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PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and the Special Rapporteur on the situation of human rights defenders.

REFERENCE: UA G/SO 218/2 G/SO 214 (67-17) Health (2002-7) G/SO 214 (107-9)
ETH 4/2014

8 May 2014

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 24/7, 25/2, 24/6, and 25/18.

In this connection, we would like to bring to your Excellency's Government's attention information we have received concerning the ill-treatment and the denial of urgent medical treatment of Ms. **Reeyot Alemu** while in detention.

Ms. Reeyot Alemu is a journalist who has worked for several independent media and has written about political and social issues, focusing on the root causes of poverty, and gender equality. In 2010, Ms. Alemu founded her own publishing house and a monthly magazine called Change, both of which were subsequently closed.

Ms. Alemu was the winner of the UNESCO-Guillermo Cano World Press Freedom Prize in 2013. The UNESCO Guillermo Cano World Press Freedom Prize was created in 1997 by UNESCO's Executive Board. It is awarded annually during the celebration of World Press Freedom Day on 3 May. The Prize honours the work of an individual or an organization which has made a notable contribution to the defence and /or promotion of freedom of expression anywhere in the world, especially if risks have been involved.

According to the information received:

On 21 June 2011, Ms. Reeyot Alemu was sentenced to 14 years imprisonment on charges of “promotion or communication of a terrorist act” due to her work as a journalist. This sentence was appealed and reduced to 5 years. She is currently detained at the Kality Prison in Addis Ababa.

Ms. Alemu has breast cancer and is in urgent need of medical attention. She has received limited and inadequate treatment for her condition. Furthermore, the request for specialized treatment has been denied by the detention centre, despite her family’s offer to cover the costs.

Ms. Alemu has also reportedly been threatened with solitary confinement and withdrawal of her right to study and access books. Furthermore, she has been denied visits from her fiancé, sister and brother.

Grave concerns are expressed regarding the denial of specialized medical treatment offered to Ms. Alemu while in detention. Further concerns are expressed that her detention is linked to her legitimate and peaceful exercise of the right to freedom of expression.

While we do not wish to express an opinion on whether or not the detention of Ms. Alemu is arbitrary, the above allegations appear to be in contravention of the right not to be deprived arbitrarily of her liberty as set forth in article 9 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) respectively, as well as the right to fair proceedings before an independent and impartial tribunal, as set forth in article 10 of the UDHR and article 14 of the ICCPR.

Moreover, it would seem that the allegations represent a direct breach of the fundamental right to freedom of opinion and expression as set forth in Article 19 of the ICCPR. They further contravene the principles enunciated in Human Rights Council Resolution 12/18 and 12/16, which call upon States to refrain from using counter-terrorism as a pretext to restrict the right to freedom of opinion and expression, and to refrain from the use of imprisonment or the imposition of fines for offences relating to the media, which are disproportionate to the gravity of the offence and which violate international human rights law.

Furthermore, these allegations appear to be in contravention with your Excellency’s Government’s responsibility to respect and fulfil Ms. Alemu’s right to the enjoyment of the right to the highest attainable standard of physical and mental health,

including access to medical care and treatment while in detention, as enunciated in article 12 of the International Covenant on Economic, Social and Cultural Rights (accession on 11 June 1993) and article 12 of the Convention on the Elimination of Discrimination against Women (ratification on 10 September 1981), as well as in the United Nations Standard Minimum Rules for the Treatment of Prisoners, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and Basic Principles for the Treatment of Prisoners.

Moreover, these allegations appear to contravene the prime responsibility and duty of the State to protect, promote and implement all human rights and fundamental freedoms set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, in particular articles 1, 2 and 12. Finally, we would also like to refer to Human Rights Council Resolution 22/6, which explicitly indicates that domestic law and administrative provisions, and their application, should facilitate the work of human rights defenders, including by avoiding their criminalization or stigmatization, or by imposing any impediments, obstructions or restrictions to their work.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org /can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of Ms. Reeyot Alemu in compliance with the above international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to my attention, we would be grateful for your observations on the following matters:

1. Are the facts alleged in the above summary accurate?
2. Please clarify the charges against Ms. Alemu and the legal grounds on which she was sentenced to imprisonment. Please explain how these measures are compatible with international norms and standards as stated, inter alia, in the UDHR and the ICCPR.
3. Please provide information concerning any steps that have been taken by your Excellency's Government to ensure that Ms. Alemu receives the medical attention and medication that she requires while in detention.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Mads Andenas
Chair-Rapporteur of the Working Group on Arbitrary Detention

Frank La Rue
Special Rapporteur on the promotion and protection of the right to freedom of
opinion and expression

Anand Grover
Special Rapporteur on the right of everyone to the enjoyment of the highest
attainable standard of physical and mental health

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders