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Date 07/04/2024

Index: TADAUK 01/004/2024

Tigrayan Advocacy & Development Association UK (TADAUK.ORG), 07 April 2024

Submissions to 4th Cycle Universal Periodic Review (UPR) in Ethiopia: 2020-Present

Introduction:

TADA UK is a London based Human Rights Advocacy Group, Registration Number 13908897(<https://tadauk.org/>). This is our submission to the 4th Cycle Universal Periodic Review (UPR) in Ethiopia. This report is focusing on the period from 3 November 2020 to the present.

Ethiopia has grappled with formidable challenges during this timeframe, notably marked by wars, ethnic cleansing, violence, and egregious human rights violations, prominently observed in the Tigray region and some parts of Ethiopia. Our UPR submissions endeavours to delve into thematic areas, encompassing the ethnic cleansing of Tigrayans, the utilization of food deprivation as a weapon of war, extrajudicial killings, conflict-related sexual violence, illegal territorial occupations, the desecration of vital infrastructure and religious sites and Transitional Justice Process.

Despite the signing of the Pretoria Agreement on 2nd November 2022, Ethiopia has continued to face substantial challenges, particularly in Western Northeastern and Southern Tigray regions. Despite international endeavours to foster peace, distressing reports persist regarding ongoing violence, ethnic cleansing, and humanitarian atrocities perpetrated by various armed factions, notably the Eritrean Defence Forces (EDF) and Amhara militiamen. This review will scrutinise crimes committed since 3 November 2022, encompassing violations post-Pretoria Agreement, with a specific emphasis on ethnic cleansing, the weaponization of food deprivation, extrajudicial killings, destruction of cultural heritage sites, and obstruction of independent investigations by ICHREE and Human Rights advocates.(1) [a-hrc-54-crp-3.pdf \(ohchr.org\)](#).(24) [Download-the-signed-agreement-here.pdf \(igad.int\)](#)

Methodology:

The methodology employed by TADAUK in monitoring the Tigray war was guided by pre-established Terms of Reference endorsed by the TADA Board of Directors. This

encompassed an assessment and verification process, information gathering procedures, ensuring confidentiality, and safeguarding sources, all of which were victim centered.

TADAUK referenced reports from primary sources, various investigative bodies, including the Commission of Inquiry on Tigray Genocide, the APPG Tigray Inquiry Report- UK Parliament, ICHREE, Amnesty International, HRW and UNHRC investigation reports. However, the EHRC Reports on Tigray were not utilised due to limitations such as the commission's partial coverage of only 8 out of 247 active mass atrocity areas and its perceived lack of independence and engagement, influenced by its affiliations with the government of Ethiopia. This affiliation was evident through its incomplete & downplayed reports throughout the Tigray war, its funding and leadership appointments by the government creates conflict of interest. (6). [EHRC-OHCHR Joint Investigation Report on Tigray Conflict - Ethiopian Human Rights Commission - EHRC](#)

I-Conflict Related Sexual and Gender Based Violence

During the Tigray war, Ethiopian federal and regional government forces, along with Eritrean forces, Amhara, and Afar Special Forces, perpetrated widespread sexual violence against Tigrayan girls, boys, and women. The International Commission on Human Rights in Ethiopia (ICHREE) documented ongoing multiple-perpetrator rapes and sexualized enslavement by Eritrean and Amhara forces, even after the cessation of hostilities in November 2022 (2)([A/HRC/54/CRP.2 \(ohchr.org\)](#)).

Cases of sexual violence, including rape, were reported even after the Peace Agreement, particularly from areas controlled by Eritrean and Amhara forces. The Ethiopian Human Rights Commission (EHRC) failed to collect reliable data on conflict related SGBV in majority areas of Tigray, hindering accountability and support efforts. Many survivors lack access to essential support services, such as one-stop centres and safe houses, and mistrust government-led consultations due to past human rights violations by security forces. Urgent intervention and support are needed to address the multifaceted needs of survivors and ensure accountability for perpetrators. According to data released from Mekelle University over 130,000 women and young girls have been brutally raped in Tigray(8) [s12905-023-02502-0.pdf \(biomedcentral.com\)](#) & Over 600000 people are killed in Tigray.(28) [War in Tigray may have killed 600,000 people, peace mediator says \(ft.com\)](#)

Recommendations:

Addressing Conflict-Related Sexual and Gender-Based Violence (CR-SGBV) in the Tigray War requires a comprehensive approach that acknowledges Ethiopia's legal obligations under the UN Charter and relevant international conventions.

