

**Human Rights Protection in the Tigray Conflict: Examining
the Role of International and Regional Institutions**

**A Thesis Submitted in Partial Fulfillment of the
Requirements for the Degree of Master of Laws (LL.M.) in
International Human Rights Law**

Mekelle University School of Law

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Mekelle University

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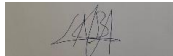
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Thesis Title: Human Rights Protection in the Tigray Conflict: Examining the Role of International and Regional Institutions

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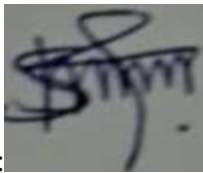
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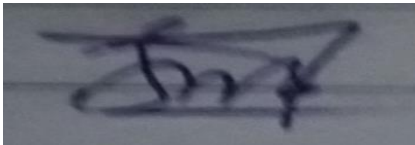
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Abstract

This thesis critically examines the role and effectiveness of international and regional institutions, specifically the United Nations (UN), the African Union (AU), and Ethiopian human rights bodies, in protecting human rights during the Tigray conflict (2020 to 2022). It explores how these actors responded to widespread and systematic violations, including extrajudicial killings, sexual violence, forced displacement, and deliberate starvation, and evaluates the adequacy of their interventions against their legal mandates.

Using a doctrinal legal research approach combined with empirical case studies and critical theory, the study analyzes institutional actions, political dynamics, and operational constraints. Primary sources include the EHRC and OHCHR joint investigation, reports by Amnesty International and Human Rights Watch, and humanitarian updates from OCHA and UN agencies. Comparative analysis with other conflict contexts, including Darfur, the Central African Republic, and Syria, provides lessons on institutional neutrality, accountability, and responsiveness.

Findings reveal that responses by the UN and AU were largely inadequate, delayed, and politically constrained, undermining their credibility and effectiveness. While initiatives such as the joint investigation and AU led peace talks were undertaken, they were reactive and lacked urgency. Local civil society and survivor led advocacy played a critical role in documentation and awareness but faced severe repression and resource limitations. The absence of robust accountability mechanisms, such as ICC referral or hybrid tribunals, has perpetuated impunity and deepened the trauma of victims.

The study concludes that the Tigray conflict exposes systemic weaknesses in global and regional human rights protection frameworks. It recommends reforms to strengthen institutional independence, operational capacity, and early warning systems; empower local actors; and establish credible accountability mechanisms, including hybrid courts and survivor centered transitional justice processes. Ultimately, this research underscores the urgent need for structural reforms to ensure timely, impartial, and effective protection of human rights in future conflicts.

Keywords: Tigray conflict, human rights institutions, accountability, survivor-centered approaches, international law

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Acronyms:

AU – African Union

UN – United Nations

EHRC – Ethiopian Human Rights Commission

OHCHR – Office of the High Commissioner for Human Rights

TPLF – Tigray People’s Liberation Front

ENDF – Ethiopian National Defense Forces

EDF – Eritrean Defense Forces

ACHPR – African Commission on Human and Peoples’ Rights

ICC – International Criminal Court

IHL – International Humanitarian Law

IHRL – International Human Rights Law

R2P – Responsibility to Protect

OCHA – Office for the Coordination of Humanitarian Affairs

MSF – Médecins Sans Frontières

CAR – Central African Republic

MINUSCA – UN Mission in CAR

UNAMID – UN–AU Mission in Darfur

SCC – Special Criminal Court

CEHRO – Consortium of Ethiopian Human Rights Organizations

EWLA – Ethiopian Women Lawyers Association

ICHREE – International Commission of Human Rights Experts on Ethiopia

PSC – Peace and Security Council

COHA – Cessation of Hostilities Agreement

CHAPTER ONE: INTRODUCTION

1.1. Background on Human Rights Protection in Armed Conflicts

The protection of human rights during armed conflicts is a cornerstone of international law, rooted in both International Humanitarian Law (IHL) and International Human Rights Law (IHRL). While IHL governs the conduct of hostilities and aims to protect civilians and those no longer participating in combat, IHRL continues to apply even during times of war, ensuring that states remain accountable for violations against individuals under their jurisdiction. Instruments such as the Geneva Conventions, the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights provide the legal framework for such protection.

International organizations, including the United Nations (UN) and the African Union (AU), play a critical role in monitoring, reporting, and responding to human rights violations in conflict zones. Their mandates often include deploying fact-finding missions, facilitating humanitarian access, and supporting accountability mechanisms. However, the effectiveness of these institutions is frequently tested in politically sensitive and complex conflicts, such as the one that unfolded in Ethiopia's Tigray region.

The interplay between IHL and IHRL has been the subject of extensive scholarly debate, particularly regarding their concurrent applicability in non-international armed conflicts. The International Court of Justice (ICJ) affirmed in its *Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* that IHRL does not cease during armed conflict but is interpreted in light of IHL.¹ This principle reinforces the obligation of states to uphold fundamental rights even in wartime, including the right to life, prohibition of torture, and access to humanitarian assistance.

Moreover, regional human rights systems such as the African Commission on Human and Peoples' Rights have emphasized the indivisibility of rights, asserting that civil, political, economic, and social rights must be protected simultaneously.² This holistic approach is particularly relevant in

¹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion) [2004] ICJ Rep 136, para 106.

² African Commission on Human and Peoples' Rights, General Comment No. 3 on the African Charter on Human and Peoples' Rights: The Right to Life (2015).

conflicts like Tigray, where violations span multiple dimensions—from physical violence to denial of food, healthcare and other basic and humanitarian services.

The role of international organizations is further complicated by issues of sovereignty and political will. While the UN has mechanisms such as the Human Rights Council and special rapporteurs, their effectiveness often depends on cooperation from member states.³ The AU, despite its progressive Constitutive Act allowing intervention in cases of war crimes and genocide, has been criticized for prioritizing political stability over human rights enforcement.⁴

1.2. The Tigray Conflict: A Human Rights Crisis

A. Nature and Scale of Violations

The conflict in Tigray, which began in November 2020, quickly escalated into one of the most devastating humanitarian and human rights crises in recent African history. The war involved multiple actors, including the Ethiopian National Defense Forces (ENDF), Eritrean Defense Forces (EDF), Amhara regional forces, and the Tigray People’s Liberation Front (TPLF). According to the EHRC–OHCHR joint investigation, all parties committed serious violations of international law, including extrajudicial killings, sexual violence, torture, and forced displacement.⁵ Amnesty International and Human Rights Watch documented the use of rape as a weapon of war, with survivors describing brutal assaults often accompanied by ethnic slurs and death threat.⁶ In Western Tigray, ethnic cleansing campaigns were carried out by Amhara forces, involving mass detentions, torture, and forced expulsions of Tigrayans.⁷ These acts may amount to war crimes and crimes against humanity, as defined under the Rome Statute of the International Criminal Court.

The systematic nature of the violations in Tigray suggests a deliberate strategy of targeting civilians based on ethnicity, which is prohibited under both IHL and IHRL. The Rome Statute defines crimes against humanity to include acts such as murder, rape, and deportation when committed as part of

³ Philip Alston, ‘The UN’s Human Rights Institutions: A Critical Overview’ (2005)

⁴ Alex de Waal, *The Real Politics of the Horn of Africa: Money, War and the Business of Power* (Polity 2015).

⁵ Ethiopian Human Rights Commission and Office of the United Nations High Commissioner for Human Rights, *Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law in Tigray Region* (OHCHR 2021) <https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf> accessed 16 July 2025.

⁶ Amnesty International, “*I Don’t Know If They Realized I Was a Person*”: Rape and Sexual Violence in the Conflict in Tigray, Ethiopia (Amnesty International 2021) <https://www.amnesty.org/en/documents/afr25/4566/2021/en/> accessed 16 July 2025.

⁷ Human Rights Watch, “*We Will Erase You from This Land*”: Crimes Against Humanity and Ethnic Cleansing in Ethiopia’s Western Tigray Zone (HRW2022) <https://www.hrw.org/report/2022/04/06/we-will-erase-you-land/crimes-against-humanity-and-ethnic-cleansing-ethiopia> accessed 16 July 2025.

a widespread or systematic attack directed against any civilian population.⁸ The evidence gathered by international human rights organizations, including satellite imagery, survivor testimonies, and forensic analysis, supports the conclusion that such crimes were not isolated incidents but part of a coordinated campaign.⁹

Furthermore, the involvement of foreign forces, particularly the Eritrean Defense Forces, raises questions about cross-border accountability and the role of international diplomacy in addressing impunity.¹⁰ Despite early denials, the presence of Eritrean troops was later confirmed by both the Ethiopian government and independent investigations, yet no formal accountability mechanisms have been established to date.¹¹

B. Civilian Impact and Humanitarian Consequences

The civilian population bore the brunt of the conflict. Over 2.3 million people were displaced, and millions more faced famine-like conditions due to the blockade of humanitarian aid. Schools, hospitals, and religious sites were destroyed or repurposed for military use. Reports from OCHA, UNICEF, and IOM highlighted the dire conditions in IDP camps, including overcrowding, lack of sanitation, and limited access to food and medical care.¹²

Despite the signing of the Cessation of Hostilities Agreement (COHA) in November 2022, violations continued in some areas, particularly in Western Tigray, where ethnic cleansing persisted.¹³ The AU's silence on these ongoing abuses and its perceived alignment with the federal government raised serious concerns about its neutrality and effectiveness.¹⁴

1.3. Statement of the Problem

The Tigray conflict exposed significant gaps in the international and regional human rights protection architecture. Despite the presence of institutions mandated to prevent and respond to

⁸ Geneva Convention IV Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287, art 27.

⁹ Amnesty International, *"I Don't Know If They Realized I Was a Person": Rape and Sexual Violence in the Conflict in Tigray, Ethiopia* (2021).

¹⁰ *Ibid*

¹¹ Human Rights Watch, *Ethiopia: Eritrean Forces Massacre Tigray Civilians* (2021).

