

October 22, 2007

Senator James Inhofe
453 Russell Senate Office Bldg.
Washington, D.C. 20510

BY FAX: (202) 228-0380

WE DEMAND AN APOLOGY!

Dear Senator Inhofe:

I am writing to demand an apology for the racist, scurrilous, truculent, degrading, offensive and manifestly untruthful statements you made on the floor of the Senate on October 17, 2007.

I. Ethiopians Demand An Apology For Your Racist, Slanderous and Defamatory Statement That They Are Baby Killers, Child Abusers and Immoral People.

In your statement reported in the Congressional Record¹, your own website and on Youtube², you stated, "Ethiopia takes great pride in being the oldest independent country in Africa." But this "old and independent country" should hang its head in shame because, if you are to be believed, it is a land of baby killers, child abusers and immoral people. You boldly stated:

In Addis 6 years ago, we found a little baby. The little baby was 3 days old. The baby was almost dead. It was not unusual. In some countries in Africa, they throw away mostly young baby girls. Then after about 3 days, when they die, the dogs get them. We were there before the dogs got there. (Emphasis added.)

You proceeded to reinforce your outrageous statement by implying that not only are Ethiopian parents savages that throw their baby girls to the dogs, but other African children are monstrous fiends as well. You stated:

You have heard about the children soldiers. Those soldiers are taken over by these people and trained to fight at ages 10, 11, and 12. Then once they learn to be soldiers, they have to go back to their villages and murder their parents and family. If they don't do that, they dismember them.

Your statements are not only racist, mean-spirited, hurtful and offensive, they are also unsupported by any fact.

¹ http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?position=all&page=S12963&dbname=2007_record

² <http://www.youtube.com/watch?v=nGON5Dj2ag>

In your statements masquerading as social concern for Ethiopians, you are spreading racist propaganda from the floor of the United States Senate. Your comments reflect your own deep seated racist belief that Ethiopians and other Africans are savages who still live in the Dark Continent. Your comments open a window into your soul and lay bare your fundamental belief in the social, if not genetic inferiority of Africans, and of all black people as being animalistic and uncaring for their children. Ultimately, your statements provide a pseudo-cultural rationale for the racist beliefs held by extreme groups in the United States and elsewhere that Ethiopians in particular and Africans in general are a hopeless lot condemned to perpetual savagery and barbarism. Your statements are no different than similarly hurtful and deeply offensive comments made about African American families in the United States.

It is regrettable that you have chosen to use your unique position in the United States Senate to promote your personal vicious brand of racism. Nonetheless, we challenge you to produce a single documented case in Ethiopia where a parent has fed their baby girl to the dogs. ONE SINGLE INSTANCE!

We will not debase ourselves by defending against your racist remarks. Let it be known to you, and to a candid world that Ethiopians, poor or rich, young or old, love their children beyond measure, boys and girls equally, and will do everything, like all other human beings in the world, to protect and care for them.

Human Rights of Children: Convention on the Rights of the Child

We know from your statement that the regime of Zenawi, which you support and defend blindly, observes human rights fully. But did you know that it is a violation of international human rights laws, the Convention on the Rights of Children and the “Ethiopian Constitution” to feed babies to dogs? As a responsible U.S. Senator, and just as a decent God-fearing human being, it is your moral, if not legal, duty to report such outrageous and inhuman action to the Office of the High Commissioner for Human Rights for violations of the Convention on the Rights of the Child which provides under Art. 6:

- 1. States Parties recognize that every child has the inherent right to life.**
- 2. States Parties shall ensure to the maximum extent possible the survival and development of the child.**

Ethiopian Constitution

It is also your moral duty to report to the regime in Ethiopia which you defend so energetically the occurrence of such inhuman practice, and condemn them for failing to protect the lives of Ethiopian children under Article 36 of the “Ethiopian Constitution”:

The Rights of the Child

- 1. Every child shall be entitled to the rights enumerated hereunder:-**
 - (a) the right to life;**

In either case, you had, and continue to have, a moral duty to report such inhuman and illegal conduct to the U.N. High Commissioner for Human Rights and to Zenawi’s

regime so that the offending parents could be brought to justice for such barbarous acts. Minimally, you have a duty to introduce a Senate Resolution, which will no doubt be supported by 100 per cent of all U.S. Senators, condemning such practices and revealing to the world such unspeakable crimes committed against children.