- 1 Ratification and Implementation of International Instruments: Ethiopia should ratify and effectively implement international instruments relevant to the prevention and elimination of CR-SGBV, such as: The Rome Statute of the International Criminal Court (ICC) and the Geneva Conventions and their Additional Protocols, establish specialised mechanisms within the Independent Transitional Justice Process, AU Transitional

Justice Action Plan, to investigate, prosecute, and adjudicate cases of CR-SGBV promptly and impartially.

- 2 Data Collection and Monitoring Mechanisms: Establish an independent data collection system to accurately document incidents of CR-SGBV. Ensure that data collection methods are gender-sensitive and respect the confidentiality and dignity of survivors.
- 3 Engagement with the International Community: Cooperate with international human rights mechanisms, including the UN Human Rights Council and relevant treaty bodies.

II-Mass killings of Tigrayans

The Ethiopian National Defence Forces (ENDF), Eritrean Defence Forces (EDF), Amhara Special Forces, Afar Special Forces, and Fano militia committed extensive human rights violations against ethnic Tigrayans since November 3, 2020. They conducted mass killings of civilians through various means, including airstrikes, shootings, and direct attacks. Ethnic Tigrayan civilians, including women and children, were targeted for murder, rape, and sexual violence. These forces also engaged in arbitrary arrest and detention, torture, and enforced disappearances of ethnic Tigrayans. In addition, they forcibly displaced over a million Tigrayan civilians, looted and destroyed factories & properties, and obstructed humanitarian access (used food as a weapon of War), resulting in starvation and related deaths. These actions violated numerous international human rights and humanitarian laws, including the prohibition of genocide and crimes against humanity. (7) [Statement attributable to the International Commission of Human Rights Experts on Ethiopia on the security situation in the north-west | OHCHR](#)

Recommendations:

1. Investigation and Prosecution:

- Building on ICHREE findings & determinations, complete a comprehensive and impartial investigation into allegations of genocide, war crimes, and crimes against humanity committed against ethnic Tigrayans by Ethiopian National Defence Forces (ENDF), Eritrean Defence Forces (EDF), Amhara Special Forces, Afar Special Forces, and Fano militia since November 3, 2020.
- Advocate for the prosecution of individuals responsible for ordering, perpetrating, or facilitating these crimes, regardless of their official capacity or affiliation, in line with international law standards.

2. Protection and Assistance for Victims:

- Ensure the protection and support of victims and survivors of these crimes, including access to medical, psychosocial, legal, and rehabilitative services.

3. Humanitarian Access:

- Urge the Ethiopian government and relevant authorities to lift all restrictions on humanitarian access in areas occupied by Eritrean and Amhara Forces and other affected regions,

4. Protection of Minorities and Vulnerable Groups:

- Advocate for the protection of minorities and vulnerable groups within the Tigrayan community, including the Irob and Kunama Communities, women, children, elderly individuals, and internally displaced persons (IDPs), from further harm.

5. **International Oversight and Monitoring:**

- Call for regular reporting and updates on the progress made in addressing these human rights violations and ensuring accountability. Urgently implement COHA-(the Pretoria Agreement and Nairobi Declaration) .(25) [COHA 11 March 2024 \(au.int\)](#)

6. **Cooperation with International Bodies:**

Cooperate fully with international human rights bodies, including allowing access to investigators from UNHRC & UN Special Rapporteurs.

7. **Implement Prevention and Early Warning Mechanisms.**

III-Ethnic Cleansing of Tigrayans from Western, Northeastern and Southern Tigray

Since 3 November 2020, disturbing reports have surfaced regarding the targeted ethnic cleansing of Tigrayans from Western and Southern Tigray, orchestrated by various actors, including Ethiopian, Amhara, and Eritrean forces. This systematic campaign of displacement and persecution based on ethnicity has inflicted widespread human suffering, uprooted entire communities, and deprived them of their livelihoods. Even after the signing of the Pretoria Agreement, verified accounts continue to emerge of ethnic cleansing targeting Tigrayans in Western, Northeastern (including Irob districts), and Southern Tigray. Thousands of Tigrayans, including vulnerable women and children, have been forcibly removed from their homes, subjected to violence, and denied access to essential services. Such orchestrated expulsion of an ethnic group constitutes a flagrant violation of fundamental human rights.(7,8,9,10) [Tigray Conflict | Human Rights Watch \(hrw.org\)](#); [Ethiopia: "We will erase you from this land": Crimes against humanity and ethnic cleansing in Ethiopia's Western Tigray Zone - Amnesty International](#)

Recommendations:

1. Invite the relevant United Nations and African Union human rights mechanisms including the UN Special Rapporteur on War Crimes and other cruel, inhuman, or degrading treatment or punishment and the Working Group on Arbitrary Detention to visit Western & Northeastern Tigray.

