Open Letter to the UNHCR Commissioner António Guterres
Regarding the Plight of Ethiopian Refugees in Japan, Norway, Sweden and Beyond

April 23, 2011

The Honorable António Guterres
United Nations High Commissioner for Refugees
Case Postale 2500
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Dear Commissioner António Guterres:

We in the Solidarity Movement for a New Ethiopia (SMNE), a social justice movement of which I am the executive director, want to call to your attention to the difficult plight of Ethiopian refugees throughout the world; with two specific purposes in mind:

1) to request a speedy review of UNHCR policies that fail to reflect the legitimate need for international protection for asylum seekers from Ethiopia; which in some cases have been used by host states to justify detention within host countries or the forced deportation of Ethiopian asylum seekers to situations within Ethiopia where they have faced persecution; and,

2) to request a review of UNHCR policy that prohibits asylum seekers living in developed host countries—where permanent refugee status/citizenship, legal rights and integration into the greater society is denied or limited—from seeking third country asylum in another developed host country; including situations where family or relatives are able to act as sponsors in these third countries.

On behalf of Ethiopian refugees seeking asylum, we in the SMNE are calling on the UNHCR and host countries to quickly address these urgent matters that are now threatening the lives and security of these refugees; particularly those facing deportation as they will be unable to protect themselves from persecution should they be forcibly returned to Ethiopia and we strongly hold that the UNHCR and these host countries should ensure their right to international protection and seek permanent solutions to their predicament.

UNHCR Policies Should be Changed to Accurately Reflect Repressive Political Climate of Ethiopia

UNHCR guidelines pertaining to Ethiopia are not only increasingly outdated, but even in the past, have failed to reflect the reality of life under the Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF), an ethnic and family-based regime of Prime Minister Meles Zenawi that has had an iron grip on power for twenty years.

The EPRDF has become a one-party government of the Tigrayan Peoples’ Liberation Front (TPLF) and is accused of high levels of corruption, pilfering of Ethiopian assets and exploitive use of foreign and humanitarian aid to advance its own political machinery; all made possible by its essential takeover of all Ethiopian institutions. (For more information, please see 2010 Human Rights Watch report on “Development without Freedom: How Aid Underwrites Repression in Ethiopia,” http://www.hrw.org/en/news/2010/10/18/ethiopia-donor-aid-supports-repression, and “Political Repression and the 2010 Elections” http://www.hrw.org/en/node/87604) Furthermore, a complex system of spies, reaching all the way down to the neighborhood level, keeps track on who is and who is not a loyal EPRDF supporter. It is assumed that any Ethiopian seeking asylum outside the country is an opponent of their authoritarian rule.

Despite EPRDF claims to winning 99.6% of the votes in the 2010 national election, Meles and his 20-year-old regime are considered unelected and illegitimate by the majority of Ethiopians who instead hold them responsible for creating state-sponsored terrorism within its borders and beyond. A strong grassroots movement of discontented people is building up beneath the surface of this repressed state; all of which may erupt unpredictably, with the goal of regime change, as all other avenues have been blocked.

Through closing off all political space, oppressing the people, fomenting ethnic hatred and divisions and by suppressing information, this apartheid-like government—that even requires one’s ethnicity on identity cards—has gained control of every sector of society; giving perks based on cronyism, ethnicity and party membership while persecuting—sometimes brutally—any who oppose this lop-sided system of favoritism that extends through the entirety of Ethiopian society. (For more information, please see the U.S. State Department’s Human Rights Report from April 9, 2011. http://www.ethiopia.org/images/pdf/usdept_hr_report2010_ethiopia.pdf).

