



## UPDATE ON THE HUMAN RIGHTS SITUATION IN ETHIOPIA

**JUNE 2024**

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## Executive Summary

1. This update summarizes human rights trends in Ethiopia in 2023, in accordance with the High Commissioner's global mandate to promote and protect human rights, as well as technical support provided by the Office of High Commissioner for Human Rights (OHCHR) to authorities and civil society organizations (CSOs) during the period under review. The update also provides data on incidents occurring in January 2024. It additionally captures few pertinent developments beyond that period.
2. Despite significant improvements in the human rights situation in Tigray, since the Cessation of Hostilities Agreement (CoHA), Ethiopia continued generally to face a challenging human rights situation in 2023, with Amhara and Oromia most affected by violent clashes and conflicts. Arbitrary deprivations of the right to life, physical integrity, arbitrary arrests and detention, sexual violence, breaches of freedoms of association, expression, of movement, as well as abductions and enforced disappearances were recorded. The most common violations included arbitrary arrests and detentions, followed by killings of civilians, torture, enforced disappearances, and attacks on civilian property following the state of emergency declared on 4 August 2023. These violations and abuses severely impacted the socio-economic rights of the population, especially those affected by violence.
3. Overall, 594 incidents of human rights violations and abuses impacting 8,253 victims (of whom at least 343 were women) were recorded in 2023, a 55.9 percent increase from 2022. State actors were allegedly responsible for 70 percent of the violations (415 incidents), while non-state actors accounted for 22.3 percent (133 incidents) of which 25 incidents were specifically attributed to the Eritrean Defence Forces. Out of the victims, a total of 1,106 people were killed in Amhara (740) and in Oromia (366) in 160 incidents during the reporting period. The use of drones by the Ethiopian National Defense Force (ENDF/Ethiopian Airforce) resulted in disproportionate levels of civilian casualties, with 18 registered drone strikes that caused 248 civilian deaths and injured 55 between 4 August and 31 December 2023. Following the declaration of the state of emergency, high numbers of arbitrary arrests, predominantly of ethnic Amhara people in different parts of the country, were documented. Cases of sexual violence, including conflict related (CRSV), were also recorded but remained generally underreported.
4. The humanitarian situation remained concerning, as violence and drought continued to cause displacement and prevented the safe return of Internally Displaced Persons (IDPs) to their places of origin. Several protection concerns affecting IDPs were observed, including human rights violations such as arbitrary arrests and detentions, denial of identification documents, and lack of adequate food, healthcare, water, and housing. Moreover, humanitarian access was impeded, notably in parts of Amhara and Oromia regions because of prevailing insecurity.
5. The update also highlights progress in the Government of Ethiopia's policy initiatives related to human rights. A Working Group on transitional justice that had been previously established by the Ministry of Justice, led a policy development process on transitional justice, conducting regional and national public consultations resulting in an outcome report with recommendations to set up judicial and non-judicial transitional justice mechanisms, including a truth commission, a special prosecution unit, and a special bench to adjudicate certain cases of gross violations of human rights.
6. The transitional justice policy was adopted by the Council of Ministers on 17 April and its implementation was launched on 9 May 2024. A draft Gender Equality and Women Empowerment Policy and a new National Policy and Strategy on Gender-based Violence Prevention and Response were developed and are pending adoption. A national coordinating body was established to prevent and respond to violence against women and children in Ethiopia.

7. On social and economic rights, the National Health Equity Strategy (2020/21-2024/25) that reflects equal access to essential health services for equal needs, equal utilization for equal needs and equal quality of care for all Ethiopians by 2025 continued to be operationalized. Additionally, the Government's Sixth Education Sector Development Programme (ESDP VI): 2020/21–2024/25 focuses on increasing budget allocations for general education. In parallel, ongoing efforts are necessary to fully realize the right to health, education, and other social and economic rights. A school feeding programme targeting disadvantaged children was developed with the support of WFP.

8. The Government of Ethiopia also made commitments with concrete pledges to advance human rights, including on accountability, transitional justice, and capacity building for the judiciary, in the context of the “Human Rights 75” global high-level event in Geneva in December 2023, which form the basis for key Government priorities in human rights that should be supported in 2024 and beyond.

9. In 2023, the Ethiopia Human Rights Commission (EHRC) continued to fulfil its mandate to promote and protect human rights in the country and published important human rights reports and statements. Dedicated joint OHCHR-EHRC support towards the transitional justice process contributed to the implementation of all the OHCHR-EHRC joint investigation's recommendations on transitional justice, among others.

10. This update makes recommendations to various actors to ensure respect and protection of human rights, and to support lasting peace in Ethiopia.

## **I. Introduction and context**

11. In the period under review, Ethiopia continued to experience gross human rights violations and abuses, resulting principally from continuing conflict between Government security forces and armed groups, as well as intercommunal violence between different clans due to border disputes amongst other reasons. In the Amhara region, Government forces (ENDF, Amhara Regional police, including Amhara Special Forces, and state affiliated militias) were pitted against Fano militia. Meanwhile, in the Oromia region, fighting raged between Oromia Liberation Army (OLA) and Government forces (ENDF, Oromia Regional Police, including Oromia Regional Special Forces, and state affiliated militia). Despite several documented instances where perpetrators had been brought to justice, the lack of progress on accountability and redress for victims remained a concern. The initial steps on accountability undertaken under the framework of the Inter-Ministerial Task Force established to implement the recommendations of the OHCHR/EHRC Joint investigation on violations committed in the context of the Tigray conflict were slowed down after the signing of the Cessation of Hostilities Agreement (CoHA) on 2 November 2022, with the Government seeking to realign them with the ongoing transitional justice process.

12. The signing of the CoHA and its ongoing implementation has had a positive impact in the Tigray region. This includes the cessation of hostilities between the Government of Ethiopia and Tigray People's Liberation Front (TPLF), the reduction of human rights violations and abuses, the establishment of an interim regional administration, and restoration of basic services. However, the proliferation of small arms, the disarmament limited so far to heavy weapons, limitations in the demobilization and reintegration processes, the delayed full return of IDPs, land disputes and underfunded recovery programmes remained serious challenges in northern Ethiopia. Although the Government of Ethiopia and the TPLF committed to finding a constitutional resolution to the protracted disputes on contested areas, mainly between the Amhara and Tigray regions, this issue remained unresolved. The conflicts in Amhara and Oromia also remained a major challenge to the Tigray peace process.

13. In 2023, OHCHR conducted a total of 600 monitoring missions (including 202 to detention facilities). Further to its monitoring and verification methodology,<sup>1</sup> it observed locations where violations and abuses had allegedly occurred, spoke to victims and witnesses, and engaged with authorities and civil society with focus on the Amhara, Oromia, and Tigray regions. Findings of human rights violations and abuses and violations of international humanitarian law were made by applying a “reasonable grounds to believe”<sup>2</sup> standard of proof for factual determinations on individual cases, incidents, and patterns of violations.

## II. Trends of human rights violations and abuses

Summary of victims of human rights violations in Ethiopia in 594 incidents in 2023				
Type of violations	Male	Female	Gender unknown	Total
Killing	1,121	96	134	1,351
Injury	676	53	67	796
Torture and inhuman treatment	185	1	160	346
Sexual violence		82		82
Arbitrary arrest/detention	1,000	105	4,306	5,411
Enforced disappearance / abduction	187	6	50	243
Right to property <sup>3</sup>			24	24
<b>Total</b>	<b>3,169</b>	<b>343</b>	<b>4,741</b>	<b>8,253</b>

14. In 2023, 594 incidents during which human rights violations and abuses occurred, impacting 8,253 victims (3,169 men, 343 women and the rest unidentified) were recorded. In addition, OHCHR also documented nine incidents that caused the forced or arbitrary displacement of 42,864 victims in 2023.

15. These statistics (594 of incidents) indicate an increase of 55.9 percent in the incidents of violations and abuses in 2023, compared to 2022, when 381 incidents were recorded. However, more victims were registered in 2022, a total of 18,834, which compared to 8,253 in 2023, constituting a decrease of 56.1 percent. <sup>4</sup>This decrease in number of victims in 2023 is largely attributed to the end of hostilities in Tigray and fewer attacks against civilians by armed groups, notably in Oromia in 2023.

16. Out of the recorded 594 incidents of human rights violations and abuses affecting 8,253 victims (of which at least 343 were women victims), 415 representing 70 percent of the incidents of violations<sup>5</sup> were allegedly perpetrated by state actors, namely ENDF, federal and regional police, including special forces,<sup>6</sup> and state affiliated

<sup>1</sup> OHCHR Manual on human rights monitoring and Chapter on basic principles of human rights monitoring, available at <https://www.ohchr.org/sites/default/files/Documents/Publications/Chapter02-MHRM.pdf> and <https://www.ohchr.org/sites/default/files/Documents/Publications/Chapter03-MHRM.pdf>.

<sup>2</sup> This standard of proof considers that there are reasonable grounds to believe that an incident of human rights violation occurred when obtained reliable information is found to be consistent with other information. This standard may be sufficient to call for judicial investigations into violations of international humanitarian and human rights law.

<sup>3</sup> This figure accounts for individuals that had their personal items illegally appropriated by state and non-state armed actors. The total number of properties looted and destroyed is provided in paragraph 20)

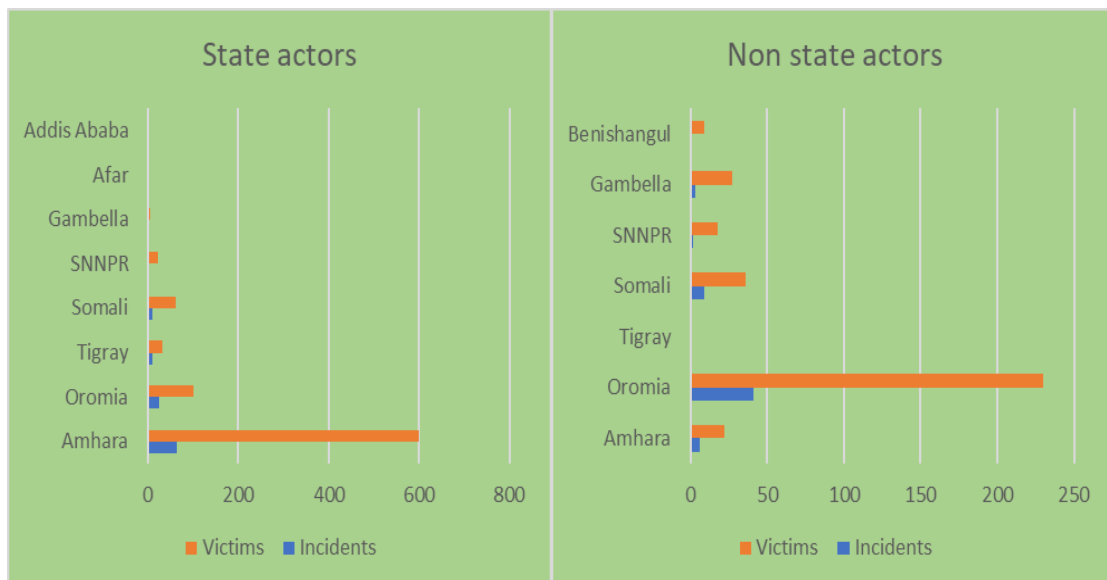
<sup>4</sup> In 2022, OHCHR recorded 2,576 killed, 1,288 injured, 221 tortured or subjected to ill-treatment, 82 victims of CRSV, 14,595 arbitrary arrests, 11 enforced disappearances, and 61 abductions.

<sup>5</sup> Accounting for 7,103 of the victims.

<sup>6</sup> Special units within the regional police, with non-heavy military equipment and military training. The legal status of the special police forces in Ethiopia under the Federal Constitution remains unclear. The Government of Ethiopia announced in April 2023 its intention to dismantle regional special forces and integrate them into the national army, or the federal or regional police.

militias<sup>7</sup>. A total of 133 incidents, accounting for 22.3 percent, were attributed to various non-state actors and non-Ethiopian state actors. In particular, 25 incidents (4.2 percent) were specifically linked to the Eritrean Defence Forces. The remaining 3.5 percent of incidents could not be directly attributed to any specific actor, principally due to accessibility challenges. Most of these violations were arbitrary arrests and detentions in the context of the state of emergency (SoE), followed by killings, injury, torture, or ill-treatment, enforced disappearances, sexual violence, including CRSV, and attacks on and looting of property.

**Figure 1: Killings in Ethiopia in 2023 by actors and regions.**



17. A total of 214 incidents during which 1,351 people were killed in 2023 were recorded. The situation was particularly concerning in Amhara region, where 740 civilian deaths (including 591 men, 19 women and the rest unidentified) were recorded in 2023, most of which were attributed to the government security forces.

18. The situation in Oromia region also continued to be of concern, where 366 were killed (including 46 women) in 2023 as fighting continued between Government forces and Oromia Liberation Army (OLA). In addition, inter-ethnic clashes between Amhara and Oromia militias, and Oromia and Somali groups, also led to casualties. For instance, OHCHR documented the killing of 29 people (1 woman, 28 men) and injury of 84 men as a result of the intercommunal violence between the Somali and Oromo communities (Geri and Jarson clans).

19. In the Tigray region, there was a general decrease in human rights violations and abuses. In 2023, OHCHR recorded 44 victims of violation of the right to life (including three women) compared to 303 civilian deaths in 2022 in the context of the Tigray conflict, showing a positive trend, despite the concerns of the presence of the EDF and alleged violations attributed to them.

20. Arbitrary arrests and detention by Government forces continued in some regions throughout 2023, especially in the latter part of the year. Ninety-three incidents of mass detentions during which 5,411 individuals (including 101 women) were arbitrary deprived of liberty, were recorded. Of these, 4,879 were arrested following the declaration of the SoE on 4 August 2023 and 1,132 were released by the end of 2023. According to article 3 of the SoE proclamation, the SoE is applicable in all parts of

<sup>7</sup> Militias that are recruited, armed, and trained by local governments for law enforcement operations, particularly in areas where regional police capacity is limited.

Ethiopia where activities endangering the security of the country prevail.<sup>8</sup> The arrested persons were often initially detained in police detention centers and later transferred to ENDF detention camps. Official detention centers for the SoE were established in four places in the Amhara region - in Central Gondar Zone, South Wollo Zone, North Shewa Zone and in Bahir Dar city, as well as the Awash 40 detention center in Afar region. Meanwhile, infighting between two factions of the Ethiopian Orthodox Tewahedo Church in early 2023 led to the arrest of at least 130 persons between February and June 2023 in Addis Ababa, Oromia, and Amhara regions.

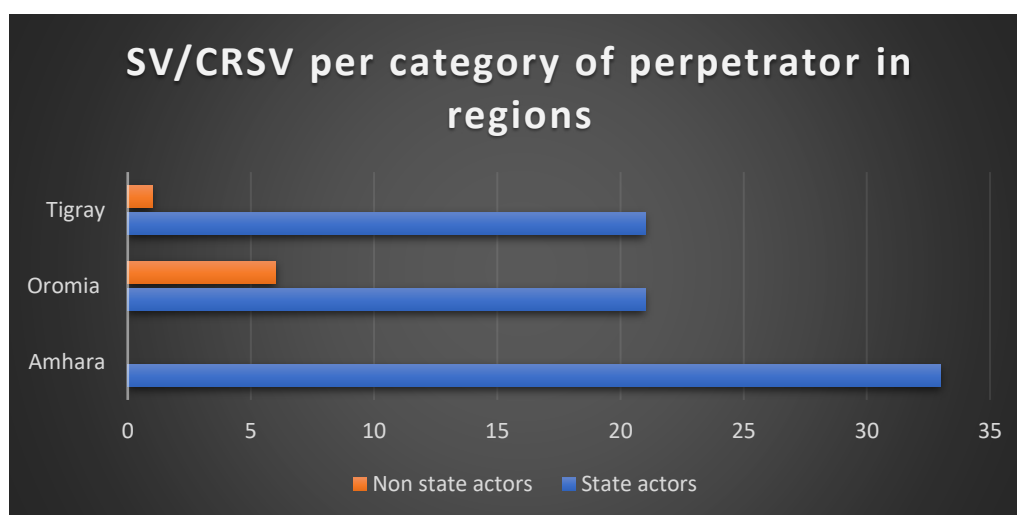
21. The unnecessary and disproportionate use of force by law enforcement personnel, including police brutality, and other ill-treatment during detention remained of concern, with instances of torture or ill-treatment reported within police detention centers. Out of the 346 victims of torture or inhuman treatment documented in 2023, the highest number of cases were registered in Addis Ababa and in Somali region, with 160 and 126 victims respectively, perpetrated by state actors.

22. In conflict-affected-areas, 141 cases of injuries were recorded, affecting 796 civilians (including 53 women). Out of these, 370 civilians (including 34 women) were in the Amhara region, with Oromia and Tigray regions recording 203 (4 women) and 17 (2 women) respectively. The injury of civilians in Amhara was linked to the fighting between the ENDF, Amhara Regional forces on one side and Fano militia on the other, which escalated during the reporting period.

23. In 2023, 28 incidents of mainly civilian properties looted and destroyed were recorded, resulting in the destruction of 2,494 private houses, with looting of five private houses, nine vehicles, 1,357 livestock, one hospital, 15 buildings and shops, and 26 private properties in Afar, Amhara, Central Ethiopia, Oromia and Tigray regions. The main perpetrators include the Oromo Liberation Army (OLA), Fano militia, the EDF, and ENDF and the Tigray forces. The EDF, in particular, had looted livestock in areas in Tigray region falling within its control (at least eight incidents impacting 1,190 livestock recorded).

## A. Sexual violence, including conflict-related sexual violence (CRSV)

*Figure 2: CRSV in Ethiopia in 2023 by actors and regions.*



24. During the reporting period, 46 incidents affecting 82 victims of sexual violence or CRSV (68 women and 14 girls) were documented, reportedly committed by ENDF, Amhara Regional Forces,<sup>9</sup> Oromia Regional Special Forces, Oromia Police, Eritrean

<sup>8</sup> Art. 3 of the SoE Proclamation states that the SoE will be applicable in Amhara region and all other parts of the nation, as needed, where there are activities exacerbating the security situation in the country.

<sup>9</sup> Unit within the Amhara Regional Police force.

Defense Forces and the Selam Askebari militia<sup>10</sup>. In Oromia region, 25 incidents affected 27 victims (including at least 10 girls) were recorded. The victims in Oromia region were both Amhara and Oromo people, as armed groups of both ethnic groups attacked and counter-attacked each other, whilst others were victims of the fighting between Government forces and the OLA. In Tigray region, 16 incidents of sexual violence affecting 22 Tigrayan victims, including 10 victims below 18 years reportedly perpetrated by the EDF. In Amhara, five incidents of CRSV affecting 33 victims (including a minor), in the context of the conflict between the Government forces and Fano militia, were all perpetrated by the ENDF.

25. Sexual and conflict-related sexual violence remained underreported in Ethiopia due to the socio-cultural stigmatization of victims and fears of reprisal by perpetrators if victims denounced them, or even simply sought medical assistance. The limited availability of comprehensive assistance facilities or relevant specialized services in some areas may also account for underreporting, especially in the rural areas. The lack of awareness and limited deterrent action by the authorities also raises concerns about future accountability for cases of conflict-related sexual violence in the country.

## **B. Restrictions to rights to freedom of expression and peaceful assembly**

26. In addition to the incidents mentioned previously, opposition leaders, journalists, and civil society organizations (CSOs) faced a restrictive environment, with freedoms of expression and peaceful assembly constrained, both before and following the declaration of the SoE. For example, four opposition party members who were reportedly planning to organize a peaceful public demonstration, to protest ongoing conflicts in the parts of the country according to the organizers, were arrested by the Federal Police on 7 December. The notice of demonstration, planned for 10 December 2023, was declined after the organizers submitted a formal request to the City Authority on 29 November. Also, the National Election Board of Ethiopia (NEBE) reported that at least three political parties were unduly prevented by authorities from holding their general assembly meetings.<sup>11</sup>

27. At least 12 male journalists were arrested by the authorities since the declaration of the SoE on 4 August 2023, while four others were arrested earlier in 2023. Three were released on bail, including the founder of a radio station, who was arrested in Addis Ababa on 11 September and released on 26 October after receiving “rehabilitation training”.<sup>12</sup> Out of the 12 journalists arrested following the SoE, eight remain in detention, with the four journalists arrested in April 2023 held at Kaliti Prison, Addis Ababa standing trial before the Federal High Court. Furthermore, two journalists and one activist arrested by security forces in Bahir Dar on 14 and 20 August 2023, respectively, remained in detention at the Awash Arba detention center in Afar region. The others remained remanded without charges, in violation of the Media Proclamation which prohibits remanding persons charged with committing an offence through the media.<sup>13</sup> During the reporting period, human rights defenders have also been arrested due to the legitimate exercise of human rights work. For example, four members of civil

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<sup>10</sup> Selam Askebari (peacekeeper" in Amharic) was established by the Wolkait-Tegede Setit Humera Zone administration in the Amhara region. They act as a regional security enforcement actor under the command of the zonal administration and coordinate with regular Amhara security forces, to whom they guarantee their support, particularly in rural areas where the regional police are not present.

<sup>11</sup> Statement of the National Election Board of Ethiopia, 16 March 2023, available at [Statement of the National Election Board of... - National Election Board of Ethiopia NEBE የኢትዮጵያ ብሔራዊ ምርጫ ቦርድ | Facebook](#).

<sup>12</sup> The rehabilitation training provided by the government covers sensitization on issues related to criminal law, focusing on crimes the detainees were accused of committing. The training is accompanied by warnings underscoring that those to be released will not benefit from any amnesty or pardon if they recommit similar crimes. The training does not have any legal grounds.

<sup>13</sup> Media Proclamation No. 1238 of 2021, Art. 86(1).



society organizations carrying out their activities in relation to cases of alleged forced evictions in Addis Ababa on 5 January 2023.

28. Moreover, following the tensions between the Ethiopian Orthodox Tewahedo Church and the Government, temporary internet restrictions on major social media platforms were imposed between 9 February and 18 July 2023. While the Government justified these measures based on security reasons, the impact of these decisions unnecessarily and disproportionately affected the population's access to information and, together with restrictions on media, further provided fertile grounds for proliferation of misinformation.

### **III. Human rights situation in Amhara, Oromia, and Tigray**

29. Violent fighting between Government forces (ENDF, Amhara Regional Police, which included the Amhara Special Forces, and the state affiliated militia in Amhara, known as “the Militia”) and Fano militia leading to human rights violations and abuses, especially from July 2023 to January 2024, remained a major concern in Amhara. In Oromia, the ongoing joint operations by the Government forces (ENDF, Federal Police, Oromia Regional Police, including the Oromia Special forces, supported by state affiliated militia) against the OLA resulted in violations and abuses which increased particularly after the failure of the peace talks between the Government and the OLA. In Tigray, with the cessation of hostilities holding, particularly in the areas under control of the Tigray Interim Regional Administration (TIRA), there was a marked reduction of human rights violations and abuses.

#### **A. Human rights situation in Amhara region**

30. In 2023, a total of 179 incidents of human rights violations and abuses were documented in Amhara with 3,163 victims (1,099 men, 89 women, 1,975 unknown). During the SoE alone, from August 2023 to January 2024, 107 incidents of human rights violations and abuses and violations of international humanitarian law with 2,424 victims (689 men, 71 women, and 1,664 whose gender could not be determined) were documented.

31. The major perpetrators were the ENDF, Amhara Regional Police and state affiliated militias. Besides Unmanned Aerial Vehicles (UAVs), Government forces used heavy artillery weapons that damaged homes and properties, while Fano resorted to gunshot and grenade attacks. OHCHR documented cases of extrajudicial killings, as well as attacks against civilians and civilian objects, resulting in heavy casualties. Additionally, the state of emergency declared in August 2023 suspended judicial review of detentions, leading to widespread arbitrary arrests not only in Amhara but also in other parts of the country.

32. In total, Government forces (ENDF and Amhara Regional Police supported by state affiliated militias) were allegedly responsible for the majority of the incidents (150 out of 179) and 2,829 victims (820 men, 74 women, and 1,935 whose gender could not be determined). The ENDF alone was responsible for 86 of the incidents perpetrated by all Government forces, in which 2,559 victims (578 men, 63 women, 1,918 gender unknown) were affected. Fano was allegedly responsible for at least nine incidents of human rights abuses with 52 victims (36 men, 16 unknown gender), and other non-state actors were allegedly responsible for nine incidents, while the remaining incidents could not be attributed.

33. The use of UAVs by the ENDF/Ethiopian Airforce resulted in numerous civilian casualties, with 18 recorded UAV strikes that caused 248 civilian deaths and injured 55 between 4 August and 31 December 2023, and destroyed vital facilities, for example schools and hospitals, as well as private homes, raising concerns about the extent of compliance of these strikes with international law. Strikes continued to cause civilian

suffering in 2024, with one UAV attack registered in January which resulted in 16 civilians killed. Also, the Fano attacks, and the operations carried out by state armed forces with summary executions in and shelling of civilian-inhabited areas in response between August 2023 and January 2024, spread fear amongst the population and claimed many lives.

34. The ENDF and Government security forces were involved in violations of international humanitarian law, including extrajudicial and arbitrary executions, airstrikes with UAVs and heavy artillery against civilians; injury of civilians; rape/conflict-related sexual violence; attacks on and destruction of civilian objects; attacks against medical personnel; attacks against religious sites; arbitrary arrests; torture or ill-treatment; and the use of schools for military purposes. More recently, on 29 January 2024, at least 89 civilians were reportedly executed by Government forces in Merawi town (34 km from Bahir Dar), Mecha district, North Gojjam Zone. The incident reportedly followed an attack by the Fano on an ENDF military camp. No action is known to have been taken by the authorities to investigate this incident.

35. At least 39 schools were allegedly occupied and used by ENDF,<sup>14</sup> and three attacks on schools by unidentified armed actors were registered. One example was an incident on 15 December 2023, during which at least three teachers were reportedly abducted from Dembecha Senior Secondary School, in Dembecha town, West Gojjam Zone, Amhara region. At least 4,178 schools remained closed by January 2024 due to the conflict and as a result, about 2.6 million students and children across Amhara are out of school.