¹² UN Office for the Coordination of Humanitarian Affairs, *Ethiopia – Tigray Region Humanitarian Update* (OCHA 2022) <https://reliefweb.int/report/ethiopia/ethiopia-tigray-region-humanitarian-update-2022> accessed 16 July 2025.

¹³ *"We Will Erase You from This Land": Crimes Against Humanity and Ethnic Cleansing in Ethiopia's Western Tigray Zone* (HRW 2022), <https://www.hrw.org/report/2022/04/06/we-will-erase-you-land/crimes-against-humanity-and-ethnic-cleansing-ethiopia>

¹⁴ *Statement on the Launch of the AU-Led Peace Talks on Ethiopia* (AU 2022) <https://au.int/en/pressreleases/20221025/statement-launch-au-led-peace-talks-ethiopia>

atrocities, widespread and systematic violations occurred with limited accountability. The UN, AU, and Ethiopian human rights bodies were slow to act, and in some cases, their responses were seen as politically compromised.

The humanitarian blockade imposed on Tigray has been described by some analysts as a form of collective punishment, which is prohibited under international law.¹⁵ The deliberate obstruction of aid, destruction of crops, and targeting of civilian infrastructure contributed to famine conditions that were entirely man-made.¹⁶ The UN Special Rapporteur on the Right to Food has emphasized that starvation as a method of warfare constitutes a war crime under Article 8(2)(b)(xxv) of the Rome Statute.¹⁷

The problem is not merely institutional inertia, but also structural limitations embedded in the international legal system. The principle of state sovereignty often clashes with the imperative to protect human rights, especially in internal conflicts.¹⁸ Moreover, the lack of enforcement mechanisms for regional human rights bodies, such as the African Commission on Human and Peoples' Rights, limits their ability to compel state compliance.¹⁹ The Tigray conflict thus serves as a case study in the tension between normative commitments and political realities.

The psychological and social toll of the conflict is equally profound. Survivors of sexual violence face stigma, lack of access to medical care, and limited avenues for justice.²⁰ Children have been disproportionately affected, with thousands orphaned, recruited into armed groups, or denied education for prolonged periods.²¹ These long-term consequences underscore the need for a comprehensive post-conflict recovery strategy that centers on victims' rights and community healing.

This research seeks to critically examine the effectiveness, neutrality, and accountability of these actors. It questions whether their actions were sufficient to protect civilians and uphold international legal standards, and what the consequences of their failures have been for victims and survivors.

¹⁵ UN Security Council, *Briefing on the Situation in Ethiopia* (April 2021).

¹⁶ *Ibid*

¹⁷ UN Office for the Coordination of Humanitarian Affairs (OCHA), *Ethiopia – Tigray Region Humanitarian Update* (2022).

¹⁸ Thomas Franck, *Fairness in International Law and Institutions* (OUP 1995), pages 7–10.

¹⁹ Frans Viljoen, *International Human Rights Law in Africa* (2nd edn, OUP 2012) 412–15.

²⁰ UN Human Rights Council, *Report of the Special Rapporteur on the Right to Food (A/HRC/49/43, 2022)*.

²¹ Medecins Sans Frontieres (MSF), *Tigray: Survivors of Sexual Violence Struggle to Access Care* (2021).

1.4. Research Questions

1. how did international, regional, and national human rights institutions respond to the Tigray conflict, and what specific actions were taken to protect civilians and document violations?
2. What political, legal, and operational challenges shaped these responses, and how did they affect the effectiveness of interventions in preventing or mitigating human rights abuses?
3. What are the consequences of institutional failures or perceived bias, and what lessons can be drawn to strengthen future responses to mass atrocities?

These questions are designed to interrogate not only the actions taken but also the underlying institutional dynamics and normative frameworks that shaped those actions. They aim to bridge the gap between legal theory and operational practice.

1.5. Objectives of the Study

The general objective of this study is to critically examine the role and effectiveness of international and regional organizations—particularly the United Nations (UN), the African Union (AU), and Ethiopian human rights institutions—in protecting human rights during the Tigray conflict. The study aims to explore how these actors responded to the crisis, the extent to which they fulfilled their mandates, and the political, legal, and operational challenges that shaped their interventions. By doing so, the research seeks to contribute to the broader discourse on international human rights protection in conflict settings and propose actionable recommendations for strengthening institutional accountability and responsiveness.

These objectives are grounded in a normative commitment to the Responsibility to Protect (R2P) doctrine, which emphasizes the duty of the international community to act when states fail to protect their populations from mass atrocities.²² The study also seeks to contribute to the development of more context-sensitive and survivor-centered approaches to human rights protection.

Specific objectives:

²² UN General Assembly, *2005 World Summit Outcome*, UN Doc A/RES/60/1 (24 October 2005), paras 138–139.

- To evaluate the responses and specific actions taken by the UN, AU, and Ethiopian human rights institutions to protect civilians and document violations during the Tigray conflict.
- To assess the effectiveness of these actions in preventing or mitigating human rights abuses.
- To analyze the political dynamics, legal constraints, and institutional limitations that influenced the responses of these actors.
- To examine the consequences of institutional failures or perceived bias on civilian protection and accountability efforts.
- To identify key lessons and propose recommendations for improving international and regional human rights protection mechanisms in future conflict settings.

1.6. Research Methodology

This study employs a doctrinal legal research approach, focusing on the analysis of international legal instruments, institutional mandates, and relevant case law to understand the role of human rights institutions during the Tigray conflict. The methodology is structured around the following components:

- A multi-method qualitative design combining doctrinal analysis, comparative case studies, and critical discourse analysis.
- Document analysis of reports, resolutions, and public statements from the UN, AU, EHRC, and NGOs; investigative reports from Amnesty International, Human Rights Watch, and the EHRC–OHCHR joint inquiry; and humanitarian updates from OCHA, UNHCR, and IOM.
- Both primary sources (e.g., official institutional documents, legal texts, investigation reports) and secondary sources (e.g., academic literature, media coverage, and expert commentary on similar conflicts such as Darfur, CAR, and Syria).
- Content analysis to identify patterns in institutional responses, comparative analysis to extract lessons from other conflict contexts, and critical discourse analysis to assess the language, framing, and political positioning of institutional narratives.

1.7. Scope and Limitations of the Study

This study focuses specifically on the Tigray conflict between 2020 and 2022, a period marked by widespread and systematic human rights violations committed by multiple actors. The research is limited to examining the human rights dimensions of the conflict, rather than its military strategies, political negotiations, or broader geopolitical implications. The emphasis is on the role and effectiveness of international and regional organizations, particularly the United Nations (UN), the African Union (AU), and Ethiopian human rights institutions, in responding to and addressing these violations.

The study does not seek to assign criminal liability to specific individuals or entities but rather to evaluate institutional performance and normative compliance. It also acknowledges the evolving nature of the conflict and the possibility that new evidence may emerge, necessitating future updates or revisions to the analysis.

While the study draws on a wide range of publicly available reports, statements, and legal documents, it is constrained by limited access to confidential communications, internal decision-making processes, and classified diplomatic exchanges. These limitations may affect the depth of analysis regarding the motivations and internal deliberations of the institutions under review. Nonetheless, the research aims to provide a comprehensive and critical assessment based on verifiable sources and documented evidence.

CHAPTER TWO: Theoretical and Conceptual Framework for Institutional Responses to Human Rights Violations in the Tigray Conflict

2.1. Introduction

This chapter reviews the existing body of literature relevant to the protection of human rights in armed conflicts, with a focus on the role of international and regional organizations. It explores theoretical frameworks, empirical studies, and critical perspectives that inform the analysis of the Tigray conflict. The review also identifies gaps in the literature that this study seeks to address.

The literature on human rights protection in conflict settings is vast but unevenly distributed across regions and institutions. While significant attention has been paid to conflicts in the Middle East and the Balkans, African conflicts—particularly those involving regional institutions like the

AU—remain underexplored in legal scholarship.²³ This chapter aims to bridge that gap by situating the Tigray conflict within broader theoretical and empirical debates.

2.2. Theoretical Foundations

2.2.1. Human Rights Protection in Armed Conflict

The intersection of international human rights law (IHRL) and international humanitarian law (IHL) has been widely discussed in legal scholarship. While IHL governs the conduct of hostilities and aims to protect civilians during armed conflict, IHRL continues to apply in both peace and war, ensuring that states remain accountable for violations of fundamental rights. Scholars such as Meron (2000) and Clapham (2015) have emphasized the complementary nature of these legal regimes and the need for integrated enforcement mechanisms.²⁴

The ICJ has affirmed the concurrent applicability of IHRL and IHL in several advisory opinions, notably in the *nuclear weapons* and *Wall* cases.²⁵ This dual application is particularly relevant in non-international armed conflicts, where state obligations under human rights treaties remain binding. The African Charter on Human and Peoples' Rights, with its indivisible approach to rights, further reinforces this overlap.²⁶

2.2.2. The Responsibility to Protect (R2P)

The doctrine of the Responsibility to Protect (R2P), endorsed by the UN General Assembly in 2005, asserts that the international community has a duty to intervene—diplomatically, legally, or militarily—when a state fails to protect its population from genocide, war crimes, ethnic cleansing, or crimes against humanity.²⁷ While R2P has been invoked in cases like Libya and Côte d'Ivoire, its application remains inconsistent and politically contested, particularly in African contexts where sovereignty concerns often prevail.

²³ Makau Mutua, 'Savages, Victims, and Saviors: The Metaphor of Human Rights' (2001) 42(1) Harvard International Law Journal 201.

²⁴ Theodor Meron, *The Humanization of International Law* (Martinus Nijhoff 2006); Andrew Clapham, *Human Rights Obligations of Non-State Actors* (Oxford University Press 2015).

²⁵ *Legality of the Threat or Use of Nuclear Weapons* (Advisory Opinion) [1996] ICJ Rep 226; *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep 136.

²⁶ African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) OAU Doc CAB/LEG/67/3 rev 5, art 1.

²⁷ UN General Assembly, *2005 World Summit Outcome*, UN Doc A/RES/60/1 (24 October 2005), paras 138–139.

