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Statement

By

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Committee**

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Madame Chair Person, (Ms. Photini PAZARTZIS)
Distinguished Vice Chairs and Committee Members,
Ladies and gentlemen,

It is indeed a great honor to appear in person before this committee to present on the second ICCPR Report of the Federal Democratic Republic of Ethiopia, highlight the latest developments since the submission of our report - and address any queries the distinguished members of the committee might have.

Commitment of the GoE to Promote, Respect, Protect and Fulfill Civil and Political Rights

Despite the extremely challenging political and security setting in our country, the GoE reinvigorated its nationwide reforms that commenced in April 2018 - and continues to undertake sweeping political, institutional and legislative reforms to improve the human right situation in Ethiopia. The reforms have significantly advanced the enjoyment and protection of civil and political rights in Ethiopia.

Four years ago, the government of Ethiopia **not only began its tenure by acknowledging and apologizing for all grave human rights violations perpetrated by security establishments**, it also granted **pardons and amnesties** to thousands of detainees - especially targeting those who were previously charged and convicted under the old Anti-Terrorism Proclamation. The GoE is pleased to inform that the Anti-terrorism proclamation has now been amended.

To open the political space, all opposition political groups previously banned and designated as terrorist organizations pursuant to the previous Anti-Terrorism Proclamation **have had their designation revoked**; this milestone decision allowed leaders and membership of the political parties **to return to Ethiopia after decades of forced exile**. Further, exiled journalists, writers, politicians, media establishments and political organizations were able to return to the country and operate in freedom. The bans, suppression and blockade of blogs, websites and satellite TV stations were lifted. Secret places of detention and physical sites where gross human rights atrocities had been perpetrated by the security and law enforcement agencies were identified, publicly revealed and closed for good.

The government also identified and brought **charges against top officials and members of security and law enforcement agencies** who were suspected of overseeing and perpetrating some of the worst forms of human rights violations in our recent history.

These remedial and accountability measures are attended by a **comprehensive legal and institutional reforms - focusing on the security sector, democratic institutions, and the judiciary**. The reforms are intended to bring about greater transparency and accountability - and establish a system of institutional checks and balances that facilitate a more meaningful respect, protection and promotion of human rights in Ethiopia.

In this light, Ethiopia pushed forth specific reform to enhance the independence of the judiciary by amending the Judicial Administration Proclamation and the Federal Courts Establishment Proclamation.

The Federal Prison Administration was also reformed to bring the treatment of prisoners in line with international standards. The establishment proclamation of the National Defense Force was significantly revised in 2019 and 2021 - while legislative reform targeting the National Intelligence and Security Service was completed and a new law adopted in 2022 to tighten its powers and responsibilities.

On democratic institutions, the establishment laws of the National Electoral Board and the Institution of Ombudsman were significantly overhauled to create a more conducive condition for the exercise of their mandates. To strengthen the right of citizens to fully participate in politics, a new and exceedingly liberal Electoral Law is already drafted and is expected to be adopted soon. Furthermore, the GoE repealed and replaced the former Charities and Societies Proclamation - which the prior administration implemented and used to hinder the enjoyment of freedom of association and operations of civil society organizations. Reforms were also undertaken which led to a significant overhaul of Ethiopia's media law - whereas a new legal regime governing the press is currently in the making. Per recommendations of human rights bodies to fight hate speech, incitements and propaganda, a proclamation to Prevent the Spread of Hate Speech and False Information was also adopted in 2020.

A change in personnel and organizational setup of the key democratic establishments, security agencies and the judiciary are also being implemented to ensure that the institutions become strong, effective, and non-partisan entities.

Madam Chair and distinguished Committee Members,

In summary, the GoE is very confident that - in spite of our challenges - the sweeping reform measures adopted to date will lead to a profound democratic consolidation - and progressively guarantee that democratic norms will take root.

