

Judges:-

Adil Ahmed

Leul G. Mariam

Mohamed Amin Sani

Accuser: - Federal prosecutors Shimelis Kemal, Michael Teklu and Abrham Tetemke

Accused: - Engineer Hailu Shawl and others

- Under criminal file number 43246 accuser federal prosecutors Shimelis Kemal, Michael Teklu and Abrham Tetemke are present. The representative of the prison administration has notified the Court that two of the accused under the file Eng. Hailu Shawl and others Kassa Tadesse and Wonakseged Zeleke are absent for health reasons. Defense attorney for Netsanet and Daniel, Colonel Mengistu Hailemariam, is present. Defense attorney for Ato Kassahun Kebede, Ato Aklilu Solomon is present. The file had been adjourned mainly to continue hearing the testimony of prosecution witnesses already commenced last week. We will accordingly hear the witnesses already listed by the public prosecutor. The public prosecutor will give us a description of the witnesses before proceeding to the testimony.
- The honorable court, the 11th witness will be presented next.
- Ato Wondoson, come to the stand,
- Name?
- Wondoson Seyoum Dadi
- Age?
- 29
- Occupation?
- Unemployed
- Address?
- Kera
- What is the name of the Sub-City?
- Nifas Silk – Lafto

- Kebele?
- 08
- House number?
- 943
- Do you know why you are here today?
- Yes, I know
- What is the purpose?
- To testify against Ato Daniel Bekele

The responses of the witness to examination in chief by the public prosecutor

- Ato Wondosen, how long do you know Ato Daniel Bekele?
- [I first met him] after the elections on 8 June 2005
- Where did you meet?
- Well it was around EDUP-Medhin, the then CUD office
- Where is the office?/ Which office?
- The office in front of Hawi Hotel
- Why did you go there?
- I am a member of CUD and work in that office. So I travel to that area to do my job.
- Since when were you a CUD member
- Since 2003/2004
- Did you have any specific responsibilities in the office?
- Yes, I was given the responsibility to mobilize the youth at the time.
- Is it [the assignment] oral or in writing?
- It was oral. It was given to us orally through the Addis Ababa Committee.
- Did you receive anything in writing?
- Yes, I have a letter
- Who wrote the letter?
- I received the letter through G. Kiristos from the CUD office
- Meanwhile, how did you meet with Ato Daniel?
- We met incidentally. I met him while drinking coffee with some other persons in the area.
- Who were those other persons?

- While I was taking tea with a person working in that office and going to the office with him, I incidentally met Daniel
- What did you say to each other?
- Being a youth, he encouraged me and we talked about meeting at a latter time.
- What was the encouragement about?
- I think he [Daniel] has overheard the discussions I had with the person taking tea with me.
- What were you talking about?
- Well, we were taking about expectations on our party's results and what the youth should do
- What did he say to you then?
- Well he spoke words of encouragement. He gave me his phone number to contact him at a later date. I met him one or two times afterwards. I have not met him since then.
- Do you remember the times you met?
- I met him just after completion of the elections/voting. I did not meet him thereafter.
- What did you talk about when you met?
- We talked about how we could mobilize the youth and remove the EPRDF that is ruling by force of arms.
- What happened then?
- Well, I attempted to do whatever was necessary.
- What did he tell you to do? Please tell the court what you planned to do in your discussions with Ato Daniel and what you did accordingly.
- After I met with Ato Daniel we talked about the money needed to mobilize the youth and the high expectations from the youth to remove EPRDF in terms of strikes, distributing leaflets and attempts on government structures and the like.
- To attempt what?
- I do not understand [the question]
- What were you planning to attempt?
- Well, it is to do things in the movement at the time. It means mobilizing the public
- What did Ato Daniel do on the basis of your discussions?
- He gave me about two hundred Birr and I mobilized some youth at the time. I organized them outside my neighborhood and made them do the things that

happened. I was planning to tell him about the results. But, we could not meet due to the occurrences that happened.

- How many times did you meet?
- Two times
- What did you do the first time and what did you do the second time? Can you explain in detail?
- When we met the first time, we talked about the need to be encouraged, that we should remove the EPRDF [from power], what is needed, and what we should do in as long as the public votes have been abducted. Since then we talked about public strikes and the like if the government chooses to use arms. Then the problems happened.
- What problems happened?
- Well the disturbances, things were burned in different places, tires were burned and everything happened.
- Did you meet with Ato Daniel after that?
- We did not. I disappeared after that.
- What was he doing when you met? Did you say that you met around Hawi Hotel near the CUD office? What was he doing when you met him?
- He was leaving after taking some tea.
- Whom did he meet?
- Who?
- Ato Daniel
- He met with me. We were both with different persons. He was going to his office and I was going home.
- What other person did Ato Daniel meet?
- I do not know whether he is a member of CUD or not. But, I have seen him once standing with Ato Tamirat Tarekegn who is in the leadership.
- Do you know who Ato Tamirat Tarekegn is?
- Yes, I know who he is.
- Who is Ato Tarekegn?
- He is head of organizational affairs in the CUD office
- Did you meet often with him [Ato Tarekegn]?
- Yes, he knows me. We know each other.
- How do you know each other?
- We know each other in the movement within the country.

- Do you mean the activities of the organization?
- Yes. I am called when leaflets are to be distributed. I come to work from my home.
- You said that he told you many things that need to be done if EPRDF uses arms. What are the things he said should be done?
- Of course, it is about strikes
- To what end?
- To bring about changes. To reclaim the public votes that have been abducted.
- What kind of changes?
- Well, since they lost by election cards, we wanted to change that
- I mean what changes were expected.
- Well, since the EPRDF lost the election, the EPRDF will be removed and CUD will be in control of Addis Ababa
- Did he say that?
- Yes
- How will this happen?
- How?
- The elections already took place. What we want to know is how these changes were to be brought about?
- Well you know the changes were to be effected through these movements
- What kind of movement?
- Well, strikes and the like
- Did the strikes proceed accordingly?
- Yes, they continued up to October. But, it did not succeed.
- You said that you were in hiding since then. Why was that?
- I was there when the problems occurred. The government and some other persons knew that I work in the organization. Our people were being arrested at the time. This is why I disappeared.
- What did you do after you went to hiding?
- Finally, I gave myself up to the government.
- Where?
- Woreda 21
- What happened then?

- I told them about what has been done. They asked me to give testimony and told me that I will be called on to testify in court. Now I received the summons.
- Did you involve in mobilization during the movement?
- Yes
- How and whom did you mobilize?
- I told people I incidentally met what we should do and what changes we seek, especially the youth
- I have finished, the Honorable Court
- The prosecution has completed examination in chief. Do you know Daniel in person?
- Yes, I do.
- Can you point him out? He has pointed out Daniel and this has been recorded. You can proceed with cross-examination.
- The Honorable Court, I the 94th accused Daniel Bekele will conduct cross-examination. Ato Wondosen, you have said that you know Daniel. I have never seen you before this day. So, can you explain how we know each other? But, before you do that, do you have an identification card? Do you have it in your pocket?
- What identification card?
- Any kind
- Yes, I have.
- Can you show us?
- The Honorable Court, there is something we have been waiting to point out. We were waiting until it happened to us. This witness immediately turned to the public prosecutor when asked to show his identification card. Both the prosecution witnesses and those we will call should testify facing the Court. This is important because much could be learned from facial expressions. I accept that a witness may turn left and right for lack of knowledge [about court procedures]. But, I suspect observing the witnesses being directed by sign. Thus, I petition the Court to direct witnesses to directly face the bench while answering questions.
- How should the witness sit during examination in chief is conducted by the prosecutor? Are they expected to direct only their ears towards us without looking? How can we communicate without looking at each other?
- The Honorable Court, I may be mistaken. But, in as much as I know, a witness's eye contact should be with the bench. Because ...
- Ok. You have already explained the reasons.
- Yes.

- We petition the Honorable Court not to lightly pass over the unsubstantiated but serious allegations by the defense attorney. First, attempting to tamper with the testimony of a witness through eye movement or any other bodily signs is a crime. He is saying that he has seen such communications. Making unsubstantiated allegations in front of the Court is even a ground for professional culpability for a legal professional. Thus, we request the Honorable Court to dismiss such baseless allegations. Moreover, we are officers of the law standing for truth and truth alone. As prosecutors we are not lacking in the respect [the defense attorney] has for the profession. Thus, we have not done or have been doing any such thing in this courtroom filled with people. We are not persons who would engage in such cheap and unethical activities; we would rather blow the whistle if we see such actions. Having said this, we also have objections on [the defense] asking for an identity card.
- In relation to avoiding eye contact, the Court believes that the problem is not whether there is or there is no eye contact. I do not think that we can prohibit eye contact. You can inform us if you see any inappropriate actions by the public prosecutor through such contact. We will also give our interpretations if we see such things. Other than this, we did not find the request for the prohibition of witnesses from looking to the left appropriate. Continue with your questions.
- Thank you. I have asked Ato Wondosen to show us his identity card. Ato Wondosen, please show us your ID card. I just want to see it. If there is anything I want, I will show it to the Court.
- If this question is meant to establish the identity of Ato Wondosen, it is the Court that should do so rather than [the defense]. The Honorable Court, it is the Court that should establish this ...
- What is the basis for this question? Is it to establish his identity?
- Both his identity and address
- We will read it.
- The ID card will have information important for my second question.
- We will read the whole ID card.
- It is when I see it myself that I would know the next question, isn't it?
- We will read the whole content of the ID card.
- No. I am saying that I will frame my next question when I see the ID card. What is the problem with looking at it myself?
- Isn't it the identity of the witness you trying to establish? It is the Court that should do so. Moreover, all the information on the ID card will be read out. We will read out his identity, address, telephone number and any other information.
- The other issue we would like to petition the Honorable Court before it is read ...

- We have already settled that. If you have any objections, you can present them after it is read. Thus ...
- No.
- Wait a minute prosecutor, the ID card reads L.E.L. Aluminum Private Limited Company, Addis Ababa, Ethiopia, Number 0024, Employee Identity Card, Name: Wondosen Seyum, Occupation: Assistant. It has the signature of the employee. On the back it says: Address Addis Ababa, Woreda 20, Kebele 42, House Number 943; we certify that the bearer of this identity paper is an employee of Lejo Aluminum Private Limited Company; Issued on 29/05/89 [06/02/97]. It has the signature of the Manager.
- Ninety nine or eighty nine?
- Eighty nine, 29/05/89
- Can I continue with the question?
- Continue
- Ato Wondosen, the address on the ID card is different from the one you put on record with the Court. Why is that?
- Where?
- Do you know the address you put on record with the Court?
- Yes, I do.
- The address just read from your ID card is different. Why?
- It is not different.
- Did you have your address recorded as Kebele 08?
- It is now 08, it used to be called 42.
- Ato Wondosen, isn't the ID card you just showed us from an organization [place of employment]?
- Yes.
- Why did you say that you are unemployed?
- I have left [my former place of employment] now.
- Since when?
- In 92 [1999/2000]
- Why didn't you return the ID card?
- I didn't return it at the time.
- Here we argue following the law and procedure. The law is clear on the basis and rationale for examination-in-chief and cross-examination. Whether or not [the witness] has returned his ID card or left his place of employment is not relevant to

our arguments. If the purpose is to confirm his identity with that stated in the examination-in-chief, the Court has established his identity. Other than that, they should not be allowed to ask questions other than those asked [by the prosecution] during the examination-in-chief.

- He has stated his identity. Thus, what has been raised in the examination-in-chief should not be asked. Ato Daniel, you can ask him if you have other questions.
- Ato Wondosen, as I have indicated when I started, I do not know you. Thus, I am going to ask you about the details of our introduction. You have said that we met twice. Do you remember the date we first met?
- I do not know the date. I don't remember.
- Do you remember the month?
- The month was around June.
- Where was the place exactly?
- In the vicinity of the café in front of the CUD office.
- Even if you don't remember the date, was it early June or late June?
- No. It was in mid-June [around June 8]
- Which office did you say we met?
- That found in front of the CUD office.
- Where do you mean?
- That on the way to Action Aid, on the way to your office.
- What was the time when we met?
- Around 10 [in the morning]
- Did you say that we met in a café?
- You found me while I was leaving the café
- While you were leaving the café?
- Yes.
- With whom were you leaving the café?
- I was leaving with someone working in the office.
- What is his name?
- He is called Ato Goshu.
- Goshu who?
- I do not know his father's name.
- In which office does he work with you?

- He works in the CUD office.
- Which café was it you were drinking tea with Ato Goshu?
- The one in front.
- What is the name of the café?
- I do not know the name.
- You were in a café the name of which you do not know. With whom did you find me when you were leaving?
- Alone.
- What was I doing alone?
- You were leaving.
- Was I also in the café?
- Yes.
- We met while both of us were leaving?
- We left first. Then, I think you have heard our conversation, you asked me [about it]
- What did I ask you? Did I simply approach you start asking questions?
- No. What are you the youth doing? What activities have you conducted? ...
- Did I directly come to you and asked you this question? I came and asked you what the youth are doing?
- Yes.
- Didn't we exchange greetings?
- No. Greetings are appropriate. We did exchange greetings.
- Did we know each other before then?
- No. I did not know you.
- What did I call you? What did a person you did not know call you?
- I thought you were a member of the same organization. People introduce each other ...
- You said that we were in the same café and exchanged greetings. Did I come to you or did you come and talked to me?
- He went into his office.
- Who?
- Ato Goshu.
- So, you were alone?

- Yes. I was alone.
- You were alone when I approached.
- Yes.
- You previously said you were together when you met me.
- With whom?
- You said that you were with someone when you met me. Now you are saying you were alone. Which one is correct?
- I said we were relaxing together. Then...
- Were you or were you not together when you met me?
- You were sitting alone.
- I was sitting? So, you have seen me sitting?
- Yes. I have seen you.
- With whom was I sitting inside?
- Were you alone when you met him [meaning Daniel]?
- Yes, I was. I was alone.
- You met him alone?
- Yes. I was alone.
- Have you seen me sitting inside?
- I have seen you.
- How long did you talk to me that time?
- When you went to your office, I took a detour to my neighborhood
- Can you guess how many minutes we talked?
- Just a few minutes.
- How long? Take a guess.
- One or two minutes.
- Do you mean I gave you all the instructions you stated within two minutes?
- Yes.
- Did I introduce myself first or did I say greetings and ask you what the youth are doing as you stated?
- Yes, you introduced yourself.
- Who did I say I was?
- Ato Daniel Bekele.

- How did I introduce myself? What and who did I say I am?
- I only know you work with Action Aid. I do not know anything besides that.
- Is this what I told you?
- Yes.
- Thus our first meeting lasted two minutes. Can you tell me how and where you met me the second time? How many days later did you find me?
- The second day I met you was about fifteen days later.
- You met me for the 2nd time after about fifteen days.
- Yes.
- How did we meet?
- I just came to you and we exchanged telephone numbers.
- Where did you come to meet me?
- Action Aid Ethiopia.
- Did you come to the Action Aid Ethiopia office?
- Yes.
- What time did you arrive?
- I do not remember the time for now.
- Did we first meet on the phone or did you come on your own initiative?
- It was when I came to that office incidentally.
- You came to the office?
- Yes.
- Whom did you meet in the office?
- I do not know him.
- Whom did you ask for?
- When I asked him if Ato Daniel Bekele has an office there he said yes.
- Where did he take you then?
- You came and we met.
- Where did we meet? Did you come into my office?
- We met when you came out of the office. I called you [on the phone] and you came out and we met.
- Where did you call me from?
- I put a missed call on your [mobile] phone from a retail shop.

- Did you put the missed call after you came to the office?
- Yes. I first went to the CUD office and then came to your office.
- Ato Wondosen, you mean you called me on my mobile phone?
- Yes.
- Do you know my number?
- I do not remember.
- Did you call me before you came?
- It is after I came to the office that I called you.
- Which shop did you call from?
- Around our office.
- I am familiar with the area around your office. There are no retail shops. Which shop did you call from?
- There is one a little way down the front.
- You mean you put a missed call and did not talk to me?
- Yes.
- What is the meaning of putting a missed call from a shop? How would I know who you are?
- We have already talked [about it] the first time.
- What did we talk about?
- To give you a missed call and call you.
- To make a missed call from which phone?
- From a shop.
- Which shop?
- Any shop around the area.
- Do you know the phone number you would call from?
- No. It is like any shop.
- So, we talked about calling me and make a missed call from a phone I will not recognize, that you do not know?
- Yes.
- On what date did we talk about this?
- This was on the second day.
- It is then we had this discussion?

- Yes.
- Thus we did not discuss on this matter on the earlier day.
- On the first day we spoke about the possibility of meeting.
- We did not talk about how we are going to meet.
- I just told you we did.
- What did we talk about?
- You gave me [the number] saying I can find you if I need to.
- Was it with a shop phone you made a missed call on the number I gave you?
- Yes.
- So, you made a missed call and then came to my office?
- Yes, I came around the office.
- Did you come into the office compound?
- No, I did not enter the compound. I stayed outside.
- Where outside the compound?
- In the vicinity of the Chinese Restaurant.
- Did you stand on the road near the Chinese Restaurant?
- Yes.
- A little while ago you said you do not know the person I spoke to when I came to your office. Now you are saying that you stood on the road side. Does this mean that you did not come to my office?
- I waited for you on the road. I have told you where I was.
- Were you alone or with someone while you were waiting for me on the road?
- I was alone.
- With whom did I come?
- Alone.
- Was I on foot or driving a car?
- You were on foot.
- I came on foot and we talked for how many minutes?
- I do not remember.
- Can you give me an estimate?
- I do not know.
- Can't you make a guess?

- I cannot.
- Did we talk standing on the road besides the Chinese Restaurant?
- Yes.
- We talked there on the road and separated?
- Yes.
- Did you ever talk to me on the phone other than that day?
- No, it was only on that day.
- It was only on that day?
- Yes.
- You have never called me on another date?
- No, I have not
- This is all about our 2nd meeting?
- Yes.
- We have not met on any other day?
- Yes.
- Do you remember seeing anyone you know while we were talking standing on the road?
- There was no one. I do not have any memory of anything like that.
- Besides the 1st or 2nd day, do you remember anything I did? Can you remember anything more?
- There is no other thing. We finished everything on that day.
- Then, when did I give you two hundred birr?
- At the time
- The 1st or the 2nd?
- I said the 2nd
- Was it in large or small denominations?
- Large
- I gave you two hundred birr notes?
- Yes.
- For what purpose?
- It was for organization. Money is needed to prepare and photocopy pamphlets. The youth does not simply organize. It was for this purpose.

- It was for operational costs?
- Yes.
- Was it to bribe you?
- No. It was for the work.
- What did you do with the money?
- I organized [the youth]
- People I accidentally meet in different areas. I tell them to do this or that on my way.
- Who? Tell me their names. Whom did you organize?
- For the time being I do not know if they have been arrested or whatever.
- It does not matter. Just their names. Tell me the names of ten people you organized.
- There is no one I remember.
- You remember none of the people you organized?
- Yes
- Where were you organizing them?
- In my neighborhood.
- Where?
- Now around Gotera
- In which Kebele?
- 49
- Is Kebele 49 in your neighborhood?
- No, it is not in my neighborhood.
- Did you organize them outside your neighborhood?
- Yes
- How did you know where to go?
- Since I knew them in my neighborhood I went to that area.
- Is it because you know the youngsters in that area?
- Since I know some people in that area I thought it would be better for me there. That is why I went there.
- Very good. So you went to that particular area to organize people you knew. Can you tell us the names of ten people you remember among those you organized?

- I remember no one.
- Which other neighborhood did you people in?
- That is it. I operated in that area. I only organized people in Nifas Silk – Lafto [sub-city].
- How many people did you organize? Give me an estimate.
- I cannot give an estimate. I organized everybody I met.
- When you say everybody you met, where did you find these people?
- What? On the road. People do move around on the road.
- You just stop people on the road and organize them.
- Yes.
- You stop and organize passersby. Ok Ato Wondosen. Please tell me what you tell these people you met on the road to organize them. What do you tell them? What do you say to these passersby after you stop them on the road?
- [I tell them] don't you want change? Let's bring about change.
- What do the passersby say to you?
- Since the passersby want change, they say yes.
- The person stops, says yes and you just organize on the road?
- No. You do not organize on the road. You give them paper [leaflets].
- Where do you do the organizing? What kind of paper [leaflets] did you give them?
- I have submitted the paper to the government at the time [I gave myself up].
- What did the paper [leaflet] say?
- I do not know the title.
- This means you were giving them a paper you do not know. Did you make an appointment and meet with the persons you organized after you gave them the paper?
- In that area. Yes.
- How often do you meet?
- Frequently. That is it. We used to meet until the election was over and this disturbance happened.
- For instance, do you remember where you used to meet?
- No. I have forgotten now.
- With how many people did you meet at a time?

- Where? At that place?
- Yes. You said “when we met [in a group] to get organized”, how many of you were there?
- They come; I go to the office and report. I also tell them [the people I organize] they can get some things [like] information from the office.
- I am asking about the people you gathered to organize. Where do you hold meetings with them? How many of you were in these meetings?
- I do not have an office.
- Where do you hold the meetings?
- We do not hold meetings. We just talk. Talking.
- Where do you meet to talk?
- On the road.
- It is on the road?
- Yes.
- You said that you were in hiding, Ato Wondosen.
- Yes.
- Where did you go into hiding?
- I went to a far place.
- Where did you go?
- I went to Salo.
- Where?
- Salo.
- Is Salo in Addis Ababa or outside Addis Ababa?
- [It is] in Addis Ababa.
- Where is it? I do not know the place. Can you tell me?
- Around ...
- How is his going into hiding relevant to you [your case/argument]?
- The Honorable Court. I know it is relevant to me.
- That is not the point. We also need to use our time wisely. Please ask only what is relevant to you [your case/argument].
- I am only asking what is relevant to me [my case/argument].
- What is the relevance of his hiding to this case? He was in hiding, ok. How is this useful to you? If he is to be held accountable for that, he will. [You should not ask

questions] just because you want to. We need the time. We should not waste time asking irrelevant questions.

- The Honorable Court, I am trying to establish the veracity of the witness's testimony.
- Ato Daniel. We have already told you, though you do not listen to us. Consult with your attorney. We have told you what is good for you. If a person [says that] he has been in hiding ...
- I am investigating the veracity of the witness's testimony. This is useful without a doubt. What I am doing, the Honorable Court, is cross checking the statements of the witness during the examination-in-chief. Ato Wondoson should tell us the exact place where he was in hiding.
- The place he was hiding in is not relevant to the case. He has already stated that he was in hiding. Where ever he was in hiding, it is not relevant to this case. We are asking the Court to rule that [the witness] should not be asked about and respond [to this question].
- Continue with the question.
- Ato Wondosen. Please tell as the exact address where you were hiding.
- I do not know the address.
- You do not know the address?
- Yes.
- With whom were you? In whose house did you spend the time you were in hiding?
- It was with another person.
- With whom? What is the name of the person?
- I do not know them.
- You went into hiding with a person you do not know. Ok. Do you remember the day when you said you gave yourself up?
- I remember that.
- When was it?
- It was in Hidar [November].
- On which day of the month?
- I do not remember the date. But, it was in Hidar [November].
- Ok. It was in Hidar [November]. You said that you gave yourself up in Woreda 21. Why did you go to Woreda 21?
- Because it was the nearest.
- Why did you go into hiding? Why did you give yourself up?

- Well, I went into hiding due to my activities. The EPRDF was looking for me at the time.
- How did you know you were wanted?
- They know I am a member. They know me while I was mobilizing people. The organization has given me papers for mobilization.
- You were in hiding for these reasons?
- Yes.
- How long did you stay in hiding?
- At least for some time.
- How long? What do you mean by some time?
- I do not remember that either.
- With whom did you talk when you went to Woreda 21?
- I spoke with the duty officer.
- Do you remember his name?
- I do not remember.
- What did he say to you?
- I told him I was looking for civil [plains clothe] officers. Then a civil [plains clothe] officer and I told him I have some business. When I told him ...
- Do you remember his name?
- I do not remember his name.
- You do not remember. Ok. What did you tell him your business was?
- I told him about the things that happened at the time; and, the EPRDF is looking for me. Since they were coming to my house to look for me, I told him that at the time. He took me to the central office. He took me to the central office at the 3rd [police station]. Then he made me give my testimony.
- You were the one who asked for a civil police. Why did you ask for a civil police?
- I mean it is because I heard that they were the ones looking for us
- So, you were the one who asked for a civil police.
- Yes.
- Did the officer take your statement?
- He took my statement.
- Did he take your statement in writing?
- I mean I told him when I told him.

- Was he writing it?
- No. He was not writing it. He took me directly. That was it.
- The police officer who talked to you, did he talk to you in Woreda 21?
- Yes.
- Was it in the office?
- Was there anybody else?
- There wasn't. He talked to me alone.
- He talked to you alone?
- Yes.
- When you say civil police, do you mean he did not wear a uniform?
- Yes. He didn't.
- Don't you know his name?
- No. I don't know.
- Didn't you ask who he was?
- I didn't ask him.
- Didn't you look at his identification card?
- Not his identification card. The guard told me to go in there for civil police.
- Did you look at his identification card?
- I didn't look at his identification card.
- And, when you were giving your statement, was he putting it in writing?
- It was not in writing. He was assisting me.
- He only listened to you orally?
- Yes.
- For how many minutes did he talk to you?
- For some time. We spoke for more than thirty minutes.
- He talked to you for more than thirty minutes and what did he tell you at the end?
- That was it. I told him about that business and he took me to the central at the 3rd.
- How did he take you?
- Well we went by foot.
- By foot?
- I mean, there is a taxi. I went there by taxi.

- By taxi. Did you go separately or together?
- We went together.
- Together. He took you from Woreda 21 to the Central Police Station?
- Yes.
- What happened after he took you to the Central? To whom did he take you?
- I do not know. I was told to give my statement in this office and I gave my statement in that office.
- Did he take you into the office?
- Yes.
- Do you know the person you talked to in the office?
- I knew him by sight. I do not know him now.
- Don't you remember his name?
- Yes [I don't].
- In the office, did he take your statement in writing?
- Yes. He took [my statement] in writing.
- Did you sign [it]?
- I signed.
- You said you knew him by sight. Is the person you talked to incidentally in this room? Did you see him?
- I did not see him.
- What did the police officer do to you after you gave your statement?
- He said 'you will be called and come back when the Court needs you'. [The Court] summoned me now after a year.
- Did the same police officer summon you?
- No. It was the plains cloth people who came. They came to my Woreda and gave me the papers.
- They gave you papers?
- Yes.
- What did it say?
- I was given a paper saying 'you are needed in Court for testimony'.
- It means you came today with the papers?
- Yes.

- With whom did you come?
- I came alone.
- Then, how did you know you came to give testimony against me? You said ‘I came to give testimony against Daniel’. The summons do not say [anything about] testifying against Daniel. How did you know you came to give testimony against me?
- [I was asked] with whom we have worked at the time. I mean during the interrogation.
- Does it mean you guessed because of what you were told at the time?
- It is not guessing. I came here to testify on what has been done.
- No. The summons only state you should appear today. Isn't it?
- Yes.
- You said ‘I came to give testimony against Daniel’. How did you know you came here to give testimony against me?
- It was in the interrogation room in the police department. When I was asked with whom I was conducting the mobilization, [I told them] this is the person who deployed me ...
- Is it because you then said this?
- Yes.
- How did you know today's session is related to that?
- That is it. It is because I was told then.
- Who told you?
- I do not know him.
- Ato Wondosen, was your statement for the police given as a suspect or a witness?
- A suspect.
- You gave your statement as a suspect. Were you charged latter?
- I have not been charged until now.
- Ato Wondosen. You said ‘I was a member of CUD since 2003/2004. Was CUD established in 2003/2004?
- It was not established. It was EDUP – Medhin at the time.
- Were you a member of EDUP?
- Yes.
- Ato Wondosen, who in the organization did you notify when you met me?
- I did not notify anyone.

- Does this mean you conduct your activities in the organization without telling anyone about your activities?
- Yes. If I found someone, that is it. If he says he is a member ...
- Did I tell you I was a member?
- It is not only members, it could also be supporters.
- So, there is no one in your organization you notified about meeting with me?
- There isn't. Yes.
- Is there anyone, even someone who is not a member of your organization, you told about being introduced to me? Even a friend or family member?
- There isn't.
- After you took two hundred Birr from me, did you give the money to the people you organized?
- I did not. We were using it for photocopying costs.
- Did you use it to photocopy the document?
- Yes.
- Where did you photocopy it?
- It is available anywhere.
- Tell me. Where for example?
- Around the National Theater.
- Which photocopy shop around the National Theater? What is the name?
- I do not know.
- I am asking you because you said 'we'. Does it mean you were not alone? Were there other persons?
- I was alone.
- You were alone?
- Yes.
- There was no other person. You were alone?
- Yes.
- Ato Wondosen. Isn't it because you believed your activities were illegal that you went into hiding?
- Yes.
- Why did you do something illegal?
- That is it. It didn't work out at the time and I just disappeared.

- Since you said it because you believed your activities were illegal that you went into hiding, why did you do something illegal?
- I knew it wouldn't work out.
- What wouldn't work out?
- I disappeared because I knew that it wouldn't happen that way.
- I am not asking about your disappearance, why did you do something illegal?
- I did it because I thought it would bring about changes.
- Ato Wondosen. You testified that we only met twice. You also said that you have seen me with Tamirat. When was that?
- I don't remember the date.
- You don't remember the date?
- Yes.
- Do you remember the month?
- I don't remember the month.
- Do you remember where you saw me with Tamirat? Where did you see me with Tamirat? In whose office?
- His office.
- In Tamirat's office?
- It was not in his office. I mean I saw you talking just outside.
- Do you mean [you saw me] while Tamirat and I were talking on the road?
- When I saw you standing and talking, I just assumed that you were a member.
- When did you see me standing and talking? Was it before or after we met?
- This is repetitive. I already told him.
- Whom did you tell? When? The question is ...
- I do not remember the date.
- Was it before or after we met?
- /inaudible/ I just told you.
- Before we met. So you knew me before then?
- We have already met at the time.
- The question is repetitive. The witness has been asked and responded to the question. The Honorable Court has stated that they cannot ask repetitive questions. An order has also been given. Yet again it is a question that has already

been asked. The witness has previously explained how he met him and assumed he is a member because he found him with Tamirat. Thus, he cannot ask again.