Critics argue that R2P has been selectively applied, often influenced by geopolitical interests rather than humanitarian need.²⁸ In the case of Tigray, the failure to invoke R2P mechanisms despite widespread atrocities raises questions about the credibility and universality of the doctrine.²⁹

2.2.3. Complementarity and International Criminal Justice

The principle of complementarity, enshrined in the Rome Statute of the International Criminal Court (ICC), holds that international justice mechanisms should only intervene when national systems are unwilling or unable to prosecute serious crimes.³⁰ This principle has shaped debates on the role of international organizations in post-conflict accountability and has been central to discussions on hybrid courts and joint investigations.

Complementarity has been both a strength and a limitation of the ICC. While it respects state sovereignty, it also allows powerful states to shield allies from prosecution.³¹ In Ethiopia's case, the lack of credible domestic investigations into atrocities in Tigray has led to calls for international intervention, yet no referral to the ICC has been made.³²

2.3. Empirical Studies on Institutional Responses

Several studies have examined the role of the UN and AU in responding to mass atrocities. De Waal (2014) critiques the AU's tendency to prioritize political stability over human rights enforcement, while Williams (2011) highlights the operational challenges faced by AU peacekeeping missions.³³ Similarly, Bellamy and Williams (2015) analyze the UN's mixed record in implementing R2P, noting that institutional inertia and geopolitical divisions often hinder timely action.³⁴ In the African context, case studies on Darfur, Central African Republic, and South Sudan reveal recurring patterns of delayed intervention, limited mandates, and weak enforcement.³⁵ These findings resonate with the Tigray case, where both the UN and AU were criticized for their slow and muted responses.

²⁸ Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All* (Brookings Institution Press 2008).

²⁹ Alex J Bellamy, 'The Responsibility to Protect and the Tigray Crisis' (2021) Global Responsibility to Protect Blog.

³⁰ Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 90, art 17.

³¹ William A Schabas, *An Introduction to the International Criminal Court* (5th edn, CUP 2017) 123–25.

³² Human Rights Watch, *Ethiopia: No Justice for Tigray Atrocities* (2023).

³³ Alex de Waal, *The Real Politics of the Horn of Africa: Money, War and the Business of Power* (Polity 2015); Paul D Williams, *War and Conflict in Africa* (Polity 2011).

³⁴ Alex J Bellamy and Paul D Williams, *The Responsibility to Protect: A Defense* (Oxford University Press 2015).

³⁵ International Crisis Group, *The African Union and the Limits of Regional Peacekeeping* (ICG Report No. 228, 2015).

Empirical evidence suggests that early warning systems within both the UN and AU often fail to trigger timely responses due to bureaucratic fragmentation and political hesitancy.³⁶ The Tigray conflict followed a similar trajectory, where early signs of escalation were ignored or downplayed, resulting in preventable civilian suffering.

2.4. Critical Perspectives

Critical legal scholars have questioned the neutrality and legitimacy of international organizations, arguing that their actions are often shaped by the interests of powerful states. Others have highlighted the marginalization of local voices in international investigations and peace processes, calling for more inclusive and victim-centered approaches.

In the Ethiopian context, critiques have focused on the EHRC's perceived lack of independence, the AU's political proximity to the federal government, and the UN Security Council's failure to act despite clear evidence of mass atrocities. These critiques underscore the need for more robust accountability mechanisms and greater institutional transparency.

Feminist and postcolonial scholars have also critiqued the epistemic hierarchies in international law, where knowledge produced by local actors is often dismissed in favor of Western-led investigations.³⁷ This dynamic was evident in Tigray, where diaspora groups and local civil society organizations were sidelined in formal accountability processes.

2.5. Research Gap and Contribution

Despite the growing body of work on international responses to human rights crises, there is limited academic analysis of the Tigray conflict, particularly in relation to the role of the AU and local human rights institutions. Most existing studies are policy reports or journalistic accounts, with few peer-reviewed legal analyses.

By integrating doctrinal legal analysis with empirical case studies and critical theory, this research contributes to a more holistic understanding of institutional responses to mass atrocities. It also aims to elevate underrepresented voices and challenge dominant narratives in international legal discourse.

³⁶ Ibid

³⁷ Sundhya Pahuja, *Decolonizing International Law: Development, Economic Growth and the Politics of Universality* (CUP 2011).

This study seeks to fill this gap by providing a comparative, legally grounded, and context-specific evaluation of the effectiveness of international and regional organizations in protecting human rights during the Tigray conflict.

Chapter Three: Legal and Institutional Frameworks

3.1. International Human Rights and Humanitarian Law in Armed Conflicts

The legal protection of civilians and non-combatants during armed conflicts is governed by a dual framework: International Humanitarian Law (IHL) and International Human Rights Law (IHRL). While IHL applies specifically during armed conflicts, IHRL continues to always apply, including during war. These bodies of law are complementary and together form the normative foundation for assessing the conduct of parties in the Tigray conflict.

The Geneva Conventions of 1949 and their Additional Protocols are the cornerstone of IHL. They prohibit attacks on civilians, torture, sexual violence, and the destruction of civilian infrastructure. Common Article 3, applicable to non-international armed conflicts such as the one in Tigray, sets minimum standards for humane treatment of persons not taking part in hostilities.

In parallel, IHRL instruments such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) impose obligations on states to respect and ensure fundamental rights, including the right to life, freedom from torture, and access to food, health, and education. Ethiopia is a party to both covenants and remains bound by them even during conflict.

Regionally, the African Charter on Human and Peoples' Rights (ACHPR) provides additional protections, including the right to dignity, protection from arbitrary detention, and the right to development. The African Charter is notable for its indivisibility of rights and its emphasis on collective rights, which are particularly relevant in the context of ethnic-based violence and displacement in Tigray.

The concurrent application of IHL and IHRL has been affirmed by the International Court of Justice (ICJ), which held that human rights obligations do not cease in times of armed conflict.³⁸ This principle is particularly relevant in the Tigray context, where violations such as

³⁸ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion) [2004] ICJ Rep 136, para 106.

starvation, sexual violence, and forced displacement implicate both legal regimes. The African Commission on Human and Peoples' Rights has also emphasized that states must ensure the protection of all rights, including socio-economic rights, even during emergencies.³⁹

Moreover, the principle of distinction under IHL, which obliges parties to distinguish between civilians and combatants, was repeatedly violated in Tigray.⁴⁰ The use of starvation as a method of warfare, prohibited under Article 8(2)(b)(xxv) of the Rome Statute, further illustrates the severity of legal breaches.⁴¹ These violations not only constitute war crimes but also undermine the credibility of international legal norms when left unaddressed.

Despite this robust legal framework, the Tigray conflict has been marked by grave breaches of both IHL and IHRL, as documented by multiple investigations and reports. The failure to uphold these legal obligations raises serious questions about the accountability of both state and non-state actors involved in the conflict.

3.2. Mandates and Responsibilities of Key Actors

3.2.1. United Nations

The United Nations (UN) holds a broad and multifaceted mandate in the context of armed conflicts, grounded in the Charter of the United Nations and further developed through customary international law, General Assembly resolutions, and institutional practice. Its responsibilities span across peace and security, human rights protection, humanitarian coordination, and accountability for international crimes.

- Peace and Security

The UN's primary responsibility for maintaining international peace and security is enshrined in Chapter V and Chapter VII of the UN Charter. The Security Council is empowered to determine the existence of any threat to peace, breach of peace, or act of aggression and to take appropriate measures, including the use of force, to restore peace and security.⁴² Under Article 39, the Council may identify threats and recommend or decide on measures; Article 41 allows for non-military measures such as sanctions, while Article 42 authorizes military action if necessary.

³⁹ African Commission on Human and Peoples' Rights, General Comment No. 3 on the African Charter: The Right to Life (2015).

⁴⁰ Geneva Convention IV (1949), art 48; Additional Protocol I (1977), art 51.

⁴¹ Rome Statute of the International Criminal Court (1998), art 8(2)(b)(xxv).

⁴² Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI, arts 24, 39–42.

⁴³Peacekeeping operations, although not explicitly mentioned in the Charter, have evolved as a core UN function. These missions are typically mandated to protect civilians, monitor ceasefires, support disarmament, and assist in the implementation of peace agreements. The Department of Peace Operations (DPO) oversees these missions, which operate under the principles of consent, impartiality, and non-use of force except in self-defense or defense of the mandate.⁴⁴

- Human Rights Protection

The UN's human rights mandate is both normative and operational. The Office of the High Commissioner for Human Rights (OHCHR) plays a central role in monitoring, reporting, and responding to human rights violations during armed conflicts.⁴⁵ It deploys human rights officers, supports national institutions, and conducts investigations into alleged abuses. The Human Rights Council, established by General Assembly Resolution 60/251, can mandate commissions of inquiry, fact-finding missions, and special rapporteurs to examine specific country situations or thematic issues such as torture, enforced disappearances, or the rights of internally displaced persons.⁴⁶ These mechanisms are essential for documenting violations and recommending accountability measures.

Importantly, the UN has affirmed that international human rights law continues to apply during armed conflict, complementing international humanitarian law. This position was confirmed by the International Court of Justice (ICJ) in its advisory opinions on the *Wall* and *Nuclear Weapons* cases.⁴⁷

- Humanitarian Coordination

The UN also plays a leading role in coordinating humanitarian responses during armed conflicts. The Office for the Coordination of Humanitarian Affairs (OCHA) is responsible for mobilizing and coordinating effective and principled humanitarian action. It leads the Inter-Agency Standing Committee (IASC) and manages the Humanitarian Response Plan (HRP) in collaboration with UN agencies and NGOs .

⁴³ Ibid

⁴⁴ United Nations Department of Peace Operations, *What We Do* <https://peacekeeping.un.org/en/what-we-do> accessed 22 July 2025.

⁴⁵ Office of the High Commissioner for Human Rights, *Human Rights in Conflict* <https://www.ohchr.org/en/our-work/human-rights-conflict> accessed 22 July 2025.

