
Human Rights Council

S-33/L.1 Situation of human rights in Ethiopia

The Human Rights Council,

PP1 Guided by the purposes and principles of the Charter of the United Nations, (HRC res 47/13 PP1)

PP2 Guided also by the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and other relevant international and regional human rights treaties, (HRC res 47/13 PP2)

PP3 Recalling Human Rights Council resolution 47/13 on the situation of human rights in the Tigray region of Ethiopia, as well as all relevant statements by the Security Council, the Secretary-General and the High Commissioner for Human Rights on the situation in Ethiopia, (NEW)

PP4 Recognizing the primary responsibility of States to promote and protect human rights, (NEW)

PP5 Reiterating that all human beings are born free and equal in dignity and rights, and that everyone is entitled to the enjoyment and full realization of all human rights without distinction of any kind such as religion, belief or ethnic origin, (HRC res 47/13 PP3)

PP6 Reaffirming its strong commitment to the sovereignty, political independence, territorial integrity and unity of Ethiopia, and its profound solidarity with the Ethiopian people, (HRC res 47/13 PP4, amended)

PP7 Welcoming the report by the Office of the United Nations High Commissioner for Human Rights and the Ethiopian Human Rights Commission on their joint investigation into alleged violations of international human rights, humanitarian and refugee law committed by all parties to the conflict in the Tigray region of Ethiopia, published on 3 November 2021, and commending the Office of the High Commissioner for Human Rights and the Ethiopian Human Rights Commission for their impartial and transparent work, (NEW)

PP8 Expressing grave concern at the report's conclusion that there are reasonable grounds to believe that there have been widespread violations and abuses of international human rights law, and violations of international humanitarian law and international refugee law, by all parties to the conflict, some of which, depending on their circumstances, may amount to international crimes, in particular war crimes and, to the extent widespread or systematic, crimes against humanity, (NEW)

PP9 Appalled by the reports of deliberate targeting of civilians and indiscriminate attacks resulting in civilian casualties, including children, older persons and persons with disabilities, and of civilian objects enjoying special protection under international humanitarian law, including houses, hospitals, health centres, schools and places of worship, by all parties to the conflict, which indicate a flagrant disregard for human life and dignity, (NEW)

PP10 Deeply concerned by the reports of widespread occurrence of unlawful killings and extrajudicial executions, including wilful killings on the basis of ethnicity, torture and other cruel, inhuman or degrading treatment or punishment of civilians and captured combatants, arbitrary detentions, abductions and enforced disappearances, and widespread sexual- and

gender-based violence against women, girls, men and boys, including rape, committed by all parties to the conflict, (NEW)

PP11 Deeply concerned further by the violations of the rights of refugees and internally displaced persons under international human rights law, international humanitarian law and international refugee law, the forcible displacement of civilians largely based upon their ethnicity, the restrictions on access to humanitarian relief and the killings of humanitarian workers which may amount to a violation of international humanitarian law and requires further investigations, (NEW)

PP12 Deeply concerned also by the unjustified restrictions on freedom of movement, freedom of expression and access to information, as well as by the widespread instances of pillage, looting and destruction of public and private property and objects indispensable to the survival of the civilian population including crops and livestock, and by the violations of economic, social and cultural rights including the rights to adequate food, safe drinking water and sanitation, education, healthcare and access to basic services including telecommunications and internet access, electricity and banking services, (NEW)

PP13 Taking into consideration that the report of the joint investigation indicates that there is a need for further investigations on a number of alleged violations and abuses committed by all parties between 3 November 2020 and 28 June 2021, and that serious human rights violations and abuses as well as violations of international humanitarian law and international refugee law have continued to be committed by all parties across a number of regions in Ethiopia, including Afar, Amhara, Oromia and Tigray since the end of the period under investigation, prompting that inquiries must continue to ensure accountability and justice for victims and survivors, (NEW)

PP14 Stressing that the gravity and seriousness of these findings call for independent investigations and appropriate prosecution of those responsible, and emphasizing the importance of ensuring that these investigations comply with international standards including with respect to transparency, while also addressing issues of command responsibility, in order to deal with impunity meaningfully, (NEW)

PP15 Cognizant that the Government of Ethiopia has acknowledged the fact that the report provides troubling accounts of violations and abuses that have been committed by members of the Ethiopian National Defence Forces and regional security forces, and has committed to taking steps with a view to ensuring accountability,

PP16 Welcoming in that regard the decision by the Government of Ethiopia to set up an Inter-Ministerial Taskforce to oversee redress and accountability measures in response to human rights violations committed in the context of the conflict in northern Ethiopia and encouraging the Taskforce to promptly fulfil its mandate, (NEW)

PP17 Calling for similar acknowledgments by the Government of Eritrea, the Tigray People's Liberation Front (TPLF) and all other parties to the conflict, (NEW)

PP18 Alarmed by the recent escalation of hostilities in northern Ethiopia, and by the impact of the current crisis on the already dire human rights and humanitarian situation of the civilian population, as well as on the stability of the country and the wider Horn of Africa region, (NEW)

PP19 Reiterating its firm support for the ongoing mediation efforts by the African Union High Representative for the Horn of African Region to find the urgently needed political non-military solution, and underscoring the importance of the continued involvement of the African Union, the African Commission on Human and Peoples' Rights and the Intergovernmental Authority for Development, (HRC res 47/13 PP10, modified)

PP20 Reaffirming the importance of the full, equal and meaningful participation of women in planning and decision-making with regard to mediation, confidence-building, conflict prevention and resolution, and of their involvement in all efforts to maintain and promote peace and security, and the need to prevent and redress human rights violations and abuses, such as all forms of violence against women and girls, especially sexual- and gender-based violence, (HRC res 45/28 PP7)

PP21 Calling upon the Government of Ethiopia to implement the state of emergency declared on 2 November 2021 in a manner that respects the principles of strict necessity, proportionality and non-discrimination, and to publish the list of detainees and guarantee the right to visits in detention centres, while expressing deep concern at reports about the targeting, arrests and detention of people based upon their ethnicity, the poor detention conditions of those arrested, the allegations of ill-treatment in detention and the lack of judicial review, and at reports about the increase of incidents of hate speech by all parties, including on social media, (NEW)

PP22 Bearing in mind that impunity for gross violations and abuses of human rights and serious violations of international humanitarian law encourages their recurrence and is a fundamental obstacle to sustainable peace at the national level, and also to the furtherance of cooperation among peoples and the promotion of international peace and security, (HRC res 42/17, PP11 shortened)

PP23 Stressing the importance of collecting, preserving and analysing evidence in view of advancing accountability, and that bringing perpetrators to justice is critical for the prevention of further human rights violations and abuses, and violations of international humanitarian law and international refugee law, and for post-conflict transitional justice and reconciliation, and emphasizing that the gravity of the situation requires a swift and thorough response, (NEW)

1. *Condemns in the strongest terms* all human rights violations and abuses and violations of international humanitarian law and international refugee law committed in northern Ethiopia by all parties to the conflict since it started on 3 November 2020, (HRC res 47/13 OP1, modified)

2. *Calls* for an immediate halt to all human rights violations and abuses and violations of international humanitarian law and international refugee law, and for the strict observance of all human rights and fundamental freedoms, (HRC res 47/13 OP2, modified)

3. *Urges* all parties to the conflict to end the deliberate targeting of civilians, including on the basis of their ethnicity or gender, to refrain from incitement to hatred and violence, to avoid further damage to critical civilian infrastructure, to end any measures that may exacerbate the already acute humanitarian crisis, in particular, to remove restrictions on access to humanitarian relief and to cease attacks against objects indispensable to the survival of the population including crops, livestock and medicines, (NEW)

