**Unaccountability and Equity Violations in Ethiopia, Kenya and Chad**

**Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement**

Elizka Relief Foundation

**Introduction**

The human rights environment on the African continent and its regions, especially in the context of African disputes and conflicts, shows human rights violations related to absence of accountability, unfairness, and undermining the right to a fair trial. The continent also exhibits increasing signs of impunity, which are more prevalent in East, Central, and West Africa. The violations of Ethiopian, Kenyan, Sudanese, Chadian, and other conflict-affected and ethnically discriminatory practices by the governments in these regions are high, which prompted Elizka Relief Foundation to sound the alarm and submit a written contribution to the Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement. In its contribution, Elizka attempts to highlight and update Expert Mechanism on violations of accountability and fairness on African continent, focusing specifically on Ethiopia, Chad, and Kenya, while providing relevant recommendations.

**Violations of Lack of Accountability and Equity in Africa**

African continent contexts document increasing human rights violations without any accountability or fair trial procedures, undermining human rights environment at all levels – political, civil, economic, social, and cultural. Statistics and evidence confirm a concrete and deliberate violation by many African governments regarding their obligations to the right to a fair trial and transitional justice. There is an increasing trend in practices and violations of impunity, especially by police and security personnel on the African continent, to the extent that 3 out of every 10 Africans indicate that their country's police and security personnel are frequently involved in criminal activities.[[1]](#footnote-1)

This can be demonstrated by monitoring incidents and violations of killings, executions, and arbitrary and coercive arrests outside the scope of justice and trial, devoid of accountability. In West and Central Africa, Nigeria alone recorded about 848 extrajudicial executions between 2020 and June 2023, including 127 cases in the first half of 2023.[[2]](#footnote-2) Burkina Faso's security forces recorded an execution in February 2024, executing approximately 223 civilians summarily and extrajudicially, in violation of their rights to a fair trial and redress.[[3]](#footnote-3)

In East and Central Africa, specifically between December 2022 and December 2023, Ethiopia recorded about 1,276 cases of killing without any accountability, investigation, or fair trial during events of political and security violence. Kenya also recorded about 1,264 cases of extrajudicial killings and deaths without accountability between 2017 and 2023.[[4]](#footnote-4) The contexts of Sudan were the most volatile, recording between 12,000 and 15,000 killings in acts of ethnic violence by security forces and the Rapid Support militia allies between April 2023 and 2024.[[5]](#footnote-5)

**Second: Violations of Lack of Accountability and Fairness in Ethiopia**

Ethiopia's security and political complexities, as well as its ethnic discriminatory practices, have led to a clear absence of accountability, lack of fairness, and lack of means for litigation and transitional justice. Despite the low human rights environment and violations by the Ethiopian government and its security forces, the absence of investigation and accountability procedures is often noted, in contravention of the requirements of transitional justice and fair and responsible trial in Ethiopia, particularly for ethnic and discriminatory reasons. The accountability, trial, and fairness procedures are still absent and have not achieved real and practical results or clear transitional justice for the victims of the catastrophic Tigray war, who were subjected to war crimes and crimes against humanity, including the killing of up to 600,000 to 800,000 people[[6]](#footnote-6) and the recording of at least 10,000 women and girls as victims of sexual violence. Since August 2023, the contexts of Ethiopia alone have monitored the arbitrary arrest of more than 1,000 Ethiopians of Amhara ethnicity, without any fair trial.[[7]](#footnote-7)

**Violations of Lack of Accountability and Fairness in Kenya**

Violations of lack of accountability and lack of fairness and fair litigation also appear in Kenya, especially by security forces, which recorded nearly 6,000 cases of violations by the police during the period 2017-2020. Human rights violations by Kenyan security forces have increased without accountability or investigations, ranging from torture, forced detention, arbitrary detention, killings, and extrajudicial executions. Between 2017 and 2023, Kenya recorded approximately 1,264 extrajudicial killings and executions.[[8]](#footnote-8) This was depicted by Kenyan facts and statistics between January and April 2023, where at least 128 cases of extrajudicial killings were recorded,[[9]](#footnote-9) and another 45 people were killed during demonstrations organized by the Kenyan opposition to protest the high costs of living, without any real accountability.[[10]](#footnote-10)