36. The Fano militia was responsible for killings of civilians, abuses of the right to physical integrity, attacks on and destruction of civilian objects; attacks against medical personnel; attacks against ambulances; and arbitrary arrests. Fano attacks targeted mainly Government forces and personnel. Fano also reportedly occupied and used many schools in some locations in Amhara region for military purposes.<sup>15</sup>

37. The conflict in the Amhara region represented a major threat to the northern Ethiopia peace process, including efforts on the national dialogue, transitional justice and the disarmament, demobilization, and reintegration (DDR) process. The Government expressed commitment towards peaceful resolution of the various conflicts, in addition to some community-based and regional peace initiatives.<sup>16</sup> In November 2023, during his address to the 4th regular session of House of People's Representatives, the Prime Minister of Ethiopia called on all armed groups to lay down their weapons and embrace peaceful methods to resolving disputes. On 6 February 2024, during his address to Parliament, he also expressed openness to engaging in dialogue to peacefully resolve the unrest in Amhara.<sup>17</sup> On 12 December 2023, the Amhara regional administration issued a seven-day peace appeal to address the region's security and peace challenges, which was extended for an additional week on 18 December 2023. These pronouncements represented a positive step in the right direction but their impact towards peaceful resolution of the conflict in the region remained to be seen.

38. The National Dialogue Commission (NDC) on its part, has undertaken peace initiatives including wide-ranging consultations with diverse socio-professional,

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<sup>14</sup> Amhara Regional Education Bureau, update of 13 December 2023.

<sup>15</sup> Ibid.

<sup>16</sup> Peace agreement between the Gambella Regional State Government and Gambella Liberation Front (GLF), February 2023.

<sup>17</sup> During his address to the House of the People on 6 February 2024, Prime Minister Abiy outlined the Government focus areas to addressing the conflict in Amhara which included openness to peaceful dialogue, sustaining what he referred to as law enforcement operations and addressing unemployment for the youth. He also outlined three common concerns for the people of Amhara which need to be addressed including development, constitutional amendment to be addressed through national dialogue and territorial claims which the government would explore all options with the support of scholars and key stakeholders.

political, the diaspora and CSO groups and called for peace across Ethiopia<sup>18</sup> from May through December 2023.<sup>19</sup> The NDC's initiative to convene a diversity of representatives, including elders, intellectuals, CSOs, and other stakeholders, including from Amhara, was a positive step and would increase the legitimacy of the process as it would allow parties to put across their demands and issues. The Commission also invited armed groups to participate in the national dialogue process, reiterating its intention to provide a safe environment for their participation.<sup>20</sup> However, armed groups did not formally commit to participating in the consultation process. Meanwhile, opposition parties such as the Oromo Liberation Front (OLF) and the Oromo Federalist Congress (OFC) have decided not to partake in the process, citing concerns and reservations regarding the Commission's approach.

## B. Human rights situation in Oromia region

39. In Oromia region, violations and abuses including killings, destruction of property, rape, and abductions were allegedly committed by the OLA in the context of its ongoing fighting with Government forces (ENDF, Federal Police, Oromia Police, Oromia Special Forces, and state affiliated militia). In 2023, 188 incidents of human rights violations and abuses impacting 1,488 victims in the region were documented. In January 2024 alone, at least 11 persons were killed, all of which were attributed to OLA.

40. Victims attributable to Government forces were killed as a result of gunshots and bombardments, while OLA-attributed victims were killed mainly due to gunshots. Some victims were also caught in crossfire between Government forces and OLA or militias.

41. In this context, on 7 November 2023, the Government of Ethiopia and the OLA commenced the second round of peace talks in the United Republic of Tanzania, with the support of Intergovernmental Authority on Development (IGAD) and the European Union, as well as Kenya, Norway and the United States.<sup>21</sup> This could have resulted in significant progress on human rights in Oromia region. However, on 21 November 2023, both parties released statements disclosing that negotiations had ended on 21 November without any agreement,<sup>22</sup> with each blaming the other.

42. The failure of the peace negotiations resulted in increased killings and injuries of civilians, abductions, destruction of civilian property, CRSV, new mass displacement, shutdown of telecommunications, movement restrictions impeding humanitarian activities, more heavy militarization of Oromia region by the Government of Ethiopia and a flare-up of Oromo-Amhara targeted ethnic fighting. The situation in

<sup>18</sup> <https://www.thereporterethiopia.com/36160/>

<sup>19</sup> On May 2023, with the setting-up of the NDC's National Advisory Council, the NDC embarked on the selection of agenda issues and participants across Ethiopia. In September 2023, participants, and agenda selection in six regions was completed and the participants convened in Addis Ababa for further consultations. Meanwhile, consultations with the diaspora, took place from 9 December 2023 through January 2024.

<sup>20</sup> <https://addisstandard.com/national-dialogue-commission-invites-armed-groups-to-negotiations-assures-security-guarantees/> ; <https://x.com/EthioNDC/status/1790705040778219991>.

<sup>21</sup> Addis Standard (8 November 2023) <[Update: US, IGAD, Kenya & Norway key peace talk facilitators; OLA southern command chief arrives in Dar es Salaam - Addis Standard](#)>; The Reporter (18 November 2023) <https://www.thereporterethiopia.com/37455/>.

<sup>22</sup> OLA international Spokesperson released the OLA official statement made on 21 November 2023 regarding the conclusion of the peace talk, available at (1) [Odaa Tarbii on X: "The recent round of peace talks aimed at resolving the ongoing conflict in the Oromia region has been concluded without an agreement. In anticipation of a different reality for the Oromo people and the people of the country at large, the OLF-OLA involved its highest leadership in... https://t.co/4RfEPuW0r1" / X \(twitter.com\)](#) > accessed on 21 October 2023. The Government of Ethiopia has also released a press statement through FDRE communication service, the Amharic version is available at <(1) [FDRE Government Communication Service on X: "ከሽኔ ጋር በሁለት ዙር ሲካሄድ የነበረው ንግግር ያለ ውጤት ተቋቋሞታል። \\*\\*\\*\\*\\* የመግለጫውን ሙሉ ይዘት ከዚህ በታች ይገኛል። #Ethiopia ET https://t.co/YgtUrHOXN6" / X \(twitter.com\)](#)> accessed on 21 November 2023.

Oromia underscores the need for urgent dialogue to resolve the conflict, which continues to take a heavy toll on people.

### **C. Human rights situation in Tigray region**

43. In Tigray, particularly in the areas under the control of the Tigray Interim Regional Administration (TIRA), and with the cessation of hostilities holding, there was a marked reduction of human rights violations and abuses, continued restoration of services and freedom of movement. According to the Government, efforts to restore services and support long-term development in the Tigray region following the signing of the CoHA had been largely successful. It has been noted that billions of Ethiopian Birr had been spent in restoring air transport, telecommunication, electricity, banking, education, health services, and reopening factories with so far 217 factories having been reopened although resource constraints remained a challenge for further progress.<sup>23</sup>

44. Despite the progress made, arbitrary arrests largely in the disputed territories of the Western Zone of Tigray accounted for most of the violations in the region in 2023. Responsibility for human rights violations and abuses in Tigray region was largely shared by the EDF and Amhara forces (Amhara Regional Police, state affiliated militia, and Selam Askebari), and, to a lesser extent, the Fano militia. Meanwhile, the Tigray Regional Police, which was still being reconstituted, was also alleged to have perpetrated some violations.

45. In 2023, 73 incidents of human rights abuses and violations affected 1,716 victims (181 men, 35 women, and 1,500 where gender disaggregated data was unavailable), compared to 63 incidents and 705 victims in 2022 in Tigray. The increase in 2023 is explained by the large number of ethnic Tigrayans (1,500 victims) arrested by Amhara regional forces (Amhara Regional Police, Amhara Militia and Selam Askebari) in disputed areas currently under its control. However, most of those arrested were subsequently released during the reporting period.

46. Regarding deaths of individuals, there was a significant decrease of incidents that affected the right to life in Tigray in 2023, with 16 incidents (44 deaths) registered compared to 31 incidents (487 civilian deaths) registered in 2022. Similarly, in 2023 two incidents of torture and ill-treatment were registered (affecting 15 victims) as compared to three incidents (67 victims) in 2022. As indicated above, the prevalence of violations and abuses of human rights in 2023 was largely registered in the disputed areas, and in areas reportedly under the control of the EDF.

47. In areas in Tigray under its control, the EDF perpetrated abductions, sexual violence, arbitrary detentions, and killings, in at least 25 incidents of violations affecting 77 victims (68 men, 9 women). Furthermore, forced displacements were reported in disputed areas in Tigray under the control of Amhara regional forces.

48. Unexploded ordinances (UXOs) in the Tigray region continued to be a matter of concern. A total of 41 sites were found to be contaminated with UXOs, including explosive remnants of war, according to the data from the United Nations Mine Action Service (UNMAS) in June 2023. Between January 2022 and December 2023, UXOs allegedly resulted in at least 1396 victims (64 percent children), including 194 deaths and 1202 injuries.<sup>24</sup> The victims were spread across 13 districts in Tigray.<sup>25</sup> While

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<sup>23</sup> Prime Minister Abiy Ahmed's remarks in response to questions from Members of the House of Peoples Representatives during his address to parliament on 6 February 2024 in Addis Ababa, Ethiopia: <https://www.youtube.com/watch?v=dKyC2stU164>

<sup>24</sup> Source withheld.