Numerous human rights investigations have exposed a widespread pattern of human rights violations to the extent that the case of Ethiopia was referred to the UN High Commissioner for Human Rights for a country investigation. One of those cases, the ethnic-based targeting of the Anuak of Gambella, Ethiopia, is currently before the International Criminal Court (ICC) for possible action due to substantial evidence that links the Meles government to complicity in the perpetration of alleged genocide, crimes against humanity and other gross human rights atrocities. Furthermore, substantial evidence exists that a “silent Darfur” is being presently being carried out in an area of the Ogaden region of Ethiopia; an area this regime has blocked off from access to outsiders for the last several years.
As tensions simmer, most are afraid to protest for fear of arrests, job loss, beatings or even death. Rather than face such threats, many have fled into exile. New anti-terrorism laws that are purposely vague are being used to target opponents and to outlaw assembly of three or more people in public places. A new civil society law that prohibits advocating for human rights, children’s rights, women’s rights, rights for the disabled or conflict resolution between ethnicities or religions is one of the most restrictive in the world.

Pressure to join the EPRDF is extraordinary and any who do not; particularly those of different ethnicity than that of the ruling party’s—Tigray—are even more suspect. In order to gain access to any opportunity; including access to food aid, fertilizers and seed, one must join the regime’s political party; the effect of which can be shown from the dramatic increases in EPRDF membership from 60,000 in 2006 to 4,000,000 during the time of the 2010 national election.

In the past, Meles was being called “a new breed of African leader” and later, a “partner in the war on terror” as he and his regime used democratic rhetoric to cover up egregious human rights crimes, suppression of citizen rights and the consolidation of power into the hands of a few; all strongly associated with the confiscation of land, natural resources and other national assets; including a huge business conglomerate, the Endowment Fund for the Rehabilitation of Tigray (EFFORT) led by Meles’ own wife, Azeb Mesfin, that currently controls the banking and economic sector of Ethiopia.

Now the Meles regime, in secret backdoor deals, is leasing Ethiopian land, also called “land grabs,” to foreign or crony investors for negligible amounts for up to 99 years. At the same time, the regime is forcibly resettling the people from indigenous land in order to free up large swathes of land for these investors; all in violation of its own Constitution as well as international laws established by the UN related to indigenous land rights. Much of this is going on in areas of greatest oppression.

Additionally, the major portion the agricultural produce from these investments will be exported from Ethiopia despite studies that show Ethiopia to be the second poorest country in the world and one of the primary recipients of food aid from donor countries. Recent in-depth research into these land grabs has uncovered a shocking lack of oversight regarding the environmental impact of these ventures; despite the fact that much of the development is occurring in the fragile region of the headwaters of the Upper Nile.

At the same time, many foreign investors and countries are keenly interested in “doing business” in Ethiopia right now and to do so, they must be willing to turn a blind eye on the fact that the only available business partner happens to be a dictator who is willing to trample on the rights and lives of his own citizens. This is a partner who does not really care if Ethiopians—especially the outspoken ones—are forced into exile; that is, as long as their future testimonies given as asylum seekers do not challenge the illusion of democracy and double-digit economic growth that he is trying to sell in the global marketplace. As you may agree, this is only a recipe in “refugee-production.”

As life has become unbearable for the most vulnerable, disenfranchised and outspoken; it has led many to risk their lives; often dying, as they seek asylum in other countries. Evidence gathered by the SMNE from March 2009 to March of 2011 gave light to the cost in terms of lives. We found that at least 841 Ethiopians died as a result of dangers and hardship they encountered as they sought freedom. Yet, those who reached host countries continue to face the obstacle of overcoming UNHCR policies that gravely distorted the on-the-ground realities. Such rose-colored views of a highly abusive regime have been used as a basis to detain and deport Ethiopians back to Ethiopia. Consider this quote from a recent Email received from an asylum seeker in Sweden:

As you know Ethiopia has become a one-party state where every economic, social and other activities are directed to promoting the ruling party’s political control and repressing opponents in every sector of the society, intelligent young professionals have been demoted and fired from jobs, many business men are paralyzed in the name of pre-arranged tax fraud, the subsistence farmer[s] have been denied food aid and agricultural inputs, [only][giving job[s] to new graduates who are ruling party members.......what makes things more complicated is the situation that we face in the host country that we migrate to, for instance here in Sweden all Ethiopians who seek asylum have been ordered to return back to Ethiopia because the migration policy for Ethiopians ... is distorted [and] doesn’t agree with what is currently happening on the ground... Thus, we Ethiopians have become victims of injustice and suffering at home and in the countries we seek asylum.