⁴⁶ UN General Assembly, Human Rights Council Resolution 60/251 (15 March 2006) UN Doc A/RES/60/251.

⁴⁷ Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion) [1996] ICJ Rep 226; Legal Consequences

UN humanitarian agencies operate under the principles of humanity, neutrality, impartiality, and independence, as outlined in UN General Assembly Resolution 46/18.⁴⁸

- Accountability and Justice

The UN supports international justice through cooperation with the International Criminal Court (ICC) and the establishment of ad hoc tribunals and hybrid courts. Under Article 13(b) of the Rome Statute, the Security Council can refer situations to the ICC even if the state concerned is not a party to the Statute.⁴⁹

The UN has also supported the creation of hybrid mechanisms such as the Special Court for Sierra Leone and the Extraordinary Chambers in the Courts of Cambodia, which combine international and domestic legal elements. These mechanisms aim to ensure accountability where national systems are unwilling or unable to prosecute serious crimes.⁵⁰

3.2.2. African Union

The African Union (AU), headquartered in Addis Ababa, has a mandate to promote peace, security, and human rights on the continent. Its Peace and Security Council (PSC) is empowered to intervene in member states in cases of war crimes, genocide, and crimes against humanity.

The African Union (AU) holds a unique and evolving mandate in the realm of peace, security, and human rights protection on the African continent. Established in 2002 as the successor to the Organization of African Unity (OAU), the AU was designed to be more proactive in addressing internal conflicts and mass atrocities, reflecting lessons learned from the failures to prevent genocides in Rwanda and atrocities in Liberia and Sierra Leone.

- Peace and Security Mandate

The AU's peace and security mandate is primarily derived from the Constitutive Act of the African Union, particularly Article 4(h), which affirms the "right of the Union to intervene in a Member State... in respect of grave circumstances, namely war crimes, genocide and crimes against

⁴⁸ UN General Assembly, *Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations* (19 December 1991) UN Doc A/RES/46/182.

⁴⁹ Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 90, art 13(b).

⁵⁰ UN Secretary-General, *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies* (2004) UN Doc S/2004/616.

humanity.”⁵¹ This provision marks a significant departure from the OAU’s strict adherence to non-interference and represents a legal and political commitment to the principle of non-indifference.

The operationalization of this mandate is entrusted to the Peace and Security Council (PSC), established under the Protocol Relating to the Establishment of the Peace and Security Council of the African Union.⁵² The PSC is a standing decision-making body responsible for the prevention, management, and resolution of conflicts. It is empowered to authorize peace support operations, impose sanctions, and recommend intervention in grave circumstances.⁵³

The AU also maintains the African Standby Force (ASF), a continental, multidisciplinary force composed of regional brigades. The ASF is mandated to conduct peacekeeping, humanitarian assistance, and intervention operations under the authority of the PSC.⁵⁴ However, the ASF has faced persistent challenges related to funding, political will, and logistical readiness, limiting its deployment capacity.

- Human Rights and Protection Mandate

The AU’s human rights mandate is articulated through the African Charter on Human and Peoples’ Rights (ACHPR), which guarantees a wide range of civil, political, economic, and social rights.⁵⁵ The African Commission on Human and Peoples’ Rights, established under the Charter, is tasked with promoting and protecting human rights, interpreting the Charter, and investigating violations.

In addition, the African Court on Human and Peoples’ Rights, operational since 2006, provides judicial oversight and can issue binding decisions on human rights violations.⁵⁶ The AU has also adopted several thematic instruments relevant to conflict settings, including the Kampala Convention on IDPs and the Protocol on the Rights of Women in Africa (Maputo Protocol).

Despite these normative frameworks, the AU’s human rights enforcement mechanisms remain politically constrained. The Commission and Court often lack the authority or cooperation needed to enforce decisions, and their access to conflict zones is frequently restricted.

⁵¹ Constitutive Act of the African Union (adopted 11 July 2000, entered into force 26 May 2001) OAU Doc CAB/LEG/23.15, art 4(h).

⁵² Protocol Relating to the Establishment of the Peace and Security Council of the African Union (adopted 9 July 2002, entered into force 26 December 2003).

⁵³ *ibid* arts 6–7.

⁵⁴ African Union, *African Standby Force* <https://www.peaceau.org/en/page/82-african-standby-force-asf> accessed 22 July 2025

⁵⁵ African Charter on Human and Peoples’ Rights (adopted 27 June 1981, entered into force 21 October 1986) OAU Doc CAB/LEG/67/3 rev 5.

⁵⁶ Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights (adopted 10 June 1998, entered into force 25 January 2004).

- Early Warning and Conflict Prevention

The AU operates the Continental Early Warning System (CEWS), designed to collect and analyze data to anticipate and prevent conflicts. CEWS is supported by regional mechanisms and the Panel of the Wise, a consultative body of respected African figures tasked with mediation and preventive diplomacy.⁵⁷

However, the effectiveness of CEWS has been questioned due to delays in translating early warnings into political action. The AU's response is often hindered by member state sensitivities, lack of consensus, and limited institutional capacity.

- Challenges and Critiques

While the AU's legal framework is among the most progressive globally in terms of authorizing intervention for human protection, its implementation has been inconsistent. Political considerations, resource constraints, and the principle of subsidiarity—where regional economic communities (RECs) are expected to take the lead—have often delayed or diluted AU responses.

In practice, the AU has been more successful in mediation and peace negotiations than in deploying robust protection missions. Its interventions in Burundi (2003), Darfur (2004), and Somalia (AMISOM, 2007) illustrate both its potential and its limitations.⁵⁸

3.2.3. Ethiopian Human Rights Institutions

The Ethiopian Human Rights Commission (EHRC) is Ethiopia's national human rights institution, established under Proclamation No. 210/2000 and restructured by Proclamation No. 1224/2020 to enhance its independence and effectiveness.⁵⁹ It is mandated to promote and protect human rights, investigate violations, monitor compliance with international and domestic human rights standards, and advise the government on legislative and policy reforms.⁶⁰

The EHRC is accredited with “A status” by the Global Alliance of National Human Rights Institutions (GANHRI), indicating compliance with the Paris Principles, which require

⁵⁷ African Union, *Continental Early Warning System (CEWS)* <https://www.peaceau.org/en/page/28-continental-early-warning> accessed 22 July 2025.

⁵⁸ Paul D Williams, *War and Conflict in Africa* (2nd edn, Polity 2016) 203–210.

⁵⁹ Proclamation No. 210/2000

⁶⁰ *Ibid* arts 6–7.

independence, pluralism, and a broad mandate.⁶¹ This status allows the EHRC to participate in UN human rights mechanisms, including the Human Rights Council and treaty bodies.

In conflict settings, the EHRC is authorized to conduct investigations, issue public reports, and engage with international partners. During the Tigray conflict, the EHRC co-led a joint investigation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), which documented violations by all parties to the conflict.⁶² While the report was praised for its scope, the EHRC's perceived proximity to the federal government raised concerns about its impartiality and credibility.⁶³

Beyond the EHRC, Ethiopia has other institutions with human rights-related mandates, including the Office of the Ombudsman, which handles administrative justice complaints, and various sectoral bodies such as the Ministry of Justice and regional human rights councils. However, these institutions have limited mandates and capacity, and their roles in conflict-related protection are minimal.

Civil society organizations (CSOs) and grassroots human rights defenders also play a critical role in documenting violations and advocating for accountability. However, the civic space in Ethiopia has been constrained, particularly during periods of conflict and political unrest.⁶⁴ Many CSOs faced restrictions on access to affected areas, threats to staff, and limitations on funding and registration.

The effectiveness of Ethiopian human rights institutions in conflict settings depends on their ability to operate independently, access affected populations and collaborate with international mechanisms. Strengthening their legal mandates, operational capacity, and protection from political interference is essential for ensuring credible and timely responses to human rights violations.

⁶¹ Global Alliance of National Human Rights Institutions (GANHRI), *Accreditation Status Chart* (2024) <https://ganhri.org/accreditation/> accessed 22 July 2025.

⁶² Ethiopian Human Rights Commission and OHCHR, *Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law in Tigray Region* (OHCHR 2021) <https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf> accessed 22 July 2025.

⁶³ Human Rights Watch, *Ethiopia: Joint Tigray Report Misses Key Abuses* (HRW 2021) <https://www.hrw.org/news/2021/11/03/ethiopia-joint-tigray-report-misses-key-abuses> accessed 22 July 2025.

⁶⁴ CIVICUS, *Ethiopia: Civic Space Rapidly Deteriorating* (2021) <https://monitor.civicus.org/country/ethiopia/> accessed 22 July 2025

CHAPTER FOUR: The Tigray Conflict and Human Rights Responses

4.1. Overview of Human Rights Violations in Tigray

The Tigray conflict, which erupted in November 2020, rapidly escalated into a humanitarian and human rights catastrophe. Multiple actors including the Ethiopian National Defense Forces (ENDF), Eritrean Defense Forces (EDF), Amhara regional forces, and the Tigray People's Liberation Front (TPLF) were implicated in widespread and systematic violations of international human rights and humanitarian law.

Among the most egregious abuses were extrajudicial killings, sexual and gender-based violence, deliberate starvation of civilians, and mass displacement. The joint investigation by the EHRC and OHCHR documented numerous incidents of unlawful killings, including the massacre of civilians in Axum and Dengelat, where Eritrean forces were accused of executing hundreds of unarmed residents.⁶⁵ Sexual violence was used as a weapon of war, with survivors reporting gang rape, mutilation, and ethnic slurs during assaults.⁶⁶

The conflict also saw the weaponization of starvation, as humanitarian access was systematically blocked. According to OCHA, millions were pushed to the brink of famine due to the destruction of crops, looting of aid supplies, and obstruction of relief convoys⁶⁷. The UN and humanitarian agencies repeatedly warned that the blockade of Tigray constituted a violation of international humanitarian law, particularly the prohibition against using starvation as a method of warfare.