- The Honorable Court, I did not ask about Tamirat. I formerly asked about our meeting. The question about Tamirat is what I separately noted in my notebook.
- I mean, the witness has explained they met with Tamirat Tarekegn. However, if he is asked about when they met, maybe he has already been asked – we are not sure because there are a lot of things. Thus, instead of saying he should not be asked about something we are not sure about, we prefer giving him this chance and do something latter. Thus, it is preferable that they ask [the question] and we will see if there is something they have already said previously. What we are saying is it shouldn't be repetitive. It is also an issue of time. I am referring to what has been said on not repeating what has already been said.
- Thank you, the Honorable Court. Ato Wondosen. I am asking you this because you should clearly understand that I did not know Ato Tamirat before I was detained. Since Ato Tamirat is someone I did not lay eyes on before being detained, [I want you to tell me] where I was standing with Ato Tamirat and where you were when you saw me. So, did you see me with Ato Tamirat before or after our alleged meeting in the café?
- It was before.
- Was the place within or outside the CUD office?
- I already told you it was outside.
- Is it on the road outside?
- Yes.
- Was I standing with Tamirat when you came?
- I already told you I often go to that office. I saw you accidentally.
- Ato Wondosen. Did you come and talk to us or just saw us?
- I just passed you by.
- Were you coming into the office?
- Yes. [I was going] to the office.
- Did Ato Tamirat see you when you passed?
- I do not remember if he saw me or not.
- Ato Wondosen. Did you confirm or deny that you told my family 'I have been asked to testify against Daniel' and 'give me money so that I will not testify'?
- I did not say that.
- You did not talk to anyone on this matter?
- I did not.

- The Honorable Court. I could not locate some of the questions in my notebook. Can the attorney ask some questions until I refer to my notebook? I must have misplaced the notebook. May the attorney cross-examine the witness on my behalf in the meantime?
- A while ago you mentioned someone named Ato Goshu working in the CUD office. How long do you know Ato Goshu?
- Well, I know him since CUD was established.
- How long? Could it be one year?
- Not one year. Two years.
- Is it?
- I know him [that long]
- So, did you meet him frequently?
- Yes we met [frequently].
- You called Ato Daniel with his father's name. Isn't that so? You are here claiming you know Daniel Bekele?
- Yes.
- However, you do not know Ato Goshu's Father's name?
- Yes. I did not know him at the time.
- Ato Wondosen. You stated that you have received a letter by Ato G. Kiristos from CUD?
- Yes.
- Where is Ato G. Kiristos's office?
- Bole.
- Did he give it to you from the Bole office?
- It was sent to us from there. It was from there.
- The letter was sent to you from there?
- Who signed on the letter?
- It was signed by him.
- It was signed by Ato G. Kiristos?
- Yes.
- Can you please tell us what the letter says?
- Well, it asks any government or non-government organization to provide me with support in connection with the election campaign.

- Then, it was a letter of cooperation?
- Yes.
- It does not tell you to mobilize people?
- It does not.
- Which associations and organizations did you approach and talk to on the basis of this letter of cooperation?
- Some of them accept it, others ...
- That is not the question. Which organizations and associations did you approach?
- I did not go to any organization.
- Where did you go? The letter says to organizations and associations this letter is written to. Which organizations and which associations did you go to?
- He asked the witness why the letter was given to them and the witness has stated that it is to request cooperation. He [the witness] did not say he has gone to this organization and did not go to that organization. Thus, while he has not gone, the Honorable Court should note the question on where he has gone as irrelevant.
- The Honorable Court. I will not ask the question since he has already responded. Since he [the witness] has already responded, it will not be proper for the public prosecutor to raise such objections. The question is meaningless now that he has responded.
- No. The question is not meaningless. That is, I do not think what he [the attorney] asked and the witness responded are on the same matter. Thus, the Court could rule on the prosecution's objection. I mean if they still want the question [to be on the record].
- If that is so, I request the Court to rule permitting or rejecting the question. Thank you.
- Ato Daniel, please ask your questions.
- Ato Wondosen. Which associations and organizations did you approach and talk to on the basis of this letter of cooperation? Can you tell me their names?
- I did not go to any organization.
- Where did you go with the letter? It was written to the organizations?
- I did not go.
- What about associations? Did you go to any association?
- There was no association.
- Do you have a copy of this letter?
- Yes. I have.

- Do you by any chance have it on you now?
- Yes. I have brought it.
- The Honorable Court, can we see the letter he claims to have?
- Let's see it. We will read it for you. The letter submitted by the witness has a statement saying "CUD for Unity and Democracy". "To whom it may concern". It has a date and a number. "To whom it may concern". "The CUD is conducting election campaigns in different Woredas for the elections to be conducted this year on May 15, 2005". It says: "Thus, since Ato Wondosen Seyum is one of the persons conducting this campaign, we ask every organization, private organization and Ethiopian Citizen to extend cooperation to the individual in the activities he undertakes". It has the circular seal of CUD for Unity and Democracy. It also says G. Kiristos H. Sillasie, Coordinator of the office of CUD for Unity and Democracy. The date is 5 November 2004. I mean 4/85/05, 5/5/05 number reference K/AD/289/97. It has a telephone number, fax and P.O.Box.
- Excuse us the Honorable Court. The date.
- It has two dates 4/85/05 and 5/5/05.
- Ato Wondosen. This letter states you have been working in the CUD campaign and asks for cooperation while you conduct the campaign, isn't it?
- Yes.
- Does this letter ask you to engage in mutinous activities? Does it?
- No. This one does not.
- Ato Wondosen. After you gave your statement to the police as a suspect, were you released on bail or without bail?
- Yes, I do not understand.
- Previously you said that you were released. How were you released? Did you post bail or were you released without bail?
- No. The police released me. They just released me.
- Without posting bail? You were just released?
- Yes.
- Ato Wondosen. You told us you gave your statement as a suspect. Have you ever given a statement to the police as a witness in relation to this case?
- Is it before this time?
- Within this time. It could be before. This statement you gave was given as a suspect. Did you give a statement to the police as a witness against Daniel?
- I just told them what happened. I did not do anything else.