<sup>25</sup> The 13 woredas (districts) in Tigray including Adiet, Aberegelle, Axum, Embaseneiti, Endabatshima Hawzien, Keyihteqli, Kilteawlaelo, Kolatembien, Mekelle, Seharti, Shire and Zana...

UNMAS conducted mine clearance in some areas in 2023,<sup>26</sup> further urgent demining action is necessary in all locations that were affected by active fighting.

49. The disarmament, demobilization and reintegration (DDR) process has been slow. The National Rehabilitation Commission (NRC), through DDR programme, seeks to disarm, demobilize, and reintegrate an estimated 370,000 ex-combatants in eight regions. During the reporting period, some 55,000 ex-combatants were disarmed,<sup>27</sup> whereas those not disarmed remained in disengagement sites. The living conditions in these sites as well as for those disarmed that live in host communities, were reported to be below international standards, including access to food, health care, psychosocial support and skills training. While some funding for the DDR programme was secured from international partners, the delay in obtaining sufficient resources for it continued to affect the human rights of ex-combatants and the broader response initiatives around DDR. Over 300 wounded and sick ex-combatants also faced untreated trauma and psychological distress.<sup>28</sup> Approximately 150 ex-combatants in January 2024 carried out a protest in Mekelle regarding access to healthcare, living conditions, and the prolonged delay in reintegration. A slow DDR process has the potential to undermine the implementation of the CoHA, as disgruntled ex-combatants may easily return to arms, or stir instability.

#### **IV. Human rights impact of the state of emergency**

50. The declaration of a six-month national SoE under Article 93(1) of the Federal Democratic Republic of Ethiopia Constitution on 4 August 2023,<sup>29</sup> by the Council of Ministers was reportedly prompted by the difficulty in maintaining law and order by the Amhara regional administration where “illegal activities accompanied by weapons” were spreading.<sup>30</sup> The issuance of the SoE was preceded by the Amhara regional state President’s call on 3 August 2023 for the Federal Government’s intervention, indicating the security situation in Amhara region had exceeded capacities of regular law enforcement capacity in the region.<sup>31</sup>

51. The SoE suspended judicial review of detentions conducted on account of the SoE, while implicitly restricting other non-derogable rights. The SoE decree laid down several offenses, with penalties of imprisonment ranging from three to ten years. One of the crimes set out under the law was the provision of “moral support” to armed groups. The law also left out several of the rights delineated under Art. 4(2) of the International Covenant on Civil and Political Rights (ICCPR), ratified by Ethiopia in 1993, as non-derogable, including the right to life, right to a fair trial, non-retroactivity of criminal law, and freedom of thought, conscience, and religion. In addition, the rule of *nullem crimen sine lege* (no crime without law) stipulated under Art. 15(1) of the ICCPR remained far from being respected.

52. Under the SoE, 4,879 arrests (disaggregated data not available) in 16 detention centers or sites, in 12 towns, were recorded during 2023. Many were arbitrarily detained and faced prolonged pre-trial detention periods. OHCHR advocacy contributed to the release of 1,132 people arbitrarily detained by the end of December 2023. Internet shut

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<sup>26</sup> A total of 2000 schools have been cleared from UXO by UNMAS in partnership with Tigray landmine action unit. In Northwestern zone there are 31 sites that are still affected by UXO, some of which are still not accessible due to insecurity.

<sup>27</sup> Unverified reports indicate the demobilization of 100,000 ex-combatants by TIRA as of March 2024.

<sup>28</sup> OHCHR obtained information from an ex-combatants’ treatment/rehabilitation centre in Mekelle, Tigray.

<sup>29</sup> State of Emergency Issued to Maintain the Peace and Security of the People Proclamation No. 6/2023 (hereinafter SoE Proc. No. 6/2023).

<sup>30</sup> SoE Proc. No. 6/2023, Preamble, para. 2.

<sup>31</sup> Ethiopian News Agency, The Amhara Regional Government requested for the Federal Government to take all necessary legal measures in the Amhara Region because it has become daunting to control the Security situation in the Region using regular law enforcement mechanisms [https://www.ena.et/web/amh/w/amh\\_3162055](https://www.ena.et/web/amh/w/amh_3162055) (3 August 2023).

down imposed during the SOE in the region has adversely affected communication and flow of information in the region.

53. A General Command Post (GCP) headed by the Director General of the National Intelligence and Security Service (NISS) and comprising the ENDF, Federal Police, Government Communication Service, and the ruling Prosperity Party, was constituted to enforce the SoE at federal level.<sup>32</sup> Four command posts (West Amhara, East Amhara, Northwest Amhara, and Central Showa) were also established in Amhara region to enforce the SoE. The General/Emergency Command Post may order the closure or suspension of media houses suspected of misconduct and the vagueness of the qualification of misconduct can be arbitrarily applied, affecting individuals, CSOs, and media outlets. The House of People's Representatives approved the SoE on 14 April 2023, as required by the Constitution.<sup>33</sup> The SoE created an Inquiry Board, comprising of seven members of Parliament that oversee the implementation of the SoE. The Inquiry Board visited three detention centers in Bahir Dar, Gondar, and the Federal Police detention center in Addis Ababa, although the findings were not made available.<sup>34</sup> The Inquiry Board mechanism could be a positive initiative, but the extent to which the Board effectively fulfilled its oversight role remained uncertain.

## V. Humanitarian context: protection of internally displaced persons

54. The humanitarian situation in northern Ethiopia remained concerning, as conflicts in various parts of the country continued to cause displacement and prevent safe and sustainable return of IDPs to their places of origin. While the CoHA allowed for the return of some IDPs, new conflicts and instability caused new displacements,<sup>35</sup> including in Amhara and parts of Oromia, and in Western and Southern Tigray.<sup>36</sup> Humanitarian access was impeded in parts of Amhara and Oromia regions because of insecurity, while in some parts of Somali region severe rainfall damaging roads made it difficult to deliver aid to the affected communities in November and December 2023.

55. With almost 4.5 million IDPs and more than 20 million people affected by the conflict, violence, and natural hazards across Ethiopia,<sup>37</sup> the pause in the delivery of food aid by main non-governmental food partners from April to November 2023,<sup>38</sup> due to reports of diversion of food aid across the country,<sup>39</sup> seriously affected IDPs and generally aggravated food insecurity for communities grappling with the impact of

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<sup>32</sup> በአራት ኮማንዶ ፖስቶች የተዋቀረው የአማራ ክልል በፍጥነት ወደ መደበኛ እንቅስቃሴ ይመለሳል ተባለ - BBC News አማርኛ

<sup>33</sup> Art. 93(2) of the Federal Democratic Republic of Ethiopia Constitution (Federal Constitution).

<sup>34</sup> While not officially published, a media coverage that followed the visit in detention centers in Addis Ababa, indicate the board announcing that the human rights treatment of detainees was good: <https://borkena.com/2023/08/21/ethiopia-investigation-board-of-state-of-emergency-announces-only-226-people-arrested/>

<sup>35</sup> IOM estimated that 668,117 people were internally displaced between September 2022 and September 2023, available at <https://dtm.iom.int/reports/ethiopia-national-displacement-report-17-august-september-2023?close=true>

<sup>36</sup> For example, in Amhara, over 200,000 people were displaced due to protracted intercommunal violence involving the Amhara and Oromo communities in North Shewa Zone and Oromia Special Zone on 21-26 January 2023, see <https://reliefweb.int/report/ethiopia/ethiopia-situation-report-2-feb-2023> and in Oromia, recent hostilities in West Gojam, Amhara, led to the displacement of about 4,000 people to Horo Guduru Wellega Zone in November, see <https://reliefweb.int/report/ethiopia/ethiopia-situation-report-1-dec-2023>

<sup>37</sup> OCHA, Ethiopia: Humanitarian Response Plan Summary 2023, available at <https://reports.unocha.org/en/country/ethiopia/>.

<sup>38</sup> See statement about suspension of aid by the United Nations World Food Programme, 3 May 2023, available at <https://www.wfp.org/news/wfp-statement-diversion-food-aid-ethiopia-0>

<sup>39</sup> Food aid was suspended across Ethiopia from April to November 2023, as USAID, the main donor to WFP decried misappropriation and diversion of food destined for IDPs. Control and due diligence measures instituted by Government and its partners deemed satisfactory by the donor, allowed for the resumption of Refugee operations in October and Relief assistance in December

conflict, climate shocks, and high inflation rates, resulting in increased use of negative coping mechanisms.<sup>40</sup> In 2023, food insecurity and rising malnutrition in Afar, Amhara and Tigray and other regions surpassed globally recognized crisis thresholds.<sup>41</sup>

56. IDPs in northern Ethiopia also faced very serious protection challenges, including arbitrary arrests and detentions, lack of acquisition or provision of identification documents, and lack of access to food, healthcare, water, and shelter. The Humanitarian Country Team (HCT) and related protection actors alongside local authorities mainstreamed human rights in humanitarian interventions through regular human rights and protection monitoring, reporting and advocacy work in Afar, Amhara, Oromia, Somali, and Tigray regions. OHCHR also contributed to the drafting of the IDP Proclamation for Ethiopia together with other UN and humanitarian partners, which is under consideration by the Ministry of Peace and Ministry of Justice. The proclamation is intended to provide legislative protection for IDPs in line with relevant international instruments and in conformity with human rights norms and standards. It should be prioritized as part of the critical reforms to lay a foundation for programmatic response and address the plight of the IDPs, thus contributing to the broader issue of durable solutions for the people in the affected regions.