Senator Inhofe: Have you done any of the above? Are you prepared to do any or all of the above? Is there any reason whatsoever why you can not, or will not, do the foregoing at the present time?

Rescuing a Dog or a Baby From the Animal Shelter?

You indicated that 6 years ago your daughter Molly adopted an Ethiopian baby “just before the dogs got there.” We regret that you had to implicate your daughter Molly in your irresponsible statements, but having done so, we must challenge your motives and your daughter’s motives in this adoption. You stated:

I have 20 kids and grandkids of whom I am very proud. My daughter Molly had nothing but boys. She always wanted a girl. So we were able to take this little girl from Ethiopia and nurse her back to health. She had several very close calls. She is healthy and has now been here in the United States and is my adopted granddaughter.

In light of your statements, we are not sure if your daughter Molly adopted Zegita out of a genuine concern for the baby, or if she felt she was on a rescue mission to the dog shelter to pick up a pet dog for the family before it is put to sleep. You even displayed a poster size picture of that child on the Senate floor for reasons we can not comprehend. Were you trying to show the world the trophy you rescued from the shelter just before it was euthanized?

II. We Demand an Apology From You For Lying and Misrepresenting to the American People That Zenawi, the Regime Leader in Ethiopia, “has taken significant steps again to regain a democratic process that is fair and respectful of human rights.”

In your Statement, you told the American people:

“In Ethiopia, recently, I met with Prime Minister Meles, his wife. I met with members of the Parliament and with all the individuals there who are trying to do a good job. While there, I saw firsthand their democratic progress and commitment in fighting terrorism. Although I appreciate the increased attention being given to Africa, particularly Ethiopia, I believe the bill is misguided and takes the wrong approach by placing demands on a friend and ally that has made obvious advancements in democracy and human rights. While I continue to agree that the violence and intimidation that took place after the 2005 election was an unnecessary use of excessive force, the Government of Ethiopia has taken significant steps again to regain a democratic process that is fair and respectful of human rights. (Emphasis added.)

In denouncing H.R. 2003 (Ethiopia Democracy and Accountability Act of 2007), you stated that the

“punitive actions [in the bill] could damage the bilateral relationship between the United States and the Government of Ethiopia, as well as derail progress Ethiopia has made in furtherance of democracy and supporting human rights. I fully support the State Department's assessment. Quite often I am criticized for coming down here and opposing the State Department. More often than not, that is the case. But in this case they are exactly right.”

Senator Inhofe: Are you aware that your claim that the Ethiopian regime has taken “significant steps again to regain a democratic process that is fair and respectful of human rights” is contradicted by U.S. State Department and every other international human rights organization in the world?

In your Statement, you made a special point to underscore your general disagreements with the State Department on most issues but that you “fully support the State Department's assessment [that punitive actions in H.R. 2003 could damage the bilateral relationship]. Quite often I am criticized for coming down here and opposing the State Department. More often than not, that is the case. But in this case they are exactly right.” (Emphasis added.)

Do you also agree with the following State Department assessments and conclusions set forth in the most recent human rights report on Ethiopia (April 5, 2007):

The [Ethiopian] government's human rights record remained poor in many areas. Human rights abuses reported during the year included the following: unlawful killings; beating, abuse, and mistreatment of detainees and opposition supporters by security forces; poor prison conditions; arbitrary arrest and detention, particularly of those suspected of sympathizing with or being members of the opposition; detention of thousands without charge and lengthy pretrial detention; infringement on citizens' privacy rights; restrictions on freedom of the press; arrest, detention, and harassment of journalists for publishing articles critical of the government; restrictions on freedom of assembly and of association; violence and societal discrimination against women and abuse of children; female genital mutilation; exploitation of children for economic and sexual purposes; trafficking in persons; societal discrimination against persons with disabilities and against religious and ethnic minorities; and government interference in union activities.³

Do you further agree with the following specific findings⁴ on Ethiopia in the same State Department report?:

³ <http://www.state.gov/g/drl/rls/shrd/2006/80586.htm>

⁴ <http://www.state.gov/g/drl/rls/hrrpt/2006/78734.htm>

On torture, infliction of cruel, inhuman, degrading treatment/punishment:
Although the [Ethiopian] constitution and law prohibit the use of torture and mistreatment, there were numerous credible reports that security officials often beat or mistreated detainees.

