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ETHIOPIAN HUMAN
RIGHTS COMMISSION

HUMAN RIGHTS MONITORING REPORT ON TIGRAY



Photo Credit: Tibebe Hailu, Civil and Political Rights Department, EHRC

EXECUTIVE SUMMARY

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Executive Summary

The conflict in Northern Ethiopia began on November 3, 2020 between the Tigray Peoples' Liberation Front (TPLF) and the Federal Government. As documented by the Ethiopian Human Rights Commission (EHRC/the Commission) and the United Nations Office of the High Commissioner for Human Rights (OHCHR) Joint Investigation Team (JIT) report, all sides involved: the Ethiopian National Defense Forces (ENDF), Eritrean Defense Forces (EDF), Tigray Forces, Amhara and Afar Special Forces and allied militia, and the Fano have committed violations of international human rights law, humanitarian law, and refugee law, which may amount to crimes against humanity and war crimes. On 2 November 2022, the TPLF and the Federal Government signed the Agreement for Lasting Peace through a Permanent Cessation of Hostilities (the Peace Agreement), ending the two-year long conflict in Northern Ethiopia.

Following the signing of the Peace Agreement, EHRC and OHCHR-EARO (East Africa Regional Office) agreed to coordinate their efforts to monitor the human rights situation in Tigray following the signing of the Peace Agreement of November 2022, in line with their respective mandates.

EHRC conducted a monitoring mission into the human rights and humanitarian situation in Tigray from July 7 to July 30, 2023. The Commission monitored five zonal administrations in the region: Central, North-Western, Southern, South-Eastern zones and Mekelle special zone.

The monitoring was further guided by the Terms of Reference agreed upon by EHRC and OHCHR-EARO in terms of sources to be used, assessment and verification process, information gathering process, ensuring confidentiality and protection of sources and information, ascertaining consent of sources, and the integration of a gender perspective throughout the monitoring process.

For factual determinations, the standard of proof used is “reasonable suspicion” which means that there are grounds for suspicion that the incident in question occurred. A higher evidentiary threshold of “reasonable grounds to believe” was applied for findings on serious allegations which could amount to grave crimes including extra-judicial killings, enforced disappearances, and forced displacement.

Both EHRC and OHCHR took appropriate measures to ensure confidentiality, privacy, interests and personal circumstances of victims and witnesses, including information concerning their age, sex, gender, and health. The informed consent of interviewees has been sought as appropriate, to use the information for the purposes of inclusion in this report.

The monitoring mission focused on selected key human rights concerns in the region

based on a desk-research prior to deployment. The thematic issues identified for monitoring include the humanitarian situation, the rights of internally displaced persons (IDPs), the right to health, the right to education, conflict related and other sexual and gender-based violence (SGBV), law enforcement and rights of detainees, arrested persons and prisoners, extra-judicial killings, torture and ill-treatment, abductions and enforced disappearances, as well as forced displacement. The Commission has recently carried out extensive monitoring on the humanitarian situation and situation of IDPs following this coordinated monitoring, the findings of which will be published separately.

This report does not purport to be an exhaustive record of all relevant human rights and humanitarian concerns and its findings are intended to highlight the most pressing human rights concerns in the region in the context of the socio-economic and political environment after the Peace Agreement.

Humanitarian Situation

The humanitarian situation in Tigray remains dire and the suspension of aid between March and November 2023 in Tigray region and between June and November 2023 nationwide by the United States Agency for International Development (USAID) and the United Nation's World Food Programme (WFP) had further exacerbated the situation. IDPs and host communities in need received little to no humanitarian assistance, leading to increasing levels of malnutrition and hunger. Although EHRC was not able to corroborate the exact number of deaths from hunger and malnutrition, credible information provided by IDPs supports reports by Tigray Interim Regional Administration (TIRA) officials that deaths may have occurred. The humanitarian crisis disproportionately affected IDPs, older persons, children, lactating women, pregnant women, persons with disabilities, and individuals with chronic diseases.

