

September 15, 2023

Advocacy Groups and Human Rights Institutions Call for International Support for the International Commission of Human Rights Experts on Ethiopia (ICHREE)

We, the undersigned organizations, note the tenets set forth in Article 10 of the Agreement for Lasting Peace Through a Permanent Cessation of Hostilities (the Pretoria Agreement) that was signed on 2 November 2022 in Pretoria, Republic of South Africa¹. We underscore the symbiotic relationship between peace and justice, asserting that accountability is instrumental in bringing and sustaining peace in Ethiopia. Unified in purpose, we champion justice and accountability measures that would promote peace throughout Ethiopia and the Horn of Africa. In line with the customary international law practices and norms upheld by the United Nations (UN), we invoke Article 10 of the Pretoria Agreement and emphasize the responsibility of the UN bodies to protect populations from atrocities and uphold justice, as key components of the Responsibility to Protect (R2P) framework.

In accordance with sub article 3 of Article 10 of the Pretoria Agreement, the Government of Ethiopia unveiled the 'Policy Options for Transitional Justice in Ethiopia' (TJPE). The content of this policy has deepened our apprehensions about the ramifications of the Pretoria Agreement concerning justice and accountability. The TJPE, conceived without the requisite and meaningful engagement of victims, uniformly addresses all wars in Ethiopia, the associated atrocities, and their victims, overlooking their unique circumstances.

We further scrutinize whether the conditions are ripe for designing, engaging in substantive consultations, and launching a genuine and effective transitional justice initiative amidst the prevailing armed conflicts in Ethiopia. Persistent conflicts, war, mass atrocities, and the unwillingness and inability to fulfill the primary commitments of the Pretoria Agreement are indicators that Ethiopia is neither transitioning towards peace nor undergoing a political transition. When paired with historical experiences and the ongoing states of emergencies, armed conflict, and gross violations of human rights across various regions of the country, our skepticism regarding the feasibility and viability of realizing genuine transitional justice amplifies.

Our concerns regarding Ethiopia's domestic approach to transitional justice are underscored by doubts concerning its acceptance by the Ethiopian populace, a conspicuous lack of political resolve to ensure justice, potential selective accountability, and the presence of both legal and practical hurdles in prosecuting those responsible. The Ethiopian justice system falls short of possessing the necessary attributes of independence, impartiality, competence, jurisdiction and capability to investigate crimes committed particularly in relations to the atrocities committed by the Eritrean government and the Eritrean Defense Forces.

We are firmly of the view that the initial step for the transitional justice process in Ethiopia is to ascertain the truths surrounding the wars and associated atrocities. We believe the International

¹. The Pretoria Peace Agreement, Article 10- Transitional Measures, (November 2022). Parties: The Federal Democratic Republic of Ethiopia and Tigray People's Liberation Front. Signed in the Republic of South Africa.

1. *Within a week of the implementation of Article 7 (2) (c) and until elections for the Regional Council and the House of Peoples' Representatives are held under the supervision of the Ethiopian National Election Board, the establishment of an inclusive Interim Regional Administration will be settled through political dialogue between the Parties;*

2. *A week after the implementation of Article 7 (2) (c) the Parties shall start a political dialogue to find lasting solutions to the underlying political differences between them;*

3. *The Government of Ethiopia shall implement a comprehensive national transitional justice policy aimed at accountability, ascertaining the truth, redress for victims, reconciliation, and healing, consistent with the Constitution of FDRE and the African Union Transitional Justice Policy Framework. The transitional justice policy shall be developed with inputs from all stakeholders, and civil society groups through public consultations and formal national policy-making processes.*

4. *The Parties commit to resolving issues of contested areas in accordance with the Constitution of the Federal Democratic Republic of Ethiopia*

Commission of Human Rights Experts on Ethiopia (ICHREE) is uniquely situated and equipped to uncover the comprehensive truth independently and impartially, given local constraints and a pervasive mistrust in national systems. It possesses the independence, mandate, and jurisdiction to objectively examine atrocities by all parties, including the Eritrean government and other military entities. Only findings from ICHREE, grounded in evidence, can lay the foundational bedrock for designing a sincere, inclusive, and victim-centric transitional justice process when circumstances permit. Alternative approaches lack credibility.

Consequently, we wholeheartedly advocate for the extension and expansion of ICHREE's mandate as the sole and only remaining independent investigative mechanism capable of determining the truth, extent of violations, command structures, and assigning responsibility with impartiality. This must also be viewed in light of the ill-considered and premature termination of the mandate of the Commission of Inquiry into the situation in the Tigray Region of the Federal Republic of Ethiopia by the African Commission on Human and Peoples' Rights. A just and rightful transitional justice policy based on ICHREE's findings and recommendations would offer all the requisite for transitional justice.

Therefore, we appeal to the international community, particularly the members of the UN Human Rights Council, to unequivocally support the extension of ICHREE's mandate and guarantee its unrestricted access to areas of atrocity, witnesses, locations, records, and the like, ensuring a comprehensive investigation and accountability.