On arbitrary arrest and detention:

Although the [Ethiopian] constitution and law prohibit arbitrary arrest and detention, the government frequently did not observe these provisions in practice.... Authorities regularly detained persons without warrants and denied access to counsel and family members, particularly in outlying regions... The independent commission of inquiry... found that security officials held over 30,000 civilians incommunicado for up to three months in detention centers located in remote areas... Other estimates placed the number of such detainees at over 50,000.

On the denial of fair trial:

While the law provides for an independent judiciary, the judiciary remained weak and overburdened. The judiciary was perceived to be subject to significant political intervention.

On the lack of freedom of speech and press:

While the [Ethiopian] constitution and law provide for freedom of speech and press, the government restricted these rights in practice. The government continued to harass and prosecute journalists, publishers, and editors for publishing allegedly fabricated information and for other violations of the press law. The government continued to control all broadcast media. Private and government journalists routinely practiced self censorship.

On condition of Political Prisoners

The 200 political prisoners on trial in the Addis Ababa federal system were held in two separate prisons, Kaliti and Kerchele, often under harsh conditions. In March CUD Secretary General Muluheh Eyoel was placed in solitary confinement at Kerchele prison. In August fellow CUD member Andualem Arage, along with journalists Sisay Agena and Eskinder Nega, were placed in solitary confinement.

On Freedom of Assembly

The constitution and law provide for freedom of assembly. Prior to the May 2005 national elections, there were numerous opposition rallies, including one that occurred in Addis Ababa that was attended by nearly one million persons the weekend prior to the elections. However, immediately following the elections and throughout the year, the government restricted this right in practice. From May 2005 to year's end, the government granted only one permit allowing a public demonstration to take place.

On Freedom of Association

Although the law provides for freedom of association and the right to engage in unrestricted peaceful political activity, the government in practice limited this right. The Ministry of Justice registers and licenses NGOs, and there was some improvement in transparency of the NGO registration process. The government continued to deny registration to the Human Rights League (see section 4).

III. With All Due Respect, Have You Read H.R. 2003?

We find it remarkable that your statements in substantial part recapitulate verbatim statements found in the public relations and lobbying materials disseminated by the D.L.A. Piper lobbying firm, and in the press releases of the Ethiopian Embassy. You lift so many phrases from such materials that we are left to wonder if you have actually read the bill

itself in making your statement. Therefore, we respectfully question your reading, understanding and veracity of statements you made concerning H.R. 2003.

False Statement #1: H.R. 2003 undermines and threatens U.S. counter-terrorism efforts in the Horn of Africa.

You made the same argument in your Senate statement that D.L.A. Piper has repeatedly made in its lobbying materials, namely that H.R. 2003 threatens U.S. national interests by undermining the strategic counter-terrorism partnership with Ethiopia by imposing onerous sanctions and limiting U.S. security assistance. You stated that “terrorist activity that has taken place in the Middle East and how it is now coming down through the Horn of Africa, through Djibouti and that area into the Uganda-Ethiopia area, it is a very significant area right now... Our country's strong support of Ethiopia during this significant time is imperative... These punitive actions [in H.R. 2003] could damage the bilateral relationship between the United States and the Government of Ethiopia..”

Your statement is patently false and contradicted by Section 5 of H.R. 2003, which makes a major exception on counter-terrorism efforts in the Horn:

SEC. 5. ENSURING GOVERNMENT SUPPORT FOR HUMAN RIGHTS, DEMOCRACY, AND ECONOMIC DEVELOPMENT IN ETHIOPIA.

(B) EXCEPTION- Subparagraph (A) shall not apply with respect to peacekeeping assistance, counter-terrorism assistance, or international military education and training for civilian personnel under section 541 of the Foreign Assistance Act of 1961 (commonly referred to as `Expanded IMET'). (Emphasis added.)