57. In terms of the return of IDPs, the situation remains of concern. However, some progress was noted during the period under review. Ethiopia had approximately 3.2 million returning IDPs, as of mid-2023, which is the highest globally according to IOM's Displacement Tracking Matrix. Between November and December 2023, an 18th Village Assessment Survey (VAS) conducted in the auspices of the International Organization for Migration's Displacement Tracking Matrix (IOM DTM) noted that 586,187 returning IDPs households, comprising 2,548,685 individuals, across 2,580 accessible villages. These returning IDPs were in Tigray, Oromia, Afar, Amhara and other regions notably Benishangul Gumuz, Central Ethiopia, Gambella, Sidama, and Somalia. Tigray region hosted the highest number of returning IDPs, with an estimated 967,257 individuals, followed by the Amhara region with 951,931 individuals and the Afar region with 222,179 individuals. Tigray region also reported the highest number of villages hosting returning IDPs initially displaced due to conflict.

58. Despite the conflict in Amhara, the IOM survey also found that an estimated 229,000 households comprising 951,931 returning IDPs were identified across 740 accessible villages in the region. This marked a significant increase of 561,994 returning IDPs (+144.1 percent) in coverage of 371 villages in August and September and 740 villages in December 2023, compared to the previous round 17 (August - September 2023), even though some areas remained inaccessible due to insecurity. The increase in the number of returning IDPs is largely due to the increase of the number of villages covered. Overall, IOM DTM's data underscores the complex dynamics of internal displacement in Ethiopia, influenced by factors such as conflict, climate-induced issues, and accessibility challenges. This implies that without the conflict in regions such as Amhara and Oromia, the rate of return could be much higher, underscoring partly the need for a speedy durable solutions strategy for the country. Premature return also can lead to protection concerns and multiple displacements and this the need for peace in insecure areas.

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<sup>40</sup> See WFP Ethiopia Annual Country Report 2023, available at <https://www.wfp.org/publications/annual-country-reports-ethiopia>

<sup>41</sup> See Joint Statement by Ambassador Shiferaw Teklemariam, Commissioner of the Ethiopian Disaster Risk Management Commission and Dr. Ramiz Alakbarov, United Nations Resident and Humanitarian Coordinator in Ethiopia on urgent funding needs for the ongoing response to food insecurity across the northern highlands of Ethiopia, 1 February 2024, available at [Joint EDRMC UN Statement 1 February 2024.pdf \(mcusercontent.com\)](#)

## VI. Economic, social, and cultural rights

59. The enjoyment of economic, social, and cultural rights in Ethiopia was affected by conflicts, climatic issues, and the current socio-economic situation of the country. Natural climatic disasters, conflicts, destruction of both private and public infrastructures, including health facilities and schools, negatively affected the enjoyment of people's human rights. This was particularly the case in conflict hit regions of Amhara, Oromia, parts of Tigray, as well as Somali and Afar regions. Meanwhile, the demolition of houses in Sheger City, around Addis Ababa, from February to March 2023<sup>42</sup> including reportedly even of those with legal title deeds; forced evictions amidst urbanization and development projects in Addis Ababa and other towns across Ethiopia, exacerbated the situation as vast populations who already lived on the economic margins.

60. In Tigray, some notable improvements were observed regarding the availability and access to healthcare after the cessation of hostilities and resumption of social services. However, especially in non-TIRA controlled locations (more so, in areas under the control of the EDF) many health facilities were not functional, negatively affecting the right to health. Efforts by the TIRA, the Ministry of Education and other partners enabled some progress towards the resumption of education. While a considerable number of schools started functioning again,<sup>43</sup> other schools were inaccessible due to the continued presence of ex-combatants, affecting the right to education for all school-age children in the region. Allegedly,<sup>44</sup> out of 2,492 schools in Tigray, 22 percent (552) schools in the assessed districts are occupied by Eritrean Defence Force and Amhara forces while 4.2 percent (105) of the schools were still occupied by IDPs.

61. In the Amhara region, the fighting engendered population movements and road travel restrictions affected the livelihoods of many in 2023. Primary and secondary school enrolment in the region experienced a significant decline in 2023. The number of student enrolment for the 2023 academic year dropped to 2.9 million in 2023 from 6.2 million in 2022, as reported by the Amhara Regional Educational Bureau. Additionally, according to the Amhara Regional Educational Bureau, over 300<sup>45</sup> primary and secondary schools in the region were being used for military purposes, with 52 schools destroyed in violation of international law. Moreover, 10 universities<sup>46</sup> in Amhara region remained closed by December 2023, due to insecurity.

62. While during and after the conflict, children in northern Ethiopia were deprived of their right to education, also due to the destruction of schools and occupation of some by IDPs, following the Pretoria peace agreement, schools started reopening through 2023 and distribution of learning and teaching materials is notably increasing. The Ministry of Education has endorsed the national school feeding policy framework and strategy supported by a ten-year strategic plan to improve the enjoyment of the right to education during the reporting period. The Government's school feeding programme, implemented by the Ministry of Education, in collaboration with the World Food Programme (WFP), has sustained some level of enrollment in Tigray, parts of Amhara, and Southern Ethiopia regions - although this needs to be increased. In Tigray region, the WFP-organized school feeding programme covering 10 woredas across 27 schools which will enhance educational support through nutrition.<sup>47</sup> On the other hand, the Addis Ababa city administration has institutionalized school feeding by creating an

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<sup>42</sup> EHRC, newly formed Sheger City breaches human rights law, April 2023, available at <https://ehrc.org/newly-formed-sheger-city-breaches-human-rights-law-report-the-reporter-ethiopia/>

<sup>43</sup> 1,835 out of a total of 2,492 schools in the region resumed their activities.

<sup>44</sup> Source withheld.

<sup>45</sup> The Amhara Regional State Education Bureau Meeting of Education Cluster members, Bahir Dar, 16 January 2024.

<sup>46</sup> OHCHR has observed that all 10 universities in the Amhara Region remained closed until December 2023 despite the academic year for universities in Ethiopia commencing in the second week of September.

<sup>47</sup> World Food Programme source



independent agency supported by a budget line. In some areas, school meal programs have been made universal in all public schools.

63. Some measures are reported to have been taken to make health services accessible in the rural parts of the country far away from urban centers. These include making health posts accessible in all kebeles, increasing the number of health centers, and increasing the number of primary hospitals although this remains a challenge in areas affected by conflicts. A 15-year health extension improvement roadmap of 2021 also continued to be implemented through 2023 to further make the health extension programme more accessible.

64. The right to housing remains a serious challenge in Ethiopia, especially in the conflict affected regions. To address those challenges, the Government of Ethiopia continued to roll out its Integrated Housing Development Programme (IHDP) in which about half a million housing units nationwide are reported to have been built and transferred to individuals. In 2023, steps were taken to address the housing needs for vulnerable populations in northern Ethiopia, particularly in the regions of Tigray, Amhara, and Afar, which were severely affected by conflict and displacement. Reconstruction programmes, integration, and resettlement support to integrate returnees into their communities for long term housing stability were undertaken in the context of broader recovery. In Addis Ababa, the Government, in collaboration with Habitat and the Urban Resilience Building Assistance Network (URBAN) supported the housing programme for vulnerable communities.<sup>48</sup> While the programme aims at addressing fundamental decent housing needs for vulnerable and disadvantaged Ethiopians, its sustained implementation should pay increased attention to the effective protection and fundamental rights of the targeted populations, and its scope should be expanded nationwide.

## **VII. Human rights promotion and protection measures by authorities and other key national institutions**

65. Important policy and legislative developments were noted in 2023. The Transitional Justice Working Group of Experts (TJWGE) that was established to lead the transitional justice process through the development of a comprehensive victim-centered and human rights-compliant national transitional justice policy was very active in the delivery of its mandate during the reporting period. In January 2023, the Working Group publicly released a transitional justice Green Paper,<sup>49</sup> outlining policy options, and requested feedback from national and international experts, including OHCHR. As part of its consultative process, the TJWGE carried out over 60 extensive public consultations with over 3,300 individuals (33 percent women) across the country including IDPs, survivors of sexual violence, persons with disabilities, and members of the judiciary.<sup>50</sup> Grassroot consultations concluded with the release of a public report, on 29 December 2023.<sup>51</sup>

66. In its outcome report, the TJWGE recommended the adoption of a policy that encompassed all pillar components of transitional justice, including criminal accountability for gross violations. It also recommended the inapplicability of conditional amnesty for serious international crimes or gross violations, and provision

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<sup>48</sup> HFH-Ethiopia-FY23-Annual-Report\_web.pdf (habitatethiopia.org)

<sup>49</sup> Ethiopia Policy Options for Transitional Justice, Draft for Stakeholder Consultations January 2023, available at <https://twitter.com/MOJEthiopia/status/1610207261162348545>

<sup>50</sup> For a comprehensive overview of the consultations, please refer to OHCHR/EHRC advisory note on the next steps towards the development of a human rights compliant Transitional Justice Policy for Ethiopia, available at <https://www.ohchr.org/en/documents/country-reports/ehrc-ohchr-advisory-note-next-steps-towards-development-human-rights>.

