



# Asamblea General

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## Consejo de Derechos Humanos

### 57º período de sesiones

9 de septiembre a 9 de octubre de 2024

Tema 3 de la agenda

**Promoción y protección de todos los derechos humanos,  
civiles, políticos, económicos, sociales y culturales,  
incluido el derecho al desarrollo**

## Comunicación escrita de la Comisión de Derechos Humanos de Etiopía\*

### Nota de la Secretaría

La Secretaría tiene el honor de transmitir al Consejo de Derechos Humanos la comunicación escrita de la Comisión de Derechos Humanos de Etiopía\*\*, que se distribuye de conformidad con el artículo 7 b) del reglamento del Consejo (véase la resolución 5/1, anexo) y con las disposiciones y prácticas convenidas por la Comisión de Derechos Humanos en su resolución 2005/74.

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\* La institución nacional de derechos humanos tiene la acreditación de la categoría “A” ante la Alianza Global de Instituciones Nacionales de Derechos Humanos.

\*\* Se distribuye tal como se recibió, en el idioma en que se presentó únicamente.



## **Anexo**

### **Comunicación escrita de la Comisión de Derechos Humanos de Etiopía**

#### **Why it is urgent for Ethiopia to ratify the Convention on Enforced Disappearances**

The Ethiopian Constitution recognizes the right of all persons to liberty and security of persons. The country is also party to the International Convention on Civil and Political Rights (ICCPR), as well as several of the key international human rights instruments, which, by virtue of the Constitution, form part of domestic law. The Criminal Code penalizes enforced disappearances and categorizes them as an international crime that may constitute genocide, whether committed in times of war or in times of peace. The Code further stipulates that when committed in times of war, conflict or occupation, by any party, the act may constitute a war crime. Domestic laws also criminalize illegal restraint and abduction, some elements of which may constitute enforced disappearance.

However, over the past three years, the Ethiopian Human Rights Commission (EHRC) has investigated, documented and reported on over 200 cases that may constitute enforced disappearance and called for accountability measures. In some instances, persons are released or found after prolonged detentions, of up to eight months, in irregular detention places or incommunicado. However, in its Annual Human Rights Situation Report of June 2024 for example, EHRC reported 42 cases of enforced disappearances of persons taken from Addis Ababa alone and whose whereabouts, as of the time of reporting, remain unknown.

Testimonies from witnesses show that, in the majority of the cases, persons were said to have been taken by government security authorities, including members of the police, the national intelligence and the national army. These members of security often come in at least one vehicle with official plate numbers belonging to security authorities and are often in uniforms. There are also instances where the victims were injured, through beatings, and for some, by being shot at, during the process of such arrests.

In an alarming new pattern, people are also disappearing from regular detention places, after prolonged arbitrary detention, where, nevertheless, they had visitation rights. Families would then be told that detainees were handed over to another security authority, often the army, and taken to an irregular detention place, which would often be military camps. However, authorities administering the camps would either refuse to respond to visitation requests or indicate that the detainees are not held there. In some instances, evidence and information reasonably lead to believe that victims of enforced disappearances were unlawfully killed, but investigation is made difficult because of absence of records of arrest, detention and transfer.

EHRC has also found that although many regions of Ethiopia are affected by prolonged, recurring or ongoing conflict resulting in serious human rights violations, the cases of enforced disappearances investigated have often taken place outside this context and in relatively peaceful locations. In addition, most of the persons in these cases were taken from Addis Ababa, Amhara and Oromia regions.

While prison and police authorities are, for the most part, cooperative to inquiries regarding persons under their charge, response from other security authorities, in particular the army and national intelligence, has been, at best, very weak. On the one hand, inquiries are often left unanswered, or access is nearly always denied. On the other hand, in situations where they do respond, the information is not sufficient for a resolution or does not lead to the identification of the whereabouts of the victims. EHRC has, as yet, not found any evidence of efforts by relevant authorities to investigate and bring perpetrators to account.

EHRC continues to receive and investigate complaints related to enforced disappearances and continues to report on and advocate for accountability in order to obtain remedy for the victims and families involved. As part of the Human Rights Day, 10 December 2023,

commemorations marking the 75th anniversary of the Universal Declaration of Human Rights, EHRC also joined the Office of the High Commissioner for Human Rights to organize a government pledge on various issues of concern. The Ethiopian Ministry of Justice pledged to start taking measures to ratify the International Convention for the Protection of All Persons from Enforced Disappearance to which the country is still not a party.

EHRC reiterates its call for the ratification of this instrument which would provide a strong legal framework for specific accountability, but also preventive action obligations on the government. EHRC also recommends for more attention to this grave human rights violation and credible efforts to investigate and to bring those responsible to account. The transitional justice policy adopted in April 2024 and the process, the implementation of which has begun, will also be an important opportunity to integrate enforced disappearances in the framework of human rights violations addressed. EHRC therefore calls on the government to take measures to ensure that victims and families of victims of enforced disappearances are meaningfully and credibly included in all the components of the transitional justice process implementation.

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