False Statement #2: H.R. 2003 is “misguided and takes the wrong approach by placing demands on a friend and ally that has made obvious advancements in democracy and human rights.”

The “demands” that H.R. 2003 “places” on a “friend and an ally” involve compliance with the following provisions under Sec. 5 (3) of H.R. 2003, which shall remain inoperative unless:

- (A) all political prisoners and prisoners of conscience in Ethiopia have been released, their civil and political rights restored, and their property returned;**
- (B) prisoners held without charge or kept in detention without fair trial in violation of the Constitution of Ethiopia are released or receive a fair and speedy trial, and prisoners whose charges have been dismissed or acquitted and are still being held are released without delay;**
- (C) the Ethiopian judiciary is able to function independently and allowed to uphold the Ethiopian Constitution and international human rights standards;**
- (D) security personnel involved in the unlawful killings of demonstrators and others, including Etenesh Yemam, and Kaliti prisoners are held accountable;**
- (E) family members, friends, legal counsel, medical personnel, human rights advocates, and others have access, consistent with international law, to visit detainees in Ethiopian prisons;**
- (F) print and broadcast media in Ethiopia are able to operate free from undue interference and laws restricting media freedom, including sections of the Ethiopian Federal Criminal Code, are revised;**
- (G) licensing of independent radio and television in Ethiopia is open and transparent;**

- (H) Internet access is not restricted by the government and the ability of citizens to freely send and receive electronic mail and otherwise obtain information is guaranteed;
- (I) the National Election Board (NEB) includes representatives of political parties with seats in the Ethiopian Parliament and the NEB functions independently in its decision-making;
- (J) representatives of international human rights organizations engaged in human rights monitoring work, humanitarian aid work, or investigations into human rights abuses in Ethiopia are admitted to Ethiopia and allowed to undertake their work in all regions of the country without undue restriction; and
- (K) Ethiopian human rights organizations are able to operate in an environment free of harassment, intimidation, and persecution.

HR 2003 further provides \$40 million to strengthen democratic institutions and promote respect for human rights.

Senator Inhofe: What is “misguided” about these “demands”? What is so unreasonable and “wrong” about them? Are these “demands” not based on the very same timeless principles and ideas in the American Constitution?

Your claim of “obvious advancements in democracy and human rights” in Ethiopia is contradicted by the U.S. State Department as shown above, and by ALL other international human rights organizations.⁵

False Statement #3: “These punitive actions [in H.R. 2003] could damage the bilateral relationship between the United States and the Government of Ethiopia, as well as derail progress Ethiopia has made in furtherance of democracy and supporting human rights.” (Emphasis added.)

You stated that H.R. 2003 will “derail progress Ethiopia has made in furtherance of democracy and supporting human rights”. You produce no evidence to support this false claim. You point to the fact that “on July 20, 2007, following convictions and sentencing, 38 opposition leaders were granted full pardons. All remaining members of the opposition were pardoned and released on August 18, 2007.”

Your statement suggests that Ethiopia’s problems are limited to the imprisonment of a few dozen opposition leaders. You ignore entirely the massive human rights violations in the country, the brutal repression of dissent, the tens of thousands of innocent political prisoners still in detention the ruthless suppression of democratic liberties and institutions, among others. Indeed, you seem satisfied that the release of 38 opposition leaders addresses all of the political issues in the country.

⁵ See U.S. State Department at: <http://www.state.gov/g/drl/rls/shrd/2006/80586.htm>; Amnesty International at: <http://www.amnestyusa.org/annualreport.php?id=ar&yr=2007&c=ETH>; Committee to Protect Journalists “Ethiopia Leads Dishonor Roll as most Repressive of Independent Press” at: <http://www.cpj.org/backsliders/index.html>; The Observatory for the Protection of Human Rights at: http://www.omct.org/pdf/Observatory/2005/report/ethiopia_obs2005eng.pdf

Senator Inhofe: Are you aware that there are tens of thousands of prisoners still in detention in Ethiopia by the regime you so blindly defend? Are you aware that hundreds of individuals are detained every day on suspicion of political opposition? Are you aware that there is no independent free press in Ethiopia? Are you aware that human rights organizations are not allowed to function? Human rights violators, including the those who caused the deaths of unarmed citizens (whose deaths you said you regretted) are not prosecuted and still walk the streets free? That there is no independent judiciary? And so on...

