



Official Correspondence GSTS-O.C-2021-089
The Global Society of Tigray Scholars
and Professionals (GSTS)¹

H.E. Ambassador Nazhat S Khan

President of the United Nations (UN) Human Rights Council
Geneva

Opposition to the Decision of Human Rights Council to Receive the Report on the Joint Investigation by the Office of the High Commissioner for Human Rights and the Ethiopian Human Rights Commission

Excellencies,

1. The Global Society of Tigray Scholars and Professionals (GSTS), a non-partisan and autonomous global knowledge network representing over 3200 Tigrayan scholars and professionals all over the world, strongly denounces the plan of the UN Office of the High Commissioner for Human Rights to present a report on the joint investigation conducted by it and the Ethiopian Human Rights Commission on the crimes committed during the ongoing war on Tigray. GSTS rejects any investigation and report involving the Ethiopian Human Rights Commission (EHRC).

2. GSTS has, in its several written submissions and verbal presentations, consistently opposed any investigation involving the EHRC from its inception. Key among the correspondences include:

- a. On 18th March 2021 (Official Correspondence GSTS-O.C-2021-024), GSTS pleaded with United Nations High Commissioner for Human Rights, H.E. Michelle Bachelet, to reverse the plan to conduct a joint investigation. In the same letter, GSTS rather asked for deployment of a UN inquiry commission to conduct a full and independent investigation of war crimes, crimes against humanity and genocide that have been committed in Tigray since the war broke out on the 4th of November 2020.
- b. On 6th April 2021, GSTS submitted a detailed study on “*Why the Ethiopian Human Rights Commission (EHRC) Should Not be Involved in the Joint Investigation of War Crimes, Crimes Against Humanity, and highly likely Genocide in Tigray?*”
- c. On 16th April 2021, (Official Correspondence GSTS-O.C-2021-059), GSTS again denounced the decision to conduct a joint investigation and called for an independent international UN-mandated investigation into the war crimes and crimes against humanity being committed in Tigray.
- d. On 4th May 2021 (Official Correspondence GSTS-O.C-2021-041), GSTS expressed its concern with the lack of transparency on the decision making and the work of the United Nations Office of the High Commissioner for Human Rights (OHCHR). It recalled OHCHR's thorough investigation of mass atrocities committed in Tigray from the 2nd week of November 2020 through the end of December 2020, including interviewing victims and witnesses of the human rights violations of various kinds and gravity in refugee camps in the Sudan. GSTS further recalled that the report was submitted to H.E. Michelle Bachelet in January 2021. However, for reasons that are not clear to the victims, witnesses, and the public at large, the findings of the



investigation have not yet been made public. Victims and witnesses who gave their accounts with complete confidence to the UN were and are still awaiting the release of the report. GSTS called for the release of the investigation, which is as of yet released.

- e. On 16th July (Official Correspondence GSTS-O.C-2021-059), GSTS once again called on the United Nations High Commissioner for Human Rights to reconsider and rectify its decision to establish the joint investigation and requested for the establishment of a new independent UN sponsored body that conducts victim-centred and objective investigations.

3. In short, through these chain of correspondences and a number of oral presentations, GSTS has sought to indicate that any investigation that involves the EHRC will not meet the requisite criteria listed in the UN Guidance and Practice of Commissions of Inquiry and Fact-Finding Missions on International Human Rights and Humanitarian Law. GSTS presented evidence that the EHRC lacks independence, impartiality, objectivity, integrity, credibility, confidentiality, professional competence, and capacity for such investigation.

4. There are several obvious reasons why a report based on the so-called joint investigation will not fulfil these criteria. First, the EHRC is influenced and controlled by the Ethiopian government, which is implicated in widespread atrocities. The EHRC cannot, therefore, be impartial as it is sponsored and under the influence of the government of Ethiopia- a principal actor and chief architect of the war. Second, the EHRC has been arbitrary, selective, and biased in its choices of what to investigate and methods of investigation. It has been vocal about some alleged atrocities, generally, those the Ethiopian government sought to draw attention to and involve ethnic of Amhara. At other times, such as with the arrest of tens of thousands of political dissenters (especially in Oromia), it has opted to remain largely silent and ignored widespread violations. Third, the EHRC played a deliberately biased and destructive role in the war in Tigray, primarily through its misleading report on the attribution of the Mai-Kadra massacres of Tigrayans. That false report has been used (and still continues to be used) by the Ethiopian and Amhara governments to galvanize support for the war on Tigray. It is clear that evidence has been destroyed in Mai-Kadra, and the EHRC has been complicit in that process. Fourth, since the onset of the war, the EHRC issued a few partially muzzled reports on human rights violations that obfuscate the sheer magnitude and diverse nature of atrocities committed in Tigray. These atrocities were inflicted upon tens of thousands of civilian Tigrayans as well as Tigrayan military and security officers who were imprisoned on the eve of the war on Tigray. Fifth, the EHRC had made no effort to investigate heinous atrocities that have been committed in Western Tigray -- on which international media outlets like CNN have already gathered and reported substantial evidence -- and that is now under the control of the Amhara and Eritrean governments' forces. Sixth, the state-appointed commissioner of the EHRC is on record minimizing the atrocities committed in Tigray. This brief catalogue indicates why any investigation in which the EHRC's is involved cannot be impartial or credible. Indeed, we feel that the partisan nature of the EHRC has already influenced the selection of sites for the joint UN-EHRC investigation

because major hotspots of the atrocities in Tigray, including massacres in Axum,¹² Abi Addi,³ Hagera Selam,⁴ Togoga Massacre,⁵ Irob,⁶ Adwa,⁷ Adigrat,⁸ Hawzen,⁹ Gijet,¹⁰ Mariam Dengelat,¹¹ and others have not been included in the investigation.