In addition, forced displacement was widespread. In Western Tigray, Human Rights Watch and Amnesty International reported a campaign of ethnic cleansing carried out by Amhara regional forces and militias, involving mass expulsions, arbitrary detention, and torture of Tigrayan civilians⁶⁸. These acts may amount to crimes against humanity, as defined under the Rome Statute of the International Criminal Court.

⁶⁵ Ethiopian Human Rights Commission and Office of the United Nations High Commissioner for Human Rights, *Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law in Tigray Region* (OHCHR 2021) <https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf> accessed 16 July 2025.

⁶⁶ Amnesty International, *"I Don't Know If They Realized I Was a Person": Rape and Sexual Violence in the Conflict in Tigray, Ethiopia* (Amnesty International 2021) <https://www.amnesty.org/en/documents/afr25/4566/2021/en/> accessed 16 July

⁶⁷ UN Office for the Coordination of Humanitarian Affairs, *Ethiopia – Tigray Region Humanitarian Update* (OCHA 2022) <https://reliefweb.int/report/ethiopia/ethiopia-tigray-region-humanitarian-update-2022> accessed 16 July 2025.

⁶⁸ Human Rights Watch, *"We Will Erase You from This Land": Crimes Against Humanity and Ethnic Cleansing in Ethiopia's Western Tigray Zone* (HRW 2022) <https://www.hrw.org/report/2022/04/06/we-will-erase-you-land/crimes-against-humanity-and-ethnic-cleansing-ethiopia> accessed 16 July 2025.

The scale and severity of violations in Tigray reflect a pattern of coordinated and ethnically targeted violence.⁶⁹ The use of sexual violence as a strategic tool of war has been documented in other conflicts, such as Bosnia and the Democratic Republic of Congo, and is recognized under international law as a war crime and a crime against humanity.⁷⁰ The deliberate obstruction of humanitarian aid, including the destruction of food supplies and medical infrastructure, constitutes a grave breach of the Geneva Conventions.⁷¹

The ethnic cleansing in Western Tigray, involving systematic expulsions and torture, aligns with the legal definition under the UN Commission of Experts on the former Yugoslavia, which described ethnic cleansing as rendering an area ethnically homogeneous through force or intimidation.⁷² These violations demand not only humanitarian response but also legal accountability through international mechanisms.

4.2. UN Response

The United Nations played a multifaceted role in the Tigray conflict, encompassing human rights monitoring, humanitarian coordination, and diplomatic engagement. However, its response was widely criticized as delayed, fragmented, and politically constrained.

The most prominent human rights initiative was the Joint Investigation by OHCHR and EHRC, conducted between May and August 2021. The report concluded that all parties to the conflict had committed violations, including war crimes and crimes against humanity.⁷³ While the investigation was praised for its scope and methodology, it was also criticized for lacking full independence, given EHRC's perceived proximity to the Ethiopian government⁷⁴.

At the political level, the UN Security Council was briefed multiple times on the situation in Tigray but failed to adopt any binding resolution. Veto-wielding members, particularly China and Russia, opposed strong language or sanctions, citing concerns over sovereignty and non-interference.⁷⁵

⁶⁹ Human Rights Watch, *We Will Erase You from This Land* (2022).

⁷⁰ Prosecutor v Kunarac (Judgment) ICTY-96-23-T (22 February 2001).

⁷¹ Geneva Convention IV (1949), art 54; Additional Protocol I (1977), art 54.

⁷² UN Commission of Experts on the Former Yugoslavia, *Final Report* (S/1994/674).

⁷³ Ethiopian Human Rights Commission and Office of the United Nations High Commissioner for Human Rights, *Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law in Tigray Region* (OHCHR 2021) <https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf> accessed 16 July 2025.

⁷⁴ Human Rights Watch, *Ethiopia: Joint Tigray Report Misses Key Abuses* (HRW 2021) <https://www.hrw.org/news/2021/11/03/ethiopia-joint-tigray-report-misses-key-abuses> accessed 16 July 2025.

⁷⁵ Security Council Report, *UN Security Council Inaction on Ethiopia* (SCR 2021) <https://www.securitycouncilreport.org/un-security-council-inaction-on-ethiopia> accessed 16 July 2025.

The UN Human Rights Council held special sessions and passed resolutions urging accountability, but these lacked enforcement mechanisms.

The UN's failure to take decisive action in Tigray reflects broader structural limitations in its peace and security architecture.⁷⁶ The Security Council's paralysis due to veto politics has been a recurring issue in other crises, including Syria and Myanmar.⁷⁷ The Human Rights Council's reliance on non-binding resolutions and joint investigations with national bodies further limits its capacity to ensure accountability.⁷⁸

Within the context of the Tigray conflict, several UN bodies were involved:

- The Office of the High Commissioner for Human Rights (OHCHR) co-led a joint investigation with the Ethiopian Human Rights Commission (EHRC), which found that all parties to the conflict had committed violations of international law, including war crimes and crimes against humanity.⁷⁹
- The UN Security Council, despite repeated briefings, failed to take decisive action due to geopolitical divisions among its permanent members.
- The UN Human Rights Council held special sessions on Ethiopia but stopped short of authorizing a full international commission of inquiry.
- In response to the grave human rights violations reported during the conflict in northern Ethiopia, the United Nations Human Rights Council (UNHRC) established the International Commission of Human Rights Experts on Ethiopia (ICHREE) through Resolution S-33/1, adopted on 17 December 2021. The Commission was mandated to conduct a thorough and impartial investigation into alleged violations and abuses of international human rights law, international humanitarian law, and international refugee law committed since 3 November 2020 by all parties to the conflict, including the Ethiopian government, the Tigray People's Liberation Front (TPLF), Eritrean forces, and regional militias. The Commission's responsibilities included establishing facts and circumstances,

⁷⁶ Alex J Bellamy, *The Responsibility to Protect: A Defense* (OUP 2015).

⁷⁷ Security Council Report, *UNSC Inaction on Ethiopia* (2021).

⁷⁸ Amnesty International, *Ethiopia: Joint Investigation Raises Concerns* (2021).

⁷⁹ Ethiopian Human Rights Commission and Office of the United Nations High Commissioner for Human Rights, *Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law in Tigray Region* (OHCHR 2021) <https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf> accessed 16 July 2025.

collecting and preserving evidence, and identifying those responsible, where possible, to support ongoing and future accountability efforts. It was also tasked with providing guidance on transitional justice, including accountability, reconciliation, and healing, and was required to integrate a gender perspective and a survivor-centered approach throughout its work.⁸⁰

- Due to limited access to Ethiopia, the Commission operated primarily from Entebbe, Uganda, and conducted its investigations through remote interviews, open-source analysis, and confidential submissions. Despite these constraints, the Commission produced two comprehensive reports. The first, released in September 2022, found reasonable grounds to believe that all parties to the conflict had committed serious violations, including extrajudicial killings, sexual and gender-based violence, forced displacement, and obstruction of humanitarian aid.⁸¹ The second report, published in October 2023, emphasized that many of these violations were ongoing, even after the signing of the Cessation of Hostilities Agreement (CoHA) in November 2022, and warned of an acute risk of further atrocity crimes.⁸² The Commission also highlighted the lack of credible national accountability mechanisms and urged the international community to maintain independent oversight and support for victims.

The UN's response to the Tigray conflict reflects broader challenges in the international system, where political considerations often override humanitarian imperatives.⁸³ The Security Council's inaction, despite credible evidence of mass atrocities, underscores the limitations of the veto power and the need for reform.⁸⁴ Meanwhile, the Human Rights Council's reliance on joint investigations with national institutions raises concerns about independence and impartiality, particularly when those institutions are perceived as politically aligned.

4.3. AU Response

⁸⁰ UN Human Rights Council, *Resolution S-33/1: Situation of Human Rights in Ethiopia* (17 December 2021) UN Doc A/HRC/RES/S-33/1.

⁸¹ International Commission of Human Rights Experts on Ethiopia, *Report of the International Commission of Human Rights Experts on Ethiopia* (19 September 2022) UN Doc A/HRC/51/46.

⁸² International Commission of Human Rights Experts on Ethiopia, *Report of the International Commission of Human Rights Experts on Ethiopia* (18 October 2023) UN Doc A/HRC/54/76.

⁸³ Alex J Bellamy and Paul D Williams, *The Responsibility to Protect: A Defense* (OUP 2015).

⁸⁴ Security Council Report, *UN Security Council Inaction on Ethiopia* (2021).

The African Union (AU), headquartered in Addis Ababa, was notably restrained in its response to the Tigray conflict, especially during its early and most violent phases. Despite its mandate under Article 4(h) of the AU Constitutive Act to intervene in member states in cases of war crimes, genocide, and crimes against humanity, the AU refrained from publicly condemning the atrocities committed in Tigray. This silence was widely interpreted as a political alignment with the Ethiopian federal government, which hosted the AU and maintained significant influence over its institutions⁸⁵. The AU's most visible engagement came much later, when it facilitated the Pretoria peace talks in October–November 2022, which led to the signing of the Cessation of Hostilities Agreement (COHA) between the Ethiopian government and the TPLF. While this mediation was a diplomatic success, it came after two years of mass atrocities, and the AU was criticized for failing to act earlier to prevent or mitigate the violence⁸⁶.

The African Commission on Human and Peoples' Rights (ACHPR) issued a press statement in October 2021 condemning airstrikes on civilians and calling for restraint⁸⁷. However, the ACHPR did not initiate a formal investigation or deploy a fact-finding mission, despite its mandate to do so under the African Charter. The AU's Peace and Security Council (PSC) also failed to take decisive action, reflecting broader institutional limitations and political constraints within the AU system.

The AU's inaction in Tigray mirrors its response to other crises, such as Burundi and Cameroon, where political sensitivities and host-state influence curtailed meaningful intervention. Despite its legal mandate to act in cases of mass atrocities, the AU has often prioritized consensus and non-confrontation over principled action.⁸⁸

The failure to deploy a fact-finding mission or invoke Article 4(h) reflects a deeper institutional weakness in the AU's human rights enforcement mechanisms⁸⁹. Strengthening the independence and operational capacity of bodies like the ACHPR and PSC is essential to ensure timely and impartial responses to future crises.