However, I must honestly reveal that this journey in political and democratic transformation has not been without difficulties. Time and again, our reform enterprise has been challenged and put to the ultimate test. Regrettably, **three rounds of vicious wars** were ignited in northern Ethiopia by a former ruling political party - now designated terrorist group Tigray Peoples Liberation Front (TPLF). In addition, ethnically motivated violent armed violence in some localities resulted in the death and displacement, extrajudicial killings, sexual violence, torture and degrading treatments, and mass destruction of properties and means of livelihoods of a considerable number of our citizens.

Madam Chair, Distinguished Committee Members,

At this juncture, **I feel obliged to converse in substantial detail on the conflict in the northern part of Ethiopia.** I wish to do so - **not because you are not informed on the matter - but because of the profound impact the conflict has had on our national efforts to ensure respect for civil and political rights - and the need to address the intentional misinformation levelled against my country.**

After losing power, TPLF and its affiliates engaged in a conscious and calculated effort aimed at derailing the reform process. For three decades, the TPLF had imposed an authoritarian rule, dominated political power, controlled all security establishments, and instituted a nepotic network of wide-spread corruption. It engaged in breaches of human rights, filled jails and prisons with political prisoners - and operated several clandestine detention centers where detainees were subjected to torture and inhuman treatment. TPLF could not accept the new

reality of democratic reform. It also feared accountability and began to retreat to Northern Ethiopia of Tigray region to undermine the reform initiatives.

Madam Chair, Distinguished Committee Members,

Please note that **the GoE has always been ready and willing to resolve outstanding issues with the TPLF in a peaceful manner.** In this spirit, the government has explored all possible avenues to avoid pointless political altercations or conflict with the TPLF. However, the **government's positive gesture for peace and dialogue through different interlocutors, including prominent personalities, former colleagues, and religious leaders - was summarily rebuffed.**

To offer you a better context, Madam Chair, as the tensions simmered, on 12 April 2020, the National Electoral Board of Ethiopia announced its decision that it would not be able to conduct the Sixth General Election that was planned to be conducted on 29 June 2020 because of the COVID-19 pandemic. The Electoral Board's decision was subsequently submitted to the Council of Constitutional Inquiry (CCI) for constitutional interpretation and held as constitutional by both the CCI and the House of Federation (HoF).

Yet, in spite of the decisions by constitutionally mandated institutions, the then Tigray regional administration led by TPLF remained completely defiant and went ahead to conduct unlawful election on 9 September 2020 - without the approval or participation of the Election Board, the exclusive governance body on elections. Worse, in demonstration of its ultra-constitutional maneuver and utter contempt for rule of law, the regional government announced that any decision taken by the Federal Government would not apply in the Tigray region - basically denying recognition to all regional states and the Federal Government in its entirety. **I am sure you will all agree with me that this level of anti-democratic defiance and perpetual conflict with reason and logic by a local authority has little precedence in other parts of the world.**

The simmering political tension evolved into a full-scale conflict following the launch of a full-fledged attack by the so called Tigray Special Forces (TSF) and allied militia on the Northern Command of the Ethiopian National Defense Forces (ENDF) on 3 November 2020 - massacring countless officers of the National Defence Forces stationed in the region for no less than two

decades. The TPLF also looted a large amount of heavy and light grade weaponry - threatening to target the capital Addis Ababa and regional capitals. **The conflict - which the TPLF itself, the Joint Investigation Team's report and several other sources confirmed was initiated by the then regional force** - was attended by severe and intentional destruction of infrastructure and human casualties.

Madam Chair, I trust all will agree with me that TPLF's audacious betrayal was a move no dignified nation in the world would have overlooked. Hence, following the attack, the government had no option but to take effective measures to restore law and order and facilitate a conducive environment for the protection of the welfare and rights of citizens.