<sup>51</sup> <https://transitionaljusticeeth.org/resource/>

of due attention to the independence of institutions which would be created and mandated with transitional justice to ensure that justice is served for all.

67. In an important development, a transitional justice policy was adopted by the Council of Ministers on 17 April 2024 and its implementation was launched on 9 May 2024. A public website with relevant information, such as comments and recommendations provided by the stakeholders including OHCHR, was launched the same day, to allow Ethiopians and stakeholders to follow and contribute to the implementation process. The transitional justice policy, as adopted, was informed by the findings contained in the report of the TJWGE. Its development is a positive step, providing a more predictable policy foundation for the TJ process. The policy endeavors to uphold a holistic approach to transitional justice by including the four key elements of transitional justice; truth-seeking, criminal prosecutions, reparations and guarantees on non-recurrence. For a successful, inclusive, accountable and victim centered implementation, further legislative processes are envisaged to operationalize the policy. The legislations and regulations necessary for the implementation of the policy must adhere to international human rights norms and standards. This includes ensuring that the mandates, functioning, and composition of the transitional justice mechanisms are fully aligned with these standards. A comprehensive, time-bound implementation strategy is crucial. This strategy should address the obligations to ensure accountability for past crimes and realize victims' rights to justice and effective remedies, including adequate and effective reparations. It should also ensure coordination with other reform processes, guarantee victims' effective and meaningful participation in the transitional justice process and create effective and safe spaces for participation, including for civil society organizations.

68. The transitional justice policy provides for the establishment of new institutions, such as a truth commission, a special prosecution unit, and a special bench and the Institutional Reform Commission to lead institutional reforms and prevent non-recurrence. The support of international experts through training and direct technical advice is envisaged by the policy and will be critical in contributing to the development of normative frameworks, drawing from comparative perspectives and international best practices, whilst ensuring national ownership. Amnesties should be considered impermissible if they prevent the prosecution of individuals responsible for gross violations of human rights and serious violations of international humanitarian law. Clear delineation of crimes subject to investigation, the implementation of modes of liability that align with international standards and the incorporation of international crimes into domestic law are crucial for ensuring accountability. Additionally, a prosecutorial prioritization strategy to tackle the systemic dimensions of violations based on objective and transparent criteria is essential.

69. While the national transitional justice process is acknowledged as pertinent and of absolute necessity, the Tigrayan Interim Administration and civil society have expressed reservations on its independence and limited focus on Tigray.

70. The Ministry of Justice adopted the Ethiopian Justice Sector Three-Year Transformational Plan in August 2023 and the Free Legal Aid Strategy in December 2023 to address existing gaps in the legal framework and access to justice. Moreover, the Proclamation on Protection of Witnesses and Whistleblowers Bill was drafted and is expected to be finalized by the Ministry of Justice in early 2024.

71. Concerning gender justice, women's rights and elimination of gender-based violence and harmful traditional practice, a revision of the 1993 National Policy on Women was initiated by the Ministry of Women and Social Affairs in 2023, while the Gender Equality and Women Empowerment Policy and a new National Policy and Strategy on GBV Prevention and Response in Ethiopia were drafted and are awaiting approval by Parliament. Wide consultations with CSOs and relevant stakeholders were conducted by the Ministry of Women and Social Affairs with OHCHR's technical support to revise and draft these two policies. A national coordinating body was also established to prevent and respond to violence against women and children in Ethiopia.

This coordinating body has launched a revised five-year violence against women and children strategic plan (2023-2028) to prevent violence and provide comprehensive response to violence.<sup>52</sup>

72. In 2023, efforts were made to enhance justice delivery in Ethiopia through capacity-building programmes for federal and regional judges on public interest litigation and justiciability of economic and social rights. The Council of Constitutional Inquiry (CCI) resolved 64 cases, including issues related to evictions, unfair employment dismissals, and social security, drawing from international best practices and adapting them to the Ethiopian context. The Ethiopian Police University revised its curriculum to align with human rights standards and policing best practices.

73. However, progress on accountability for human rights violations and abuses linked to conflicts was limited despite repeated commitments by the Government. The accountability initiative that started in 2022 under the Investigation and Prosecution Committee of the Inter-Ministerial Task Force, was not continued. The Government's investigations were put on hold as part of the realignment with the CoHA commitments, especially in developing a transitional justice policy expected to inform and possibly reform avenues for accountability for human rights violations and abuses in Ethiopia.

74. In the context of the 75th anniversary of the Universal Declaration of Human Rights, and with the support of OHCHR, the Government of Ethiopia committed to nineteen pledges focusing among others on transitional justice, strengthening human rights compliance in law enforcement, ensuring accountability and access to justice, civic space, provision of capacity building based on international and regional best-practices including on investigation techniques on atrocity crimes. These were announced during the country-level event to mark the "Human Rights 75" initiative in Addis Ababa on 3 November 2023. Six concrete pledges were prioritized and announced during the "Human Rights 75" global high-level event in Geneva in December 2023.<sup>53</sup>

75. To address prevailing challenges and promote social and economic rights, the National Health Equity Strategy (2020/21-2024/25) reflects equal access to essential health services for equal needs, equal utilization for equal needs and equal quality of care for all Ethiopians by 2025. The second health-sector transformation plan (HSTP-II) which aims to reduce the under-5 mortality rate to 44, infant mortality rate to 36, and neo-natal mortality rate to 21 per 1000 live births by the end of 2024/25 is under implementation. High impact interventions have been designed including at the community level although this has been slow, and access to health care remains challenging and requires particular attention in the conflict affected regions. These plans require robust measures to bring them into fruition, particularly in northern Ethiopia.

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<sup>52</sup> Government submission/source

<sup>53</sup> The Government of the Federal Democratic Republic of Ethiopia pledged to take concrete steps and achieve the following:

1. To develop, validate, adopt, and commence the implementation of a victim-centered, genuine, participatory, inclusive, and comprehensive national transitional justice policy which is grounded on applicable international and regional human rights standards and principles (adoption by the end of 2023; implementation to start in early 2024).
2. To adopt and implement the third National Human Rights Action Plans which prioritizes civil and political rights as its focus areas,
3. To provide capacity-building training based on international and regional standards and best Practices on techniques of investigating atrocity crimes, including conflict-related sexual violence, to prosecutors and police officers (by first quarter of 2024)
4. To enact a comprehensive legislation on the crime of torture in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) to which Ethiopia is a party to since 1994.
5. To enact a comprehensive legal framework and working procedures to implement the recently inaugurated National Free Legal Aid Strategy.
6. To adopt and implement a national migration policy in accordance with international standards and accepted principles.

76. On the right to education, a 10-year Master Plan for Special Needs Education/Inclusive Education in Ethiopia 2016-2025 is being implemented.<sup>54</sup> The plan aims to enlarge the concept of inclusive education beyond merely special needs education for disabled learners to provision of education to all. However, the education plan has also been affected by the impact of the conflict and efforts to revive implementation are urgently needed, especially in conflict affected areas.

77. In 2023, the Ethiopia Human Rights Commission (EHRC) continued to effectively fulfil its mandated oversight and watchdog role concerning human rights in the country. The EHRC published critical human rights reports and statements, documenting human rights and international humanitarian law violations such as attacks on civilians, extra-judicial killings, and arbitrary detentions by Government forces in the Amhara region.<sup>55</sup> Additionally, EHRC collaborated with OHCHR to release advisory notes and a report focused on victim-centred and human rights-compliant transitional justice process, based on community consultations to convey their vision and demands. The joint publications issued in October and December 2023,<sup>56</sup> furthered OHCHR and EHRC's commitment to supporting the Government in implementing recommendations from the 2021 OHCHR/EHRC Joint Investigation regarding violations committed in the context of the Tigray conflict. In order to deliver its mandate more effectively, the EHRC needs further support in terms of resources.<sup>57</sup>

## VIII. Technical cooperation engagements

78. Through its technical cooperation mandate and at the request of the Government, OHCHR supported the strengthening of capacities of the Parliament, the Federal Supreme Court, the Ministry of Justice, Attorney General's Office, Agency for Civil Society Organizations, Ministry of Women and Social Affairs, the Ethiopian police, and CSOs. It also advised on compliance with international human rights norms and standards as well as gender mainstreaming and women participation and protection.

