yet applied for asylum and the status of two was unknown. Out of the 56 remaining, 31 had refugee status and 25 did not. Amounts paid by one with status and two who had been refused status were unknown.

The 30 who had paid known amounts to obtain refugee status had paid an average of 2515R as a bribe. Four (including one who had claimed as a Somali) had made no payment; one each had paid 150, 500 and 800R (the latter as a Somali claimant); one paid 1500R, six paid 2000R, one paid 2500R (as a Somali), nine paid 3000R (two as Somalis); one paid 4000R; three paid 5000R (one as a Somali) and two had paid 6000R. The man who paid only 500R to acquire refugee status believed it was cheaper for him because he carried an ICRC certificate confirming his detention in Ethiopia.

'Johar' (45, see p.48) arrived in Johannesburg in May 2012 and went to Home Affairs once a week for six weeks. The relative who took him was not allowed to interpret for Johar despite being a fluent English-speaker. No other interpreter was found and Johar was rejected 'without being asked one word.' He was asked for 200R for his rejection paper, which took three weeks to get.
The time for appeal was due to run out in September and Johar was not seen despite four attempts. Near the end of August, another man who, for 300R, took Johar from Johannesburg to and from the Home Affairs office in Pretoria, spoke to a broker. The broker, an Amharic speaker named Haymanot, was paid 5000R via the 'transporter'.
Johar was taken into the office that same day, finger-printed and given a certificate of refugee status which he believed to be genuine. Later, his relative saw the paper and found it to be false.

Of the 15 who obtained status after arriving in 2007 or later, the average amount paid was 2953R. One paid nothing; one each paid 800 and 1500R; four paid 2000R; four paid 3000R,

two paid 5000R and two paid 6000R. One who was successful, after paying 2000R in November 2007, was processed without even an interview.

Ali (35) fled to South Africa in 2004. He paid 200-800R four times for 1-6 month extensions to his asylum-seeker permits and sometimes paid nothing. His appeal against refused status was finally rejected in 2009.

The 23 whose transactions were known and who were refused refugee status, had paid significantly less on average - 365R. No payment was made by 17 (including two who claimed as Somalis); one each paid 200, 400 and up to 800R; two paid 1500R and one paid 4000R.

Of the nine who were refused refugee status and who arrived after 2007, all but three made no payment. The three who tried in vain to obtain status by paying a bribe all did so in 2012, paying 400, 1500 and 4000R.

The amount paid in bribes tended to be higher in the last five years, especially in 2011 and 2012 (when an average of 4600R was paid by five who obtained status).

The proportion of successful applications for refugee status appears to have remained about the same. Out of 27 applications before 2006, 13 (48%) obtained refugee status. Of the 29 applications from 2007 onwards, 16 (55%) were successful.

It is a sad comment on the asylum process that only four out of 56 obtained refugee status without payment of a bribe. Thus, out of 21 who were unable or unwilling to pay a bribe, only four were granted refugee status. Only one of these was after 2003.

Payments for extensions to permits

During the period leading up to the renewal of a certificate, an individual is particularly vulnerable. An expired document could lead to arrest and deportation. Bribes are therefore more likely to be demanded and paid if a document is near to expiry.

If an individual tries to renew papers which are a few days late, they are sent to an Immigration Officer, who has the power to detain and deport them. Paying a 1000R ‘fine’ may prevent detention.

To extend an asylum-seeker permit for six months attracts a bribe of 5-600R. Although less may be accepted, payment of only 1-200R may result in the extension being for only one month.

‘Adam’ (32) paid three times (1000, 1300 and 300R) to extend his asylum-seeker permit, then obtained a four-year refugee document after paying 6000R. He believes this may be false, however.

‘Hamid’ (33) arrived in 2011 and made five visits to the Department of Home Affairs. He was not seen on two of these, and paid 1500R twice for extensions to his asylum-seeker permit, before paying 2000R for a two-year refugee document.

Twenty interviewees paid for extensions of asylum-seeker documents, usually while appeals were awaited. Several were still paying every 1-6 months after 10 years. Each payment was a few hundred Rands, usually 200-500. However, eight paid more than 500 and four paid 1000-3000R for six-month extensions. Only occasionally did interviewees report obtaining extensions without payment.

Hafiz (50) was asked for payment for an extension to his refugee document in 2010. When he offered only 50R, the RSDO tore up his 4 year extension and told him to return 4 days later. His extensions are now only for 6 months (see below).

Refugee Status is granted for a limited period, which should now be four years but used to be two years. Renewal at the end of this period attracts an illegal fee of 1500-2000R. If this is not paid, the extension is likely to be for six months only.