Signatories:

1. Horn of Africa Civil Society Forum (HoACSF), consisting of 70 CSOs
 2. Sudanese Human Rights Monitor (SHRM)
 3. United Women of the Horn (UWH)
 4. Friends of Tigray
 5. Genocide80Twenty
 6. Canadian Centre for Victims of Torture (CCVT)
 7. Oromo Legacy Leadership & Advocacy Association (OLLAA)
 8. Solidarity of Nations of Ethiopia
 9. Ethiopian Canadians for Peace
 10. Ethiopia, Djibouti, and Somalia Human Rights (CEDA) association - Belgium
 11. Congress for Somali Cause
 12. Seedling for Peace and Democracy in Eritrea
 13. Brotherly Relationship of Natives of Eritrea and Tigray
 14. Human Right First (Ethiopia)
 15. Human Rights Action Group
 16. Culture Education et Développement pour la Corne de l'Afrique (CEDA asbl)
 17. Eritrean Bright Future Movement
 18. Mahber Selam Ethio-Eritrea
 19. Foundation Human Rights for Eritreans
 20. Eritrea Free Media
 21. Sitti Solidarity Council
 22. Sitti Diaspora Association
 23. Somali State Intellectual Forum
 24. West-Somali-Ogaden Society
 25. VICTIM GROUP COUNCIL
 26. Issa Community Unity (ICU)
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27. Ceda-ASBI
 28. Yata Media
 29. Mahber Keskesse Mlash
 30. Eritrean Kudus Rufael Kerk
 31. Congolese Sepoir
 32. DW International in Nederland
 33. Mahber Akran
 34. Mariam Drachten
 35. Mahber Bet Metaa
 36. Arbate Adi Belesa
 37. Logo Sarda
 38. Vereniging Selam Edir
 39. Vereniging van Ethiopische Tigreërs in Nederland
 40. Canada Tibet Committee
 41. Alliance of Genocide Victim Communities
 42. URAP | Uyghur Rights Advocacy Project
 43. Arakan Rohingya Society for Peace and Human Rights (ARPSH)
 44. Rohingya Student Network (RSN)
 45. Rohingya Women Association for Empowerment and Development (RWAED)
 46. Education and Wisdom Development for Rohingya Women (EWDRW)
 47. Rohingya Union For Women Education & Development (RUWED)
 48. Alliance of Civil Society Organizations of Tigray (ACSOT), Network of 72 CSOs in Tigray
 49. Bishop Abune Tesfaselassie Medhin, Catholic Eparchy of Adigrat
 50. Tigray Youth Association (Tigray)
 51. Union of Tigrayans in Belgium
 52. Tigrayan Advocacy & Development Association UK
 53. Tigray Youth Network UK
 54. Mekete Tigray UK
 55. The Global Society of Tigray Scholars and Professionals (GSTS)
 56. Association of Tigrayans in Denmark
 57. Association of Tigrayans in France
 58. Tigray Development Association in France
 59. Association of Tigrayans in the Netherlands
 60. Association Tigray Development Association in the Netherlands (TDA NL)
 61. Association Tigray's Women in Netherlands
 62. Dekna Foundation
 63. Tigrayan Youth Association in Italy
 64. Forum Mekete, Italy
 65. Tigrayan Scholars in Italy (TSI)
 66. Cultural Association and Social Promotion of the Tigray Community in Italy
 67. Volunteer Association for the Development of Tigray, Italy
 68. Association for the Development of Tigray (AST)
 69. Associations of Tigrayan Community in Bologna
 70. Tigray Community Association in Tuscany (ACTT)
 71. Association of Tigrayan Women in Italy
 72. Tigrayhjelpen Norway
 73. Tigray Community Switzerland
 74. Association of Tigrayan Women in Sweden/TKFS
 75. Union of Tigrayan Associations in Sweden
 76. Tigray Human Rights Forum
 77. Omna Tigray
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78. Legacy Tigray
 79. Security and Justice for Tigrayans (SJT)
 80. Health Professionals Network for Tigray (HPN4Tigray)
 81. Tigray Action Committee (TAC)
 82. Tigray Center for Information and Communication (TCIC)
 83. Rescue Tigrayan Rape Victims
 84. Tsilalna Tigray
 85. Union of Tigreans in North America (UTNA)
 86. Waela Tigray
 87. Irob Anina Civil Society (IACS)
 88. United Tegar Canada
 89. Tinsae Midre Bahri
 90. Union of Tigrayans in Europe (UTE)
 91. Tigray Advocacy and Development Association (TADA) – UK
 92. Samarbeidsfora for Norsk-Tigrayanere- Norway
 93. Association of Tigrayan Communities in Canada
 94. United Tegar Canada (UTC)
 95. Tigrayan-Canadians Immigration Association
 96. Tigray Humanitarian Aid
 97. Tigray Community Dallas
 98. Tigrayan Association in Toronto
 99. Tigray community of Windsor and Essex County
 100. Tigray community of Saskatchewan
 101. Tigray community of Fory McMurry
 102. Tigray community of Edmonton
 103. Tigray community of Calgary
 104. Tigray community of Vancouver
 105. Tigray community of Quebec
 106. Tigray community of Ottawa
 107. Tigray community of Toronto
 108. TDA Vancouver
 109. Health professionals and Supporters of Canada
 110. Tigray community of Manitoba
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