Can we do something to make our voice heard and persuade the Swedish authorities better understand the real situation in Ethiopia and revise their migration policy on Ethiopians?

In the case of Sweden, there are over 300 people still caught in a repetitive cycle of never-ending appeals, denials, pressure to sign voluntary deportation agreements or if they refuse, being placed in detention camps; some going through this process more than three times. For example, one man who had previously been given a work permit had it rescinded. He appealed the case and lost. He was then told to sign papers to voluntarily agree to be returned to Ethiopia; however, when he refused he was sent to a detention camp that allowed some limited community mobility. During this time his mental health severely deteriorated. Instead of the UNHCR or the host country providing any mental health services or assistance, after several months in this camp, he left without permission and became homeless on the streets. Currently, members of the Ethiopian community are helping him.

Another Ethiopian living in Sweden has been a political activist opposing the Meles regime. His asylum application was rejected and he subsequently appealed his case to immigration authorities. He also lost his appeal and was told to voluntarily sign the deportation papers or otherwise, he would be placed at a detention camp. He refused to sign and was detained. This man has a very serious heart problem and has been prescribed six different medications to take daily. He was told by a health professional that the drugs he needed would not be available in Ethiopia; however, despite this, he faces pressure to agree to deportation. Now, he is staying with members of the Ethiopian community who are paying for his medication.
We in the SMNE are in touch with many other Ethiopian asylum seekers as well; from places like Japan, Norway, Sweden, Mexico, Germany, Switzerland, Canada, the U.S., the U.K., Ireland, the Netherlands, Italy, Saudi Arabia, Lebanon, Russia, Libya, Yemen, Sudan, Kenya, Djibouti, Bahrain, Tunisia, Egypt, Syria, India, Australia and beyond.

From what we are hearing in first-hand reports, these Ethiopians are facing very difficult conditions. They have fled a repressive government—one that caused more journalists to seek exile than their counterparts in any other country in the world and one whose reputation for committing human rights crimes dates back not only decades, but to the Bush when Meles led the Marxist-Leninist inspired liberation front that is now in power; yet, those running from persecution are caught in a diplomatic conundrum due to UNHCR policies and the lack of accountability from someone who is getting a free ride due to being a supposed ally in the war on terror.

We are concerned that without a speedy change of UNHCR policy related to Ethiopia, the UNHCR and host countries who are signers of the Refugee Convention, will inadvertently be contradicting their own principles against “Non-refoulement” as set out in Paragraph 1 of Article 33 of the 1951 Convention which states: “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion”.

When Ethiopians have been “refouled” or forced to voluntarily sign deportation papers, the results in a number of cases have not been positive. In fact, in monitoring the outcomes for these people from April 2010 to January 2011, we learned of the subsequent disappearances of at least 57 deported Ethiopians according to data gathering research conducted by the SMNE and its partners. These partners included human rights organizations representing diverse regions of Ethiopia; all of whom maintained close connections to people on the ground.

The TPLF/EPRDF is a regime that does not care about its people and may purposely seek to drive opponents from the country. Once these Ethiopians leave, the Meles regime seems only invested in preserving its false image. The same is true for average Ethiopians simply working or living outside the country. An example of this occurred last year in Saudi Arabia when Ethiopians were working there under horrible conditions leading to the deaths of several of them. Despite their pleas for help, the Ethiopian Embassy failed to do anything for them. Instead, the Saudi Arabian government rounded some of them up and deported them back to Ethiopia.

Another example was seen in Libya when black Africans were targeted by the rebels as suspected mercenaries believed to be defending Gaddafi. During a German Deutsche Welle (DW) radio interview with the Ethiopian Ambassador who was overseeing this region, he was asked to give out contact information in case some of these Ethiopians stranded in Benghazi needed help, but he refused. This is the kind of predicament Ethiopians live under.