Extensions to refugee status documents were more expensive than extensions to asylum-seeker permits. Ten interviewees paid sums of 1000-2300 on at least 14 occasions for extensions which were usually for four years. Occasionally they were only for one or two years. Up to three, weekly visits were sometimes necessary.

One interviewee reported obtaining an extension to her refugee status without payment. For Fatuma (56) the process took four months because she had to travel to Port Elizabeth. But she was fortunate. Commissioners were visiting the Refugee Reception Office 'so no bribes were paid that day' she said.

Charging for extensions was sometimes blatant. After arriving in April 2006, Hafiz (50) paid 4000R and was granted refugee status for two years. Near to the expiry of his first extension of two years, he was asked by a Refugee Status Determination Officer 'How much are you going to give me?' When he replied that he would only pay 50R, the officer screwed up his paper in front of him and told him to return in four days. He has now received three extensions of only six months.

Lost and hidden files

Abdulkadir (54) was robbed of his asylum-seeker permit in 2005. When he applied for a replacement, he was told his file was lost and it took one year to replace his permit.

Naima's (2) husband was told that his appeal had been rejected in 2010, but when Lawyers for Human Rights took up his case in 2011, the positive appeal decision from 2010 was found hidden in his file, presumably waiting for him to offer money (see insert overleaf).

After three years of two-monthly extensions to her asylum-seeker status for which she made no payment, Jamila (9) was told that her file had been lost in August 2012. She was asked to pay a 3000R 'fine' to obtain a new permit and is now without documents at all.

Fines and arrests

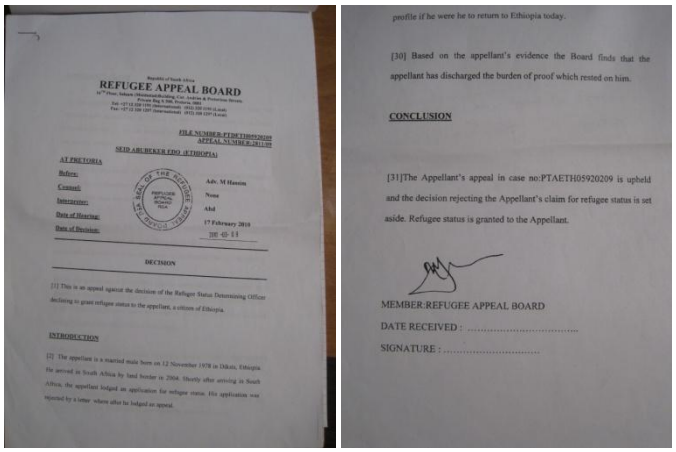
'Omar' (30) was one day late when he went to renew his refugee status, but he was denied entry by a guard at the DHA office. He was arrested next day on his way to work and made to pay 500R to a policeman at the police station, before being made to pay 1000R for a two year extension to his refugee status document.

When Wardi (37) arrived at Musina in 2008, she gave an assumed name. One year later, when she registered her new baby and gave her true name, her fingerprints were checked and her identity challenged. She was detained with her baby until bail was raised later that day. In court two weeks later, she was fined 2000R.

Prevalence of corruption, false documents

Most Refugee Reception Officers and Refugee Status Determination Officers (at least 20 of each in Pretoria), and a few of their centre managers were said to be corrupt.

Three individuals from Ethiopia, who translate for asylum-seekers and refugees at the Department of Home Affairs, were repeatedly reported to be involved in corrupt practices. These include a Tigrean translator, Belay, who is known to have charged 5000R for a forged Refugee Status Determination.



REFUGEE APPEAL BOARD

DECISION

INTRODUCTION

profile if he were he to return to Ethiopia today.

[30] Based on the appellant's evidence the Board finds that the appellant has discharged the burden of proof which rested on him.

CONCLUSION

[31]The Appellant's appeal in case no:PTAETH05920209 is upheld and the decision rejecting the Appellant's claim for refugee status is set aside. Refugee status is granted to the Appellant.

MEMBER:REFUGEE APPEAL BOARD

DATE RECEIVED : .....

SIGNATURE : .....

The first and last pages of the successful appeal which was hidden in the file of Naima's (2) husband for one year, presumably awaiting a bribe. See previous page.

A long-standing refugee and successful businessman reported accompanying an asylum-seeker to see an official on 2 November 2012 because false documents had been sold to him for 5000R by an Amhara, named Haymanot, a middleman in corrupt negotiations at the Department of Home Affairs (see insert, Johar (45), p.102).

A contact who had three years' experience of translating at the DHA, estimated that up to 20 or 30% of status determination papers were false.

