



## **Evidences and Analysis on the Biased Reporting and Lack of [Independence, Integrity, Impartiality, Credibility, Objectivity, Factual Consistency, and Professional Competence] of the Ethiopian Human Rights Commission (EHRC) and its Chief Commissioner**

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## Executive Summary

This report documents and examines the Ethiopian Human Rights Commission's (EHRC) role in the war in Tigray. Through its investigation of public sources (e.g., videos, reports, etc.), this document showcases that the EHRC lacks the impartiality and independence needed to lead and conduct an investigation into the alleged war crimes, crimes against humanity and acts of genocide being perpetrated in Tigray. Moreover, preliminary indicators witness that the ongoing joint investigation is hijacked and flawed in its selection of crime sites. OHCHR has been forced to fire its Tigrayan employees at the request of EHRC.

The report presents ample evidence that the EHRC has been engaged in pro-government efforts; and it has been employing tactics that have contributed to the unrestrained ethnic polarization in Ethiopia. These issues have manifested in EHRC's reporting, as it has repeatedly released biased information on human rights violations in Ethiopia while also tactfully downplaying the grave humanitarian crises and war crimes perpetrated in Tigray. Additionally, reports from the EHRC have proved to be inconsistent and partisan. More specifically, the EHRC has selectively highlighted cases that are believed to serve the government's narrative while also modulating the atrocities and consequences of the war in Tigray until they were reported by other human rights agencies.

The EHRC is not only effectively serving the interest of the Federal Government of Ethiopia but also that of the Amhara regional government, which is one of the main actors involved in instigating and perpetuating the war in Tigray. In its reports about Western Tigray, the EHRC has failed to confirm that Tigrayans have been ethnically cleansed from the area, despite mounting evidence, including that presented by the US Department of State. By quoting government officials, it rather attempted to cover up forced displacements and concentration camps suggesting that Tigrayans consented to being transported to "chosen destinations". Sadly, the EHRC is working in support of the Ethiopian Federal and Amhara regional governments that vehemently reject the ethnic cleansing of Tigrayans that has been taking place in Western and Southern Tigray.

Although, many reports and videos have shown that Ethiopian National Defense Forces (ENDF) members have been killing civilians and raping women and girls, the EHRC is quoting a member of the ENDF to claim that ENDF was working lawfully and ethically. Additionally, aligned with the federal government's claims, the EHRC report quotes the interim government in Tigray and insinuates attribution to the sexual and gender-based violence to prisoners who escaped following the war. On the contrary, statistical evidence shows that 89% of the rapes have been perpetrated by Ethiopian and Eritrean soldiers, and Amhara militia. In doing so, the EHRC is defeating the whole purpose of an impartial investigation as it is seeking information from and collaborating with the alleged perpetrators.

These affiliations and partisan tendencies are critical impediments to the independent and impartial investigation concerning war crimes, crimes against humanity and the

probable occurrence of genocide in Tigray. Given these concerns, we strongly urge that the UN reverses its decision to conduct a joint investigation with the EHRC into the human rights violations and abuses in the context of the war in Tigray. Furthermore, we call on the UN-OHCHR to conduct an independent investigation of the gamut of crimes committed in Tigray. Neglecting to do so would discount the UN's commitments to human rights, deny much-deserved justice to millions of victims, threaten the well-being of millions of people and have a lasting corrosive effect on the UN's standing and global legitimacy.

## Background

According to Article 55 of the Ethiopian Constitution, the Ethiopian Human Rights Commission (EHRC) is accountable to the House of People's Representatives. However, the Tigrayan people are without representation in the current parliament or House of Federation since the terms of both houses have come to an end on October 5, 2020. Thus, at its current state, the EHRC is not accountable to the Tigrayan people, and Tigrayans lack any locally based institutional pathway or remedial options to bring their grievances to the EHRC.

Furthermore, the EHRC has a track record of producing reports that undermine the gravity of the human rights violations taking place in many parts of Ethiopia except when it pertains to ethnic Amharas. In a report dated June 17, 2019, Amnesty International (AI) published an extensive report on the EHRC's failures and limitations<sup>2</sup>. Joan Nyanyuki, AI's former Director for East Africa, the Horn, and the Great Lakes, is quoted in the report saying "brazen bias against victims and a dismissive stance towards their complaints means that the EHRC's reports on protestor killings and prison conditions squandered opportunities to make things right for the victims, and everyone else in the country".

The AI's assessment further outlines that the EHRC reports also attribute deaths (e.g., protestor deaths) to "unknown" causes; and instead of exposing and holding security forces accountable for human rights abuses, EHRC rather puts the blame on the victims. We observe strikingly similar trends in the EHRC reports on the war in Tigray. More specifically, the EHRC has refrained from explicitly naming the perpetrators (e.g., Ethiopian and Eritrean soldiers) in the sexual violence and civilian massacres that have been widely documented and reported by the international media and human rights agencies. The consistent and intentional use of vague language such as "others" in reference to perpetrators inhibits fair reporting and obstructs justice to the victims.

Below, we present and analyze publicly available reports and videos to demonstrate critical partisan tendencies by the EHRC. For clarity, we analyze each report separately and provide a summary towards the end of this document.

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<sup>2</sup> Amnesty International. *Ethiopia: Human Rights Commission Must Be Reformed to Correct Miscarriage of Justice*, 17 June 2019, [www.amnesty.org/en/latest/news/2019/06/ethiopia-humanrights-commission-must-be-reformed-to-correct-miscarriage-of-justice/](http://www.amnesty.org/en/latest/news/2019/06/ethiopia-humanrights-commission-must-be-reformed-to-correct-miscarriage-of-justice/)



## Section I - Preliminary observations of the ongoing joint investigation

It is to be recalled that the government-created Ethiopian Human Rights Commission (EHRC), jointly with the Office of the UN High Commissioner for Human Rights (OHCHR), is investigating the atrocities in Tigray. Tigrayans as victims from all walks of life have clearly stated that they do not believe that the joint investigation will be impartial, genuine and truthful. This was repeatedly expressed in public demonstrations, online campaigns, press statements by (civil societies organizations, all opposition parties from Tigray, the Tigray government, etc.), and written materials addressed to relevant UN organizations and member states of the UN. Moreover, they expressed concern that the combination will affect not only the truthful investigation of the crimes but also compromise OHCHR's independence and put at stake its global legitimacy.

The Terms of Reference (ToR) of the joint investigation is not made public yet, however, in an interview that EHRC Commissioner Dr. Bekele gave to local media, he indicated that EHRC and OHCHR will be "equal partners"<sup>3</sup>. He added that they will conduct joint missions and produce joint reports. During these missions, both entities send equal number of data collectors, interpreters, analysts and writers. Recently, we observed that the joint investigation has neglected the crime hotspots in Tigray. In an EHRC press release<sup>4</sup>, it stated that the joint OHCHR and EHRC investigation has been carried out in areas including Mekelle, Wukro, Samre, Alamata, Bora, Maichew, Dansha, Maikadra, Humera, Gonder, Bahir Dar and Addis Ababa.

We note that crime sites such as Axum, Mahbere Dego, Mariam Dengolat, Debre Abay, Tembien (Abi Addi, Hagereselam, Adi Asmiean, Guya, Werki Amba etc.), Togoga, Irob, Adwa, Adigrat etc. where some of the most horrific human rights violations took place are not considered in the joint investigation. Additionally, six (Gonder, Bahir Dar, Addis Ababa, Dansha, Maikadra, Humera) of the Twelve sites are not in favor of the Tigrayan victims. There cannot be Tigrayan victims in Gonder, Bahir Dar, and Addis Ababa; and Tigrayans from Western Tigray including Dansha, Maikadra, Humera have been ethnically cleansed. They are either killed, fled to Sudan, or in the IDP centers in Shire, Axum and Adwa. The few that still remain in Western Tigray cannot speak freely for fear of reprisal since they are still under the occupation of the brutal Amhara regional forces.

