

**Statement of the Chairperson of the International Commission of Human Rights Experts
on Ethiopia, at the 78th Session of the UN General Assembly, Third Committee**

25 October 2023

**Mr. Mohamed Chande Othman, Chairperson of the International Commission of Human
Rights Experts on Ethiopia**

Distinguished President, Excellencies, Colleagues,

A year has passed since the Commission of Human Rights Experts on Ethiopia last addressed this assembly. Since then, the situation in Ethiopia has evolved significantly. Just days after the Commission made its address, the Federal Government and Tigray People's Liberation Front signed a Cessation of Hostilities Agreement, aimed at putting an end to what has been one of the deadliest conflicts of the 21st Century. The Agreement was widely welcomed, including by this Commission. However, early optimism has since given way to deep concern over lack of its full implementation. Meanwhile, the country appears to be spiraling into renewed conflict and instability.

Excellencies,

Last month, we presented our latest – and now final – report to the UN Human Rights Council. It described wide ranging atrocities committed by all parties to the conflict in Ethiopia since 3 November 2020, including war crimes and crimes against humanity.

Our investigation established and verified facts and circumstances guided by the principles of independence, impartiality, and confidentiality, rigorously following established methodologies used by other UN commissions of inquiry. The Commission applied a standard of “reasonable grounds to believe” to its factual and legal findings. In addition to more than 500 interviews with survivors and direct witnesses, the Commission collected hundreds of supplementary documents, including satellite imagery, photographs, videos, public statements by officials, and other digital data.

We regret that we were not given access to Ethiopia after our initial visit to Addis Ababa in July 2022. The Commission made repeated requests for cooperation to the Government and sent an advisory note on the ongoing transitional justice consultation process. The Government neither responded to nor acknowledged any of these requests.

Despite this challenge, we found evidence of wide-ranging atrocities. In Tigray, Ethiopian National Defense Force, Eritrean Defense Forces, regional forces, and affiliated militias perpetrated violations and abuses on a staggering scale, including mass killings, widespread and systematic rape and sexual violence against women and girls, deliberate starvation, forced displacement, and large-scale arbitrary detentions. These acts amount to war crimes and crimes against humanity. Further investigation is required to establish command and/ or superior responsibility for such crimes. We also believe that further independent investigation is warranted to determine the possible commission of the crime against humanity of extermination and/or the crime of genocide.

Even with the signing of the Cessation of Hostilities Agreement, Eritrean troops and Amhara militia remain present in Tigray region and continue to commit atrocities against civilians, including rape and sexual violence against women and girls. Irob and Kunama minorities living close to the Eritrean border are especially at risk. Meanwhile, the ongoing expulsion of Tigrayans from Western Tigray leaves tens of thousands of women, men, and children internally displaced, unable to return to their homes.

In Amhara and Afar regions, Tigray forces and allied militia also committed serious and wide-ranging violations against civilians during the conflict, including killings, rape and sexual violence, destruction of property, and looting. Many of these acts amount to war crimes and those responsible must be held to account.

Indeed, the situation in Amhara region has deteriorated significantly in recent months. The announcement in August 2023 of a state of emergency was swiftly followed by disturbing reports of human rights violations, including extrajudicial killings, large-scale arrests of Amhara civilians, and drone strikes.

The establishment of a Command Post system in Amhara – a militarized governance structure – and increased securitization in the region is especially alarming. Such structures in other regional states have been accompanied by serious human rights violations. Indeed, our investigation points to a broader, worrying pattern of increased securitization of the state through states of emergency and Command Posts without civilian oversight.

In Oromia region, we uncovered ongoing patterns by Government forces of arbitrary arrest, detention, and torture of civilians accused of having links with the non-state armed group the Oromo Liberation Army. In Western Oromia, drones strikes used as part of the counter-insurgency strategy against the Oromo Liberation Army have killed or injured dozens of civilians in the last year. We have received credible reports of further drone strikes in recent weeks.