2. Accept ICHREE and UNHRC findings and allow further independent investigations into grave violations of international humanitarian law, ethnic Cleansing, and other egregious abuses committed by Eritrean Defence Forces, Ethiopian military and Amhara forces and allied actors.

3. Allow independent monitoring of all detention facilities and prisons by impartial human rights observers and the International Committee of the Red Cross (ICRC). Fully disclose the whereabouts of thousands of Tigrayan ENDF detainees who are arrested for being ethnic Tigrayans.

IV-Deprivation of Food as a Weapon of War:

The deliberate deprivation of food and humanitarian aid as a tactic of war in the Tigray region of Ethiopia has been extensively documented, constituting a grave violation of international humanitarian law and the rights of civilians caught in conflict. Access restrictions, blockades, killing of humanitarian aid workers and attacks on humanitarian convoys have compounded an already dire humanitarian situation, leading to famine like conditions and widespread malnutrition among the civilian population.(14) [Tigray Inquiry: The All-Party Parliamentary Group on International Law, Justice, and Accountability has published a new report as part of an inquiry into the situation in Tigray since November 2020. The Tigray Inquiry report will be sent to all Permanent Missions to the UN in Geneva with a call to renew the International Commission of Experts on Ethiopia over the next week. – David Alton](#)

Recommendation:

1. The government has a legal obligation to ensure the protection and safety of humanitarian workers, facilitating their essential work in delivering life-saving assistance to those in need. Publish Official investigation findings to the killing of aid workers.
2. The international community, including relevant United Nations bodies and regional organizations, should continue to closely monitor the humanitarian situation in Tigray and the regions at large, provide robust support to humanitarian efforts aimed at alleviating the suffering of affected populations.

V-Mass Killings of Tigrayans in Western, Northeastern and Southern Tigray

The conflict in Tigray has been marred by widespread reports of extrajudicial killings and ethnic cleansing perpetrated by ENDF, Amhara militiamen and Eritrean Defence Forces (EDF). These actions have caused immense suffering among civilians, exacerbating the already dire humanitarian crisis in the region. Despite international efforts to broker peace, the continuation of these atrocities post-Pretoria Agreement is deeply concerning.

Numerous credible reports(ICHREE & UNHRC) and eyewitness testimonies have implicated Fano militiamen and EDF in extrajudicial killings and summary executions of civilians in Tigray. These extrajudicial killings have instilled fear and insecurity among the civilian population, leading to mass displacement and a breakdown of community trust.(16) [Active Genocide Alert - Ethiopia in Tigray \(lemkininstitute.com\)](#) . Despite diplomatic efforts to broker peace, civilians continue to be targeted and killed unlawfully, these ongoing atrocities further escalate the violence and insecurity in Tigray, hindering efforts to achieve lasting peace and stability in the region. [ichree-oral-stm-unga.pdf \(ohchr.org\)](#)

Recommendations for Accountability and Justice:

1. Conduct Independent Investigations: The Ethiopian government must conduct prompt, impartial, and independent investigations into allegations of extrajudicial killings and ethnic cleansing in Tigray. Perpetrators must be held accountable through fair and transparent legal processes, regardless of their affiliation or rank.

2. Collaboration with International Bodies: Ethiopia should collaborate closely with international human rights organizations and United Nations bodies to investigate and document human rights violations in Tigray and the rest of Ethiopia.
3. Prosecution of Perpetrators regardless of their affiliation or rank.

VI- The evidence of extrajudicial killings and ethnic cleansing

Ethiopia must take decisive steps to investigate these atrocities, prosecute those responsible, and provide redress for affected communities. Only through accountability and justice can lasting peace and stability be achieved in Ethiopia. The illegal occupation of Tigrayan territories by Amhara and Eritrean forces has resulted in grave violations of human rights and international law.(15) [LAW and Partners File Landmark Case Against Ethiopia for Human Rights Violations in Tigray – Legal Action Worldwide; Ethiopia:\(27\) "We will erase you from this land": Crimes against humanity and ethnic cleansing in Ethiopia's Western Tigray Zone - Amnesty International](#)

Recommendations:

1. Implement the Pretoria Agreement in full, Immediate Withdrawal of none ENDF Forces: Amhara Militia and Eritrea must immediately withdraw their forces from Tigrayan territories to end the illegal occupation and restore the sovereignty of the region.
2. The Ethiopian government must facilitate the return of civilian authorities to Tigray and ensure their effective governance over the region, in accordance with the constitution,
3. Establish an International/AU Regional Oversight and Monitoring