It is particularly concerning that the investigation avoided the inclusion of the refugees located in the Sudan who witnessed ethnic cleansing in Western Tigray and those in the IDP centers in many parts of Tigray, even when Tigray was under the control of the Ethiopian government.

<sup>3</sup> <https://www.youtube.com/watch?v=89aULotaYmo>

<sup>4</sup> <https://ehrc.org/update-on-joint-un-and-ethiopian-human-rights-commission-investigation-on-tigray/>



Furthermore, evidence has been surfacing that the EHRC has interfered into the internal workings of the OHCHR to fire OHCHR employees of Tigrayan ethnic origin<sup>5</sup> (see *fired employee's personal note in reference #5*). It is sadly ironic that interpreters have been ethnically targeted and fired during the joint investigation. This and other indicators received from the ground demonstrate that the joint investigation is hijacked by the Ethiopian government through its agent, i.e., the EHRC.

## Section II – EHRC's pro-government and partisan tendencies- video evidence

1) In this video (<https://www.youtube.com/watch?v=1J7iXFbOoTE>), the Chief Commissioner of the EHRC, Dr. Daniel Bekele, argues that the “military operation” in Tigray had fewer casualties than expected. His full statement reads as follows: “it is comforting to learn that the military operation did not result in as severe consequences as it was originally feared to be. There was talk of a huge bloodbath; there was talk of a huge civilian casualty, breakup of the country...” This official statement, which attempts to minimize the extent of victims’ pain and the grave impacts of the war, has not only misled the international community, but it has also encouraged the Ethiopian government to ignore and/or continue committing atrocities. While the EHRC should have been focused on investigating the atrocities that had occurred, it instead chose to reiterate the government’s narrative as a means of downplaying the conflict and its devastating effects on the civilian population. This sentiment may also imply that the Ethiopian government had planned to cause more harm had the Tigray Defense Forces (TDF) not voluntarily evacuated the cities. Nonetheless, the statement from the EHRC clearly mocks those who were raped, injured, traumatized, humiliated and killed.

As shown in Figure 1, a screenshot of Ethiopia’s Ministry of Foreign Affairs twitter account, the government has effectively used the EHRC’s official statement to defend its indefensible record of the atrocities inflicted by Eritrean and Ethiopian troops. We note that the chief commissioner has adopted the government’s characterization of the ongoing war namely a “military operation”, despite the fact that much of the international community agrees that this is indeed a full-fledged war involving the entire military capacity of several foreign and domestic actors. Furthermore, while the chief commissioner downplays the consequences, credible sources have documented more than 250 cases of massacres and thousands of civilian casualties<sup>6</sup>. Additionally, millions are suffering from weaponized hunger, while tens of thousands of women and girls have been gang-raped by the Amhara militia, Eritrean Forces and Ethiopian soldiers which continues in Western Tigray. Recently, the UNFPA Ethiopia branch disclosed that 22,500 women and girls are expected to seek care related to sexual and gender-based violence.<sup>7</sup> Reports also show that these rape cases are often linked

<sup>5</sup> <https://martinplaut.com/2021/08/17/two-views-of-human-rights-abuses-in-the-tigray-war/>

<sup>6</sup> Annys, Sofie & VandenBempt, Tim & Negash, Emnet & De Sloover, Lars & Nyssen, September. (2021). Tigray: Atlas of the humanitarian situation.

[https://www.researchgate.net/publication/349824181\\_Tigray\\_Atlas\\_of\\_the\\_humanitarian\\_situation?isFromSharing=1](https://www.researchgate.net/publication/349824181_Tigray_Atlas_of_the_humanitarian_situation?isFromSharing=1)

<sup>7</sup> <https://twitter.com/UNFPAEthiopia/status/1377518592682422273>

to intentions of “cleansing and purifying the victims’ blood,”<sup>8</sup> and “soldiers are targeting Tigrayan women to stop them from giving birth to more Tigrayans,”<sup>9</sup> which constitute standard acts of genocide. Despite this, the chief commissioner of the EHRC finds the situation unalarming and comforting. It is unfathomable that a local institution mandated to investigate human rights violations, would be trusted to investigate the aforementioned war crimes, crimes against humanity and highly likely genocide. Based on our observations, it is apparent that the chief commissioner is partisan, and the EHRC’s track record demonstrates that it cannot be trusted to undertake impartial investigations.

**Figure 1** below shows a transcription of a speech by Dr. Daniel Bekele, which was shared on the official Twitter account of the Ministry of Foreign affairs of Ethiopia, perhaps because it advances the pro-government agenda.

(<https://twitter.com/mfaethiopia/status/1346942309015846918> )



**Figure 1.** Ministry of Foreign Affairs quotes Dr. Daniel Bekele of EHRC in a tweet that downplays the war consequences in Tigray

In this video, Dr. Daniel Bekele of the EHRC makes many inaccurate conclusions about the war in Tigray and its consequences.

([https://twitter.com/getachew\\_temare/status/1371202765096124416](https://twitter.com/getachew_temare/status/1371202765096124416)) (the original video of the excerpt can be found here: <https://www.youtube.com/watch?v=1J7iXFbOoTE>)

2) Below we highlight three instances in which Dr. Bekele appears to support government propaganda, serving as yet another testament to the EHRC’s partiality:

- a. Bekele starts by arguing that the consequences of the war are to be expected, and thus insinuates that we should not be surprised by the atrocities committed.

<sup>8</sup> <https://www.channel4.com/news/tigray-the-horrors-of-the-hidden-war>

<sup>9</sup> Walsh, Declan. “‘They Told Us Not to Resist’: Sexual Violence Pervades Ethiopia’s War.” *The New York Times*, *The New York Times*, 1 Apr. 2021, [www.nytimes.com/2021/04/01/world/africa/ethiopiaticray-sexual-assault.html](http://www.nytimes.com/2021/04/01/world/africa/ethiopiaticray-sexual-assault.html)



This is the same rhetoric being repeated by the Ethiopian government and its organs. However, as a human rights agency, EHRC was expected to show outrage and advocacy for every victim, regardless of the scale of the tragedy, or ethnicity of the victim.

- b. Bekele was also deceptive in his assessment of the war. More specifically, he indicated that “the situation in Tigray seems to be improving,” whereas the UN and humanitarian agencies have confirmed that the situation in Tigray is deteriorating. By downplaying the dire situation in Tigray, he is amplifying the government’s propaganda that that life is returning to normal. He also indicates that refugee repatriation is underway; yet there is no evidence to support his claim. On the contrary, those who can are still attempting to flee the different war zones in Tigray, even though Ethiopian security forces are blocking their exit routes by using lethal force especially along the Ethiopian Sudanese border.
- c. Bekele has accused refugees in Sudan of being responsible for the Maikadra massacre (<https://www.youtube.com/watch?v=czWrXPWDAQE&t=3312s>). This is an accusation that was put forward by the Ethiopian government without any evidence. PM Abiy Ahmed used the same argument in his parliamentary speech to undermine the credibility of witnesses now at refugee camps in the Sudan. It is unfortunate and sad that the chief commissioner of EHRC would echo this and contribute to what appears to be a smear campaign against victims. We note that Amnesty International effectively investigated the Axum massacre, primarily through interviews of those who fled to Sudan, and this was later accepted by the EHRC when the Amnesty (AI) report was widely circulated and in the public domain. The congruity in the timing of Abiy’s lukewarm admission of atrocities and the EHRC’s corroboration of the Amnesty report suggests some serious coordination between the Ethiopian government and the EHRC; alluding to the salvaging of public image or damage control, rather than an honest enquiry into the massacre itself.