However, when TPLF resorted to constant attacks against the federal army hiding itself within the civilian population, the GoE unilaterally declared a ceasefire on 28 June 2021, and withdrew its forces from Tigray region, to avoid unnecessary bloodshed, create a cooling off period, and to create the conditions necessary for farmers to till their land in peace during the pivotal rainy season

Unfortunately, the declaration of the ceasefire was not reciprocated by TPLF; instead, TPLF expanded the conflict into Afar and Amhara regions. In November and December 2021, the federal government effectively launched a counter-offensive and pushed TPLF forces back to the Tigray region - **and was able to restore law and order in these localities.**

During the months it occupied the various areas in Afar and Amhara regions, the TPLF forces engaged in **organized and systematic infliction of violence against women, indiscriminate killing of civilians, and wide-spread looting and destruction of financial institutions, government offices, factories, schools and clinics.** These grave violations are well-documented - **and the government is committed to bringing those responsible to justice.**

(Now let me resort to), The JIT Report and the Commitment of the GoE to Ensure Accountability

The conflict left a solid stain on our history; the scale and gravity of the violations of civil, political and socio-economic rights of citizens was enormous. It was against such backdrop

that the Joint Investigation Team of the Ethiopian Human Rights Commission (EHRC) and Office of the United Nations High Commissioner for Human Rights (OHCHR) into all allegations of violations committed in Tigray - was established in March 2021. **This procedure demonstrates the GoE's commitment to ensuring accountability and redress - and reinforces measures that have been adopted by the GoE through the employ of national mechanisms.**

The Joint Investigation Team's (JIT) **report attributed varied levels of responsibility** in all actors of the conflict. But the JIT did not find that the crime of **genocide or the use of starvation as means of warfare was committed.**

The JIT also presented detailed findings and further concluded - **and impeccably in reading with the fundamentals of international law - that the primary responsibility for addressing violations found by the JIT rests with the Ethiopian Government.** The report underlined that **international mechanisms are complementary to and do not replace national mechanisms.**

The GoE expressed its commitment to the findings and conclusions drawn in the report - and **pledged to undertake a comprehensive and impartial investigation into all alleged incidences - including violations of civil and political rights.**

To such end, the GoE established the Inter-ministerial Task Force on Accountability and Redress (IMTF). **Since October 2021, the IMTF has been undertaking a comprehensive criminal investigation** of all alleged incidences of serious violations of national laws, international human rights (IHR) and international humanitarian laws (IHL) **committed by all parties** in the context of the conflict in Tigray, Afar and Amhara regions.

Track I of the criminal investigation - which was just concluded last month - involved the investigation of allegations of serious violations committed by TPLF forces in the context of the conflict in Tigray, Afar and Amhara regions since 3 November 2020. **The investigation established the commission of heinous crimes** - including extra-judicial killing of civilians, rapes and various forms of sexual violence, and inhuman and degrading treatment of civilians.

The GoE rejects impunity in all its forms - and regardless of the actors involved. Hence, Track-II and III of the criminal investigations will involve the examination of all allegations of serious violations of rights committed by TPLF forces, members of the ENDF and its allied forces.

Measures Focusing on the Provision of Effective Redress

The after-effects of the conflict are multifaceted. Not all needs of victims and their families could be catered through criminal accountability measures alone. In this light, the GoE and IMTF have designed and implemented **several complementary remedial measures.**

The first track involved a joint initiative by the GoE and the World Bank Group on national reconstruction and recovery of affected localities and populations. The program is well underway.

The second track involves measures undertaken by the IMTF: four critical components are currently in the implementations phase; these include - the provision of emergency-level medical and psycho-social assistance to victims SGBV, a USD 1 million economic rehabilitation scheme involving SGBV victims, a USD 1.6 million scheme involving the construction of five rehabilitation institutions for SGBV victims, and the issuance of formal public apology to all victims to dispense satisfaction.

Major Criminal Accountability Measures Taken Outside of the IMTF Framework

Parallel to the workings of the IMTF, the GoE has also carried out criminal investigations of the most tragic violations of rights committed in Tigray, Amhara, Oromia and Benishangul Gumuz regions by different actors - including by members of its own agencies. **This not only showcases the government's commitment to ensure accountability for violations of covenant rights, it also proves the ability of the national mechanism to effectively handle such procedures.** In this light, I can inform that **the Mai-Kadra criminal investigation** in relation to the massacres committed in November 2021, **the Axum criminal investigation** in relation to alleged violations committed in November 2021, and **two major incidences of extrajudicial killings committed by**

security personnel in the Benishangul-Gumuz region in March and November 2021 - are now in advanced stages of investigation and prosecution

On the other hand, investigations conducted by the Federal Ministry of Defence in response to allegations of the commission of crimes in the context of the conflict in Tigray have established the commission of 60 isolated incidences of crimes. As of August 2022, the Military Tribunal rendered 25 convictions - involving rigorous imprisonment of up to 25 years, including one life sentence.

