

HUMAN RIGHTS COUNCIL - 48th SESSION

Item 2: Enhanced interactive dialogue on the oral update by the High Commissioner on the situation of human rights in the Tigray region of Ethiopia (13 September 2021)

Opening Remarks

Statement by the UN High Commissioner for Human Rights, Michelle Bachelet:

Fighting in Tigray has continued and has expanded to neighbouring Afar and Amhara regions, the conflict risks spilling over to the whole Horn of Africa. **Mass detentions, killings, systematic looting, and sexual violence** resulted in the forced displacement of the Tigrayan civilian population. Civilian suffering is widespread, and impunity is pervasive.

The Government of Ethiopia's cooperation with the OHCHR-Ethiopia Human Rights **Commission joint investigation** is appreciated. The joint report, with its findings and recommendations, **is expected to be released on 1 November 2021**. Cases documented comprise multiple allegations of violations, including attacks on civilians, extrajudicial killings, torture, enforced disappearances, sexual and gender-based violence of extreme brutality, including gang rapes, and ethnically targeted sexual violence.

OHCHR has received reports that local fishermen found **dozens of bodies floating along the river crossing between Western Tigray and Sudan in July**. Some allegedly had gunshot wounds and bound hands, indications that they might have been detained and tortured before being killed. There are continued reports of large-scale arbitrary detentions of ethnic Tigrayan civilians in unofficial sites.

Incitement to **hatred and discrimination**, and rising levels of inflammatory rhetoric were also documented targeting people of Tigrayan ethnicity. **Attacks on journalists**, suspension of media outlets licenses, restrictions and shutdowns of internet and telecommunications in Tigray have also been reported.

Tigrayan forces have also been reported as perpetrators of human rights abuses, allegedly committed **attacks on civilians**, including indiscriminate killings resulting in nearly 76,500 **people displaced** in Afar and an estimated 200,000 in Amhara. More than 200 individuals have reportedly been killed in the most recent clashes in these regions, and 88 individuals, including children, have been injured. On 5 August, Tigrayan forces allegedly attacked and killed displaced people, mainly women, children, and older people, sheltering in the Afar Region. **Recruitment of children** by Tigrayan forces has also been reported.

However, the Government was taking measures to **prosecute sexual and gender-based violence**. The High Commissioner is looking forward to hearing about the progress in this regard.

International, regional, and national human rights and humanitarian actors must be given **unhindered access**. Further efforts are required to put an end to deadly intercommunal violence, through meaningful peacebuilding and reconciliation, political process, and dialogue. Ms. Bachelet commended the African Union's mediation efforts in this regard and called on all parties to immediately end hostilities.

Mr. Daniel Bekele, Chief Commissioner of the Ethiopian Human Rights Commission:

The **joint investigation by the Ethiopian Human Rights Commission (EHRC)** and the **OHCHR** into alleged violations committed by all parties to the conflict in Tigray has concluded its field work and the team is currently analyzing the full range of information collected. The types of human rights issues investigated against all parties to the conflict included attacks against civilians; unlawful or extra-judicial killings; forced displacement of people; sexual and gender-based violence; torture; arbitrary detention, abduction and enforced disappearances; and violations against refugees. The final report of the joint investigation expected to be published on 1 November 2021.

Hon. Mr. Rémy Ngoy Lumbu, Vice-Chairperson of African Commission on Human and Peoples' Rights Among the **initiatives undertaken by ACHPR**: the Country Rapporteur mechanism issued a press release dated November 26, 2020; the ACHPR adopted Resolution 469 on 3 December 2020, suggesting that national authorities conduct prompt, impartial and effective investigations; the resolution in



accordance with the Charter creating its own Commission of Inquiry on 7 May 2021 (ACHPR / Res. 482 (EXT.OS / XXXII) 2021). Its mandate, inter alia, is to investigate allegations of violations of international human rights law, international humanitarian law and to establish the facts and circumstances which could constitute serious and massive violations of human rights. The work of the Commission will be conducted in two phases. A **first phase of hearing the actors involved** is underway and will end in a few weeks. There will be a **second phase of field work**, which will begin in the coming days.

H.E Mr. Gedion Timothewos Hessebon, Attorney General of the Federal Democratic Republic of Ethiopia

Reiterated the position of the government of Ethiopia: all credible allegations of the human rights violations in Tigray and other regions of Ethiopia should be thoroughly investigated. To support this commitment the set of organs of Ethiopia **launched investigations** on the gross human right violations and have undertaken measures to ensure accountability and bring perpetrators to justice. Government facilitated the launch of the joint investigation by the Ethiopian and UN HR Commissions. In the statement issued just before this HRC session it was reassured that the **joint investigation exercise has been robust, impartial and independent**.

During the interactive dialogue 29 participants took the floor, namely:

European Union, Sweden (*on behalf of Nordic-Baltic Countries: Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden*), United States of America (*on behalf of a group of 44 countries: Albania, Australia, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States*), Cameroon (*on behalf of African States*), Ethiopia (*on behalf of the like-minded group: Burundi, China, DPRK, Eritrea, Ethiopia, Somalia, South Sudan, Russian Federation, Venezuela*), Liechtenstein, Germany, France, Greece, Luxembourg, Spain, Venezuela, Austria, Netherlands, the USA, Russian Federation, New Zealand, Ireland, Belgium, China, Italy, Sri Lanka, UN Women, Philippines, United Kingdom, Sudan, Iran, Cuba, Eritrea

Almost all the countries **welcomed the joint investigation of the human rights violations in Tigray region** conducted by the OHCHR and the Ethiopian Human Rights Commission.