You further stated that “reforms have been made to the election process.” Could you tell us exactly what reforms have been made to the elections process? Have you spoken to the Delegation of opposition leaders currently touring the U.S. about the so-called elections reforms and their opinions on it? They can certainly tell you about “elections reforms”. After all they served 21 months in prison defending the integrity of the electoral system. They are still in town. Would you like to meet them and learn the truth about “elections reform” first hand?

We challenge you to produce a shred of evidence to support your false claim of “electoral reforms” that actually promote democratic participation by ensuring free, fair and competitive elections with a level playing field, good governance based on representative, transparent and accountable institutions, independent courts and legislative bodies operating under the rule of law, that promote robust civil society institutions, and above all, ensure the existence of an independent media that can keep government honest and citizens engaged and involved in the democratic process.

Assuming that the regime you defend so blindly has made “reforms to the election process”, there is no logical, financial or legal reason for it to oppose H.R. 2003 because the bill reward the regime with \$40 million to help strengthen the democratic reforms they are allegedly implementing!

False Statement #4: “A lot of people [lawmakers in Congress] couldn't find Ethiopia on a map.”

You stated: “I think we have to oppose H.R. 2003. I have talked to several people who didn't know any differently. They didn't object to this. I think it went through on a UC over there. But a lot of people couldn't find Ethiopia on a map.” Your demeaning remarks towards your colleagues are not only patently false and vulgar, they are also disrespectful of the institution of Congress and irreconcilable with rules of Senate decorum. Senate Rules of Order, Rule 6.2 provides:

Decorous language

Every member shall confine himself to decorous language in addressing the Senate and shall make no personal or derogatory remark to or about any member.

Obviously, you do not appear to be familiar with Senate Rule 6.2, or you would not have insulted the intelligence of members of Congress in such a mean and contemptuous manner. Nonetheless, we will defend all members of the Subcommittee on Africa and Global Affairs, House Foreign Relations Committee that unanimously passed H.R. 2003, the entire membership of the Black Caucus, and all members of the House of Representatives and the Senate against your scandalous statement. We affirmatively state, without reservation, that ALL members of Congress, save one, can place Ethiopia on the map, and intelligently discuss U.S. foreign policy in the Horn of Africa. If knowledge and facts are important in public policy discussions, as you seem to suggest, perhaps you should look at your own Senate record before you point an accusatory finger at others.

False Statement #5: American Troops are Fighting Alongside 100,000 Ethiopian troops in Somalia.

You made the following patently false statement:

We need to understand the significance of what is going on right now. We made a decision about 6 years ago to help the Africans establish five African brigades... It happens that Ethiopia is the headquarters for the East African Brigade.... Our idea is, as I mentioned, there is a squeeze in the Middle East. As terrorism starts going down through Djibouti and the Horn of Africa into northeastern Africa, this is an area where if they are prepared to take care of themselves, we would not be sending our troops there... [Ethiopia] is helping us, fighting with us side by side, sending 100,000 troops with American troops down to Somalia and working on our side

It is obvious that you have confused the number of refugees that left Moqadishu and the surrounding areas (in excess of 100,000 persons) with the number of Ethiopian soldiers stationed in Somalia. Additional fact checking on your part would show that the regime in Ethiopia has never stated that it has 100,000 soldiers in Somalia. In fact, it has never given an estimate of more than several thousand troops in Somalia; and those troops were supposed to have been withdrawn within less than 6 months of the initial date of intervention. On March 12, 2007, Zenawi stated that all Ethiopian troops would be withdrawn from Somalia within weeks. But Zenawi's troops are still bogged down in Somalia. Your statement that there are currently 100,000 Ethiopian troops fighting in Somalia is a manifestation of your own ignorance and reckless disregard of the facts, or an extraordinary piece of intelligence unknown to any person or government in the world.