The adequacy of the national mechanism renders any politically motivated international investigation mechanism redundant and incompatible with the workings of international law.

Madam Chair, distinguished members of the Committee

The GoE's HAS demonstrated an unwavering commitment to **comply with the JIT recommendations and concrete results have been registered so far; further, the national mechanism functions properly to establish criminal accountability even in circumstances where the excesses are committed by members of the state security establishments.** In this light, I wish to incidentally reflect that the GoE looks at the initiatives of the International Commission of Human Rights Experts on Ethiopia established by of the Human Rights Council - **as redundant and politically inspired.** The GoE contested and continues to challenge **both the establishment of the Commission as well as its findings and conclusions.**

In Respect of Transitional Justice

Distinguished members of the Committee,

Considering the complexity, gravity, and communal dimensions of the conflicts and the violations, the GoE has seriously considered that **the use of criminal procedures as the only pathway to ensuring accountability, redress and justice would not be very effective in delivering justice and sustainable peace in the full sense.** In this light, the GoE has taken the first step in this direction developing a **white paper on 'Policy Options for Transitional Justice in Ethiopia'** - based on findings of a study conducted by academics and experts. The document presents on **alternative policy options and recommendations on transitional justice in**

Ethiopia and proposes a range of institutional arrangements and recommendations to implement transitional justice in Ethiopia. The document will soon be tabled for nation-wide consultations.

GOE's Commitment for a Negotiated Peace Process as the Most Sustainable Pathway to Stop Further Violations of Fundamental Rights of Citizens

Prior to November 2020 and throughout July 2021 and 2022, the GoE had engaged in multiple mediation efforts initiated by civil society organizations, elders, religious leaders, African countries, the US, the EU and the African Union - to bring a peaceful resolution to the conflict.

The GoE's most sincere commitment to protect fundamental rights through the promotion of the peace agenda was more specifically demonstrated on 28 June 2021 - **when the federal government declared a unilateral ceasefire and withdrew its forces** from Tigray region. Further, on March 24, 2022, the GoE declared an 'indefinite humanitarian truce' with immediate effect; it was intended to facilitate the free flow of humanitarian assistance and improve the humanitarian situation on the ground. Yet, the ceasefire was not fully reciprocated by TPLF; on numerous occasions, its forces expanded a vicious conflict into Afar and Amhara regions. Besides, **in spite of all the good will gestures by the GoE, in August 2022, the TPLF violated the humanitarian truce and launched a third round of large-scale offensive** against federal and regional force positions in North Ethiopia. Yet, even as the conflict raged, in September 2022, the GoE renewed its commitment to the AU-led peace process. **The GoE believes that the only mechanism for sustainable peace and protection of the fundamental rights is engaging in a peace process in good faith and without conditionalities; to this, the GoE remains committed.**

Mainstreaming Human Rights Especially Gender Issues

Ethiopia has made improvements in women empowerment and gender equality. Gender-related indicators have shown increased women's representation in various key positions. As of October 2021, women held 36% (8 out of 22) of ministerial positions at the federal level, and 33% of the cabinet positions. Following the 2021 General Election, the number of women

parliamentarians holding seats in parliament reached 42% - up from 38.7% under the previous parliament.

On the other hand, a comprehensive guideline on 'gender-based legal drafting and analysis of legislations' was developed in 2021 and tailored capacity development trainings conducted to pertinent staffers engaged in legislative drafting. The manual will assist Ethiopia's effort to integrate gender into laws and policies - by providing a step-by-step guide on how to conduct a gender-based legal analysis and gender impact of laws in respect laws adopted in the past and new legislations currently under consideration.