In the original video, Bekele also praises the government saying as “a huge amount of political will and commitment on the part of the reform leader to open up the political space and usher a genuine democratic reform in Ethiopia”. Given the current repressive political space in Ethiopia and the genocidal war in Tigray, this statement only shows how far Bekele will go to defend the Ethiopian authorities. The opposition political leaders that could potentially pose a real challenge in a fair and free election are all in prison and have been so for months. These include Oromo Federalist Congress (OFC) leaders such as Jawar Mohamed, Bekelle Gerba and many OFC candidates are arrested, which eventually forced OFC to boycott the election. There are also more than hundreds of thousands of Tigrayan political prisoners including many military members and security and police personnel of Tigrayan origin; business owners, and other ethnically targeted prominent personalities.



### Section III – EHRC’s Selective condemnation/silence of human right violations in Ethiopia

Over the last three years, Ethiopia has witnessed widespread and multifaceted human rights violations across the Tigray, Oromia, Benishangul-Gumz, Amhara, Afar and the Southern regions. A careful observation of the record reveals that the EHRC has repeatedly shown selective outrage when alleged human rights violations are linked to the Amhara ethnic group. In so doing and by ignoring or underplaying human rights violations elsewhere, the EHRC has been fueling ethnic polarization throughout Ethiopia. Such selective acts of outrage have eroded the trust in the institution among victims across many parts of Ethiopia. This is especially true among Tigrayans, as the EHRC has been alarmingly silent as innumerable and heinous human rights violations have been perpetrated in Tigray since the 4<sup>th</sup> of November 2020. This is revealing, especially when compared to the speed at which the EHRC responded to alleged human right violations of persons that identify as Amhara ethnic group or origin. It is important to underscore that many ongoing conflicts across Ethiopia today, including the war on Tigray, have a substantial ethnic component. Given its observed track record, the EHRC is not qualified nor independent enough to conduct impartial investigations with an aim to provide redress and accountability to most of the victims across Ethiopia and particularly in Tigray.

Below are select instances that amply demonstrate the EHRC’s selective outrage, biased condemnation and silence on human right violations in Tigray and beyond.

#### 1) Deliberate silence on grave human right violations

The EHRC has been mostly silent when it comes to investigating or condemning the atrocities committed on Tigrayans. From November 2020 – September 2021, independent researchers have documented 256 massacres in Tigray<sup>10</sup>. Despite the staggering number and magnitude of these atrocities, however, EHRC has remained largely unresponsive to the death and suffering of Tigrayans. Below, we mention a few of the horrific human rights violations that were condemned by the international community, human rights agencies while these heinous acts have been actively ignored by the EHRC in its attempt to protect the government it is sponsored by from accountably.

- a. Togoga Massacre: on June 22, 2021, the Ethiopian air force attacked a busy market at the peak of trading hours in Togoga - a small town 30km North-West of Mekelle (the capital city of Tigray). During the attack, at least 64 people were killed and over 180 wounded. After the bombing, the Ethiopian military prohibited injured civilians from getting life-saving medical treatment and victims whose lives could have been

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<sup>10</sup>Tigray: Atlas of the humanitarian situation  
[https://www.researchgate.net/publication/349824181\\_Tigray\\_Atlas\\_of\\_the\\_humanitarian\\_situation?isFromSharing=1](https://www.researchgate.net/publication/349824181_Tigray_Atlas_of_the_humanitarian_situation?isFromSharing=1) (accessed 19 September 2021)



saved have succumbed due to the blockage. The Ethiopian army blocked ambulances from getting access to the victims for 29 hours<sup>11</sup>. Many nations and multilateral bodies including the UN condemned this horrific act. James Duddridge, the UK minister for Africa, tweeted: "Terrible reports of the bombing of a marketplace near Togoga in Tigray. Civilians must never be targets and medical aid should not be blocked. The UK calls for an urgent ceasefire in Tigray and adherence to international humanitarian law". However, the EHRC was nowhere to condemn this tragic act much less demonstrate responsibility to investigate.

- b. Mahbere Dego Massacre: video records of one of the most gruesome massacres of civilians in Tigray by the Ethiopian military surfaced on social media and Telegram channels soon before it was analyzed by experts at BBC Africa Eye. The video shows civilians being driven to the cliff edge and executed by Ethiopian soldiers in broad day light while celebratory videos and photos were taken by the perpetrators. In the recoding, a soldier says: "I wish we could pour gas over them and burn them,". "It would have been great if there was gas to burn these people," replies a second voice. "Burn their bodies like the Indians do."<sup>12</sup> Videos like this and the investigative results that followed should have outraged any human rights bodies or any human being for that matter. The EHRC, however, remained reticent to this appalling massacre.
- c. On March 24, 2021, Médecins Sans Frontières (MSF) staff witnessed the extrajudicial killings of at least four civilian men who were dragged off public buses and executed by Ethiopian soldiers. <sup>13</sup> Many individuals and organizations condemned this act. However, the EHRC remained silent but was instead quick to condemn the civilian massacres in Western Wellega on March 30, 2021, since the victims are believed to be of Amhara ethnicity who live in Oromia.<sup>14</sup> The killing of Amhara civilians, or any civilian for that matter, should be condemned in the strongest terms possible. However, in its selective condemnation, the EHRC has not only failed to do its duty but is also fueling ethnic polarization in Ethiopia and possibly contributing to war efforts in Tigray and across Ethiopia. Another possible consequence of the failure to publicly condemn atrocities against Tigrayan civilians, is to ensure the general public are not aware of such crimes, and therefore perpetuate FDRE propaganda that there are no real *deserving* victims as a result of this war.
- d. Despite the communications blackout imposed on Tigray since November 4, numerous graphic videos and pictures of civilian massacres have emerged on social media. Some of these massacres have also been reported on by the international media and human rights groups. In addition to the aforementioned

<sup>11</sup> <https://www.theguardian.com/global-development/gallery/2021/sep/13/retaking-mekelle-the-fight-for-tigray-in-pictures>

<sup>12</sup> Eye, Africa. "Evidence Suggests Ethiopian Military Carried out Massacre in Tigray." BBC News, BBC, 1 Apr. 2021, [www.bbc.com/news/world-africa-56603022](http://www.bbc.com/news/world-africa-56603022)

<sup>13</sup> Kleijer, Karline. "Ethiopia: MSF Staff Attacked after Witnessing Killings by Soldiers in Tigray." Doctors Without Borders - USA, Doctors Without Borders, 24 Mar. 2021, [www.doctorswithoutborders.org/what-we-do/news-stories/news/ethiopia-msf-staff-attacked-afterwitnessing-killings-soldiers-tigray](http://www.doctorswithoutborders.org/what-we-do/news-stories/news/ethiopia-msf-staff-attacked-afterwitnessing-killings-soldiers-tigray)

<sup>14</sup> [https://www.facebook.com/permalink.php?story\\_fbid=1096023254207907&id=202584253551816](https://www.facebook.com/permalink.php?story_fbid=1096023254207907&id=202584253551816)

massacres, the following have been investigated and covered by these international agencies. The list includes: Axum massacre,<sup>15 16</sup>; Mariam Dengelat Massacre<sup>11</sup>; Temben massacre (Abi Addi,<sup>17</sup>, Hagere Selam<sup>18</sup>), Gijet Massacre<sup>19</sup>; Adigrat Massacre<sup>13</sup>; Debre Abay Massacre<sup>20</sup>. Yet, except for the Axum massacre, the EHRC has ignored the evidence and has neglected to address these additional mass killings of civilians. Even in the case of Axum, the EHRC waited until it was widely talked about following the report by Amnesty International. It also appears that it waited to release its “report” on the Axum massacre until the government officially admitted the presence of Eritrean forces in Tigray and their involvement in inflicting these atrocities following intense international pressure.