As the regime fears the very real potential for political unrest similar to what has happened in North Africa and the Middle East, the regime has cracked down on suspected activists or “discontented” groups like the Oromo; arresting hundreds of people. The Oromo, as the largest ethnic group in Ethiopia, have faced extreme persecution as their numbers are seen as a threat to this minority regime. This can be clearly seen by the numbers of Oromos that are said to fill Ethiopian prisons. Yet, this risk to them was overlooked earlier this year, possibly because of UNHCR policy, when Kenya “returned” over a hundred asylum seekers who were being detained, mainly of Oromo ethnicity.

With the political upheavals going on in places like Libya, Tunisia, Egypt, Bahrain, Syria and Yemen, many Ethiopians working outside of the country, have been caught in the resulting chaos and insecurity. Most do not feel safe to return home even though many of these migrant workers had not originally left the country as a refugee. However, in the interim, particularly following the killing of 194 peaceful protesters and the detention of up to 50,000 others after the 2005 election, widespread persecution has escalated and Ethiopia has become an increasingly repressive society. Ethiopians studying or working in other countries where there is not political turmoil, also face the same fears about returning to Ethiopia. As refugees “sur place,” they join students, diplomats and other officials who have sought such status after leaving the country.

Many living outside of the country face greater risks of persecution should they be forced to return as they will face heightened suspicion regarding possible political association with the opposition and fear that access to enlightened thinking regarding civil and political rights will create new opponents. The risks are increased if they do not have EPRDF party ties or if they are members of targeted ethnic communities. Unfortunately, they are not receiving the needed support from UNHCR; whereas Eritreans and Somalis, enduring similar difficulties and risks within their countries, are given immediate recognition as refugees.

For example, nearly a hundred Ethiopians, along with Eritreans and Somalis, found their way to Malta after escaping from Tripoli; however, all the Eritreans and Somalis were released as approved refugees by the UNHCR, but the Ethiopians still remain in custody; facing possible deportation. For the same reason, numbers of Ethiopians in Yemen are now awaiting deportation as well.

Lack of Third Country Mobility between Developed Countries Should be Remedied

We are also greatly concerned about those Ethiopians, fearing persecution at home, who have been living for years in developed host countries like Norway, Sweden, Japan and others, where they may have received some limited “quasi-status,” but face little prospect of ever gaining permanent resident status. They are in a double-bind; not only are they being prevented from integrating into the host culture, but because they live in a “developed” host country, they are also prevented from seeking asylum in another “developed” host country.
The reason regularly given is attributed to UNHCR policies blocking such mobility between developed countries even where family or relatives may be present and willing to sponsor them. As a result, many asylum seekers have lived for years under extremely difficult circumstances in a state of perpetual limbo. If it were not for the financial support sent from relatives and friends living in other free countries, many would be destitute.

Two host country examples are the cases of Ethiopian asylum seekers in Japan and Norway. I recently visited both places as part of the advocacy work of the SMNE and have personally seen the conditions, heard the testimonies of those affected, visited the detention centers/camps and spoken with immigration authorities; who have on both occasions quoted UNHCR policy as a reason for their decisions.

In the case of Japan, some Ethiopians had gone there to school, but ended up later wanting to defect as a refugee “sur place” due to fear of returning to Ethiopia. Many have lived in Japan for ten to fifteen years under a temporary status, but still have not been given working papers; forcing them to exist on government assistance rather than living independently. As a result, many live in squalid, impoverished conditions without hope of improving themselves. Some have been detained for over three years in detention centers due to not renewing their papers.

Some report they cannot afford the renewal fees; previously required every 90 days. They are unable to go to school to advance their education. Many are depressed; feeling they are wasting their lives under a status that neither gives them access to Japanese society nor allows them to seek asylum in another developed country like the U. S. where many have relatives seeking to sponsor them. Even children born in the country are considered illegal or “over-stayed.” They are also restricted from freedom of movement within the country. Following the recent earthquake and fears of increased radiation, their lack of mobility has become a source of increased stress; yet, none feel safer at the prospect of returning to Ethiopia.

