

1 In re: Hailu Shawel et. al.

2 **ALLEGED DEFENDANTS, 40-69, RESPONSE TO ALLEGATIONS**

3 **TO: The Second Circuit Federal High Court;**

4 **TO: The Prosecuting Attorney;**

5 **AND TO: Ethiopian Ministry of Justice.**

6  
7 **EACH and ALL OF YOU, PLEASE TAKE NOTICE** that we, the alleged  
8 defendants numbered 40-69, in the above captioned action appear only for the limited purpose  
9 of submitting this response to the baseless, frivolous, and completely fabricated allegations  
10 lodged against us by the current Ethiopian government. Please be strongly advised that by  
11 appearing herein, for limited purposes, **WE DO NOT WAIVE** any present or future  
12 challenges, including but not limited to, sufficiency of service, the courts jurisdiction over  
13 alleged defendants, proper venue of action, legitimacy or qualification of the tribunal or  
14 presiding judges, defenses, or any procedural or substantive grounds of the allegations against  
15 us.

16 We, majority of the alleged defendants, are law abiding and democratic patriots living  
17 and working outside of Ethiopia. We did not advocate, engaged, supported, or joined in any  
18 unlawful activities abroad or in Ethiopia. We are merely exercising our constitutional and  
19 global human rights of freedom of speech. Although majority of us align ourselves with  
20 groups and parties struggling for peace, democracy and justice in a non-violence movement,  
21 we did not take part or encouraged any individual, group, or party to engage in violence  
22 against persons or property.

23 Therefore, the current Ethiopian government's allegation that we aided and abetted in  
24 the post election violence, genocide, treason lacks sheer basis in law or fact. As extensively  
25 documented by objective and neutral media outlets, and international human rights and other  
26 observers, it is the EPRDF regime that engaged in callous killings of unarmed civilians  
including children, women, and the elderly-both prior and subsequent to the May election.

ANSWER TO ALLEGATIONS BY ETHIOPIAN GOVERNMENT  
BY DEFENDANTS NAMED FROM 40-69

1 Consequently, for violence, loss of lives, and property EPDRF is solely responsible, not the  
2 opposition party members or the Diaspora, or the alleged defendants.

3 Undisputedly, this court has been engaged in flagrant violation of the constitution by  
4 denying citizens a right to bail, failed to free citizens detained absent probable cause or  
5 warrant, and denied defendants' right to counsel. Accordingly, we have agreed that further  
6 participation in this illegitimate and unfair judicial proceeding will only give the court a  
7 semblance of legitimacy. In other words, we will not appear in this court and justify injustice.

8 Notwithstanding our position regarding this court or the judiciary in general, we  
9 hereby respectfully demand the following from the court:

10 1. The immediate and unconditional dismissal of all the fabricated charges  
11 against us and order the prosecutor to issue a public apology to all defendants;

12 2. The immediate and unconditional release of all political prisoners, including,  
13 publicly elected officials, journalists, students and others in detention without further delay;  
14 and,

15 3. The court on its own motion summons, or the attorney general charges the  
16 current Ethiopian top officials, the actual responsible parties, with genocide, treason, and  
17 abuse of power.

18 **EXECUTED** at \_\_\_\_\_ on this \_\_\_\_\_ day of February, 2006.

19 DEFENDANTS # 40-69  
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