- You did not give a statement as a witness? Has his response been recorded, the Honorable Court? He said he did not.
- What [statement] did I give other than what I said? What is the objection? Can you repeat that? What did he say? He said: I have given my statement, be it as a witness or otherwise. He said he has given his statement.
- He did not say as a witness. He did not say: I did not give testimony. This conclusion was stated by Ato Daniel, not the witness. It should not be noted as the response of the witness. What the witness said was different. This is Ato Daniel's conclusion.
- Can I proceed with the question?
- What the witness did not say? This is what is troubling us. I have said it before. If the accused states what the witness did not say this would be misdirection. We should not put it on the record. Thus, it does not mean what he [Daniel] said last should prevail. If he states what the witness has not said, what the witness did not say is clearly explained. It means it has been recorded. Thus, I understand the prosecution's question. What is it? If it has not been said, they should not use what has not been said as a leading question.
- The Honorable Court. First, it is our right to ask leading questions. This should be clear. Second, however, if there is doubt as to what the witness said, the witness is available. He could be asked to confirm what his response was. Moreover, it could be ascertained from the record. The objection is misplaced.
- Ato Daniel. Ask him what you first said. Let's see how he responds. If he didn't, he will give us the response himself.
- Ato Wondosen. Apart from your statement as a suspect, did you or did you not give your statement as a witness?
- Please repeat the question.
- You said you have given your statement as a suspect at the Central Police Station. Be it at the Central Police Station or in another police station, have you been called as a witness, on the same or any other day, did you or did you not go and give a statement as a witness?
- I did.
- When?
- I don't remember now.
- The month?
- The month was in November.
- Where did you give your statement?
- 3rd [Police Station] in the Central [Police Station].
- With an officer named what?

- I did not know. You have asked me this [question] previously. I do not know.
- It does not matter. This is another [question]. Ato Wondonsen. Please answer the question. Respond only to what you are asked. Who summoned you?
- Well, they came to my address.
- Who came?
- People in civilian clothes; and they took me.
- What did they tell you when they took you?
- You are wanted.
- And they took you to a police station?
- Yes.
- You gave your statement as a witness?
- Yes, I did.
- What were you asked?
- They asked: What did you do? What were you?
- Do you mean you yourself? What you did?
- Yes. I told them I did those actions.
- You told them the things you did?
- Yes.
- Ato Wondosen. Do you know the matter I have been charged for?
- I do not know.
- Ato Wondosen. Do you have the Court's summons in your pocket?
- Yes. I have it.
- What does it say? The Honorable Court, [I am asking this] because I wish to compare it with the previous testimony. What does it say?
- Why do you need that? Please tell us. We want to rule on an objection after we know the reason.
- I want it because the witness is saying that he came to testify against Daniel Bekele ...
- He did not say that. It is to testify.
- If he is saying it is to testify, could it be asked ...
- Yet, when he was asked last by Daniel it was to testify. Especially when he was asked just now, he said "I do not know what he is charged for". If necessary we

can read the summons. What I want to say is the issue is not clear. What you asked and what he responded. Please read the summons. Read it yourself.

- To Ato Wondosen Seyum, on the criminal case between the accuser the public prosecutor and the accused Engineer Hailu Shawl and others, you have been given an appointment on the side of the public prosecutor. Thus, the Court has ordered your presence and testimony in the 2nd Criminal Bench of the Federal High Court on 3 November 2006.
- Now, the summons only mention Engineer Hailu Shawl and others. How did you know to say you are present to testify against Daniel Bekele?
- He has already been asked this question and responded it is because he gave testimony on Daniel Bekele to the police. This has already been asked.
- This [question] has been addressed. Do you have any other questions?
- We have finished, the Honorable Court.
- If there are questions to redirect, you can ask.
- The witness's response to the prosecutions questions to redirect.
- Ato Wondosen. When Ato Daniel asked you on how long you were together the first time, you said it was for two minutes. Were you giving an estimate or did you note the time?
- No. It is an estimate.
- When Ato Daniel was asking his question in relation to mobilization and meetings, you said you did not have a meeting but only talked, do you know the difference between organizing and mobilizing?
- No. I do not know.
- What did you mean when you said we just talked, we did not conduct a meeting, we give pamphlets to people we met? What does it mean?
- Well it means mobilization.
- Thus, what was the task you were deployed for? Was it organizing or mobilizing?
- Mobilizing.
- You said that the letter you were given does not ask you to engage in mutiny in responding to Ato Daniel's questions. Why did you go into mutinous activities? You said that the letter you were given signed by Ato G. Kiristos does not ask you to engage in mutiny when Ato Daniel was asking you. If the letter does not ask you to engage in mutiny, who ordered you to engage in mutiny or why did you do it?
- Yes. When I talked to him, I asked him [what is to be done] if it cannot be resolved ...
- So, was it Ato Daniel who told you this?

- Yes.
- Did you engage in consultation when you first met or did you go [to him] seeking advice? Or, did he tell you anything else?
- No. It was for advice. We discussed on the advice.
- What do you mean? What did you say to each other when you first met?
- No. I told him I want to organize the youth and asked him to give me support in some things.
- When was this?
- Well, it was after the elections.
- No. what did you say he told you when you first met in the café?
- No. Be strong, you are young. If there is a problem, we are beside you.
- So, who did the question come from, Ato Daniel or yourself?
- It was from him.
- It was from Ato Daniel?
- Yes.
- What does be strong mean?
- The Honorable Court, as we were prohibited from repetitive questions, the questions like what did you do when you first met have been asked during the examination-in-chief. Thus, they should not ask the same questions in redirect. Only facts should be asked. Asking what something means is asking for opinion. What 'be strong' means is a matter of opinion. Thus, first, opinions should not be asked. Second, the Court should caution the public prosecutor on repetitive questions as it cautioned us.
- I did not ask for an opinion. The repeated questions are based on the cross-examination. Thus, I am asking questions again based on Ato Daniel's questions during cross-examination.
- What do you remember he asked in the cross-examination? What was raised? It is the cross-examination that gave rise to your questions, isn't it?
- Yes. He asked the witness: When did we meet? What did we say to each other? What did I say? The witness responded: We met in a café and you told me then. Thus, in connection with this, what was said? The letter does not raise the issue of mutiny. The question of mutiny ...
- Those things have been answered. It has been answered. I am referring to what you asked about what happened thereafter. No objection has been raised on the mutiny. I mean it has been answered. What Ato Daniel is saying is this is a second question, it has been asked before and is being repeated. Thus, I am asking about what you have already raised. What did you ask? We are trying to see if it is

repetitive or not. Then we can say something about the connection with cross-examination.