UNHCR

The UN refugee agency is only approached if refugees want to apply for resettlement, if they have no papers at all or if they have severe security problems. They are given the telephone number of a hotline to ring between 2-4.00 p.m. for only one day each week. This is very busy and several refugees complained of difficulty getting through, taking days and sometimes weeks to do so. One man tried every 15 minutes during the allotted times for two months, to report an arson attack on his home, but eventually gave up.

Once through however, appointments were made and kept. Between 20 and 30 from Somalia and Ethiopia are seen on Mondays and Tuesdays.

Most (80-90%) are seeking resettlement. As elsewhere, resettlement depends on well-defined protection needs and the willingness of host countries, with their own admission criteria, to accept them.

The resettlement-for-cash scandal in Kenya around 2001 was associated with a similar, but less publicised, scandal in South Africa. A UNHCR representative, Mengesha Kebede, was selling resettlement for 25,000R to, mostly other Amhara, members of the Ethiopian community. Oromo refugees reported being sidelined at the time.

There is a widespread belief among refugees that in recent years Somalis are given opportunities for resettlement in preference to Oromo. This occurred in Kenya up to 2010 because it was more time consuming to process an Oromo case.[101] There was no objective evidence of this in South Africa, although it was confirmed that Oromo were subjected to longer and harder interviews than Somalis.

UNHCR encourages links between refugees and civil society organisations and facilitates dialogue between the government Department of Home Affairs, other UN bodies, police, and NGOs, including those representing refugees, such as SASA (the Somali Association of South Africa), at Protection Working Group meetings every 1-2 months.

Abbreviations

ANC	African National Congress, ruling party in South Africa.
CID	Central Investigation Department, Maikelawi, the site of the 3rd Police Station in Addis Ababa, notorious for torturing political detainees
CoRMSA	Coalition for Refugees and Migrants in South Africa
DHA	Department of Home Affairs
EPRDF	Ethiopian Peoples' Revolutionary Democratic Front, umbrella ruling party, led and dominated by the TPLF
ICRC	International Committee of the Red Cross
IOM	International Organization for Migration
IRIN	Integrated Regional Information Network, the UN news agency
JRS	Jesuit Refugee Service
LHR	Lawyers for Human Rights
OFDM	Oromo Federalist Democratic Movement (legal opposition in Ethiopia)
OLF	Oromo Liberation Front
ONC	Oromo National Congress (now Oromo People's Congress, legal opposition in Ethiopia)
ONLF	Ogaden National Liberation Front
OPDO	Oromo People's Democratic Organisation (government Oromo party)
OSG	Oromia Support Group
RDP	Reconstruction and Development Programme (housing)
RRO	Refugee Reception Office/Officer
RSDO	Refugee Status Determination Officer
SNNPR	Southern Nations, Nationalities and Peoples Region
TPLF	Tigrean People's Liberation Front (see EPRDF)
UNHCR	United Nations High Commissioner for Refugees

[101] Trueman 2010. *Op. cit.* (Ethiopia exports more than coffee . . .)

Conclusion

While a small number of these international migrants have humanitarian needs, most are self-sufficient. Many bring skills and resources that generate jobs. As such, migration is not a threat to South Africans' economic or physical security. Managed properly it can lead to investment, job creation, and a more productive economy. CoRMSA.[102]

Worldwide, governments play down this view. Populist politicians prefer to appeal to the barely disguised racial prejudices of their constituents and the gutter press. Regimes which struggle for legitimacy all over the world strive to find support by appealing to the atavistic and primitive disregard of 'the other'.

It was a disappointment to see this characteristic attitude of 'western democracies' being mirrored in South Africa, after witnessing its crude expression in Djibouti and Somaliland. However, if there is a turn in the tide of corruption and greed in its political establishment South Africa's civil society will assure a prosperous and egalitarian society.

Recommendation to Oromo community

The Oromo community in South Africa could do more to promote the welfare of themselves and other refugees by engaging more with South Africa's thriving civil society. The quality and energy of non-state actors suggest that a free and fair society, which is tolerant to refugees, is a possible future for South Africa.

Bodies which advocate for refugees, in particular CoRMSA and Lawyers for Human Rights, should be supported and promoted by the refugee community. Oromo representation on fora, such as the Protection Working Group, organised by UNHCR, would increase understanding and cooperation between Oromo and other communities and organisations.

Closer involvement with and support of human rights organisations, especially Amnesty International, would be of benefit to the Oromo community and those organisations.

Engagement with civil society is bound to fail, however, if it is used as a political platform. It must be politically neutral and representative of all parts of Oromo society. This will not be easy.

[102] CoRMSA 2009. *Op. cit.*