Many countries expressed **deep concerns about the conflict in Tigray and its extension into the neighboring regions of Amhara and Afar** and called for the immediate cessation of the numerous grave human rights violations and abuses, including sexual and gender-based violence, ethnically targeted violence, discrimination and hate speech. **Also, countries called on all parties to enter into a process of political dialogue, underlined the importance of no military solution** to this conflict and called on for the permanent withdrawal of Eritrean force (EU, Nordic-Baltic Countries, United States in a joint statement, New Zealand, United Kingdom, among others).

At the same time the **Like-Minded Group** raised concerns that the recent developments, particularly reports of mass killing of civilians and other atrocities in the Afar and Amhara regional states, as well as the extensive use of child soldiers by the rebels will not be covered by the joint investigation. Some countries raised concerns about **attempts to politicize in the HRC the sensitive issue of the conflict in Tigray region** (Venezuela, Russian Federation, Iran, Cuba, Eritrea). China and the Philippines maintained the position that **unilateral sanctions imposed by individual countries on Ethiopia** do not conform to international law and the basic norms of international relations. Sri Lanka opposed initiatives moved within the HRC that do not enjoy the consent of the country concerned.

Eritrea reiterated that it will give its **final answer** regarding the High-Commissioner's report when the final conclusions of the joint investigation will be published. The current interactive dialogue remains unjust and **undermines the sovereignty of the State**.

UN Women expressed deep concern over the systematic use of **rape and sexual violence in Tigray**.

Sudan mentioned that it has opened its borders and received **more than 90,000 refugees from Ethiopia**, despite the extremely complex economic conditions it is going through, and therefore expect international support. Sudanese authorities extremely concerned about a number of **bodies of Ethiopian**



refugees, carried by the State River in the east of the country into Sudanese territory, and it is believed that the bodies, that showed signs of torture and shooting, belong to a specific ethnicity.

10 NGOs also took the floor during the Interactive Dialogue:

East and Horn of Africa Human Rights Defenders Project, Society for Threatened Peoples, the Centre for Human Rights, Christian Solidarity Worldwide (CSW), the Center for Global Nonkilling, Coordination des Associations et des Particuliers pour la Liberté de Conscience, Amnesty International, Human Rights Watch, The International Bar Association's Human Rights Institute, CIVICUS.

The NGOs raised concerns about the gross human rights and humanitarian law violations and impunity of perpetrators, abuses against civilians and refugees, sexual violence, mass extrajudicial killings and enforced disappearances, targeting of Tigray's religious and cultural heritage, the dire humanitarian situation, with millions on the brink of famine, conscription of minors as combatants, destruction of crops and refugee camps, attacks on civilian infrastructure, including factories, schools, and hospitals. For the vast majority of the organizations the absolute priority was the cessation of hostilities by all parties and de-escalation of tensions.

Organizations welcomed the joint investigation by the Office of the High Commissioner for Human Rights and the Ethiopian National Human Rights Commission on the human rights crisis in the Tigray region.

Society for Threatened Peoples expressed deep concerns about the actions undertaken by the Ethiopian state forces might amount to war crimes and crimes against humanity and asked the HRC to recommend to the Security Council **to file a case against Ahmed Abiy** at the International Criminal Court in The Hague. **CSW** urged the international community to impose of an arms embargo on all identified warring parties and the facilitation of an inclusive national dialogue.

Concluding Remarks

Ms. Michelle Bachelet: the report of the joint investigation will be made public at the latest on 1 November and will be shared with parties for comments 5 days prior to publications. So far the Eritrean government did not respond to allegations of human rights violations in Tigray region. OHCHR will continue to engage with the government in this regard. International community should support and reinforce judicial, civil society and human rights institutions of the country, has to continue to call for the end of the conflict and the inclusive political dialogue, immediate end of the human rights violations and violations of the IHL. Accountability should be a priority to stop the circle of violence.

The need to document human rights abuses does not end with the conclusion of the joint investigation as they continue to be reported. The situation is dangerous and there is a real risk of expansion of the conflict to the entire Horn of Africa region. There is also a need of the peaceful resolution. Protection of the civilians is of paramount importance in any negotiations on the end of the conflict.

Mr. Daniel Bekele: the joint investigation will be conducted in the highest standards of objectivity, independence, and impartiality to address all human rights violations, hold perpetrators accountable, redress for victims, and reach sustainable peace in Ethiopia. Issues that are not covered under the joint investigation will be covered by the Ethiopian HR Commission to continue to monitor HR situation in the country. Appreciated interest of international community and friends of Ethiopia but reiterated: it still will be the people of Ethiopia who have the highest stake in putting an end to the suffering of their fellow Ethiopians. No amount of political games worth human suffering that people live in this country..

Hon. Mr. Rémy Ngoy Lumbu: the government should continue its efforts to stop conflict and violence.. The commission should not deal with political issues. African Union is ready to cooperate.

H.E Mr. Gedion Timothewos Hessebon: worsening of the HR situation is happening because of the aggressive action of the TPLF and the government had no other option than to react on the threats posed by the TPLF. The complexity of the situation should be considered as well as sovereignty and territorial integrity of Ethiopia. Joint investigation should not be used for political purposes. Denounced the abusive language that is witnessed from some organizations during this dialogue.

Full [Video recording](#) of this meeting is available at the UN Web TV.