

Ethiopia jails 20 Muslims for pursuing sharia state

HRWF (04.01.2017) - According to Associated Press, the Washington Post and other media (<http://wapo.st/2iFZbxD>), an Ethiopian court has sentenced 20 Muslims to prison after they were found guilty of trying to establish a state ruled by Sharia law and inciting violence.

They were charged under Ethiopia's controversial anti-terrorism law and convicted last month. All but one received prison terms of five and a half years. Two were journalists working for a Muslim radio station.

The state-affiliated Fana Broadcasting Corporate, citing the court ruling, said on Tuesday 3rd January that the 20 defendants also were found to be "participating in a movement to secure the release of another Muslim group that was under detention." That group was said to have formed in order to counter government interference in their religious affairs but was detained on terror-related charges. Five members of that group were pardoned in September.

Muslims have long felt marginalized in Ethiopia and have carried out a number of protests since 2011. Some were met with force, and many protest leaders were jailed.

"The defendants didn't get a fair trial. In fact, we didn't expect the court to give a fair verdict," Mustafa Safi, the defendants' lawyer, told The Associated Press. "They were subjected to both a mistrial and a bad treatment at the infamous Kilinto detention center. They were even unable to pray there. But we will appeal the sentencing anyway."

HRWF Analysis: Are those 20 Muslims victims of violation of their religious freedom?

The total population of Ethiopia is about 100 million. The most recent census of 2007 estimated 44 percent of the population belongs to the Ethiopian Orthodox Church (EOC), 34 percent is Sunni Muslim, and 19 percent belongs to Christian evangelical and Pentecostal groups.

According to the news published by Associated Press (AP) and other media the 20 Ethiopian citizens sentenced to long prison terms seem to be political activists and to belong to a Muslim minority group which is not named by AP and the beliefs of which are not clarified.

Considering that

- nothing is said about their teachings concerning human rights, equality of citizens and discrimination, or the status of women in the society they would like to impose on the Ethiopian population;
- there is no information about their position on the status of non-Muslims, in particular Jews and Christians;
- it is not known if they really reject the use of violence;
- it is not known if their teachings are in conformity with Article 5 of the ICCPR which states:

"1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the **destruction of any of the rights and freedoms recognized herein** or at their limitation to a greater extent than is provided for in the present Covenant.

2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent."

Human Rights Without Frontiers considers that

- these prisoners are not victims of violations of religious freedom as guaranteed by Article 18 of the ICCPR and the UN 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;
- they cannot be identified as FoRB prisoners or human rights defenders but are political prisoners.

However, they have the right to a fair trial and to freedom from torture and inhumane or degrading treatment.