e. Intensified Air Strikes on Mekelle and other Towns

Starting the week of 18<sup>th</sup> October of 2021, the Ethiopian regime has also maintained daily airstrikes on the densely populated capital city of Tigray, Mekelle, and other towns, including Agbe (Tembien, October 20, 2021)<sup>21</sup>, Mai Tsebri and Adwa (October 24, 2021),<sup>22</sup> and Quiha (October 26, 2021)<sup>23</sup> deliberately destroying civilian and civilian infrastructure, killing and injuring children, women and endangering nearly over a million civilians. Despite the condemnation by the International community including UN, US, EU and others, EHRC kept to remain silent, may be due to the air strikes are conducted by the federal government into which the institution (EHRC) and its Commissioner are loyal subscribers.

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<sup>15</sup> Amnesty International. “Eritrean Troops Massacre Hundreds of Civilians in Axum, Ethiopia.” *Amnesty International*, 26 Feb. 2021, [www.amnesty.org/en/latest/news/2021/02/ethiopia-eritreantroops-massacre-of-hundreds-of-axum-civilians-may-amount-to-crime-against-humanity/](http://www.amnesty.org/en/latest/news/2021/02/ethiopia-eritreantroops-massacre-of-hundreds-of-axum-civilians-may-amount-to-crime-against-humanity/).

<sup>16</sup> Human Rights Watch. “Ethiopia: Eritrean Forces Massacre Tigray Civilians.” *Human Rights Watch*, 5 Mar. 2021, [www.hrw.org/news/2021/03/05/ethiopia-eritrean-forces-massacre-tigray-civilians#](http://www.hrw.org/news/2021/03/05/ethiopia-eritrean-forces-massacre-tigray-civilians#). <sup>11</sup> Arvanitidis, Barbara, et al. “Massacre in the Mountains: How an Ethiopian Festival Turned into a Killing Spree.” *CNN, Cable News Network*, 22 Mar. 2021, [edition.cnn.com/2021/02/26/africa/ethiopiaticigray-dengelat-massacre-intl/index.html](http://edition.cnn.com/2021/02/26/africa/ethiopiaticigray-dengelat-massacre-intl/index.html).

<sup>17</sup> <https://www.telegraph.co.uk/global-health/terror-and-security/bodies-torn-pieces-ethiopian-eritrean-troops-accused-massacre/>

<sup>18</sup> <https://www.ethiopia-insight.com/2021/02/19/catastrophe-stalks-tigray-again/>

<sup>19</sup> Walsh, Declan. “‘They Told Us Not to Resist’: Sexual Violence Pervades Ethiopia’s War.” *The New York Times, The New York Times*, 1 Apr. 2021, [www.nytimes.com/2021/04/01/world/africa/ethiopiaticigray-sexual-assault.html](http://www.nytimes.com/2021/04/01/world/africa/ethiopiaticigray-sexual-assault.html). <sup>13</sup> Osman, Jamal. “Tigray Conflict: the Testimonies of Alleged War Crimes.” *Channel 4 News*, 23 Mar. 2021, [www.channel4.com/news/tigray-conflict-the-testimonies-of-alleged-war-crimes](http://www.channel4.com/news/tigray-conflict-the-testimonies-of-alleged-war-crimes).

<sup>20</sup> ‘You should have finished off the survivors’: Ethiopian army implicated in brutal war crime video; <https://www.telegraph.co.uk/news/2021/02/19/should-have-finished-survivors-ethiopian-army-implicated-brutal/>

<sup>21</sup> <https://apnews.com/article/africa-united-nations-kenya-ethiopia-abiy-ahmed-83a7d47310dd4b0aa1e591228bc339cc>

<sup>22</sup> <https://www.theguardian.com/world/2021/oct/24/ethiopia-airstrikes-target-tigray-rebels-as-aerial-campaign-continues>

<sup>23</sup> <https://www.france24.com/en/live-news/20211026-ethiopia-launches-air-strike-on-rebel-training-centre-govt-1>

## 2) Misguided Condemnations

Despite being unresponsive to many of the horrendous crimes committed on Tigrayans, the EHRC is rather quick to blame the Tigray government and the TDF for anything it perceives as a *mistake* on their part. In this report, we highlight some examples of misguided condemnations that the EHRC released to achieve its political goals and satisfy its sponsor.

On July 15, 2021 the EHRC released a statement about the alarming report of child soldiers in the context of the ongoing conflict in Tigray<sup>24</sup>. Following this, in its report on July 16, the UN OCHA added that “Government’s Ethiopian Human Rights Commission publicly stated that it is alarmed by reports of arbitrary detentions, attacks on civilians and refugees, inhumane treatment of detainees and captured combatants, and the use of child soldiers in Tigray.”<sup>25</sup>

Following EHRC’s public statement, and press release, Ethiopian government media and online pro-government activists heavily campaigned about the false use of children as soldiers by the Tigray Defense Forces (TDF). The very public campaign orchestrated the use of abducted Tigrayan children, paraded as prisoners of war (POWs) in documentaries, and also government supporters presenting “expert analysis” on state media. Furthermore, Ethiopian military spokesperson said “The TPLF is forcing children to get in the war after initiating them into three days’ worth of trainings, and is also collecting bodies of children killed in the war to spread its propaganda,”<sup>26</sup>.

Lastly, government officials invited the BBC to cover the TDF’s alleged child soldiers story. While doing so, however, the authorities told the BBC to conduct the interview in Amharic instead of Tigrigna (the mother tongue of the teenagers). The interviewers were suspicious of the setup, which forced them to scrutinize and rehear the content, after which they learned that the authorities were telling the abducted youth what to say<sup>27</sup>. This BBC finding brought an end to the false campaign of child soldier use by the TDF. However, the EHRC has not yet released any public statement that corrects or rectifies its statements. As a consequence, these false allegations remain in the psyche of the general public.

## 3) Framing human rights violations in favor of the government’s narrative (ca. the Maikadra case)

<sup>24</sup> <https://ehrc.org/protect-civilians-from-harassment-arbitrary-detention-and-attacks/>

<sup>25</sup> <https://reliefweb.int/sites/reliefweb.int/files/resources/Situation%20Report%20-%20Ethiopia%20-%20Tigray%20Region%20Humanitarian%20Update%20-%202019%20Jul%202021.pdf>

<sup>26</sup> [https://www.capitalethiopia.com/capital/children-rights-infringed-as-tplf-deploys-minors/?utm\\_source=rss&utm\\_medium=rss&utm\\_campaign=children-rights-infringed-as-tplf-deploys-minors](https://www.capitalethiopia.com/capital/children-rights-infringed-as-tplf-deploys-minors/?utm_source=rss&utm_medium=rss&utm_campaign=children-rights-infringed-as-tplf-deploys-minors)

<sup>27</sup> [https://www.bbc.com/news/world-africa-58189395?fbclid=IwAR2GwuxuvxUYripKrLa1Ou\\_YDWBIkJwmTOyjkYpapFixqkdirZnAljSHiU](https://www.bbc.com/news/world-africa-58189395?fbclid=IwAR2GwuxuvxUYripKrLa1Ou_YDWBIkJwmTOyjkYpapFixqkdirZnAljSHiU)

Since the start of the war in Tigray, EHRC reports and press releases exhibit a similar pattern of investigation and conclusions that excludes Tigrayan victims and potential witnesses. Consequently, its report's conclusions strongly correlate with the Ethiopian federal government's narration, which reinforces our claim of EHRC's lack of integrity and competency. For example, the exclusion of Tigrayans' victims, eyewitnesses and families of victims who fled to the Sudan and/or are internally displaced to other parts of Tigray makes the report incomplete, partial and biased in favor of those who stayed in Maikadra, i.e., Amhara. Moreover, one may ask why such a sensitive report never emphasized the realistic limitations of the investigation (as outlined above), but rather rushed to draw flawed conclusions. Unfortunately, this flawed report has been used by the government as a pretext to extend its genocidal acts against ethnic Tigrayans, and further galvanize support for ethnic cleansing of Tigrayans from Western Tigray.