Elections and Government Formation

As stated earlier, the COVID-19 pandemic had had a profound impact on Ethiopia's elections in terms of its timing, public safety during the process, and the role of stakeholders. Accordingly, while a state of emergency was proclaimed to tackle the pandemic, it also triggered the postponement of the election for over a year - except in Tigray region. Eventually, the Sixth General Election to the national parliament and state councils was successfully conducted in June 2021. Under the newly re-established National Election Board, Ethiopia was able to hold the first ever truly fair and free election. A new government was formed in which leaders of major opposition parties were assigned ministerial and cabinet positions.

Trafficking, IDPs and refugees

Throughout the conflict, IDPs and refugees have been affected the most. The GoE has endeavored to address their multifaceted challenges by adopting different measures.

With regard to IDPs, currently there is no comprehensive policy framework that guides the GoE's approach in ensuring IDPs' protection and coordinating national response measures. Nevertheless, the GoE had expressed commitment to address IDP issues in a holistic manner. In this light, I am happy to inform the committee that the first crucial step - which involved **completing the ratification process of the Kampala Convention by depositing the instrument of ratification** - was successfully completed.

Further, the Inter-Ministerial Task Force (IMTF) has set up a Steering Committee of eight - involving key stakeholders from the government and UN agencies - to spearhead the **domestication of the Kampala Convention on IDPs**. The committee is currently drafting two critical legislations namely: **a national IDP proclamation that implement the convention in national setting**, and **a national IDP strategy which indicates mechanisms for facilitating and ensuring durable solutions** - including voluntary return, local integration, relocation, and rehabilitation of all IDPs.

As you are well aware of, the conflict in north Ethiopia produced number of IDPs and disrupted livelihoods in Tigray, Amhara and Afar regions; hence the issue of humanitarian assistance and access has been extremely critical. The GoE has been seriously engaged in facilitating the provision of humanitarian aid under immensely challenging security conditions. On numerous occasions, the flow of humanitarian assistance reaching Tigray was blocked or obstructed from the TPLF-controlled areas of Amhara and Afar regions - for sinister objectives. In spite of the misinformation campaign, the GoE has and will continue its level best to coordinate and deliver humanitarian aid to all persons, including IDPs, across the three regions.

In respect of refugees, the GoE continues in its generous policy of accommodation - facilitating access to primary, secondary and tertiary educations and all tiers of public health facilities. Further, as the conflict in Tigray and Afar affected thousands of refugees, 9900 refugees have been successfully relocated from conflict prone areas to safer places, 15,000 refugees are relocated to the new camp established in Alem Wach in Gondar, the free movement of refugees is facilitated better than ever - including to the capital - with 19,000 refugees given the out of camp privilege since the conflict. Fifty thousand asylum cases were processed in the midst of covid, conflict and drought.

In relation to cessation of the **prima facie recognition of refugee status**, I assure you that there is no drastic or discriminatory change of policy; the relevant government agency's recourse to **individual refugee status determination procedure** as its new modus operandi is within the bounds of international and regional refugee laws. It applies not only to Eritreans, but also to all nationalities hosted by Ethiopia.

In conclusion, Madam Chair, allow me to underscore the following three points:

First, the conflict in Ethiopia has caused tremendous suffering of Ethiopians in the hands of fellow Ethiopians. No one wins in the continuation of this conflict even for one second, while Ethiopia and the whole of humanity win from the restoration of peace through dialogue and negotiations. This senseless conflict was started by TPLF and imposed on the Government of Ethiopia. As a result, human rights have become the first casualty.

Second, the GoE has the political will, the determination and the institutional capability and experience to investigate all alleged violations of human rights in the country and bring the perpetrators to justice regardless of the actors. The international community has only a complementary role that can be availed under the right circumstance.

Finally, while Ethiopians are suffering from a senseless conflict imposed on them, they also do not wish to be defined by the conflict and its accompanying human rights violations. Ethiopia has a proud track record of fighting for human dignity and for the observance of human rights by all.

I thank you!!!