⁸⁵ African Union, *Statement on the Launch of the AU-Led Peace Talks on Ethiopia* (AU 2022) <https://au.int/en/pressreleases/20221025/statement-launch-au-led-peace-talks-ethiopia> accessed 16 July 2025.

⁸⁶ African Union, *Agreement for Lasting Peace through a Permanent Cessation of Hostilities* (Pretoria Agreement, 2 November 2022) <https://au.int/en/documents/20221102/agreement-peace-ethiopia> accessed 16 July 2025.

⁸⁷ African Commission on Human and Peoples' Rights, *Press Statement on the Situation in Tigray Region of Ethiopia* (ACHPR 2021) <https://www.achpr.org/pressrelease/detail?id=523> accessed 16 July 2025.

⁸⁸ Paul D Williams, *War and Conflict in Africa* (Polity 2011).

⁸⁹ African Union, *Constitutive Act of the AU* (2000), art 4(h).

Overall, the AU's response was characterized by diplomatic caution, delayed engagement, and limited operational action, which undermined its credibility as a regional guarantor of human rights and peace.

4.4. Local Human Rights Organizations

Within Ethiopia, the Ethiopian Human Rights Commission (EHRC) was the primary national institution involved in documenting human rights violations during the Tigray conflict. The EHRC partnered with OHCHR in the joint investigation, which was a significant step in terms of institutional collaboration. However, the EHRC's independence and credibility were questioned by many observers due to its perceived closeness to the federal government.

While the joint report acknowledged violations by all parties, critics argued that it underrepresented abuses committed by federal and allied forces, and that the EHRC's involvement may have influenced the framing and emphasis of the findings⁹⁰. Despite these concerns, the report remains one of the most comprehensive official accounts of the conflict.

Civil society organizations (CSOs) often play a big role in documenting and responding to human rights crises, yet the involvement of Ethiopian human rights CSOs during the Tigray conflict was notably constrained. Organizations such as the Ethiopian Human Rights Council (EHRCO) and the Consortium of Ethiopian Human Rights Organizations (CEHRO) issued public statements calling for the protection of civilians, humanitarian access, and independent investigations into alleged atrocities. However, their ability to conduct field investigations or publish detailed reports was severely limited by the political climate, security risks, and legal restrictions under the state of emergency laws.⁹¹ CEHRO, for instance, advocated for civil society inclusion in transitional justice processes and emphasized the need for accountability, but stopped short of naming perpetrators or detailing specific violations.⁹² Other CSOs, including the Center for Advancement of Rights and Democracy (CARD) and Justice for All – Prison Fellowship Ethiopia, focused on legal aid and civic education, but did not produce conflict-specific documentation. The overall

⁹⁰ Human Rights Watch, *Ethiopia: Joint Tigray Report Misses Key Abuses* (HRW 2021) <https://www.hrw.org/news/2021/11/03/ethiopia-joint-tigray-report-misses-key-abuses> accessed 16 July 2025.

⁹¹ Ethiopian Human Rights Council (EHRCO), 'Statement on the Humanitarian Situation in Tigray' (Addis Ababa, 2021) [Amharic].

⁹² Consortium of Ethiopian Human Rights Organizations (CEHRO), 'Civil Society Statement on the Need for Inclusive Transitional Justice in Ethiopia' (CEHRO, 2022) <https://cehro.org> accessed 23 July 2025.

response of national CSOs was thus marked by caution and limited visibility, raising concerns about the shrinking civic space and the marginalization of local voices in transitional justice efforts.

One of the most glaring gaps in the civil society response was the limited public engagement by the Ethiopian Women Lawyers Association (EWLA), a prominent organization historically known for its advocacy on gender-based violence and women's rights. During the Tigray conflict, widespread reports emerged of systematic sexual violence against women and girls, including rape as a weapon of war, yet EWLA did not issue any major public report or legal intervention specific to these atrocities.⁹³ This silence drew criticism from feminist scholars and human rights defenders who expected EWLA to play a leading role in documenting and advocating for justice for survivors.⁹⁴ While it is possible that EWLA engaged in behind-the-scenes support or faced operational constraints, the absence of a visible and vocal stance during one of the most gendered conflicts in recent Ethiopian history represents a missed opportunity for national leadership on women's rights. This gap underscores the broader challenge of ensuring that national CSOs, particularly those with a gender mandate, are empowered and protected to respond effectively during armed conflicts.

Despite these challenges, diaspora-led initiatives such as the Tigray Advocacy Network and the Omna Tigray group emerged as key actors in international advocacy.⁹⁵ Their use of digital platforms, coordinated campaigns, and engagement with global institutions helped bring visibility to the crisis and counter state narratives.

4.5. Other Actors: INGOs and Humanitarian Agencies

International NGOs such as Amnesty International and Human Rights Watch conducted independent investigations and published detailed reports documenting atrocities committed by all sides. These reports were instrumental in raising international awareness and pressuring governments and institutions to respond.⁹⁶

⁹³ UN Human Rights Council, Report of the International Commission of Human Rights Experts on Ethiopia (18 October 2023) UN Doc A/HRC/54/76, paras 45–52.

⁹⁴ Tigist Shewarega, 'Where Were the Women's Rights Defenders? Reflections on the Silence of EWLA During the Tigray Conflict' (2024) *Ethiopian Journal of Gender and Law* 12(1), 45–60.

⁹⁵ Tigray Advocacy Network, *Advocacy Reports and Campaigns* (2021–2023).

⁹⁶ Amnesty International, *"I Don't Know If They Realized I Was a Person": Rape and Sexual Violence in the Conflict in Tigray, Ethiopia* (Amnesty International 2021) <https://www.amnesty.org/en/documents/afr25/4566/2021/en/> accessed 16 July 2025., Amnesty International, *"I Don't Know If They Realized I Was a Person": Rape and Sexual Violence in the Conflict in Tigray, Ethiopia* (Amnesty International 2021) <https://www.amnesty.org/en/documents/afr25/4566/2021/en/> accessed 16 July 2025.

INGOs played a crucial role in documenting violations and advocating for accountability, often at great personal risk. Their findings were frequently more detailed and timelier than those of official bodies. However, their access was often restricted, and their staff faced harassment and expulsion, limiting their ability to operate effectively.

A tragic example of this was the killing of María Hernández, a Spanish emergency coordinator for Médecins Sans Frontières (MSF), along with her Ethiopian colleagues Tedros Gebremariam and Yemane Negusse, in June 2021 in the Abi Adi area of Central Tigray.⁹⁷ Despite traveling in clearly marked vehicles and notifying authorities of their movements, the team was ambushed and killed under circumstances that remain unresolved. The incident drew international condemnation and forced MSF to suspend operations in parts of northern Ethiopia, significantly affecting humanitarian access.⁹⁸ This event became emblematic of the broader pattern of obstruction, impunity, and targeted violence against humanitarian actors during the conflict.

4.6. Consequences of Institutional Failures

The failure of international, regional, and national institutions to respond effectively to the Tigray conflict had profound consequences. First and foremost, it prolonged civilian suffering. The lack of timely intervention allowed atrocities to continue unchecked for months, resulting in tens of thousands of deaths, widespread sexual violence, and the displacement of over two million people⁹⁹.

Second, these failures contributed to a crisis of legitimacy and trust. Many Tigrayans and other affected communities lost faith in institutions like the AU and UN, viewing them as either complicit or indifferent. This erosion of trust has long-term implications for peacebuilding, reconciliation, and the rule of law in Ethiopia.

Third, the inaction of key actors represented a missed opportunity for early intervention and prevention. Early warning systems and diplomatic channels failed to translate into concrete action, despite clear signs of escalating violence. The international community's reluctance to confront the Ethiopian government, a key regional ally, further limited the scope of response.

⁹⁷ Médecins Sans Frontières (MSF), 'MSF Confirms Death of Three Staff Members in Ethiopia' (25 June 2021) <https://www.msf.org/msf-confirms-death-three-staff-members-ethiopia> accessed 23 July 2025.

⁹⁸ MSF, 'Ethiopia: MSF Forced to Suspend Activities in Parts of Tigray, Amhara and Afar' (4 August 2021) <https://www.msf.org/msf-forced-suspend-activities-parts-tigray-ethiopia> accessed 23 July 2025.

⁹⁹ UN OCHA (n 3).

The erosion of institutional credibility has implications beyond Ethiopia. It undermines the normative authority of international human rights law and weakens the deterrent effect of global accountability mechanisms. In post-conflict settings, the absence of trusted institutions complicates transitional justice efforts and deepens societal divisions.

4.7. Independent Voices for Justice and Accountability

In the absence of strong institutional responses, non-governmental organizations, diaspora groups, and independent media played a critical role in exposing the scale of atrocities in Tigray. Amnesty International and Human Rights Watch published detailed reports documenting war crimes, ethnic cleansing, and crimes against humanity¹⁰⁰. These reports were based on survivor interviews, satellite imagery, and forensic analysis, and were instrumental in shaping international awareness and advocacy.

Tigrayan civil society organizations, both within Ethiopia and in the diaspora, also contributed to documentation and advocacy. Despite facing repression, they collected testimonies, organized campaigns, and engaged with international bodies to demand accountability. Their efforts helped to counter official narratives and ensure that the voices of victims were heard on the global stage.

The advocacy of these actors led to increased media coverage, diplomatic pressure, and humanitarian mobilization; even as institutional responses remained limited. Their work underscores the importance of independent documentation and survivor-centered advocacy in contexts where formal mechanisms fail.

Survivor-centered advocacy has proven to be one of the most effective tools in mobilizing international attention.¹⁰¹ Testimonies from survivors of sexual violence, often shared anonymously through diaspora networks, were pivotal in shaping the narrative around the conflict.¹⁰² These voices not only humanized the crisis but also challenged efforts to downplay or deny the scale of atrocities.