In this report, the EHRC alleges a non-existent youth group called "Samri"<sup>28</sup> as the perpetrator of the massacre. Furthermore, the report alleges that 'Samri' is aided and abetted by members of what was then the local administration and security establishment in Maikadra, in Tigray Region's Western Zone. The director of EHRC, Daniel Bekele, appeared at a press release accusing this Samri youth group, alleging their culpability in these crimes. According to a June 7, 2021, Reuters report that conducted interviews with four Amhara individuals, the witnesses never mentioned the "Samri" youth group.

#### 4) EHRC's Selective and Ethicized Report

Another aspect of the partiality of EHRC is its selective reporting favoring one ethnic group, i.e., the Amharas. This has been notably clear during the recent TDF advancement into the Amhara and Afar regions. The selective and biased reporting can be clustered as below:

##### a. Allegation of Human rights violations on Amharas living in other regions

EHRC selectively reports when attacks and /or human rights violations are assumed to have taken place against ethnic Amharas, living outside of the Amhara region in Ethiopia. The commission's very sensitive reports in Western Oromia<sup>29,30</sup> and Benishangul-Gumuz<sup>31,32</sup> Regions are some examples to mention. It has to be clear that any human rights violations need to be condemned and investigated, however, EHRC avoids reporting of human rights violations when it comes to other ethnic groups, such as the Tigrayans, who have been experiencing ethnic profiling, mass arrest, extrajudicial execution and harassment in the Amhara region and throughout Ethiopia.

<sup>28</sup><https://ehrc.org/tigray-maikadra-massacre-of-civilians-is-a-crime-of-atrocity/>

<sup>29</sup><https://www.hurriyetdailynews.com/more-than-150-killed-in-ethiopia-attack-rights-agency-167387>

<sup>30</sup><https://twitter.com/EthioHRC/status/1450098525388300289>

<sup>31</sup><https://twitter.com/EthioHRC/status/1416003657187958787?s=20>

<sup>32</sup><https://twitter.com/EthioHRC/status/1443862466732171265>



### **b. Within the Amhara region**

The Amhara regional forces and militia have been committing severe crimes against its minorities in the region, including the Kimant minority ethnic group.<sup>33</sup> EHRC deliberately omits reporting these allegations largely due to a false belief that the Kimant people present some form of threat to the Amhara people.

### **c. TDF advancement into the Amhara region**

Since the war was declared on Tigray 10 months ago, EHRC has been deliberately silent from reporting and investigating the heinous crimes committed on the people of Tigray, except when it aims to preemptively set narratives in support of the Ethiopian government. However, recently with the TDF's advance into the Afar and Amhara regions, EHRC has been diligent in terms of speed, and frequency of reports and deploying investigating teams. This includes EHRC's deployment of missions and expressing concerns in the Amhara<sup>34,35,36</sup> and Afar<sup>37</sup> regions. The implication here is to set a narrative that the TDF are engaged in some form of human rights abuses and violations against civilians in the above-named regions.

## **Section IV - "Current situation of residents in Tigray region - brief monitoring report**

Page size: 9

Date: undated

Twitter post points to February 11, 2021

<https://twitter.com/EthioHRC/status/1359775853660536838>

Report repository:

<https://drive.google.com/file/d/1oqIUiatYwDyAv4Z0I3Ox7C0ipk3RyG/view>

### **Short summary of the report:**

This particular EHRC report attempts to cover issues on the humanitarian and human rights violations in Tigray including: 1) administration, infrastructural and social/basic services; 2) provision of humanitarian assistance; 3) health infrastructure and services; 4) sexual and gender-based violence; 5) civilian casualties; and 6) refugees and internally displaced persons (IDPs).

### **Key shortcomings (misleading content):**

- 1) The report attempts to downplay the depth and breadth of the grave humanitarian and human rights violations, war crimes and crimes against humanity committed in Tigray. It does this in various ways, for example, through: 1) careful use of mild language to describe the situation, as well as selective reporting; 2) use of incorrect data; and 3) employing language consistent with government propaganda.

<sup>33</sup> <https://www.france24.com/en/live-news/20210821-caught-in-the-crossfire-ethiopian-minority-flees-to-sudan>

<sup>34</sup> <https://twitter.com/EthioHRC/status/1430234439582457857?s=2>

<sup>35</sup> <https://twitter.com/EthioHRC/status/1425439678187118596?s=20>

<sup>36</sup> <https://twitter.com/EthioHRC/status/1415896693439148032?s=20>

<sup>37</sup> <https://twitter.com/EthioHRC/status/1425131656562843652?s=20>

- 2) The report slightly touches on the looting of healthcare services, but never mentions the perpetrators. Instead, and consistent with its behavior, the commission tried to even implicitly blame the Tigray People's Liberation Front (TPLF) at one point. No other entity is mentioned as a possible perpetrator to facilitate further investigations, even though it is widely documented that Eritrean, Ethiopian and Amhara forces are responsible for the widespread destruction and looting of health care and other public and private infrastructure.
- 3) The report repeatedly uses the phrase "ongoing security situation," in an attempt to divert attention from the fact that active war is still ongoing on various fronts in the Tigray region and beyond. It is important to note that this is the same characterization used by the Ethiopian Federal Government, which describes the war on Tigray as "a law enforcement operation" despite the fact that the entire Ethiopian and Eritrean armies are involved.

It is widely reported<sup>38</sup> and also confirmed by the US state department<sup>39</sup> that ethnic cleansing of Tigrayans from Western Tigray has been ongoing. This is being carried out by Amhara troops and militia, Fano (the Amhara vigilante group), all with the backing of the Amhara regional government and the Ethiopian Federal government. However, in its report from Humera (a town in Western Tigray), the EHRC refrains from mentioning that the ethnic cleansing of Tigrayans has been taking place. Ambiguously, it quotes an IDP from Humera now sheltering in Mekelle who outlined that "they have learned through their relatives still in Humera and surrounding areas that their homes, cattle, and crops and harvests have all been looted by other people." By referring to the occupiers as "other people," it deliberately fails to mention the Amhara expansionists who have been ethnically cleansing Tigrayans from Western Tigray. This is again in line with the propaganda being spread by the Ethiopian Federal and Amhara Regional governments, who deny any act of ethnic cleansing of Tigrayans in Western and Southern Tigray, where close to 2.3 million people have been uprooted from their homes.

- 4) MSF repeatedly reported that 87% of health facilities in Tigray have been deliberately destroyed (only 13% are functional<sup>40</sup>), with 70% completely looted (sometimes even repurposed for military camps by Ethiopian and Eritrean soldiers). However, the EHRC makes no mention of any entity in relation to the looting and destruction of healthcare services. Furthermore, it says "The assessment mentioned earlier also shows that not more than 30% of the health facilities are operational as of the writing of this report." This fact is inconsistent

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<sup>38</sup> Reuters Staff. "You Don't Belong': Land Dispute Drives New Exodus in Ethiopia's Tigray." Reuters, Thomson Reuters, 29 Mar. 2021, [www.reuters.com/article/us-ethiopia-conflict-displaced-insightidUSKBN2BL1B0](http://www.reuters.com/article/us-ethiopia-conflict-displaced-insightidUSKBN2BL1B0).