Some have appealed for permanent status over twelve times. Each time it is denied, they are pressured to sign papers for voluntary deportation. If they refuse, they may be placed in detention centers; staying there for some time before finally being released and going through the same process again. Very few have been deported by force. Psychologically, it is devastating to the emotional and psychological well being of individuals, families and communities who have become interdependent on each other. Again, if it were not for support from family and friends in other places, their plight would be even worse. The Japanese immigration system and the difficult conditions under which immigrants live is well documented in a book, authored by Erdal Dogan and Tsuyoshi Anemiya, called, “What Has Become of My Life?”

Similar problems now exist in Norway among nearly 200 Ethiopian refugees who now face deportation after living for up to 16 years in the country under ambiguous status. Until this year, when new laws were passed, these Ethiopians obtained official work permits, found jobs, learned the language, bought homes, paid taxes, raised families and assimilated into their communities despite never gaining permanent resident status. Now, an abrupt tightening of refugee policy has suddenly changed their futures.

In February 2011 in protest of these changes, 63 Ethiopians, including women and children, took refuge in a church in Oslo. The church mediated between them and the government; leading to their voluntary move to a camp and hearings regarding the matter. No final decisions have yet been made. Again, UNHCR positions regarding Ethiopia fail to reflect the reality on the ground and are cited as reasons for discounting the foundation of the asylum cases of these refugees.

Previously, these Ethiopians were self-reliant; living productive and independent lives; but now they have become totally dependent on the government. They have lost jobs, homes and security they have built up and now have nothing to do with their days but to wait to be deported back to Ethiopia.

Many are experiencing severe anxiety and debilitating depression related to losing everything they have worked for over the years; only to face certain persecution should they be deported. Again, they are unable to apply for asylum in another developed country if Norwegian officials refuse them permanent asylum.

One woman in the camp is six months pregnant. Due to health problems related to shortness of breath, she was rushed to the hospital three times within a week. Finally, the doctor determined that the health problems were related to conditions at the camp and that she should be moved to a different location. This woman has a sister in Canada who would like to bring her there, but cannot do so according to UNHCR immigration laws. She remains in the camp.

One man who has been working for eight years in Norway, with a government-issued work permit, has only missed work on two occasions, but as of January 2011, he was told he could no longer work; that he had to move from his apartment and report himself to a camp where he would have to wait for a decision on his status. There are 63 others in the same camp who have nothing to do. This man now spends his days sleeping and is fighting thoughts of suicide as the trauma of these actions have taken a severe psychological toll on him.

Another woman who recently testified at a hearing of Norwegian government officials regarding her situation as a detainee had been working and living in Norway since 2006. During this time, she married and now has a fourteen month old daughter. They all are now in line for deportation; including her daughter who was born in the country. She and her husband have been assigned to different camps outside of Oslo; a decision she appealed.
As she gave public testimony to the emotional stress of facing this separation and potential deportation, many in the audience shared her tears. Possibly as a result of this testimony, she and her husband have been temporarily given an apartment until a decision is made on the camp and/or the final status of these detainees. When asked during her testimony where her hope was, she said her only hope was in God. This woman has an uncle living in Canada; wanting to help her find asylum there; yet again, UNHCR laws prohibit this from happening.

**In conclusion**, we know that the solution to this problem is not to have the UNHCR or host countries care for increasing numbers of Ethiopians desperate for freedom and safety, but instead to make Ethiopia a livable country where their nationals are not so desperate to leave that they end up dying or in desperate situations throughout the world.

The depth of change needed in Ethiopia in order to bring lasting peace and freedom cannot be handed out by the UNHCR like food aid or by wealthy donor countries like foreign aid; but instead, is something that must be accomplished organically by Ethiopians. Ethiopians are already working on it and are confident that we will earn our freedom; but in the meantime, we ask the UNHCR to give priority to the well being of Ethiopians as is laid out in its mandate.

