



Rights of the child (art. 24)

Introduction

The Ogaden Youth and Students Union (OYSU) is a non-governmental, non-profit organisation established in Europe in 2005 to advocate for the rights of the youth and children in the Diaspora and the Ogaden. OYSU promotes and advocates for the rights of the youth and children that have been displaced due to the conflict and live in every single continent. Furthermore, OYSU monitors, reports and educates international agencies of the violations and abuses the youth and children are facing due to the lack of resources and opportunities in their homeland.

Ogaden Youth and Students Union was founded on the fundamental principle that all human beings are born equal and has a right to live in peace, dignity and freedom, regardless of race, ethnicity, and religion, gender, belief xenophobia or other forms of both overt and covert discrimination. This firm stance has been reinforced by more than sixty years of suffering of the Ogaden people who had been denied all fundamental Human Rights by the successive Ethiopian regimes, since the Ogaden was transferred to Ethiopia in 1948. These regimes delegated the ruling of the Ogaden to the occupation army of Ethiopia, which violated the Human Rights of the Ogaden people with impunity and deliberately marginalised the Somali people, which resulted in depopulation, underdevelopment and exodus of more than a million Ogaden Somalis to all parts of the world.

Current situation

In the Convention on the Rights of the Child, states in its Preamble *“Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community. Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding. Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.”* The Ogaden youth

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whether they live in the Ogaden or are displaced throughout the world do not have the opportunity to the nuclear family structure, which develops them to become productive members of society. The Ogaden youth lack their fundamental right to safety, security, and access to health and education.

Article 6 – Right to Life

The Ogaden families are denied their basic human right to live in peace and pursue meaningful economical and social life due to the war crimes that are being committed by the Ethiopian government. Article 6 of the ICCPR protects the right to life of all people. Article 6 of the Convention for the Rights of the Child reiterated this and emphasises that “2. *States Parties shall ensure to the maximum extent possible the survival and development of the child*”. However, the Ethiopian government systematically and deliberately burns villages, confiscates property, and arbitrarily detains family members who are responsible for the care of young children.

Therefore, the children become responsible of their own well being at a very young age and left to their own devices. In some situation, elder children are now responsible and become parents to their younger siblings when they need parenting as well.

Alternatively these children are detained with their parents and are subjected to the horrific conditions that their parents are undergoing such as detention, torture, rape, physical and mental suffering.

Article 8 - Child Soldiers

The recruitment of child soldiers into the Ethiopian army remains a significant problem and one with far reaching consequences. In Ogaden region, since 2008, the Ethiopian government started creating, recruiting and arming a local militia known as Liyuu Police, (special forces) and it's reported that some of the Liyuu Police are under age children. Not only are they forced to become part of the army, they are also forced to bring harm to their own families and friends whether through killings or torture. This brings psychological harm and makes the youth numb to their own actions. To further this damage to the youth, they are dismissed from military services; as a result of this they are not accepted back into the community due to the crimes they committed and then they become alienated from their own society.

Article 8 – Sexual Abuse of Children

Once the youth become ostracised from their own community, and have no resources to provide for themselves, some turn to the sexual industry as there are no

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other means of survival. Every child has the right to be protected from sexual exploitation and abuse as it is stated in Article 34. The Ethiopian army coerces children to engage in unlawful sexual activity by raping them at a very young age and keeping them as sex slaves in their camps. These Both horrific actions resulted in young children committing suicide, impregnation by the Ethiopian soldiers, or getting infected with HIV/AIDS and sexually transmitted diseases at a very young age. As a consequence to all these abuses by the Ethiopian government, parents are forced to send their children away to the neighbouring countries; hence they become separated and this makes them vulnerable and exposed to further abuses.

Article 12 – Forced displacement

Ogaden families often undergo forced displacement. This is in itself a violation This may in itself amount to a violation of the right to freedom of movement under article 12 of the ICCPR and can cause the children to lose their sense of identity and become lost and disoriented. An estimated 300,000 to 350,000 people remained internally displaced within Ethiopia in late 2010. There were reported displacements related to violence and human rights violations in Gambella and Somali Regions in 2010. www.internal-displacement.org (20 January 2011)