<sup>39</sup> Hansler, Jennifer. "Blinken: Acts of 'Ethnic Cleansing' Committed in Western Tigray." CNN, Cable News Network, 10 Mar. 2021, [edition.cnn.com/2021/03/10/politics/blinken-tigray-ethniccleansing/index.html](http://edition.cnn.com/2021/03/10/politics/blinken-tigray-ethniccleansing/index.html)

<sup>40</sup> MSF. "Health Facilities Targeted in Tigray Region, Ethiopia: MSF." Médecins Sans Frontières (MSF) International, 29 Mar. 2021, [www.msf.org/health-facilities-targeted-tigray-region-ethiopia](http://www.msf.org/health-facilities-targeted-tigray-region-ethiopia).



with other independent international reports. Furthermore, it is widely reported that Adwa hospital has been completely looted and destroyed by Eritrean soldiers. It adds, the Ethiopian and Eritrean forces used Abiy Addi hospital [in central Tigray] as a military base and to stabilize their injured soldiers.<sup>41</sup> However, the EHRC wrongly attributes the non-functionality of the health facilities in Adwa, Axum, and Shire to the ill-defined “ongoing security situation,” which, like all related Ethiopian propaganda, is clearly an intentionally misleading characterization of the war and its dire consequences on the people of Tigray.

- 5) The report also characterizes damages to civilians as ‘collateral damage’ (land mines or hand grenades left lying on the ground). It is possible that collateral damage may have occurred, however, there is ample evidence that the majority of civilian deaths are attributable to deliberate and systematic killings by Ethiopian, Eritrean and Amhara forces. This particular report intentionally fails to stipulate any of these forces as perpetrators.
- 6) Tigray Emergency Coordination Centre (TECC) reported that more than 4.5 million people need emergency food aid.<sup>42</sup> However, the EHRC report slashed this figure to 2.3 million. It further indicated that one million of the 2.3 million were already dependent on food aid before the war. Therefore, it alludes that only 1.3 million are affected by the ongoing war. These conclusions are consistent with the government’s insistence on minimizing the significant impact of the war on civilian life, preferring to present a slew of largely manufactured and confusing information.
- 7) The EHRC has proven to over-extend beyond its mandate, making political recommendations in favor of the federal and former Tigray interim governments, calling for all zones and woredas in Tigray to communicate through the interim administration for basic health services to resume. The statement is as follows, “although more efforts are underway in this regard, it will make the task of ensuring that health facilities resume their services if the over 90 Woreda administrations in the more than 7 zones of the region do not establish communication with the Interim Administration soon.” The EHRC has absolutely no jurisdiction to instruct any level of government in matters of public health, rather its mandate is set out in the Ethiopian Constitution limiting its role to human rights issues.
- 8) Contrary to the constitution, but in line with the claims of the Amhara region, the EHRC refers to the existing Western and Southern Zones of Tigray as “the former Western and Southern Zones of Tigray...” in a deliberate attempt to implicitly support the Amhara region’s narration of forceful annexation of these two provinces from Tigray. The implication here, as before, the EHRC actively and publicly inserts itself in what has proven to be the highly charged political arena, which is outside

<sup>41</sup> <https://www.bbc.com/news/world-africa-56399882>

<sup>42</sup> BBC. “Ethiopia Tigray Crisis: Fear of Mass Starvation.” BBC News, BBC, 18 Jan. 2021, [www.bbc.com/news/world-africa-55695123](https://www.bbc.com/news/world-africa-55695123)



of its domain, and contra to its role as an impartial body responsible for investigating human rights violations.

- 9) The report neglects to mention the systemic looting of public and private properties, ethnic cleansing, systematic massacres, cultural and religious cleansing, weaponized rape (slightly addressed), deliberate infection of women and girls with HIV/AIDS and other sexually transmitted diseases (STDs) by Amhara militia, Eritrean soldiers and Ethiopian forces.
- 10) With respect to sexual and gender-based violence, the report mentions that “52 instances of rape in Mekelle, 22 in Adigrat, 7 in Wukro and 27 in Ayder (a total of 108) have been reported to health facilities over the past two months alone.” However, it does not mention the perpetrators of the sexual and gender-based crimes. The report insinuates that prisoner escape is one of “the causes for the substantial increase of looting, gender-based violence and other major crimes”. The federal government also attributes the crimes and rapes to prisoners who escaped following the war. However, statistical evidences show that 89% of the sexual violence were perpetrated by Ethiopian soldiers, Eritrean troops, Amhara militia or a combination<sup>43</sup>. A further breakdown of the sample study indicates that 44% of the rapes are performed by Ethiopian soldiers, 33% by Eritrean soldiers, 6% by Amhara militia, 6% by Ethiopian and Eritrean soldiers, while there is no information for the remaining 11% of the perpetrators. It is unfortunate the EHRC cites the interim administration of Tigray appointed by PM Abiy Ahmed, to wrongly attribute the sexual violence crimes to prisoner escapes only to support the federal government’s claims.

### Excerpts from the report

Page 2, para 1 “... and the fact that the **former Western and Southern Zones of Tigray** are now under the Amhara Region’s administration ...”

Page 2 “As at the time of release of this report, infrastructure services (water, electricity, telecommunications...) are yet to be fully restored in some parts of the region which means banking services have not fully resumed in parts of Tigray region. **Some residents** are, therefore, still not able to access their accounts.”

Page 3 p1 “But more coordinated work with humanitarian organisations is indispensable to address **the emergency assistance needs of an estimated total of 2.3 million people, 1 million** of whom already depended on humanitarian assistance before the war.”

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<sup>43</sup> *Insecurity Insight*. 2020. ‘Sexual Violence in Ethiopia’s Tigray Region 30 March 2021.’ Geneva: *Insecurity Insight*. <http://insecurityinsight.org/wp-content/uploads/2021/03/Sexual-Violencein-Ethiopia-Tigray-Region-30-March-2021.pdf>



“An assessment carried out by the regional health bureau shows that the region’s health facilities sustained physical damage and/or were looted including looting of ambulances and some health professionals are believed to have lost their lives in the context of the conflict.”

“On the other hand, information obtained from the Regional health bureau shows that **the ongoing security situation**, including in the surrounding areas, has made it difficult to ensure that the health facilities in Adwa, Axum and Shire resume their operations.”

“The assessment mentioned earlier also shows that not more than 30% of the health facilities are operational as of the writing of this report.”

“Although more efforts are underway in this regard, it will make the task of ensuring that health facilities resume their services if the over 90 Woreda administrations in the more than 7 zones of the region do not establish communication with the Interim Administration soon.”

**“Other medical supplies have been looted or taken, including by TPLF fighters.”**

“They eventually **chose to come to Mekelle instead of going back to Humera.**”

“The latter also say they have learned through their relatives still in Humera and surrounding areas that their homes, cattle, and crops and harvests have all been looted or **occupied by other people.**”

## **Section V - Comparison of EHRC and Amnesty International report on the Axum Massacre**

Page size: 12

Date: undated

Report repository:

<https://drive.google.com/file/d/1i20a7K4BNnJsoSE89q1Q7xEW5oGhatGX/view>

A comparison of the investigations by Amnesty International (AI)<sup>44</sup> to that of the EHRC’s on the Axum massacre provides clear insights into the lack of appropriate technical skills and deliberate downplaying of massacres by EHRC. In particular, we would like to draw the reader’s attention to the following observations.