The other allegation in your statement that "American troops are fighting side by side" with Ethiopian troops is not a matter to be taken lightly. As you may know, the War Powers Resolution of 1973 (Public Law 93-148) is very particular about introduction of U.S. troops into hostilities or combat. Section 3 of this Resolution provides:

The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situation where imminent involvement in hostilities is clearly indicated by the circumstances, and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations.

You stated further that the U.S. has “helpe[d] the Africans establish five African brigades” in the fight against terrorism. That is a patently false statement. The only U.S. “African brigade” (or American military base) that exists in sub-Sahara Africa is in Djibouti at Camp Lemonier, a former French Foreign Legion base outside the capital, and houses approximately 1,800 American personnel. Again, it is important for you to check your facts before you state them in public.

You have presented no evidence to support your claim that American troops are fighting in Somalia side by side with Ethiopian troops. If your claim is true, the President would be in clear violation of the War Powers Resolution; and you and the other Senators would in dereliction of your constitutional duties for not acting to bring him into compliance with the law. We challenge you to prove the truth of your statement that American troops are fighting in Somalia by themselves or in support of Ethiopian troops!

III. “I have been to Africa more than any Senator in the history of America.”

In proclaiming your special concern and commitment to Africa you stated:

I think I am safe to say that I have been to Africa more than any Senator in the history of America. I have been really tied to that continent and recognize the significance in the future of our country as well as their country. It is an area of strategic importance globally to this Nation.

You claim that you “have been to Africa more than any U.S. Senator in the history of America.” Though that may be a fact, it is also true that you have done very little, if anything, to help Ethiopia or Africa despite your boastful claim of concern.

You served in the House of Representatives from 1987 until 1994, and in the Senate from 1994 to present. For a Senator who claims to have “been to Africa more than any Senator in the history of America,” have you sponsored a single piece of legislation that is relevant to Africa? Ethiopia?

Have you ever served, or requested to serve on the Senate Subcommittee on African Affairs? Have you made any efforts to establish a Senate Caucus on Ethiopia, comparable to the House Caucus on Ethiopia?

Have you ever contacted Donald Payne, Chairman, House subcommittee on Africa and Global health, to discuss H.R. 2003, or any matters or issues affecting Africa? Have you ever contacted Republican Christopher Smith, the former Chairman of the Subcommittee on Africa, Global Human Rights and International Operations Africa who introduced an earlier version of H.R. 2003 (H.R. 5680) to discuss any matters affecting Africa or Ethiopia?

Of course, you have done nothing for Ethiopia or Africa when you were in the private sector. When you became president of the Quaker Life Insurance Company, and before that company went into receivership and liquidation in 1986 under your leadership and management, you had done nothing to help the people of Ethiopia or Africa.

The incontrovertible fact of the matter is that you have as much interest in helping the people of Ethiopia or Africa as you do in protecting the people of America from the scientifically-established negative effects of global warming.

Senator Inhofe: You pontificate, moralize and preach about Ethiopia and Africa but you have done absolutely nothing to alleviate the suffering of Africans. In fact, you have come out to champion the very tyrants and dictators who have inflicted great suffering and pain on the people of Ethiopia. You have become the mouthpiece of oppression, and you have demonstrated that you will lie, cheat and deceive the American people to accomplish your ignominious defense of tyranny in Ethiopia. .

FOR THE LIES, SLANDEROUS AND DEFAMATORY STATEMENTS YOU HAVE MADE AGAINST ETHIOPIANS AND THE PEOPLE OF AFRICA, WE DEMAND AN IMMEDIATE APOLOGY!

Sincerely,

Alemayehu G. Mariam

Alemayehu G. Mariam, Ph.D., J.D.

Professor and Attorney at Law

Coalition for H.R. 2003

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Cc: U.S. Senate Foreign Relations Committee
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House Subcommittee on Africa and Global Health
House Foreign Relations Committee
House of Representatives, Black Caucus
House Leadership
Oklahoma, Print and Electronic Media, seriatim
NAACP, national and Oklahoma
Oklahoma Faith-based Institutions, seriatim
Network and Cable News Outlets, seriatim

Full list available at www.hr2003.org