Internally Displaced Persons

Monitoring by EHRC reveals a dire humanitarian situation among IDPs in the region. Humanitarian aid, mainly food aid and non-food items (NFIs) including shelter and health services are severely lacking or non-existent in many of the IDP sites monitored by the Commission. The aforementioned suspension of humanitarian assistance by major donors had worsened the situation. The number of hunger related deaths reported by IDPs, and local authorities has also been steadily increasing after the Peace Agreement. Efforts by the federal government and the TIRA aimed at return, resettlement, and reintegration of IDPs are limited and ineffective.

The immediate resumption and scale-up of humanitarian aid is urgently needed, coupled with improved coordination between humanitarian actors, the federal government and the TIRA to ensure effective distribution and prevention of diversion.

Right to Health

The right to health in the region remains concerning. Despite moderate progress, the regional health system is far from full recovery. Hospitals and health centers in areas monitored by EHRC required urgent reconstruction and support due to damaged facilities, and lack of medical equipment, medical supplies, and pharmaceuticals. Child and maternal mortality rates, which has been exacerbated by the humanitarian situation, requires urgent intervention by all stakeholders.

Right to Education

The regional education system has suffered extensive damage and looting due to the conflict. While commendable efforts have been made by the TIRA, the Ministry of Education, and international partners to resume education after the Peace Agreement, significant challenges remain. Concerted efforts must be made by all stakeholders to return all school age children to schools, and to create a conducive environment for learning including by improving access to educational materials and enhancing the provision of trauma counselling both to students and teachers.

Forced Displacement

Since the Peace Agreement, isolated instances of forced displacement were reported, particularly from areas still under the control of Amhara and Eritrean forces. Regional authorities have reported that in February 2024, for eg, they have registered 12,000 new IDPs arrivals from some of these areas. EHRC recommends that reports of ethnically targeted arbitrary detentions, threats, and harassment as drivers of forced displacement warrant further investigation, including by federal authorities.

Conflict Related Sexual and Gender Based Violence

Many of the victims and survivors of SGBV in the region face critical shortages of medical, psychosocial, legal, and rehabilitative services. While most of the violations were committed during the conflict, there were some new incidents reported after the Peace Agreement particularly from areas under the control of the Eritrea and Amhara Forces. The regional health system is not equipped to provide adequate care to victims. Survivors also face stigma from the community, which has led many to refrain from reporting violations and from seeking medical care. There is need for urgent intervention and support by the TIRA, the federal government, international donors, civil society, and community organizations to provide multi-sectoral support including adequate medical and psycho-social care for survivors of SGBV.

Extra-Judicial Killings

The signing of the Peace Agreement has led to the cessation of hostilities and significant improvement in the protection of civilians. However, EHRC has identified credible cases of extra-judicial killings by EDF and Amhara Forces in areas under their control after November 2022. The EHRC recommends that the reports of extra-judicial killings require serious attention by both the federal and regional governments to ensure accountability and redress for victims.

Law Enforcement and Rights of Detainees, Arrested Persons, and Prisoners

Rebuilding law enforcement institutions has been a priority for the TIRA and considerable progress has been made thus far in operationalizing these institutions. However, regional courts, justice bureaus, police and prison administrations still face serious challenges in protecting human rights and upholding the rule of law. The integration of former Tigray Forces members into the regular police and prisons services with inadequate training poses a threat to the protection of arrested persons, detainees, and prisoners. Some cases of beatings, during arrest and as punishment during detention, or cases where detainees were kept handcuffed, as well as some cases of abuse which may constitute torture, and inhuman and degrading treatment, and arbitrary and unlawful detentions are practiced by some law enforcement agencies. It is necessary to urgently build the institutional capacity of the justice and security sector institutions to expedite their full functionality and improve human rights protection.

Recommendations

The wide-ranging human rights and humanitarian issues in the region require urgent intervention by all stakeholders, including the TIRA, federal government, and international partners. Recommendations include the scaling up and/or resumption of humanitarian assistance to those in need with safeguards to ensure that aid reaches its intended recipients; life-saving interventions for children, the elderly, IDPs, and lactating women; durable solutions for IDPs; and scaling up support to the regional health, education, judicial and law enforcement sectors. A detailed list of recommendations to all stakeholders is provided in the recommendations section.