79. In 2023, OHCHR in collaboration with the EHRC, provided technical support to the TJWGE on human rights and gender through eight rounds of training for facilitators of the regional consultations and regional experts which enabled them to deliver quality consultations towards the development of the TJWGE report released on 29 December 2023. OHCHR also facilitated a study mission of the TJWGE and relevant institutions for exchange on the transitional justice process in Sierra Leone. The study mission informed the transitional justice consultations in 2023 and is likely

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<sup>54</sup> Despite the prevailing challenges on the budgetary allocation to Education, the Government's Sixth Education Sector Development Programme (ESDP VI): 2020/21–2024/25, indicates the government's plans to increase the budget allocation for general education which needs to be actualized including in the context of the recovery process. The approved budget for the 2023/24 fiscal year stands at Birr (ETB) 801.6 billion.

<sup>55</sup> See for example EHRC, "Amhara Region: Concerning human rights violations in the context of the armed conflict", 18 September 2023. EHRC also published regular and thematic reports, including Ethiopia Annual Human Rights Situation Report (June 2022 – June 2023), 12 July 2023; Annual Report on the Human Rights Status of Internally Displaced Persons, 19 October 2023; Annual Report on the Status of Human Rights of Women and Children, 6 October 2023; Annual Report on the Status of Social and Economic Rights, 15 September 2023; Annual report on the status of disabled and elderly rights, 6 September 2023; South Ethiopia Region Human Rights Monitoring Report, 26 August 2023; Right to Safe and Healthy Working Conditions: Construction Sector Monitoring Report, 7 July 2023; Monitoring report on the implementation of the right to health, 9 June 2023; Monitoring report on accessibility of higher education institutions for students with disabilities, 6 June 2023

<sup>56</sup> Available at <https://www.ohchr.org/en/documents/country-reports/ehrc-ohchr-advisory-note-next-steps-towards-development-human-rights>; and <https://www.ohchr.org/sites/default/files/documents/countries/ethiopia/OHCHR-EHRC-Report-TJ-28-12-23.pdf>

<sup>57</sup> In 2023, the Committee against Torture expressed concern that the resources allocated to the EHRC were insufficient to allow it to perform all its functions effectively. Among its recommendations, the Committee called on the Government of Ethiopia to ensure EHRC's functional independence by allocating it an adequate budget, in conformity with the Paris Principles. (CAT/C/ETH/CO/2, para. 22-23, 7 June 2023)

to contribute to shaping the content of the policy development process and eventually the implementation.

80. Support was also provided to the Inter Religious Council of Ethiopia (IRCE) to equip them with knowledge and understanding of the role of religious organizations on transitional justice. As a result, 140 members of the IRCE were trained in August 2023, resulting in the conduct of a four-day national prayer by the IRCE themed around peace, forgiveness, and reconciliation, as linked to human rights and religious values.

81. OHCHR also designed and facilitated the first-ever interactions among eight victims' associations (including of CRSV survivors) in October 2023 which enhanced mutual understanding among victims of human rights violations from Amhara, Somali and Tigray regions, countering polarized narratives and ultimately promoting healing, reconciliation, and peace.

82. At the initiative of the judiciary, OHCHR supported capacity-building programmes for judges and judicial officers on public interest litigation, justiciability of economic and social rights, and management of crimes of international nature with support of international experts, to equip them with skills for the application of international human rights norms.

83. With OHCHR's support, in October 2023, the Government commenced an initiative to institutionalize human rights into the curriculum of the Ethiopian Police University (EPU). Once finalized, the EPU curriculum is expected to be rolled out to all Police academies in Ethiopia as part of the broader efforts to reinforce prevention and respect for human rights in the context of policing and law enforcement.

84. OHCHR continued to support CSOs, including organizations of women, youth, persons with disabilities, victims' associations, lawyers, and religious leaders to enhance civic space, UPR engagement and contribute to human rights protection and promotion. Specifically, these included increased awareness and strengthened substantive capacities to over 1000 critical stakeholders on transitional justice and accountability benefiting CSOs, faith-based groups, women, youths, persons with disabilities, victims' associations, judiciary, lawyers, religious leaders, and the TJWGE, among others. OHCHR also supported the capacity enhancement of the Authority for Civil Society Organizations (ACSO), the regulatory body mandated to oversee the registration and operation of CSOs.

85. OHCHR supported the Ethiopian Women's Human Rights Defenders Network to mobilize members on coordination and advocacy on women rights issues. The Network led various advocacy initiatives especially against sexual and gender-based violence cases affecting women and girls.

86. As part of the UN and the National Protection Cluster, OHCHR contributed to the preparation of the Humanitarian Response Plan (HRP) and Humanitarian Needs Overview (HNO) 2024, advocating for the centrality of a human rights-based approach to humanitarian action, while contributing substantive inputs to the Handbook on IDPs led by the Refugee and Returnee Service (RRS).

## **IX. Conclusions**

87. While the human rights situation in Tigray experienced relative improvement in the areas under the control of TIRA, pursuant to the implementation of the CoHA, violent conflicts in other parts of the country, particularly in Amhara and Oromia regions, resulted in serious human rights violations and abuses committed notably by Government forces (ENDF, regional forces, and state affiliated militias), OLA and Fano, during the reporting period.

88. The continuing SoE declared on 4 August 2023 has resulted in actions by security forces in violation of Ethiopia's international human rights obligations. The continued presence of the Eritrean Defence Forces in parts of Tigray region, contrary

to the CoHA, and the continued violations committed by these forces, also represent a serious impediment to the peace process.

89. Urgent attention is needed to prevent further violations, ensure accountability, and restore peace, particularly in Amhara and Oromia. Quick and effective political and accountability steps are needed to halt the violations and abuses which are further endangering reconciliation and peace in the country. Progressive measures, notably the development of the transitional justice policy and national dialogue efforts, require sustained commitment. The human rights violations and abuses documented during the reporting period undermine the efforts by the Government of Ethiopia to foster peace and accountability, for which a conducive atmosphere that allows people to freely participate is of the essence.

90. Earlier progress on the realization of economic, social and cultural rights slowed down due to the prevailing conflicts. Targeted efforts and deployment of sufficient resources are needed in the context of recovery to ensure progressive realization and full enjoyment of these rights by the population.

## **X. Recommendations**

### ***To the Federal Government and regional state authorities including Amhara Regional Forces***

- **Take necessary concrete measures to stop hostilities and reduce their impact on civilians, including through the use of UAVs, and engage constructively in a meaningful peace process.**
- **Take concrete measures to ensure the protection of civilians in all circumstances, particularly of those in a situation of vulnerability.**
- **Ensure accountability for all human rights violations and violations of international humanitarian law allegedly committed by state actors, including ENDF and allied forces, through conducting prompt, thorough, effective, transparent, independent, and impartial investigations, ensuring that alleged perpetrators are prosecuted in judicial procedures observing international standards, and grant full reparations to victims and their families.**
- **Ensure judicial oversight of all detentions, including persons deprived of liberty and applicable in times of emergency, including by expanding the list of non-derogable rights in line with international norms and standards.**
- **Uphold commitments and fulfil obligations to implement in full the provisions of the CoHA, including particularly the implementation of a comprehensive, inclusive, and participatory transitional justice process, which includes criminal accountability, and is compliant with applicable international human rights standards and practices.**
- **Take concrete measures to expand, enable and protect civic space by ensuring respect for fundamental freedoms, notably freedom of expression, association, and peaceful assembly, and by refraining from arbitrary arrests of media professionals, human rights defenders, and civil society actors, and restore internet to ease communication.**
- **Guarantee full enjoyment of economic, social, and cultural rights for all sections of the populations, including in the conflict-affected regions.**

### ***To the Government of Eritrea***

- **Undertake prompt, thorough, effective, transparent, independent, and impartial investigation into reported human rights violations, including**

abductions, enforced disappearances, by EDF in Ethiopia, and hold alleged perpetrators to account.

- Ensure EDF troops fully respect their obligations under international law, including international human rights and international humanitarian law.
- Withdraw all its troops from Ethiopian territory and cease all incursions into Ethiopia.

*To Fano Militia Group*

- Respect international humanitarian and human rights law, exercise maximum restraint and refrain from any attacks against civilians and civilian objects.
- Stop its fighting and engage in a meaningful political process towards resolution of the conflict.

*To the international community*

- Encourage and support the Government of Ethiopia to continue and improve the implementation of the Cessation of Hostilities Agreement (CoHA), including of a human rights compliant and victim-centred transitional justice and recovery efforts in northern Ethiopia.
- Encourage all parties to engage in peaceful dialogue and negotiation to resolve grievances and conflicts, especially in Amhara and Oromia, emphasizing the importance of a political solution.
- Emphasise need, and support advocacy efforts, for accountability by all parties involved in the conflict, and help ensure that perpetrators of human rights violations and abuses and violations of international humanitarian law are held accountable.
- Advocate for immediate appropriate measures (including the establishment of safe areas, humanitarian access, and monitoring mechanisms to prevent further violations) to better protect civilians in conflict areas.
- Support and contribute to resource mobilization efforts for human rights, rule of law, humanitarian assistance, DDR and other recovery initiatives.
- Continue support to OHCHR and EHRC, in their work on accountability, transitional justice, and human rights monitoring.

## Annex I: Map