- I withdraw my question. I will ask another question, the Honorable Court.
- Ok. Ask another question.
- Ato Wondosen. When you were asked first during cross-examination, you said you have given your statement with the Addis Ababa Police. Do you know whether that statement is given as a suspect or a witness?
- I did not know.
- How many times did you give your statement with the Addis Ababa Police?
- I gave [my statement] once.
- You gave [your statement] once?
- Yes.
- After saying that you went into hiding during the disturbances, you said you did not know when Ato Daniel asked you where you were hiding.
- /The Court/ He has mentioned it. I do not know where but he has mentioned it somewhere.
- The place you were hiding in, was it with someone you know or someone you did not know?
- With someone I did not know.
- When you met with Ato Daniel the 2nd time when you went to his office, did you go to the office or how did you find him?
- Well, I called his office. I gave him a missed call [paged him] and he came.
- When you found a missed call, did you talk to him?
- Yes. I spoke to him orally.
- I mean, when you made a missed call, did you say you were coming?
- Yes. I was saying I was coming.
- Did you talk to Ato Daniel?
- Telling him you have come?
- Yes.
- I have finished, the Honorable Court.
- The witness's response for the Court's clarification questions.
- Ato Wondosen. You met with Ato Daniel the first time in a café. Then, you have said that you were talking about our organization's results in the café. What were you saying and with whom were you talking in that café?

- With Ato Goshu?
- With Ato Goshu we were talking about the affairs of our organization.
- What did you say?
- I mean, that we have won the elections and the ruling party should accept defeat. We were talking about these.
- Did you have newspapers?
- We did not have newspapers.
- How big was the café? I mean, was Daniel near you or far from you?
- No. He was further to the other side.
- Can you estimate how wide the gap between you and Ato Daniel was?
- There is some gap.
- Can you give us a guess so that the Court can make an estimate?
- From here to here.
- In between?
- Yes. There were chairs.
- Was there space for people to pass in between?
- Yes. There was. The waiters could pass.
- Were you talking loudly? How was it?
- Yes. I mean, we were speaking properly. Since it was free at the time, we could talk.
- Wasn't there a tape recorder or radio in the café?
- There was. We were talking about our own affairs.
- Maybe, when you were talking, was or was not your conversation masked by that tape recorder or radio?
- No. it was not confined.
- The other thing is, I think you testified in relation to the mobilization that you talked to anyone passing by. Not everybody is a member of CUD. It could even be a member of the EPRDF. How did you manage to talk to everyone?
- Some of them talk to us. Others tell us to leave them alone.
- So, you [talked to everyone] regardless of whatever happens?
- If they hear us, well and good. If they don't, it is ok.
- The other thing is, you said that you stayed in the house of a person you did not know during your time in hiding. This Court is to give a decision based on the

testimony of witnesses. How did you come to hide in the house of a person you did not know? And, how was it that a person you did not know agree to hide you?

- It is because I have already told them.
- Please repeat it. Even if you have told us, tell us again now.
- I meant the persons.
- What did you tell them?
- I told them the ruling party EPRDF is looking for me and asked them to shelter me for a few days. They did.
- Did you know their allegiances?
- They were supporters.
- The other thing, you have said that you gave your statement once. On the other hand, you said you have given your statement as a suspect on the one hand and as a witness on the other. Didn't you sign after giving your statement?
- I mean I have signed when I gave the statement in writing. I gave my statement and signed it.
- If it was just that one day, do you know if the statement was given as a suspect or as a witness?
- I did not know.
- Did you record the names of the persons you claim to have mobilized?
- No. I did not record [their names].
- How many times did you go to the Police Station?
- I only went there when I first gave myself up. I went the first time.
- Did the police question you at first? Didn't they question you that day?
- First, I went and talked to the officer on guard. That is, the guard at the door. I asked him where the plains cloth officers are.
- Did they take your statement on the same day?
- No. He took me with him.
- Where did he take you?
- To the Central 3rd station.
- Is it in the Central you gave your statement?
- Yes. I gave my statement about the things that happened.
- Didn't you go there again?
- I haven't gone since then.
- Weren't you questioned again?

- No. I was told I will receive summons and to come accordingly.
- Well, was your statement recorded?
- Yes.
- Your statement was recorded?
- Yes.
- Which statement was recorded?
- I do not remember.
- Is it the one you just said or was it another?
- It was the statement I just referred to.
- Is this how you gave your statement at the station?
- Yes.
- You explained that Ato Goshu was with you when you first met Ato Daniel?
- Yes.
- You said Ato Goshu went to his office?
- Yes. He went to his office and I went to my neighborhood.
- Is it after he [Ato Goshu] left that you spoke with Ato Daniel?
- Yes.
- Was he standing there or not?
- Who?
- Ato Goshu, when you met with Ato Daniel.
- No. Ato Goshu has left.
- He does not know what you talked about.
- He does not know. Yes. I didn't tell him.
- He left immediately after you started speaking?
- He has already left.
- What kind of people are you claiming to have mobilized? Is it anyone you found or did you select them?
- No. It was anyone I happened to find.
- Anybody available?
- Yes.
- Who do you tell them you are? How do you introduce yourself?

- That I am a member of CUD.
- You explained yourself?
- Yes. I explained who I am.
- The Court has finished clarification questions. You may go.
- I didn't know. They will make it in the morning. Thus, the Honorable Court can continue in the afternoon.
- We will start early in the afternoon. That is exactly at 2 o'clock. Prison administration, you will have the accused present exactly at 2 o'clock.
- We understood when the order was issued that there will be not testimony in the afternoon. We made our preparations for the morning. We communicated the summons accordingly. As is well known the summons ...
- I think you have received word about hearing two witnesses in the morning. Haven't you? So, it is better we hear the testimony. It is not about what we did or did not say. When he said he will not be able to be present in the afternoon, we have said that we will consider the afternoon. Now that there is no such inconvenience, you will not face any problems if we hear testimony in the afternoon. So, we should do so to hear the witnesses as fast as possible.
- All the accused are present. Prison administration. All of those who have been present in the morning are present. The session was adjourned for the afternoon to hear the testimony of the remaining witnesses. We will accordingly continue to hear the testimony of witnesses. Call the next witness.
- The Honorable Court, we ask that the 88th, 110th and 158th be dismissed from among the witnesses we have previously listed since their testimony is substantially similar to the 89th and 110th witnesses who have already testified. We now move to the 97th and 100th witnesses. We now petition that the 110th witness be called and her testimony heard.
- Wro Atsede, were you sworn in last time?
- Yes.
- You were present here?
- Yes.
- Your full name?
- Atsede W. Gebriel.
- W. Gebriel who?