**Violations of Lack of Accountability and Fairness in Chad**

Violations of intimidation, silencing opposition, killings, arrests, and arbitrary detention are widespread in Chad without any accountability or fair trial. During the period between January 2022 and March 2024, Chad's statistics recorded nearly 270 incidents of political violence, which led to the killing of more than 1,025 people without any indication of serious attempts by the government to launch any accountability policies or investigation processes.[[11]](#footnote-11) Regarding the events of October 20, 2022, no accountability or transparency measures are observed, and the number of deaths remains uncertain, with some statistics showing 128 people killed and 518 injured, while others indicate 218 people killed.[[12]](#footnote-12)

These violations led the government to inaugurate a new amnesty law on December 15, 2023, which would eliminate the possibility of prosecution for violent repression carried out by security forces during protests by civil society and opposition parties, threatening to deprive victims of human rights violations in Chad of their right to seek justice and promoting a culture of impunity.[[13]](#footnote-13)

**Recommendations**

1. Elizka appeals to Expert Mechanism to advance Racial Justice and Equality in Law Enforcement to provide technical assistance to the governments of the African continent, specifically Ethiopia and Chad, and urge them to revise and modernize their legislative and legal structures to expedite accountability procedures, fair trials, litigation, and redress for victims of violations.
2. Elizka calls on the governments of the African continent, especially Ethiopia and Chad, to launch an independent investigative mechanism that implements programs and policies to achieve transitional justice and criminal accountability for those responsible for human rights violations, including police and security elements.
3. Elizka calls on the governments of Chad, Ethiopia, and Kenya to activate practical and immediate investigation procedures into violations of arbitrary detention, killings, and extrajudicial executions, to ensure that those responsible are held accountable and that victims receive full redress and compensation.
4. Elizka calls on civil society organizations, especially in the governments of Chad, Ethiopia, and Kenya, to intensify efforts to monitor, collect, and follow up on human rights violations periodically and document them in a way that enhances the ability of their governments to carry out the process of accountability, litigation, and achieve remedies regarding violations of killings and extrajudicial executions.
5. Elizka draws the attention of both the Expert Mechanism to advance Racial Justice and Equality in Law Enforcement and civil society organizations in Chad, Ethiopia, and Kenya to assist the governments of those countries in rebuilding the capacity of police, security, and judicial elements to achieve accountability, fairness, and fair investigation and trial procedures.

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2. ICONS News, Investigate extrajudicial killing of pro-Biafra protesters--Amnesty Tells Tinubu, Access date May 5, 2024, <https://shorter.me/jWZBL> [↑](#footnote-ref-2)
3. BBC, Burkina Faso army massacred 223 villagers in revenge attack, 26 April 2024, <https://shorter.me/T1ryf> [↑](#footnote-ref-3)
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5. CANARY, Human rights organizations say police killed 12 people during Kenya protests, 1 June 2023, <https://shorter.me/N9f_J> [↑](#footnote-ref-5)
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7. WHO, Crisis in Northern Ethiopia, access date May 20, 2024, <https://shorter.me/Wnyro> [↑](#footnote-ref-7)
8. CANARY, Human rights organizations say police killed 12 people during Kenya protests, 1 June 2023, <https://shorter.me/N9f_J> [↑](#footnote-ref-8)
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10. Straits times, 118 killed extrajudicially by Kenyan police in 2023: Rights groups, 24 April 2024, <https://shorter.me/bQG8Z> [↑](#footnote-ref-10)
11. <https://shorter.me/Ou4ip> [↑](#footnote-ref-11)
12. VOA, Chad Installs Defense Minister Amidst Calls to End Military Impunity, 24 October 2023, <https://shorter.me/lFMz1> [↑](#footnote-ref-12)
13. Today News Africa, Chad’s New Amnesty Law Denies Justice To Victims Of Violent Repression, Access date May 20, 2024, <https://shorter.me/TJE2i> [↑](#footnote-ref-13)