- 1) The Axum massacre has been widely reported on social media since December 2020, and on mainstream media since January 2021 (e.g., The Guardian covered

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<sup>44</sup> Amnesty International. “Ethiopia: Eritrean troops’ massacre of hundreds of Axum civilians may amount to crime against humanity” <https://www.amnesty.org/en/latest/news/2021/02/ethiopia-eritreantroops-massacre-of-hundreds-of-axum-civilians-may-amount-to-crime-against-humanity/>

- it on the 24<sup>th</sup> of January <sup>45</sup> and Church Times reported it on the 15<sup>th</sup> of January <sup>46</sup> ). However, EHRC, despite being a domestic human rights institution, has ignored the massacre until after AI and Human Rights Watch (HRW) investigated it and publicly announced their findings. EHRC neither condemned the massacre nor showed any interest in investigating until international pressure mounted.
- 2) The EHRC had to wait until PM Abiy Ahmed publicly admitted the presence of Eritrean soldiers in Tigray to release its report on the Axum massacre. The report depicted Eritrean soldiers as the main perpetrators of the massacre. The Ethiopian government had for months denied the presence of Eritrean forces in Tigray. Thus, it appears that the EHRC had to coordinate with the government about the time of release of the report, showing bias and lack of independence to execute its activities.
  - 3) Despite having better access to Axum for investigations for months (including physical access), the EHRC reported a much lower number of casualties than AI did. The AI investigations were conducted primarily remotely using phone interviews. In this case, the EHRC report is only aimed at understating the well-researched and documented AI report, and thus once again serving as a cover up to all the heinous atrocities committed by the joint Ethiopian Federal, and Eritrean forces.
  - 4) The federal government consistently denied the Axum massacre, arguing that even the November 30 St. Mary of Zion church's celebration was held peacefully. Not surprisingly, EHRC's report corroborates the government's narration stating that the celebration was conducted in the church. It is important to note that witnesses have told AI that the celebration was cancelled as the city was collectively mourning and traumatized in the aftermath of the massacre. There is a clear (and probably deliberate) disconnect between the findings by AI and the public statements made by the EHRC.

## Section VI - “Brief monitoring report on the situation of civilians in Humera, Dansha and Bissober”

Page size: 9

Date: undated

Report repository:

<https://drive.google.com/file/d/1X9iK4jPtdgREXCfS1UJ1MhrkuvWhwNjl/view>

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<sup>45</sup> Sherwood, Harriet. “Fabled Ark Could Be among Ancient Treasures in Danger in Ethiopia's Deadly War.” *The Guardian*, *Guardian News and Media*, 24 Jan. 2021, [www.theguardian.com/world/2021/jan/24/fabled-ark-could-be-among-ancient-treasures-in-danger-inethiopias-deadly-war](http://www.theguardian.com/world/2021/jan/24/fabled-ark-could-be-among-ancient-treasures-in-danger-inethiopias-deadly-war)

<sup>46</sup> Paveley, Rebecca. “Massacre 'of 750' Reported in Aksum Church Complex, Tigray, Ethiopia.” *The Church Times - News, Comment, Features, Book Reviews and More*, 15 Jan. 2021, [www.churchtimes.co.uk/articles/2021/15-january/news/world/massacre-of-750-reported-in-aksumchurch-complex-tigray-ethiopia](http://www.churchtimes.co.uk/articles/2021/15-january/news/world/massacre-of-750-reported-in-aksumchurch-complex-tigray-ethiopia)



In this short review, we examine the report by the EHRC that covers certain areas in Tigray (e.g., Humera, Dansha and Bissober).

## Humera

Ethiopian Human Rights Commission<sup>47</sup> reported as follows:

parts of the city, apparently caused by the use of heavy artillery. Although the investigation team received reports of serious damages to the area known as Kebele 2, the team was unable to access the said area to verify the reports. Reports indicate that there was heavy shelling of Kebele 2 (Kudar sefer), near Mariam Church and a Mosque between November 9<sup>th</sup> and November 11<sup>th</sup>, 2020. According to these reports, public spaces and residential houses in Kebele 2 bore the brunt of the damage. The Commission's team also visited Humera Hospita which itself sustained serious damage.

**Remark:** This report is incomplete as it does not offer a credible reason as to why the EHRC could not access the Kebele 2 area in Humera. The report completely ignores the need to access this area in order to do further investigations. However, other reports by the Human Rights Watch have conducted investigations in this area and discovered that the area was one of the worst-hit by heavy artillery shelling by Eritrean forces.

The question remains: was the EHRC trying to cover the fact that highly populated urban areas were targets of heavy shelling by the Eritrean army? This question becomes particularly poignant since the EHRC report was released long before the federal government officially admitted the presence of the Eritrean army in Tigray. It is important to note that the EHRC reported the Axum massacre following the Amnesty report but still in synchrony with the Ethiopian government's admission of Eritrean presence and the associated atrocities.

Human Rights Watch reported the Kebele 2 case as shown below.<sup>24</sup>

In the western border town of Humera, residents said that on November 9, artillery fired from Eritrea terrified unsuspecting civilians, striking them in their homes and as they fled. The shelling damaged residential areas in the Kebele 02 neighborhood, struck near a church and a school, near a mosque in Kebele 01, and hit areas near the town's main hospital.

In its report, the EHRC outlines

Humera Hospital staff also told the Commission, "the Hospital refrigerators and equipment are not operating to their full capacity, because of lack of electric power and water services have not resumed and fuel shortage limits the use of the Hospital generator. Ambulances are being used for non-medical purposes. We have provided treatment to women rape victims. There

<sup>47</sup> <https://drive.google.com/file/d/1X9iK4jPtdgREXCfS1UJ1MhrkuvWhwNjl/view> <sup>24</sup> HRW. "Ethiopia: Unlawful Shelling of Tigray Urban Areas." *Human Rights Watch*, 25 Feb. 2021, [www.hrw.org/news/2021/02/11/ethiopia-unlawful-shelling-tigray-urban-areas](http://www.hrw.org/news/2021/02/11/ethiopia-unlawful-shelling-tigray-urban-areas)

are also reports of unexploded ammunition in parts of the city. Some food aid was provided to all Humera residents, but it was grossly insufficient. The Hospital's staffs have not been paid since October 2020, facing severe food storage as a result. We are hungry, but people come to the Hospital hoping to find food. A colleague once fainted from hunger while cleaning the Hospital floor. We are going through all this because we want to keep the Hospital running. We go home in turns to protect the Hospital at night, but our own houses also get robbed. We find ethnic slurs written on the hospital's wall sometimes,"

In the above EHR report, it is indicated that the Humera hospital refrigerators were dysfunctional, hospital's properties were looted, and staff were hungry. However, the report does not mention the perpetrators. Furthermore, the report admits that ambulances were being used for "**non-medical purposes**," but it does not precisely mention for which purposes and by whom. Although, other reports have outlined those ambulances were used by Eritrean and Ethiopian soldiers for military purposes.

## Dansha

According to the interim coordinator of Dansha, "Tigrayans live peacefully in the area, but those residents who felt at risk were provided with transportation to their chosen destinations". Regarding the current situation, the coordinator informed the Commission's team, "a platform was set up where residents are encouraged to discuss issues openly in order to facilitate a return to peaceful and respectful co-existence. Nevertheless, we are concerned that TPLF operatives may still attack the woreda to cause discord between residents of Amhara and Tigray ethnic origins".