For example, in late May and early June 2007, the Ethiopian armed forces and regional authorities removed much of the rural population of Wardheer wereda, in Wardheer zone, and some villages in neighboring weredas in Korahe zone towards Wardheer town and other sites including Walwal, Danood, and Qoriley. They evacuated more than a dozen villages in an approximately 60-kilometer radius of Wardheer town alone during this operation, including Daratoole, Lahelow, Neef-Kuceliye, Qamuuda, Dhurwaa-Hararaf, Ubatale, Wa'do, Aado (Caado), Arowela, Yu'ub (Yucub), and Laanjalelo. The majority of these villages were burned after their forced evacuation. Similar operations of forced relocation and occasional burnings of villages have taken place around other major towns, such as Garbo, Sagag, Dhagahbur, and Shilabo. (HRW June 11 2008)

Article 24

Access to Education

Children are the future of every society, hence the right to education guarantees that a well educated child becomes a positive and a product member of society. However,

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when this right is denied and not fulfilled as legislated in the Ethiopian Constitution and mentioned in Article 28 in the Convention for the Rights of the Child, the children lose the opportunity to become productive members of society and become impressionable and vulnerable to destructive influences. Over 90% of the Ogaden youth and children do not go to school and have no access to education. (this is the reality in the Somali region, unfortunately we have no statistics to compare to the rest of Ethiopia,)

Most of the other 10% go to schools that are being funded by the people in the Diaspora. The Ethiopian government does not promote or provide the environment for the youth or children to educate themselves. In addition, there are no vocational centres to train the young youth so they can provide for themselves even though they have the right to as it is stated in the Ethiopian Constitution.

Access to health care

The Ethiopian Constitution states that everyone must have access to health facilities. However, the Ogaden community, have the highest child mortality rate in the world because the government does not provide for pre and post natal care, immunization, and any family health support programs. The majority of the Ogaden people have no access to any healthcare provided by the Ethiopian government. Not only is the Ethiopian government not providing any health services, they blockaded the international aid agencies to provide such services to the Ogaden children. For example, MSF's Press Release in September 2007 titled, "MSF Denied Access to Somali Region of Ethiopia, Despite Worsening Humanitarian Crisis", reports how there are tremendous needs to health care workers and how they are not permitted to enter the area. Mr. William Robertson, head of mission for the Dutch section of MSF in Ethiopia states in the press release: *"Our teams have treated people who have been forced to flee their homes and are now struggling to survive with little or no assistance. People are living in fear because they find themselves targeted by and caught between armed groups. We are urgently calling for immediate access to the region in order to help civilians in need."* With all these evidences, the international community sit silently and do not provide the prevention required to protect the basic rights of the children in the Ogaden. (Ogaden, here means the entire Ogaden or Somali region)

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Recommendations

- OYSU calls upon the Ethiopian government to uphold its own Constitution's Article 36 which states the rights of the child.
- OYSU calls upon the International Community to hold accountable the Ethiopian government for its transgressions against the rights of children in the Ogaden.
- OYSU calls upon the International Community to monitor and pressure the Ethiopian government to change its practice towards the Ogaden children and adhere to Convention of the Right of a Child which they are a signatory to.
- OYSU calls upon the Ethiopian government to accept all the 32 recommendations it rejected during the UPR last year specially all the recommendations related to Ogaden issue :
 - 1) Open regional offices of the EHRC, starting with an office in Jijiga (United Kingdom);
 - 2) Issue an open-ended and standing invitation to all special procedures; and more specifically respond positively to the requests for visits by the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression and on the right to education, the Working Group on Arbitrary Detention, and the Special Rapporteurs on torture and on extrajudicial, summary or arbitrary executions (Spain);
 - 3) Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);
 - 4) Allow for greater humanitarian access to the Ogaden so that organizations such as the International Committee of the Red Cross and United Nations relief agencies can provide assistance to victims of conflict (United States);
 - 5) Undertake credible and independent investigations of alleged human rights violations in the Somali Region (United Kingdom);

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- 6) Authorise the launching of an independent international inquiry on the allegations on the violations of human rights in the Somali region since 2007, and bring those responsible to justice (Switzerland);
- 7) Take effective measures, in line with the Committee on the Rights of the Child, to protect all children from torture, cruel and degrading treatment, particularly from members of the military (Germany);
- 8) Strengthen the human rights education and training of military forces and police, prison and judicial staff, and ensure their accountability for any violations of human rights, in particular for violence or sexual violence against women, children and persons of minority sexual orientation or gender identity (Czech Republic);
- 9) Amend the Proclamation for the Registration and Regulation of Charities and Societies so as to bring it into conformity with international human rights standards (Netherlands)

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