5. Unfortunately, H.E. Michelle Bachelet, the United Nations High Commissioner for Human Rights, has failed to heed our repeated efforts to bring these concerns to the UN's attention.

6. In light of this, GSTS strongly denounces this ill-conceived decision by the United Nations High Commissioner for Human Rights to present the report from the joint investigation. GSTS once again stress that the involvement of the EHRC was counterproductive from the outset as victims and witnesses are reluctant to participate in an inquiry involving EHRC, an organization that is run by and publicly considered as part and parcel of the Ethiopian government, which is the architect and main actor in the atrocities committed against the civilian population of Tigray.

7. As a result, the joint investigation with the EHRC has no credibility in whatsoever by the affected community, families of victims and survivors. Given the involvement of the EHRC, a body that has consistently proven its allegiance to the Ethiopian government, GSTS strongly believes that this investigation has failed to meet the minimum standard of an independent and comprehensive investigation.

8. GSTS, therefore, has no option but to reject outright the outcome of the so-called joint investigation, much as families of victims, survivors and the Tigrayan community have done.

9. GSTS warns of the significant damage the joint investigation brings to the reputation of the OHCHR in particular and UN in general and lack of global legitimacy and acceptability of any report and finding of such joint investigation. In the eyes of the Tigrayan victims of the egregious violations of human rights and humanitarian laws, the joint investigation is null and void.

¹ <https://www.amnesty.org/en/latest/press-release/2021/02/ethiopia-eritrean-troops-massacre-of-hundreds-of-axum-civilians-may-amount-to-crime-against-humanity/>

² <https://www.hrw.org/news/2021/03/05/ethiopia-eritrean-forces-massacre-tigray-civilians>

³ <https://www.telegraph.co.uk/global-health/terror-and-security/bodies-torn-pieces-ethiopian-eritrean-troops-accused-massacre/>

⁴ <https://www.ethiopia-insight.com/2021/02/19/catastrophe-stalks-tigray-again/>

⁵ https://apnews.com/article/ethiopia-tigray-airstrike-togoga-424851651a0e02c21df71c86d9b70ec2?utm_campaign=SocialFlow&utm_medium=AP&utm_source=Twitter

⁶ <https://www.aljazeera.com/news/2021/5/4/tiny-ethnic-group-fears-extinction-as-tigray-war-enters-6th-month>

⁷ <https://www.reuters.com/article/ethiopia-conflict/eritrean-soldiers-kill-nine-civilians-in-tigray-ethiopian-regional-official-says-idUSL4N2M72PT>

⁸ <https://www.channel4.com/news/tigray-conflict-the-testimonies-of-alleged-war-crimes>

⁹ <https://www.voanews.com/africa/residents-dig-mass-graves-bury-tigray-war-victims>

¹⁰ <https://news.yahoo.com/residents-tell-massacre-tigray-village-163000942.html>

¹¹ <https://edition.cnn.com/2021/02/26/africa/ethiopia-tigray-dengelat-massacre-intl/index.html>

10. GSTS once again requests the UN Human Rights, under Your Excellency's leadership, to follow its own guidelines and precedence of establishing independent and international commissions of inquiry or international fact-finding missions that were tasked with investigating and recommending corrective actions based on factual and legal findings as was in South Sudan, Gaza, Syria, Libya, Sudan (Darfur), Cote d'Ivoire, and Lebanon. These exemplary investigations were comprehensive and served as historical records of grave violations of human rights and international humanitarian law, offered the victims justice, and ensured legal and political accountability of those responsible. GSTS believes that only the UN can fulfil such criteria and is equipped to investigate crimes of such magnitude. GSTS strongly believes that Ethiopia will find it extremely difficult to advance to dialogue and reconciliation without ascertaining the facts and truth behind the various atrocities and violations of human rights and accountability.

11. GSTS further requests Your Excellencies to end the politicization of the United Nations Human Rights mechanisms without further delay and to respect the interest of victims and place victims at the centre of the investigation by authorizing a UN-mandated inquiry commission to investigate into atrocities crimes committed in Tigray and other parts of the country.

GSTS stands ready to cooperate fully with such UN body of inquiry.



Sincerely,
The Global Society of Tigray Scholars
and Professionals (GSTS)
13th September 2021

CC:

- **H.E. Ambassador Geraldine Byrne Nason**
President of the Security Council for September
New York
- **H.E. Antonio Guterres**
Secretary-General of the United Nations (UN)
New York
- **H.E. Michelle Bachelet**
United Nations (UN) High Commissioner for Human Rights
Geneva
- **All Members of the Security Council**
- **All Permanent Missions to the UN in Geneva**

¹GSTS is 501(C) and 33/2011 legally registered non-partisan, not-for-profit, and autonomous Global Knowledge Network of over 3,200 Tigray Scholars and Professionals aimed at creating Knowledge-based economy and society in Tigray, and beyond. It stands for academia, multidisciplinary and cross sectoral research and applied policy development, human capital development, fostering and advancing science, technology, and innovation, technology and knowledge transfer, youth and gender development, migration and displacement, and other educational and development related endeavors. It also works in educational advocacy and collaborates with various stakeholders towards promoting peace, good governance, human rights, and humanitarian activities.