4. *Further urges* all parties to the conflict to heed the repeated calls to immediately end hostilities and seek a permanent ceasefire, without preconditions, and to engage in the ongoing mediation efforts led by the African Union High Representative for the Horn of African Region and in an inclusive national dialogue in view of reducing tensions and achieving sustainable and inclusive peace, (NEW)

5. *Calls upon* all parties to the conflict to facilitate the full, safe, immediate and unimpeded humanitarian access and the delivery of humanitarian supplies, including across conflict lines, to ensure that humanitarian relief reaches all those in need, particularly internally displaced persons and those in vulnerable situations, and to respect the independence of humanitarian agencies and guarantee the protection of humanitarian personnel, (NEW)

6. *Further calls upon* all parties to the conflict that have not yet done so to acknowledge responsibility, and commit to concrete measures with clear timelines to implement without delay the findings and recommendations of the report by the Office of the High Commissioner for Human Rights and the Ethiopian Human Rights Commission published on 3 November 2021, (NEW)

7. *Takes note* of the first steps taken by the Government of Ethiopia to implement the recommendations in the report by the Office of the High Commissioner for Human Rights and the Ethiopian Human Rights Commission and encourages the Government of Ethiopia to proceed without delay to ensuring accountability and redress for the victims for the violations committed in the conflict, (NEW)

8. *Notes with concern* that the current circumstances of ongoing hostilities may not be conducive to ensuring prompt, independent, transparent and impartial investigations at the national level in line with international law standards, (NEW)

9. *Decides* to establish, for a period of one year, renewable as authorized by the Human Rights Council, an international Commission of Human Rights Experts on Ethiopia, to be appointed by the President of the Human Rights Council, with the following mandate: (NEW)

- (a) to conduct thorough investigations into allegations of violations and abuses of international human rights law and violations of international humanitarian law and international refugee law in Ethiopia, committed since 3 November 2020 by all parties to the conflict, including the possible gender dimensions of such violations and abuses, by building upon the report of the Office of the High Commissioner and the Ethiopian Human Rights Commission,
- (b) to establish the facts and circumstances surrounding the alleged violations and abuses, to collect and preserve evidence, and, where possible, to identify those responsible, and to make such information accessible and usable in support of ongoing and future accountability efforts,
- (c) to provide guidance on transitional justice, including accountability, reconciliation and healing, as appropriate, and to make recommendations on technical assistance to the Government of Ethiopia to support accountability, reconciliation and healing,
- (d) to integrate a gender perspective and a survivor-centred approach throughout its work,
- (e) to engage with all relevant stakeholders, including the Governments of Ethiopia and Eritrea, the Office of the High Commissioner, the Inter-Ministerial Taskforce, the Ethiopian Human Rights Commission, the African Union, the African Commission on Human and Peoples' Rights, the Intergovernmental Authority for Development and civil society,

10. *Requests* the international Commission of Human Rights Experts on Ethiopia to present an oral briefing to the Human Rights Council at its fiftieth session during an interactive dialogue, and to submit a written report to the Human Rights Council at its fifty-first session during an interactive dialogue, and to the General Assembly at its seventy-seventh session during an interactive dialogue, (NEW)

11. *Requests* the Office of the High Commissioner to continue to provide, in consultation with the Government of Ethiopia, advice and technical assistance in order to strengthen the capacity of the Ethiopian Human Rights Commission and the criminal justice system, and accountability and reconciliation processes in general, (HRC res 47/13, modified),

12. *Requests* the immediate operationalization of the mandate, and also requests the Secretary-General to provide all the resources necessary and expertise, including on sexual and gender-based violence, to enable the Office of the High Commissioner to provide such administrative, technical and logistical support as necessary to implement the provisions of the present resolution, (NEW)

13. *Calls upon* all parties to the conflict to grant the international Commission of Human Rights Experts on Ethiopia and its members unhindered access without delay and to allow them to visit sites, and to meet and speak freely and privately, with whomever they wish to meet or speak, (NEW)

14. *Decides* to remain seized of the matter. (NEW)