We also call on you to re-evaluate UNHCR policies that prohibit immigration or asylum seeking between developed countries; particularly where there are family ties, but also in cases where their developed host country is unwilling or unable to open up their immigration policy to include permanent status for asylum seekers. In these cases, allowing them to immigrate to a third country will protect their well being and provide a durable solution rather than keeping them under a state of perpetual limbo that may lead to repeated detentions or deportation.

The freedom, justice and happiness that every human being seeks will bring greater global peace and security to all of us for “**no one will be free until all are free.**” As long as oppression and suffering continue without remedy, there will be groaning and creaking in our global community which spills out from one place to another. In this case, the increasing influx of refugees has become a challenge for the UNHCR and host communities; particularly as host countries are adopting more restrictive policies.

Part of the solution must also include a re-examination of policies and actions that fuel and prolong such authoritarian regimes. Dictators like Meles have supporters—many from respectable places—who may inadvertently become complicit in the oppression of the people through various means of support, partnership or acceptance of distorted realities that are not benign but can make a difference in the everyday lives of people. The Meles regime has many such supporters and we are seeing the results as Ethiopians attempt to escape to countries all over the world; yet the durable solution is not to simply lock them up or deport them; instead, supporting the people fighting such dictators. The dictators will always go, but the people will always be there.

These people are not illegal, but are attempting to escape intolerable conditions of life and liberty. Some may think they are simply illegal Africans or Ethiopian immigrants, but for us, they are not. They are human, they are us. They are aspiring to live to their potential. Their well being must be protected and it is our duty, not just that of the UN, but also of host countries and decent people throughout the world, to put “**humanity before ethnicity**” or any other distinctions, because our humanity does not have boundaries.

From a distance, that illegal, that refugee, that asylum seeker can be categorized as such. Yet, as we label them with superficial distinctions based on refugee status, nationality, poverty, religion, skin color or being “other,” we fail not only them, but our world and humanity that will only thrive when we see the inherent God-given beauty, dignity and preciousness of our global brothers and sisters.

We look forward to your quick response regarding this urgent matter.

Respectfully yours,

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Mr. John Fredrik Reinfeldt, Prime Minister of Sweden
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Syria Minister of immigration,
India Minister of immigration,
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International Refugee Rights Initiative

Cc: Media
Mr. Wataru Nakano, Asahi newspaper, foreign desk in Tokyo
Mr. Masanori Hattori, Mainichi newspaper, foreign desk in Tokyo

Marit Haukom, editor-in-chief of Tønsbergs Blad, Norwegian newspaper
Editor-in-chief of Morgenbladet, Norwegian daily newspaper.

Editor-in-chief of “Dagens Nyheter,” Sweden’s leading newspaper
Helle Klein, political editor in chief of the Swedish newspaper

Joseph Warungu - BBC editor-in-chief.
Alan Murray - Executive Editor - Wall Street Journal
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Washington Post - Foreign Bureau
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Al-Jazeera English - Editor-in-Chief
Editorial Dept. Daily Mail
Martin Hassan - Guardian UK
Tristan Davies - Editor, The Independent
Martin Fletcher - The Times
Larry Kilman, Deputy CEO of the World Association of Newspapers and News Publishers

*Solidarity Movement for a New Ethiopia (SMNE), a social justice organization of diverse Ethiopians, is committed to bringing truth, justice, freedom, the rule of law, equality, civility, accountability and respect for human rights to the people of Ethiopia and beyond. We uphold that the future well being of the people of Ethiopia, the Horn of Africa, Africa and our global society rests in the hands of those who can put "humanity before ethnicity," or any other distinctions that divide, devalue and dehumanize other human beings; while still appreciating the beauty of our diversity. This is a guiding principle of the SMNE as we attempt to bring about greater unity in Ethiopia through affirming the God-given value and dignity of each human being and the belief that no one group in Ethiopia can find sustainable freedom as long as some among us are excluded, injured or aggrieved for "no one will be free until all are free."*