VII- Deliberate Obstructions to Conduct Independent Investigations:

The Ethiopian government has systematically failed to conduct independent investigations into alleged human rights violations, particularly in conflict-affected regions like Tigray. Lack of accountability for violations committed by government forces, including the Ethiopian National Defence Forces (ENDF), Eritrean Defence Forces (EDF), and allied militias, has perpetuated a culture of impunity. Failure to hold perpetrators accountable undermines trust in the justice system and perpetuates cycles of violence and abuse. (21) [Joint Letter Re: Concerns regarding the premature termination of the Commission of Inquiry on the situation in the Tigray Region of the Federal Republic of Ethiopia - Global Centre for the Responsibility to Protect \(globalr2p.org\).](#)

[\(29\) Resolution on the termination of the mandate of the Commission of Inquiry on the Situation in the Tigray Region of the Federal Democratic Republic of Ethiopia - ACHPR/Res.556 \(LXXV\) 2023 | African Commission on Human and Peoples' Rights \(au.int\)](#)

Recommendations:

1. Establish an Independent Commission of Inquiry/Tribunal: Ethiopia should establish an independent commission of inquiry to investigate alleged human rights violations in Tigray and other conflict-affected regions. This commission must be impartial, transparent, and adequately resourced to carry out its mandate effectively.

2. Ensure Access for International Investigators: The Ethiopian government should facilitate unhindered access for international human rights monitors, investigative bodies,
3. Cooperate with International Mechanisms: Ethiopia should fully cooperate with international mechanisms, including UNSC, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the International Criminal Court (ICC)

VIII Implement credible Transitional Justice Processes:

Despite verbal commitments to transitional justice, including truth and reconciliation processes, the Ethiopian government has failed to implement meaningful measures to address atrocities and promote reconciliation. Victims of human rights abuses, including survivors of conflict-related sexual violence and families of victims of extrajudicial killings, continue to face barriers to justice and redress. Delayed implementation of transitional justice processes prolongs the suffering of victims and impedes efforts to achieve sustainable peace and stability.(27) [Flawed transitional justice in Ethiopia \(justiceinfo.net\)](#)

Recommendations:

1. Develop & implement a Comprehensive Transitional Justice Framework.
2. Consultation with Civil Society and Victims in Tigray: The Ethiopian government should engage with civil society organizations, victims' groups, and relevant stakeholders in the design and implementation of transitional justice processes to ensure their effectiveness and legitimacy. Insure Tigray parliamentary representation in the country through the participation of all Tigrayans.
3. International community should ensure Adequate Resources and Support.

IX - EVADING INTERNATIONAL SCRUTINY:

Despite the peace agreement's stipulation for the implementation of a comprehensive national transitional justice policy in Ethiopia, recent developments suggest a flawed approach aimed at evading international scrutiny rather than promoting genuine accountability and reconciliation. The closure of the work of ICHREE prematurely is a case in point. The government's publication of a draft document on policy options for transitional justice and no meaningful consultations inside Tigray. The transitional justice process has been criticized for lacking a victim-centered approach, inclusivity, and creating an environment conducive to free expression. Instead, it appears to be controlled and coerced, falling short of international standards. Moreover, the transitional justice policy options paper, which forms the basis of the consultations, has been deemed flawed. The focus on the period from 1995 to 2018, particularly the tenure of the TPLF-EPRDF coalition, raises questions about the government's commitment to addressing more recent atrocities, including those occurring since 2020 in Tigray and Amhara.(27-)[Flawed transitional justice in Ethiopia \(justiceinfo.net\)](#)

Recommendations:

1. Ensure Genuine Victim-Centred Approach: The Ethiopian government should prioritize the voices and needs of victims in the transitional justice process, ensuring their participation, protection, and meaningful engagement. At present Tigrayans are

practically excluded from parliament, from all forms of consultations process. The Tigrayan public is not a party to the planning, selection and implementation of the processes set up by the Federal Government

2. Uphold International Standards:

Although the hostilities between the Tigrayans and ENDF have ceased, as indicated by the UN commission's report dated September 14, 2023, it highlights that the conflict in Tigray persists, with continued engagement in violations by Eritrean troops and Amhara militias. Additionally, instances of violence have emerged in other regions of the country, notably in Amhara & Oromia, where tensions between the Federal Government and the Oromo Liberation Army have intensified. "ICHREE was warning there is overwhelming risk that human rights atrocities will continue , and it is vital that independent investigations is carried out in Ethiopia urgently.(2) [A/HRC/54/CRP.2 \(ohchr.org\)](#)

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