

JOINT NGO RECOMMENDATIONS ON JUSTICE AND ACCOUNTABILITY FOR THE UNIVERSAL PERIODIC REVIEW OF ETHIOPIA

This document, compiled by the undersigned organizations, provides a summary of submissions made by civil society organizations in relation to Ethiopia's Universal Periodic Review (UPR) during the upcoming 47th session of the UPR Working Group. It highlights critical impediments to justice and accountability in Ethiopia and provides key recommendations for the government.

RECOMMENDATIONS FROM PREVIOUS UPR SESSIONS

[During its third UPR cycle](#), Ethiopia received 20 recommendations specific to justice and accountability. The Ethiopian government supported 13 recommendations and noted seven others. Of those recommendations supported by the government, many remain unimplemented including assuring support for and the independence of the Ethiopian Human Rights Commission, the Ombudsman and the judiciary; continuing efforts towards accountability for past atrocities; and strengthening the capacity of institutional mechanisms for intercommunity reconciliation and ensuring support for victims of atrocities. The Ethiopian government noted recommendations to ratify the Rome Statute of the International Criminal Court (ICC).

ONGOING CHALLENGES

ONGOING ABUSES IN CONFLICTS ACROSS THE COUNTRY

While a 2 November 2022 Cessation of Hostilities Agreement (CoHA) formally ended the conflict hostilities in the northern Tigray region of Ethiopia, many challenges remain for peace in Tigray and beyond. Clashes and human rights violations have continued in areas of Tigray despite the CoHA, while international investigators and rights groups, including from the United Nations-mandated International Commission of Human Rights Experts on Ethiopia (ICHREE), Amnesty International, Human Rights Watch, the Organization for Justice and Accountability in the Horn of Africa and Physicians for Human Rights have all documented ongoing abuses, including extrajudicial executions, sexual violence and a continued ethnic cleansing campaign. These abuses continue against Tigrayans as well as ethnic minorities like the Irob population, particularly in areas under the control of Eritrean government forces. Conflict risks remain high due to multiple unresolved pillars of the CoHA, including the return of forcibly displaced Tigrayans to areas in Western Tigray, where Amnesty International and Human Rights Watch found evidence of ethnic cleansing. Abuses have also intensified in the Oromia region, while new fighting broke out in the Amhara region.

In an June 2024 update the UN Office of the High Commissioner for Human Rights found at least 594 incidents of human rights violations occurred during the reporting period from January 2023-January 2024, harming at least 8,253 people, with government forces responsible for at least 70 percent of these abuses. Credible reports have also emerged implicating government forces in the Oromia region with extra-judicial killings and illegal detentions in its conflict with Oromo armed groups. Human Rights Watch has also documented summary executions of Amhara civilians and ongoing attacks against medical workers and patients alongside the destruction of the healthcare system in the Amhara region that amounts to war crimes.

LACK OF AN ADEQUATE FRAMEWORK TO ADDRESS LARGE-SCALE ATROCITIES

While Ethiopia has ratified the Geneva Conventions, which criminalize and define violations deemed war crimes, the government has not ratified the Rome Statute of the ICC - the only existing multilateral international legal treaty that criminalizes acts of crimes against humanity. In order to effectively prosecute all the crimes occurring across the country, a legal framework needs to be created to define and prosecute international crimes in the domestic legal system.

The current transitional justice policy, adopted by the Council of Ministers in April 2024, prioritizes accountability options as discretionary at the domestic level, allowing the government to avoid international scrutiny. Furthermore, the policy lacks critical aspects to prevent recurrence of atrocities.

LACK OF COOPERATION WITH THE INTERNATIONAL COMMUNITY

The federal government has failed to cooperate in good faith with international and regional bodies involved in monitoring and investigating the situation in northern Ethiopia. According to assessments by ICHREE, the AU Monitoring, Verification and Compliance Mechanism faces challenges in accessing significant parts of Tigray that are still under the control of by Eritrean and Amhara forces, despite the CoHA's call for the withdrawal of all non federal government forces. The Ethiopian government has denied and restricted access to independent journalists, human rights groups, and monitors in conflict-affected areas, intentionally impeding the international community's ability to monitor the crisis independently.

**FAILURE TO
PRIORITIZE
THE NEEDS OF
VICTIMS AND
SURVIVORS OF
ATROCITIES**

While the initial consultations ahead of the formation of the transitional justice process surveyed large survivor populations, the needs of those surveyed were not accurately reflected in the final policy. The policy does not set out the rights survivors will have in the process, nor does it state how the government decides what demands of survivors to include. There lacks a clear plan on how the government will build trust with populations across the country to create an open environment for the process.

Additionally survivors indicated a desire to be part of all aspects of the transitional justice process in a bottom-up approach to the creation and execution of a justice process. The current policy focuses on the opposite, a top-down approach within the control of Ethiopia's institutions. Countless survivors remain animus to the ongoing process, afraid to come forward for fear of targeting by government forces and/or retribution.

RECOMMENDATIONS

- 1 Uphold international humanitarian (IHL) and human rights law by ending attacks against civilians and civilian infrastructure.
- 2 Ratify the Rome Statute of the ICC and incorporate its provisions to investigate and prosecute mass atrocity crimes in national legislation.
- 3 Conduct prompt, independent and impartial investigations and preserve evidence related to allegations of violations of IHL and human rights law, including abuses perpetrated in Tigray, Amhara and Oromia regions, and ensure that perpetrators are brought to justice through transparent and impartial processes in proceedings which respect the right to a fair trial, and without recourse to the death penalty.
- 4 Expand and support human rights monitoring in Oromia and other parts of the country where information is currently severely lacking.
- 5 Cooperate fully with international, regional, and domestic and non-governmental human rights mechanisms, uphold international commitments.
- 6 Support independent documentation and public reporting on human rights and IHL violations, including by allowing independent investigators and human rights groups to carry out documentation of human rights violations and abuses.
- 7 Ensure that victims and survivors are provided with comprehensive assistance for the physical and psychological injuries suffered as a result of the atrocities, as well as comprehensive assistance to enable them to participate in the efforts to ensure justice and accountability.

SIGNATORIES