Currently, Western Tigray is under occupation by Amhara forces. Tigrayan residents in the area have been forced to leave. However, in quoting the interim administrators installed by the Amhara regional state, the EHR has tried to paint a false picture that Tigrayans "**who felt at risk were provided with transportation to their chosen destinations**." One must question why the residents felt at risk and what destination would provide them refugee? Where are these "Chosen destinations"? Furthermore, in quoting a government appointee, the EHR fails to mention ethnic cleansing against the Tigrayans, subsequently resulting in the displacement of hundreds of thousands from their homes. Many other reports, including those by MSF<sup>48</sup> and Reuters<sup>49</sup>, show that Tigrayan residents were forced to flee for safety. The US Department of State has repeatedly pronounced its 'grave concerns' regarding the ethnic cleansing of Tigrayans from Western Tigray. Despite this, the Ethiopian government continues to deny the occurrence of any acts of ethnic cleansing in Western Tigray. Sadly, the EHR continues to support the government's false narrative through its misleading reporting concerning the forceful evacuation of Tigrayans, preferring to push the above false narrative.

<sup>48</sup> MSF. "Ethiopia: Tigray's Cities Fill with Displaced People in Need of Aid: MSF." *Médecins Sans Frontières (MSF) International*, 22 Mar. 2021, [www.msf.org/ethiopia-tigray%E2%80%99s-cities-fill-displaced-people-need-aid](http://www.msf.org/ethiopia-tigray%E2%80%99s-cities-fill-displaced-people-need-aid)

<sup>49</sup> Reuters. "You Don't Belong!: Land Dispute Drives New Exodus in Ethiopia's Tigray." *Reuters, Thomson Reuters*, 29 Mar. 2021, [www.reuters.com/article/us-ethiopia-conflict-displaced-insightidUSKBN2BL1B0](http://www.reuters.com/article/us-ethiopia-conflict-displaced-insightidUSKBN2BL1B0)



During its first investigation mission to Dansha in mid-November 2020, the Commission met with ENDF representatives, who confirm that Dansha city went through “ a very tense period during the war”. The second EHRC mission which travelled to the area in mid-November observed that the security situation in the area had improved. ENDF member the team spoke to at the time indicated that “ENDF was working in a lawful and ethical manner to ensure the protection of the community”. While admitting that “there were people who have fled the area fearing for their safety” he explained that “food assistance and other essential provisions to internally displaced persons currently in the Dansha is improving”.

Many reports and videos have shown that ENDF members are killing civilians and raping women and girls. However, the EHRC chooses to quote a member of the ENDF in support of their presence as being lawful and their actions as ethical. In so doing, the EHRC is defeating the whole purpose of an impartial investigation as it is seeking information from and collaborating with alleged perpetrators, whilst failing to reach out to victims.

### **Bisober**

Families of victims say that it was only possible to organize burials for the dead five days after fighting, on November 19, 2020, when the ENDF cleared the area for residents to return. Some of the victims were discovered only then. Some of the bodies were so decomposed that it was not possible to move them to a proper burial site forcing residents to bury them in the backyard of the victims’ houses. The Commission’s team was able to visit some of these grave sites.

In the paragraph above, while witnesses<sup>50</sup> have expressed that the ENDF killed civilians, the EHRC’s report tries to paint a very different picture of the ENDF. In an AFP report<sup>51</sup>, families describe how the ENDF killed their men, and family members were left traumatized as they were forced to be stoic whilst they remained with their dead relatives for days. This is supported by a recent video investigation by BBC, CNN and Bellingcat,<sup>52</sup> which clearly showed that members of the ENDF were actively taking part in civilian massacres. Furthermore, the report neglected to mention the shelling of civilian areas, which has been reported by many international media outlets, including Al Jazeera.<sup>30</sup>

<sup>50</sup> Bangkok Post Public Company. “‘Terrified’ Survivors Recount Attacks on Civilians in Tigray.” <https://www.bangkokpost.com>, 15 Dec. 2020,

[www.bangkokpost.com/world/2035655/terrifiedsurvivors-recount-attacks-on-civilians-in-tigray](http://www.bangkokpost.com/world/2035655/terrifiedsurvivors-recount-attacks-on-civilians-in-tigray).

<sup>51</sup> <https://www.youtube.com/watch?v=PmHHvokE3gk>

<sup>52</sup> Bellingcat. “Mahbere Dego: Clues to a Cliff-top Massacre in Ethiopia.” Bellingcat, 1 Apr. 2021, [www.bellingcat.com/news/2021/04/01/mahbere-dego-clues-to-a-cliff-top-massacre-in-ethiopia/](http://www.bellingcat.com/news/2021/04/01/mahbere-dego-clues-to-a-cliff-top-massacre-in-ethiopia/).

<sup>30</sup> Al Jazeera. “‘Indiscriminate’ Shelling Killed Many Civilians in Tigray: HRW.” Conflict News | Al Jazeera, 11 Feb. 2021, [www.aljazeera.com/news/2021/2/11/hrw-says-ethiopian-shelling-killed-many-civilians-in-tigray](http://www.aljazeera.com/news/2021/2/11/hrw-says-ethiopian-shelling-killed-many-civilians-in-tigray)



## Section VII - Conclusions

Based on the aforementioned documentation and analysis, it would be reasonable to conclude that the reports by the EHRC have failed to adequately address the humanitarian and human rights violations in the war-ridden Tigray region. This document outlines some of the many biases of the EHRC, which amply demonstrate that its activities are promoting pro-Ethiopian government agenda, defending ethnic Amharas while ignoring the victims, the people of Tigray. The reports from the EHRC are inconsistent with facts on the ground, and reports from reputable independent agencies including Amnesty International, CNN and the BBC.

The commission has a record of fueling ethnic tension (ethnic polarization) by selectively reporting only on massacres that appear to suit its pre-determined interest and the government's agenda. It systematically and carefully frames its narratives and reports to downplay egregious acts committed by the Ethiopian government and its allied forces in Tigray. In some cases, the head of the EHRC is seen openly promoting the government propaganda (e.g., using the same language, alluding that the situation in Tigray is getting better, openly stating the war is not as devastating as feared, etc.).

Moreover, the EHRC reports deliberately fail to mention perpetrators; does not mention the ethnic cleansing of Tigrayans; downplays the extent of systematic rape and sexual violence against women and girls; fails to account the deliberate infection of women and girls with HIV/AIDs and other STDs by the Ethiopian federal and Eritrean forces as well as Amhara troops and militia; and distorts the size of the civilian population affected by the war, all to fit into the government's narrative.

In summary, there is ample and clear evidence that the EHRC and its leadership do not have any intention, motivation or the capacity to conduct impartial and independent investigation into war crimes and rights violations committed as part of the war on Tigray. Therefore, if the investigations are to be successful, credible and acceptable to the victims and first-hand witnesses, they need to be UN-led investigations that are independent of any local institutions including the EHRC.

Thus, any investigation involving EHRC gravely lacks Independence, Integrity, Impartiality, Credibility, Objectivity, Factual Consistency, and Professional Competence. In retroactive, the joint OHCHR-EHRC is highly inflected by the EHRC and full of flaws including in its scope, methodology, transparency etc. In the eyes of the Tigrayan victims of the egregious violations of human rights and humanitarian laws, the joint investigation is null and void. Moreover, the GSTS would like to stress in the strongest possible terms that negligence to the victims' concerns and requests will not only harm the credibility of the investigation and deny justice to victims but also puts the global integrity, credibility, legitimacy, and reputation of the UN and its esteemed institutions at a stake with far-reaching implications.

The Global Society of Tigray Scholars  
and Professionals (GSTS)  
27<sup>th</sup> October of 2021