Meanwhile, ongoing attacks against Amhara and Oromo civilians in Oromia and Amhara regions by the Oromo Liberation Army, its splinter groups, and *fano* point to a worrying proliferation of non-state armed groups and have led to increased insecurity and large-scale displacement.

We are also witnessing instability in Benishangul-Gumuz, Gambella, and Somali regions, as well as tensions between Ethiopia and Eritrea over access to the Red Sea.

Excellencies,

In a recently published report, the Commission has concluded that the situation in Ethiopia exhibits most of the indicators for future atrocities identified in the UN Framework of Analysis for Atrocity Crimes. In particular:

First, despite the Cessation of Hostilities Agreement, there is ongoing conflict and instability across the country.

Second, the Ethiopian Government and forces under its control have a clear record of committing serious violations as well as continued capacity to commit atrocity crimes – as do the Eritrean forces still present in Ethiopia, regional state and non-state armed groups, and militias.

Third, ongoing situations of violence and instability across the country are accompanied by the imposition of emergency laws; the prevalence of hate speech; and restrictions on internet and telecommunications.

Fourth, there are significant weaknesses in State structures tasked with ensuring accountability for serious violations and abuses.

Fifth, we found an absence of mitigating factors which could help prevent future atrocity crimes – for example, civic space is extremely restricted, and human rights defenders, including journalists, face arrest, detention, harassment, and other reprisals.

Excellencies,

The Government of Ethiopia has embarked on a transitional justice process, and earlier this year initiated public consultations with a view to developing a national transitional justice policy. We have reviewed this process carefully. We found it to be seriously deficient, failing to comply with African Union and international standards. It lacks transparency, inclusion, and representation and – crucially – does not enjoy the confidence or support of victims. Indeed, many of those we spoke to expressed serious mistrust in state institutions and feared reprisals for speaking out about human rights abuses.

With regard to accountability – a key pillar of transitional justice – the government has offered no credible evidence of legitimate investigations or prosecutions of members of its armed forces or proxies. Prospects for domestic accountability are extremely remote. There are no realistic pathways for justice for atrocities committed by Eritrean forces on Ethiopian territory. Victims' demands for justice are clear and unwavering. Without accountability, serious crimes are likely to be repeated, as Ethiopia's history has shown.

In sum, the Ethiopian Government's actions with regard to international and regional monitoring show all the hallmarks of a strategy that has been termed "quasi-compliance". By this we mean a deliberate effort to evade regional and international scrutiny through the creation of flawed domestic mechanisms and instrumentalization of other institutions. These mechanisms ostensibly advance accountability but in practice aim to alleviate international pressure. Such strategies often come at the expense of victims' rights to truth, justice, reparations, and non-recurrence and pose a serious threat to the entire international human rights system.

Excellencies,

Given the gravity of crimes committed in Ethiopia, as well as the risk of future atrocities, continued robust international scrutiny of the situation is essential. Such reporting can act as an early warning and prevention tool.

The decision by the United Nations Human Rights Council to discontinue the mandate of this Commission and the termination of the African Union's Commission of Inquiry means that, as it stands, there is no longer any trusted independent mechanism – whether domestic, regional, or international – investigating atrocities in Ethiopia. In recent weeks, we have heard directly from victims who are devastated by the decision to discontinue this Commission's mandate; many told us they feel abandoned by the international community.

In this context, it is essential that other organizations and United Nations institutions enhance their monitoring, reporting, evaluation, and advocacy on the human rights situation in Ethiopia. This includes the General Assembly, the Secretary-General, the Human Rights Council, the High Commissioner for Human Rights, the Special Procedures mandate holders, and the multilateral system as a whole. Individual member states also have an important responsibility in this regard, which might include the use of universal jurisdiction.

As this Commission finishes its work, we urge all members of the international community not to let the situation in Ethiopia fall off the international agenda, and to stand with victims. In the words of one survivor whom we interviewed:

“Those responsible must be brought to justice, but justice for us is delayed. I want the international community to hear our voices and respond... Please don't forget about us.”

Thank you, Excellencies.