The role of independent media, including diaspora-run outlets and investigative journalists, was equally vital. In the absence of access for mainstream media, these platforms filled the information

¹⁰⁰ Amnesty International (n 2), Human Rights Watch (n 4).

¹⁰¹ Amnesty International, *Survivor Voices from Tigray* (2022).

¹⁰² Omna Tigray, *Testimonies and Advocacy Briefs* (2021–2023).

vacuum and provided real-time updates from the ground.¹⁰³ Their contributions demonstrate the power of grassroots documentation in holding perpetrators accountable and preserving historical memory.

4.8. Challenges in Implementation and Enforcement

Despite the existence of robust legal frameworks and institutional mechanisms, the implementation and enforcement of human rights protections during the Tigray conflict faced numerous challenges.

First, access restrictions severely limited the ability of international and regional actors to monitor the situation on the ground. Humanitarian agencies and human rights investigators were often denied entry to conflict-affected areas, particularly during the height of hostilities in 2021. This lack of access impeded documentation efforts and delayed the delivery of life-saving assistance.¹⁰⁴

Second, political interference and lack of neutrality undermined the credibility of some institutions. The AU's perceived alignment with the Ethiopian federal government, particularly in the early stages of the conflict, led to widespread criticism and diminished trust among affected communities.¹⁰⁵

Third, fragmentation and lack of coordination among actors weakened the overall response. While multiple UN agencies, INGOs, and local organizations were active in Tigray, their efforts were often siloed, and information-sharing was limited due to absence of internet and other communication mechanisms. This fragmentation hindered the development of a unified protection strategy and diluted advocacy efforts.

The lack of enforcement mechanisms is not unique to Tigray but reflects a systemic weakness in international law. The ICC, while a critical institution, is limited by its jurisdictional constraints and the political will of states.¹⁰⁶ In the absence of Security Council referral or state cooperation, accountability remains elusive.

¹⁰³ BBC Africa Eye, *Inside the Tigray Conflict* (2022)

¹⁰⁴ UN Office for the Coordination of Humanitarian Affairs, *Ethiopia – Tigray Region Humanitarian Update* (OCHA 2022) <https://reliefweb.int/report/ethiopia/ethiopia-tigray-region-humanitarian-update-2022> accessed 16 July 2025.

¹⁰⁵ African Union, *Statement on the Launch of the AU-Led Peace Talks on Ethiopia* (AU 2022) <https://au.int/en/pressreleases/20221025/statement-launch-au-led-peace-talks-ethiopia> accessed 16 July 2025.

¹⁰⁶ William A Schabas, *An Introduction to the International Criminal Court* (5th edn, CUP 2017) 123–25.

Finally, impunity and lack of enforcement mechanisms remain major obstacles. Although the EHRC–OHCHR report recommended accountability measures, including criminal investigations and prosecutions, there has been little progress in holding perpetrators accountable. The absence of a referral to the International Criminal Court (ICC) or the establishment of a hybrid tribunal reflects the broader challenge of enforcing international law in politically sensitive contexts. These challenges highlight the need for stronger institutional independence, improved coordination, and greater political commitment to human rights protection in conflict settings.

CHAPTER FIVE: Comparative Case Studies and Lessons Learned

5.1. Parameters for Comparative Analysis

To meaningfully assess the role of international and regional organizations in the Tigray conflict, it is essential to compare it with other conflict-affected contexts where similar actors were involved. This chapter uses three key parameters to guide the comparative analysis:

- **Institutional neutrality and credibility:** The extent to which international and regional organizations-maintained impartiality and were perceived as legitimate by affected populations.
- **Political influence and independence:** The degree to which these institutions operated independently of state interests and geopolitical pressures.
- **Impact on civilian protection and justice:** The effectiveness of their interventions in preventing atrocities, protecting civilians, and promoting accountability.

These parameters are applied to four case studies: Darfur (Sudan), the Central African Republic (CAR), Syria, and Ethiopia (Tigray). Each case offers distinct insights into the strengths and limitations of international responses to mass atrocities. Comparative analysis is a powerful tool for identifying patterns, best practices, and institutional weaknesses. It allows for a contextualized understanding of how similar legal frameworks and mandates produce divergent outcomes depending on political will, operational capacity, and local engagement.

5.2. Case Studies

5.2.1. Darfur (Sudan): UN–AU Hybrid Mission and ICC Referral

The Darfur conflict, which began in 2003, involved systematic attacks on civilians by Sudanese government forces and allied militias. In response, the United Nations and African Union established the UN–AU Hybrid Operation in Darfur (UNAMID)—a rare example of joint peacekeeping. UNAMID was tasked with protecting civilians and facilitating humanitarian access, though its effectiveness was limited by host government obstruction and resource constraints.¹⁰⁷

Importantly, the UN Security Council referred the Darfur situation to the International Criminal Court (ICC) in 2005, leading to arrest warrants for Sudanese officials, including then-President Omar al-Bashir.¹⁰⁸ This marked a significant step in international accountability, though enforcement remains elusive.

Darfur illustrates the potential of hybrid missions and international justice mechanisms, but also the challenges of operating in hostile political environments.

5.2.2. Central African Republic: UN Peacekeeping and Special Court

The Central African Republic (CAR) has experienced repeated cycles of violence, with the most recent crisis beginning in 2013. In response, the UN deployed MINUSCA, a peacekeeping mission with a strong protection mandate. The mission has been credited with reducing violence in key areas and supporting transitional justice.¹⁰⁹

A notable innovation in CAR was the establishment of the Special Criminal Court (SCC)—a hybrid tribunal composed of national and international judges. The SCC has begun prosecuting war crimes and crimes against humanity, offering a model for domestic-international judicial cooperation.¹¹⁰

The CAR case highlights the importance of long-term engagement, institutional innovation, and support for local justice systems.

5.2.3. Syria: UN Investigations and International Paralysis

¹⁰⁷ United Nations–African Union, *UNAMID: United Nations–African Union Mission in Darfur* (UN Peacekeeping 2020) <https://peacekeeping.un.org/en/mission/unamid> accessed 16 July 2025.

¹⁰⁸ UN Security Council, *Resolution 1593 (2005)*, UN Doc S/RES/1593 (31 March 2005) [https://undocs.org/S/RES/1593\(2005\)](https://undocs.org/S/RES/1593(2005)) accessed 16 July 2025.

¹⁰⁹ United Nations, *MINUSCA: United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic* (UN Peacekeeping 2023) <https://peacekeeping.un.org/en/mission/minusca> accessed 16 July 2025.

¹¹⁰ Human Rights Watch, *Central African Republic: Special Court Makes First Arrest* (HRW 2022) <https://www.hrw.org/news/2022/01/24/central-african-republic-special-court-makes-first-arrest> accessed 16 July 2025.

The Syrian conflict, ongoing since 2011, has seen massive human rights violations, including chemical attacks, sieges, and mass displacement. The UN Human Rights Council established the Independent International Commission of Inquiry on Syria, which has produced detailed reports on atrocities committed by all sides.¹¹¹

However, efforts to refer Syria to the ICC or establish a special tribunal have been blocked by vetoes in the UN Security Council, particularly by Russia and China. This has resulted in a crisis of accountability, despite overwhelming evidence of war crimes.

Syria demonstrates the limits of international mechanisms when geopolitical interests override humanitarian imperatives.

5.2.4. Ethiopia (Tigray): A Case of Regional Silence and Global Hesitation

The Tigray conflict presents a stark contrast to the other case studies in terms of institutional response and accountability. Despite the scale and severity of violations—including extrajudicial killings, sexual violence, and starvation crimes—neither the African Union (AU) nor the United Nations (UN) took decisive early action to prevent or mitigate the atrocities.

The AU, headquartered in Addis Ababa, was notably silent during the height of the conflict, issuing only vague calls for peace and failing to condemn documented atrocities.¹¹² Its eventual role in facilitating the Pretoria peace talks in late 2022 was diplomatically significant but came after two years of mass suffering. The AU's Peace and Security Council did not invoke its mandate under Article 4(h) of the Constitutive Act to intervene in cases of war crimes or crimes against humanity.¹¹³

The UN response was similarly constrained. While the OHCHR–EHRC joint investigation provided a detailed account of violations, the UN Security Council failed to act, largely due to geopolitical divisions.¹¹⁴ Humanitarian agencies under the UN umbrella,

¹¹¹ UN Human Rights Council, *Independent International Commission of Inquiry on the Syrian Arab Republic* (UNHRC 2023) <https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/index> accessed 16 July 2025.

¹¹² African Union, *Statement on the Launch of the AU-Led Peace Talks on Ethiopia* (AU 2022) <https://au.int/en/pressreleases/20221025/statement-launch-au-led-peace-talks-ethiopia> accessed 16 July 2025.

¹¹³ African Union, *Constitutive Act of the African Union* (2000), art 4(h).

¹¹⁴ UN Security Council, *Security Council Inaction on Ethiopia* (SCR 2021) <https://www.securitycouncilreport.org/un-security-council-inaction-on-ethiopia> accessed 16 July 2025.

including played critical roles in delivering aid, but their efforts were hampered by access restrictions and political obstruction.¹¹⁵

Unlike Darfur or CAR, there was no referral to the ICC, no hybrid tribunal, and no formal international accountability mechanism established for Tigray. This lack of action has contributed to a culture of impunity and deepened the trauma of affected communities.

5.3. Lessons for Future Conflict Response

The comparative analysis of Darfur, CAR, Syria, and Tigray reveals several key lessons for improving international and regional responses to mass atrocities:

- **Early action and impartiality are critical.** Delayed responses, as seen in Tigray and Syria, allow violations to escalate and reduce the credibility of institutions. Neutral and timely engagement, as attempted in CAR, can help prevent further harm and build trust.
- **Local actors and civil society must be empowered.** In all cases, local documentation and advocacy played a vital role in exposing abuses and supporting victims. Strengthening the capacity and protection of local human rights defenders is essential for effective monitoring and accountability.
- **Stronger enforcement and accountability mechanisms are needed.** The absence of legal consequences in Tigray and Syria contrasts sharply with the ICC referral in Darfur and the Special Criminal Court in CAR. International and regional bodies must be willing to pursue justice even in politically sensitive contexts.

Ultimately, the Tigray conflict underscores the urgent need for reform in the global human rights protection architecture, including greater independence, stronger mandates, and more consistent application of international norms.

CHAPTER SIX: Conclusions and Recommendations

6.1. Summary of Key Findings

¹¹⁵ UN Office for the Coordination of Humanitarian Affairs, *Ethiopia – Tigray Region Humanitarian Update* (OCHA 2022) <https://reliefweb.int/report/ethiopia/ethiopia-tigray-region-humanitarian-update-2022> accessed 16 July 2025.

This study has critically examined the role and effectiveness of international and regional organizations in protecting human rights during the Tigray conflict. The findings reveal that the responses of both the United Nations (UN) and the African Union (AU) were largely inadequate, delayed, and constrained by political considerations. While some efforts were made—such as the joint investigation by the Ethiopian Human Rights Commission (EHRC) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the AU-led Pretoria peace talks—these actions were reactive rather than preventive, and lacked the urgency and coherence required in the face of mass atrocities.

The credibility and neutrality of these institutions were significantly undermined by their perceived alignment with the Ethiopian federal government, particularly during the early and most violent phases of the conflict. The AU's silence in the face of widespread atrocities, and the UN Security Council's failure to adopt binding resolutions due to geopolitical divisions, weakened the legitimacy of international protection mechanisms and contributed to a sense of abandonment among affected communities.

In contrast, local organizations and civil society actors played a vital role in documenting violations, amplifying survivor voices, and advocating for accountability. However, their efforts were severely constrained by limited access to conflict zones, political repression, and a lack of institutional support. Many local human rights defenders faced threats, arrests, and surveillance, while diaspora-led initiatives struggled to gain formal recognition from international bodies.

The absence of a robust accountability mechanism—such as a referral to the International Criminal Court (ICC) or the establishment of a hybrid tribunal—has contributed to a culture of impunity. Despite credible evidence of war crimes and crimes against humanity, no formal international legal process has been initiated. This failure has deepened the trauma of survivors and undermined prospects for justice and reconciliation.

The Tigray conflict has also exposed broader structural weaknesses in the global human rights protection architecture. These include the politicization of humanitarian responses, the limitations of early warning systems, and the lack of enforcement capacity within both the UN and AU frameworks. The inability of these institutions to act decisively in the face of mass atrocities raises serious questions about their relevance and effectiveness in contemporary conflict settings.

6.2. Implications for Human Rights Protection

The Tigray conflict offers critical lessons for the future of international and regional human rights protection. It demonstrates that existing mechanisms are insufficient to prevent or respond to large-scale violations when political interests override humanitarian obligations. The failure to act decisively in Tigray reflects a broader crisis of legitimacy in international law, where normative commitments are often undermined by geopolitical calculations and institutional inertia.

One of the most pressing implications is the need to strengthen the mandates and operational independence of human rights institutions. Bodies such as the UN Human Rights Council and the AU Peace and Security Council must be empowered to act swiftly and impartially, without undue influence from member states. This includes reforming decision-making processes, enhancing investigative capacity, and ensuring that mandates are backed by adequate resources and political support.

The conflict also highlights the importance of early warning and rapid response mechanisms. Despite clear indicators of escalating violence—including hate speech, mass displacement, and obstruction of humanitarian aid—neither the UN nor the AU activated timely interventions. This failure underscores the need to insulate early warning systems from political interference and to establish automatic triggers for preventive action when certain thresholds are met.

Another key implication is the central role of local actors in human rights protection. Civil society organizations, community leaders, and survivor networks often have the best access to information and the greatest potential to mobilize responses. However, they are frequently excluded from formal processes and denied the support needed to operate effectively. Strengthening partnerships between international institutions and local actors is essential for building more inclusive and responsive protection systems.

Finally, the Tigray conflict reveals the urgent need for credible accountability mechanisms. The absence of justice not only prolongs the suffering of victims but also emboldens perpetrators and undermines the rule of law. Without meaningful consequences for violations, the international community risks normalizing impunity and eroding the foundations of human rights law.

6.3. Recommendations

Based on the findings and implications of this study, the following recommendations are proposed to enhance the protection of human rights in conflict settings. These recommendations aim to address institutional gaps, improve accountability, and promote survivor-centered approaches in future conflict responses.

A. United Nations (UN)

The UN must take proactive steps to strengthen its capacity to prevent and respond to mass atrocities:

- Reform the UN Security Council’s decision-making structure to limit veto use in mass atrocity situations, through initiatives like the ACT Code of Conduct and the French Mexican veto restraint proposal. This reform should be pursued through General Assembly advocacy and member state consensus.
- Establish a standing UN investigative mechanism deployable within 72 hours of verified early warning triggers, without requiring political consensus. This mechanism should be housed under OHCHR and coordinated with the Human Rights Council.
- Mandate annual public reporting on institutional responses to early warnings, detailing timelines, actions taken, and justifications for inaction, to enhance transparency and accountability.
- Strengthen coordination between UN agencies and local actors to ensure timely humanitarian access and protection services, particularly in politically sensitive contexts.

B. African Union (AU)

The AU must enhance its operational readiness and legal authority to act decisively in conflict situations:

- Strengthen the legal authority and financial independence of the AU Peace and Security Council and the African Commission on Human and Peoples’ Rights to enable timely and impartial interventions. This includes revising budgetary frameworks and ensuring member state contributions are consistent.

- Operationalize the Continental Early Warning System with automatic response protocols based on indicators such as mass displacement, obstruction of aid, and hate speech. CEWS should be linked to rapid deployment mechanisms and monitored quarterly.
- Create an AU-led hybrid tribunal for atrocity crimes when national systems fail, modeled after the Special Criminal Court in CAR, with a pilot framework proposed and tested in a member state by 2026.
- Promote regional solidarity and peer accountability through regular review of member states' human rights records in conflict zones

C. Government of Ethiopia

The Ethiopian government bears primary responsibility for protecting its citizens and ensuring accountability for violations. To fulfill its obligations under international and domestic law, the following actions are recommended:

- Ensure full cooperation with international and regional human rights investigations, including granting access to conflict-affected areas and sharing relevant documentation with bodies such as the UN, AU, and EHRC.
- Establish independent and impartial judicial mechanisms to investigate and prosecute serious human rights violations, including war crimes and crimes against humanity. Where domestic capacity is limited, the government should support the creation of hybrid courts in collaboration with international partners.
- Implement comprehensive transitional justice frameworks, including truth commissions, reparations programs, and institutional reforms. These should be inclusive, survivor-centered, and aligned with Ethiopia's obligations under the African Union Transitional Justice Policy.
- Strengthen legal protections for vulnerable groups, including women, children, and ethnic minorities, through legislative reforms and enforcement of anti-discrimination laws.
- Guarantee access to humanitarian aid and services in all regions, particularly those affected by conflict, and remove bureaucratic or political barriers that obstruct relief efforts.
- Promote civic space and protect human rights defenders, journalists, and civil society organizations from harassment, surveillance, and arbitrary detention.

- Integrate human rights education into national curricula and public service training, to foster a culture of accountability, tolerance, and respect for human dignity

D. Ethiopian Human Rights Institutions

National institutions must be empowered to act independently and effectively:

- Ensure EHRC’s operational independence and transparency in conflict investigations, including legal safeguards against political interference and public reporting obligations.
- Operational independence can be preserved through statutory guarantees, budgetary autonomy, and transparent appointment processes. For example, some national human rights institutions maintain independence by having multi-stakeholder oversight boards and publishing all investigative findings without prior government approval.
- Establish an independent review body to assess EHRC’s performance during crises, composed of legal experts, civil society representatives, and international observers without exposing the EHRC to external interference as per the constitutional mandate. It complements the accountability of EHRC to the House of Peoples’ Representatives (HPR) under Article 55(14) of the FDRE Constitution by introducing a professional, multi-perspective evaluation mechanism that strengthens public trust and institutional learning.
- Expand legal aid and psychosocial support programs for victims of human rights violations, especially women and children, through partnerships with humanitarian agencies and local NGOs, with measurable service coverage targets.

E. Donor States and International NGOs

External actors must support sustainable and inclusive human rights protection:

- Invest in capacity-building for local human rights defenders, including training in legal documentation, digital security, and trauma-informed care.
- Support survivor-centered transitional justice initiatives, including truth commissions, memorialization efforts, and community reconciliation programs, with survivor participation embedded in design and implementation.

- Promote equitable representation of Global South voices in international forums, including advisory roles in UN bodies and AU panels, with diversity benchmarks.
- Encourage flexible funding models that allow local organizations to respond rapidly to emerging crises.

F. Civil Society Organizations and Local Actors

Grassroots actors must be recognized and supported as key contributors to human rights protection:

- Develop joint reporting and advocacy mechanisms with international bodies such as OHCHR and the African Commission, ensuring timely and credible documentation of violations.
- Integrate early warning data from grassroots networks into institutional response systems, using digital platforms and community-based monitoring tools.
- Engage affected communities in the design and implementation of justice and memorialization efforts, including local truth-telling forums, survivor-led initiatives, and cultural healing practices.
- Provide legal and psychosocial support to survivors through community-based programs that reflect local values and needs.

G. Global Human Rights System Reform

Structural reforms are needed to ensure consistent and effective protection:

- Establish a global accountability framework to track institutional responses to mass atrocities, coordinated by the UN Secretary-General and reviewed annually.
- Create a permanent international mechanism for investigating and prosecuting atrocity crimes when national and regional systems fail, with a mandate approved by the UN General Assembly.
- Ensure consistent application of protection norms through inclusive and representative decision-making structures, including reforms to voting procedures and membership criteria in global governance bodies.

- Promote transparency and public engagement in global human rights institutions to rebuild trust and legitimacy.

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